

China's policy of "setting aside disputes, pursuing joint exploitation" and Vietnam's response in the east sea

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Abstract

The East Sea (South China Sea) remains a flashpoint of maritime disputes, where China's policy of "setting aside disputes, pursuing joint exploitation" has emerged as both a strategic instrument and a legal maneuver to reinforce its expansive maritime claims. This article traces the historical formation and core content of China's joint development proposition, critically examining its implications for Vietnam's sovereignty, sovereign rights, and legitimate interests under international law, particularly the 1982 United Nations Convention on the Law of the Sea (UNCLOS). The paper argues that China's approach not only attempts to legitimize unlawful claims but also poses strategic and legal risks to Vietnam. In response, the article proposes a comprehensive set of countermeasures for Vietnam across legal, diplomatic, operational, and public communication domains to safeguard its maritime interests in the East Sea.

Keywords: South China Sea, joint development, Vietnam, China relations, maritime disputes, legal warfare, public diplomacy

Introduction

The model of cooperation for joint development has been practiced for a long time in the world, most notably in the Svalbard Treaty on December 19, 1920. Since the inception of this Treaty, more than 100 agreements concerning cooperation and development have been signed and implemented in the world. Paragraph 3, Article 74 and Article 83 of the 1982 UNCLOS provides that: "Pending agreement as provided for in paragraph 1, the States concerned, in a spirit of understanding and cooperation, shall make every effort to enter into provisional arrangements of a practical nature and, not to jeopardize or hamper the reaching of the final agreement during this transition period". This is an important legal basis for the formation of cooperation agreements for mutual development between countries (joint development) has the meaning of "dilutize" and "softenize" the disputes and tensions between the countries concerned. This solution can temporarily put aside disputes, limit disputes that can prolong the impact on political and diplomatic relations between countries, limit tensions that may lead to an arms race or to armed conflicts. In the detente trend of international relations after the Cold War, countries in the Asia – Pacific region have promoted cooperation in joint exploitation and development, cooperation in the management of the sea. These processes have made the maritime security environment seem more peaceful. The undeniable advantage of the cooperation development model is that it has contributed to building trust, reducing disputes and developing economic – political cooperation between participant countries. On the other hand, cooperation for development is temporary solution that does

not affect the final delimitation, so it can also meet the needs of economic development ^[1].

Cooperation for joint development is, in fact, an appropriate solution that can be applied to the temporary settlement of disputes in the East Sea area today and is currently being discussed and considered by the parties. Most ASEAN countries such as Viet Nam, the Philippines, Malaysia and Brunei share a common desire to peacefully resolve maritime and island disputes, toward stability in the region, and try to exercise restraint in their conduct, and donot complicate the situation. It is the common awereness between the parties that has opened up prospects and favourable conditions for the implementation of cooperation activities for joint development in the region. However, we need to note that, concerning the issue of joint development in the East Sea, the point of view of China (as well as Taiwan) is different from other countries.

China is the first country to officially propose joint exploitation in the Spratly archipelago area and so far it appears to follow the policy of "setting aside dispute, pursuing joint exploitation" with the aim of resolving the Spratly issue. The remarkable content of this standpoint is the thesis of joint exploitation on the basis of "China's sovereignty". This is an argument which is unacceptable to Viet Nam and other disputing countries. According to international law and practice concerning mutual development in the world, the countries concerned engage in cooperation on the premise of having sovereignty over the disputed areas, and the cooperation has no effect on the final delimitation result. Here, China has asserted its sovereignty without addressing the sovereignty of Viet Nam and other countries, at the same time, it has excluded the Paracel Islands which China is occupying from Viet Nam.

Therefore, this standpoint of China has no international legal basis and is not supported by any country in the region.

China has advocated utilizing the issue of cooperation and development in the East Sea with the slogan of “setting aside dispute, pursuing joint exploitation”. However, this policy of China since its inception has been opposed by the international community due to its expansionist nature and international illegality.

