



## International Legal Bond Contents in The Policy of China for The East Sea

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**Abstract.** In the history of marine policymaking from 1949 up to now, China has always focused on the East Sea area. China's system of policies towards the East Sea is very diverse, covering many areas such as defence-security, marine economy, and international cooperation. However, due to its ambition to monopolize and control the East Sea, China's system of policies towards the East Sea has seriously violated the sovereignty, sovereignty and jurisdiction of some countries surrounding the East Sea. conflicts of interest with some countries inside and outside the region. From research, analysis, and arguments, there are many illegal contents in China's policy towards the East Sea.

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### 1. China's policy in the East Sea is contrary to the provisions of the United Nations Charter of 1945:

The United Nations Charter of the United Nations was signed on June 26, 1945 in San Francisco, USA. All members of the United Nations are bound by the provisions of the Charter. The Charter includes the Foreword and the 111 Articles, grouped in 19 Chapters, brings together the basic principles of international law, including the four most important ones, clearly demonstrating the contradiction of policies and laws. Law of China: The principle of equality of national sovereignty; Principles of conscientiousness and goodwill to implement international commitments; Principles of prohibiting the use of force or threatening to use force in international relations; Peace principle resolves international disputes. The contradictions in China's South China Sea policy in comparison with the provisions of the United Nations Charter of 1945, first and foremost, are contrary to the principles noted in the Charter. Specifically:

First, the principle of equality of national sovereignty, China violated the core contents of the principle of equality of national sovereignty, namely Full and complete respect for sovereignty, territorial integrity and toxicity. Political setting is immutable. All of China's maritime law policies and documents in the South China Sea have contradicted this spirit of this principle. Specifically, China has infringed upon the territorial sovereignty over the sea of Vietnam as well as other countries concerned through the issuance of a series of documents such as the 1980 White Paper of the Ministry of

Foreign Affairs of China affirming the Tay Sa islands. Nansha is Chinese; Note 29.29.1932; Note CML/17/2009; CML/18/2009, and CML / 8/2011 assert that: China has undisputed sovereignty over the islands in the East Sea and adjacent waters (Note No. CML/17/2009). In Article 2 of the Law on Protection of Islands of the People's Republic of China 2009 also states that: Carrying out activities, protection of exploitation, use and management related to the islands of the People's Republic of China must be appropriate. with this law. The scope of application that China mentioned here includes also islands belonging to the Paracel and Spratly islands which are indisputable sovereignty of Vietnam. In the document on the management of the coastal border guard in Hainan province in 2012, three times from Tam Sa mentioned in Article 6 to allow the construction of the border police station of Tam Sa city, Article 7 strengthens patrol the islands, beaches and sea areas of Tam Sa city and Article 13 Allow the border police of Tam Sa city to be entrusted by the border police agency where seagoing permits are issued, for ships and crew members working in the islands and waters of Tam Sa city. China's contrary to the principle of equality of national sovereignty is also expressed in detail through the following actions: (i). Promulgating and realizing the nine-dash road claim accounting for 80% of the East Sea area. (ii). Enforcement of the fishing ban from May 16, 2009 by increasing the force of the main fishing vessels into the South China Sea. (iii). Illegally installed drilling rig HD 981 in the exclusive economic zone and continental shelf of Vietnam. In addition, China also made

specific statements and legal documents contrary to the principle of equality of national sovereignty: It can be seen, disregard and unilaterally acting on the violence of China clearly shows that this country does not respect the national sovereignty of Vietnam and other countries, seriously violates the principle of equality of national sovereignty in international law.

Second, the principle of banning the use of force or the threat of the use of force in international relations: China has had policies, statements, and actions contrary to the principle of prohibiting the use of force or threats. the use of force in international relations with other countries. China used force to illegally occupy Hoang Sa in 1974 and part of Truong Sa in 1988 was under Vietnamese sovereignty.

China continuously pressures Vietnam and other countries in the East Sea region, behaves aggressively in the field, exercises real-time ammunition in the East Sea, and drives thousands of fishing ships into the sea; collision and arrest of ships of Vietnam and other countries while operating normally in waters under national sovereignty and jurisdiction, threatening foreign oil and gas companies to do business with neighboring countries in the waters of these countries, accompanied by aircraft, protective military ships; blatantly promoting the islandization of underground entities in the East Sea, making the East Sea situation go from tension to tension; conflicts are increasing; security and stability are seriously threatened. China repeatedly and does not take all tricks to threaten any country that dares to go against or oppose its stance and the realization of China's ambitions in the East Sea. In addition to the tactics of coercion, intimidation, cheapness, separation, China has been thoroughly applying the tactic of bribing and luring countries to follow its orbit. China increasingly demonstrates the manipulation of many countries' political and diplomatic stances with the tricks of seduction, bribery, coercion, and intimidation. The above-mentioned acts of China constitute the threat of using force and the use of force which is prohibited by modern international law.

