



### 3<sup>rd</sup> CSCAP EU Committee Meeting

#### 'THE SOUTH CHINA SEA CONUNDRUM: LEGAL SOLUTIONS AND PREVENTIVE MEASURES'

Friday, 20 November 2015, Brussels  
(Scotland House, Rond-Point Schuman, 6)

#### PROGRAMME

09:00-09:15 Registration and welcome coffee

09:15-09:30 Welcoming remarks by Antonio Missiroli

#### 09:30-10:30 Session 1: Update on past and on-going CSCAP initiatives

Moderator: Eva Pejsova

- 42<sup>nd</sup> CSCAP SCM, New Delhi, 4-5 December 2014
- 43<sup>rd</sup> CSCAP SCM, Kuala Lumpur, 3-4 June 2015
- 44<sup>th</sup> CSCAP SCM and CSCAP General Conference, Ulaanbaatar, 20-23 October 2015
- CSCAP Study Group on Energy Security and Preventive Diplomacy (on-going)

10:30-11:00 **Coffee break**

#### 11:00-12:30 Session 2: Rule of law or rule of might?

*In July the Arbitral Tribunal concluded the hearing on jurisdiction and admissibility in the arbitration instituted by the Philippines in 2013 against China under UNCLOS questioning the legal validity of China's claims in the South China Sea. China is neither accepting nor participating in the proceedings. What could be the possible outcomes of the ruling and what impact it would have on the behaviour of the claimant countries? Are there any prospects to resolve the SCS dispute through legal means and under which circumstances? Which political process could accompany the proceedings? Could any sort of arbitration or mediation be applied, and if yes, under what regional security framework?*

Moderator **Steven Everts**, EEAS, Brussels

Speakers **Ronan Long**, Law of the Sea Institute, University of California School of Law, Berkeley/National University of Ireland, Galway  
**Liselotte Odgaard**, Royal Danish Defence College, Copenhagen  
**Mathieu Burnay**, University of Leuven Centre for Global Governance Studies, Leuven

**12:30–13:30** *Informal lunch*

**13:30-15:00** **Session 3: Preventive measures and provisional arrangements in the SCS**

*Considering that the resolution of the SCS conundrum is still far at sight, provisional measures have to be put in place to manage the various everyday security challenges - from the joint exploitation of natural resources, to countering illegal activities, marine environmental protection or the management of natural disasters. What preventive measures have been put in place so far in the SCS and how effective they have been? What has been the function of the DOC, the CUES? What are the best-practices and joint development regimes in Southeast Asia or elsewhere that could facilitate a solution in the SCS?*

Moderator **Alice Ekman**, French Institute of International Relations (IFRI) /  
EU Institute for Security Studies (EUISS), Paris

Speakers **Christian Schultheiss**, Centre for Rising Powers, University of  
Cambridge

**Werner Ekau**, Leibniz Centre for Tropical Marine Ecology/  
International Oceans Institute (IOI) German Centre, Leibniz

**Eva Pejsova**, EUISS, Paris

**15:00- 15:30** *Coffee break*

**15:30–17:00** **Session 4: What European position?**

*As the EU continues to elaborate its foreign security strategy for the region, tackling the burning issue of maritime boundary and sovereignty disputes will be inevitable. Once a Court decision rendered – most likely in the first half of 2016 - the EU will have to take a position. Expectations will be high on how the global normative power, advocating the rule of law with considerable experience in preventive diplomacy and crisis management will react, comment or propose a way forward. What regional or global governance structures would be most appropriate and acceptable to manage the peaceful settlement of the disputes?*

Moderator **Joana Braga Mizarela**, EEAS, Brussels

Speakers **Mathieu Duchâtel**, European Council of Foreign Relations (ECFR),  
Paris

**Michael Reiterer**, EEAS, Brussels,

**Fraser Cameron**, EU-Asia Centre, Brussels

**17:00–17:30** **Wrap up and end of workshop**