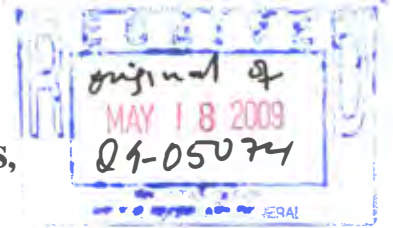


(Disc. Org "M")

**LETTER TO HIS EXCELLENCY BAN KI-MOON,  
SECRETARY-GENERAL OF THE UNITED NATIONS,  
REGARDING VIETNAMESE  
SOVEREIGNTY IN THE SOUTH CHINA SEA**



May 12, 2009

H.E. Ban Ki-moon  
Secretary-General  
The United Nations  
1 United Nations Plaza  
New York, NY 10017

Dear Secretary-General,

In a common endeavor of the Vietnamese people of all walks inside and outside Vietnam to defend the integrity of Vietnam's land and sea boundaries, we, the undersigned major organizations, mass movements and communities representing a broad section of the Vietnamese people, both at home (86 million) and abroad (3 million), who are concerned about encroachments on Vietnamese sovereignty over the years by the People's Republic of China, a powerful hegemonic power next door, would like to make our case as follows.

May 13 is the deadline for Vietnam to present to UNCLOS Vietnamese claims to its parts of sovereignty in the South China Sea, more accurately and historically called Eastern Sea by the Vietnamese people. It is our understanding that on May 6 Hanoi has together with Malaysia submitted its definitions of Vietnam's territorial waters in the southern part of the country, including its Exclusive Economic Zone (EEZ) but not including its Extended Continental Shelf (ECS). In this joint claim with Malaysia, the Socialist Republic of Vietnam informed the commission that "*there are unresolved disputes*" in the southern part of the South China Sea. (\*)

Then, on May 7 Hanoi submitted its claims related to the northern part of the South China Sea. In this claim which relates to China's claim in the same area, Hanoi, although recognized that there are "overlapping interests" between "related costal States", but still declared that there is *absence of disputes* in this area. This is clear evidence that Hanoi has sacrificed Vietnam's traditional and undisputed claims to the Hoang Sa (Paracel) Islands. Also on May 7, China sent an official note to the Commission requesting it not to consider Vietnam and Malaysia Joint Submission on the southern part of the South China Sea. (\*)

Under such new circumstances, we would like to convey to you, Your Excellency, our two viewpoints:

1. We reject Hanoi's declaration of absence of disputes with China. We declare to you that there are overlapping interests and unresolved disputes between Vietnam and China in both the northern and southern parts of the South China Sea.
2. We request that UNCLOS not consider China's claim on the South China Sea until the disputes between coastal States in the region are resolved by international related agencies.

Given the aforementioned understanding and background, respecting the deadline as set by the UNCLOS, we would like to submit to you this statement in view of the urgency of this claim. This statement symbolizes the will of the Vietnamese people, who consider it our sacred duty to protect what is rightfully ours as bequeathed by our forefathers, especially when the communist government of Vietnam has failed in its responsibility in this regard. We would like to explain this further with the following specific details:

- As early as 1956, Hanoi's Foreign Minister Ung Van Khiem accepted China's claims to the Hoang Sa (Paracel) and Truong Sa (Spratly) Islands.
- Apparently basing itself on such verbal concessions, on 4 September 1958, Beijing published a map of the South China Sea in which it drew a "dragon's tongue" lapping up almost the whole international water of this region.
- On 14 September 1958, Premier Pham Van Dong of the then Democratic Republic of Vietnam (DRV) sent an official letter to Chinese Premier Minister Zhou En-lai, confirming the DRV's recognition of the Chinese claims.
- This is an illegal recognition since, following the Geneva Agreements that partitioned Vietnam in 1954, the Paracel and Spratly Archipelagoes belonged to the Republic of Vietnam (RVN) and thus were not something within Mr. Pham's power to give away. Nonetheless, today Beijing bases itself on such illegal instruments to support its claim to the two archipelagoes which it took by force, in January 1974 and in March 1988.
- In 1999, Beijing forced Hanoi into an unequal border treaty in which the latter lost at least 720 square kilometers of territory near the China border, including such historically renowned landmarks (Nam Quan Pass) and beautiful landscapes (the Ban Gioc waterfalls).
- A second unequal treaty was forced on Hanoi the following year (2000), in which Hanoi lost another 11,000 square miles of territorial waters in the Gulf of Tonkin. This was followed by a fishing treaty, in which the Vietnamese lost a good many of their traditional fishing grounds. Worse, in recent years there were several incidents in which the Chinese navy shot (to death) unarmed Vietnamese fishermen when the latter inadvertently found themselves in these traditional fishing grounds.
- What is unfair and therefore unacceptable is that while China protects its illegally acquired islands and neighboring waters, allowing foreign oil companies to explore oil and gas reserves and other resources under the water, it forbids or prevents these same companies to strike similar deals with Vietnam even in recognizably Vietnamese waters, asking that they be shared with China.

