



**The Second International Workshop**  
**“The South China Sea: Cooperation  
for Regional Security and Development”**



10-12 November, 2010, Ho Chi Minh City

**Diplomatic Academy of Vietnam**

**Vietnam Lawyers Association**

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## **Workshop Background**

Following the fruitful results of the First International Workshop on the South China Sea: Cooperation for Regional Security and Development (Hanoi, 26-27 November, 2009), the Diplomatic Academy of Vietnam (DAV) and the Vietnam Lawyers' Association (VLA) are pleased to co-organize the second workshop on the South China Sea, which will be held in Ho Chi Minh City from 10-12 November 2010.

Under the theme “The South China Sea: Cooperation for Regional Security and Development”, the Workshop will bring distinguished international scholars from ASEAN countries and China together with those from Australia, Canada, India, Japan, the Republic of Korea, the United States, and a number of European nations. This Second International Workshop provides an excellent opportunity to assess the current situation in the South China Sea from an interdisciplinary perspective and to consider and discuss measures to maintain peace and stability in the area while promoting regional cooperation.

The Workshop will comprise three main topics: i) The significance of the South China Sea in the changing global and regional context; ii) Recent developments in the South China Sea and implications for regional security and prosperity; and iii) Promoting cooperation in the South China Sea for regional security and development.

# PROGRAM

## Wednesday, November 10, 2010

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- All day           Arrival of participants and hotel check-in
- 17.00 - 18.00    Registration for international participants (*Grand Indochine Room 1<sup>st</sup> floor*)
- 18.00 - 20.00    **Welcome dinner**, hosted by **Mr. Pham Quoc Anh**, President of the  
Vietnamese Lawyers Association  
  
(*Grand Indochine Room 1<sup>st</sup> floor*)

## Thursday, November 11, 2010

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- 8.00 - 8.30**       **Registration** (For other participants)  
  
*(Ben Thanh Conference Hall, 1<sup>st</sup> Floor)*

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**8.30 – 9.00**       **OPENING SESSION (Open for Press)**

**Co - Chair:**

**Prof. Amb. Duong Van Quang**, President of the Diplomatic Academy of  
Vietnam

**Mr. Pham Quoc Anh**, President of the Vietnamese Lawyers Association

Opening remarks by **Prof. Amb. Duong Van Quang**, President of the  
Diplomatic Academy of Vietnam.

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9.00 - 10.30

**SESSION I: SIGNIFICANCE OF THE SOUTH CHINA SEA IN A CHANGING STRATEGIC LANDSCAPE**

**Chairperson: Prof. Carlyle A. Thayer**, School of Humanities and Social Sciences, The University of New South Wales at the Australian Defense Force Academy

9.00 - 9.15

**Maj. Gen (rtd) Vinod Saighal**, Executive Director, Eco Monitors Society, New Delhi, India

9.15 - 9.30

**The Role of the South China Sea in the Process of East Asian Cooperation.**

Presenter: **Prof. Su Hao** and **Dr. Ren Yuan-zhe**, China Foreign Affairs University, Beijing, China

9.30 – 9.45

**China, the United States and the South China Sea: a View from Outside**

Presenter: **Gen. (Rtd) Daniel Shaeffer**, Member of the French think tank Asie 21, France

9.45 – 10.00

**The South China Sea: An American Perspective**

Presenter: **Prof. Bronson Percival**, Senior Advisor, Center for Strategic Studies at CNA (formerly the Center for Naval Analyses), Virginia, USA

10.00 - 10.30

**Q&A and Discussions**

10.30 - 10.45

**Coffee Break/ Group Photo**

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**10.45 - 12.30      SESSION II: RECENT DEVELOPMENTS IN THE SOUTH CHINA SEA**

**Chairperson: Prof. Geoffrey Till**, Joint Services Command and Staff College and a member of the Defence Studies Department of King's College, London, UK

**10.45 – 11.00      The South China Sea: Back to the Future?**

Presenter: **Dr. Mark J. Valencia**, Research Associate, National Asia Research Program National Bureau of Asian Research and Woodrow Wilson Center, USA

**11.00 - 11.15      Rising Tension in the South China Sea and Implications for Regional Security**

Presenter: **Prof. Leszek Buszynski**, Strategic and Defence Studies Centre, Australian National University

**11.15 - 11.30      Security Assessment and Prospect of the South China Sea Area**

Presenter: **Mrs. Kang Fong**, Secretary of Publisher, Institute of Chinese Communist Studies, Taiwan

**11.30 - 11.45      Recent Developments in the South China Sea: From Declaration to Code of Conduct**

Presenter: **Dr. Tran Truong Thuy**, Research Fellow and Director of South China Sea Studies Programme, Diplomatic Academy of Vietnam.

**11.45 - 12.30      Q&A and Discussion**

**12.30 - 13.30      Lunch** (*Parkview Restaurant, Ground Floor*)

**13.30 - 15.15**

**SESSION III: RECENT DEVELOPMENTS IN THE SOUTH CHINA SEA (Cont.)**

**Prof. Vladimir Mazyrin**, Senior Research Fellow, Institute for Far Eastern Studies, Russian Academy of Science

13.30 - 13.45

**Recent Developments in the South China Sea and Implications for Regional Security and Prosperity**

Presenter: **Prof. Carlyle A. Thayer**, School of Humanities and Social Sciences, The University of New South Wales at the Australian Defense Force Academy

13.45 - 14.00

**The United States - China Competition in the South China Sea: Strategic Implications for Regional Security**

Presenter: **Dr. Fu-Kuo Liu**, Senior Research Fellow, Institute of International Relations, National Chengchi University, Taiwan

14.00 - 14.15

**When the Elephants dance..... China, the United States and the South China Sea**

Presenter: **Prof. Geoffrey Till**, Joint Services Command and Staff College and a member of the Defence Studies Department of King's College London, UK

14.15 - 14.30

**Misperceptions, National Interests, and Law in the South China Sea**

Presenter: **Research Prof. Stein Tønnesson**, Peace Research Institute Oslo (PRIO), Norway.

14.30 – 15.15

**Q&A and Discussion**

15.15 - 15.30

**Coffee Break**

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15.30 - 16.30

**SESSION IV: DISPUTES IN THE SOUTH CHINA SEA:  
INTERNATIONAL LEGAL ISSUES**

**Chairperson: Dr. Mark J. Valencia**, Research Associate, National Asia Research Program National Bureau of Asian Research and Woodrow Wilson Center, USA

15.00 - 15.15

**Activities in Disputed Marine Areas - Issues of Legality and Legitimacy**

Presenter: **Prof. Ian Townsend-Gault**, Faculty of Law, University of British Columbia, Canada

15.15 - 15.30

**The Impact of Artificial Islands on Territorial Disputes over the Spratly Islands**

Presenter: **Prof. Keyuan Zou**, Harris Chair in International Law, Lancashire Law School, University of Central Lancashire, UK.

15.30 - 15.45

**The Impact of the Submissions to the CLCS on Competing Claims in the South China Sea**

Presenter: **Prof. Robert Beckman**, The Centre for International Law (CIL), National University of Singapore.

15.45 - 16.15

**Q&A and Discussion**

16.15 - 16.30

**Coffee Break**

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- 16.30 - 17.45**      **SESSION V: DISPUTES IN THE SOUTH CHINA SEA: INTERNATIONAL LEGAL ISSUES (cont.)**
- Chairperson: Research Prof. Stein Tønnesson**, Peace Research Institute Oslo (PRIO), Norway.
- 16.30 – 16.45      **Three Disputes and Three Objectives: China and the South China Sea**
- Presenter: **Prof. Peter Dutton**, China Maritime Studies Institute, US Naval War College, USA
- 16.45 – 17.00      **Dotted Lines in the South China Sea: Fishing for a (Legal) Solution**
- Presenter: **Prof. Erik Franckx**, Member of the Permanent Court of Arbitration, President of the Department of International and European Law, and **Mr. Marco Benatar**, Department of International and European Law, Vrije Universiteit Brussel, Belgium
- 17.00-17.15      **Maritime Delimitation in International Law and Impacts on the South China Sea Disputes**
- Presenter: **Dr. Nguyen Thi Lan Anh**, Programme for the South China Sea Studies, Deputy Dean of International Law Department, Diplomatic Academy of Vietnam
- 17.15 – 17.45      **Q&A and Discussion**
- 18.30 - 21.00      **Dinner** for international participants and local speakers (*Grand Indochine Room 1<sup>st</sup> floor*)
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**Friday, November 12, 2010**

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**8.30 - 10.15      SESSION VI: DISPUTE SETTLEMENT AND CONFLICT  
MANAGEMENT IN THE SOUTH CHINA SEA:  
PROGRESS AND PROSPECTS**

**Chairperson: Prof. Leszek Buszynski**, Strategic and Defence Studies  
Centre, Australian National University

**8.30 - 8.45      Experiences in 20 Years of Informally Managing Potential Conflicts in  
the South China Sea**

Presenter: **Prof. Hasjim Djalal**, Director, Centre for South - East Asian  
Studies, Indonesia

**8.45 - 9.00      Dispute Settlement and Conflict Management in the South China Sea -  
Assessing Progress and Challenges**

Presenter: **Prof. Ramses Amer**, Senior Research Fellow, Center for Pacific  
Asia Studies (CPAS), Department of Oriental Languages, Stockholm  
University, Sweden.

**9.00 - 9.15      ASEAN and China keep Peace in the South China Sea: A Personal  
View**

Presenter: **Prof. Ba Hamzah**, Senior Research Fellow, University of  
Malaya, Kuala Lumpur, Malaysia.

**9.15 - 9.30      The South China Sea: Three Periods, Four Challenges, Two Regional  
Approaches and One Hope**

Presenter: **Prof. Nguyen Hong Thao**, Hanoi National University, Vietnam

**9.30 - 10.15      Q&A and Discussion**

**10.15 - 10.30      Coffee Break**

10.30 – 12.30

**SESSION VII: COOPERATION IN THE SOUTH CHINA SEA: EXPERIENCES AND LESSONS**

**Chairperson: Prof. Hasjim Djalal**, Director, Centre for South - East Asian Studies, Indonesia

10.45 – 11.00

**Cooperation in the South China Sea: Views on the Philippines-Vietnam Cooperation on Maritime and Ocean Concerns**

Paper written by **Atty. Henry S. Bensurto**, Secretary General, Commission on Maritime and Ocean Affairs Secretariat (CMOAS), Department of Foreign Affairs of Philippines, delivered by **Mr. Nomer B. Ado II**, Deputy Secretary General of CMOAS

11.00 – 11.15

**Cooperation in the Gulf of Tonkin: the China - Vietnam Fishery Agreement Revisited**

Presenter: **Ms. Li Jianwei**, Deputy Director, China National Institute for South China Sea Studies, Hainan, China.

11.15 – 11.30

**Joint Marine Biodiversity Projects in the South China Sea: Efforts Made in the SCS Workshop Process**

Presenter: **Prof. Yann-huei Song**, Institute of European and American Studies, Academia Sinica, Nankang, Taipei, Taiwan

11.30 – 11.45

**Cooperation for Security and Development in the South China Sea**

Presenter: **Amb. Rodolfo C. Severino**, Head, ASEAN Studies Centre, Institute of Southeast Asian Studies, Singapore

11.45 - 12. 30

**Q&A and Discussion**

12.30 - 13.30

**Lunch** (*Parkview Restaurant, Ground Floor*)

13.30 – 15.00

**SESSION VIII: PROMOTING COOPERATION FOR SECURITY AND DEVELOPMENT IN THE SOUTH CHINA SEA**

**Chairperson: Prof. Ian Townsend-Gault**, Faculty of Law, University of British Columbia, Canada

13.30 – 13.45

**Perspectives and Proposed Approach on Cooperation for Regional Security and Development in the South China Sea**

Presenter: **Mr. Alberto A. Encomienda**, DagatKalingaAlaga, Inc., Philippines

13.45 – 14.00

**Implementing CBMs in the 2002 DOC: A Roadmap to Managing the South China Sea Dispute**

Presenter: **Dr. Ian Storey**, Editor, Contemporary Southeast Asia; Fellow, Institute of Southeast Asian Studies (ISEAS), Singapore

14.00 – 14.15

**International Joint Development of Fisheries Resources**

Presenter: **Dr. Wang Hanling**, Institute of International Law, Chinese Academy of Social Sciences, Beijing, China

14.15 – 14.30

**All for one, one for all: Promoting economic cooperation in the South China Sea**

Presenter: **Mr. Nazery Khalid**, Senior Fellow, Maritime Institute of Malaysia

14.30 – 14.45

**Approaches for Cooperative Activities in the South China Sea**

Presenter: **Mr. Vu Hai Dang**, Candidate of Doctorate of the Science of Law in Marine Environmental Law at Schulich Law School, University of Dalhousie, Canada

14.45 – 15.15

**Q&A and Discussion**

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15.15 - 16.00

**CLOSING SESSION (Open for Press)**

**Closing remarks by Presidents of the organizing institutions and Chairpersons of Sessions:**

**Prof. Amb. Duong Van Quang**, President of the Diplomatic Academy of Vietnam.

**Mr. Pham Quoc Anh**, President of the Vietnamese Lawyers Association.

**Prof. Carlyle A. Thayer**, School of Humanities and Social Sciences, The University of New South Wales at the Australian Defense Force Academy

**Prof. Geoffrey Till**, Joint Services Command and Staff College and a member of the Defence Studies Department of King's College London, UK

**Prof. Vladimir Mazyrin**, Senior Research Fellow, Institute for Far Eastern Studies, Russian Academy of Science

**Dr. Mark J. Valencia**, Research Associate, National Asia Research Program National Bureau of Asian Research and Woodrow Wilson Center, USA

**Prof. Stein Tønnesson**, Peace Research Institute Oslo (PRIO), Norway.

**Prof. Leszek Buszynski**, Strategic and Defence Studies Centre, Australian National University

**Prof. Hasjim Djalal**, Director, Centre for South - East Asian Studies, Indonesia

**Prof. Ian Townsend-Gault**, Faculty of Law, University of British Columbia, Canada

16.30 - 19.00

**Ho Chi Minh City Tour**

*(Please be at the Hotel lobby at 16.30)*

19.00 - 21.30

**Farewell Dinner**, hosted by **Prof. Amb. Duong Van Quang**, President of the Diplomatic Academy of Vietnam

*(Please be at the Hotel lobby at 18.30 - for participants not joining the city tour)*

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**Saturday  
November 13**

**Departure**

## **MEETING GUIDELINES**

**Venue:** New World Saigon Hotel, 76 Le Lai Street, District 1, Ho Chi Minh City

### **Workshop Secretariat**

**Mrs. Ngo Thu Huong**, Mobile +84 912378782, Email: [huongngothu@mofa.gov.vn](mailto:huongngothu@mofa.gov.vn); [huongngothu2010@gmail.com](mailto:huongngothu2010@gmail.com)

### **Registration and identification badges**

A registration counter will be set up for registration.

