

ST. ANTONY'S COLLEGE, UNIVERSITY OF OXFORD WORKSHOP
"NEW APPROACHES TO SOUTH CHINA SEA CONFLICTS RESOLUTION,
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**South China Sea – Vietnam's
view after
the July 2016 Arbitral case**

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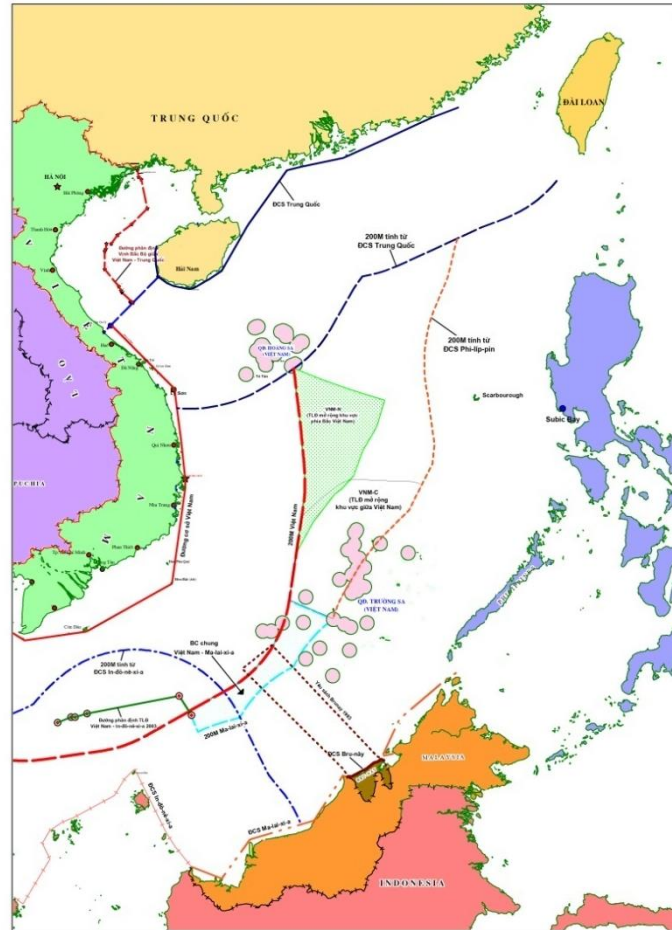
Content

- Ruling's
- New approaches to the regional situation effect
- Vietnamese position to find a solution acceptable in the South China Sea

Ruling's effect

- Changed seriously the scope of disputes in the South China Sea:
 - Nine dash line
 - 12 nm TS for features in the Spratlys
 - 0 nm TS for submerged low-tide features
 - High sea and Seabed Common Area
 - Free of EEZ and CS of surrounded countries
- Reshape a new framework of cooperation and making favorable conditions to settle maritime disputes in the South China Sea. It helps to form new approaches to the South China Sea conflicts resolution.

Ruling's effect on maritime zones



New approaches

- **Implementation of the Award**
- **Quiet adaption to the Award**
- **Tribunal under Annex VII and other juridical means**
- **Conciliation**
- **Joint development**
- **Code of conduct**

Joint development

- In enclave territorial seas around the features in Spratlys.
- High sea and seabed zones in center of the South China Sea
- Joint developments in economic exclusive zones and continental shelves measured from mainland of surrounded countries
- The most convenient area for joint development shall be the vicinity of Scarborough Shoal.

Code of conduct

- Issues of the COC: scope of application, principles, legally binding nature, enforcement mechanism, participation of other non-regional parties, the continuation of the DOC.
- Framework of the COC:
 - has no binding effect
 - Debate is better than use of force or militarization.
 - solidarity of ASEAN in advancing

Vietnam position toward the South China Sea disputes after the Award.

- Use international law as important tool to safeguard its sovereign and maritime claims in the South China Sea
- Peaceful settlement of disputes
- Flexibility in managing conflicts and defending its own interest
- what is bilateral will be bilaterally negotiated and what is multilateral will be settled multilaterally.

Possible Concrete Steps

- Joint development:
 - No on TuChinh bank
 - Maritime delimitation and Possible JD in area off the Tonkin gulf
 - Yes for Joint Fishing in Scarborough Shoal
- COC:
 - must be legally binding
 - Enforcement mechanism
 - Settlement mechanism
- Common outer limit of the continental shelf in the South China Sea; VN, MLS, PLP
- Legal proceedings for Paracels islands

Thank for attention

