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BLR > Vol.3 No.3, September 2012

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The Freedom of Navigation in the South China Sea: An Ideal or a Reality?

PDF (Size: 99KB) PP. 137-144 DOI: 10.4236/blr.2012.33019

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ABSTRACT

The freedom of navigation in the South China Sea has drawn an extensive international concern in recent years. The main reasons leading to skepticism are the disputes in the South China Sea over islands sovereignty and maritime delimitation, extra-regional state' s intervention, and some ASEAN member states' wish to countervail China with the help of extra-regional states. In fact there is no problem at all with the freedom of navigation in the South China Sea: on one hand, there are legal regimes to ensure all states' freedom of navigation in different seas according to United Nations Convention on the Law of the Sea; on the other hand, no state impedes the freedom of navigation in the South China Sea. Currently, factors actually affecting the safety of navigation in the South China Sea include piracy, maritime terrorism and so on. Relevant states must take confidence-building measures as well as regional and bilateral cooperation so as to promote the safety of navigation in the region

KEYWORDS

Freedom of Navigation; United Nations Convention on the Law of the Sea; The South China Sea

Cite this paper

Z. Yang, "The Freedom of Navigation in the South China Sea: An Ideal or a Reality?," *Beijing Law Review*, Vol. 3 No. 3, 2012, pp. 137-144. doi: 10.4236/blr.2012.33019.

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