



The Distribution Process Between Vietnam with Countries In The Sea

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Abstract. The maritime delimitation between countries with contiguous seas is aimed at creating a clear maritime boundary, contributing to maintaining a peaceful and stable environment for the development of marine economic fields. As a coastal country, it has maritime borders adjacent to many countries in the East Sea region. Over the past time, consistent view of settling disputes at sea with neighboring countries based on respect for independence, sovereignty, and territorial integrity of the country, compliance with international law, especially UNCLOS 1982, through peaceful measures to find a fair solution for all parties, Vietnam has gradually negotiated and signed maritime delimitation agreements with China, the Philippines, Malaysia, Indonesia, Thailand, and Cambodia. The article focuses on analyzing and interpreting the process of maritime delimitation between Vietnam and relevant countries in the East Sea region in the period 1982 - 2022. On that basis, reviewing the achievements and shortcomings, limitations in the process of negotiating sea delimitation, drawing useful lessons to apply in the next stages of sea delimitation.

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1. Demarcation of the sea between Vietnam and China

The maritime delimitation between countries with contiguous seas is to create a clear maritime boundary, contributing to maintaining a peaceful and stable environment for the development of economic fields and China.

In the Gulf of Tonkin area, the situation of sovereignty disputes and the situation of fishermen from Vietnam and China regularly violating illegal fishing took place for a long time, affecting the relationship between the two countries. good relations between the two countries and a peaceful and stable environment in the region.

After the two countries normalized relations in 1991, on October 19, 1993, the two countries signed an Agreement on basic principles for settling border and territorial issues between the Socialist Republic of Vietnam and the Republic of China. People's Peace of China. According to the content of the agreement, the two sides will apply international law and consult international practices, on the principle of fairness and take into account the geographical features of the Gulf of Tonkin to come to a fair solution.

On that basis, Vietnam asked China to apply the provisions of UNCLOS as a legal basis to delimit the Gulf of Tonkin. Vietnam ratified UNCLOS on June 23, 1994, and China ratified it on June 15, 1996, these two historic

events are considered favorable conditions for the two countries to negotiate the delimitation of the Gulf of Tonkin. Thus, until 1996 when both countries became official members of UNCLOS, UNCLOS became the common legal basis for the two countries to apply in the process of negotiation and settlement of related issues. concerning the delimitation of the Gulf of Tonkin.

After 27 years of negotiation, on December 25, 2000, the Agreement on the delimitation of the territorial sea, exclusive economic zone, and continental shelf in the Gulf of Tonkin was signed by the Socialist Republic of Vietnam and the People's Republic of China. signed by the Chinese people, thereby defining the border of territorial sea between Vietnam and China in the area beyond the mouth of the Bac Luan River, clearly demarcating the scope of the exclusive economic zone and the extent of the continental shelf of the two countries. in the Gulf of Tonkin.

Thus, the signing of an agreement on the delimitation of the Gulf of Tonkin by Vietnam with China has created a solid legal basis for border and territory management, realizing the goal of building a border between Vietnam and China into a successful city border peace, friendship, long-term stability and create motivation to promote and strengthen the comprehensive cooperative relationship between the two countries; plays an important role in strengthening and consolidating the comprehensive



cooperation between the two parties and states in the last decade of the twentieth century and is also an important premise for the two countries to continue to promote cooperation relations. resolving disputes at sea in the first decades of the twenty-first century. From 2001 to 2004, the two sides negotiated the Additional Protocol to the Fisheries Cooperation Agreement to determine the boundaries of the sea areas, the number of vessels, and the legal regime of the common fishing areas and transient settlement zone.

In the first decades of the twenty-first century, the Vietnam Coast Guard and the Chinese Coast Guard conducted joint patrols in the waters adjacent to the Gulf of Tonkin demarcation line, to maintain peace stable; Joint search and rescue training is the basis for the two sides to enhance coordination ability when carrying out joint search and rescue in the coming time. Joint patrol activities contribute to promoting good relations between the two Parties and States, contributing to maintaining a peaceful environment, security, order, and safety at sea.

