

CSCAP Maritime-Related Memoranda

Overall, emphasis is on maritime cooperation and sharing of information:

No. 4: Guidelines for Regional Maritime Cooperation (Dec 1997)

No. 5: Cooperation for Law and Order at Sea (Feb 2001)

No. 6: The Practice of the Law of the Sea in the Asia Pacific (Dec 2002)

No. 8: The Weakest Link? Seaborne Trade and the Maritime Regime in the Asia Pacific (Apr 2004)

No. 12: Maritime Knowledge and Awareness: Basic Foundations of Maritime Security (Dec 2007)

No. 13: Guidelines for Maritime Cooperation in Enclosed and Semi-Enclosed Seas and Similar Sea Areas of the Asia Pacific (July 2008)

No. 16: Safety and Security of Offshore Oil and Gas Installations (Jan 2011)

No. 24: Safety and Security of Vital Undersea Communications Infrastructure

No. 25: Maritime CBMs, Trust, & Managing Incidents at Sea

CSCAP Memorandum on "Safety and Security of Vital Undersea Communications Infrastructure" proposes specific measures on:

- Actions by States

- All states should join the International Cable Protection Committee (ICPC).

- Each State should designate a national lead agency for submarine cable issues.

- Regional Cooperation

- Once designated, national lead agencies of states should coordinate (with industry/ICPC and other states) to: (i) Develop regional protocols to facilitate prompt cable repairs, and (ii) Develop standard procedures for both information sharing and to notify other regional nations of cable breaks or suspicious activity.

- Include tabletop exercises to deal with cable breaks and threats to cables in regional multilateral and bilateral exercises.

CSCAP Memorandum on "Maritime CBMs, Trust & Managing Incidents at Sea" specific crisis prevention and management measures:

- ASEAN and dialogue partners should continue to work on moving from CBMs to preventive diplomacy

- ASEAN states and China should steadily advance consultation on a Code of Conduct in the South China Sea within the framework of a complete and effective implementation of the Declaration of the Conduct (DOC) of Parties issued in 2002, and adhere to the 2011 Guidelines for the Implementation of the DOC

- Need for a center to coordinate and promote maritime situational awareness throughout the region

- At the operational level, Memo highlights value of functional cooperation (e.g., SAR, HADR), Code for Unalerted Encounters at Sea (CUES), and a region wide forum for coast guards

UNCLOS and Preservation of Marine Environment: CSCAP Memoranda Highlights

No. 4 and No. 5: Highlight need for maritime cooperation in preservation of marine environment

No. 6: Briefly summarizes regional perspectives and areas of agreement and differences regarding UNCLOS, but little mention of marine environment issues

No. 8: For security of seaborne trade, advocates a coordinated regional maritime monitoring system to support regional responses, including marine environment protection

No. 12: In addressing maritime knowledge awareness needs, highlights that all CSCAP states have signed IMO Pollution Convention (MARPOL 73/78)

No. 13: Highlights UNCLOS Art. 123 responsibilities, that states bordering enclosed and semi-enclosed seas "should cooperate...and shall endeavor, directly or through an appropriate regional organization...to coordinate the implementation of their rights and duties with respect to the protection and preservation of the marine environment." Advocates littoral states to "consult regarding cooperation in taking all measures necessary to prevent, reduce, monitor and control pollution," to ratify and implement all relevant conventions, and to develop contingency plans to respond to marine pollution threats

No. 16: Regarding offshore oil and gas installations, highlights potential for major environmental disaster, marine pollution, and advocates cooperation in risk mitigation, regional response measures, and government-industry partnerships

UNCLOS and Dispute Settlement: CSCAP Memoranda Highlights

No. 4: Comprehensive guidelines as principles for regional maritime cooperation. Encourages all states to become parties to UNCLOS. Encourages states to homogenize procedures IAW UNCLOS Art. XIII for granting consent to Marine Scientific Research in EEZs

No. 5: Best practices for cooperation to maintain law and order at sea. Outlines different UNCLOS zones of maritime jurisdiction, Urges flag states to respect rights under UNCLOS. Advocates a Protocol on EEZ jurisdiction. Discusses maritime enforcement and information in context of UNCLOS.

No. 6: Briefly summarizes regional perspectives and areas of agreement and differences regarding UNCLOS