



# **VIET NAM'S CLAIMS AND POSITIONS RELATING TO THE SOUTH CHINA SEA DURING THE LAST 10 YEARS**

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# OUTLINE

1

- Claims and Positions developed in Legislation

2

- Claims and Positions in Diplomatic Documents

3

- Positions relating to the CBMs in the South China Sea

4

- Conclusion



# Viet Nam's Claims and Positions developed in Legislation



# Government Statements of 1977 and 1982

Statement 1977

Statement 1982

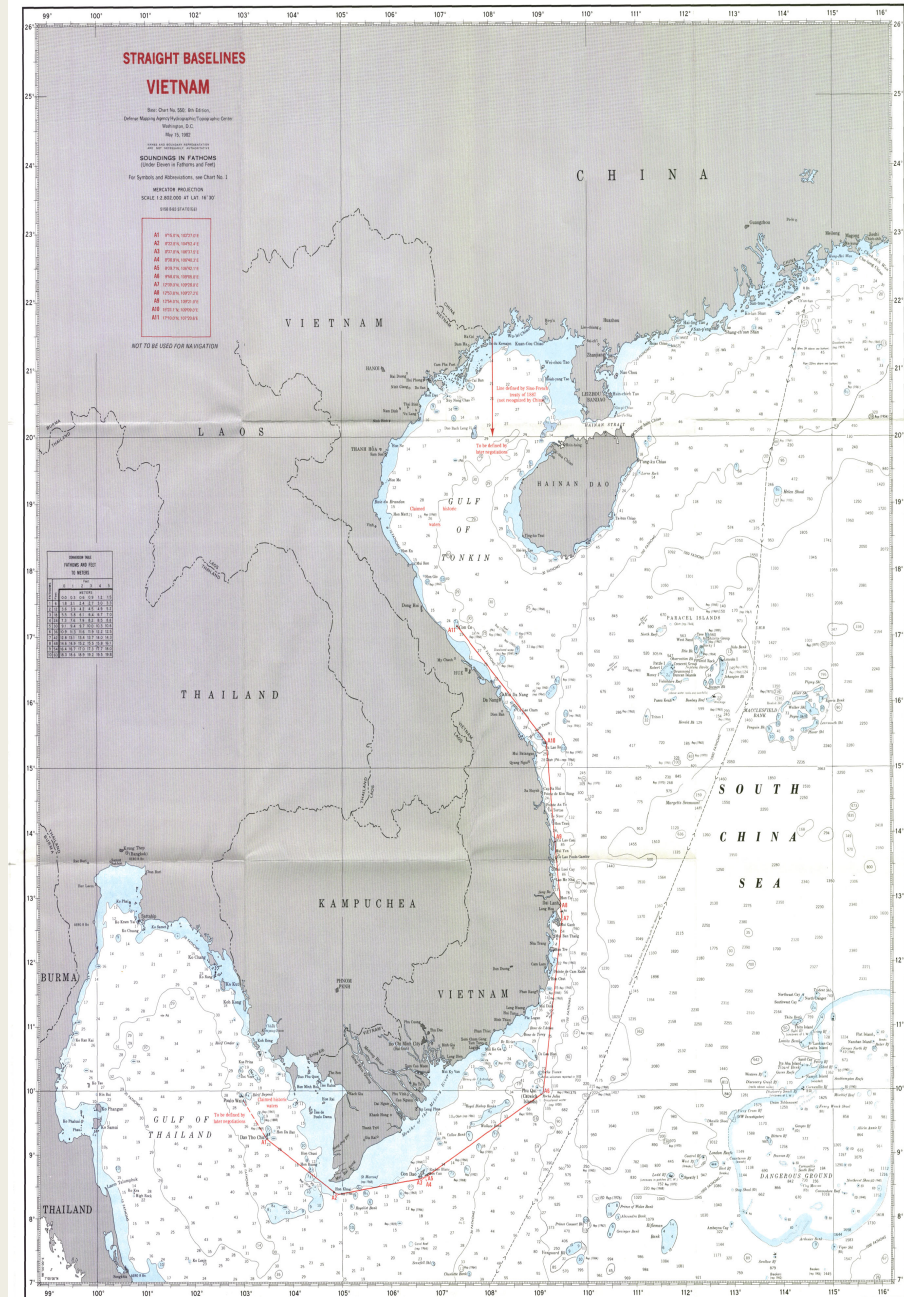
Delineated TS (12nm) EEZ and CS (200nm)