Until October 2022, Vietnam and China held the 33rd joint patrol, joint patrol to continue developing the traditional friendly neighborly relationship between Vietnam and China; enhancing mutual understanding and trust between the armies and navies of the two countries; maintaining security and order in the border waters between the two countries that have been delimited in the waters of the Gulf of Tonkin; exchange experiences and improve joint coordination in search and rescue activities at sea.

In summary: The process of maritime delimitation between Vietnam and China outside the mouth of the Gulf of Tonkin is still being negotiated and this issue is still facing many difficulties, due to the differences between the two countries' views, especially the viewpoint on sovereignty, sovereign rights and jurisdiction, and national interests in the seas. However, Vietnam and China are both parties to several international conventions on the sea, especially UNCLOS. on the basic principles of international law, international law of the sea, and especially the provisions of UNCLOS.

2. Sea delimitation between Vietnam and the Philippines

The Philippines has no sovereignty over the Hoang Sa and Truong Sa archipelagoes of Vietnam. Because, the Treaty of Paris signed in 1898 between the US and Spain, stipulates that Spain will hand over the Philippines to the US to manage. Under the Agreement on determining the territorial extent of the Philippine archipelago on the attached map, the territory of the Philippines does not include any islands in the Spratly archipelago under Vietnam's sovereignty.

Period 1970 - 1995: In 1971, the regional situation had many complicated developments when the Philippines began to reveal its plot to formally occupy several islands

in the Spratly archipelago of Vietnam. For example, the Philippines put forward its sovereignty claim and position that some islands in Vietnam's Truong Sa archipelago are derelict and not owned by any other country.

Historical fact shows that, while Vietnam was focusing on the task of liberating the South and reunifying the country, taking advantage of that situation from 1971 to 1973, the Philippines sent troops to illegally occupy five islands in the North. and the northeast of the Spratly Islands under the sovereignty of Vietnam are Vinh Vien, Binh Nguyen, Loai Ta, Thi Tu, and Song Tu Dong.

Until February 1979, the Philippines officially made a claim to the above-mentioned islands in the Spratly archipelago under Vietnam's sovereignty, which the Philippines calls the Kalayaan island group. During this period, it was the Philippines' irrational sovereignty claim that made the East Sea situation more tense and complicated than before. To ease the tension between the two countries, on November 7, 1995, the two foreign ministries of Vietnam and the Philippines began negotiations.

The negotiation results have reached an agreement on 9 basic principles of conduct for disputed seas and islands in the East Sea, including the following main contents: (i). The two sides agreed through negotiation and peace to find basic solutions to the sovereignty dispute over the Spratly Islands. (ii). The two sides refrain from using or threatening to use force, promoting bilateral or multilateral cooperation in the protection and preservation of the marine environment, scientific research, meteorology, disaster prevention, and search and rescue. accident and rescue, combating piracy and controlling marine environmental pollution, and protecting marine resources in the Spratly archipelago. (iii). Ensuring freedom of navigation following the practice of international law, especially the 1982 United Nations Convention on the International Law of the Sea. (iv). The two sides have step by step strengthened cooperation and resolved the sovereignty dispute in the Spratlys. Although the above contents are not a legal basis, they have contributed to maintaining a peaceful and stable environment at sea. There is no armed conflict in the bordering waters between the two countries. The above contents are the basis for the two sides to continue negotiations and maintain peace in the bordering waters between the two countries.

Period 1995 - 2007: Based on peace negotiations, Vietnam and the Philippines conducted four joint surveys and scientific research on the sea. The first time was in 1997 and followed by 2000, 2004, 2007. This is a model of joint scientific research cooperation in the sea, which is being proposed to be expanded in composition and elevated to a regular institution. . However, due to the complicated situation of the East Sea area, there are differences between the two countries views on sovereignty over seas and islands. Therefore, from 2008 to

2015, Vietnam and the Philippines did not carry out a joint scientific research program on the sea, but the two countries remained committed to maintaining peace and stability in the East Sea region.

