The 9th South China Sea International Conference
COOPERATION FOR REGIONAL SECURITY AND DEVELOPMENT

INTERNATIONAL LAW AND PREVENTION OF INCIDENTS IN THE SOUTH CHINA SEA

Nguyen Thi Lan Anh

Diplomatic Academy of Vietnam

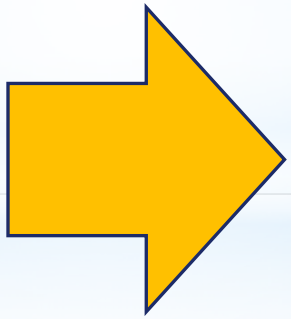
MAIN POINTS

- International law on prevention of incidents at sea: UNCLOS, COLREGs, SOLAS
- States practices: INCSEA, MMCA, MCM, CUEs
- Incidents in the South China Sea

SUBSTANTIVE PROVISIONS

MECHANISMS

ACTIVITIES



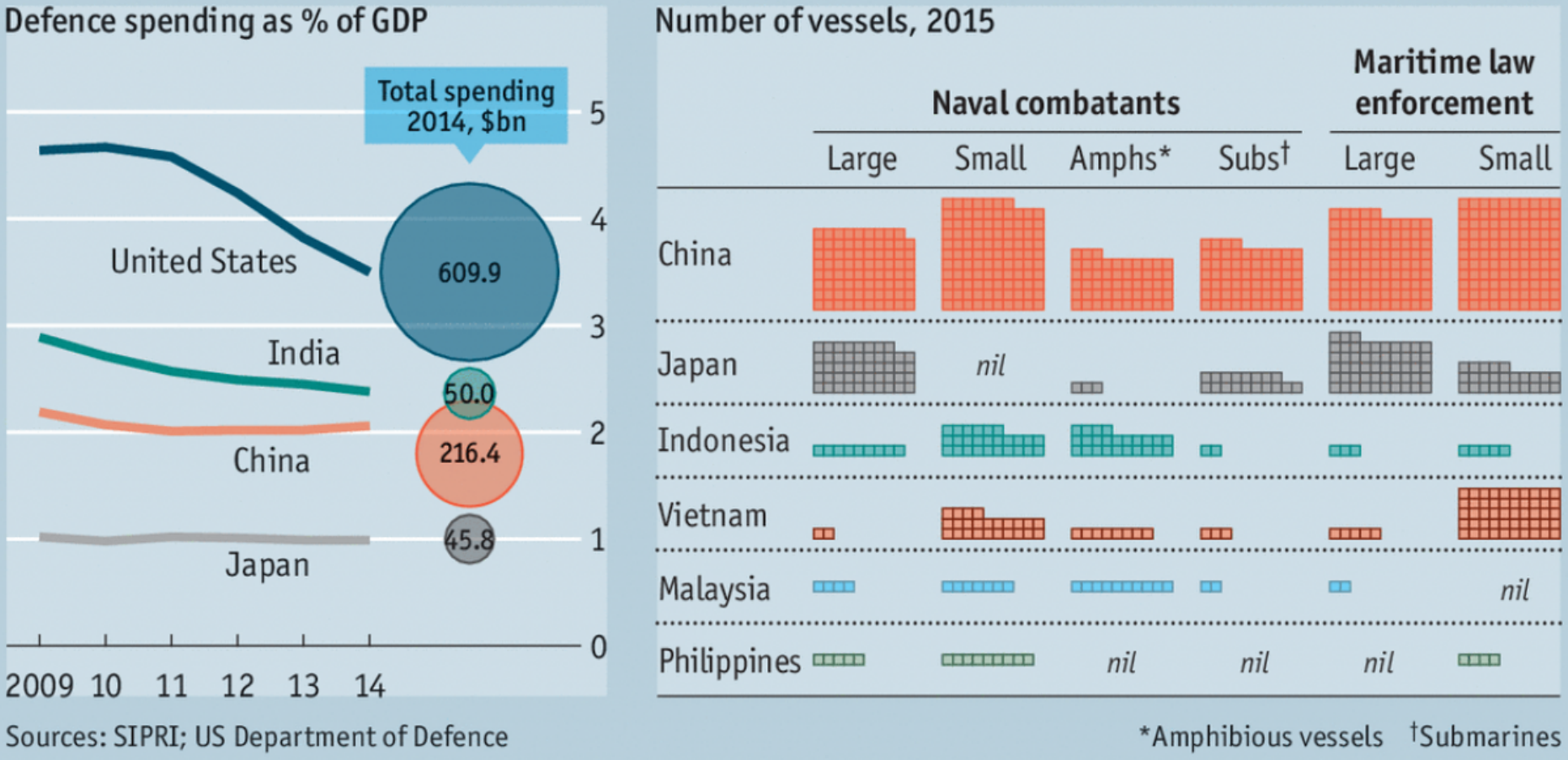
PREVENTION OF INCIDENTS IN THE SOUTH CHINA SEA

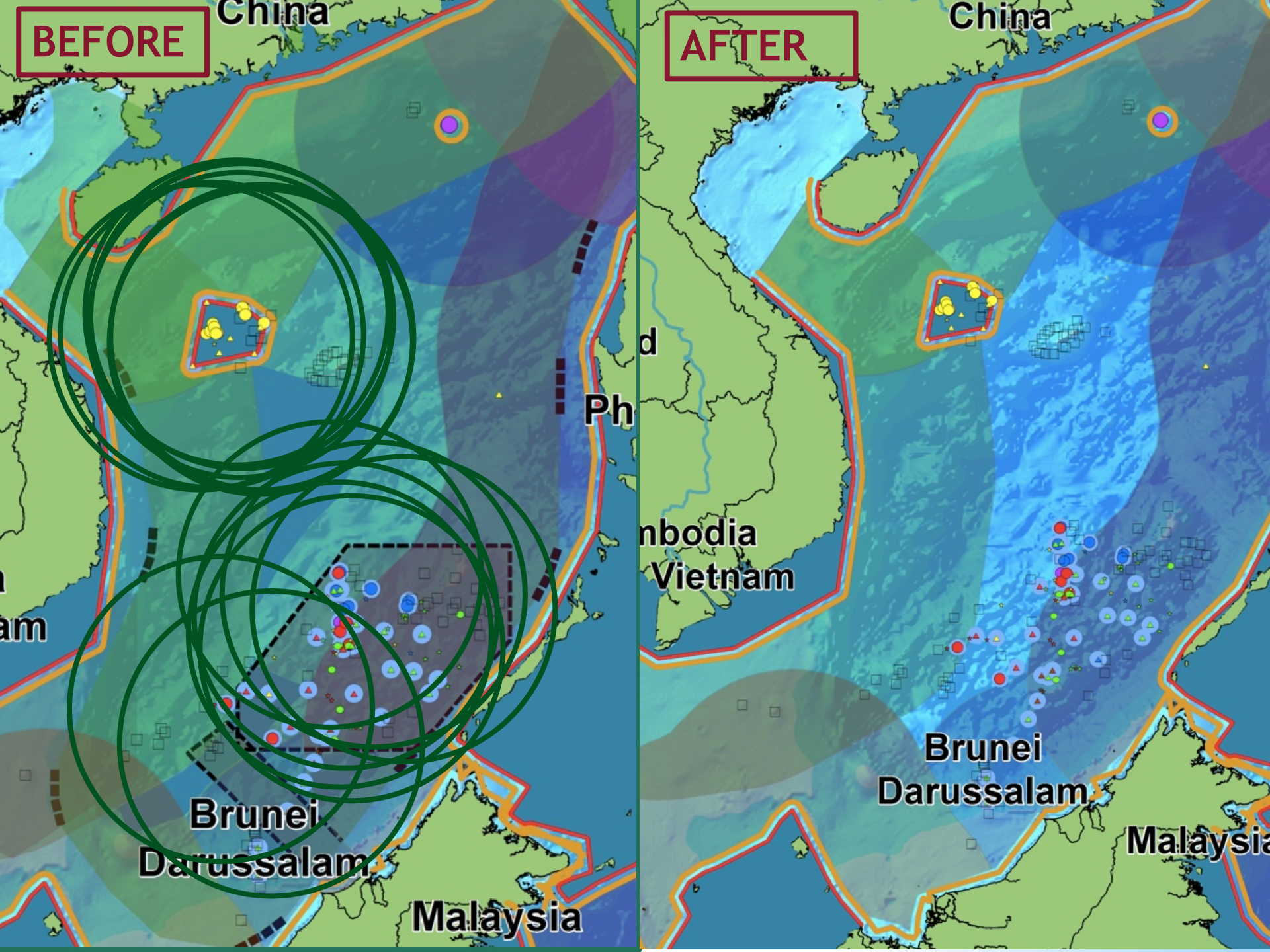
INCIDENTS IN THE SOUTH CHINA SEA

2010-2017:

* 53: 41(70%)
* 9
* 68 and 45

THE CAUSES OF INCIDENTS IN THE SOUTH CHINA SEA

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SUBSTANTIVE PROVISIONS

- Obligations of coastal states and flag states under UNCLOS
- Technical standards: IMO Conventions (COLREGs and SOLAS)
- *Arbitral Tribunal Award in the South China Sea case*: "The Tribunal finds China to have violated Rules 2, 6, 7, 8, 15, and 16 of the COLREGs and, as a consequence, to be in breach of Article 94 of UNCLOS" (para. 1109)
- INCSEA and CUEs

Incorporate prevention of incidents at sea into substantive negotiation of COC

Develop separate COC on prevention incidents at sea between relevant parties in the SCS

MECHANISMS

- Bilateral: INCSEA, MMCA, MCM
- Symposium: WPNS

ASEAN and China
Extended ASEAN Maritime Forum (EAMF) → EAS

ACTIVITIES

- Consultations: Regular and irregular
- Bilateral exercises on SAR and CUEs
- Hotlines

Multilateral exercise on SAR under ADMM+

Exercise on SOP for contingency plan

Communication channel: Database and focal points

Thank you!

Questions and comments are welcome!