Affirmed sovereignty over the Paracel and Spratly Archipelagoes

The Paracel and Spratly Archipelagoes had TS, EEZ and CS

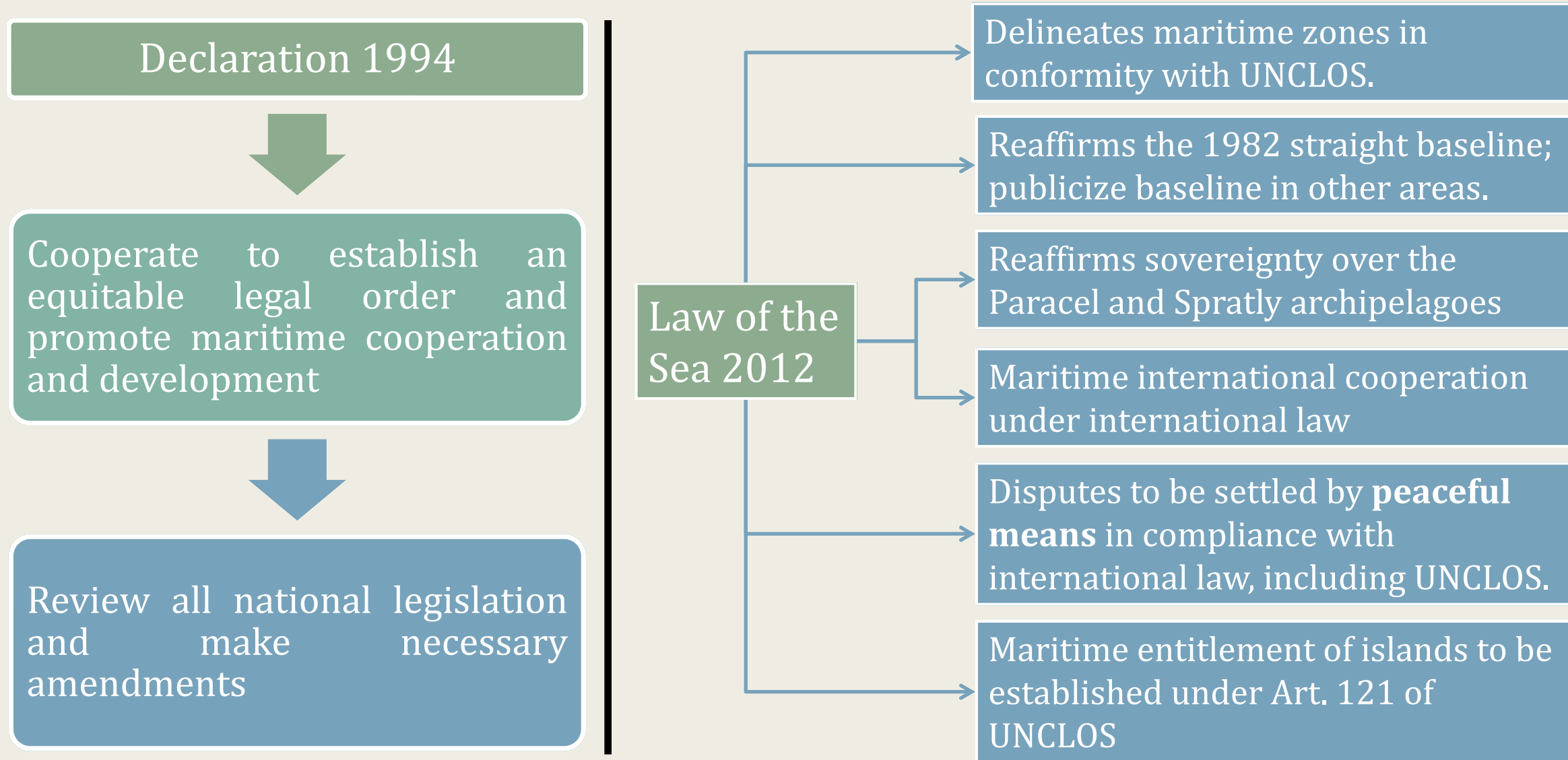
Difference concerning maritime zones to be settled through **negotiation** under international law and practices.

