



## Phillipines Permits Malaysia-Indonesia to Enter their Territorial Waters to Pursue Abu Sayyaf Group

<http://www.thejakartapost.com/news/2016/06/28/indonesia-malaysia-philippines-close-to-signing-maritime-cooperation.html>

Philippine finally give permission for Malaysia and Indonesia to pursue Abu Sayyaf in their territorial waters. This approval issued as an attempt of the three countries to tackle piracy and hostage done by Abu Sayyaf group. This announcement was delivered by Malaysian Prime Minister Najib Razak after his meeting with President of Philippines, Rodrigo Duterte in Kuala Lumpur.

Abu Sayyaf is one of the smallest and most violent jihadist groups in the southern Philippines. Its name means “bearer of the sword” and it is notorious for kidnapping for ransom, and for attacks on civilians and the army. Abu Sayyaf has its roots in the separatist insurgency in the southern Philippines, an impoverished region where Muslims make up a majority of the population in contrast to the rest of the country, which is mainly

Roman Catholic.

Previously, Minister of Foreign Affairs the Republic of Indonesia, Retno L.P. Marsudi, exclusively went to Sabah, Malaysia, to discuss about safety at sea issue. She asked Malaysia to help the release of two nationals who was kidnapped by Abu Sayyaf group and commit to keeping Sabah waters safe.

Two Indonesian were held back as hostage again by Abu Sayyaf in Sabah waters on Saturday, 5<sup>th</sup> November 2016. Days later, the group also kidnapped a German, after they killed his female companion. The corpse was left in a yacht on the islands of Sulu. Until now, Abu Sayyaf held 15 peoples from various countries as hostages for ransom.

Indonesia’s Minister of Defence, Ryamizard Ryacudu responded after the announce-

ment, he reminded Indonesian fishermen again for not seeking fish near Philippine waters

Malaysia's Prime Minister, Najib Razak, announce that Indonesia and Malaysia can still pursue Abu Sayyaf group who asking for ransom after kidnapping people, even when they already enter Philippine's territorial waters. He added that this agreement will be discuss further at a meeting in Laos' capital city, Vientiane, 22 November 2016.

Regarding this issue, article 100 in UNCLOS 1982 stated that all states have an obligation to cooperate in the repression of piracy on the high seas or in any other place outside the jurisdiction of any state. In conclusion piracy is an act of assault towards vessels in sea, without considering whether it was on the high seas or in the jurisdiction of the country. So there shall be cooperate in order to tackle piracy and saving hostages held by Abu Sayyaf group. (RGW)

## **Indonesian Patrol Vessel Captured Eight Vietnam's Fishing Vessels For Illegal Fishing**

[http://regional.kompas.com/read/2016/11/10/18064871/hiu\\_macan\\_01\\_tangkap\\_8\\_kapal\\_vietnam](http://regional.kompas.com/read/2016/11/10/18064871/hiu_macan_01_tangkap_8_kapal_vietnam)  
<http://www.thejakartapost.com/news/2016/11/10/indonesian-patrol-intercepts-8-vietnamese-boats-for-illegal-fishing.html>

Indonesian patrol vessel, Hi-uMacan 01, from General Directorate of Maritime and Fisheries Resource Patrol from Maritime Affairs and Fisheries Ministry captured eight Vietnam's fishing vessels for illegal fishing in South China Sea that is still in Indonesia's Exclusive Economic Zone (EEZ).

Erik Tambunan, the Super-

visor of Maritime and Fisheries Resources Patrol stated that Hi-uMacan 01 departed from Batam on Monday, November 7<sup>th</sup> 2016 at 16.00 to the operation target in South China Sea because they detected there were foreign fishing vessels illegally fishing around the area.

On the next day, there was a hot pursuit between the Hi-uMa-

can with one of Vietnam's vessel. They were able to capture the vessel and arrested six crews and another boat with another seven crews. The authorities were able to detained the total of eight vessels, with 53 people, consisting of eight captains and 45 crew members.

