

(Translation)

The Permanent Mission of the People's Republic of China to the United Nations presents its compliments to the Secretary-General of the United Nations and, with reference to the Notes Verbales SF/JJ No.2025-0096343, Nr.113/2025 and UK NV No.052/25 dated March 10 2025 addressed to the Secretary-General of the United Nations by the Permanent Missions of France, the Federal Republic of Germany and the United Kingdom of Great Britain and Northern Ireland to the United Nations respectively, has the honor to state China's position as follows:

1. The international law of the sea is under a process of constant development and enhancement. The United Nations Convention on the Law of the Sea (UNCLOS), which was adopted in the 1980s, does not cover all matters of the maritime order. The eighth paragraph of the preamble of UNCLOS provides that "matters not regulated by this Convention continue to be governed by the rules and principles of general international law." All parties should faithfully, comprehensively and correctly interpret and apply the rules of the international law of the sea, including UNCLOS, in an objective and just spirit. Any partial interpretation or application of UNCLOS is unjust and unlawful, and is driven by ulterior motives.

2. It has long been established in general international law that an archipelago constitutes a legal whole. In the course of concluding UNCLOS, the question of outlying archipelagos of continental States was shelved and not addressed in UNCLOS. After UNCLOS entered into force, this question continues to be governed by general international law.

The long-established practice regarding continental States' outlying archipelagos in international law should be respected.

3. Although UNCLOS does not explicitly define the specifics of historic rights, it does not exclude, still less deny those rights that were already established prior to it and are continuously claimed. Moreover, the repeated references to "historic bays" and "historic titles" in UNCLOS demonstrate its respect for and recognition of historic rights.

4. The South China Sea is one of the safest and freest sea lanes in the world. Freedom of navigation and overflight in the South China Sea has never been a problem. No country has come up with any concrete example of its freedom of navigation and overflight being affected in the South China Sea. Certain countries, under the pretext of freedom of navigation and overflight, engage in reckless behavior and provocations in the South China Sea, disregarding the legitimate rights and interests of others. This is the primary challenge currently facing the situation in the South China Sea.

5. It is legitimate, lawful and beyond reproach for countries to carry out normal construction activities on their own territory in accordance with international law, including the U.N. Charter.

6. The Arbitral Tribunal in the South China Sea Arbitration, in contravention of the basic principle of state consent in international law, acted ultra vires and rendered the award in distortion of law, with evident errors in both the determination of facts and the application of law. Consequently, the award it issued is illegal, null and void, and has no binding force.

China always seeks to resolve relevant disputes through negotiation and consultation with the countries directly concerned in the South China Sea. China stands ready to work with ASEAN countries to fully and effectively implement the Declaration on the Conduct of Parties in the South China Sea (DOC), actively advance the consultations on the Code of Conduct in the South China Sea (COC), strive to conclude the COC at

an early date, and jointly maintain peace and stability in the South China Sea.

The Permanent Mission of the People's Republic of China to the United Nations has the honor to request that this letter be circulated by the Secretary-General of the United Nations to all States Parties to UNCLOS and all Member States of the United Nations.

The Permanent Mission of the People's Republic of China 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.

(Seal)

New York, 8 April 2025

H.E Mr. António Guterres
Secretary-General
United Nations
New York