Time and venue:

- 10 November: 17.00 - 18.00 (*Grand Indochine Room 1<sup>st</sup> floor*)
- 11 November: 8.00 – 8.30 (*Ben Thanh Conference Hall, 1<sup>st</sup> Floor*)

Badges will be issued upon completion of registration by participants and verification by the Conference staffs at the registration counter.

Delegates are required to wear identification badges visibly at all times while attending the Workshop and related social functions. A lost or misplaced badge must be reported immediately by the badge holder to the Workshop Secretariat.

### **Dress code**

Formal business attire is required for the Opening Session.

For other sessions, business casual is appropriate.

### **Internet**

Wireless Internet is available at the Conference Hall

### **Immigration**

All delegates must hold passports that are valid for at least six months upon their arrival in Vietnam.

With regard to visa, participants are requested to contact the Embassies of Vietnam in their respective countries on the visa requirements.

Participants from ASEAN Member countries (and some other countries) do not need visa to enter Vietnam.

## **Transportation**

The Organizing Committee will arrange transportation for arriving participants from/to the Tan Son Nhat International Airport to/from New World Hotel Sai Gon.

## **Sight-seeing tour**

At the end of the Workshop, the Organizing Committee will organize a sight-seeing activity. Interested participants are required to notify the Organizing Committee during registration.

**16.30:** Bus pick up participants at hotel lobby.

Go around the city heart, visit to Post Office Center, Notra Dame Cathedral, take pictures on tour.

**17.30:** Pass by the City Opera House, HCM Committee Hall, and do shopping at Ben Thanh Market.

**18.30:** Continue tour to the downtown, get on board for the dinner on cruise.

## **Meals**

Breakfast will be provided daily at the hotel. All other meals will be provided as indicated in the program.

## LIST OF PARTICIPANTS

### International Participants

- |     |                                   |                                                                                                                                                  |           |
|-----|-----------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| 1.  | <b>Prof. Leszek Buszynski</b>     | Strategic and Defence Studies Centre in the Australian National University                                                                       | Australia |
| 2.  | <b>Prof. Carlyle A. Thayer</b>    | School of Humanities and Social Sciences, The University of New South Wales, Australian Defence Force Academy, Canberra                          | Australia |
| 3.  | <b>Prof. Erik Franckx</b>         | President of the Department of International and European Law and Director of the Centre for International Law at the Vrije Universiteit Brussel | Belgium   |
| 4.  | <b>Mr. Marco Benatar</b>          | Department of International and European Law, Vrije Universiteit Brussel.                                                                        | Belgium   |
| 5.  | <b>Ms. Shazainah Shariffuddin</b> | Director, Department of Policy Planning, Ministry of Foreign Affairs and Trade                                                                   | Brunei    |
| 6.  | <b>Ms. Arnyfariza Jaini</b>       | Second Secretary, Department of Policy Planning, Ministry of Foreign Affairs and Trade                                                           | Brunei    |
| 7.  | <b>Mr. Irawan Abdullah</b>        | Diplomatic Officer, Ministry of Foreign Affairs and Trade                                                                                        | Brunei    |
| 8.  | <b>Mrs. Khlout Thyda</b>          | President, Royal Academy of Cambodia                                                                                                             | Cambodia  |
| 9.  | <b>Ms. Keo Socheath</b>           | Royal Academy of Cambodia                                                                                                                        | Cambodia  |
| 10. | <b>Prof. Ian Townsend-Gault</b>   | Faculty of Law, University of British Columbia, Canada                                                                                           | Canada    |
| 11. | <b>Mr. Vu Hai Dang</b>            | Candidate of Doctorate of the Science of Law in Marine Environmental Law at Schulich                                                             | Canada    |

	Law School, University of Dalhousie, Canada	
12. <b>Ms. Li Jianwei</b>	Deputy Director, Research Center for Maritime Economy, National Institute for South China Sea Studies	China
13. <b>Ms. Xiayun Ni</b>	Director of US Foreign Policy Program of American Institute in China Institutes of Contemporary International Relations (CICIR)	China
14. <b>Dr. Ren Yuan-zhe</b>	Center for Strategic and Conflict Management, China Foreign Affairs University	China
15. <b>Dr. Wang Hanling</b>	Institute of International Law, Chinese Academy of Social Sciences, Beijing	China
16. <b>Prof. Su Hao</b>	China Foreign Affairs University, Beijing, China	China
17. <b>Dr. Yann-huei Song</b>	Institute of European and American Studies, Academia Sinica, Nankang, Taipei	Chinese Taipei
18. <b>Dr. Fu Kua Liu</b>	Director of 1st Division Institute for International Relations, Taipei	Chinese Taipei
19. <b>Mrs. Kang Fong</b>	Secretary of Publisher, Institute of Chinese Communist Studies	Chinese Taipei
20. <b>Mr. Chen Kuo-Chung</b>	Section Chief of International Affairs - Institute of Chinese Communist Studies	Chinese Taipei
21. <b>Ms. Chang Tan-Lung</b>	Researcher, Institute of Chinese Communist Studies	Chinese Taipei
22. <b>Mr. Li Chun-Yu</b>	Researcher - Institute of Chinese Communist Studies	Chinese Taipei
23. <b>Gen. (rtd) Daniel Schaeffer</b>	Member of the French think tank Asie21	France



24.	<b>Mr. Martin Kremer</b>	Head of the Southeast Asia Division in the German Federal Foreign Office	Germany
25.	<b>Dr. Mathias Fueracker</b>	Legal Officer International Tribunal for the Law of the Sea	Germany
26.	<b>Maj. Gen (rtd) Vinod Saighal</b>	Executive Director, Eco Monitors Society, India	India
27.	<b>Prof. Hajim Djalal</b>	Centre for South East Asian Studies	Indonesia
28.	<b>Mr. Pohan Hazairin</b>	Acting Director General/Acting Head of the Policy Planning and Development Agency	Indonesia
29.	<b>Mr. Sardjana Agus</b>	Director/Head of the Centre of Policy Planning and Development for International Organization	Indonesia
30.	<b>Mr. Arby Ardhya Erlangga</b>	Deputy Director, Centre of Policy Planning and Development for International Organization	Indonesia
31.	<b>Mr. Tetsuo Kotani</b>	Special Research Fellow The Okazaki Institute, Tokyo	Japan
32.	<b>Mr. Ahn Se Hyun</b>	University of Seoul, Department of International Relations	Korea
33.	<b>Dr. Hak-Bong Chang</b>	Director of International Marine Affairs and Territory Research Dept, Korea Maritime Institute	Korea
34.	<b>Dr. Park Young-Ki</b>	Korea Maritime Institute	Korea
35.	<b>Mrs. Malayvieng Sakonhninhom</b>	Director General, Institute of Foreign Affairs, MOFA	Laos
36.	<b>Mr. Somphay Vongmahachack</b>	Researcher, Institute of Foreign Affairs, MOFA	Laos
37.	<b>Mr. Hamzah Ben Ahmad</b>	University of Malaya, MALAYSIA	Malaysia
38.	<b>Mr. Hasnan Zahedi Ahmad Zakaria</b>	National Security Council, Prime Minister's Department	Malaysia

39.	<b>Mr. Mohd Melmy Ahmad</b>	National Security Council, Prime Minister's Department	Malaysia
40.	<b>Mr. Nazery Khalid</b>	Maritime Institute of Malaysia	Malaysia
41.	<b>Mr. Ariffin Dato' Noor Farida</b>	Research, Treaties and International Law Department	Malaysia
42.	<b>Ms. Siti Naaishah Binti Hambali</b>	Distinguished Fellow, Asean Law Association, Faculty Of Law University Kebangsaan Malaysia	Malaysia
43.	<b>Mr. Azfar Mohamad Mustafar</b>	Ministry of Foreign Affairs, Malaysia	Malaysia
44.	<b>Mr. Aung Lynn</b>	Deputy Director -General, Asean Affairs Department, Ministry of Foreign Affairs of the Union of Myanmar	Myanmar
45.	<b>Ms. Myat Thida Aye</b>	Ministry of Foreign Affairs of the Republic of the Union of Myanmar	Myanmar
46.	<b>Ms. Wai Mon</b>	Ministry of Foreign Affairs of the Republic of the Union of Myanmar	Myanmar
47.	<b>Prof. Stein Toenneson</b>	Research professor, Peace Research Institute Oslo (PRIO)	Norway
48.	<b>Mr. Nomer B.Ado II</b>	Deputy Secretary General, Commission on Maritime and Ocean Affairs Secretariat	Philippines
49.	<b>Mr. Alberto A. Encomienda</b>	Executive Director, DagatKalingaAlaga, Inc.	Philippines
50.	<b>Ms. Amparo Pamela H. Fabe</b>	Senior Fellow, Philippine Institute for Peace, Violence and Terrorism	Philippines
51.	<b>Prof. Vladimir Mazyrin</b>	Senior Research Fellow, Institute for Far Eastern Studies, Russian Academy of Science	Russia
52.	<b>Prof. Robert Beckman</b>	The Centre for International Law (CIL), National University of Singapore.	Singapore

53.	<b>Dr. David Koh</b>	Senior Fellow, Institute of Southeast Asian Studies, Singapore; Visiting Research Fellow at the Diplomatic Academy of Vietnam	Singapore
54.	<b>Amb. Rodolfo C. Severino</b>	Head of ASEAN Studies Centre, Institute of Southeast Asian Studies	Singapore
55.	<b>Dr. Ian Storey</b>	Editor of Journal of Contemporary Southeast Asia, Fellow of Institute of Southeast Asian Studies	Singapore
56.	<b>Prof. Ramses Amer</b>	Department of Oriental Languages, Stockholm University, Sweden, National Institute for South China Sea Studies, Haikou, Hainan, China, and Swedish Institute of International Affairs	Sweden
57.	<b>Col. Narut Smitatilaka</b>	Staff Officer, Strategic Studies Centre	Thailand
58.	<b>Dr. Thanyathip Sripana</b>	Institute of Asian Studies, Chulalongkorn University	Thailand
59.	<b>Prof. Geoffrey Till</b>	Joint Services Command and Staff College and a member of the Defence Studies Department of King's College London	UK
60.	<b>Prof. Keyuan Zou</b>	Lancashire Law School of the University of Central Lancashire (UCLan), United Kingdom	UK
61.	<b>Prof. Mark J. Valencia</b>	Research Associate, National Asia Research Program, National Bureau of Asia Research and Woodrow Wilson Center, USA	USA
62.	<b>Prof. Peter Dutton</b>	China Maritime Studies Institute, U.S. Naval War College	USA
63.	<b>Prof. Bronson Percival</b>	Senior Advisor, Center for Strategic Studies at CNA (formerly the Center for Naval Analyses), Virginia, USA	USA

- |                                 |                                                                                                   |     |
|---------------------------------|---------------------------------------------------------------------------------------------------|-----|
| 64. <b>Mrs. Meredith Miller</b> | Vice President The National Bureau of Asia Research, Washington DC, USA                           | USA |
| 65. <b>Mr. Tim Cook</b>         | Project Director, Political and Security Affairs, The National Bureau of Asia Research (NBR), USA | USA |

## **Local Participants**

### **Scholars**

- |                                  |                                                                                                         |
|----------------------------------|---------------------------------------------------------------------------------------------------------|
| 1. <b>Mr. Vũ Thanh Ca</b>        | Deputy Director, Institute of Sea and Islands Management, Ministry of Natural Resources and Environment |
| 2. <b>Prof. Nguyễn Bá Diên</b>   | Head of Center for International Law of the Sea, Faculty of Law, Hanoi National University              |
| 3. <b>Mr. Nguyễn Đức Hùng</b>    | Former Ambassador to Canada, Senior Advisor to the Diplomatic Academy of Vietnam                        |
| 4. <b>Prof. Đỗ Tiến Sâm</b>      | Director of the Institute for China Studies                                                             |
| 5. <b>Prof. Nguyễn Hồng Thao</b> | Hanoi National University                                                                               |
| 6. <b>Mr. Nguyễn Xuân Thành</b>  | Institute of International Relations, Ministry of Defense                                               |
| 7. <b>Dr. Trần Công Trục</b>     | Former Head of the Government's Border Committee                                                        |

### **Observers from Vietnam Government's Ministries and Agencies**

- |                                     |                                                                               |
|-------------------------------------|-------------------------------------------------------------------------------|
| 1. <b>Major Gen. Trần Văn Hương</b> | National Defense and Security Department, Ministry of Planning and Investment |
| 2. <b>Mr. Lê Hồng Tiến</b>          | National Defense and Security Department, Ministry of Planning and Investment |
| 3. <b>Mr. Đinh Trần Lợi</b>         | Department 1, Ministry of Finance                                             |
| 4. <b>Mr. Vũ Khắc Túc</b>           | Department 1, Ministry of Finance                                             |

- |     |                               |                                                                                                       |
|-----|-------------------------------|-------------------------------------------------------------------------------------------------------|
| 5.  | <b>Mr. Trần Hiệp</b>          | Deputy Director General, Department of General Affairs, Party's National External Relations Committee |
| 6.  | <b>Dr. Đặng Công Minh</b>     | Head of External Relations Division, Vietnam Marine Police                                            |
| 7.  | <b>Colonel Nguyễn Văn Hải</b> | Head of Mapping Department, Vietnam Navy General Staff                                                |
| 8.  | <b>Colonel Phú Văn Lam</b>    | Head of External Relations Division, Vietnam Marine Police                                            |
| 9.  | <b>Colonel Phạm Văn Trình</b> | Head of Search and Rescue Division, Vietnam Navy Command                                              |
| 10. | <b>Ms. Lê Thị Lệ Thu</b>      | Department of External Relations, Ho Chi Minh City                                                    |
| 11. | <b>Mr. Phạm Việt Dũng</b>     | Deputy Director, Exploration Division, Petro Vietnam                                                  |
| 12. | <b>Mr. Bùi Quốc Tuấn</b>      | Law and International Cooperation Division, PetroVietnam                                              |
| 13. | <b>Mr. Bạch Ngọc Chiến</b>    | Director, Vietnam Television VTV4                                                                     |