Publicized the straight baseline for continental territory





# Declaration upon the Ratification of UNCLOS and Law of the Sea of Viet Nam





# Viet Nam's Claims and Positions in Diplomatic Documents



# In Relation to China's "Nine-Dashed Line"

China

Note CML/17/2009

Officially publicized the  
"Nine-Dashed Line" map

Sovereignty: all islands and  
adjacent waters

Sovereign rights and  
jurisdiction: waters, seabed  
and subsoil

Note CML/8/2011

Reaffirmed claims in  
Note CML/17/2009

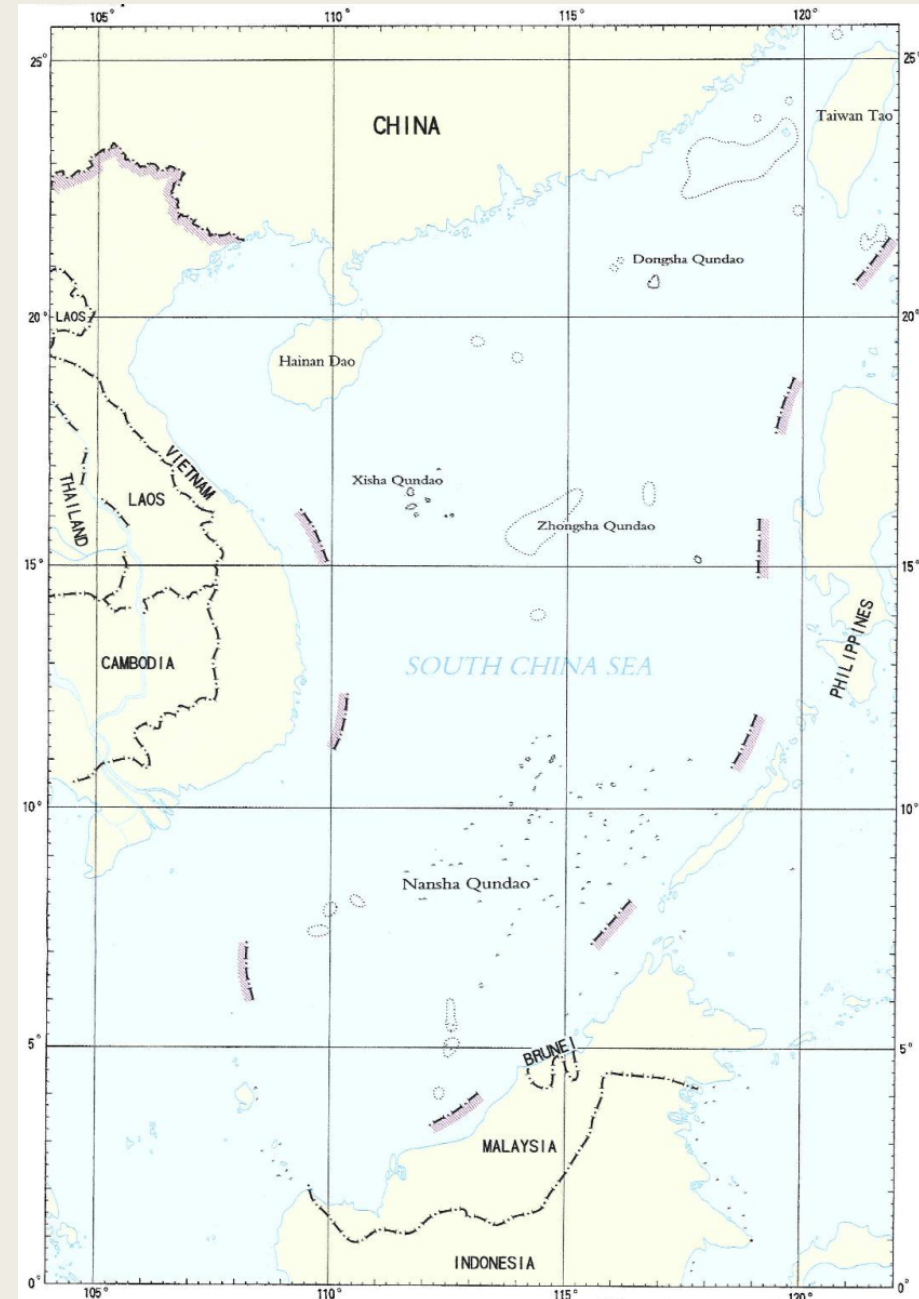
Full maritime  
entitlement (TS, EEZ  
and CS) around  
Spratly Archipelago

