

Date: 16 - 17 June 2011, Singapore

Nations must set aside differences and claims and focus instead on attaining common goals towards creating durable peace, security and prosperity in the South China Sea (SCS). One way of doing so is engaging in joint development initiatives to exploit together resources such as fisheries and oil and gas in the bountiful sea.

This call resonated loudly throughout the CIL Conference on Joint Development and the South China Sea held in Singapore on 16-17 June 2011.

The holding of the conference, organized by the Centre for International Law (CIL) at National University of Singapore, could not have been better timed. A pivotal sealane of enormous economic and strategic importance, SCS is a theater that is subject to disputes, claims and counter-claims among several states, and power projection. Of late, there have been developments that have stoked tension and given rise to anxiety among the regional states that peace, security and stability in the sea and surrounding area could be under threat.



South China Sea : A vast, complex maritime theater at the centre of global attention
Source : http://www.usip.org/files/file/s_china_sea-nations.gif

With this background, the conference was held to provide a platform for international

maritime experts, especially in maritime law and maritime joint development, to exchange views and insights on issues concerning joint development in SCS. The conference boasted a star-studded line-up of top scholars in the field, which include Prof. Tommy Koh Chairman, CIL), Clive Schofield (ANCORS, Australia), Ralf Emmers (RSIS Singapore) and David Ong (University of Essex, UK). They shared their vast, in-depth knowledge in the concept of joint development, its rationale, key legal provisions and issues involved, citing examples of joint development arrangements around the world and examining their applicability to SCS.

The conference was attended by participants comprising the world's leading scholars on maritime strategies and diplomacy, government officials (including diplomats) and private sector representatives (mainly from the oil and gas industry). The broad cross-section of participants, and the Chatham House Rules applied to the discussion, contributed to a free flowing and often frank discourse and debate on the subject.

During his opening remarks, Singapore's decorated expert in law and foreign policy and the republic's former Senior Minister Prof. S Jayakumar said tensions over competing claims in SCS were not conducive for regional stability and would not provide the kind of climate that would enable joint development efforts among the claimant states. He pointed to the 'excellent examples set by Malaysia and Singapore, and Malaysia and Indonesia in the Pedra Branca (Pulau Batu Putih) and Sipadan/Ligitan cases respectively' as practical, workable modalities than can be emulated in introducing joint development in SCS.



Recent anti-China protests in Vietnam over what it perceived as China's 'aggression' in South China Sea underscore the tension in this strategically important maritime area

Source :

<http://arsipberita.com/show/south-china-sea-vietnamese-hold-antichinese-protest-239995>

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The programme of the conference was designed in such a way that it did not address outstanding sovereignty issues and disputes in SCS, on the basis that the disputes would not be submitted to dispute resolution mechanisms and that their solutions would take a long time coming. This helped panelists and participants to examine the construct of joint development in SC without being restrained by the outstanding disputes and issues among the claimant states.

MIMA Senior Fellow, Nazery Khalid was invited to present his thoughts in a panel session titled 'Joint Development in the South China Sea : The Way Forward'. The panel included luminaries in the field of maritime diplomacy and maritime policy research such as Hasjim Djalal, Robert Beckman, Ian Towsend-Gault and Yann-Huei Song. During his presentation, Nazery stressed on the importance of tolerance, understanding and trust as the building blocks to initiate joint development in such a complex theater like SCS. He shared Malaysia's experience in joint development agreements with Thailand and Brunei as successful models from which best practices and lessons can be drawn in coming up with a practical modality for the same initiative to be introduced in SCS.

The conference provided an excellent platform for MIMA to articulate its views on SCS, learn the positions of various countries and gather insights from top scholars on the subject. By being continuously invited to address prestigious events such as this, MIMA can count itself to be among the thought leaders on the subject of SCS. With Malaysia having a direct interest in SCS, and with this crucial maritime area being a key research theme at MIMA, the institute's participation in the conference will greatly enhance its 'institutional knowledge' on this area of immense importance for Malaysia. This will put MIMA in good stead to provide solid policy recommendations to the Government on SCS when called upon.