

2012 JOINT STATEMENT OF THE 15TH ASEAN-CHINA SUMMIT ON THE 10TH ANNIVERSARY OF THE DECLARATION ON THE CONDUCT OF PARTIES IN THE SOUTH CHINA SEA: ENHANCING PEACE, FRIENDSHIP AND COOPERATION

Adopted in Phnom Penh, Cambodia on 19 November 2012

1. We, the Heads of State/Government of the Member States of the Association of Southeast Asian Nations (ASEAN) and the People's Republic of China gathered on 19 November 2012 in Phnom Penh, Cambodia, to commemorate the 10th Anniversary of the Declaration on the Conduct of Parties in the South China Sea (DOC). We reaffirm the Joint Declaration of the Heads of State/ Government of the Association of the Southeast Asian Nations and the People's Republic of China on Strategic Partnership for Peace and Prosperity of 8 October 2003.

A Decade of Enhancing Mutual Confidence and Trust

2. We reaffirm that the DOC signed in 2002 in Phnom Penh, Cambodia, is a milestone document which embodies the collective commitment of ASEAN Member States and China to promote peace, stability and mutual trust in the South China Sea.

3. Following the successful conclusion of the Guidelines for the Implementation of the DOC in July 2011, we note the progress in the implementation of agreed joint cooperative projects under the DOC, which has contributed to the promotion of mutual confidence, trust and cooperation in the South China Sea.

4. We also recognise that the full and effective implementation of the DOC would strengthen the strategic relations and partnership between ASEAN and China, and promote peace, stability and prosperity in the wider East Asian region. In this regard, we reiterate our desire to enhance favorable conditions for a peaceful and durable solution of differences and disputes among the countries concerned.

A Future of Peace, Friendship and Cooperation

5. We reaffirm our commitment to the purposes and principles of the Charter of the United Nations (UN), the 1982 UN Convention on the Law of the Sea (UNCLOS), the Treaty of Amity and Cooperation in Southeast Asia (TAC), the Five Principles of Peaceful Coexistence, and other universally recognised principles of international law which shall serve as the basic norms governing state-to-state relations.

6. We reaffirm our mutual respect for each other's independence, sovereignty and territorial integrity in accordance with international law, and the principle of non- interference in the internal affairs of other states.

7. We agree to continue to uphold the spirit and principles of the DOC to contribute to the promotion of peace, friendship, mutual trust, confidence and cooperation between and among ASEAN Member States and China.

8. On the occasion of this 10th Anniversary of the DOC, we reaffirm our commitment to the principles of the DOC by undertaking to:

- Continue to fully and effectively implement the DOC;
- Carry out agreed joint cooperative projects and activities in accordance with the Guidelines for the Implementation of the DOC;
- Continue to cooperate to enhance maritime security, including to ensure freedom of commerce, safety of navigation and maritime traffic, in accordance with international law, including the 1982 UNCLOS;
- Continue to encourage the parties concerned to resolve 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 recognised principles of international law, including the 1982 UNCLOS;
- Continue exercising self-restraint by all parties concerned 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;
- Keep the momentum of dialogue and consultation to enhance trust, confidence and cooperation, and work together for the adoption of a code of conduct in the South China Sea on the basis of consensus.

9. We task our Ministers and Senior Officials to realise the goals, initiatives and activities outlined in this Statement.

ADOPTED in Phnom Penh, Cambodia, on the Nineteenth Day of November in the Year Two Thousand and Twelve, in two original copies in the English Language.