Third, the principle of peaceful settlement of international disputes: China has introduced the policies and laws accompanying the illegal nine-dashed line claim to occupy most of the East Sea and the use of force to invade. Paracel Islands, as well as a number of islands and rocks in the Spratly Islands region of Vietnam, violate the principle of peaceful settlement of international disputes. China does not accept any peaceful settlement of disputes or any resolution through third parties or jurisdiction over the issue of maritime and island sovereignty in the South China Sea, even though it is accepted by the Vietnamese side and other countries. Others have repeatedly suggested. Most notably, China has refused to participate in the Philippines' case in international arbitral tribunal under Annex VII of the 1982 United Nations Convention on the Law of the Sea. China also insisted that the arbitral tribunal

was set up at the request of the Philippines to resolve the dispute. The Arbitration Court has no jurisdiction over this case and that this claim of China has been rejected by the Arbitral Tribunal. revoke.

Fourth, the principle of conscientiousness and goodwill to implement international commitments: China has introduced policies and laws that violate international obligations that it has committed in international treaties, violating the Pacta Sun Servanda principle, specifically: China officially makes an unreasonable nine-dash line claim, deliberately misinterpreting the provisions of international treaties; deploying illegal super-islandization activities at underground entities in Vietnam's waters in the East Sea, threatening freedom of navigation and overflight, seriously destroying the marine environment, and threatening peace and security. in the region and around the world; seriously violated the United Nations Charter, the 1982 Convention on the Law of the Sea as well as China's commitments to ASEAN-DOC signed in 2002.

## **2. China's policy in the East Sea is contrary to the provisions of UNCLOS in 1982:**

UNCLOS 1982 consists of 17 parts 320 items and 9 appendices, with more than 1000 general provisions on the management of the sea and ocean, is considered the common constitution of humanity on the law of the sea, meeting aspirations and the international community's expectation of a new international legal order for all matters of sea and ocean, including seabed and subsoil. The provisions of UNCLOS in 1982 are the main criterion for the concrete assessment of the compliance with the provisions of the Chinese law on sea and islands compared with the provisions of international law, which is the basis for conclusion. How China respects the provisions of international law on the sea as a basis for arbitration of Chinese behavior in the East Sea and related seas.

\* The illegal contents of Chinese policies and laws in comparison with UNCLOS in 1982

(i). China's historic rights, sovereignty rights and jurisdiction over the waters of the East Sea contradict UNCLOS in 1982

China has declared a nine-dash line claim covering nearly 80% of the East Sea area, arguing that they have historically been under Chinese sovereignty and jurisdiction (Pan Shiyong 1996). In addition, the Law on Exclusive Economic Zones and Continental Shelf, issued on December 26, 1998, states that the provisions of this law do not affect the historic interests of the People's Republic. Chinese. Thus, China has asserted the higher legal value of its historical interests at the same time, carrying out many of its contradictory actions in the East Sea such as confusing and chasing Vietnamese fishing vessels, installed drilling rig HD981 in Hoang Sa island area

In the East Sea Arbitration Tribunal's ruling dated July 12, 2016 between the Republic of the Philippines and the People's Republic of China, the Arbitral Tribunal once

again declared claims on historic rights, sovereignty rights and jurisdictional rights. with the waters of the East Sea lying in the nine-dash line are inconsistent with UNCLOS in 1982 and have no legal effect because they exceed the geographical and practical limits of the waters enjoyed by China under the Convention, and The Court also declares that the Convention has removed any historic or other sovereign or jurisdictional rights beyond the limits set forth in the Convention.