It is clear that China's encroachments into Vietnamese territorial waters make for an explosive situation which at any moment might kindle into a hot conflict. Such a conflict would vastly complicate the situation of international shipping throughout the South China Sea, severely affecting (maybe, even crippling) the economy of such countries as Japan, South Korea, Taiwan, Vietnam, Singapore, Malaysia, Indonesia and the Philippines. In other words, it would be a blow to regional stability and even world peace. It is for that reason that we appeal to you, Your Excellency, to use your personal prestige and the weight of the United Nations to intervene while there is still time to stop such a tragic development to occur.

At the same time, we expect that the United Nations, through Your Excellency and through UNCLOS, would take note of the legitimate claims of the Vietnamese people to their fair share of sovereignty over the South China / Eastern Sea, namely:

1. The traditional 12-mile band of coastal waters surrounding Vietnam, counting from the base shoreline at low tide.
2. The Exclusive Economic Zone (EEZ) 200-mile band off the coast of Vietnam in which Vietnam should have the right to exploit both fishing and underwater resources on its continental shelf such as oil and gas and minerals; and
3. The Extended Continental Shelf (ECS) which can go up to the maximum 350 miles of continental shelf gradually extending from the coast of Vietnam, which clearly would affect the Hoang Sa (Paracel) Islands (160 miles from the Vietnamese coast), which historically have always belonged to Vietnam, and a good part of the Truong Sa (Spratly) Archipelago (190 miles from the Vietnamese coast).

These are claims that we would like to make on behalf of the Vietnamese people even in case Hanoi has registered them with UNCLOS. Having failed in the past to protect the legitimate territorial rights of the Vietnamese people, the current Hanoi government is therefore *prima facie* suspect to be beholden to China. And as any government lacking legitimacy (having never been elected through a fair and open democratic process), Hanoi will undoubtedly undermine Vietnam's case, we are convinced that we need to clearly make the case to the international community: that all Vietnamese are ready, if need be, to defend our legitimate claims now and in the future, and we will not stop until these rights are recognized—for the sake of our independence and territorial integrity as well as for the collective security of that part of the world.

Written on this twelfth day of May Two Thousand and Nine

SIGNED AND SUBSCRIBED TO BY THE FOLLOWING ORGANIZATIONS, MASS MOVEMENTS AND COMMUNITIES OF FREE VIETNAMESE BOTH INSIDE AND OUTSIDE OF VIETNAM:

- List of Signatures enclosed

CC:

- UN Security Council
- UNCLOS

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**(\*) Reference links to Vietnam's Submissions**

May 6 Submission

[http://www.un.org/Depts/los/clcs\\_new/submissions\\_files/submission\\_mysvnm\\_33\\_2009.htm](http://www.un.org/Depts/los/clcs_new/submissions_files/submission_mysvnm_33_2009.htm)

May 7 Submission:

[http://www.un.org/Depts/los/clcs\\_new/submissions\\_files/submission\\_vnm\\_37\\_2009.htm](http://www.un.org/Depts/los/clcs_new/submissions_files/submission_vnm_37_2009.htm)

# LIST OF SIGNATURES

## Political Parties

### In Vietnam

1. 8406 Bloc, Vietnam (Rev. Phan, Van Loi - Representative, inside Vietnam)
2. The Non-Violent Movement for Human Rights in Vietnam (Nguyen, Dan Que - Founder)
3. The People's Democratic Party (Do, Thanh Cong – Spokesperson)
4. Twenty First Century Democratic Party of Vietnam (Tran, Khue - Representative, inside Vietnam)
5. Vietnam Democracy and Human Rights Alliance (Do, Nam Hai - Representative, inside Vietnam)

