



Internship Publications

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Resurfaced Urges and Vague Follow-Ups : Prospects for ASEAN-South China Sea Code of Conduct (COC)

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In 2023, Indonesia—with its Chairmanship in ASEAN—decided to take the lead to push further negotiations for the South China Sea Code of Conduct (COC). The guidelines will provide a summary of ASEAN and China's aspirations regarding the South China Sea in accordance with UNCLOS and were targeted to be completed in 'three years or less'.¹

¹ Petir Garda Bhwana, "ASEAN: Indonesia's Initiative Accelerates South China Sea Code of Conduct Negotiations," Tempo English, September 3, 2023, <https://en.tempo.co/read/1767566/asean-indonesias-initiative-accelerates-south-china-sea-code-of-conduct-negotiations>.

Three years after, progress remains slow. Collisions still happen between claimant ASEAN member states and China, and significant advancement towards realization of the said COC remains hindered. Hence, what are the prospects for the COC in the near future?

The COC was not a new talking point for ASEAN. Engagements between ASEAN and China to discuss the COC commenced in 2018. Stepping stones towards the COC could be traced back to 2002 with the signing of the non-binding Declaration on the Conduct of Parties in the South China Sea (DOC) by ASEAN member states and China. The declaration reaffirms the importance of maritime cooperation to maintain stability and emphasizes dialogue and negotiation to resolve disputes in the South China Sea.² The guidelines to implement DOC were agreed upon later in 2011. However, before Indonesia decided to lead the efforts to speed up the negotiation progress, there was no exact target for when the COC would be completed.

Discourse surrounding COC then resurfaced in July 2026 in the 59th ASEAN Foreign Ministers Meeting (AMM). The joint communique reaffirmed the need to enhance mutual trust and confidence and exercise self-restraint in the conduct of activities that would complicate or escalate disputes in the South China Sea.³ This became a basis for renewed political will to conclude the long-overdue deadline for COC by the end of 2026, with the expected completion at the 49th ASEAN Summit in November 2026.⁴

Yet, the current push for a more comprehensive solution regarding the South China Sea still needs to be perceived critically. In the 59th AMM, no records showed acknowledgement from the participating foreign ministers regarding the overdue three-year window for the COC's initial completion target that was established in 2023. The renewed urge to finalize the COC came without addressing the elapsed deadline in the past commitment. This shows a significant yet recurring gap in ASEAN's policymaking capabilities. Its non-binding clause makes it harder to pinpoint accountability for any policy agenda. Along the way, disputes still happen alongside the prolonged postponement of the COC. Water cannon attacks, blockades, and vessel collisions continued to occur in the disputed waters, mainly targeting claimant states such as the Philippines and Vietnam.⁵

² Association of South East Asian Nations (ASEAN), "Declaration on the Conduct of Parties in the South China Sea," May 14, 2012, <https://asean.org/declaration-on-the-conduct-of-parties-in-the-south-china-sea-2/>.

³ Association of South East Asian Nations (ASEAN), "Joint Communique of the 59th ASEAN Foreign Ministers Meeting," July 21, 2026, 38–39.

⁴ Ravi Paul, "South China Sea Code of Conduct Set for November Asean Summit," Free Malaysia Today | FMT, July 22, 2026, <https://www.freemalaysiatoday.com/category/world/2026/07/22/south-china-sea-code-of-conduct-set-for-november-asean-summit>.

⁵ Wachenheim Center For Peace And Security, "Territorial Disputes in the South China Sea," Global Conflict Tracker, August 27, 2026, <https://www.cfr.org/global-conflict-tracker/conflict/territorial-disputes-south-china-sea>.

The delayed progress and dismissed deadlines made the claimant ASEAN member states seek alternative, non-regional mechanisms to increase their confidence and security in navigating the South China Sea. Throughout history, the Philippines and Vietnam have consistently faced pressure in maintaining their freedom of navigation in the South China Sea. With different historical contexts and interests, Manila and Hanoi took quite opposing approaches in facing the challenges. Each of their approaches tends to utilize the long-established relations that they have with the partnering countries.