On October 26, 2010, in Hanoi, a meeting took place between President Nguyen Minh Triet and Philippine President Benigno S. Aquino III during his visit to Vietnam. During the talks, the two senior leaders of the two countries affirmed that peace and stability in the East Sea are the common aspirations and interests of countries in the East Sea region and it is important to strictly implement the DOC, agreed to proceed with the drafting and work towards the adoption of the COC.

The two countries continue to make efforts to find a basic solution based on the basic principles of international law, the provisions of UNCLOS, and peaceful measures to settle sovereignty disputes over seas and islands in the region. From 2010 to 2022, the two sides maintain peace and stability at sea as an important basis for promoting relations between the two countries in maintaining a peaceful and stable environment in the East Sea region, especially in the East Sea context of strategic competition between major powers.

In summary, from 1995 to 2022, the two sides have shown peaceful views to settling disputes over maritime sovereignty related to the two countries. The two countries Vietnam and the Philippines have reached agreements at the levels of Foreign Minister, Prime Minister, President, and State President.

Those agreements have contributed to the settlement of maritime sovereignty disputes between the two countries by peaceful means, in the spirit of friendship and mutual trust. This is a favorable basis for the issue of maritime border delimitation between the two countries in the next stages.

However, due to differences in the position of sovereignty over the Spratly Islands under Vietnam sovereignty between the two countries, the process of negotiating maritime delimitation between Vietnam and the Philippines is still facing many difficulties. However, the two sides are still committed to resolving their disagreements by peaceful means through negotiation, based on the basic principles of international law and international law of the sea, especially the provisions of international law, UNCLOS.

3. Demarcation of the sea between Vietnam and Malaysia

The sea bordering Vietnam and Malaysia exists an overlapping sea on the continental shelf of the two countries, about 2,800 square kilometers wide. This area is located at the mouth of the Gulf of Thailand with a small depth of about 50 m on average, the seabed topography is relatively flat.

Vietnam and Malaysia are both parties to UNCLOS, so the common principle to resolve the delimitation of the

continental shelf and exclusive economic zone is the principle of fairness, which is recognized in Articles 74 and 83 of UNCLOS. Reality requires that the two sides must sequentially negotiate, and narrow down disagreements and conflicts, to find a fair solution that both sides can accept.

On the basis that both countries are members of UNCLOS, both Vietnam and Malaysia accept to apply the principles of international law and the provisions of UNCLOS to settle maritime delimitation. In early 1992, during the visit to Kuala Lumpur by Vietnamese Prime Minister Vo Van Kiet, an agreement on conducting negotiations on the delimitation of the continental shelf between the two countries was approved.

Then, from June 3 to 5, 1992, in Kuala Lumpur, the first round of negotiations between Vietnam and Malaysia took place and was successful. Based on the content of that first round of negotiations, the two countries have step by step agreed to apply the principle of provisional settlement as provided for in Articles 74 and 83 of UNCLOS, that is, the line is drawn and indicated on a chart of an appropriate scale to determine its position, in some cases the drawing of these external boundaries or planning lines may be replaced by lists of the geographical coordinates of points. On that basis, the two sides quickly agreed to apply a common exploitation model to the defined area in the spirit of understanding and cooperation.

Based on that spirit, on June 5, 1992, the two countries officially signed a Memorandum of Understanding. The content of the Memorandum of Understanding dated June 5, 1992, specified the scope of the defined area, and the two sides must appoint their representatives to conduct exploration and exploitation activities in the specified area and cooperate. such exploitation shall not prejudice the final maritime delimitation planning outcome between the two countries.

Through the signing of the MoU on June 5, 1992, it can be seen that Vietnam has always been a leading country in applying the provisions of Articles 74 and 83 of UNCLOS, not only in maritime delimitation but also in measures to jointly exploit marine resources in overlapping seas. However, the reality shows that the Memorandum of Understanding cannot completely solve the issue of maritime delimitation between Vietnam and Malaysia. The two sides need to continue to negotiate peacefully and based on the content of UNCLOS and the Memorandum of Understanding to delimit the continental shelf and exclusive economic zone.

