

#219 UN/CN

N O T E

The Minister of Foreign Affairs of the Republic of Vietnam presents his compliments to His Excellency, the Chairman of the Security Council of the United Nations, and has the honour to bring to the attention of the Security Council the following:

On January 11th 1974, the Minister of Foreign Affairs of Communist China suddenly and falsely claimed their sovereignty over the Republic of Vietnam's archipelagos of Paracels and Spratley. Immediately on the following day, the spokesman of the Foreign Ministry of the Republic of Vietnam rejected the unfounded claim.

Inspite of this, in the last few days, the Communist Chinese authorities not only refused to withdraw their unreasonable claim, but even openly violated the territorial sovereignty of the Republic of Vietnam by sending their nationals and boats into the territorial waters surrounding the islands of Cam-Tuyen (Robert), Quan-Hoa (Duncan) and Duy-Mong (Drummond) which are parts of the Republic of Vietnam's Paracels archipelago. These people even landed on the above islands, set up huts and displayed Communist Chinese flags, in blatant violation of the sovereignty and territorial integrity of the Republic of Vietnam.

The Government and people of the Republic of Vietnam are indignant in the face of these gross violations which they are determined not to tolerate.

The fact that the Paracels and Spratley archipelagos are indivisible parts of the Republic of Vietnam's territory is evident and undeniable and is based on geographical and historical grounds as well as on international law.

Indeed, from the geographical point of view, the Paracels and Spratley archipelagos are much closer to the shores of the central part of the Republic of Vietnam than to the shores of the Chinese Hainan Island.

From the historical point of view, Vietnam was the first country to discover and develop the Paracels archipelago. According to the historical records known as Dai-Nam Nhat-Thong-Chi, Emperor Gia-long established in 1802 the Hoang-Sa Company to control and exploit that group of islands, in 1834 under Emperor Minh-Mang, the Hoang-Sa islands were recorded for the first time ever in maps published by the court of Hue, in the geographic monography known as Hoang-Viet Dia-Du.

During the French Colonial period, the Governor General of Indochina, by means of Decree No-156/SC of June 15, 1932, established the Hoang-Sa as an administrative unit within the province of Thua-Thien. This was eventually confirmed by Emperor Bao-Dai's Ordinance No. 10 of March 30, 1938.

On May 5, 1939, the Governor General of Indochina again delineated the administrative limits of the Hoang-Sa group under what was known as the "Delegation Administrative Du Croissant Et Dependances" and of the Truong-Sa group under what was known as

the "Delegation Administrative de l'Amphitrite et Dependances".

Under Vietnam's first Republic, the President of the Republic of July 13, 1961 issued Decree No-174-NK making the Hoang-Sa archipelago a part of the province of Quang-Nam instead of Thua-Thien province, and established the village of Dinh-Hai as part of the district of Hoa-Vang.

Under Vietnam's second Republic, the village of Dinh-Hai was merged with the village of Hoa-Long of the same district of Hoa-Vang (province of Quang-Nam), by virtue of Decree No-709/BNG/HC of October 21, 1969 by the Prime Minister.

All those facts to assert and exercise Vietnamese sovereignty over those island were not challenged by any country, including Communist China.

From the point of view of international law, the head of Vietnam Delegation to the 1951 San Francisco Peace Conference on September 7, 1951 declared that Vietnam recovered her sovereignty over those archipelagos, after Japan had surrendered territories it occupied by force of arms during the second world war. None among the 51 countries participating in that conference raised any objection to this reaffirmation of sovereignty by Vietnam.

From the point of view of realities, Vietnamese authorities have consistently stationed troops and exercised administrative control over those archipelagos, and the Vietnam Navy regularly patrols and supervises navigational security in the area.

In view of all the precise fact listed above, the sudden challenge by Communist China of the Republic of Vietnam's sovereignty over the Paracels archipelago and its violation of the Republic of Vietnam's sovereignty are unacceptable. They constitute a threat to the peace and security of this region.

The Government and people of the Republic of Vietnam are determined to defend their sovereignty and their territorial integrity and reserve the right to take all appropriate measures to this end.

The Republic of Vietnam considers the situation created by the above People's Republic of China's action is one which is likely to endanger international peace and security. Therefore, the Government of the Republic of Vietnam wishes to request the Security Council to take all appropriate measures that the Council deems necessary to correct the situation.

The Minister of Foreign Affairs of the Republic of Vietnam avails himself of this opportunity to express to His Excellency, the Chairman of the Security Council of the United Nations, the assurances of his highest consideration.

Signed: VUONG VAN BAC
Saigon, 16 January 1974