



HA 37/2024

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 Republic of the Philippines' Partial Submission ("Philippines' Partial Submission") to the Commission on the Limits of the Continental Shelf ("the Commission") dated 14 June 2024, has the honour to state the position of the Government of Malaysia as follows:

The Government of Malaysia categorically rejects the Philippines' Partial Submission on the basis that the Republic of the Philippines' continental margin is projected from the baselines of the Malaysian state of Sabah. This clearly disregards Malaysia's indisputable sovereignty over the state of Sabah.

The Permanent Mission of Malaysia wishes to recall its *Notes Verbales* to the Secretary-General of the United Nations HA 41/09 dated 21 August 2009 and HA 30/20 dated 27 August 2020 respectively, emphasising that Malaysia has never recognised the Republic of the Philippines' claim to the Malaysian state of Sabah.

The Government of Malaysia wholly rejects the claims by the Republic of the Philippines that the latter has legal ownership and sovereignty over the Malaysian state of Sabah. The state of Sabah has and always been an integral part of Malaysia and has been recognised by the United Nations and the international community, as part of Malaysia, since the formation of the Federation of Malaysia on 16 September 1963. The Republic of the Philippines' claim to sovereignty over Sabah is incompatible with its *erga omnes* obligation to recognise and uphold the legitimate exercise of the right to self-determination by the people of Sabah in 1963. Thus, it is clear that the Republic of the Philippines' claim to Sabah has no basis whatsoever under international law.

In view of the foregoing, it is evident that the Philippines' Partial Submission, does not conform with international law including the United Nations Convention on the Law of the Sea 1982 ("UNCLOS 1982"). Hence, the Government of Malaysia hereby respectfully requests the Commission not to examine and qualify the Philippines' Partial Submission in accordance with the relevant provisions of the Commission's Rules of Procedures Annex I.

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.



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