Agreement between Vietnam and Malaysia

To implement the contents of the Memorandum of Understanding, Vietnam has sent PetroVietnam, and Malaysia has sent Petronas to cooperate in exploiting oil and gas resources in a defined area. On July 29, 1997, the first ton of oil was exploited at Bunga kekwa field, this event marked a great success for both sides in managing and cooperating in the exploitation of natural resources as

well as contributing valuable experience to resolve other disputes.

Because the distance between the coasts and islands of the two sides is less than 400 nautical miles, lying on a homogeneous continental shelf and the claims of both sides are based on the median line, i.e. based on the standard of coastal distance. sea of the two countries, a single delimitation line can be used as the boundary for both the exclusive economic zone and the continental shelf of the two countries.

The mere division of the existing overlapping maritime area between the two sides is an acceptable and fair delimitation solution. After a long time of negotiation, on May 6, 2009, Vietnam and Malaysia jointly submitted a joint report on the extended continental shelf area related to the two countries to the Commission on the Limits of the Continental Shelf of the United Nations. country.

This event has demonstrated the spirit of peace in resolving disagreements over the overlapping waters between the two countries and is also considered a model for resolving maritime sovereignty disputes between neighboring countries in the East Sea region.

The maritime delimitation cooperation between Vietnam and Malaysia has contributed to the practical experience of the world and the region in resolving disagreements and disputes at sea. From 2009 to 2022, the two sides will continue to maintain peace and stability at sea, contributing to preserving the good friendship between the two countries, and at the same time contributing to maintaining a peaceful and stable environment in the region. adjacent to each other, serving as a basis for the two sides to cooperate for economic development.

4. Sea delimitation between Vietnam and Indonesia

Due to the different viewpoints on using the principle of maritime delimitation and the base point to calculate the breadth of the territorial sea, there is a large overlapping sea area between Indonesia and Vietnam. Therefore, from 1978 to 2003, the two countries Vietnam and Indonesia conducted working-level negotiations to delimit the continental shelf in the bordering waters between the two countries.

During the negotiation process, Vietnam's legal stance is on the principle of agreement, fairness, and respect for each other's interests, in line with the development trend of international law of the sea. The solution proposed by Vietnam is to base it on the continental shelf, which is the natural extension of the mainland's territory to the sea, so the boundary is the underground trench separating the two countries' continental shelves located very close to the island group. Natuna North of Indonesia.

This proposed line creates an area of about 98,000 km² with the Indonesian claim line. Therefore, in October 1991, on the occasion of the visit to Indonesia by Vietnamese Prime Minister Vo Van Kiet, the two sides

signed an agreement to divide the remaining region, but due to the unstable internal situation in Indonesia at that time, there was no consensus. method of resolving maritime delimitation, the agreement was not implemented.

Due to the needs of the two sides to have a peaceful sea, clearly demarcated boundaries, create conditions for fishermen of the two countries to well exploit seafood resources. The continental shelf between Vietnam and Indonesia was signed. This is the first agreement between our country and neighboring countries that only solves one problem: the delimitation of the continental shelf. The Agreement entered into force on May 29, 2007, after the two countries exchanged letters of ratification.

The Agreement is the result of a long and difficult negotiation process that has demonstrated efforts, goodwill, and concessions from both sides to come to an appropriate outcome acceptable to both sides. The Agreement on the Delimitation of the Continental Shelf between Vietnam and Indonesia has created favorable conditions for the two countries to exercise their sovereign rights, jurisdiction, management, and exploitation of their continental shelf.

On March 28, 2016, Vietnam and Indonesia held an 8-level negotiation round of experts on the delimitation of the exclusive economic zone (EEZ) between the two countries. The talks were held in Bali, Indonesia, from 22 to 24 March 2016. This is the next round of negotiations of the VII round on the issue of EEZ delimitation between Vietnam and Indonesia that took place in Hanoi, Vietnam in December 2015.