Viet Nam

Notes 86/HC-  
2009 and  
77/HC/2011

Protested China's claims

Reaffirmed sovereignty  
over the Paracel and the  
Spratly



The Nine-Dashed Line Map (Source: Award 2016)



# In Relation to China's Actions to Enforce the Nine-Dash Line

China

Viet Nam

2012

CNOOC offered for international biddings on 9 blocks in Viet Nam's CS

Note of the MOFA addressed to China's Embassy in Hanoi

The inclusion of the "nine-dashed line" map in China's type E-passports

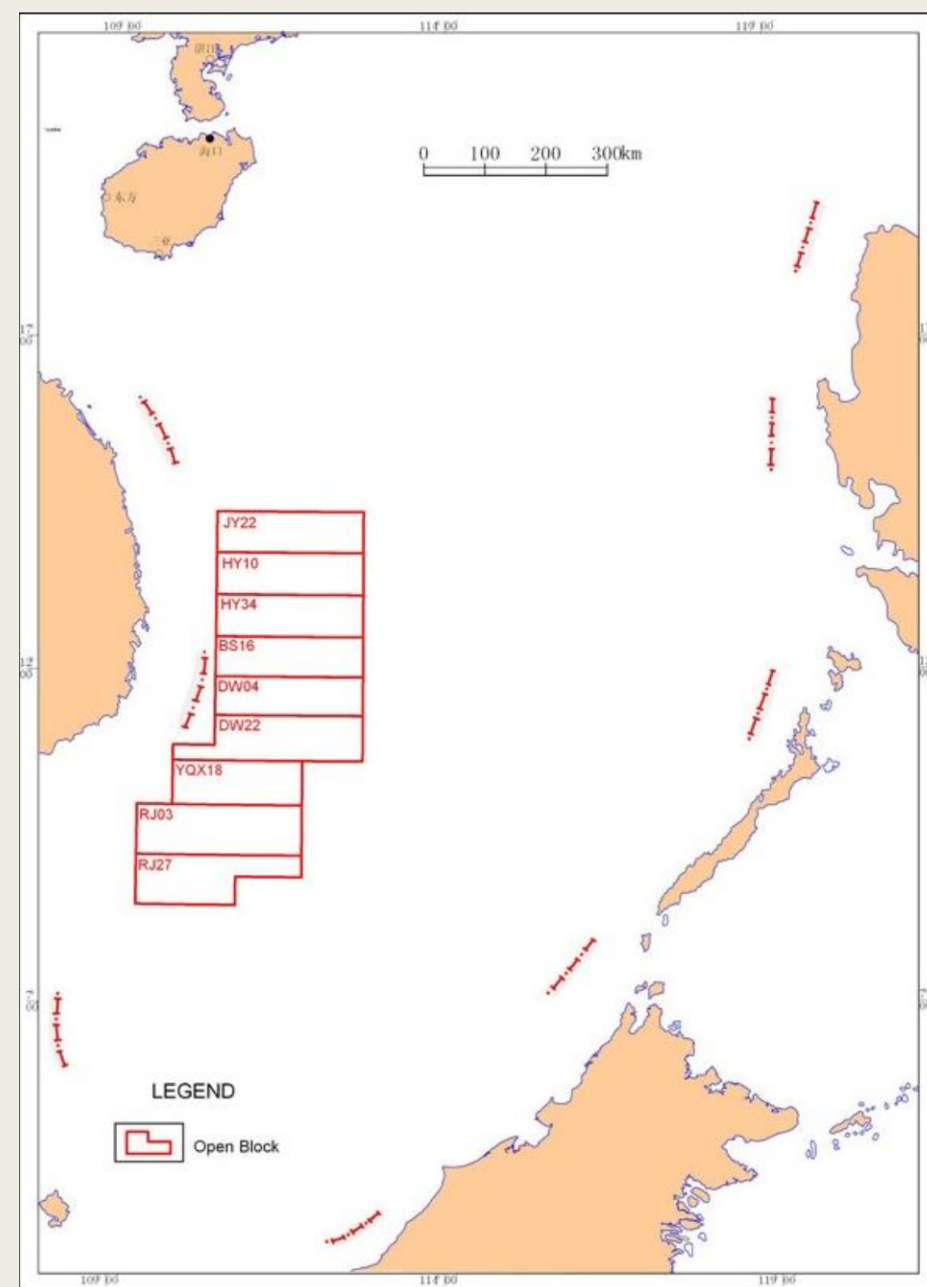
Note of the MOFA addressed to China's Embassy in Hanoi