(ii). The legal status of the islands and archipelagos under Chinese law is inconsistent with the 1982 UNCLOS and the general international principles

China has had island reclamation activities and the construction of artificial islands, structures and structures in Da Chau Vien, Cross Stone, Huy Go Stone, Xu Bi Stone and Vanh Dau Stone. Thus, China has turned the submerged rocks here into illegal floating military bases. With the campaign to fill the shoals, rocks and coral reefs in the East Sea into artificial islands with an area multiplied by many times, the construction of port facilities and runways on the artificial islands is accelerated. China's dizzying speed has caused the geographic and security landscape in the South China Sea to change dramatically (Duong Danh Huy 2015). Contrasting with UNCLOS in 1982, it can be seen that most of the islands claimed by China in the East Sea do not meet the conditions specified in Clause 3, Article 121 of the Convention, so they cannot have territorial waters under their sovereignty and jurisdiction over the exclusive economic zone and the continental shelf as this country claims. The arbitral tribunal also concluded, declared and rejected the Chinese claim: Bai Vanh Bai and Co May Beach are floating and sinking fields that do not create territorial waters, exclusive economic zones and continental shelf. and not possessable structures; Marble, southern Ga Ven rock, and Huy Go rock are floating beaches that do not create a territorial sea, exclusive economic zone and continental shelf and are not possessed but usable structures. as a baseline to measure the territorial sea width of floating structures within the distance not exceeding the territorial sea width; Scarborough Beach, Northern Limestone, Ken Nan Stone, Ma Gauze Stone, Pearl Stone, and Cross Stone are rocks in the natural condition without the possibility of human habitation and own economic conditions, in the sense of Article 121 (3) of the Convention and according to Scarborough, Ga Ven (north), Ken Nan, Gac Ma, Pearlstone, Cross do not create an exclusive economic zone or continental shelf.

(iii). China's baseline mapping goes against the 1982 UNCLOS regulations on straight baselines and archipelagic baselines

Article 47 of UNCLOS of 1982 provides that: An archipelagic state may draw archipelagic straight baselines connecting the outermost points of the farthest islands and the farthest rocks of the archipelago, provided that These baselines cover major islands and establish an area where

the water-to-land ratio, including the corals, should be between 1/1 and 9/1. Thus, only the archipelagic state may draw the archipelagic baseline in the context of this article. However, in the Declaration on the baseline for calculating the width of the territorial sea of the People's Republic of China dated May 15, 1996, the Government of the People's Republic of China is based on the Law on Territorial Sea and Contiguous Zone of February 25. 1992 declares the baseline of the territorial waters of the People's Republic of China and the baseline of the territorial waters of the Xisha Islands ie the Paracel Islands of Vietnam - a sea and islands in which China has used force. for illegal occupation in 1974. Through the system of base points of Tay Sa archipelago, ie Hoang Sa archipelago of Vietnam announced by China, it can be seen that China has drawn a straight baseline connecting the outermost points of the furthest islands, the rocks of the island region and the outermost semi-submerged beaches of the island area such as North Rock, West Sand Dunes, North Island, South Island, Lincon Island, and Da Bong Bay. The longest sections are 3-4 (Lincon-Da Bong Bay) 36.3 nautical miles; section 22-23 (North Stone - West Sand) 41.5 nautical miles; section 28-1 (South Island-Lincon Island) 28 nautical miles (Nguyen Hong Thao 2009). China itself is not an archipelagic state, but China has applied the archipelagic baseline method only prescribed for archipelagic states as prescribed in Clause 1, Article 47 of the 1982 Law of the Sea Convention to draw lines. basis for offshore islands. The area covered by this Chinese baseline is an area of 17,000 square kilometers, while the total area of floating islands of the Paracel Islands is 10 square kilometers (the ratio in the 1982 Law of the Sea Convention is 1/1. and 9/1). In addition, most of the rocks and coral reefs that China uses here are not suitable for people to live or do not have a separate economic life. These islands are more than 24 nautical miles apart. From there, it can be seen that the Declaration on the baseline for calculating the territorial sea width of China violated the provisions of UNCLOS in 1982. Along with that, the Chinese baseline regulation in the Paracel Islands violated. blatant territorial sovereignty of Vietnam and violates the provisions of international maritime law on baseline markings (Nguyen Ba Dien, Nguyen Hung Cuong 2012).

(iv). The legal status of the seas under the Chinese law on islands is inconsistent with the norms set forth in UNCLOS 1982

Legal regulations on internal waters: The waters that China claims in the South China Sea cannot be considered internal waters, due to:

First, the ROC government has never claimed water within the nine-dash line as internal waters.

Second, foreign ships, including warships still exercised the right to travel in the South China Sea before and after the nine-dash line appeared on maps published by the Republic of China in 1947, and the Chinese



government. The ROC took no action to prevent foreign ships from passing through the area.