At the latest negotiation, the Vietnamese delegation was led by Mr. Trinh Duc Hai, Deputy Chairman of the National Border Committee, Ministry of Foreign Affairs of Vietnam. The Indonesian delegation was led by Mr. Octavino Alimuddin, Director of the Department of Politics, Security and Territorial Treaties, Ministry of Foreign Affairs of Indonesia.

During the working sessions, the two sides continued to discuss methods of delimiting the Exclusive Economic Zone based on the provisions of the 1982 United Nations Convention on the Law of the Sea and exchange views on the remaining principles of the EEZ. The existence of the draft negotiating principles and guidelines and the results obtained after the meeting contributed to further strengthening the strategic partnership between the two countries.

In the final rounds of negotiations, Vietnam also actively proposed using a common delimitation line for both the continental shelf and the exclusive economic zone between the two countries. However, the Indonesian side only wants to solve the continental shelf issue because traditionally Indonesia has only negotiated the delimitation of the continental shelf with neighboring countries without delimiting the exclusive economic zone, a new concept



appearing in the framework of the EEZ. Third United Nations Conference on the Law of the Sea.

On June 11, 2003, the Vietnam-Indonesia Continental Shelf Delimitation Agreement was signed and took effect in June 2007 after the two countries exchanged ratification letters. This is the first agreement between Vietnam and neighboring countries that only deals with the continental shelf issue. Vietnam and Indonesia Maritime Delimitation Agreement is also the only case where the adjusted median line method is not applied directly. However, the result of the delimitation fully meets the requirements of the principle of agreement and fairness of UNCLOS 1982.

In the early years of the twenty-first century, the problem of different interpretations of the exclusive economic zone of each party emerged. Vietnamese fishermen believe that the continental shelf boundary is also the boundary of Vietnam's exclusive economic zone that is allowed to fish. Indonesia's maritime law enforcement force considers that its exclusive economic zone boundary is the median line between Natuna and Con Dao islands, consistent with UNCLOS 1982. Different interpretations create overlapping areas and conflicts. The fisheries conflict requires the two countries to continue negotiating the delimitation of the exclusive economic zone based on the principles of UNCLOS 1982.

Thus, from 2007 to 2022 is the period when Vietnam and Indonesia affirm their commitment to strictly comply with the provisions of the Agreement, the basic principles of international law, and the international law of the sea. The two sides continue to maintain a peaceful and stable environment at sea, which is the basis for deepening and practical cooperation for mutual development between the two countries, contributing to maintaining a peaceful and stable environment in the Vietnam East Sea area.

Recently, on the occasion of his visit to Indonesia, on December 22, 2022, President Nguyen Xuan Phuc and Indonesian President Joko Widodo announced that Vietnam and Indonesia had completed negotiations on the delimitation of the exclusive economic zone (EEZ), encroachment between the two countries based on international law and the 1982 United Nations Convention on the Law of the Sea (UNCLOS). The completion of the delimitation of the exclusive economic zone between Vietnam and Indonesia marks an important step towards resolving these disputes. disagreement in the East Sea between the two countries is a valuable experience for Vietnam to promote negotiations on similar agreements with the Philippines and Malaysia.

5. Sea delimitation between Vietnam and Thailand

In the period 1986 - 1997, the two countries conducted negotiations to delimit the maritime boundary. In the Gulf of Thailand, the two countries have opposite coastlines and have the same rights to expand their waters

under the provisions of UNCLOS, thus creating an overlapping area of about 6,074 square kilometers.

From 1992 to 1996, the two countries conducted working-level negotiations on maritime delimitation. On August 9, 1997, the two countries signed an Agreement on the delimitation of maritime boundaries between the two countries. The Agreement on recognition of Tho Chu island has 32.5% in force, so Vietnam is entitled to 32.5% of the overlapping area. The delimitation line is both the continental shelf boundary and the exclusive economic zone boundary of both countries. Therefore, the two sides recognize each country's jurisdiction and sovereign rights over the continental shelf and exclusive economic zone according to the 1997 boundary.

