



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

LEGAL 2024-174

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.229/2024 and NO.D 272/2024 dated, respectively, July 29, 2024, and October 14, 2024, communicated by the Permanent Mission of the People’s Republic of China (PRC) in connection with the submission by the Socialist Republic of Viet Nam to the Commission on the Limits of the Continental Shelf dated July 17, 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 Viet Nam’s submission to the Commission.

In its Note Verbale 272/2024, referred to above, the PRC asserts, *inter alia*, “sovereignty over Nanhai Zhudao (South China Sea Islands), including Xisha Qundao (the Xisha Islands) and Nanhai Qundao (the Nansha Islands), and the adjacent waters, and enjoys sovereign rights and jurisdiction over the relevant waters as well as the seabed and subsoil thereof. China’s sovereignty and maritime rights and interests over Nanhai Zhudao and the relevant waters have been established in the long course of history...”

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

Division for Ocean Affairs and the Law of the Sea  
Office of Legal Affairs  
United Nations  
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**DIPLOMATIC NOTE**

United States and many other countries, as reflected in communications by States that are available on the website of the UN Division for Ocean Affairs and the Law of the Sea (DOALOS)<sup>1</sup> as well as in other diplomatic communications.<sup>2</sup> The United States regards the objections in those communications as applying to the assertions made by the PRC in its above-referenced note verbale.

In the interest of brevity, 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,<sup>3</sup> 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.<sup>4</sup> Those documents describe the positions of the United States with respect to the assertions made by the PRC in its above-referenced note verbale.

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

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<sup>1</sup> 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](https://www.un.org/Depts/los/clcs_new/submissions_files/submission_mys_12_12_2019.html).

<sup>2</sup> 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

"reaffirm[ed] 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."

<sup>3</sup> See DOALOS website, supra note 1.

<sup>4</sup> *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 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