Materials and Methods

This study employs a qualitative and interdisciplinary approach, combining legal analysis, document research, and strategic policy review. The paper draws upon official statements, legal documents, international conventions (particularly UNCLOS 1982), academic literature, and case studies of joint development initiatives in disputed maritime areas. In addition, comparative analysis is used to evaluate China's practice against established principles of international maritime law. The methodology includes discourse analysis of political narratives and strategic communication, with a focus on Vietnam's responses within bilateral and multilateral frameworks.

Results and Discussions

1. The emergence of the “setting aside dispute, pursuing joint exploitation” policy

Regarding the Paracel archipelago (which belongs to Viet Nam but China has illegally invaded and occupied by force), China has always divulged that “under the indisputable sovereignty of China”. In terms of Viet Nam's other maritime zones, including the Spratly archipelago (where China has illegally invaded and super-islanded seven features) ^[4], China appears to be lulling Viet Nam and the neighbouring countries “to sleep” by the strategy of “setting aside dispute, pursuing joint exploitation”.

In 1974, Japan and South Korea conducted joint oil and gas exploitation in the East Sea area despite China's objections that the East Sea was still a disputed area with the participation of China. This event has prompted China to consider joint exploitation in the contentious area.

The policy of “setting aside dispute, pursuing joint exploitation” has officially proposed by China for the first time in the context of Japan and China's sovereignty dispute over Senkaku (Japanese name)/Diaoyu (Chinese name) archipelago between China and Japan ^[4].

During his official visit to Japan, the Premier of the People's Republic of China Deng Xiaoping has said to Japanese Prime Minister Takeo Fukuda that the next generation would have more wisdom and they could find an acceptable way to both sides to settle the sovereignty dispute over the Senkaku/Diaoyu island; in diplomatic relation, both China and Japan should place priority on the overall interests of the two countries ^[9]. In fact, Japan and China has moved in the direction of “setting aside dispute, pursuing joint exploitation”. Notably, Japan is the country which is controlling the Senkaku/Diaoyu archipelago. Regarding sovereignty disputes, if the dispute is set aside, it would be advantageous to the country in possession of the disputed region. Therefore, “setting aside dispute” would be more beneficial for Japan than China. In the context of the late 70s, China had the necessity of expanding its international relations. Probably because of this demand, China had to offer to set aside the Senkaku dispute, an offer that was

more favourable to Japan than to China in terms of sovereignty disputes, with the aim of facilitating China's process of developing relations with Japan. On May 11, 1979, Deng Xiaoping told Japanese Congressmen Zenko Suzuki that China and Japan could jointly exploit the maritime zones adjacent to Senkaku island without mentioning the sovereignty dispute concerning the island. Notably, the Senkaku island and adjacent maritime zones are under Japanese control, these maritime zones are closer to Japan and Taiwan than China, as a result, Japan has more opportunities to unilaterally exploit these maritime zones than China. Therefore, China's offer to jointly exploit the aforementioned maritime zones was more favourable to China rather than being a constructive proposal towards both China and Japan. In fact, up to now, Japan has consistently declined all of China's offers to exploit the maritime zones adjacent to this island.

As China began to established diplomatic relations with the Association of South East Asia Nations in the 1970s and 1980s, on the one hand to expand diplomatic relations, on the other hand to counterbalance Viet Nam, Deng Xiaoping introduced to the Association of South East Asia Nations a proposal regarding the Spratly Islands dispute with the following arguments:

- The Nansha Islands have been an integral part of China's territory since the ancient times (?!).
- The sovereignty disputes have occurred over the islands since the 1970s.
- Due to the good relations with the countries concerned, China would like to set aside the dispute and explore later a solution acceptable to both sides.
- The parties should avoid military conflict over this and should pursue an approach of joint development ^[9].

