



HA 26/20

The Permanent Mission of Malaysia to the United Nations presents its compliments to the Secretary-General of the United Nations and, with reference to the Note Verbale CML/14/2019 dated 12 December 2019 by the Permanent Mission of the People's Republic of China to the United Nations to the Secretary-General, has the honour to state the position of the Government of Malaysia as follows:

The Malaysia Partial Submission to the Commission on the Limits of the Continental Shelf ("the Commission") for the remaining portion of the continental shelf of Malaysia beyond 200 nautical miles, in the northern part of the South China Sea, from its baselines from which the breadth of its territorial sea is measured ("the Submission") constitutes legitimate undertakings in implementation of the obligations of States Parties to the United Nations Convention on the Law of the Sea 1982 ("UNCLOS 1982") which conforms to the pertinent provisions of UNCLOS 1982 as well as the Rules of Procedure of the Commission.

The Government of Malaysia wishes to state that the Submission is consistent with Malaysia's rights and obligations for the delineation of the outer limits of its continental shelf where that shelf extends beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured in accordance with Article 76 (7) of UNCLOS 1982.

With regard to the People's Republic of China's assertion in the second and third paragraphs of its Note Verbale, the Government of Malaysia rejects China's claims to historic rights, or other sovereign rights or jurisdiction, with respect to the maritime areas of the South China Sea encompassed by the relevant part of the 'nine-dash line' as they are contrary to the Convention and without lawful effect to the extent that they exceed the geographic and substantive limits of China's maritime entitlements under the Convention.

In this respect, the Government of Malaysia considers that the People's Republic of China's claim to the maritime features in the South China Sea has no basis under international law. Therefore, the Government of Malaysia rejects in its entirety the content of the Note Verbale of the People's Republic of China.

In view of the foregoing, the Government of Malaysia respectfully requests the Commission to consider the Submission.

The Permanent Mission of Malaysia has further the honour to request that this Note Verbale be circulated to all members of the Commission, all States Parties to UNCLOS 1982 as well as all Members of the United Nations.

The Permanent Mission of Malaysia 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.



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