#### **Observers from Vietnam MOFA**

- |    |                              |                                         |
|----|------------------------------|-----------------------------------------|
| 1. | <b>Mr. Nguyễn Duy Chiến</b>  | National Border Commission              |
| 2. | <b>Mr. Nguyễn Mạnh Đông</b>  | Law and International Treaty Department |
| 3. | <b>Ms. Phạm Thu Hằng</b>     | Press and Information Department        |
| 4. | <b>Mr. Vũ Lê Thái Hoàng</b>  | Policy Planning Department              |
| 5. | <b>Mr. Dương Chí Hiểu</b>    | ASEAN Department                        |
| 6. | <b>Ms. Trần Thanh Hà</b>     | National Border Commission              |
| 7. | <b>Ms. Vũ Hải Vân</b>        | National Border Commission              |
| 8. | <b>Mr. Nguyễn Quang Vinh</b> | National Border Commission              |
| 9. | <b>Mr. Đoàn Khắc Việt</b>    | North East Asia Department              |

### **Vietnamese Lawyers Association**

1. **Dr. Phạm Quốc Anh** President
2. **Prof. Lê Minh Tâm** Vice President and Secretary General
3. **Mr. Đàm Xuân Toan** Deputy Secretary General
4. **Dr. Nguyễn Thị Sơn** Deputy Secretary General, Director of International Business and Law Academy
5. **Prof. Mai Hồng Quỳnh** Rector, University of Law, Ho Chi Minh City

#### **Others**

### **Diplomatic Academy of Vietnam**

1. **Prof. Amb. Dương Văn Quảng** President
2. **Mr. Đặng Đình Quý** Vice President
3. **Mr. Nguyễn Hùng Sơn** Deputy Director - General, Institute of Strategic Studies and Foreign Policy
4. **Dr. Trần Trường Thủy** Research and Director of Program for South China Sea Studies
5. **Dr. Nguyễn Thị Lan Anh** Program for South China Sea Studies, Deputy Dean of Faculty of International Law
6. **Dr. Nguyễn Nam Dương** Institute of Strategic Studies and Foreign Policy

#### **Others**

### **Diplomatic Missions in Vietnam**

1. **Ms. Chantelle Woodford** Consul, Australian Consulate-General Australia

- |     |                                          |                                                                                |                |
|-----|------------------------------------------|--------------------------------------------------------------------------------|----------------|
| 2.  | <b>Ms. Michael Hoy</b>                   | Second Secretary,<br>Australian Embassy<br>Hanoi                               | Australia      |
| 3.  | <b>Mr. Vũ Tú Đạt</b>                     | The Canadian Embassy                                                           | Canada         |
| 4.  | <b>Mr. Hieh Bor Huei</b>                 | First Secretary, Taipei<br>Economic and Cultural<br>Office in Hanoi            | Chinese Taipei |
| 5.  | <b>Mr. Yoshio Uchiyama</b>               | Counselor, Japanese<br>Embassy in Vietnam                                      | Japan          |
| 6.  | <b>H.E Mr Pitono Purnomo</b>             | Ambassador, the<br>Indonesian Embassy in<br>Vietnam                            | Indonesia      |
| 7.  | <b>Mr. Syamsudin Sidabutar</b>           | Minister Counselor, the<br>Indonesian Embassy in<br>Vietnam                    | Indonesia      |
| 8.  | <b>Mr. Lee Sang Hoon</b>                 | Vice Consul-General,<br>the Korean Consulate<br>General in Ho Chi Minh<br>City | Korea          |
| 9.  | <b>Mr. Mohd Zulkarnain<br/>Abu Bakar</b> | Second Secretary, the<br>Malaysian Embassy in<br>Vietnam                       | Malaysia       |
| 10. | <b>Mr. Pong Kok Tian</b>                 | Consul-General,<br>The Singapore Consulate<br>General in Ho Chi Minh<br>City   | Singapore      |
| 11. | <b>Mr. Richard Homer</b>                 | Political Officer at<br>the British Embassy in<br>Vietnam                      | UK             |

**International and Local Press**

## **Biographies of Participants**

### ***Ramses Amer***

Ramses Amer – Associate Professor and PhD in Peace and Conflict Research – is Senior Research Fellow, Department of Oriental Languages, Stockholm University, Sweden, and Research Associate, Swedish Institute of International Affairs, Stockholm, Sweden. Major areas of research include a) security issues and conflict resolution in Southeast Asia and the wider Pacific Asia and b) the role of the United Nations in the international system. He is the author of *The Sino-Vietnamese Approach to Managing Boundary Disputes*, Maritime Briefing, Vol. 3, No. 5 (Durham: International Boundaries Research Unit, University of Durham, 2002). He is Co-editor, with Carlyle A. Thayer, of *Vietnamese Foreign Policy in Transition* (Singapore: Institute for Southeast Asian Studies; and, New York: St Martin's Press, 1999). He is Co-editor, with Ashok Swain and Joakim Öjendal, of *Globalization and Challenges to Building Peace* (London, Chicago and New Delhi: Anthem Press, 2007); and, of *The Democratization Project: Opportunities and Challenges* (London and New York: Anthem Press, 2009). He is also co-editor with N. Ganesan, of *International Relations in Southeast Asia: Between Bilateralism and Multilateralism* (Singapore: Institute of Southeast Asian Studies, 2010). He has also contributed to international journals and books and has written reports on issues of Southeast Asian Affairs and on the United Nations.

### **Nguyen Thi Lan Anh**

Dr. Nguyen Thi Lan Anh is currently the Vice Dean of the International Law Faculty of the Diplomatic Academy of Vietnam. Dr. Lan-Anh received her Ph.D. in International Law from University of Bristol, the United Kingdom, and L.L.M. from University of Sheffield by the sponsor of ORS Award for International Research Students of Outstanding Merit and Research Potential and Chevening Scholarship. Dr Lan-Anh has research interests in ocean law and policy, maritime security, and the South China Sea issues. Currently, she takes part in the Research Programme on the South China Sea of the DAV and is a member of the Research Project on International Maritime Crimes of the Center for International Law, the National University of Singapore.

### ***Robert Beckman***

Robert C Beckman is the Director of Centre for International Law (CIL), a recently established university-wide research centre at the National University of Singapore (NUS). He is also an Associate Professor at the NUS Faculty of Law, where he has taught for more than 30 years. Prof Beckman received his J.D. from the University of Wisconsin and his LL.M. from Harvard. He is an Adjunct Senior Fellow in the Maritime Security Programme at the S Rajaratnam School of International Studies (RSIS), Nanyang Technological University (NTU). He also lectures in the summer diploma course at the Rhodes Academy of Oceans Law & Policy. He is an expert on the issues of law of the sea in Southeast Asia, including piracy and maritime security. The subjects he has taught at NUS include Public International Law, International Legal Process, Ocean Law & Policy in Asia, International Regulation of



Shipping, Maritime Security and International Law and United Nations Law. He served for several years as a regional resource person in the workshops on Managing Potential Conflicts in the South China Sea. He has also represented Singapore in various CSCAP meeting on maritime security, and has worked on legal issues relating to the Straits of Malacca and Singapore and the South China Sea.

### ***Marco Benatar***

Mr. Marco Benatar is a member of the Department of International and European Law at the *Vrije Universiteit Brussel (V.U.B.)*; Pleinlaan 2, B-1050, Brussels, Belgium; mbenatar@vub.ac.be). He received his Master's degree in law from the *V.U.B.* and spent one semester abroad in Barcelona. During his studies in Brussels he worked as a summer associate at an international law firm and did an internship at the Council of State of Belgium. He holds an LL.M. in International Legal Studies from NYU School of Law (*B.A.E.F.* & Fulbright scholar), where he was a graduate editor of the NYU Journal of International Law & Politics. After graduation, he interned at the United Nations International Law Commission for the Special Rapporteur on Reservations to Treaties. He also worked as an external collaborator to a former legal adviser of the International Labour Organization. Currently he is a Ph.D. fellow of the Research Foundation – Flanders (FWO) and serves as a co-instructor at the Brussels School of International Studies (University of Kent at Canterbury).

### ***Percival Bronson***

Bronson Percival, a retired diplomat and former professor at the U.S. Naval War College, is currently a Senior Advisor with the Center for Strategic Studies at CNA (formerly the Center for Naval Analyses). He also chairs a course on Southeast Asia at the U.S. Foreign Service Institute and recently taught a class on China and Southeast Asia at the School of Advanced International Studies, Johns Hopkins University.

Percival has written a book on China's growing influence in Southeast Asia. *The Dragon Looks South: China and Southeast Asia in the New Century* was published in 2007. He has also spoken in the United States and abroad on China's goals and activities in Southeast Asia and the Indian Ocean. In February 2010 he testified before Congress at hearings on China and Southeast Asia.

In the past few years, Percival's classified publications have included studies for the U.S. government on maritime security in the Indian Ocean and on a strategy for U.S.-Indian maritime cooperation. He has also presented conference papers, in New Delhi and Singapore, on the regional security environment and growing Chinese and Indian naval ambitions and power.

Percival was educated at the University of California-Berkeley (A.B.), the National War College (M.S.), and the University of Chicago, where he completed course work and research in India for his Ph.D.

### ***Leszek Buszynski***

Leszek Buszynski was professor of International Relations in the Graduate School of International Relations at the International University of Japan. In 2010 he joined the

Strategic and Defence Studies Centre in the Australian National University as a visiting Fellow. He has published widely on Asia Pacific security issues and is co editor of the Routledge series on Asia Pacific Security.

### ***Timothy Cook***

Mr. Cook is a Project Director in the Political and Security Affairs group at The National Bureau of Asian Research (NBR). In this capacity, he creates and pursues business opportunities for NBR, determines significant and emerging issues in the field, manages project teams, and is responsible for the success of research projects. Among other initiatives, he is currently directing NBR's "Maritime Energy Resources in Asia" project, which explores the political, historic, legal, economic, and strategic factors at play in maritime boundary disputes in the Gulf of Thailand, the South China Sea, and the East China Sea. The project is sponsored by the MacArthur Foundation's Asia Security Initiative. His personal research interests include Chinese foreign and security policy, U.S. alliance relationships in Asia, as well as issues dealing with the implications of the spread of nuclear-related materials and technologies in Asia. Mr. Cook holds an MA in International Studies (China) from the University of Washington (Seattle, WA) and a BA in International Relations from Carleton College (Northfield, MN).

### ***Vu Hai Dang***

Mr. Vu Hai Dang is currently a candidate of Doctorate of the Science of Law in Marine Environmental Law at Schulich Law School, University of Dalhousie, Canada. His latest degree was a Master in International Law, specializing in Exportation Law and Practice awarded in 2005 by University of Paris 5–René Descartes, France. His current research interest focuses on marine environmental law and ocean governance at the global and regional level. His publications include *Regional Marine Environmental Protection and Regime Building Failure in the South China Sea: Explanation and Perspectives for Solutions* (co-author, journal article, in press); *From Hong Kong* (coauthor, journal article in French, CCE International magazine, n° April-May 2005, Paris).

### ***Peter Dutton***

Peter Dutton is an Associate Professor of Strategic Studies in the China Maritime Studies Institute at the U.S. Naval War College. His current research focuses on American and Chinese views of sovereignty and international law of the sea and the strategic implications to the United States of Chinese legal and policy choices. Prof. Dutton's most recent publication is an article on China's perspectives on legal rights and interests in the South China Sea entitled "Through a Chinese Lens," (USNI Proceedings, April 2010). Selected additional publications include "Caelum Liberam: Air Defense Identification Zones Outside Sovereign Airspace," (American Journal of International Law, October 2009), "Charting a Course: US-China Cooperation at Sea," (China Security, April 2009), "Scouting, Signaling and Gate-Keeping: Chinese Naval Operations in Japanese Waters and the International Law Implications," (China Maritime Studies Monograph, April 2009), and "Carving Up the East China Sea," (Naval War College Review, Spring 2007). Additionally, Professor Dutton has

testified before the U.S. China Economic and Security Review Commission and before the Senate Foreign Relations Committee.

***Alberto Encomienda***

Mr. Alberto A. Encomienda, a career Foreign Service Officer of the Republic of the Philippines recently retired with the rank of Chief of Mission, Class I. He served as the country's Ambassador to Greece, Malaysia and Singapore. His career specialization is Oceans Law and Policy with an LLM degree from the University of London in 1972, and Columbia University in 1978.

His government work in Oceans Policy and Law of the Sea, concentrated in the decade leading to his retirement, saw Mr. Encomienda as head of the then Maritime and Ocean Affairs Unit (MOAU) under the Office of the Secretary of Foreign Affairs, which was at the same time the Secretariat of the high-level Cabinet Committee on Maritime and Ocean Affairs (CABCOM-MOA). The CABCOM-MOA was later abolished and at the same time the MOAU was upgraded to the Maritime and Ocean Affairs Center (MOAC) to which devolved the agenda of the CABCOM-MOA and its policy formulation and oversight functions. MOAC functions were later transferred to the Office of the President to give a higher profile and prominence to the Ocean concerns of the country facing modern paradigms as an archipelagic State, through the creation of the Commission on Maritime and Ocean Affairs (CMOA) chaired by the Executive Secretary. Mr. Encomienda headed the CMOA Secretariat for a year after its establishment.

In his Track I role, Mr. Encomienda had an early exposure into practical ocean governance activity in an UNCLOS Part IX setting when he presided over the conduct of Exercise Luzon Sea (ELS 1) and the Philippines-Vietnam Joint Oceanographic and Marine Scientific Research Expedition in the South China Sea (JOMSRE-SCS) III and IV activities reflected in the Proceedings of the Conference on the Results of the RP-Vietnam Joint Oceanographic and Marine Scientific Research Expedition in the South China Sea (JOMSRE I to IV) and Exercise Luzon Sea (ELS) organized and held under MOAC auspices, during his tenure as its Secretary-General. Mr. Encomienda retired from diplomatic service in February 2009.

