



Legal Vigilance Notice

China's Coercion & the Japan–Philippines Maritime Delimitation

NOTICE 26-1

08 JUL

2026

BOTTOM LINE UP FRONT

The Japan-Philippines discussions to delimit their overlapping exclusive economic zone (EEZ) and continental shelf are a routine, lawful exercise of sovereign rights under international law as reflected in the United Nations Convention on the Law of the Sea (UNCLOS). China's response—combining coercive China Coast Guard (CCG) patrols east of Taiwan with fabricated legal rhetoric—is an insidious attempt to intimidate and isolate Taiwan while subverting the right of neighbors to settle boundaries peacefully. This exemplifies China's lawfare playbook designed to win without fighting: misrepresent and weaponize the law to undermine the sovereign rights of other nations, create a false pretext for coercion and aggression, and rewrite international law to support its authoritarian objectives.

A. WHAT HAPPENED

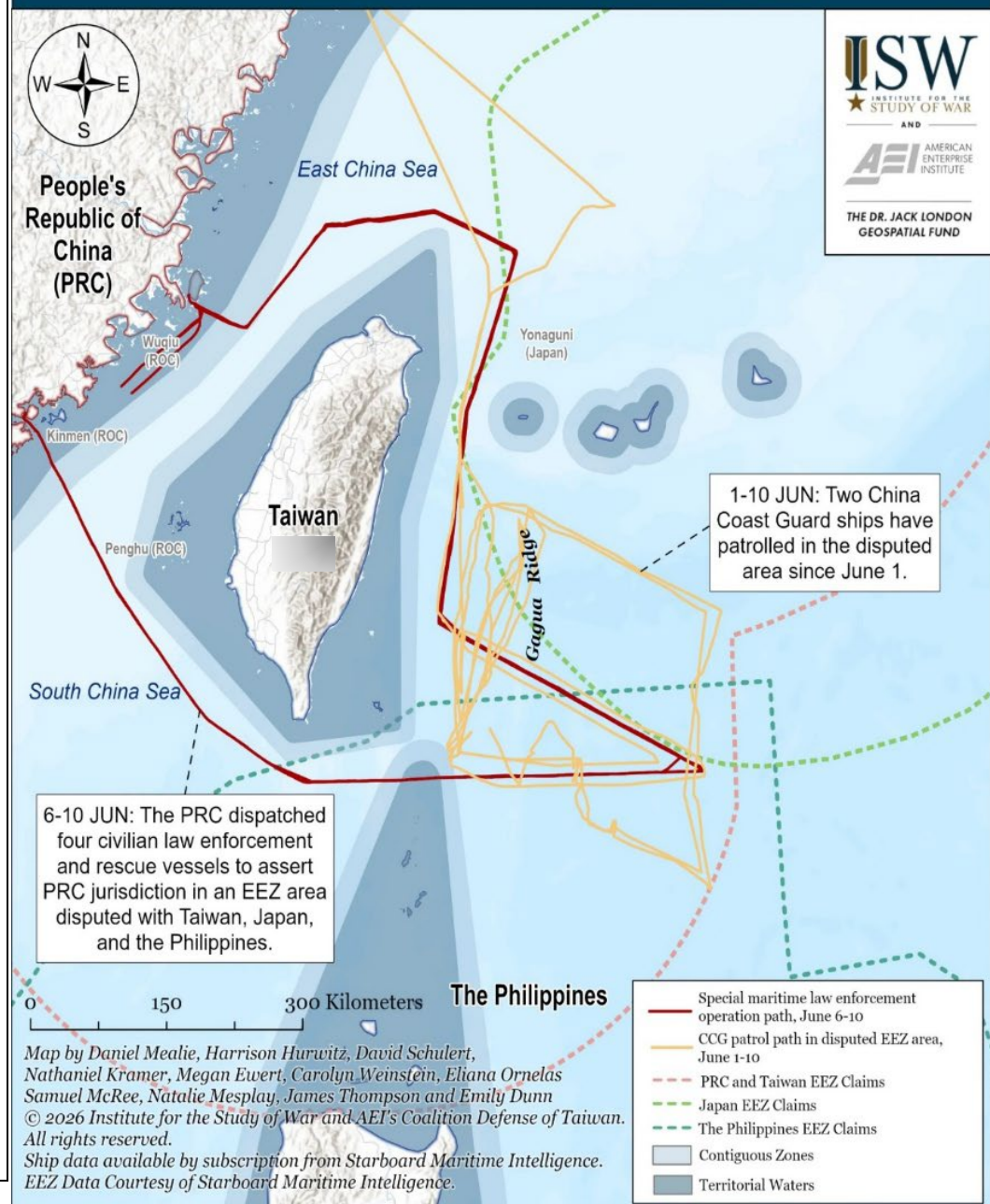
28 MAY 26. [Japan and the Philippines issue joint statement](#) announcing formal negotiations to delimit maritime boundary of EEZ and continental shelf between the two countries in accordance with international law, including UNCLOS.

