

How China uses international law in South China Sea disputes, by Nguyen Thi Lan Anh

Written by Nguyen Thi Hang Ngan
Monday, 06 June 2011 08:54

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In the process of materializing its hegemonic ambitions in the South China Sea, China has always shown concerns and wishes to use international law as the basis for their claims in the Paracel Islands and Spratly Islands as well as the claims of sovereignty, sovereign rights and jurisdiction in the waters within its

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U-shaped line

.
In fact
, the
Chinese has
given
a lot of
arguments
and
cited
the
legal elements
as well as historical evidence
to explain
the
claims
which
appear to be
logical
but
still arouse much
ambiguity
and
doubt
. From the legal aspects,
the following article
carefully analyzed
the
legal basis
that China
put forward to
explain
the
ir claims of
sovereignty
in accordance with articles from
sources
of international law
, especially
UNCLOS, as well as
carefully considered
the
historical evidences
so as to
come
to the conclusions

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as follow:

(
1)
statements
about
the
legal basis
and
the respect for
international law
of
China in the South China Sea's dispute
seems to merely
exist in words
(
2), what China
claims
remains
vague
and
lacks
legal basis
,
or
they
simply
have no
legitimacy
as China's always
explained

.
It can be referred from the article that
South China Sea

,
or
else it's merely
the
application of
another
"international law" which
is different from
the common
understanding
of
the international community
.

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ABSTRACT