In February 1984, Deng Xiaoping in a talk with a delegation from the Center for Strategic and International Studies at an American university has stated that: “I have also considered the possibility of resolving certain territorial disputes by having the countries concerned jointly develop the disputed areas before discussing the question of sovereignty” which has expressed clearly the “setting aside dispute and pursuing joint exploration” standpoint. In 1984, Deng Xiaoping once again reiterated this idea: “If opposing sides are locked in stalemate, sooner or later they will come to conflict”, “Concerning the Spratly Islands dispute, while there is a method of temporarily setting aside the fierce sovereignty dispute, in fact, there is also a method of joint exploitation”. ^[4]

In June 1986, Deng Xiaoping proposed to Filipino Vice President Salvador Laurel that China and the Philippines should set aside the Spratly dispute, “we should not let this issue stand in the way of China's friendship with the Philippines and with other countries” ^[9]. In April 1988, Deng Xiaoping once again brought this idea when he met Filipino Corazon Aquino: “In view of the friendly relations between our two countries, we can set aside this issue for the time being and take the approach of pursuing joint development” ^[9].

Despite his offer to set aside the dispute, Deng Xiaoping “explained” that: China has sovereignty over the Spratly Islands (?!). According to the Ministry of Foreign Affairs of the People's Republic of China, Deng Xiaoping stated that: The Nansha Islands have always been marked as part of China on the maps of the world. We have many evidences.

The maps of the world in many countries also prove this (?). Deng Xiaoping also said to President Corazon Aquino that China was in a most authoritative position to address the issue of the Nansha Islands since they had always been a part of China's territory(?)^[9].

Therefore, the concept of "setting aside dispute and pursuing joint exploitation" of China has been established based on the standpoint of Deng Xiaoping which stemmed from the consultation concerning territorial dispute settlement mechanism, on the one hand, this concept defiantly asserted China's indisputable sovereignty over the Paracels (which are illegally occupied of Viet Nam by China) and the Spratlys, on the other hand, offering to "set aside dispute and pursue joint exploitation" (?).

In addition to Deng Xiaoping's speeches, this concept has also been reiterated on multiple occasions by Chinese senior leaders in international conventions afterward.

In August, 1990, in Singapore, the Premier of the People's Republic of China Li Peng officially proposed the concept of "setting aside dispute and pursuing joint exploitation", affirming that this was China's central policy towards the dispute settlement concerning the Spratly Islands. Li Peng also contrarily declared that: "Nansha Islands (Spratlys) is China's territory, which is an irrefutable fact. China hopes that at the appropriate time, it would be able to establish an agreement with the concerned countries on remaining issues on the basis of friendship"^[10].

On March 27, 1991, the Minister of Foreign Affairs of the People's Republic of China Qian Qichen in the Press Conference of the 4th Session of the 6th Standing Committee of the National People's Congress did not conceal his expansionist ambitions by stating that: China has sovereignty over the Nansha Islands, which has been expressed evidently. After World War II, the Chinese Government has taken over the Nansha Islands, our policy is that we agree to negotiate with relevant countries towards joint exploitation under the situation that China has sovereignty over the Nansha Islands. However, at present, there is no such specific plan, nor it is appropriate to consider such conference (?).

Shortly afterward, on June 07, 1991, President of the People's Republic of China during his visit to Indonesia has stated clearly that: "We have consistently advocated for the use of peaceful methods to settle international disputes and for joint exploitation, which is in line with the interests of the parties concerned"^[12].

On July 21, 1992, concerning the Spratly Islands issues, the Minister of Foreign Affairs of the People's Republic of China Qian Qichen when attending the 25th ASEAN Ministerial Meeting has stated that: "We propose a policy of "setting aside dispute and pursuing joint exploitation" with the aim of negotiating with relevant countries at an appropriate time in order to find solutions, however, if the conditions have not yet occurred, the policy can be temporarily postponed without affecting relations between countries"^[11].

The Chinese Government Work Report in 1993 concerning the First Session of the VIII National's People Congress on August 15, 1993 has evidently set forth that: On the basis that the sovereignty of the Spratly Islands belongs to us, we have proposed the policy of "setting aside dispute and pursuing joint exploitation" vowing to strive for long-term stability and win-win cooperation in the East Sea region.