***Amparo Pamela Fabe***

Ms. Amparo Pamela H. Fabe is a Senior Fellow of the Philippine Institute of Peace, Violence and Terrorism. Ms.Fabe's research focuses on the role nonprofit and civil society organizations play in the midst of terrorism with a specific interest in the developing world and low-income population. She is currently doing research on gender and armed conflict. She is particularly interested in the role of power and coercion in internal armed conflicts. She has examined the dynamic relationship of climate change and armed conflicts. She also studies various groups that engage in political violence. She has worked together with Professor Rommel Banlaoi on issues related to maritime security. Professor Fabe holds a Master's Degree in Economics from the University of Asia and the Pacific. She also finished her BS Economics and Masters in Sociology at the University of the Philippines. She lectures at the University of Asia and the Pacific and the Philippine College of Criminology.

### ***Erik Franckx***

Erik Franckx is a research professor, President of the Department of International and European Law and Director of the Centre for International Law at the *Vrije Universiteit Brussel* (*V.U.B.*; Pleinlaan 2, B-1050, Brussels, Belgium; Erik.Franckx@vub.ac.be). He holds moreover teaching assignments (in chronological order) at the Vesalius College (*V.U.B.*), *Université Libre de Bruxelles*, the Brussels School of International Studies (University of Kent at Canterbury), the Program on International Legal Cooperation (Institute of European Studies, *V.U.B.*), and the *Université Paris-Sorbonne Abu Dhabi*. He has been appointed by Belgium as member of the Permanent Court of Arbitration, The Hague, The Netherlands; as expert in marine scientific research for use in special arbitration under the 1982 United Nations Convention on the Law of the Sea; as legal expert in the Advisory Body of Experts of the Law of the Sea of the Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific and Cultural Organization; and as expert in maritime boundary delimitation to the International Hydrographic Organization.

### ***Till Geoffrey***

Geoffrey Till is the Professor of Maritime Studies at the Joint Services Command and Staff College and a member of the Defence Studies Department of King's College London. He is the Director of the Corbett Centre for Maritime Policy Studies.

In addition to many articles and chapters on various aspects of maritime strategy and policy defence, he is the author of a number of books. His most recent are *The Development of British Naval Thinking* published by Routledge in 2006 and *Seapower : A Guide for the 21<sup>st</sup> Century* the second edition of which was published by Routledge in 2009. He is currently working on a study of naval development in the Asia-Pacific region.

In 2007 he was a Senior Research Fellow at the Rajaratnam School of International Studies, Singapore and in 2008 the inaugural Sir Howard Kippenberger Visiting Chair in Strategic Studies at the Victoria University of Wellington. In November 2009 he returned to the Rajaratnam School as Visiting Professor.

### ***Ben Ahmad Hamzah***

B.A. Hamzah is Senior Research Fellow with the Institute Of Ocean and Earth Sciences & the Faculty of Arts and Social Sciences, University of Malaya, Kuala Lumpur, Malaysia. He was formerly the director-general of the Malaysian Institute of Maritime Affairs (MIMA) and has served the Institute of Strategic and International Studies (ISIS), Malaysia as an Assistant Director General.

He was Consultant to PETRONAS (the National Oil Company of Malaysia) as well as Accenture, Malaysia.

He is a keen student of international affairs with interest in geopolitics, maritime security, international law and law of the sea.

### ***Su Hao***

Dr. Su Hao, is a professor in the Department of Diplomacy at the China Foreign Affairs University, and director of Center for Strategic and Conflict Management within this university. He was chairman of Diplomacy Department, director of China's Foreign Relations Section, general secretary of East Asian Studies Center, and director of Center for Asia-Pacific Studies in this university. He is also affiliated with some institutions in China, such as, vice president of Beijing Association of Geo-strategy and Development, member of Chinese Committee for Council of Security Cooperation in the Asia-Pacific (CSCAP); board members of China Association of Arms Control and Disarmament, China Association of Asia-Pacific Studies, China Association of Asian-African Development Exchange, and China Association of China-ASEAN. He got his B.A. in history and M. A. in international relations from Beijing Normal University and Ph. D. in international relations from China Foreign Affairs University. He took his advanced study in the School of Oriental and African Studies (SOAS), University of London in 1993-1995; and was a Fulbright scholar in Institute of War and Peace Studies of Columbia University, and in Institute of East Asia of University of California at Berkeley in 2001-2002; and a guest professor in Department of Peace and Conflict Studies of Uppsala University in Sweden in 2004. He has been teaching and doing research works on China's foreign policy, strategic studies, international security and international relations in the Asia-Pacific region. He published some books and many articles in the fields of China's foreign policy, security issues, international relations in the Asia-Pacific region, and East Asian integration.

### ***Li Jianwei***

Li Jianwei is Deputy Director and Research Fellow at the Research Center for Maritime Economy, China's National Institute for the South China Sea Studies, Haikou, Hainan, China. Her research interests are dispute resolution in the South China Sea region, Illegal, Unreported and Unregulated (IUU) fishing activities and their impacts, and comparative study of the trade unions in China and the UK. After joining the National Institute for the South China Sea Studies in 2005, she has been involved in the research programmes on the peaceful resolution of the South China Sea Issues and on promoting economic cooperation in the South China Sea region. Her research and conference papers include: *The Bi-Annual Report on the Situations in the South China Sea, 2008-9*, *The Annual Report on the Situations in the South China Sea, 2006*, "Cooperation in the South China Sea: A Way to Regional Peace, Stability and Prosperity" (Hanoi Conference 2009), "Hainan's Role in the Management of the South China Sea Issues—a Case Study of the Gulf of Tonkin" (co-author with KANG Baiying, Stockholm Conference 2009), "Closing the Net against Illegal, Unreported and Unregulated (IUU) Fishing: the Case of China" (Mannado Conference 2009), and "Strengthening Economic Cooperation in the South China Sea Region: China's Perspective" (Kuantan Conference 2008). She has also participated in the series of workshops on Managing Potential Conflicts in the South China Sea hosted by Indonesia.

### ***Martin Kremer, M.C.L.***

Martin Kremer is currently Head of Division Southeast Asia, Australia, New Zealand and Pacific, German Federal Foreign Office. From September 2009 – 2010, he was a researcher at the Division EU Integration of the Stiftung Wissenschaft und Politik. From 2006 - August

2009 he served as Head of the Science and Political Counsellor (climate, energy, counter terrorism). He joined German Foreign Service after legal and economic studies and training in 1988. He worked for various departments in the Foreign Office including the Policy Planning Department (1998 – 2003 and 2005 – 2006) and the Department for European Integration (1994 – 1998). He also served as the Cultural Attaché of the German Embassy in Moscow (2003-05) and a member of the German Delegation to the Conference on Disarmament in Geneva and New York (1990 – 1993).

### ***Vladimir Mazyrin***

Born in 1949 in Moscow, Russia. Associate Professor of the Economic Department, Institute of Asian and African Studies, Moscow State Lomonossov University. Senior Research Fellow at the Centre for Vietnam and ASEAN studies, Institute for Far Eastern Studies of Russian Academy of Science. In 1976-1979 was the Expert of Soviet Trade Representation in Hanoi, Vietnam, in 1985-1990 was the First Secretary of the USSR Embassy in Hanoi, Vietnam.

Published three books (in Russian) and many articles on Vietnam's public policy and socio-economic development, international relations and trade in South-East Asian region, and the activities of ASEAN. Main title is "Transition Reforms in Vietnam (1986-2006): Main Realms, Dynamics and Results". Moscow, 2007, 336 pages. Recent articles are "Russia in Indochina: Back to the Future? // International Life, Moscow, No.11, 2010; CAFTA as new Field of Economic Cooperation in East Asia // World Economy and International Relations, Moscow, № 10, 2010; New Trends in Russia-Vietnam Relations // Problems of the Far East, Moscow, No. 4, 2010.

Education: 1967-1972 - Institute of Asian and African Studies, Moscow State University (graduate). 1972-1975 - Institute of Asian and African Studies, Moscow State University (post-graduate). Qualification: Ph.D., Department of History of South-East Asian Countries. Research Abroad: Fellowship in the Central European University (Soros Open Society – 2001, 2004), Budapest.

### ***Meridith Miller***

Meridith Miller is Vice President of Trade, Economic, and Energy Affairs & Outreach and Director of the Washington, D.C., office at NBR. Ms. Miller manages NBR research programs on economic, energy, and trade issues in Asia and guides engagement with Congress as NBR leverages its network of experts to bring objective, detailed analysis of strategic developments in Asia to policymakers. She also leads NBR's media and online outreach programs.

Ms. Miller has experience in both the public and nonprofit sectors. She served at the U.S.

Department of State as the Deputy Director for the Office of Economic Policy in the Bureau of East Asia and Pacific Affairs and as an analyst in the Bureau of Intelligence and Research. Prior to joining the State Department, Ms. Miller worked at the U.S.-Vietnam Trade Council on a technical assistance program to support completion of a bilateral trade agreement between the United States and Vietnam as the last step toward full normalization of relations between the two countries.

Ms. Miller holds an MA in International Relations from the Paul H. Nitze School of Advanced International Studies (SAIS) at Johns Hopkins University and a BA in Anthropology from the University of Michigan. She is a specialist in Southeast Asia and speaks Indonesian.

### ***Duong Van Quang***

Amb. Quang is currently the President, Diplomatic Academy of Vietnam – DAV, previously known as the Institute of International Relations - IIR. He is also an Associate Professor in Political Sciences. Amb. Quang got a PhD in Press Language from University de la Sorbonne Nouvelle, France. He has been working as a lecturer at the University of Diplomacy (now the DAV) since 1975. He served as Vice Rector (1995-2001), Acting Rector of the Institute for International Relations – IIR (2002) and Director General of the IIR in 2007. He was also posted abroad, assigned Minister Counselor, Embassy of Vietnam in Paris (1992 – 1995) and Ambassador extraordinary and plenipotentiary to Singapore (2003-2007). He has received many awards including Emeritus Teacher, Distinguished Decoration for Diplomacy, Distinguished Decoration for Education, Chevalier de l'Ordre des Palmes Academiques (French Award).

*Publications:* Diplomatic Skills in Negotiations (1999), Diplomatic Documents (1999), Diplomatic Skills in Communication (1999), Ho Chi Minh Thought on Diplomacy (2000)

Vietnamese-English-French Dictionary of Diplomatic Vocabulary (2001), Foreign Policy of Vietnam (2001), Foreign Policy of France Under Fifth Republic (2003), Singapore: Challenges and Solutions (2007).

### ***Dang Dinh Quy***

Mr. Dang Dinh Quy is Vice President (Research) of the Diplomatic Academy of Vietnam (DAV) and General Director of the DAV's Institute for Foreign Policy and Strategic Studies. He was formerly Deputy Director - General of the Department for Policy Planning, Deputy Director - General of the Department of Economic Affairs of Vietnam Ministry of Foreign Affairs and Minister Counselor and Head of Political Section of Vietnam Embassy in the United States. He has written extensively on foreign policy and international relations in Asia-Pacific.

### ***Vinod Saighal***

General Vinod Saighal retired from the Indian Army in 1995 from the post of Director General Military Training. Before that he had several active command assignments, including the command of an independent armoured formation and mountain and desert divisions. He has held an assignment with the UN peacekeeping forces as well as a tenure in Iran. He had served as the country's Military Attache in France and BENELUX. He speaks several languages including French and Persian. Currently he is the Executive Director of Eco Monitors Society a non-governmental organization concerned with demography and ecology.

After retirement, he founded the Movement for Restoration of Good Government. He has lectured extensively in India and abroad on several burning issues of the day. Vinod Saigal was invited to join the 'Institutional Advisory Board' of USFSS (US Federation of Scientists and Scholars) in 2000. He is the author of the internationally acclaimed book *'Third Millennium Equipose'*. Additionally, he has authored *Restructuring South Asian Security, Restructuring Pakistan, Dealing with Global Terrorism: The Way Forward and Global Security Paradoxes: 2000-2020*. His first book was selected at the Caracas International Book Fair in November 2008 for a Spanish edition (title: *Equilibrio en el Tercer Milenio*).

### ***Daniel Schaeffer***

General Daniel Schaeffer is retired from the French Army since 2000 and is presently an international consultant and a researcher at the French think tanks International Focus and Asie21. He formerly served three times as a defense attaché in Asia: Thailand, Vietnam, and China between 1986 and 2000. He is specialized on some aspects of the Chinese strategy such as China and the law of the sea, the Chinese implementation of economic intelligence and the question of the embargo on the armaments and on dual use technologies to China

### ***Rodolfo Severino***

Rodolfo C. Severino is the head of the ASEAN Studies Centre at the Institute of Southeast Asian Studies in Singapore and a frequent speaker at international conferences in Asia and Europe. Having been Secretary-General of the Association of Southeast Asian Nations from 1998 to 2002, he has completed a book, entitled *Southeast Asia in Search of an ASEAN Community* and published by ISEAS, on issues facing ASEAN, including the economic, security and other challenges confronting the region. He has produced a book on ASEAN in ISEAS' Southeast Asia Background Series and one on the ASEAN Regional Forum. His views on ASEAN and Southeast Asia have also been published in *ASEAN Today and Tomorrow*, a compilation of his speeches and other statements. Severino is currently working on a book on the Philippine national territory. He has co-edited two books: *Whither the Philippines in the 21<sup>st</sup> Century?* and *Southeast Asia in a New Era*, which is intended for pre-university students. He writes articles for journals and for the press. Before assuming the position of ASEAN Secretary-General, Severino was Undersecretary of Foreign Affairs of the Philippines, the culmination of 32 years in the Philippine Foreign Service. He twice served as ASEAN Senior Official for the Philippines and is one of the Philippines' Experts and Eminent Persons for the ASEAN Regional Forum. Severino has a Bachelor of Arts degree in the humanities from the Ateneo de Manila and a Master of Arts degree in international relations from the Johns Hopkins University School of Advanced International Studies. He is on the Advisory Board of The Fletcher Forum of World Affairs, the journal of the Fletcher School of Tufts University, and on the International Advisory Board of Asia Society.

### ***Yann-huei Song***

Dr. Yann-huei Song is currently a research fellow at the Institute of European and American Studies, and an adjunct research fellow at the Centre for Asia-Pacific Area Studies, Academia Sinica, Taipei, Taiwan. He is also an adjunct professor at the Institute of the Law of the Sea, National Taiwan Ocean University. Dr. Song received his Ph.D. in International Relations



from Kent State University, Ohio, the United States, and L.L.M. as well as J.S.D. from the School of Law (Boalt Hall), University of California, Berkeley. He has broad academic interests covering ocean law and policy studies, international fisheries law, international environmental law, maritime security, and the South China Sea issues. He has been actively participating in the Informal Workshop on Managing Potential Conflicts in the South China Sea (the SCS Workshop) that is organized by the government of the Republic of Indonesia. Dr. Song's recent publications mainly focus on the application of Article 121 of the Law of the Sea Convention to the geographical features situated in the South China Sea and the Pacific Ocean. He can be reached at [yhsong@sinica.edu.tw](mailto:yhsong@sinica.edu.tw).