29 MAY – 1 JUNE 26. [China brands the talks “illegal and invalid.”](#) CCG deploys two Coast Guard cutters east of Taiwan to conduct coercive “law enforcement inspections.”

6-10 JUNE 26. China Maritime Safety Administration launches four-ship “[special maritime law enforcement operation](#)” to circumnavigate Taiwan. Alongside China survey vessels—the size, location, and activities of this law enforcement flotilla represent an unprecedented & unilateral change in the status quo.

2-4 JUL 26. China releases legal theory via a [Ministry of Natural Resources’ China Institute for Marine Affairs \(CIMA\) opinion](#). CCG maintains continuous gray-zone presence held since early June.

PRC Special Maritime Law Enforcement Operation, June 6-10, 2026



B. WHAT UNCLOS ACTUALLY SAYS

Arts. 74(1) & 83(1). Maritime delimitation between states with opposite or adjacent coasts shall be effected by agreement on the basis of international law to achieve an equitable solution. UNCLOS prescribes bilateral negotiation—a third state’s consultation, consent, or participation is not required.

Arts. 56 & 77. The right to an EEZ and continental shelf is an entitlement generated by a state’s territory. Because Japan and the Philippines are seeking to delimit zones derived from their own sovereign coastlines, the negotiation is a valid exercise of coastal state jurisdiction. UNCLOS does not grant third states procedural vetoes over how two neighboring nations delimit overlapping boundaries.

Art. 74(3). Pending a final boundary agreement, states are encouraged to enter into “provisional arrangements of a practical nature.” Crucially, this transitional cooperation is bilateral and discretionary, meant to prevent escalation between the immediate neighbors; it does not grant adjacent third states a legal right to force their way into bilateral negotiations or veto agreements between others.

Art. 58. Bilateral boundary agreements bind only signatories and cannot diminish third-state rights, including freedom of navigation, overflight, and laying of undersea cables within any state’s EEZ.

C. REFUTING BEIJING’S CLAIMS – POINT BY POINT

CHINA’S FALSE CLAIM #1 – Compulsory Tripartite Cooperation. The EEZ and continental shelf claims of the states substantially overlap, creating a “tripartite” zone where boundaries must be solved collectively. UNCLOS Art. 74(3) makes international cooperation “compulsory,” and Japan and the Philippines failed their duty of good faith.

THE LEGAL REALITY. Overlapping claims do not extinguish bilateral rights, and the existence of a third-party claim does not legally bar two states from settling the boundary segment that exists strictly between themselves. Additionally, UNCLOS Arts. 74 and 83 mandate that delimitation be achieved by agreement “between the states concerned”—meaning the specific states sharing that boundary segment.

UNCLOS does not grant third states a compulsory seat at the negotiation table, a right to freeze negotiations, or veto power over a final agreement—and no UNCLOS provision conditions bilateral delimitation on notice to, or consultation with, non-party claimants.

CHINA’S FALSE CLAIM #2 – Internationally Wrongful Act. Bypassing concerned states in areas of overlap is an internationally wrongful act, rendering any outcome invalid under international law.

THE LEGAL REALITY. An agreement binds only its parties (Vienne Convention on the Law of Treaties 34) and cannot legally diminish or bind a non-party; therefore, maritime delimitation talks create no legal injury and constitute no wrongful act. ***Two states may resolve their overlapping claims without involving a third state, provided the outcome neither prejudices valid third-party claims nor interferes with freedom of navigation or other lawful uses of the sea.***

CHINA’S FALSE CLAIM #3 – Geographic Impossibility. It is “technically impossible” to draw a line between Japan and the Philippines without causing “serious prejudice” to China.

THE LEGAL REALITY. Tight geography does not create a legal veto; overlap is routine and entirely manageable. ***States routinely and successfully negotiate and conclude bilateral agreements while leaving adjacent areas undisturbed.***

D. U.S. & ALLIED RESPONSE

United States (AIT). [Spokesperson](#) rejected any claim by China of authority to interfere with freedom of navigation or overflight, undersea cable-laying, or other lawful uses of the sea.

UK · Germany · France (24 Jun). [Joint statement](#) said China’s actions “threaten regional stability, and the freedom of navigation and safety of international shipping,” and opposed “any unilateral change to status quo ... by ... force or coercion.”

CONCLUSION — THE “NEW NORMAL” RISK

Japan’s and the Philippines’ boundary talks are a routine, lawful exercise of bilateral diplomacy requiring no third-party consent. In a textbook display of lawfare, China fabricated claims that these peaceful negotiations are an “internationally wrongful act.” By establishing a continuous gray-zone presence to back its meritless assertions, China has laid bare its true intent: to weaponize international law as an instrument of intimidation, isolation, and interference – and to win without fighting.