2014

The announcement by China's Hainan Province authorities

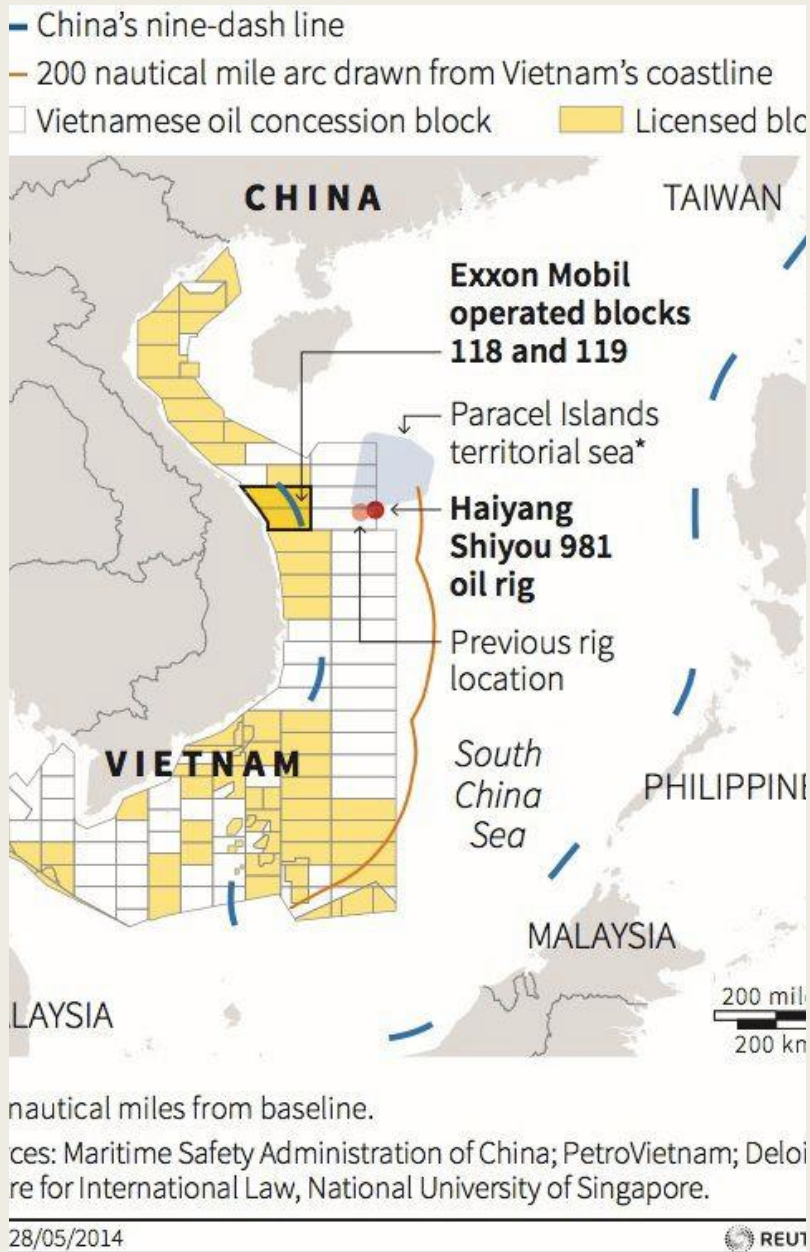
China's putative maritime jurisdiction in the area within the line

Statement of the Spokesperson of the MOFA



9 blocks CNOOC offered for international biddings(Source: Award 2016)





# In relation to China's deployment of an oil rig within Viet Nam's EEZ and CS

20 meetings of demarche with Chinese authorities

6 Letters to the UN Sec-Gen

China's deployment of Haiyang Shiyou 981 in 2014

The oil rig was operating within the EEZ and CS determined from the coast of Viet Nam

China's straight baseline in the Paracel Islands not compatible with UNCLOS

Paracel Islands under sovereignty of Viet Nam

Officially called on China to withdraw the oil rig & start negotiations with Viet Nam

Hint at possibility to use legal actions

The deployment of Haiyang Shiyou 981 (Source: Elferink)





Source: the PCA

# Statement by the Foreign Ministry to the Arbitral Tribunal in the South China Sea Case

Statement on 5 December 2014

None of features  
mentioned in the  
Philippines  
Memorial has EEZ  
and CS

Protested and  
rejected any claim  
... based on the  
'nine-dash line

Supported  
dispute  
settlement  
under UNCLOS

Reserved  
Vietnam's right  
to protect its  
legal rights and  
intervene the  
case

