

JOINT STATEMENT ON THE APPLICATION OF THE *CODE FOR UNPLANNED ENCOUNTERS AT SEA IN THE SOUTH CHINA SEA*

We, the Heads of State/Government of ASEAN Member States and the People's Republic of China met in Vientiane, Lao People's Democratic Republic on 7 September 2016.

Reaffirming our commitment to the 2002 *Declaration on the Conduct of Parties in the South China Sea* (DOC) and the *Joint Statement of the Foreign Ministers of ASEAN Member States and China on the Full and Effective Implementation of the DOC*, including the importance of the freedom of navigation and overflight, as provided for by universally recognised principles of international law including the 1982 *United Nations Convention on the Law of the Sea* (UNCLOS);

Recognising that maintaining peace and stability in the South China Sea region serves the fundamental interests of ASEAN Member States and China ("the Parties") as well as the international community;

Recognising that Brunei, Cambodia, Indonesia, Malaysia, Myanmar, the Philippines, Singapore, Thailand, Viet Nam and China are parties to the *Convention on the International Regulations for Preventing Collisions at Sea, 1972* (COLREGs);

Recognising that Brunei, Cambodia, Indonesia, Malaysia, the Philippines, Singapore, Thailand, Viet Nam and China are members of the Western Pacific Naval Symposium (WPNS) and have adopted the *Code for Unplanned Encounters at Sea* (CUES);

Recognising that Laos and Myanmar, though not members of the WPNS, affirm the significance of CUES in ensuring maritime safety;

Recognising that CUES, as a coordinated means of communication to maximise safety at sea, offers a means by which navies may develop mutually rewarding international cooperation and transparency;

Recalling that WPNS navies that choose to adopt CUES for naval cooperation do so on a voluntary and non-binding basis, and that CUES is also available for implementation by other navies on the same basis;

Hoping to further deepen mutual trust and cooperation among our navies through

the implementation of CUES;

HEREBY declare the following:

1. We reaffirm our commitment to CUES in order to improve operational safety of naval ships and naval aircraft in air and at sea, and ensure mutual trust among all Parties;
2. We agree to use the safety and communication procedures for the safety of all our naval ships and naval aircraft, as set out in CUES, when they encounter each other in the South China Sea; and
3. We affirm that this effort contributes to our commitment to maintaining regional peace and stability, maximum safety at sea, promoting good neighbourliness and reducing risks during mutual unplanned encounters in air and at sea, and strengthening cooperation among navies.

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