The Philippines had a long history of naval collisions in several crucial chokepoints, such as Balabac, Mindoro, and Luzon. Altogether, they have a shared trade value of \$969B as of 2025.⁶ To safeguard its interests in those chokepoints, the U.S. has become its main partner in the Sea. In the current tenure of Ferdinand Marcos Jr., Manila is consistently fostering its partnership with Washington through its participation in the Indo-Pacific strategy and frequent joint naval training. The U.S. also reaffirmed the scope extension of the signed Mutual Defense Treaty with the Philippines, which now includes armed forces, joint vessels, and aircraft operations in the South China Sea.⁷ As a political figure, Marcos Jr. is also known to take an upfront stance and often vocally expresses his efforts in pushing back against China's increasing pressure in the South China Sea.⁸

Vietnam is also often involved in naval collisions with Chinese Naval PLA, especially due to their overlapping claims with China regarding the Spratly and Paracel Islands.⁹ However, compared to the Philippines, Vietnam took a more pragmatic approach in increasing its freedom of navigation in the South China Sea. The terminology often used to describe this approach was 'Cooperating and Struggling.' Hanoi still engages and cooperates with Beijing to resolve disputes in the Sea through a government-to-government mechanism.¹⁰ At the same time, they also acknowledge the South China Sea as an 'object of struggle' due to the increasing security risks.¹¹ To increase its confidence in navigating the South China Sea, Vietnam strengthened its defense partnerships with multiple countries without significantly relying on one. These are manifested through its cooperation with the U.S., Japan, and India at the same time to increase coastal security

⁶ Jasper Verschuur, Johannes Lumma, and Jim W. Hall, "Systemic Impacts of Disruptions at Maritime Chokepoints," *Nature Communications* 16, no. 1 (November 24, 2025): 10421, <https://doi.org/10.1038/s41467-025-65403-w>.

⁷ U.S. Department of War, "Readout of Secretary of Defense Lloyd J. Austin III's Call With Philippine Secretary of National Defense Gilberto Teodoro Jr.," Press release, March 27, 2024, <https://www.war.gov/News/Releases/Release/Article/3719906/readout-of-secretary-of-defense-lloyd-j-austin-iiis-call-with-philippine-secret/>.

⁸ Brian Hart et al., "Troubled Straits: Analyzing Trade Chokepoints in the South China Sea," July 1, 2026, <https://www.csis.org/analysis/south-china-sea-trade-chokepoints>

⁹ Geopolitical Monitor, "South China Sea Dispute: Vietnam," September 12, 2025, <https://www.geopoliticalmonitor.com/south-china-sea-dispute-vietnam/>.

¹⁰ Carlyle A. Thayer, "Vietnam's Strategy of 'Cooperating and Struggling' With China Over Maritime Disputes in the South China Sea," *Journal of Asian Security and International Affairs* 3, no. 2 (July 4, 2016): 211, <https://doi.org/10.1177/2347797016645453>.

¹¹ Thayer, "Vietnam's Strategy of 'Cooperating and Struggling' With China Over Maritime Disputes in the South China Sea.," 210

through joint patrols and defense technology development and procurement.¹² With its aforementioned pragmatic approach, Vietnam also tends to avoid confrontation and rarely makes direct statements accusing China as the perpetrator.¹³

The issue also implies the weakening of ASEAN Centrality in Manila and Hanoi's interests, as they both prioritize a state-centric approach and align it with their respective interest instead of choosing to collaborate on spearheading the efforts to speed up the establishment of COC or any other intra-institutional mechanism to tackle the slow progress. The differing approaches taken by both claimant states show the deadlock surrounding COC and its delayed completion as more of a structural problem rather than a technical one. Even if the Philippines and Vietnam are able to gain more advantage in the binding code of conduct than any other ASEAN states, both chose to walk on different pathways that align more with their interest to ensure their maritime security. The same main verdict of weakening ASEAN Centrality is also applicable to the other ASEAN member states who could step up and take the role as mediators. The relations that each of them had established with China before the agenda of COC tend to come first, as it could be deemed as the more advantageous rational choice instead of taking the risks of fracturing their relations with China.

