

**CHINESE MILITARY-RELATED AND
DATA COLLECTION ACTIVITIES IN
EXCLUSIVE ECONOMIC ZONES**

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EAI Background Brief No. 625

Date of Publication: 12 May 2011

Executive Summary

1. Military-related and data collection activities in foreign Exclusive Economic Zones (EEZs hereafter) have been a common state practice around the world. They were usually the trigger of confrontations between coastal and researching states concerning the international lawful use of foreign EEZs.
2. States are divided over the kinds of activities that should be permitted in foreign EEZs. Some developed states are inclined to maintain high-sea freedom in EEZ areas in which military-related activities are allowed. Other developing states prefer to grant more comprehensive rights, which are similar to those they have been enjoying in the territorial seas, to coastal states in EEZs.
3. There is still no consensus on this issue. Small scale skirmishes, due to military-related and data collection activities in foreign EEZs, continue to negatively impact on the international maritime order.
4. The Law of the Sea Convention does not explicitly mention military-related and data collection activities in the EEZ section. Only resource-related economic and marine scientific research activities are in the charge of the coastal states. Hence, controversies continue to prevail.
5. China is inclined to adopt stricter regulations concerning foreign corporations in Chinese EEZs. It may require foreign corporations to obtain prior approval from Chinese authorities before they could conduct research activities in Chinese EEZs. While not explicitly specified in current legislations, these activities are unlikely to be allowed in Chinese EEZs.
6. International agreements, providing prior notifications before research and survey activities commence in foreign EEZs, can be a good alternative.