The Agreement on August 9, 1997, was the first maritime delimitation agreement reached in the Gulf of Thailand. This is also the first Agreement on maritime delimitation signed in Southeast Asia after UNCLOS came into force. At the same time, it is also an Agreement on the division of both the continental shelf and the exclusive economic zone between the two ASEAN member states that have maritime sovereignty claims.

On the other hand, the Agreement has contributed to ending the sovereignty dispute over the sea and islands between the two countries that has been going on for a long time. This Agreement has affirmed the trend of being able to agree on a peaceful maritime boundary due to the simultaneous delimitation of the continental shelf and the exclusive economic zone in an equitable manner based on the provisions of UNCLOS, international practice, and international law economy, and efforts of both sides.

In the period 1997 - 2022, Vietnam and Thailand implemented a plan to organize joint patrols at sea. As of April 21, 2022, the two navies have organized 45 joint patrols. Joint patrol activities aim to maintain security and order in the sea bordering Vietnam - Thailand, create conditions for the two peoples to develop the marine economy, and continue to promote cooperation and understanding. mutual understanding and trust between the two navies.

The two countries have established a communication channel to warn of violations and cooperate in organizing the investigation of marine resources between the two countries. Since 2002, the two countries have conducted joint patrols at sea. In addition, the two countries established a Vietnam-Thailand Joint Committee on the establishment of order at sea, which has held several rounds and made certain contributions to maintaining a peaceful environment at sea.

At the same time, the two sides have agreed to cooperate in educating fishermen of the two countries not to encroach on each other's waters for illegal fishing. However, in fact, in the process of exploiting aquatic resources, violations of the two countries' fishermen still cross the border to conduct illegal fishing.

6. Demarcation of the sea between Vietnam and Cambodia

Due to geological tectonics, the coast between Vietnam and Cambodia has basic features such as over 150 large and small islands divided into seven clusters and several odd islands. In addition to some large islands such as Phu Quoc island, 568 km² wide, Phu Du island is 25 km² wide, Tho Chu island is 10 km² wide and some islands such as Pineapple island, Nam Du archipelago are about 1.5 km², the rest are all islands less than 1 km². In this area, the two countries have issues of delimitation of the territorial sea, exclusive economic zone, and continental shelf. On the other hand, in the relationship between the two countries, there exists the issue that the Brévié line and the Brévié line are not a legal basis for maritime delimitation.

Since 1913 and especially since the 1930s, between the colonial government of Cochinchina and the protectorate of Cambodia, a fierce dispute arose over the right to collect fishing taxes and the concession of exploitation of resources in the coastal islands. Cambodia but in Cochinchina.

To temporarily solve the problem of the management of the islands, and because there could not be enough legal procedures to resolve the delimitation of sovereignty over several islands between the two sides, in 1939, Governor General of Indochina G. Brévié draw a boundary that later history called the Brévié line. The Governor General gave administrative and police power on the islands to the northwest of this line to the Cambodian side, while the islands to the southeast of this line remained under the management of Cochinchina.

After 1954, Cambodia and the Government of the Republic of Vietnam both believed that the Brévié line had expired and began to scramble for control of the islands. This situation makes the already unstable sea even more complicated, and at the same time affects the relationship between the two countries. The situation has become more complicated and the issue of maritime sovereignty disputes between the two countries has raised disagreements and negatively affected bilateral relations.

From 1954 to 1980, Cambodia continuously took actions to complicate the situation at sea, such as catching fines and confiscating fishing nets of Vietnamese fishermen to express their sovereignty claims in the disputed waters with Vietnam.

Facing complicated developments in the sea, to establish a common management mechanism, on July 7, 1982, the two countries signed an Agreement on Historic Waters between Vietnam and Cambodia. The Agreement stipulates that the historic water area between the two countries' waters will be negotiated at an appropriate time to draw up the borderline between the two countries.