Affirmed the  
jurisdiction of the  
Tribunal

The decision could  
clarify the legal  
positions of the  
and interested the  
3rd parties



# Statement of the Spokesperson of the Foreign Ministry on the Award delivered by the Arbitral Tribunal



Source: the PCA

Statement on 12 July 2016

Welcomed the fact the Tribunal delivered the Award

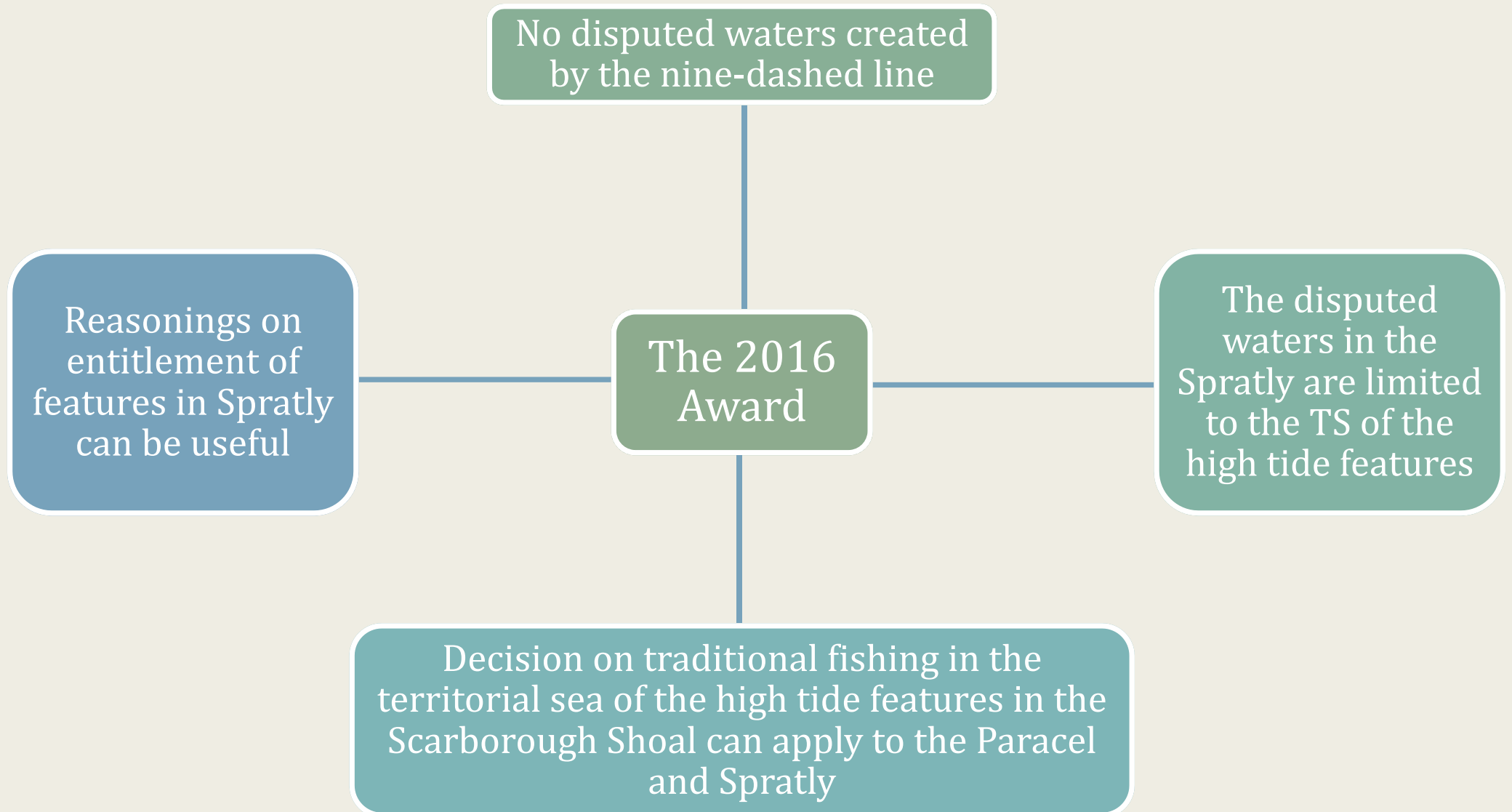
Would make a statement on the content of this Award

Supported the settlement of disputes in the South China Sea by **peaceful means** under international law, including UNCLOS

Reaffirmed sovereignty over the Paracel and Spratly Archipelagoes; legal rights and interests relating to their features.