### Overseas

6. Alliance for Democracy in Vietnam (Nguyen, Quoc Nam - Chairman of the Executive Committee)
7. Alliance for the Restoration of Vietnam (Nguyen, Huu Thiet - Representative)
8. Đại Việt Party, Northern California (Viet S. Ton)
9. Dai Viet Revolutionary Party (Nguyen, Van Lung – First Vice Chairman)
10. Engagement Youth Movement (Ly, Viet Chuong – President)
11. National Congress of Vietnamese Americans (Nguyen, Ngoc Bich -Chairman)
12. New Dai Viet Party (Nguyen, Ngoc Sang - Chairman)
13. The International Committee to Support the Non-Violent Movement for Human Rights in Vietnam (Nguyen, The Binh - Chairperson)
14. The Vietnamese People Alliance (Huynh, Trung Đạo - Representative)
15. Viet Tan (Do, Hoang Diem - Chairman)
16. Vietnam Democratic Revolution Movement (Tran, Hung Đại Viet – President)
17. Vietnam National Party (Tran, Tu Thanh - Chairman, Overseas Coordinating Council)
18. Vietnam Restoration Party (Tran, Quoc Bao - Chairman)
19. Vietnamese Peoples' Action Movement (Pham, Ngoc Trung – Chairman)

## Professional Organizations

### Australia

20. Australian Alliance to Combat Human Trafficking (AusACT) (Ms. Le, Pham Y Anh – President)
21. Family of Dalat Military Academy (Đo, Van Tri – Family Head)
22. Hoa Hao Buddhism Association (Tang, Van Ngo – Chairman)
23. Hoa Hao Buddhism in Victoria (Huynh, Van Trang, Chairman)
24. Hung Vuong Vietnamese language School. West Australia (Pham, Phuoc Hai - Principal)
25. Lam Son Martial Arts Academy, South Australia (Master Ho, Ngoc Toan)
26. Southern Sky Weekly Newspaper (Pham, Thien Phu – Editor)
27. Tao Phung Club, South Australia (Tran Cong, President)
28. The Australian Vovinam – Viet Vo Dao Association Inc (Master Le, Thanh Nhan)
29. The Republic Of Vietnam Veterans Association Of WA – Australia (Nguyen, Van Thanh – President)

30. The Vietnamese National Military Academy Alumni Association In WA – Australia (Nguyen, Thanh Phuc - President)
31. The Vietnamese Women Association of WA – Australia (Dong, Kim Hong – President)
32. Thu Duc Military Friendship Association of QLD-Australia (Pham, Phuong –President)
33. THU DUC Vietnamese Military Association of WA – Australia (Nguyen, Le Thanh – President)
34. Committee to Erase Dharma Persecution, West Australia (Nguyen, Hoa –President)
35. Vietnamdo Martial Art/QLD (Master Hoang, Su)
36. Vietnamese Alumni Association in Australia (Le, Dinh Anh – President)
37. Vietnamese Catholic Community in Western Australia (Mr. Pham Duc Tuan, Vice President)
38. Vietnamese Parents Association in South Australia (Le, Quang Tin -President)
39. Vietnamese Students Association of Australia (Nguyen, Ba Vuong -President)
40. Vietnamese Veterans Association of Victoria (Nguyen, Viet Long – President)
41. Vietnamese Woman Association in QLD (Loan Dang, President)
42. Vietnamese Women Association in Australia, Victoria Chapter (Ms. Vo, Hong - President)
43. Vietwave Youth Group Sydney (Ms Kim Pham, President)

#### **Canada**

44. The Vietnamese Canadian Seniors Society of Greater Vancouver (Nguyễn Văn Thông - Representative)
45. Vietnamese Canadian Veterans Association in British Columbia (Nguyen, The Dung, President)

#### **Europe**

46. Amicale des Vietnamiens de Limousin, France (Tran, Van Phuoc – Président)
47. Amicale des Vietnamiens de Sarcelles, Paris (Le, Manh Hung – Président)
48. Association des Jeunes Vietnamiens de France (Nguyen Ngoc Liem – Président)
49. Association des Jeunes Vietnamiens de Paris (Nguyen Trac Viet – Président)
50. Association France Vietnam d'Entraide – AFVE (Bui, Xuan Quang – Président)
51. Association of older Vietnamese refugees in Norway (Do Duy Huynh - Chairman)
52. Association of Vietnamese Catholics in Germany (Nguyen, Van Ri - Chairman)
53. Association of Vietnamese Democrats in Berlin & Brandenburg (Nguyen, Van Muon – Chairman)
54. Association of Vietnamese Free in Niederrhein (Thanh Van Le – Chairman)
55. Association of Vietnamese Refugees in Bremen e.V (Nguyen, Manh Tuan – Chairman)
56. Association of Vietnamese Refugees in Nürnberg & Mittelfranken (Bui Van Tan – Chairman)
57. Association of Vietnamese Veterans in Switzerland, Former Armed Forces of The Republic of (South) Vietnam (Tran, Huu Kinh - President)
58. Association of Vietnamese Women Free in Germany (Pham Bich Thuy - Chairwoman)
59. Brothers Publication House, Norway (Nguyen, Thi Vinh)
60. Buddhist and Culture Association in Rogaland.
61. Committee to Support Democracy for Vietnam (Bui, Duc Hoat – Chiarman)
62. Committee to Support Human Rights in Vietnam (Rogaland)
63. Committee to Support the Democracy Movement in Vietnam, Aarhus, Denmark (Huynh, Quoc Huy - Chairman)
64. Community of Vietnamese Refugees in Recklinghausen (Phan Tam - Chairman)
65. Community of Vietnamese Refugees in Taastrup, Denmark (Le, Quang Toan - Chairman)
66. Family of RVN Cadres, Soldiers and Civil Servants (Le, Quang Ke – President)