This is the first time the two countries have acknowledged their respective sovereignty over the islands between the two countries. The agreement has raised the

Brévié line from the boundary of police administrative management to the line dividing sea and island sovereignty between the two countries, but also confirmed that there is no official maritime border between the two countries because the two sides have not signed an agreement. sea delimitation.

The Agreement also stipulates that the two countries agree to create a Common Historic Water Area based on the historical, geographical, economic, and defense conditions of the water environment. Common historic waters are bounded by the coasts of Ha Tien of Vietnam and Kampot of Cambodia, Phu Quoc island, and other offshore islands.

The common historic water area is considered by both sides to be under internal waters and is jointly managed for fishing. The two sides will patrol and control while waiting for the settlement of the maritime border in the historic waters, history. This can be considered the first common management model of fishing in the region.

Based on the Agreement on Historic Waters signed, on July 31, 1982, Cambodia declared a system of straight baselines including offshore islands such as Vai island. In March 1999, at the first round meeting of the Joint Committee, the Vietnamese delegation presented a map of the median line in the historic waters for the two sides to use this line as a basis for negotiation, demarcation, and adjustment as a demarcation line at sea between the two countries. This is considered a reasonable solution for the two sides to continue as a basis for negotiations on the delimitation of maritime boundaries.

However, in August 1999, at the second round of the Joint Committee meeting, Cambodia still did not agree on the median line that Vietnam outlined in the first round, and did not offer a specific solution. how can? Vietnam's position in negotiating maritime delimitation with Cambodia is to persist in explaining the rationality better and hope to come to a measure of fair delimitation for both sides. However, from 1999 to 2022, Cambodia still has not taken any specific action or positive move in negotiations with Vietnam to arrive at a fair result of delimiting the maritime border between the two countries.

In recent years, to strengthen management and maintain security, order, and safety at sea, the two navies have maintained joint patrols in the bordering waters. As of September 13, 2022, the two navies held the 68th annual joint patrol in the historic waters of Vietnam - Cambodia. The patrol operation aims to maintain security and order in the historic waters of Vietnam and Cambodia, create conditions for the two peoples to develop the marine economy, and promote cooperation, understanding, and trust, between the two navies.



7. Advantages and disadvantages in the process of maritime delimitation between Vietnam and relevant countries in the region

The process of maritime delimitation between Vietnam and relevant countries is unified, based on the principles of fairness, respect for national independence, sovereignty, territorial integrity, international law, and national law of the sea economy. All measures taken through peaceful negotiations and negotiations have contributed to maintaining a peaceful and stable marine environment in the region and the world.

Specifically, in the process of delimiting the sea with China, Vietnam has always persisted in using legal measures, while also asking China to apply the basic principles of international law, international law of the sea, etc., especially the provisions of UNCLOS apply to the negotiation process of maritime delimitation. In terms of advantages, both countries are members of UNCLOS, and senior leaders of both sides agree to settle all disputes at sea by peaceful means.

However, the process of delimiting the sea with China outside the mouth of the Gulf of Tonkin still faces many difficulties, as factors such as views on sovereignty, sovereign rights, and jurisdiction are still far apart. In addition, China is also aggressively carrying out a plot to monopolize the East Sea and concretize its unreasonable claim on the nine-dash line.

The maritime delimitation between Vietnam and the Philippines is still difficult: Firstly, so far, Vietnam and the Philippines have not signed an agreement on maritime delimitation, only an agreement to settle disputes by peaceful means. Second, there is a big difference between Vietnam's position on sovereignty over the Spratly Islands between the two countries. Third, the Philippines is illegally occupying some of Vietnam's rocky islands in the Spratly Islands and the Philippines asserts its sovereignty. In terms of advantages, both Vietnam and the Philippines are members of UNCLOS, and the two countries have agreed to settle all disputes at sea by peaceful means, without using force or threatening to use force.