Thirdly, fishing activities, exploitation of natural resources or in marine scientific research activities of countries in the East Sea have always been going on for many generations. Must ask for Chinese permission or divide the profits, make reports to China.

Legal status of territorial sea: In the Declaration of the Government of the People's Republic of China on territorial sea dated September 4, 1958, stated the width of the territorial sea is 12 nautical miles and China's jurisdiction is open. wide over all Chinese territory, including mainland and coastal islands such as Taiwan and surrounding islands; at the same time, the policy of drawing the territorial sea area according to the straight baseline method. Law on territorial sea and contiguous area of the People's Republic of China in Article 3 stipulates: The width of territorial sea of the People's Republic of China is 12 nautical miles from base points of territorial sea. Only waters 12 nautical miles from the straight baseline of the Hainan islands can be considered the territorial sea of China. The other large waters within the nine-dash line claimed by China are not territorial sea.

According to the Law of the Territorial Sea and the contiguous area of the People's Republic of China, foreign non-military ships have the right to pass without harming within the territorial sea of the People's Republic of China by law. Thus, the object of the right of innocent passage under Chinese law is narrower than that specified in Article 17 of UNCLOS in 1982. In addition, the provision of foreign military ships entering the waters of the Republic The Chinese people must be approved or permitted by the Government of the People's Republic of China to be inconsistent with international law. Coastal states are not allowed to allow foreign vessels passing through their own territorial sea to obtain permission.

Legal regulations on contiguous territorial waters: Although in the Law on territorial waters and contiguous areas of the People's Republic of China in 1992, China also only requires 12 nautical miles of territorial sea around love lands. sovereignty books and contiguous zone of 12 nautical miles for tariffs and similar purposes. But in 2009, when making a claim for the nine-dash line, it accounted for 80% of the South China Sea area. This not only contradicts China's own legal provisions, but also contradicts Article 33 of UNCLOS in 1982. Clause 2, Article 33 of UNCLOS in 1982 also stipulates: The contiguous area cannot be expanded more than 24 nautical miles from the baseline is used to calculate the width of the territorial sea. For countries that define a territorial sea of 12 nautical miles wide, their contiguous zone has a maximum actual width of 12 nautical miles and fits the territorial sea into a sea area of 24 nautical miles wide. Thus, China's claims have seriously violated the 1982 UNCLOS regulations.

Legal Regulations on Exclusive Economic Zones and Continental Shelf: For the most part, the provisions of China's Law on Exclusive Economic Zones and Continental Shelf dated June 29, 1998 are consistent with the spirit of UNCLOS in 1982. However Of course, in fact, China has made very unreasonable claims in the South China Sea, set up an important specific provision, creating a legal basis for them to make such claims. your sea. Article 14 of the Law on the Exclusive Economic Zone and the continental shelf of China affirms that the provisions of this law do not affect the historic interests of the People's Republic of China. Therefore, China has emphasized its historic interests over international law and practice, so the exclusive economic zone status as well as the continental shelf that China has introduced are inconsistent with the 1982 UNCLOS regulations on the exclusive economic zone and the continental shelf.

(v). China's policies and laws on exploitation of natural resources at sea have seriously violated the rights to exercise sovereignty, sovereignty rights and jurisdiction of countries in East Sea, recorded by UNCLOS in 1982 take

To exploit the endless resources of the East Sea, China has issued a number of regulations aimed at managing marine resources such as the Fisheries Law of the People's Republic of China in 1986 (amended on October 31, 2000); Law on Mineral Resources dated March 19, 1986 regulates coastal mining and mineral exploitation. Despite the provisions of the modern International Maritime Law on the protection of the marine environment, the protection and proper exploitation of marine resources, China has carried out a series of activities of sea encroachment, dredging, and leveling. large-scale filling and renovating simultaneously on many entities occupied by this country in the East Sea without any signs of deceleration (Duong Danh Huy 2015). The fishermen on board the Chinese flag have engaged in fishing for endangered species, especially the giant clam, by destroying the coral ecosystem. Although China knows that these actions are harmful to the ecological environment in the East Sea, they tolerate and protect and do not prevent such harmful acts. China continues to have activities to renovate and build artificial islands, structures and structures at Chau Vien Stone, Cross Stone, Gaven Stone (North), Gac Ma Stone, Huy Go Stone, Su Bi Beach and Vanh Vai beach causes serious damage and cannot restore the coral ecosystem. In addition, the Court declared that China had violated the obligations specified in Articles 123, 192, 194 (1), 194 (5), 197 and 206 of the Convention.

