

2016 GUIDELINES FOR HOTLINE COMMUNICATIONS AMONG SENIOR OFFICIALS OF THE MINISTRIES OF FOREIGN AFFAIRS OF ASEAN MEMBER STATES AND CHINA IN RESPONSE TO MARITIME EMERGENCIES IN THE IMPLEMENTATION OF THE DECLARATION ON THE CONDUCT OF PARTIES IN THE SOUTH CHINA SEA

Adopted in Vientiane, Lao PDR on 7 September 2016

1. Introduction

- 1.1 ASEAN Member States and China signed the Declaration on the Conduct of Parties in the South China Sea (DOC) on 4 November 2002 with a view to consolidating and developing friendship and cooperation among them with desire to promote a peaceful, friendly and harmonious environment in the South China Sea.
- 1.2 Pending the conclusion of the Code of Conduct as indicated in Article 10 of the DOC, ASEAN Member States and China resolved to undertake Early Harvest Measures which includes the establishment of Hotline Communications among Senior Officials of the Ministries of Foreign Affairs (MFAs) of ASEAN Member States and China in Response to Maritime Emergencies (hereinafter referred to as the “MFAs’ Hotline Communications”).
- 1.3 The Guidelines provide scope and procedures for operationalising the MFAs’ Hotline Communications.

2. Purpose and Scope

To ensure immediate and effective exchange of information and views and coordination among the MFAs of the ASEAN Member States and China regarding maritime emergencies that require immediate policy level intervention, herein referred to as “intervention”, in relation to the full and effective implementation of the DOC, to promote confidence, prevent and resolve incidents, and to promote peace and stability in the South China Sea.

3. Use of Terms

In order to facilitate the operationalisation of the MFAs’ Hotline Communications, explanations of relevant specific terms that appear in the Guidelines are as follows:

- 3.1 “Party/Parties” refers to the ASEAN-China SOM Leader(s) as well as their alternate(s) who are designated as focal points for the MFAs’ Hotline Communications.
- 3.2 “Requesting Party” refers to a Party that requests intervention and/or assistance from another Party or Parties in the event of a maritime emergency.
- 3.3 “Requested Party” refers to a Party that receives request for intervention and/or assistance from another Party or Parties in the event of a maritime emergency.
- 3.4 “Maritime Emergency” refers to an incident in the South China Sea that requires immediate policy-level intervention in relation to the full and effective implementation of the DOC.

4. Designation of Contact Point under the MFA's Hotline Communications

- 4.1 Each ASEAN Member State and China shall designate its respective ASEAN-China SOM Leader as the focal point for the MFAs' Hotline Communications and nominate an alternate(s) at the level of Director-General and/or Deputy Director-General who shall act as the focal points in the event that the ASEAN-China SOM Leader cannot be reached.
- 4.2 Each ASEAN Member State and China shall provide the details of the means of communication such as telephone, facsimile and e-mail to the Directory of Focal Points as appears in the Annex.
- 4.3 Whenever any changes are made in the Directory of Focal Points, the Party making the changes shall notify the Parties by Diplomatic Note. The Country Coordinator for ASEAN-China Dialogue Relations shall update the Directory accordingly and circulate the Directory every January and July.
- 4.4 Communications through the MFAs' Hotline Communications shall be conducted in accordance with established international norms and practices governing the treatment of confidential diplomatic communications between and among States.

5. Procedures for Undertaking Action

- 5.1 In the event of a Maritime Emergency, and in accordance with the procedure under 4.1 above, the designated senior officials of the affected or concerned party/parties may initiate contact with any other party/parties concerned or all parties to notify them of the occurrence of the situation requiring immediate attention.
- 5.2 When requesting intervention and/or assistance, the Requesting Party shall specify the scope and type of intervention and/or assistance required.
- 5.3 Party/Parties that wish to offer intervention and/or assistance may contact the Requesting Party directly.
- 5.4 After being informed of Maritime Emergencies and/or request for intervention and/or assistance, the Requested Party shall take appropriate action immediately to ensure effective and timely response.
- 5.5 Party/Parties shall respond to incidents and emergencies in accordance with their domestic laws, regulations and relevant international law as well as within any bilateral or multilateral cooperation framework.
- 5.6 Video Conferencing may be used as a channel of communication as deemed necessary.