

CML/63/2020

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 Verbales BF No.2020-0343647, No.324/2020 and UK NV No.162/20 dated 16 September 2020 addressed to the Secretary-General of the United Nations by the Permanent Missions of France, the Federal Republic of Germany and the United Kingdom of Great Britain and Northern Ireland to the United Nations respectively, has the honor to state China's position as follows:

1. Being a State Party to the United Nations Convention on the Law of the Sea (UNCLOS), China treats UNCLOS with a rigorous and responsible attitude and opposes using UNCLOS as a political tool to attack other countries. UNCLOS does not cover everything about the maritime order. Paragraph 8 of the preamble of UNCLOS emphasizes that "matters not regulated by this Convention continue to be governed by the rules and principles of general international law". All parties should faithfully, comprehensively and correctly interpret and apply the rules of international law of the sea, including UNCLOS, in an objective and just manner. Any partial interpretation and application of UNCLOS is unjust, illegal, and has an ulterior motive. Since its adoption in 1982, UNCLOS has continuously developed and improved. The ongoing negotiation for an international instrument on the conservation and sustainable use of marine biodiversity in areas beyond national jurisdiction is an important effort for the development and improvement of UNCLOS. China is a firm supporter of UNCLOS and an active participant in the process of developing and improving UNCLOS.

2. China's territorial sovereignty and maritime rights and interests in the South China Sea are established in the long course of history and have been consistently upheld by successive Chinese Governments. They are consistent with international law including the Charter of the United Nations and UNCLOS, and shall not be prejudiced under any circumstance by the illegal awards of the South China Sea arbitration.

3. China attaches great importance to the provisions and applicable conditions set force in UNCLOS for the drawing of territorial sea baselines.

At the same time, China believes that the long established practice in international law related to continental States' outlying archipelagos shall be respected. The drawing of territorial sea baselines by China on relevant islands and reefs in the South China Sea conforms to UNCLOS and general international law.

4. At present, China is working to properly resolve disputes in the South China Sea through friendly consultations with the countries directly concerned. China and ASEAN countries are committed to the full and effective implementation of the Declaration on the Conduct of Parties in the South China Sea, and actively promoting consultations on the Code of Conduct in the South China Sea. These efforts have safeguarded peace and stability in the South China Sea, and effectively guaranteed the freedom of navigation and overflight enjoyed by all countries in the South China Sea in accordance with international law.

China urges relevant countries to earnestly respect China's territorial sovereignty and maritime rights and interests in the South China Sea and the joint efforts of China and ASEAN countries to maintain peace and stability in the South China Sea.

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, 18 September 2020

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