

2015 EAST ASIA SUMMIT STATEMENT ON ENHANCING REGIONAL MARITIME COOPERATION

Adopted in Kuala Lumpur, Malaysia on 22 November 2015

Co-Sponsors: Indonesia, China, New Zealand, Australia, USA

WE, the Heads of State/Government of the Member States of the Association of Southeast Asian Nations (ASEAN), Australia, the People's Republic of China, Republic of India, Japan, the Republic of Korea, New Zealand, the Russian Federation and the United States of America on the occasion of commemorating the 10th anniversary of the East Asia Summit (EAS) held in Kuala Lumpur, Malaysia;

UNDERLINING our common vision of the EAS as a Leaders-led forum for dialogue on broad strategic, political and economic issues of common interest and concern with the aim of promoting peace, stability, and economic prosperity in East Asia;

REITERATING our commitment in the 2010 Ha Noi Declaration on the Commemoration of the 5th Anniversary of the East Asia Summit to move progress and cooperation in the EAS further forward, including the priority areas;

DESIRING to consolidate and strengthen the EAS on the basis of its established principles, objectives and modalities;

REAFFIRMING ASEAN as the driving force in the EAS, working in close partnership with the other participating countries of the EAS;

CONVINCED that the East Asia Summit could play a significant role in ASEAN's community building and regional integration as well as in the implementation of the forthcoming ASEAN Community Vision 2025;

RECOGNISING the need to support efforts to build a strong ASEAN Community which will serve as a solid foundation for our common peace and prosperity;

EMPHASIZING the importance of promoting maritime cooperation through dialogue and cooperation, utilizing opportunities to address common challenges on maritime issues through ASEAN-led mechanisms and in cooperation with relevant regional bodies;

RECOGNIZING that a maritime regime in the region based on international law, including the 1982 United Nations Convention on the Law of the Sea (UNCLOS) that sets out a legal order for the peaceful use of the seas and oceans, including freedom of navigation and overflight, and other internationally lawful uses of the sea related to these freedoms, has facilitated our region's impressive economic growth;

FURTHER RECOGNIZING that the seas and oceans connect our region and link it to other regions of the globe, and that the stability of this maritime area anchors our growth and our future;

OUTLINING the maintenance of peace, stability, safety and security, unimpeded lawful commerce; freedom of navigation, freedom of overflight and other internationally lawful uses of the sea and airspace; the promotion of the protection preservation, and conservation of the marine environment including its resources, as well as a sustainable and responsible fisheries regime, including the long-term conservation and management of fish stocks as our highest priorities;

REITERATING that the EAS is an integral part of the evolving regional architecture which includes other mutually-reinforcing processes such as the ASEAN Plus One, ASEAN Plus Three, ASEAN Regional Forum (ARF), ASEAN Maritime Forum (AMF), ASEAN Defence Ministers' Meeting Plus (ADMM-Plus), and other relevant ASEAN-led mechanisms;

REITERATING the need to promote trust and confidence and to exercise self-restraint in the conduct of activities that would affect peace and stability in all seas and oceans in the region;

REAFFIRMING the principles for friendly and mutually beneficial relations as stipulated in the Declaration of the East Asia Summit on the Principles for Mutually Beneficial Relations, which outlines our desires to create a peaceful environment for further enhancing cooperation and strengthening the existing bonds of friendship among our countries in keeping with the principles of equality, partnership, consultation, and mutual respect, thereby contributing to peace and stability, and prosperity in the region and the world at large;

RECALLING our commitment as outlined in the 2012 Phnom Penh Declaration on the EAS Development Initiative and its Plan of Action to enhance cooperation within the EAS;

CONVINCED that EAS participating countries should enhance cooperation to respond to maritime challenges and promote the sustainable development of the seas and oceans;

DO HEREBY AFFIRM to encourage ASEAN through its related mechanism to consider the possibility of elevating the current Expanded ASEAN Maritime Forum (EAMF) to include a dedicated Track 1 forum in addition to the existing Track 1.5 of the EAMF on the basis of consultation and consensus among EAMF participating countries;

DO HEREBY DECLARE that maritime cooperation has increasingly featured in East Asia Summit discussions, its inclusion as a priority area of cooperation merits further consideration and determine to take concrete actions in the following priorities under the areas of maritime cooperation, namely:

1. We are committed to enhance our cooperation in **sustainable marine economic development** to achieve sustainable development of the seas and oceans in accordance with relevant international instruments, particularly the 1982 UN Convention on the Law of the Sea, as follows:

