

## **CHAPTER V**

### **CONCLUSION AND RECOMMENDATION**

#### **A. Conclusion**

The Arbitral Tribunal decision on the South China Sea dispute between China and the Philippines has not been able to solve the problem completely. This is because the ruling contains only the interpretations of the articles contained in the United Nation Convention on the Law of the Sea 1982 on Chinese claims and the status of South China Sea features. Since the Permanent Court of Arbitration Award can only be used as reference and pressure tools that can be used by the Philippines. The issue of sovereignty and sovereign rights has not been resolved through the dispute resolution process through the Permanent Court of arbitration which has spawned the decision

## **B. Recommendation**

Since the Permanent Court of Arbitration Award can only be used as reference and pressure tools that can be used by the Philippines, China should appreciate the Arbitration Award; however, if the conflict arises again, both parties can use the Award as the reference by bringing the case to the International Court of Justice (ICJ) or International Tribunal for the Law of the Sea (ITLOS).

The absence of clear rules regarding sanctions and institutions entitled to punish UNCLOS violators. In UNCLOS, there are only articles on dispute resolution and no written sanctions can deter violators of UNCLOS from repeating their mistakes. Therefore we need a special rule related to sanctions for violators who violate the UNCLOS.