China's "setting aside dispute and pursuing joint exploitation" policy has also been emphasized in many subsequent discussions with country leaders. In August, 1997, the Premier of the People's Republic of China Li Peng during a press conference on the occasion of his visit to Malaysia has stated that: "Regarding the Nansha issues, the Chinese Government's policy is setting aside dispute and pursuing joint exploitation in accordance with the relevant provisions of the law of the sea and international law by means of peaceful and friendly negotiations in regard to settling these problems"^[13].

In December, 1997, the President of the People's Republic of China Jiang Zemin, during the signing of the Joint Statement of the Meeting of Heads of State/Government of the Member States of ASEAN and the President of the People's Republic of China and ASEAN in Singapore with ASEAN leaders, has declared that: "Without resorting to the threat or use of force. The parties concerned agreed to resolve their disputes in the East Sea through friendly consultations and negotiations in accordance with universally recognized international law, including the 1982 UNCLOS"^[6].

2. The fundamental contents of the "setting aside dispute and pursuing joint exploitation" policy

Through the initial study of China's position on the "setting aside dispute and pursuing joint exploitation" policy, the following significant points can be evidently discerned^[4]:

The first argument: "sovereignty belongs to us". Regarding the "setting aside dispute and pursuing joint exploitation" policy, Deng Xiaoping has issued a premise stating that "China has indisputable sovereignty over the Nansha Islands" (?). Regardless of the issues, whether concerning the Paracel Islands or the Spratly Islands, Deng Xiaoping's sovereignty ambitions remain unaffected. In February, 1984, Deng Xiaoping blatantly declared the irrational claim concerning the Nansha Islands (Spratly Islands): "It is Chinese territory. we have stated many times that China's sovereignty is China's forever, whether you occupy it or not" (?). Deng Xiaoping further declared that: "Sovereignty is not a matter that can be discussed, on the matter of sovereignty, we absolutely do not make any concession" (?). Deng Xiaoping has reiterated this irrational ambitious claim several times in diplomatic meetings thereafter.

The second argument: "respect the truth, set aside the dispute". China has claimed that Sensaku Island as well as Nansha Islands (Spratly Islands) "are integral parts of China's territory" (?). However, "due to the changes of times, although the Nansha Islands have been Chinese territory since ancient times, the main islands of Nansha have been governed by 4 countries and 5 parties at present, the maritime zones have been divided by 6 countries and 7 parties and are having the tendency toward expanding, making the Nansha sea from being an undisputed sea area to a disputed one with the largest area at present" (?). And, the Chinese side believes that, "in the condition that the dispute cannot be completely resolved, it may be impossible to discuss the issue of sovereignty but to set aside the dispute, however, setting aside the dispute does not imply giving up sovereignty".

The third argument: "win-win cooperation, joint exploitation". The Spratly Islands (Nansha) is located in the international maritime route linking the Pacific and Indian Ocean, are the maritime corridor of East Asia sea and

Oceania, not only does it have abundant biological but also consists of significant petroleum resources. Currently, 08 petroleum basins have been discovered, with 30 billion tons of reserves, which are considered “the second Persian Gulf”. The Chinese Government emphasized, “the Spratly Islands (Nansha) is Chinese territory” (?!), nevertheless, with the aim of assuring regional peace and stability, promote cooperation and development, can first and foremost, set aside the dispute, conduct joint exploitation on the principle of mutual benefit and win-win cooperation. This is beneficial to the friendly relations between China and neighboring countries, conducive to the peace and stability of the Asia-Pacific region, and to global peace and development.