- To support the 2030 Agenda for Sustainable Development and its focus on people, planet, and prosperity, peace and partnership, particularly Sustainable Development Goal 14 which recognizes the need to conserve and sustainably use the oceans, seas and marine resources for sustainable development;
- To enhance food security and nutrition in the region, including the promotion of sustainable and responsible fisheries and security management and fishery development including long-term conservation and sustainable use of fish stocks as well as encourage the assessment and implementation of the Ecosystem Approach to Fisheries Management (EAFM), with reference to the EAS Track Two Study Group Report on Enhancing Food Security through Sustainable Fisheries Management and Marine Environmental Conservation;
- To encourage all EAS participating countries to put forward project proposals on sustainable marine economic development, explore approaches to enhancing and facilitating the development of sustainable marine economic development, and to share experiences and best practices on sustainable marine economic development related cooperation, including community empowerment;

- To encourage cooperation in marine-based energy development, including in the fields of technology, equipment, management and engineering, to utilize marine-based renewable energy;
- To protect and preserve the marine and coastal environment, marine biodiversity, ecosystem and resources as well as people who depend on them for their livelihood from harmful activities such as land-based and sea-based pollution; illegal, unreported, and unregulated (IUU) fishing; unsustainable and unregulated development; unregulated bottom trawling; destructive fishing methods such as dynamite fishing; and cyanide fishing; coral exploitation; destruction of corals, reefs and shoals; illicit trafficking in wildlife; as well as from the adverse impacts of climate change and ocean acidification;
- To enhance activities and cooperation on marine and coastal conservation and rehabilitation including by strengthening their resilience, and take action for their restoration in order to achieve healthy and productive oceans;
- To prevent fish and fisheries products derived from illegal, unreported and unregulated (IUU) fishing;
- To enhance cooperation in building coastal resilience for disaster risk reduction as mandated in ASEAN Agreement on Disaster Management and Emergency Response (AADMER), which serves as the main regional policy backbone and coordinating platform for disaster management in ASEAN through relevant ASEAN-led mechanisms such as the ASEAN Coordinating Centre for Humanitarian Assistance on disaster management (AHA Centre), working in partnership with relevant regional and international agencies;
- To address transboundary marine and coastal pollution damage resulting from land-based and sea-based sources of marine debris, offshore exploration and exploitation as well as other marine activities, through measures such as promoting mutual assistance in preparing for, controlling and combating oil spill incidents in the region taking into account relevant international agreements, including the 1990 International Convention on Oil Pollution Preparedness, Response and Co-operation, and related regional arrangements such as the Memorandum of Understanding (MoU) on ASEAN Cooperation Mechanism for Joint Oil Spill Preparedness and Response, signed on 28 November 2014 in Mandalay, Myanmar;
- To promote economic development cooperation and sustainable marine resources management, through maritime and marine investment schemes, sustainable marine-tourism; marine and fisheries industry development including in Public Private Partnership (PPP) mechanism involving small scale fisheries, cooperatives and fishers community; port and logistics management, ship building, ship repairing and ship breaking;
- To increase technical assistance and capacity building based on EAS participating countries' common needs and interest in order to foster and strengthen the sustainable coastal and marine environment and economic cooperation in the region;
- To promote scientific cooperation by improving observation systems in this region to enhance understanding of the oceanographic processes for better delivery of ocean information and advisory services;

- To build synergies with other regional frameworks aimed at protecting and preserving marine and coastal environment and ecosystem including its resources.
2. We are **promoting peace, stability and security** in the region by redoubling our cooperative efforts, namely:
- Fostering a sense of maritime community of common interest to respond and address the shared challenges and conduct more pragmatic maritime cooperation for common development;
 - Encouraging more countries to:
 - accede to the 1982 UNCLOS, adhere to its provisions, follow its spirit and to abide by international law in the exercise of rights, obligations, and responsibilities in good faith,
 - ensure the universal application of international law and respect for the sovereignty, sovereign rights, and jurisdiction of all countries, while also respecting the rights and freedom of all countries, taking into account of both the reasonable utilization and scientific protection and preservation of the seas and oceans,
 - strengthen cooperation and coordination for sustainable development of the seas and oceans;
 - Promoting maritime security through dialogue and cooperation in accordance with the relevant international legal instruments and guidelines;
 - Ensuring that all countries enjoy and exercise freedom of navigation and overflight in accordance with international law, including UNCLOS;
 - Undertaking to resolve their territorial and jurisdictional disputes by peaceful means, without resorting to the threat or use of force, through friendly consultations and negotiations by sovereign states directly concerned, in accordance with universally recognized principles of international law, including the 1982 UN Convention on the Law of the Sea; as well as to exercise self-restraint in the conduct of activities that would complicate or escalate disputes and affect peace and stability including, among others, refraining from action of inhabiting on the presently uninhabited islands, reefs, shoals, cays, and other features and to handle their differences in a constructive manner.
 - Promoting maritime security and safety through confidence building and preventive measures, such as promoting international efforts in the fight against piracy on the high seas off the coast of Somalia, strengthening the Indian Ocean Rim Association (IORA), North Pacific Coast Guard Forum (NPCGF), Western Pacific Naval Symposium (WPNS), Head of Asian Coast Guard Agency Meeting (HACGAM), and Rim of the Pacific (RIMPAC) Exercise.
 - Supporting the full and effective implementation of the Declaration on the Conduct of Parties in the South China Sea (DOC), and early conclusion of an effective Code of Conduct in the South China Sea (COC) on the basis of consensus;

