

YOSHIFUMI TANAKA



THE
SOUTH CHINA SEA
ARBITRATION

TOWARD AN
INTERNATIONAL LEGAL ORDER
IN THE OCEANS

THE SOUTH CHINA SEA ARBITRATION

Beyond the scope of the dispute settlement between the Philippines and China, the *South China Sea* arbitral award can be thought to significantly influence the development of international law and the law of the sea. Accordingly, this book seeks to examine the *South China Sea* arbitration from the perspective of the development of public international law and its limitations. Specifically it addresses the issues of jurisdiction of the Annex VII Arbitral Tribunal, the historic rights, the legal status of maritime features, the lawfulness of various activities of China, and the role of the *South China Sea* arbitration in the international dispute settlement. In considering these issues, this book examines the *South China Sea* arbitration in three respects: (i) the clarification of relevant rules and obligations under the UN Convention on the Law of the Sea as well as international law, (ii) the protection of community interests at sea, and (iii) considerations of time elements in international law.

The South China Sea Arbitration

*Toward an International Legal
Order in the Oceans*

Yoshifumi Tanaka

• HART •

OXFORD • LONDON • NEW YORK • NEW DELHI • SYDNEY

Acknowledgements

I am grateful to the University of Copenhagen, Faculty of Law and its Library for their support in the completion of this book. My thanks are also due to Sinead Moloney, Sasha Jawed and other Hart Publishing staff for their professional assistance. I thank Catherine Minahan for her thorough copy-editing.

[Chapters 2, 3](#) and [4](#) of this book include some materials I have published previously, and I would like to thank the publishers and/or editors of the following periodicals for their permission to use my previous work:

- Y Tanaka, 'Reflections on the *Philippines/China* Arbitration: Award on Jurisdiction and Admissibility' (2016) 15 *The Law and Practice of International Courts and Tribunals* 305
- Y Tanaka, 'Reflections on Historic Rights in the South China Sea Arbitration (Merits)' (2017) 32 *The International Journal of Marine and Coastal Law* 458.
- Y Tanaka, 'Reflections on the Interpretation and Application of Article 121(3) in the *South China Sea* Arbitration (Merits)' (2017) 48 *Ocean Development and International Law* 365

When using the articles in this book, they were revised, modified and updated. The typescript of this book was completed in March 2019 at Copenhagen, Denmark. All websites were current as of that date.

Finally, I am grateful to my wife, Akiko, for all her support and prayer throughout my work.

Yoshifumi Tanaka
Copenhagen

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