It can be said that China has had many acts, policies and laws on exploitation of marine natural resources that seriously violate the right to exercise the sovereignty, sovereignty rights and jurisdiction of countries in the East Sea. has been defined in UNCLOS 1982 and by the Convention on the Protection of Biodiversity 1992 relating to the obligation not to let actions under control harm the

environment of other countries and obligations environmental impact assessment.

### **3. Chinese policy in the East Sea is contrary to the provisions of the 1943 Cairo Declaration, the Potsdam Declaration of 1945 and the 1951 Treaty of San Francisco:**

China has always raised its voice and asserted that the international documents after World War II recognized China's sovereignty over the two islands of Paracel and Spratly Islands. After the Second World War ended, China took advantage of the 1943 Cairo Declaration, the 1945 Potsdam Declaration to disarm the Japanese army to recover the islands belonging to China previously occupied by Japan, including Manchuria, Chow, Taiwan, and Penghu (Manchuria, Formosa, and Pescadores) to excuse them and say that they confiscated both the Paracel and Spratly islands, but the profound conspiracy was to capture both Paracel and Spratly Islands temporary in the post-war period. But clearly, these documents completely rejected China's sovereignty, namely:

The 1943 Cairo Declaration asserted that Japan occupied only Manchuria, Taiwan and Penghu of China and forced Japan to pay China these territories. The statement does not consider the Paracel and Spratly islands as territories of China invaded by Japan, and so does not mention the handover to China.

The Potsdam Declaration of 1945 provided for the return of territory occupied by Japan to other countries. The declaration also required Japan to return Manchuria, Taiwan and Penghu to China, with nothing in the Postdam Declaration that considered the Paracel and Spratly islands occupied by Japan as Chinese, and must be returned to China.

The 1951 San Francisco Peace Treaty provided in Article 2, point b: Japan renounces all rights, all names and all claims to Formosa (Taiwan) and the Pescadores (Penghu); and in Article 2, point f: Japan gives up all rights, all names and all claims to the Paracel Islands and Spratly Islands. Although not specific, but can understand the territories related to which country will be expressed in a separate clause. In which, Formosa and Pescadores belong to the People's Republic of China, Paracel Islands and Spratly Islands are arranged in two different terms (Clause b and Clause f). This means that the international community does not recognize the Hoang Sa and Truong Sa islands belonging to China.

### **4. China's policy in the East Sea is contrary to the provisions of the Tonkin Gulf delimitation Agreement between China and Vietnam:**

The Gulf of Tonkin has an important strategic position for both Vietnam and China in terms of economic and national defense and security, containing abundant and diversified natural resources. On the basis of the signed Tonkin Gulf Agreement, Vietnam and China have

determined the scope of delimitation and delimitation of the territorial sea, the exclusive economic zone and the continental shelf between the two countries in the Gulf of Tonkin.

However, China has had a series of activities in the Gulf of Tonkin in violation of the provisions of the Gulf of Tonkin delimitation agreement, such as Chinese fishing vessels taking advantage of gasoline smuggling, illegal fishing in the Vietnamese Sea. South, overwhelmed the fishing grounds and destroyed the fishing nets of Vietnamese fishermen. China continues to carry out the strategy of militarizing civil activities when bringing many ships into the mouth of the Gulf of Tonkin to exploit seafood. China's activity levels are more and more and more aggressive. These Chinese activities seriously violated the Agreement on delimitation of Tonkin Gulf between China and Vietnam.

### **5. China's policy in the East Sea is contrary to the provisions of other international treaties and agreements in the area of sea and islands to which China is a signatory:**

\* The contradiction between the policies and laws in the East Sea of China compared with the provisions of the DOC Declaration