### ***Thanyathip Sripana***

Dr. Thanyathip Sripana got his Ph.D on Political Sciences from France. He is a researcher, lecturer, expert and resource person on Vietnam and Indochinese issues (political, economic and social) of the Institute of Asian Studies (IAS) at Chulalongkorn University, Bangkok, since April 1, 1988.

### ***Ian Storey***

Dr. Ian Storey is a Fellow at the Institute of Southeast Asian Studies (ISEAS), Singapore. He specializes in Asian security issues with a focus on Southeast Asia. His current research interests include Southeast Asia's relations with external powers (specifically China and the United States), maritime security in the Asia-Pacific region, and China's foreign and defense policies. At ISEAS he is the editor of the academic journal *Contemporary Southeast Asia*. Prior to joining ISEAS Ian was an Associate Professor at the U.S. Defense Department's Asia Pacific Center for Security Studies (APCSS) in Honolulu Hawaii from 2004-2007. Between 2001 and 2004 he was an Assistant Professor at Deakin University in Melbourne, Australia. Ian received his undergraduate degree from the University of Hull, England (1991), his Master's degree from the International University of Japan (1995) and his doctorate from the City University of Hong Kong (2001). Ian has published articles in *Asia Policy*, *Contemporary Southeast Asia*, *Naval War College Review*, *Asian Survey: An American Review*, *Jane's Intelligence Review* and *Terrorism Monitor*, and is a regular contributor to the Jamestown Foundation's *China Brief* and Singapore's largest-circulation English language daily *The Straits Times*. He has written numerous book chapters and in 2002 co-edited *The China Threat: Perceptions, Myths and Reality*. His latest book is *Southeast Asia and Rise of China: The Search for Security* (forthcoming 2011). He can be contacted at [ijstorey@iseas.edu.sg](mailto:ijstorey@iseas.edu.sg)

### ***Nguyen Hong Thao***

Dr. Nguyen Hong Thao is Professor of International Law, International Organizations and Environmental Law at the Academy of Diplomacy, Ministry of Foreign Affairs and National University of Hanoi. His expertises include International Law, International Organizations, International Law of the Sea, International Economic Law and Environmental Law. He has also been Invited Professor at the University of Paris VII, Denis Diderot, 3-4/1999, Professor of International Law and Environmental Law at the College of Law of Hanoi (1998 up to now) and Professor of International Law, Maritime Law, International Economic and Environmental Law for the AUF network.

Dr Thao is also member of many affiliations: Member of the Executive Council, Asian Association of International Law Asian ILS (from 2007 up to now); Member of the Development of International Law in Asia Association DILA; Member of the Regional Network on the Legal Aspects of Marine Pollution, GEF/UNDP/IMO Regional Programme for the Prevention and Management of Marine Pollution in the East Asian Seas (1996 up to now); Member of the Vietnam Association for conservation of nature and environment (1989 up to now); Member of the Vietnam Association for marine protection (1989 up to now); Secretary of the Vietnam Association for marine protection (1989-1991); Member of the Vietnam Association of jurists (1996).

He has awarded the Prix of INDEMER-2000 by the Institute of Economic Laws of the Sea, Monaco, for the best thesis: *Vietnam faces to the problem of seaward extension in the South China Sea*, University of Paris I, Pantheon-Sorbonne, 1996.

Selected Publications:

*Le Vietnam face aux problemes de l'extension maritime dans la mer de Chine meridionale*, 1000 p, Septentrion Presses Universitaires, Villeneuve d'Ascq, France, 1997 ; *Knowledge on the Law of the Sea* (ed.) Popular Police, Hanoi, Vietnam, 1997; *International Laws Courses*, University of Hue, Vietnam, 1997, 450 p.; *Law of the Sea*, University of Hue, Vietnam, 1997; *International Court of Justice* (ed) Chinh Tri Quoc Gia, 1999; *Marine pollution in Vietnam*, Ed. Thong Ke, 2003; *Marine protection in Vietnam – problems and solutions* (ed) Chinh Tri Quoc Gia, 2004 ; *Le Vietnam et ses differends maritimes dans la mer de Chine meridionale*, Pedone 2004 ; *International Tribunal for the law of the sea* (ed) Justice, 2006; *International Laws Courses* (co-authored), College of Law, Hanoi, Vietnam, 2002; *International Economic Law Course* (co-authored), National University, Hanoi, Vietnam, 2002. He also published a lot of articles on Law of the Sea, Marine Delimitation, Marine Environment, Marine Integrated management, Marine Policy in English and in Vietnamese.

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Ian Townsend-Gault has taught at universities in Britain and Norway, and also at Calgary and Dalhousie before coming to UBC in 1989. He teaches and researches in international law, especially marine resource law, maritime boundaries, maritime co-operation, and the protection of the marine environment. He has recently started to work on human rights and international justice issues. He has acted as a consultant to the United Nations, the Asian Development Bank, and the international development agencies of Canada, Norway, Sweden and Finland, and has advised governments in Southeast Asia and Eastern Europe on international legal issues. He has close links with universities and research institutions in countries such as Cambodia, Indonesia, Laos, Philippines, Thailand, and Vietnam.

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Vietnamese), and editor of *The South China Sea: Cooperation for Regional Security and Development* (Hanoi, Thegioi Publisher, 2010).

### **Mark Valencia**

Dr. Mark J. Valencia is an internationally known maritime policy analyst, political commentator and consultant focused on Asia. Currently he is a Research Associate with the National Asia Research Program. Recently he was a Visiting Senior Fellow at the Maritime Institute of Malaysia and a Visiting Senior Scholar at Japan's Ocean Policy Research Foundation. From 1979 to 2004, Dr. Valencia was a Senior Fellow with the East-West Center where he originated, developed and managed international, interdisciplinary projects on maritime policy and international relations in Asia. Before joining the East-West Center, he was a Lecturer at the Universiti Sains Malaysia and a Technical Expert with the UNDP Regional Project on Offshore Prospecting based in Bangkok. He has a Ph.D in Oceanography from the University of Hawaii and a M.A. in Marine Affairs from the University of Rhode Island.

Dr. Valencia has published some 15 books and more than 150 articles and is a frequent contributor to the public media. Selected major policy relevant works include *The Proliferation Security Initiative : Making Waves in Asia* (Adelphi Paper 376, International Institute for Strategic Studies, October 2005), *Military and Intelligence Gathering Activities in the Exclusive Economic Zone :Consensus and Disagreement* (co-editor, *Marine Policy Special Issues*, March 2005 and January 2004); *Maritime Regime Building: Lessons Learned and Their Relevance for Northeast Asia* (Martinus Nijhoff, 2002); *Sharing the Resources of the South China Sea* (with Jon Van Dyke and Noel Ludwig, Martinus Nijhoff, 1997); *A Maritime Regime for Northeast Asia* (Oxford University Press, 1996); *China and the South China Sea Disputes* (Adelphi Paper 298, Institute for International and Strategic Studies, 1995); *Atlas for Marine Policy in East Asian Seas* (with Joseph Morgan, University of California Press, Berkeley, 1992); and *Pacific Ocean Boundary Problems: Status and Solutions* (with Douglas Johnston, Martinus Nijhoff, 1991).

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He has published over 50 refereed English papers in nearly 30 international journals including *Asian Yearbook of International Law*, *Asia-Pacific Journal of Environmental Law*, *Chinese*

*Journal of International Law, Columbia Journal of International Affairs, Criminal Law Forum, International Journal of Marine and Coastal Law, International Lawyer, Journal of Environmental Law, Journal of International Maritime Law, Journal of International Wildlife Law and Policy, Journal of Maritime Law and Commerce, Lloyd's Maritime and Commercial Law Quarterly, Marine Policy, Maritime Policy and Management, Netherlands International Law Review, Ocean Development and International Law, Ocean Yearbook, Singapore Journal of International and Comparative Law, Ocean and Coastal Management and Yearbook Law and Legal Practice in East Asia.* His recent single-authored books include *Law of the Sea in East Asia: Issues and Prospects* (London/New York: Routledge, 2005), *China's Marine Legal System and the Law of the Sea* (Leiden/Boston: Martinus Nijhoff, 2005), *China's Legal Reform: Towards the Rule of Law* (Leiden/Boston: Martinus Nijhoff, 2006), and *China-ASEAN Relations and International Law* (Oxford: Chandos, 2009).

He is member of Editorial Boards of the *International Journal of Marine and Coastal Law* (Martinus Nijhoff), *Ocean Development and International Law* (Taylor & Francis), *Journal of International Wildlife Law and Policy* (Taylor & Francis), *The Polar Journal* (Routledge), and *Chinese Journal of International Law* (Oxford University Press), and Advisory Board of the *Chinese Oceans Law Review* (Hong Kong: China Review Culture Limited).

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Dr. Ren Yuan-zhe is a lecturer in the Department of Diplomacy at the China Foreign Affairs University, and program officer for Strategic and Conflict Management within this university. He got his Ph.D. in diplomacy from China Foreign Affairs University in 2009. His research interest mainly covers diplomatic studies and international relations in the Asia-Pacific region, especially China's relationship with ASEAN countries, both bilaterally and multilaterally. He has been teaching and doing research on those aspects and has published some articles on them.

## **EXECUTIVE SUMMARIES OF RESEARCH**

### **SESSION I: SIGNIFICANCE OF THE SOUTH CHINA SEA IN A SHIFTING STRATEGIC LANDSCAPE**

**Maj. Gen (rtd) Vinod Saighal**, Executive Director, Eco Monitors Society, New Delhi, India

It is almost an historical truism that whenever a major intervention in the geopolitical domain by a world power takes place, it is seldom, if ever, possible to get back to the status quo ante. Something on these lines has taken place in 2010 in South China Sea region, where China's military and economic surge has reached proportions that could dwarf the combined might of the other countries having geographic contiguity to the South China Sea. The paper that follows dwells on some of these aspects.

#### **The Role of the South China Sea in the Process of East Asian Cooperation.**

By **Prof. Su Hao** and **Dr. Ren Yuan-zhe**, China Foreign Affairs University, Beijing, China

The South China Sea is a piece of important marine to connect South Asia and South East Asia. After the Cold War, through the joint efforts of countries around the South China Sea, South China Sea has maintained peace and stability. so as to create a excellent atmosphere for China and ASEAN countries, and even the whole East Asian regional cooperation among countries. At present, the process of regional integration in East Asia made a series of progress, and the relationship between countries in the region has been further improved. The past year, the strong involvement of US caused a great deal of uncertainty to the South China Sea and the East Asian regional security environment. The South China Sea issue has become the focus of international attention. This process of regional integration in East Asia has a certain degree of negative impact. However in fact, the neighboring countries of the South China Sea haven't aroused direct confrontation and conflict. This article will focus on regional cooperation in East Asia concerning the South China Sea issue. Firstly the authors will review the current progress of regional integration in East Asia and sum up the region's efforts to resolve the South China Sea; Secondly, the analysis will highlight the main reason for the South China Sea, especially the United States factors; Finally the authors try to propose the preliminary policy recommendations concerning the peaceful solution of South China Sea making it a host of regional cooperation so as to promote the further development of regional integration in East Asia.

#### **"China, the United States and the South China Sea : a view from outside".**

By **General (rtd) Daniel Schaeffer**, Researcher at the French think tanks "International focus" and "Asie 21"

"The recent assertiveness of China over the South China Sea by declaring it as being in its "core" interests has raised concerns among all the countries in the World that have interests in

the free use of that maritime area, among them the South East Asian Nations and the United States . That is the reason why the question has become a new subject of conflicts between Peking and Washington when each of the two countries neither interpret the same way the concept of freedom at sea nor the clauses of the Law of the sea as well. Even if Peking have some reasons to defend its interests over that sea, as the other countries have theirs too, the way China expresses that defence is excessive as far as its economical as well as its strategic interests are concerned. And they are excessive because the interpretation that China gives to the Law of the sea is excessive."

### **The South China Sea: An American Perspective**

By **Prof. Bronson Percival**, Senior Advisor, Center for Strategic Studies at CNA (formerly the Center for Naval Analyses), Virginia, USA

U.S. policies on the South China Sea have remained consistent for 15 years, but interest has waxed and waned. Chinese actions over the past 3 years have provoked increasingly strong reaffirmations of U.S. support for freedom of navigation and for negotiations on conflicting claims in this sea, as well as for legal rights within China's EEZs. Little progress has been made on clarifying and resolving issues. Ambiguity in China's position on its claims and alleged "core interest" remains an impediment. Tensions appear to have now been dampened. A U.S. – Vietnamese partnership as a hedge against Chinese assertiveness has been strengthened, but on balance U.S. officials would prefer not to add the South China Sea to the list of Sino-U.S. bilateral issues. If China softens its stance and appears to agree to negotiations with ASEAN, American attention to the South China Sea may once again subside.

## **SESSION II: RECENT DEVELOPMENTS IN THE SOUTH CHINA SEA**

### **The South China Sea: Back to the Future?**

By **Dr. Mark J. Valencia**, Research Associate, National Asia Research Program National Bureau of Asian Research and Woodrow Wilson Center, USA

Unfortunately, there has been little positive progress regarding the disputes. To the contrary, over the past two years there has been a sequence of developments regarding the South China Sea that has significant implications for regional security. These include the Impeccable incident, China's unilateral banning of fishing in the Gulf of Tonkin and its arrests of Vietnamese fishing boats, China's alleged declaration of the South China Sea as a "core interest," the Vietnam/Malaysia joint extended continental shelf submission, China's official objection thereto, the US statement of 'national interest' in the outcome of the disputes and how and where it was made, its offer to mediate them, China's strong rejection thereof, and the 'softened' US-ASEAN statement on the South China Sea. These developments have occurred in the context of deteriorating US/China relations and a regional debate regarding the nature and very desirability of a US security role in the region. Moreover, these developments

have become conflated and are reinforcing, raising fundamental questions for Southeast Asia concerning its regional security. This paper analyzes these threads and their reinforcing nature, identifies some of the fundamental questions they raise, and concludes that a dramatic compromise may be necessary to avert a worst scenario.