Numbers of the vessels are as follows: BV 4985 TS (11 crews), BV 4984 (with three crews), BV 92455 TS (three crews), BV 92458 TS (ten crews), BV 5424

TS (ten crews), BV 92421 TS (three crews), BD 95377 TS, and BD 97583 TS. The eight boats used "purse seine" fishing equipment and "Pair Trawl".

Those boats did not carry legal fishing documents. The eight vessels were suspected violating the Law Number 45 Year 2009 about the Amendment of Law Number 31 Year 2004 about Fisheries

(MN)

## **Arising Need of ASEAN Central Role in Settling Maritime Disputes**

<http://vietnamnews.vn/politics-laws/346307/maritime-disputes-need-central-role-of-asean.html#JMUc6bwvluFBY5FH.97>

NHA TRANG — The eighth International Conference on the East Sea, themed "Cooperation for Regional Security and Development," wrapped up in Nha Trang City yesterday, stressing the need to promote ASEAN's central role in managing disputes in the East Sea.

Through the course of seven sessions with 28 presentations, delegates joined heated discussions on regional and global contexts, recent unfoldings in the East Sea, the legal, economic, political and historic aspects

in the East Sea dispute and prospects of dispute settlement and management in the region.

Commenting on the origin of the East Sea dispute, many participating scholars said it began decades ago, saying that the nine-dash line claimed by China defines sovereignty over islands without resorting to any legal and scientific grounds.

Concerning the recent developments in the East Sea, they shared views that China is likely to reach consensus with several

Southeast Asian countries to soften disputes, but on field it has still maintained or even enhanced its presence and control in the area, including the Scarborough Shoal and Trường Sa (Spratly) archipelago.

The construction and installation of military and surveillance equipment in ĐáChữThập (Fiery Cross Reef), VĩnhKhẩn (Mischief Reef) and Subi reef have not slowed down, proving that China has not changed its long-term goal of gaining full control over the East Sea, which is also a major source of regional tension.

Underscoring ASEAN's central role in managing East Sea dispute, they said countries are still concerned about China's activities in the East Sea, given that the US's Asia-Pacific-oriented policy under the new administration remains unclear.

Concerning political-economic aspects, scholars agree that in order to ensure regional security and stability, concerned parties need to exercise self-restraint, maintain the status quo, avoid unilateral actions in the East Sea such as militarising occupied areas and declaring the Air Defence Identification Zone.

They called for mechanisms to manage conflicts in fishing, fuel production and marine environment protection.

Regarding the legal aspect, participants said the ruling by the Permanent Court of Arbitration acknowledges that recent developments in the East Sea run counter to the regulations of the 1982 United Nations Convention on the Law of the Sea.

They added that the ruling's conclusions open up a chance for cooperation in fields of common interest such as fishing, maritime safety and environment protection.

Several opinions suggested developing mechanisms on bilateral or trilateral cooperation for parties in the East Sea, building a code of conduct for unplanned encounters at sea and coordinating in protecting the environment and fisheries resources.

Others proposed dialogues between maritime law enforcement forces from East Seabordering countries, building a marine park and enhancing collaboration among scientists.

Mechanisms such as the International Tribunal for the Law

of the Sea, the Commission on the Limits of the Continental Shelf and the International Seabed Authority should be used effectively, they said.

Members of the annual Young Leaders Program suggested building a network of young researchers on the East Sea issue, marine environment protection, enhancing liaison between parties concerned.

In his closing speech, Director of the Diplomatic Academy

of Việt Nam Associate Professor Nguyễn Vũ Tùng urged concerned parties to take constructive approaches, respect each other and abide by international law.

The conference took place in an open, straightforward and practical manner and demonstrated meaningful efforts to contribute to international cooperation for peace and stability in the East Sea, he said.

(MA)