The fourth argument: “embrace the future, settle the dispute peacefully”. The purpose of joint exploitation is to enhance mutual understanding through cooperation and create conditions for the eventual resolution of territorial ownership by peaceful methods. Deng Xiaoping evidently asserted that: “Concerning international affairs, it is preferable to apply peaceful method to enhance reasonable settlement”. He also emphasized that: “Considering the relationship between countries should mainly stem from the country’s strategic interests”. “Now we should think a little further, look a little broader, since without the fundamental interests of our Party and country, it is impossible to make the right decisions, many problems cannot be determined to resolve. “Think a little further” means embracing the future, “look a little broader” means considering the fundamental interests of the nation. In regard to the Spratly Islands issue, Deng Xiaoping persevered in the standpoint of “setting aside dispute and pursuing joint exploitation”. Deng Xiaoping assumed that, if this concept is persisted in, an accomplished solution will be found, accordingly: “I believe that we will eventually discover a satisfactory solution. If this generation is unable to address the problem, the next generation will be wiser than us and will be able to discover a solution”^[4].

At the International Workshop with the theme of “The East Sea: Cooperation for Regional Security and Development” in Ha Noi, dated 26 and 27/11/2009^[7], Prof. Ji Guoxing from Shanghai Jiaotong University, formerly Director of Asian Pacific Department, Shanghai Institute for International Studies, restated China’s policy of “setting aside dispute and pursuing joint exploitation”.

Prof. Ji Guoxing proposed that, first and foremost, the parties in disputes must establish an overall framework for joint exploitation in the whole East Sea. Prof. Ji Guoxing materialized this proposal by encouraging Viet Nam and China to constitute a potential joint development in the Vanguard Bank, an area located almost entirely in the 200-nautical-mile undisputed exclusive economic zone of Viet Nam, does not belong to the Spratlys which is originally in a state of sovereignty dispute^[5]. At the Press Conference in Ha Noi on January 06, 2013^[8], Chinese Ambassador Sun Guoxiang likewise introduced the policy of “setting aside dispute and pursuing joint exploitation”. Ambassador Sun Guoxiang stated that, “Chinese senior leaders have raised a constructive initiative that is to set aside the dispute and jointly exploit”, and suggest that Viet Nam and China temporarily set aside the dispute until the conditions are favourable.

“If there are ripe conditions for the two parties to solve the issue, it would undoubtedly promote the development of the

two countries’ relations. If the conditions are not yet ripe and the two parties let this issue hinder their relationship, then what both parties need to do and should do is to set the issue aside. In the relationship between the two countries, there are many affairs that require both sides’ efforts, as well as numerous cooperation needed for these works to be carried out. While developing the relationship between the two countries and waiting for the conditions to be ripe, the two parties will resolve this issue under better conditions and come up with a more reasonable solution”.

Through the fundamental and specific contents of the “setting aside dispute and pursuing joint exploitation” policy, it can be seen that the contents of this policy inherit the basic theories of joint exploitation while having the unique characteristics of Chinese colours. The first argument concerning China’s assertion of sovereignty is remarkable in the content of this standpoint. China affirmed joint exploitation in the Spratly Islands on the basis of China’s sovereignty over this archipelago. This viewpoint is unacceptable to Viet Nam as well as to many other countries. According to joint exploitation practice in the world, the concerned countries conduct joint exploitation on the basis of the parties’ sovereignty over the disputed areas and joint exploitation has no effect on the final delimitation result. Here, China affirmed its sovereignty without addressing Viet Nam’s or other claimants’ sovereignty in the East Sea. In addition, China’s “setting aside dispute and pursuing joint exploitation” policy did not include the Paracel Islands, which China is unlawfully occupying of Viet Nam. China even believes that, “there is no sovereignty dispute over the Paracel Islands”, since “China has indisputable sovereignty over the Paracels (Xisha)” (?) and “China and Viet Nam have no dispute on this issue” (?)^[2].

Therefore, Viet Nam as well as other relevant countries do not accept the “setting aside dispute and pursuing joint exploitation” standpoint proposed by China along with irrational and defiant sovereignty claims aforementioned!

In terms of formality, China’s proposal to “set aside dispute and pursue joint exploitation” (cooperation for mutual development) is consistent with international law and practice as a temporary solution to complex disputes such as those in some East Sea area. However, the pivotal issue is that China only wanted to “set aside dispute and pursue joint exploitation” in the continental shelf and exclusive economic zone areas of Viet Nam and other coastal countries are legally entitled to in accordance with the provisions of international law. Hence, under the perspective of international law and practice, China’s claims have no international legal basis and are unlikely to be acknowledged by any of the regional countries.