### **Rising Tensions in the South China Sea and Implications for Regional Security**

By **Prof. Leszek Buszynski**, Strategic and Defence Studies Centre, Australian National University

Tensions have risen in the South China Sea as China has become more assertive in pressing its territorial claims. The Chinese now talk about the South China Sea as their “core interest” on the same level as Tibet and Taiwan, a claim they had never made before. Many observers of the South China Sea dispute have made the assumption that the Chinese claim to both the Paracels and Spratly Islands would be eventually adjusted in a favourable regional settlement, but recent cases of Chinese assertiveness in the Western Pacific cast doubt upon this supposition. In July 2010 China confronted the US over the staging of annual naval exercises with South Korea in the Yellow Sea. After China protested the US moved the exercises to the Western side of the Korean Peninsula. China staged its own military exercises in the South China Sea in the same month. China also confronted Japan in September 2010 over Islands after the Japanese coast guard arrested the captain of a Chinese fishing vessel near the disputed Senkaku/Diaoyu waters. Japan backed down and released the captain which will no doubt embolden the Chinese to adopt similar ways of dealing with other territorial disputes. In the South China Sea China continues to arrest and detain ASEAN fishermen which creates considerable resentment. The Chinese leadership may have been confident that a weakened US and an indecisive Japan would be unable to resist their pressure over these territorial disputes and the South China Sea in particular. Nonetheless, at the ASEAN Regional Forum in July the US declared that it would become involved in the South China Sea as a mediator and would not simply allow China to dominate the issue. America action rallied the ASEAN claimants that were most concerned about Chinese moves and moved to strengthen defence ties with both Indonesia and Vietnam as a hedge against China. In this situation of great power maneuvering a resolution of the dispute is a long way off and will await clarification of Beijing’s intentions.

### **Recent Developments in the South China Sea: from Declaration to Code of Conduct**

By **Dr. Tran Truong Thuy**, Director and Research Fellow, South China Sea Studies Programme, Diplomatic Academy of Vietnam.

This paper focuses on recent developments in the South China Sea since signing of the Declaration on the Conduct of Parties in the South China Sea (DOC) between ASEAN and China in 2002. As the most powerful country in the region, China sets the tone for the dispute in the South China Sea. After Beijing adopted a more accommodating stance in the South China Sea disputes, a DOC was reached. The DOC was signed to provide the foundation for



long-term stability in the area and foster understanding among the countries concerned. However, recent developments in the South China Sea affirmed the limits of the DOC in preventing the occurrence of tensions, incidents, and skirmishes in the region. As Beijing adopted a more harder approach, tensions have arisen in the South China Sea, and opportunities have been created for United States to intervene into the issues and strengthen their position in the region. In recent months, Beijing has voiced softer tone on the issues to ensure neighboring countries and to gain back partly damaged image in the region. Therefore, it is high time now for China and ASEAN to fully implement the DOC and Beijing should accept a binding regional Code of Conduct, which would ensure smaller parties from being intimidated and make them more confident to proceed with cooperative activities in the South China Sea and by that way preventing others from interference into the issue.

### **SESSION III: RECENT DEVELOPMENTS IN THE SOUTH CHINA SEA (Cont.)**

#### **Recent Developments in the South China Sea and Implications for Regional Security and Prosperity**

By **Prof. Carlyle A. Thayer**, School of Humanities and Social Sciences, The University of New South Wales at the Australian Defense Force Academy

This paper provides a broad overview of four major topics. First, it discusses tensions in China-United States relations and their implications for Southeast Asia. This section will focus how China and the United States employ naval power to shape the political environment. This section also critically examines the concept of “core national interest” that is attributed to Chinese officials. Second, the paper review multilateral efforts to address the South China Sea with a particular focus on the 17<sup>th</sup> ASEAN Regional Forum ministerial meeting and the inaugural meeting of the ASEAN Defence Ministers Plus process. Third, the paper review China-Vietnam interaction in the South China Sea with a particular focus on China’s annual unilateral fishing ban and seizure of Vietnamese fishing boats. Fourth, the paper reviews the status the Declaration on Conduct (DOC) of Parties in the South China Sea and progress by the China-ASEAN working group to implement the DOC. The paper concludes on a note of cautious optimism that there is likely to be some progress in implementing confidence building measures in the South China Sea but that sovereignty claims will remain intractable.

#### **When the Elephants dance..... China, the United States and the South China Sea**

By **Prof. Geoffrey Till**, Joint Services Command and Staff College and a member of the Defence Studies Department of King’s College, London, UK

Many accounts of the current South China Sea dispute focus on its legal dimension, or the resource issues, or the light it sheds on the relationship within ASEAN or between its members and China. This paper, instead, will focus on the symbolic aspect of this island dispute for China and for the United States, a country that is not a claimant but which appears nevertheless however to be getting ever more involved in the conduct of the dispute and in discussions about its final possible resolution, because of the manner in which Americans in

general, and the US Navy in particular, think about the concept of the freedom of the seas. This is not 'just' a legal issue. It is much more a philosophical, cultural approach which is markedly different from the Chinese perspective on such matters. The paper will end with some brief speculations about the implications of this for the dispute and for the various countries involved in it.

### **Misperceptions, National Interests, and Law in the South China Sea**

By **Prof. Stein Tønnesson**, International Peace Research Institute (PRIO), Norway.

This paper struggles with the relationship between power and law in the disputes over maritime delimitation and sovereignty to islands in the South China Sea. It seeks to define and weigh the relative importance of the main national interests of the states involved, notably China. Then it argues that the most important long term national interests are best served by a policy that does not rely on the use of force, but on pushing for a resolution of the disputes based on international law. On this basis the paper also claims that if the top national leaders in the region give sufficient strategic attention to the South China Sea, fully understand what the law of the sea actually says about maritime delimitation, and act in accordance with their overall national interests, then we are likely to see a resolution of the disputes within the next ten-twenty years.

## **SESSION IV: DISPUTES IN THE SOUTH CHINA SEA: INTERNATIONAL LEGAL ISSUES**

### **Activities in Disputed Marine Areas - Issues of Legality and Legitimacy**

By **Prof. Ian Townsend-Gault**, Faculty of Law, University of British Columbia, Canada

Competing claims to sovereignty over islands and jurisdiction over adjacent waters in East and Southeast Asia have placed difficulties in the way of those seeking to explore and exploit resources, not to mention other activities which have nothing to do with either. But activities continue on a larger or smaller scale, albeit in the face of threats and warnings. And there are proposals for an expansion of uses, such as the construction of a runway on one island, possibly to facilitate aerial surveillance, and the promotion of tourism in the Eastern/South China Sea. All this gives rise to at least two questions. First, does the existence of a sovereignty/jurisdictional dispute preclude activities which might be called under the regimes of the exclusive economic zone, the continental shelf, marine scientific research, and the preservation and protection of the marine environment and biological diversity, even if the proposed activities can be considered "beneficial"? Second, what exactly constitutes a "dispute" for these purposes? One state may object to the conduct of an ocean activity taking place under the jurisdiction of another, but is it not possible to apply objective criteria which suggest that the former state has no standing to make such an objection, that its rights at international law are not being violated? This paper examines these issues as they arise with particular reference to the ocean areas of East and Southeast Asia.

## **The Impact of Artificial Islands on Territorial Disputes over the Spratly Islands**

By **Prof. Keyuan Zou**, Harris Chair in International Law, Lancashire Law School, University of Central Lancashire, UK.

The issue of artificial islands in the South China Sea has little been detailed discussed in the context of territorial and maritime disputes. Even in international law, the term “artificial islands” remains controversial and there is no universally accepted definition of it, though several provisions of the 1982 United Nations Convention on the Law of the Sea mention “artificial islands”. With the development of science and technology and the increasing endeavors of nations States to creep over more space from the oceans, the issue of artificial islands becomes more salient. This paper attempts to discuss this issue in an international law perspective with special reference to the Spratly Islands and to provoke more discussions about it in future.

## **The Impact of the Submissions to the CLCS on Competing Claims in the South China Sea**

By **Prof. Robert Beckman**, The Centre for International Law (CIL), National University of Singapore.

## **SESSION V: DISPUTES IN THE SOUTH CHINA SEA: INTERNATIONAL LEGAL ISSUES (cont.)**

### **Three Disputes and Three Objectives: China and the South China Sea**

By **Prof. Peter Dutton**, China Maritime Studies Institute, US Naval War College

There are three basic disputes in the South China Sea, each with its own parties, rule sets, politics, and security concerns. Disputes over sovereignty involve the question of what coastal state has the right to exercise sovereignty over the islands in the South China Sea archipelagoes. Disputes involves the delimitation of jurisdiction involves drawing boundary lines over neighboring coastal state sea zones and at its core is related to resource management. China complicates these first two disputes by maintaining an ambiguous claim over the water space within its nine-dashed line. The third category of disputes relates to control over the water space itself and is fundamentally about the correct interpretation of international law concerning the balance of coastal state and international rights and obligations in the EEZ. This dispute primarily involves only China and the United States, but many other countries around the globe have an interest and a stake in its outcome. China’s three regional objectives that play a role in determining its South China Sea policies include regional integration, resource development, and enhanced security. Beginning in 1996, China embarked on a policy that focused its efforts on the first two objectives. China was able to work steadily toward achieving these objectives with relatively little interference from the United States until 2009, when China shifted its policies and began focusing on the third objective—security through maritime control. The result of this policy shift has been increased tensions between China and the United States and Southeast Asia. In order to ensure peaceful resolution of disputes and to guarantee regional stability, a meaningful Code of

Conduct and regional cooperation to achieve sustainable resource management are also required.

### **Dotted Lines in the South China Sea: Fishing for a (Legal) Solution**

By **Prof. Erik Franckx**, Member of the Permanent Court of Arbitration, President of the Department of International and European Law, Vrije Universiteit Brussel, Belgium

On 7 May 2009, the People's Republic of China sent a *note verbale* to the UN Secretary-General protesting a Malaysian-Vietnamese joint submission and a Vietnamese individual submission to the Commission on the Limits of the Continental Shelf. In clarifying the PRC's position, the document refers to an attached map of the South China Sea portraying an enigmatic U-shaped line consisting of nine dotted dashes. The assertion of this "U-line" has made quite a splash in international circles, giving rise to a host of questions as to its origins, what it means and ultimately what its value could be in the ongoing maritime rows.

The aim of this study is to offer an international legal analysis of this map. The paper starts off with a brief discussion of the history of the cartographic piece and some recent developments in this regard. Thereafter, the legal merit of various (and at times fickle) interpretations of the U-line will be assessed. We will derive arguments predominantly from the law of the sea to demonstrate that the Chinese claims connected to the 9 dotted dashes are debatable as a matter of international law. The focus will then turn to case law pertaining to cartographic evidence. Factors derived from this body of jurisprudence lead us to conclude that the map would in all likelihood be accorded fairly weak probative force before a court of law. Finally, we will show that even if the map were to be legally significant it could not be used against other interested parties in the dispute as a result of the latter's effective protest.

### **Maritime Delimitation in International Law and the Impacts on the South China Sea Disputes**

By **Dr. Nguyen Thi Lan Anh**, Programme for the South China Sea Studies, Deputy Dean of International Law Department, Diplomatic Academy of Vietnam

Any maritime delimitation certainly must depart from the entitlement of the land territory. However, in the South China Sea dispute, the sovereignty issues is currently in a deadlock, thus it is noteworthy to look at a different angle, the general principle of maritime delimitation, to draw the maritime prospect awaiting the claimants and to facilitate the settlement of the dispute. The contemporary law concerning maritime delimitation method is defined as a process in which the equidistant line is firstly and provisionally constructed and then, asking for the adjustment of this line based on the presence of relevant circumstances. Among some possible relevant circumstances, the presence of islands of the parties to the dispute were usually considered as relevant circumstances. However, the maximum half effect of all the small islands in these cases was obtained with the back up of the coastline from the mainland, and much less effect if they stood individually without the supportive effect of the mainland in maritime delimitation with a mainland. With the tiny in size, the presence of the islands of the Spratlys and the Paracels themselves or the disproportionality between the

coasts of the islands of the two archipelagos and those of the mainland of coastal states will definitely be considered as relevant circumstances in any maritime delimitation. Therefore, in maritime delimitation the overlapping between exclusive economic zone and continental shelf of the Spratlys and Paracels with those of the mainland of littoral states, the Spratlys and Paracels will likely have to reduce their effect (if any) for the full effect of the mainland. In maritime delimitation the overlapping between internal water, territorial sea and contiguous zones of some islands of the Spratlys and Paracels with exclusive economic zone from the mainland of some littoral states, such islands of the Spratlys and Paracels will likely be enclaved with 12 nautical miles. These prospects reveals the result that in whatever scenario, the maritime zones generated from the mainland of littoral states up to 200 nautical miles will belong to the coastal states. The sovereignty claims over the Paracels and the Spratlys as well as their legal regime will only affect the doughnut area beyond 200 nautical miles from the baselines of coastal states. These prospects are resulted from the application rule of maritime delimitation without any reference to the settlement of sovereignty issue. Therefore, it would be better for the parties in the South China Sea dispute to shelve the sovereignty claims and cooperate with each other to develop a joint cooperation regime in the doughnut area.

## **SESSION VI: DISPUTE SETTLEMENT AND CONFLICT MANAGEMENT IN THE SOUTH CHINA SEA: PROGRESS AND PROSPECTS**

### **Experiences in 20 Years of Informally Managing Potential Conflicts in the South China Sea**

By **Prof. Hasjim Djalal**, Director, Centre for South - East Asian Studies, Indonesia

The informal efforts to manage potential conflicts and confrontation in the South China Sea and to convert them to dialogue and cooperation have taken a long road since 1980's. Indonesia has taken the initiative to carry out the efforts through Annual Workshop in Indonesia and through various Technical Working Groups (TWGs), Groups of Experts Meeting, and other Study Groups (SGs) in various capitals and places around the South China Sea area. Originally, for the first 10 years the Process was supported by the Canadian International Development Agency (CIDA) through the University of British Columbia in Vancouver, and thereafter by the various participating authorities around the South China Sea themselves. The Workshop process has also established Special Fund, voluntarily contributed by the participating authorities. The Special Fund could be used to support the participation of the various authorities that could not participate in the activities of the Workshop Process, to help finance the agreed cooperative programs, and to defray some costs of the Center for the Southeast Asian Studies in Jakarta in helping to manage the process.