- Preventing and managing accidents and incidents at sea by, among others, developing the region's capacity to conduct Search and Rescue operations for people and vessels in distress at sea; enhancing hotline communications between relevant focal points, in consultation with the relevant Search and Rescue authorities, national maritime agencies and authorities; enhancing coordination through the establishment of contact group/s, sharing of information, and sharing of best practices, dialogue and joint exercises on maritime safety, including Search and Rescue as appropriate; in accordance with current established International Maritime Organization (IMO) conventions;
- Utilizing the role of the Expanded ASEAN Maritime Forum (EAMF) as an effective platform to constructively engage in open and substantive dialogue;
- Promoting confidence building measures and enhancing cooperation to promote peace, stability and regional security through other relevant ASEAN-led mechanisms, including ADMM-Plus, and ARF by convening regional maritime workshops and exercises that promote practical cooperation, transparency and common understanding of the rule of law at sea;
- Promoting cooperation and coordination between maritime law enforcement agencies such as among Coast Guards and other relevant agencies;
- Implementing international Convention including the 1972 Convention on the International Regulations for Preventing Collisions at Sea (COLREGs), the Safety of Life at Sea (SOLAS) Convention as amended, other related rules and regulations issued by IMO as well as other relevant instrument including the Code of Unplanned Encounters at Sea (CUES), especially to encourage the widespread adoption of a CUES in the region;

3. We are committed to strengthen cooperation in **addressing transboundary challenges**, by:

- Utilizing the relevant ASEAN led-mechanisms, as appropriate venues to ensure that the region is free of drugs trafficking, illicit trafficking in wildlife, transboundary pollution, IUU fishing, irregular movement of persons at sea particularly those linked to trafficking in persons and people smuggling as well as piracy and armed robbery against ships;
- Working to ensure that the region is a safe region for unimpeded lawful commerce, in accordance with international law;
- Building regional capacity through training and workshops aimed at combating piracy and armed robbery against ships at sea, such as the Expanded ASEAN Seafarer Training (EAST);

4. We are determined to increase our efforts to develop **maritime connectivity** in line with and in support of the vision and goals of the Master Plan on ASEAN Connectivity and its successor documents, and develop sustainable and resilient infrastructure, logistics and port management, navigation cooperation to promote economic growth that will not only contribute to narrowing development gaps but also promote regional integration and the community building process, as well as better mobility of people, skilled labour, goods and services.

5. We are committed to **promote cooperation between research institutions** on maritime issues, among others:

- To encourage EAS participating countries to address the capacity building needs, especially of developing countries on the preservation of the seas and oceans through sharing experiences and best practices for sustainable marine economic development;
- To carry out joint research; exchange expertise; and recommend methodologies, technologies and best practices, for addressing issues and combating threats, such as terrorism, trafficking in persons, people smuggling, piracy and armed robbery against ships, irregular movement of persons at sea, drug trafficking, illicit trafficking in wildlife, IUU fishing, marine pollution, marine biodiversity and ecosystem conservation and management, arms smuggling, adverse impacts of climate change and natural disasters, issues relating to genetic resources, risk assessment research of marine products, and marine biotechnology, as well as marine renewable energy;
- To enhance the engagement between research institutions by convening activities in the form of meetings, seminars and conferences or through sharing experiences and best practices;
- To encourage collaborative activities/programs between ASEAN's maritime and/or marine institutions with dialogue partners and other related international institutions on the area of marine science;
- To establish an online communication platform for the purpose of exchanging information which contains key documents, key publications, outcomes of peer reviews, reports on progress to the outcomes of meetings, news, press releases and other related information.

ADOPTED by the Heads of State/Government of the Participating Countries of the East Asia Summit on 22 November 2015 in Kuala Lumpur, Malaysia.