

No. 22/HC-2020

The Permanent Mission of the Socialist Republic of Viet Nam to the United Nations presents its compliments to the Secretary-General of the United Nations and, with reference to Note Verbale No. CML/14/2019 dated 12 December 2019 concerning Malaysia's submission dated 12 December 2019 to the Commission on the Limits of the Continental Shelf and Note Verbale No. CML/11/2020 dated 23 March 2020 addressed to the Secretary-General of the United Nations by the Permanent Mission of the People's Republic of China to the United Nations, has the honour to state the consistent position of the Government of the Socialist Republic of Viet Nam as follows:

Viet Nam protests China's claims as contained in the aforementioned Notes Verbales. These claims seriously violate Viet Nam's sovereignty, sovereign rights and jurisdiction in the East Sea (South China Sea).

Viet Nam has ample historical evidence and legal basis to assert its sovereignty over the Hoang Sa (Paracel) Islands and the Truong Sa (Spratly) Islands in accordance with international law.

Viet Nam affirms that as between Viet Nam and China, the 1982 United Nations Convention on the Law of the Sea (UNCLOS) provides the sole legal basis for and defines in a comprehensive and exhaustive manner the scope of their respective maritime entitlements in the East Sea. Accordingly, the maritime entitlement of each high-tide feature in the Hoang Sa Islands and the Truong Sa Islands shall be determined in accordance with Article 121(3) of UNCLOS; the baselines of the groups of islands in the East Sea, including the Hoang Sa Islands and the Truong Sa Islands, cannot be drawn by joining the outermost points of their respective outermost features; low-tide elevations or submerged features are not capable of appropriation and do not, in and of themselves, generate entitlements to any maritime zones. Viet Nam opposes any maritime claims in the East Sea that exceed the limits provided in UNCLOS, including claims to historic rights; these claims are without lawful effect.

This is the consistent position of Viet Nam which has been enunciated in various documents circulated at the United Nations and submitted to relevant international bodies.

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

The Permanent Mission of the Socialist Republic of Viet Nam to the United Nations avails itself this opportunity to renew to the Secretary-General of the United Nations the assurances of its highest consideration.

New York, 30 March 2020

His Excellency Mr. António Guterres
Secretary-General of the United Nations
New York