# Comments of the Vietnamese officials on the implications of the Award





# In relation to recent military activities in the South China Sea

China's deployment of military equipment on the newly-built artificial islands



Note Verbale to China and the UN

Protested these actions

Requested to settle disputes relating to the Paracel and Spratly by negotiation, **consultation** or other means under international law

Real-fire military exercises and the US Navy's FONOP



Statement of the MFA

Respected freedoms of navigation in and flight over the South China Sea under UNCLOS

Called upon states to positively contribute to the maintenance of peace and stability, implement their obligations under the UNCLOS

Supported AMM to emphasize the importance of **non-militarization** and self-restraint in the conduct of all activities by the claimants and all other states



# Positions relating to the CBMs in the South China Sea



# In relation to the implementation of current instruments

Supported the adoption  
of the 6 Point Principles  
on the South China Sea

Full implementation of the DOC and its Guidelines

Early Conclusion of the COC

Full respect of international law, including UNCLOS

Exercise of self-restraint and non-use of force

Peaceful resolution of disputes under international law  
including UNCLOS

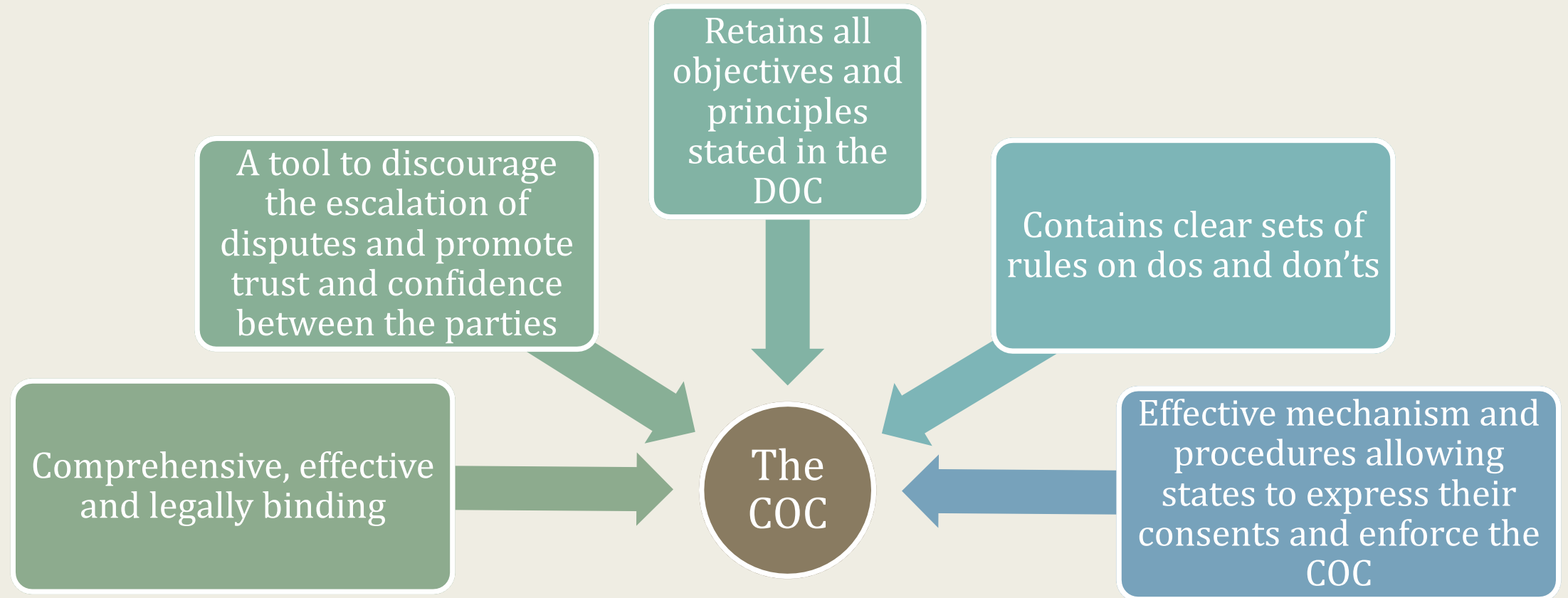
Supported the discussion  
and adoption

the guidelines for a hotline to respond to urgent incidents at sea

the ASEAN-China Statement on the Implementation of the Code for  
Unplanned Encounters at Sea



