



**UNITED STATES MISSION TO THE UNITED NATIONS
NEW YORK**

LEGAL 2024-173

The United States Mission to the United Nations presents its compliments to the United Nations Division for Ocean Affairs and the Law of the Sea (“DOALOS”) and has the honor to refer to notes verbale: NO.D.167/2024 dated June 18, 2024, and NO. D. 240/2024 dated August 19, 2024, communicated by the Permanent Mission of the People’s Republic of China (PRC) in connection with the submission by the Philippines to the Commission on the Limits of the Continental Shelf dated June 14, 2024. The present communication concerns only the views expressed by the PRC regarding its maritime claims in the South China Sea and does not comment on the Philippines’ submission to the Commission.

In its notes verbale referred to above, the PRC asserts “sovereignty” over the “adjacent waters” of Nanhai Zhudao (South China Sea Islands) and “sovereign rights and jurisdiction over the relevant waters as well as the seabed and subsoil thereof.” The PRC also states that it “has historic rights in the South China Sea.” According to the PRC, its “maritime rights and interests in the South China Sea have been established in the long course of history,” are “consistent with international law,” and “have been recognized by the international community.”

The views expressed by the PRC pertaining to its expansive maritime claims in the South China Sea are without a factual or legal basis. Such claims have been rejected as unlawful by the United States and many other countries, as reflected in communications by States that are

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New York

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available on the website of the United Nations Division for Ocean Affairs and the Law of the Sea (DOALOS)¹ as well as in other diplomatic communications.² The United States regards the objections in those communications as applying to the assertions made by the PRC in its above-referenced notes verbales.

The United States will not repeat here the explanation for its rejection on legal grounds of the PRC's expansive maritime claims in the South China Sea, but refers to the diplomatic notes it submitted in the context Malaysia's submission to the Commission,³ along with two comprehensive *Limits in the Seas* studies published by the United States Department of State in 2014 and 2022 pertaining to the PRC's maritime claims in the South China Sea.⁴ Those documents describe the positions of the United States with respect to the assertions made by the PRC in its above-referenced notes verbales and confirm that there is no legal basis for the PRC's assertions of "historic rights" in the South China Sea or of a claim to legal entitlements deriving from "Nanhai Zhudao," which would comprise four PRC-designated island groups treated as single geographic units.

¹ DOALOS website pertaining to Malaysia's 12 December 2019 submission to the Commission on the Limits of the Continental Shelf, https://www.un.org/Depts/los/clcs_new/submissions_files/submission_mys_12_12_2019.html.

² See, e.g., *G7 Apulia Leaders' Communique* (June 14, 2024), in which the leaders of United States, Canada, Italy, Japan, Germany, France, and, in association, the European Union "reaffirmed that there is no legal basis for China's expansive maritime claims in the South China Sea"; *Joint Statement of Japan, the Republic of Korea, and the United States* (August 18, 2023), in which the leaders of the three countries referred to "the dangerous and aggressive behavior supporting unlawful maritime claims that we have recently witnessed by the People's Republic of China (PRC) in the South China Sea."

³ See DOALOS website, *supra* note 1.

⁴ *Limits in the Seas No. 143*, "China: Maritime Claims in the South China Sea," U.S. Dept of State (2014); *Limits in the Seas No. 150*, "People's Republic of China: Maritime Claims in the South China Sea," U.S. Dept of State (2022), available at <https://www.state.gov/limits-in-the-seas/>.

The United States Mission requests that this note be posted on an appropriate United Nations website.

The United States Mission to the United Nations avails itself of this opportunity to renew to the United Nations Division for Ocean Affairs and the Law of the Sea the assurances of its high consideration.



New York, December 5, 2024