

(Translation)

CML/54/2020

The Permanent Mission of the People's Republic of China to the United Nations presents its compliments to the Secretary-General of the United Nations and, with regard to the Note Verbale No. 20/026 dated 23 July 2020 addressed to the Secretary-General of the United Nations by the Permanent Mission of the Commonwealth of Australia to the United Nations, has the honor to state China's position as follows:

1. China has sovereignty over Nanhai Zhudao, consisting of Dongsha Qundao, Xisha Qundao, Zhongsha Qundao and Nansha Qundao. China has internal waters, territorial sea and contiguous zone, based on Nanhai Zhudao. China has exclusive economic zone and continental shelf, based on Nanhai Zhudao. China has historic rights in the South China Sea. China's sovereignty over Nanhai Zhudao and relevant rights and interests in the South China Sea are established in the long course of history and consistent with international law, including the Charter of the United Nations and the United Nations Convention on the Law of the Sea.

2. The drawing of territorial sea baselines by China in the South China Sea conforms to the United Nations Convention on the Law of the Sea and general international law. It is China's inherent right as a sovereign country to carry out construction activities on relevant islands and reefs in the South China Sea.

3. With regard to the South China Sea arbitration and the so-called awards, China's position is clear and consistent. The Arbitral Tribunal violates the principle of state consent, exercises jurisdiction *ultra vires*, errs in applying the law in its awards and violates international law. Its awards are illegal, and null and void. China neither accepts nor

participates in the South China Sea arbitration, and neither accepts nor recognizes the awards.

4. Australia's wrongful acts of ignoring the basic facts on the South China Sea issue and denying China's land territorial sovereignty and maritime rights and interests in the South China Sea have violated international law and basic principles of international relations, including the Charter of the United Nations. China does not accept the contents of the aforementioned Note Verbale of Australia.

The Permanent Mission of the People's Republic of China to the United Nations has the honor to request the Secretary-General of the United Nations to circulate this Note Verbale to States Parties to the United Nations Convention on the Law of the Sea and Members of the United Nations.

The Permanent Mission of the People's Republic of China to the United Nations avails itself of this opportunity to renew to the Secretary-General of the United Nations the assurances of its highest consideration.

New York, 29 July 2020

H.E. Mr. António Guterres
Secretary-General
United Nations
New York