With the Philippines sitting in its chairmanship for the 49th ASEAN Summit, it is possible for Manila to spearhead the effort in finalizing the COC, especially with its history of being put in disadvantaged positions quite often due to its position as one of the claimant states. This pre-existing context then leads to the prospects of COC's establishment, as the COC could be seen as a mechanism to advance Manila's interest in the South China Sea. During its previous ASEAN chairmanship in 2017, the Philippines had a history of pushing the adoption of the initial framework of the COC, which became the baseline for the current establishment plan.¹⁴ However, taking other member states' stances and their respective relations with China into account, we could expect the establishment of a softened code that would be more feasible for all states to agree on. The code would most likely be non-binding with a lot of vague clauses. However, it could be a symbolic achievement for ASEAN to finally complete a long-awaited code and show how shared political will still exists within the institution.

¹² "Quietly, Not Silently: How Vietnam Deals With China on the South China Sea | FULCRUM," Fulcrum, August 28, 2026, <https://fulcrum.sg/quietly-not-silently-how-vietnam-deals-with-china-on-the-south-china-sea/>.

¹³ International Crisis Group, "Vietnam Tacks Between Cooperation and Struggle in the South China Sea," December 7, 2021, <https://www.crisisgroup.org/rpt/asia-pacific/china/318-vietnam-tacks-between-cooperation-and-struggle-south-china-sea>.

¹⁴ Ian Storey, "Anatomy of the Code of Conduct Framework for the South China Sea" (The National Bureau of Asian Research, August 24, 2017), <https://www.nbr.org/publication/anatomy-of-the-code-of-conduct-framework-for-the-south-china-sea/>.

There is, however, a possibility that another deferral would occur, with deadlines being passed down to the next chairmanship. The question of whether Singapore would bring the establishment of COC onto the table is another one to answer. Singapore's proposed agenda to strengthen single-market integration and supply chain resilience in its chairmanship next year¹⁵ had the possibility of pushing the finalization of the COC out of the priority list. Considering the historical pattern that surrounds the COC, the postponement would become the most likely outcome. If this scenario happens, claimant states would continue to increase their efforts to ensure their own maritime security through alternative mechanisms with minimal ASEAN roles in it. This prospect would become one of the occurrences that prove the increasing hypotheses regarding the decline of ASEAN Centrality amongst its members and shows how ASEAN are still lacking capabilities to formulate a strong framework to solve crucial security matters.

On the other hand, the deferral of the COC could also be seen as a strategic approach rather than a mere sign of weaknesses in ASEAN's institutional design. This perspective would relate closely to the concept of hedging, which is commonly used to describe how ASEAN responds to great power competition. Hedging refers to a set of behaviors in which smaller states would avoid fully aligning with or against a major power, while keeping their options open under high uncertainty.¹⁶ In the context of the COC, an unconcluded code allows ASEAN member states to keep engaging China through negotiations while at the same time building security partnerships with external partners. A binding code would force states to take a clearer stance, either by accepting limitations that might favor China or by confronting Beijing directly. By keeping the COC in a state of continuous negotiation, ASEAN member states could maintain their economic ties with China without formally giving up their claims. In this sense, the deferral could be a way for ASEAN states to buy time and avoid costly choices amid the uncertain dynamics in the South China Sea instead of just a result of political deadlock.

Whichever scenario is about to unfold, the COC wouldn't be a complete answer to the South China Sea dispute. Without significant binding power, maritime insecurity would persist. ASEAN would then be faced with the challenge of proving the sufficiency of its own mechanism to produce policy products to maintain regional security. If they failed to do so, then it would add to a fracture in ASEAN Centrality, with more member states seeking non-regional alternative mechanisms to sustain their own security.

¹⁵ Benjamin Lim, "NDR 2026: Spore to Strengthen S-E Asian Unity as ASEAN Chair in 2027, Build Resilience to Face Crisis," *The Straits Times*, August 23, 2026, <https://www.straitstimes.com/singapore/politics/ndr-2026-spore-to-strengthen-s-e-asian-unity-as-asean-chair-in-2027-build-resilience-to-face-crisis>.

¹⁶ Cheng-Chwee Kuik, "How Do Weaker States Hedge? Unpacking ASEAN States' Alignment Behavior Towards China," *Journal of Contemporary China* 25, no. 100 (March 2, 2016): 500–514, <https://doi.org/10.1080/10670564.2015.1132714>.

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