The maritime delimitation between Vietnam and Malaysia achieved many basic advantages when both countries signed an agreement to exploit marine resources in the overlapping area before the two countries discussed signing an agreement on the delimitation sea. Both countries have submitted to the United Nations Continental Shelf Commission the outer limit of the continental shelf, and both countries are parties to UNCLOS. The above action has demonstrated the spirit of peace to resolve disagreements over the overlapping seas between the two countries and is also considered a model for resolving maritime sovereignty disputes between neighboring countries in the East Sea region.

However, the biggest difficulty now is that Malaysia is illegally occupying some rocky islands in the Truong Sa archipelago under Vietnam's sovereignty. Therefore, the

issue of maritime delimitation between the two countries will face many difficulties because the viewpoints on sovereignty over the Spratly archipelago are quite different.

Sea delimitation between Vietnam and Indonesia achieved results when the two countries agreed to sign a maritime delimitation agreement. The content of the continental shelf delimitation agreement between the two countries has added to the experience of the world and the region on maritime delimitation negotiations. In the negotiation process, there are many advantages, because both countries are parties to UNCLOS, second, in fact, Indonesia does not illegally occupy any of Vietnam's rocks in the Spratly archipelago.

The maritime delimitation agreement between Vietnam and Thailand is the first maritime delimitation agreement reached in the Gulf of Thailand. This is also the first agreement on maritime delimitation signed in Southeast Asia after UNCLOS came into force. This Agreement has added experience in the trend of being able to agree on a peaceful maritime boundary due to the simultaneous delimitation of the continental shelf and the exclusive economic zone in an equitable manner based on the provisions of UNCLOS and the efforts of both sides. The State of Vietnam has flexibly applied the basic principles of international law of the sea, and practical international experience, especially the provisions of UNCLOS, into the negotiation process of maritime delimitation with Vietnam. relevant countries including Thailand.

Sea delimitation between Vietnam and Cambodia despite experience when both countries agreed to sign an agreement on common historic waters. However, for the maritime delimitation agreement between the two countries to be signed, it still takes a long negotiation process. Firstly, due to the point of view of sovereignty, sovereign rights, and jurisdiction, there are differences between the two countries. Secondly, Cambodia is a country in the region that ratified UNCLOS a bit late compared to other countries, but becoming a member of UNCLOS is a very favorable condition to apply the principles of international law of the sea in the negotiation process. maritime delimitation.

In summary, besides the achievements achieved in the negotiation process of maritime delimitation between Vietnam and relevant countries in the region, Vietnam still faces many difficulties in the negotiation of maritime delimitation in the next stage. Due to the differences between the viewpoints of sovereignty, sovereign rights, jurisdiction, and national interests at sea of the relevant countries, on the other hand, due to objective factors, the maritime delimitation between our country and the sea is not the same. Some relevant countries in the East Sea area have not been completed yet and many issues must be negotiated by peaceful means to be resolved. Specifically, some sea areas are not demarcated such as the sea



bordering China outside the mouth of the Gulf of Tonkin, Cambodia, the Philippines, and Malaysia.

8. Conclusion

Vietnam is one of the countries with a long coastline and a wide sea area, adjacent to many countries in the East Sea region. To have a maritime border to ensure fairness, peace, and long-term stability, Vietnam has been conducting negotiations on maritime delimitation with countries whose waters are adjacent to our waters in the area. area of the East Sea based on respecting national independence, sovereignty, and territorial integrity, complying with international law, especially UNCLOS 1982, through peaceful measures to find a fair solution for the bedside.

Vietnam's experience and success in the process of negotiating maritime delimitation between Vietnam and relevant countries in the East Sea region are reflected in the fact that the Party and State of Vietnam are always consistent and persistent in their policy. peaceful foreign affairs, independence, self-reliance, equal cooperation for mutual benefits, ensuring fairness, based on the provisions of international law, international law of the sea, practical international experience, and provisions of UNCLOS.

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