3. Vietnam's countermeasures against china's 'setting aside disputes, pursuing joint exploitation' strategy to safeguard sovereignty, rights, and legitimate interests in the south china sea

The seas and islands constitute an inseparable part of the sacred national sovereignty, together with the mainland forming the essential environment for the survival and sustainable development of the Vietnamese nation through generations. Rich in natural resources with immense economic potential, Vietnam’s maritime zones also hold critical geopolitical and national defense significance. For centuries, our ancestors have devoted great effort and even shed blood to safeguard and affirm the country’s

sovereignty over its seas and islands. In recent years, under the consistent implementation of the Party's orientations and the State's policies and laws, Vietnam has comprehensively carried out various activities to manage, exploit, and utilize marine resources effectively, while resolutely defending its sovereignty, sovereign rights, and lawful maritime interests in accordance with international law^[3].

However, at present, Vietnam's sovereignty, sovereign rights, and other legitimate interests in the East Sea have been and continue to be infringed upon by China's strategy of "setting aside disputes, pursuing joint exploitation," posing various risks and challenges. Among these, the following are particularly noteworthy:

First, the risk of legitimizing China's unlawful sovereignty claims: By proposing joint exploitation in so-called disputed areas—most of which, in fact, lie entirely within Vietnam's Exclusive Economic Zone (EEZ) and continental shelf—China implicitly imposes the narrative that these areas are overlapping or disputed zones, despite the absence of any legitimate dispute under the United Nations Convention on the Law of the Sea (UNCLOS) 1982. Should Vietnam accept joint development agreements in such areas, it may be interpreted as tacit recognition of a dispute's existence, thereby setting a dangerous precedent and weakening Vietnam's legal position regarding its sovereignty and sovereign rights.

Second, the erosion of legal principles and the rules-based international order: China's "joint exploitation" approach runs counter to the principle of maritime delimitation as stipulated in UNCLOS 1982, which serves as the foundational legal framework governing the rights and obligations of coastal states. China's unilateral application of this strategy, in the absence of clear delimitation consistent with international law, undermines the authority of UNCLOS and threatens the already fragile legal order in the East Sea. This presents a long-term disadvantage for Vietnam, which relies on UNCLOS to safeguard its lawful rights and interests.

Third, increased on-the-ground pressure and a more complex maritime security environment: China's promotion of joint exploitation activities—or even unilateral oil and gas exploration projects within Vietnam's EEZ under the guise of "joint development"—has resulted in heightened tensions on the ground, endangering maritime security and disrupting Vietnam's marine economic activities, especially those involving third-party partners. Moreover, these activities may provide China with an opportunity to expand its civilian and paramilitary presence, thereby encroaching further into areas under Vietnam's control and incrementally altering the status quo.

Fourth, the undermining of ASEAN unity and international consensus: China's "joint exploitation" strategy is typically implemented through bilateral arrangements, deliberately circumventing multilateral mechanisms such as ASEAN. This not only weakens efforts to negotiate a binding Code of Conduct (COC) but also sets unfavorable precedents, enticing or dividing other ASEAN states that must weigh economic gains against sovereignty concerns. For Vietnam, this represents a significant challenge in maintaining regional solidarity and mobilizing international support for its legal position.

In light of this situation, in order to safeguard its sovereignty, sovereign rights, and legitimate interests in the

East Sea, Vietnam needs to implement the following comprehensive measures:

First, legal measures: Vietnam must continue to assert clearly that it does not accept joint development in areas where no legitimate dispute exists, particularly in its Exclusive Economic Zone (EEZ) and continental shelf as defined under the 1982 United Nations Convention on the Law of the Sea (UNCLOS). At the same time, Vietnam should: i) Develop and refine a comprehensive national legal dossier on sovereignty and jurisdiction in the East Sea, grounded in historical evidence, legal foundations, and consistent state practice; ii) Actively document, archive, and publicly report China's violations to support public diplomacy efforts and be prepared for use in international legal proceedings if necessary; iii) Promote academic research and public dissemination of international law domestically, in order to strengthen the internal legal foundation for long-term legal resistance.