So far, the Workshop Process has been held in Indonesia 19<sup>th</sup> times and the preparation is now being held for the 20<sup>th</sup> Workshop in Bandung, Indonesia, in November 2010. Various other meetings have taken place in various cities around the South China Sea.

So far, the Workshop have established TWG on Marine Scientific Research (TWG-MSR), TWG on Resources Assessment (TWG-RA), TWG on Marine Environmental Protection

(TWG-MEP), TWG on Safety of Navigation, Shipping and Communications (TWG-SNSC), and TWG on Legal Matters (TWG-LM). Some of these TWGs have been rather successful than the others, such as the TWG on MSR and on MEP. The TWG MSR for instance, has conducted marine biodiversity expedition around the Indonesian Anambas Islands in the South China Sea and the results has been published internationally. At this moment, the Workshop Process is preparing other scientific cooperative programs. Some of the efforts at promoting dialogues between the parties and discussions on confidence building process have also brought better understanding between the various parties/participants.

A lot of lessons have been learned from the process during the last almost 20 years. Those lessons indicated some conditions for successful efforts and some basic principles that should be observed in managing potential conflicts. The paper discussed some of these lessons in informally managing potential conflicts.

### **Dispute Settlement and Conflict Management in the South China Sea - Assessing Progress and Challenges**

By **Prof. Ramses Amer**, Senior Research Fellow, Center for Pacific Asia Studies (CPAS), Department of Oriental Languages, Stockholm University, Sweden.

The paper will assess the progress made in dispute settlement and conflict management in the South China Sea. The challenges that persist in the South China Sea area will also be analysed in the paper. The progress made will be outlined through an overview of settled and managed territorial disputes in the South China Sea and adjacent area, i.e. the Gulf of Thailand and the Gulf of Tonkin. The will be followed by an analysis of the settlement and management approaches. The challenge of the un-settled disputes will be analysed and assessed by highlighting both the nature of the disputes and the efforts in managing them. The paper will be concluded by a broader assessment of progress made and remaining challenges in the South China Sea from the perspectives of dispute settlement and conflict management.

### **ASEAN and China keep Peace in the South China Sea: A Personal View**

By **Prof. Ba Hamzah**, Senior Research Fellow, University of Malaya, Kuala Lumpur, Malaysia.

This paper has asserted that despite some territorial disagreements in the South China Sea, as neighbours, China and ASEAN have over the years forged an enduring economic, cultural and political relationship.

Those who have viewed China as a regional trouble-maker have tended to play down its contribution to regional peace. The events of 1974, 1988 and 1995 are always highlighted as evidence of unilateralism and aggressiveness against its immediate neighbours.

Often unappreciated and ignored are activities that China has done to promote peace in the South China Sea. China's decision-albeit reluctantly- to embrace the 2002 declaration of State Parties in the South China Sea and the Agreement on the Delimitation of the Territorial Sea, Exclusive Economic Zones and Continental Shelves in the Beibu Gulf and the Agreement on

Fishery Cooperation in the Beibu Gulf in 2000(ratified in 2004) are two examples (among many) of the effort by China to build peace.

This paper holds the view that China and ASEAN China have the capacity to keep peace in the South China Sea. There is no need for outsiders to get involved in their dispute which could reignite the anguish that the region experienced during the first Cold War era.

### **The South China Sea: Three Periods, Four Challenges, Two Regional Approaches and One Hope**

By **Prof. Nguyen Hong Thao**, Hanoi National University, Vietnam

## **SESSION VII: COOPERATION IN THE SOUTH CHINA SEA: EXPERIENCES AND LESSONS**

### **Cooperation in the South China Sea: Views on the Philippines-Vietnam Cooperation on Maritime and Ocean Concerns**

By **Atty. Henry S. Bensurto**, Secretary General, Commission on Maritime and Ocean Affairs Secretariat (CMOAS), Department of Foreign Affairs of Philippines.

The paper highlights and describes the cooperative activities of the Philippines and Vietnam on Maritime and Ocean Concerns, which are considered as confidence building measures by both countries to manage their differences in the South China Sea. It will discuss the framework in which these cooperative endeavors are undertaken, and more importantly, draws out lessons from the experience of the Philippines and Vietnam that may be beneficial in future bilateral and multilateral cooperation in the South China Sea.

### **Cooperation in the Gulf of Tonkin: the China-Vietnam Fishery Agreement Revisited**

By **Ms. Li Jianwei**, Deputy Director, Research Center for Maritime Economy, National Institute for South China Sea Studies and **Chen Pingping**, Research Fellow, Research Center for Maritime Economy, National Institute for South China Sea Studies

The Agreement on Fishery Cooperation in the Gulf of Tonkin between the Government of the People's Republic of China and the Government of the Socialist Republic of Vietnam was signed in December 2000 and came into effect in June 2004 after ratification from both countries. Since then China and Vietnam have made efforts in implementing the Agreement and its following Protocol by measures within their own countries and by bilateral cooperation. This paper focuses on the cooperation arrangements between the two countries in general with emphasis on implementation practice on China side. In this way the writers examine the achievements made and problems still exist, in hope of shedding lights on future cooperation on reaching the goal of sustainable fishery in the Gulf of Tonkin.

## **Joint Marine Biodiversity Projects in the South China Sea: Efforts Made in the SCS Workshop Process**

By **Prof. Yann-huei Song**, Institute of European and American Studies, Academia Sinica, Nankang, Taipei

The South China Sea (SCS) is one of the world's richest marine biodiversity areas, with abundant and diverse marine resources. In recent years, however, due to rapid economic development and population growth, marine biodiversity in the SCS is losing. The unresolved problems of sovereignty and maritime jurisdiction in the overlapping or disputed areas have created further obstacles for the needed cooperation in marine environment and biodiversity conservation in the area. Beginning in 1991, the participants of the Informal Workshop on Managing Potential Conflicts in the South China Sea (the SCS Workshop) agreed to recommend to the relevant governments to explore areas of cooperation in the SCS, which include the study of marine biodiversity. As a result, in March 2002, a joint biodiversity project was carried out around the undisputed Indonesian Islands of Anambas in the SCS. Later on, China, Taiwan, Vietnam, and the Philippines have been asked to consider the possibility of joint biodiversity studies in the northeast and northwest area of the SCS in order to complete the picture of biodiversity in the SCS as a whole. In 2006, China and Vietnam stated that they were not ready to do so. This paper studies joint efforts made by the participating authorities in the SCS Workshop process to understand better the current state of marine biodiversity in the SCS. It is suggested that the SCS Workshop process should join the world to celebrate the International Year of Biodiversity 2010. A new joint biodiversity project, if adopted, can make the 20<sup>th</sup> Anniversary of the Workshop process more memorable.

## **Cooperation for Security and Development in the South China Sea**

By **Amb. Rodolfo C. Severino**, Head, ASEAN Studies Centre, Institute of Southeast Asian Studies, Singapore

The clashing interests of the claimants to jurisdiction over the land features in and the waters of the South China Sea make it highly unlikely for their conflicting claims to be resolved either through negotiations or through adjudication by an international body. However, tensions, instability, volatility and the likelihood of conflict could be reduced if each claimant were to bring its position closer to compliance with the United Nations Convention on the Law of the Sea and if all of them were to arrive at further agreement on each of the elements of the Declaration on the Conduct of Parties in the South China Sea that the foreign ministers of the Association of Southeast Asian Nations (ASEAN) and China's special envoy issued in November 2002. It would also help if an understanding could be reached between major naval powers and coastal states on what could and could not be done by foreign states and their vessels in the exclusive economic zones of coastal states. So would the general maintenance and improvement of the overall relations between China and ASEAN and its members and between China and the United States.



## **SESSION VIII: PROMOTING COOPERATION FOR SECURITY AND DEVELOPMENT IN THE SOUTH CHINA SEA**

### **Recent Developments in the South China Sea and Implications for Regional Security and Prosperity**

By: **Mr. Alberto A. Encomienda**, DagatKalingaAlaga, Inc., Philippines

It is now half a century since the South China Sea disputes began as a low-intensity political issue among certain riparian States in the northern sector of the sea. It was a low-intensity conflict at the beginning for two reasons. Firstly the claimant States were weakened States in the post-colonial and early post-World War II period. Secondly, the South China Sea was believed to be barren of mineral and petroleum resources. At this point in time, a span covering fifty years, the circumstances have completely changed. The riparian States are fast growing economies and the competition has intensified for resources needed for continued and fast-paced economic development. During the same span of time, there were no effective initiatives from within the region to resolve the conflict. A more visible later attempt is through crafting a Code of Conduct that was later downgraded into a Declaration among parties to the conflict. This single initiative took all of the past decade with not much progress towards any semblance of a solution. The Declaration, after adoption, went into dormition and some draft guidelines formulated for its implementation, mainly confidence-building measures, was not even discussed among the parties. This time, there is a move to once again resuscitate the Code of Conduct. Perhaps this second time around it will succeed, all the way to signature, ratification and entry into force. Would this be a promising eventual development to await with bated breath? Regrettably, nothing much to inspire confidence.

A new tack with old ingredients have recently been separately suggested. One is addressing non-traditional issues, and another is pursuing joint cooperation/joint development. The twin concepts are promising, but must be pursued in tandem. It should be given serious consideration by claimant States.

### **Implementing CBMs in the 2002 DOC: A Roadmap to Managing the South China Sea Dispute**

By **Dr. Ian Storey**, Editor, Contemporary Southeast Asia; Fellow, Institute of Southeast Asian Studies (ISEAS), Singapore

Tensions are rising in the South China Sea due a combination of factors including the failure of ASEAN and China to implement cooperative confidence building measures (CBMs) outlined in the 2002 Declaration on the Conduct of Parties in the South China Sea (DoC). If present trends continue, and tensions are allowed to fester, there is a growing risk of miscalculation and even conflict. Stability in the South China Sea is vital for the continued economic development of countries in the Asia Pacific, and regional states voiced their concerns in 2010 at the ASEAN Regional Forum (ARF) and ASEAN Defence Ministers Meeting Plus (ADMM-Plus). Due to the increasing frequency of incidents at sea, there is an urgent need for ASEAN and China to move forward with the concrete implementation of the DoC. This paper recommends how some of the CBMs identified in the DoC can be operationalized.

## **International Joint Development of Fisheries Resources**

By **Dr. Wang Hanling**, Institute of International Law, Chinese Academy of Social Sciences, Beijing, China

## **All for one, one for all: Promoting economic cooperation in the South China Sea**

By **Mr. Nazery Khalid**, Senior Fellow, Maritime Institute of Malaysia

Of late, the discourse on South China Sea has been dominated by the possibility of military conflicts breaking out among nations staking a claim in this pivotal sea lane of communication. While efforts have been made to cool things off in this cagey theater, it looks a long way off before all parties can set aside their differences and cooperate in areas of common interest and benefit. Lost amid the increasingly aggressive posturing and adversarial tone among claimants is the emphasis on how they can benefit from realising the economic potential of the vast living and non-living resources in the Sea, and from unlocking the worth of the trade lanes for common benefit. This modest paper attempts to shift the focus of analysis of the Sea from within the framework of military grandstanding to a ‘softer’ perspective by focusing on promoting economic cooperation among countries littoral to the Sea. It explores areas of potential cooperation in the Sea such as fishery, oil and gas, shipping, seaborne trade and non-living marine resources, and outlines multilateral efforts which have been made in these areas. While acknowledging the potential for the area to be mired in prolonged tension, the paper calls for the actors to set aside their differences and focus on ‘low hanging fruits’ to build confidence and trust among them to avoid conflict in the Sea. It spells out recommendations on how economic cooperation can be promoted and achieved, by way of undertaking joint development and capacity building and establishing a regional economic council, among others. The paper concludes with an optimistic tone that although tension in the Sea should not be dismissed, actors involved share too much common interests and an intertwining fate amid today’s globalised world, hence it would not be in their interest to let things go out of hand in the Sea. It boldly throws the challenge to governments and policymakers to set aside nationalistic tendencies and act in the best interest of the region by cooperating on economic development, and warns against taking one-upmanship in the Sea too far for the sake of regional peace, stability and prosperity and for future generations.

## **Approaches for Cooperative Activities in the South China Sea**

By **Mr. Vu Hai Dang**, Candidate of Doctorate of the Science of Law in Marine Environmental Law at Schulich Law School, University of Dalhousie, Canada.

Although the South China Sea dispute seems to get more complicated recently and the perspective for a definitive resolution is still very far away; many initiatives for cooperation have been undertaken by surrounding countries. Most famous examples of such initiatives can include joint expeditions of marine scientific research by the Philippines and Vietnam, the joint undertaking of seismic survey by petroleum companies from China, Philippines and Vietnam, and the continuing South China Sea Workshops. It is widely recognised that these

activities have played an important role in decreasing the tension, enhancing cooperation and encouraging dialogue between participants. For this reason, it is strongly believed that countries surrounding the South China Sea, especially claimants in the South China Sea disputes should develop and implement more cooperative activities. However, if those activities are not conducted in a suitable manner they can raise serious suspicions and lead to strong protestations both from inside the participating country and other concerning states. Examples of such reverse effects are the reaction of China to the Filipino-Vietnamese expeditions during its first phase (from 1996 to 2007) or the severe protestations occurring inside the Philippines and critics from other countries with regard to above the tripartite surveys. There may be many reasons that can explain the reverse effects caused by these two arrangements but the most important one should be that the activities were undertaken in sensitive areas. It is particularly true in the case of the tripartite agreement where the most important rationale for protestations from inside the Philippines was that the government had made “breathtaking concessions in agreeing to the area for study, including parts of its own continental shelf not even claimed by China and Vietnam”.

From this perspective, this paper would like to invite the workshop to reflect on an approach for future initiatives in cooperative activities in the South China Sea region to avoid such negative consequences and enhance their effectiveness. This approach is proposed based on the general knowledge relating to marine regional cooperation with consideration of the particularities of the South China Sea’s situation.

## INDEX 1: INFORMATION ABOUT VIETNAM

### People and Language

The population of **Socialist Republic of Viet Nam** is more than 85 million with an urban population consisting of about 19.7%. There are 54 ethnic minority groups living in Vietnam. The '*Kinh*' people (or the Viet) account for nearly 90% of the population. Major ethnic minority groups include the *Tay*, *Thai*, *Muong*, *H'Mong*, *Dzao* and *Khmer*.