# In relation to the negotiation of the COC

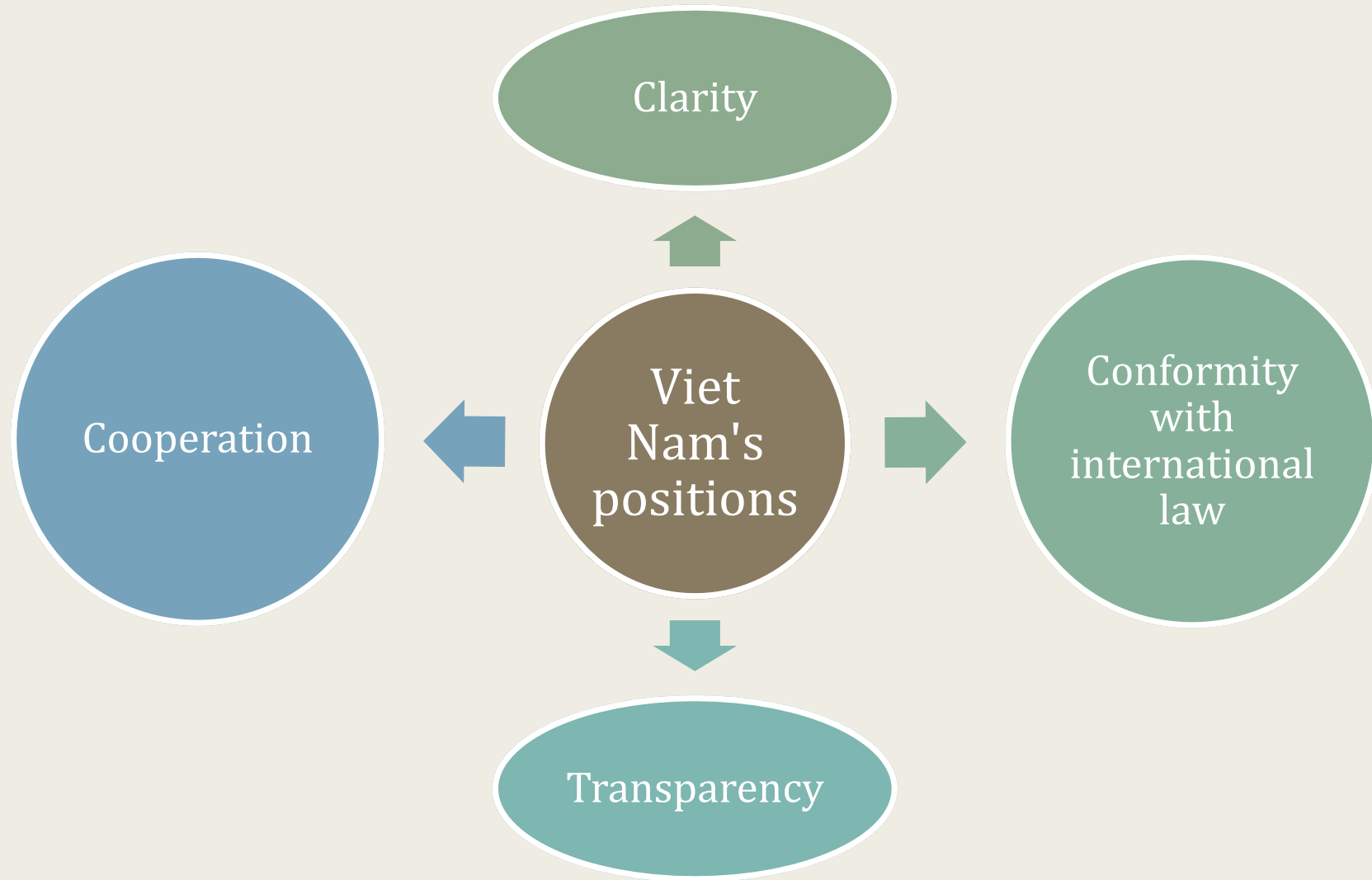


Supports the adoption of the COC Framework

Appreciates and joins efforts to work on a Single Negotiating Text



# Conclusion







THANK YOU