In addition, Vietnam should promote joint development cooperation with China and other relevant countries, provided that such cooperation is firmly grounded in the preservation of national territorial integrity, sovereign rights, and jurisdiction, in accordance with international law, particularly the 1982 United Nations Convention on the Law of the Sea (UNCLOS). Cooperation for mutual development (joint exploitation), in fact, is a reasonable solution which can be applied to the settlement of disputes in some areas of the East Sea at present, and the fact that relevant countries sit at the negotiation table to address specific issues concerning the implementation of this plan as one of the potential methods of conflict resolution that the parties, including Viet Nam, must take into account. Nevertheless, in order to execute the cooperation for mutual development (joint exploitation) in the East Sea, Viet Nam must first address the issue of Viet Nam's sovereignty with other disputing parties. Viet Nam will only engage in joint exploitation on the basis that China respects Viet Nam's sovereignty over the Paracel and Spratly archipelagoes as well as Viet Nam's sovereign rights and jurisdiction over the exclusive economic zone and continental shelf in accordance with the 1982 UNCLOS.

Second, on-the-ground measures: A key component of Vietnam's response strategy is to strengthen its civilian, administrative, and legal presence in areas under its sovereignty and sovereign rights. Specifically: i) Modernize the Coast Guard and Fisheries Surveillance forces to protect fishermen and prevent violations of national sovereignty; ii) Support long-term offshore fishing by providing preferential credit schemes, risk insurance, and logistical and legal assistance to fishermen; iii) Develop fisheries service infrastructure on outpost islands and coastal areas, while simultaneously enhancing marine resource monitoring and surveillance systems.

Third, diplomatic and international cooperation measures: Vietnam should diversify its partnerships and enhance its role in regional and international institutions to establish a strategic counterbalance to China. Specifically: i) Promote joint development cooperation with ASEAN member states in overlapping maritime areas, in order to set positive precedents and reinforce intra-regional solidarity; ii) Utilize international platforms such as the United Nations Conferences on the Law of the Sea, the ASEAN Regional

Forum, and the East Asia Summit to clarify Vietnam's position and rally international support; iii) Actively advocate for the negotiation and finalization of a legally binding Code of Conduct (COC) in the East Sea that aligns with the provisions of UNCLOS.

Fourth, public communication and strategic messaging measures: In response to China's assertive propaganda efforts, Vietnam must develop a comprehensive domestic and international communication strategy. Specifically: i) Disseminate information through international media channels to expose the illegality and risks of China's "joint development" strategy when it lacks a basis in international law; ii) Collaborate with scholars, journalists, and international research institutions to publish articles, reports, and documentaries that refute China's unlawful claims; iii) Enhance public education on maritime sovereignty domestically, especially among the younger generation, to build a solid societal foundation for long-term advocacy.

Conclusions

China's "setting aside disputes, pursuing joint exploitation" strategy, under the guise of economic cooperation, is fundamentally a strategic tool aimed at legitimizing illegal claims, weakening UNCLOS, and realizing ambitions of exclusive control over the South China Sea. While framed as a pragmatic approach to conflict management, in reality, it seeks to blur legal boundaries, establish de facto control, and undermine international law. For Vietnam, this strategy not only directly threatens sovereignty and sovereign rights in legally recognized maritime areas but also causes far-reaching legal, security, diplomatic, and international environmental repercussions. Accurately identifying its nature and formulating appropriate countermeasures is an urgent requirement to safeguard national interests in the South China Sea in a long-term and sustainable manner. Countering this strategy demands not only strong legal and diplomatic positions but also strategic participation in regional mechanisms, proactive public diplomacy, and enhanced domestic consensus. Only through a coordinated, multidimensional response can Vietnam protect its legitimate maritime rights and maintain a rule-based international order in the region.

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