

2022 JOINT STATEMENT ON THE 20TH ANNIVERSARY OF THE DECLARATION ON THE CONDUCT OF PARTIES IN THE SOUTH CHINA SEA

Adopted in Phnom Penh, Cambodia, 11 November 2022

We, the Member States of the Association of Southeast Asian Nations (ASEAN) and the People's Republic of China (hereinafter: the Parties), gathered on the occasions of the 25th ASEAN-China Summit and the 20th Anniversary of the Declaration on the Conduct of Parties in the South China Sea (DOC), in Phnom Penh, Kingdom of Cambodia, on 11 November 2022.

RECOGNISING the benefits of having the South China Sea as a sea of peace, friendship, and cooperation;

RECALLING that the Parties signed the DOC on 4 November 2002, as well as adopted the Guidelines for the Implementation of the DOC in 2011, the 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 in 2012, and the Joint Statement of the Foreign Ministers of ASEAN Member States and China on the Full and Effective Implementation of the DOC in 2016;

REAFFIRMING that the DOC is a milestone document in ASEAN-China Dialogue Relations that embodies the collective commitment of the Parties to promote peace, stability, mutual trust, and confidence in the region, in accordance with international law, including the 1982 United Nations Convention on the Law of the Sea (UNCLOS), which is commemorating its 40th anniversary this year;

RECALLING the achievements by ASEAN Member States and China on the implementation of the DOC, which contribute to the peace and stability in the South China Sea and the promotion of friendly relations and practical maritime cooperation;

NOTING that the situation in the South China Sea has changed tremendously since the signing of the DOC and recognising in this regard the imperative of strengthened efforts and heightened goodwill towards the full and effective implementation of the DOC;

APPRECIATING the progress in the COC negotiations, and reaffirming that the future adoption of the COC would further promote peace and stability in the region.

WE HEREBY:

1. Reaffirm our commitment to the purposes and principles of the Charter of the United Nations (UN), the 1982 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;
2. Reaffirm our mutual respect for each other's independence, sovereignty and territorial integrity in accordance with international law;
3. Reaffirm our shared commitment to maintaining and promoting peace, security, and stability in the South China Sea;

4. Reaffirm that the Parties concerned undertake 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;
5. Reaffirm our respect for and commitment to the safety and freedom of navigation in and overflight above the South China Sea, in accordance with international law, including the 1982 UNCLOS;
6. Reaffirm our commitment to fully and effectively implement the DOC in its entirety;
7. Continue to explore and undertake practical maritime cooperation initiatives, including in fields such as marine environmental protection, marine scientific research, safety of navigation and communication at sea, search and rescue operation and combating transnational crime;
8. Continue to exercise self-restraint in the conduct of activities that would complicate or escalate disputes and affect peace and stability, and avoid actions that may further complicate the situation;
9. Commit to maintain and promote an environment conducive to the full and effective implementation of the DOC and to the early adoption of a substantive and effective COC, based on consensus, in accordance with international law, including the 1982 UNCLOS.

ADOPTED in Phnom Penh, Cambodia, on the Eleventh of November in the Year Two Thousand and Twenty-Two.