Vietnamese language is the main language. English, French and Russian can be heard in the major cities.

### Land & History

The land of Vietnam has an S shape with a total surface area of 329,600 km<sup>2</sup>. Vietnam has common borders in the North with China, to the East and Southeast with Laos and Cambodia. The West of Vietnam faces the South China Sea. Vietnam's coastline is more than 3,260 kms long. The land is very diverse with mountains, highlands, deltas, rivers and forests. *Hanoi* is the capital and *Ho Chi Minh City* is Vietnam's largest city.

### Climate

Vietnam has a tropical climate, which is characterized by lots of sunshine, high rainfall, humidity and two distinguished seasons in general: the cold and dry one from November to April and the other, hot and wet from May to October. Annual average temperatures range from 22°C to 27°C. But the weather usually varies North and South, as between land and mountains.

### Currency

The currency is Vietnamese Dong (VND). Foreign currencies can be exchanged at the banks, exchange bureaus or hotel reception desks. Travelers' cheque and most of Credit cards are accepted in the major cities.

### Time

Time zone: GMT/UTC + 7 (the same zone as Thailand, Laos and Cambodia)  
Business days: Monday through Friday.

Business hour: Mornings: 07h30 - 12h00; Afternoons: 13h00 - 16h30.

Museums are usually closed on Monday but you can visit temples and pagodas every day. Most restaurants and shops open from 08h00 till 22h00.

### Public Holidays

01 January: New Year's Day

Late January to mid-February: Vietnamese Lunar New Year ( 04 days off ).

30 April: Re-unification Day and 01 May: International Workers' Day.

02 September: National Day

### Food and Drinks

There is a wide range of dishes in Vietnam, including the very popular *nem* (spring rolls) and *pho* (Vietnamese noodle soup). They are eaten together with rice or noodles. Not all foods are spicy. Vegetarian foods, dietary dishes & western menus are also available at some

restaurants. A rich variety of tropical fruits is available all year round, however, it will vary depending upon the season.

Imported beers and alcohols are available in hotels, restaurants and shops. There are many Vietnamese brands or country wines made from rice. If you prefer to drink water, please use bottled mineral water, which has an unbroken seal. Do not drink tap water that has not been boiled.

### **Emergency numbers**

Police: 113

Fire Brigade: 114

First Aid: 115

### **HO CHI MINH CITY**

Some 300 years ago, at the beginning of the 17th century, the Vietnamese fleeing the insecurity resulting from the continuous wars between the two rival families, the Nguyen and the Trinh lords, came and settled in the Mekong Delta. They cleared new lands, which became Gia Dinh province at the beginning of the 19th century. On a bank of the Ben Nghe river there appeared an urban centre, Ben Nghe, including a big market, Cho Lon, and a street, Sai Gon. It was the embryo of the present city of Sai Gon-Cho Lon.

On June 2, 1976, the National Assembly of the Socialist Republic of Vietnam solemnly gave Saigon the name of Ho Chi Minh City.

Nowadays Ho Chi Minh city became the economic center of Vietnam.

### **Climate and weather**

Ho Chi Minh City is situated by the Sai Gon River in the centre of the Cuu Long delta. The climate is divided into two seasons. The dry season lasts from November to April, the average temperature is 26° C. The rainy season begins in May and ends in October characterized by sudden heavy rains, the average temperature is 29° C. In general, the climate of Ho Chi Minh City is tropical, it is hot but mild thanks to the sea. Humidity is 80%, low when compared with other regions of the country.

## **INDEX 2: ORGANISING INSTITUTIONS**

### **THE DIPLOMATIC ACADEMY OF VIETNAM**

The Diplomatic Academy of Vietnam was established in accordance with Decision 82/2008/QĐ-TTg dated 23 June 2008 by the Prime Minister of the Socialist Republic of Vietnam on the basis of upgrading the Institute for International Relations (successor of the College for Foreign Affairs established in 1959). The Academy carries out strategic research in international relations and foreign policies; undergraduate and graduate training and retraining of Foreign Service personnel; serves as “think tank” in foreign policy for the Ministry of Foreign Affairs, the Party and the State.

**Honours:** First - Class Labour Order (1994)  
Third - Class Independence Order (1999)  
Second - Class Independence Order (2004)  
Ho Chi Minh Order (2009)

#### **Human Resources**

The Academy has 211 researchers, faculty members and staff and is expected to have 350 personnel when it is in full service. The majority of researchers and faculty members hold master or doctor degrees and have received overseas training. Among them are 11 associate professors, 19 doctors, 59 masters currently lecturing and conducting research in international politics, international law, international economics, foreign languages, and media and cross-culture communication.

#### **Training**

The Academy offers training at undergraduate and graduate levels in international relations, international law, international economics, foreign languages, and media and cross-culture communication. Each year, the Academy takes in 60 graduate and 450 undergraduate students in six disciplines of International Relations, International Law, International Economics, International Communication, English and French; 100 college students and 150 on-the-job students. Different training units form an establishment similar to a university with its own faculties and departments.

The Academy has cooperated with overseas universities to offer joint courses, invited foreign trainers to teach foreign languages and European studies and US foreign policies etc. By 2010, the Academy has trained 5000 students for 37 formal university enrolments, 2500 students in 23 secondary enrolments, 369 students in 10 master enrolments and 10 students in 1 doctor enrolment. It has also held 12 on-the-job and 5 second-degree training enrolments.

#### **Research**

The Academy carries out strategic research and forecasts on world affairs, international relations, political and economic affairs, security, national defence, law, culture and foreign policies of different nations and regions. The Academy serves as “Think Tank” for the Minister for Foreign Affairs, the Party and the State in foreign policies as well as history and theories of international relations.

Besides, it serves as the coordinator in the management of research projects of the Ministry of Foreign Affairs. It has carried out 250 studies in international relations at both state and

grassroots levels. In the organizational set up of the Academy, the Institute for Foreign Policy and Strategic Studies is an affiliate of the Academy and has three centres, namely the Centre for Political and Security Studies, the Centre for Development and Economic Integration, the Centre for Regional and Foreign Policy Studies.

### **International Cooperation**

The Academy is an active member of many regional and world research networks such as ASEAN-ISIS, NEAS, NEAT, and CSCAP etc. Researchers and faculty members of the Academy regularly attend international colloquiums, seminars and conferences held overseas. Every year, the Academy hosts 60 groups of scholars, international politicians for 60 international seminars. The Department of External Cooperation within the Office of Administration of the Academy acts as the focal point for all cooperation in training, academic research and scholar exchange with overseas universities, academies, institutes, research centres, intergovernmental and non-governmental organizations.

### **In-service training**

The Centre for Continuing Education carries out training and convenes refreshment courses in international relations, foreign policy, diplomatic studies and foreign languages for mid-level officials, public servants and employees in the diplomatic service as well as other officials engaged in diplomatic activities from various ministries, agencies and localities.

### **Information and Documentation**

The Centre for Information and Documentation archives and provides information relating to Vietnam's foreign policy, strategies, political, economic and security situation of regions and countries as well as international organizations. It also seeks to further develop information resources for use in Vietnam and overseas. It has at its disposal 35.000 books and document titles in service of teaching and research of the Academy and the Ministry of Foreign Affairs.

### **MISSIONS**

Decision 82/QD-TTg dated June 23, 2008 by the Prime Minister of the Socialist Republic of Vietnam defined the status and functions, duties and powers of the Diplomatic Academy of Vietnam as follows:

#### **Status and functions**

1. The Diplomatic Academy of Vietnam is an income-generating administrative unit under the Ministry of Foreign Affairs, established on the basis of upgrading the Institute for International Relations.
2. The Diplomatic Academy of Vietnam has the functions of undertaking strategic studies in international relations and foreign policies, undergraduate and postgraduate training and training of mid-career officials.
3. The Diplomatic Academy of Vietnam with its headquarters in Hanoi, is a juridical personality, uses the seals with the national emblem, and has its own bank account as provided for by the law.

#### **Duties and powers**

1. Scientific research:

- a) To study, synthesize and carry strategic forecast of the world situation, international relations, political, security, defence, economic, legal, cultural and foreign policy issues of

countries and territories, to advise the Minister of Foreign Affairs in the formulation, planning and implementation of the foreign policy of the State;

b) To research and develop theories of international relations of Vietnam on the basis of the Vietnamese diplomatic history, and theories of international relations;

c) To cooperate in academic exchange with universities, academies, research centers and intergovernmental non-governmental organizations in the country and abroad in accordance with its functions and tasks;

d) Act as the focal point in the organization and management of scientific research activities of the Ministry of Foreign Affairs.

2. Training and mid-career refreshment:

a) Train human resources at undergraduate and postgraduate levels in international relations, international law, international economics, foreign languages and other subjects in accordance with the law;

b) Undertake training and organize mid-career refreshment courses in international relations, foreign policy, diplomatic skills, foreign languages for leaders, managers of ministries, provincial departments, officials, public employees in the foreign service, officials working at external relations departments of different ministries and localities; carrying out examination in professional diplomatic skills, foreign languages of relevant officials in accordance with regulations and assigned authority;

c) Undertake joint training at undergraduate and postgraduate levels, cooperative mid-career training in professional diplomatic training and foreign language studies with local or foreign institutes and organizations.

3. Edit and publish scientific works, studies, textbooks, teaching materials and other publications on external affairs, diplomatic history of Vietnam and the world, international relations and other related fields.

4. Participate in the dissemination of foreign policies and lines of the State.

5. Manage officials, employees, facilities of the Diplomatic Academy of Vietnam in accordance with provisions of the law and decentralization of the Ministry of Foreign Affairs.

6. Perform other duties as assigned or authorized by the Minister of Foreign Affairs.

## **CONTACTS**

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## **THE VIETNAM LAWYERS' ASSOCIATION**

The Vietnam Lawyers' Association is a professional socio – political, united organization gathering the voluntary lawyers throughout the country.

The Vietnam Lawyers' Association is member of the Vietnam Fatherland Front under the leadership of the Vietnam Communist Party and the management of the State of the Socialist Republic of Vietnam.

The Vietnam Lawyers' Association participates in the international lawyers organizations whose activities conform to its motto and objective.

### **Motto and objectives**

The Vietnam Lawyers' Association widely unites, gathers the Vietnamese lawyers who have done or are doing legal work in the offices of the State, the political organization, the socio – political organization, the professional socio – political organization, the social organization, the economic organization, the cultural organization, the educational organization, the people's armed forces, who volunteer to act for the cause of building and defending their Fatherland, for the defense of the people's right to freedom and democracy, contributing to building a legal science and the Vietnam socialist state governed by law with the objective: the people be rich, the country be powerful the society be equal, democratic and civilized.

The Vietnam Lawyers' Association broadens its friendly relation and co-operation with the lawyers organizations in the world and other organizations under the principle of mutual respect of each others' independence, sovereignty and territorial integrity for the common sake – peace, co – operation and development.

### **Legal status of the Vietnam Lawyers' Association**

Pursuant to the current laws and regulations as well as its Statutes, the legal status of the Vietnam Lawyers' Association is well defined. Pursuant to Article 1 of the Decree No 88/2003/ND-CP, the Vietnam Lawyers' Association shall be one of organizations falling within the scope of application of this Decree. Therefore, the legal status of the Vietnam Lawyers' Association shall be defined by the Law No 102/SL/L1004, the Decree No 88/2003/ND-CP, and its Statutes which was drafted and issued in conformity with the two above legal documents. It is noted that the Vietnam Lawyers' Association, as defined in its Statutes is a professional socio – political organization which conforms with the classification in Article 104 of the Decree No 88/2003/ND-CP. It means that the Vietnam Lawyers' Association shall bear legal status as a legal entity.

In accordance with the Vietnam Communist Party's guidelines and policies on enhancing the Vietnam Lawyers' Association's role and activities as well as the Decree No 88/2003/ND-CP, in its Congress in 2004, the Vietnam Lawyers' Association passed its new Statutes which then was approved by the Ministry of Internal Affairs in the Decision No. 37/2004/AD-BNV of 19 May 2004. The Statutes clearly identifies the Vietnam Lawyers' Association as a professional socio – political organization. This legal status shall create favorable conditions for the Vietnam Lawyers' Association to facilitate its activities and enhance its role. As a professional socio – political organization, the Vietnam Lawyers' Association can widely unites and gathers many Vietnamese lawyers who work in different fields, in the offices of the State and social organizations as well as from different sectors of the economy. Scope of activities and the roles of the Vietnam Lawyers' Association, therefore, shall be legally broadened.

### **Tasks, power and duties of the Vietnam Lawyers' Association**

1. To gather in its association those who have been or are being engaged in legal work according to the provision of Article 1 of the Statutes. To build and make it a steady and strong association politically, morally, organizationally and professionally;
2. To take part in the law making, to study legal science, to take part in the supervision of the law application; propose to the state organs on the problem to elaborate and carry out the law;
3. To take part in propagating, disseminating and training the law, to raise the sense of exercising the law to the Association's members, cadres, government employees and the people;
4. To act as consultants of the law, help the poor people and those privileged by policy in legal matters free of charge, build the legal consultant organizations as defined by law;
5. To take part in some State management activities as defined by law;
6. To coordinate various activities and carry out the task of a member of the Vietnam Fatherland Front;
7. To take part in the legal and political activities in service of the political, economic and social tasks, maintain political security, social order and safety;
8. To report to the Party and the State the sentiment and aspiration of the legal community; to train members of the Association to enhance their legal knowledge and professional morals; to lit up their spirit and take care of their interests in order to keep them closed to the Association;
9. To publish and distribute books, magazines, newspapers on law, meeting the needs for the Association's internal and external activities;
10. To take part in the international activities conforming to the Association's motto and objective;
11. To persuade the Vietnamese people living abroad to contribute their part to national construction.

### **Members of the Vietnam Lawyers' Association**

The number of members of the Vietnam Lawyers' Association has been rapidly increased in recent years. From 2005 to the beginning of 2008, the number of members increased from 31,000 to 36,000 members who work in legal field such as judges, prosecutors, policemen, legal experts and lawyers.

### **Structure and organization of the Vietnam Lawyers' Association**

The Vietnam Lawyers' Association is organized from the central to the grassroots level which comprises:

- The Central Committee of the Vietnam Lawyers' Association;
- The Association's provincial and city bodies directly affiliated to the Association's Central body
- Association's district, quarter, city bodies directly affiliated to the Lawyers Association at provincial level;
- Lawyers' associations at base level;