China has made a claim for a nine-dash line along with other field actions to realize its nine-dash claim unreasonable announcement of the nine-dash line, illegally lowering the rig in Vietnam's waters, in violation of Article 1 DOC, the fact that China stretches its broad arm to the East Sea in both the sea and the airspace has created a great threat to maritime and aviation safety and stability of countries, violating the regulations in Article 3 of the DOC on the obligation to respect its commitments to freedom of navigation and freedom of flight over the airspace above the East Sea as provided by the universal principles of international law. In addition, the purpose of island improvement also helps China create enforcement capacity for the ADIZ in the East Sea in the future (Le Quy Quynh, Tran Thi Phuong Thao 2015). China's unilateral promulgation of the Amendment to the Management of Coastal Border Security in Hainan Province has increased the complexities in the East Sea, but also the next step in the strategy of building a legal basis for the claim of a nine-dash line expands the scope of control in the East Sea. China once again used force to occupy and take over the Hoang Sa and Truong Sa of Vietnam, violating Clause 4 DOC regarding the obligation to settle territorial disputes and jurisdictional measures by means of peace, not threatening to use or use force, demonstrating refraining from escalating disputes, not occupying new ones, and having to settle disagreements. Actions such as spraying large-capacity tornadoes sprayed on Vietnamese ships, using missile defense ships, using patrol aircraft, intentionally aggression, crashing, sinking ships and arrests and beatings of fishermen Vietnam, Indonesia, the

Philippines, increased drills and real ammunition in the South China Sea, ready to proactively crash into other ships when these ships are not warships, more dangerous than weapons or artillery. Opening the tarpaulin to stay under the Chinese readiness regime in the past time is the most eloquent and clear evidence for China's willingness to use force.

A series of activities such as dredging, sea encroachment to accretion and renovate on a large area to expand the area of China's illegally occupied positions in the East Sea. This action clearly violated the provisions of international law, as well as the commitments in Article 5 DOC, actions such as sinking ships and arresting fishermen, preventing Vietnamese fishermen from storming. China not only violates the fundamental rights of persons mentioned in international human rights law, but also disrupts search and rescue activities provided for in Article 6 DOC signed in 2002 on the obligation to self or cooperate with other countries in: Protecting the marine environment; Safety of navigation and communication at sea; Search and rescue operations and the 1979 International Maritime Search and Rescue Convention.

\* Policy contents that are inconsistent with COLREG 1972 and SAR 1979

The activities of Chinese law enforcement ships on April 28, 2012 and May 26, 2012 violated Articles 2, 6, 7, 8, 15, 16 of COLREG 1972 by creating serious risks as well as danger to Philippines ships and people through the operation of Chinese patrol boats on April 28, 2012. China has allowed its patrol boats to operate in a very dangerous manner, posing serious risks of colliding with Philippines patrol boats within the Huangyan beach. Especially in 2019 and 2020, China deployed groups of scientific research ships that infringe on the sovereignty, sovereignty rights and jurisdiction of some countries along the East Sea.

China has sent a ship to intentionally crash a Japanese coastal patrol boat in the East China Sea, shoot a Philippine fishing vessel, cut the cable of a Vietnamese ship operating in Vietnam's exclusive economic zone twice, and use a gun to threaten 04 Vietnamese fishing boats in waters near Truong Sa island. China Marine Petroleum Corporation also invited a tender to explore oil and gas in Vietnam's exclusive economic zone in 2012 and lowered the rig Hai Duong 981 in Vietnam's waters in May 2014. More than 80 Chinese ships, including seven military ships, were deployed there to support the provocation and to change the status quo by force. Vietnam Coast Guard, violating the Convention on international rules on the prevention of collisions at sea. Chinese ships also collided, used helicopters and tornadoes to prevent Vietnamese ships, and set up a no-pass zone with a radius of 3 knots around drilling rig 981. In addition, China still has a single method of declaring the establishment of ADIZ Area in the East China Sea with provisions in violation of the Chicago Convention of the International Civil Aviation Organization.

The resolution calling for the peaceful settlement of current disputes in the East Sea and East China Sea of the US House of Representatives on December 3, 2014 emphasized that freedom of navigation and the legal use of sea and airspace have been regulations in international law, not by any other country.

In a press release by the Arbitral Tribunal of the East Sea between the Republic of the Philippines and the People's Republic of China on July 12, 2016, the arbitral tribunal also determined that China's law enforcement ships had consecutively approached the Philippines ship. high speed and attempt to cut off these ships at close range, creating a high risk of collision and danger for ships and people of the Philippines. The arbitral tribunal concluded that China had violated its obligations under COLREG 1972 and Article 94 of the Convention relating to Safety of Navigation.

## 6. Conclusion:

Thus, China's policies towards the East Sea are contrary to the provisions of the international legal system, the international law of the sea, seriously violating the sovereignty of the State of Vietnam over the two archipelagos of Hoang Sa and Truong. Sa. Through researching China's policies towards the East Sea in a scientific, systematic and intensive way, we can see that the intentions of Chinese leaders never give up plotting to monopolize and control the East Sea.

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