67. Free Nationalist Vietnamese Community in France (Phan, Khac Tuong - Secretary General)
68. St. Maria Diocese in Holland (Rev. Giuse Tran, Duc Hung)
69. La Vang Community in Aarhus, Denmark (Tran, Viet Khoai - Chairman)
70. Mission Catholique Vietnamienne en Suisse Alémanique, au Tessin et au Liechtenstein (Père Joseph Pham, Minh Văn- Directeur)
71. Organization for the Affairs of Vietnam Refugees in the Federal Republic of Germany e.V (Pham Cong Hoang - Chairman)
72. Phan Boi Chau Youth Group, Moss và Rygge (Đon, Văn Huy – Representative)
73. Saigon Public Service Book House, Norway and Canada (Y Nga).
74. The Coordination Committee of the Activities of the Vietnamese in Germany (Nguyen, Van Thanh - Chairman).
75. The Lac Hong (Đinh, Kim Hằng – Representative)
76. TNT-VietMedia Group, Aarhus, Denmark (Truong, Ngoc Khanh-Chairperson)
77. Trung Vuong Women Association (Truong, Thi Bach Tuyet - President)
78. Unified Buddhist Church of Vietnam in Denmark (Ven. Thich Giac Thanh)
79. Unified Buddhist Church, Europe (HT Thích Minh Tâm – President)
80. Vietnam Center for Human Rights, Paris (Tran, Thanh Hiep - President)
81. Vietnam Professional Society at Rogaland.
82. Vietnam Republic Organization (Vu-Duy Toai - Representative)
83. Vietnam Tradition Preservation Association, Moss và Rygge (Tran Buu Tho - Chairman)
84. Vietnamese Anti-Communist Refugees Community in Holland (Nguyen, Lien Hiep – President)
85. Vietnamese Association, Lausanne (Tran, Xuan Son- Chairman)
86. Vietnamese Canadian Federation (Ngo, Van Ut – Secretary General)
87. Vietnamese Catholic Community in Aarhus, Denmark (Nguyen, Kim Huong - Chairwoman)
88. Vietnamese Community in Australia (Nguyen, The Phong - President)
89. Vietnamese Community in Bayern, Germany (Ly, Van Xuan -Representative)
90. Vietnamese Community in Liege (Le, Huu Dao- Chairman)
91. Vietnamese Cultur Association, Aarhus, Denmark (Dinh, Nam Hoa - Chairman)
92. Vietnamese League for Human Rights Based in Switzerland (Hoàng, Nguyễn - Delegate)
93. Vietnamese Mentor Group, Aarhus, Denmark (Vu, Viet Khanh)
94. Vietnamese Norwegian Center in Rolf Løvstrøm
95. Vietnamese Professionals Society, Swiss Chapter (Luong, Minh Duc-Chairman)
96. Vietnamese Readers Association, Norway (Nguyen, Huu Nhat).
97. Vietnamese Refugees Association in Oslo và and East Norway (Nguyen, Minh Tuan – President)
98. Vietnamese Refugees Association in Stavanger.
99. Vietnamese Refugees Community in Hillegom and Vicinity (Le, Ngoc Minh – President)
100. Vietnamese Refugees' Association in Hamburg (Tran, Ngoc Tiến –Chairman)
101. Vietnamese Women RefugeesHAssociation in Norway (To, Thi Bay)
102. Vietnamese Catholic Cultur Association in Aarhus, Denmark (Huynh, Huu Long – Chairman)
103. Volunteer Youth Group (Luu, Phat Tan – Representative)

#### USA

104. Atlanta Committee to Support Democracy Movement in Viet Nam (Kim Trong, President)
105. Campaign Committee for the VN-US Soldiers Statue in Florida (Chu, Bá Yên – President)
106. Catholics Community, Jacksonville – FL (Cao, Tan Phuong – President)

107. Committee of Vietnamese for the Fatherland's Integrity (Truong, Nhu Phung -and Đang, Quoc Viet)
108. Committee to Support Democracy in Vietnam (Pham, Quoc Hung, President)
109. Committee for Fatherland's Integrity of Northern California (Le, Thanh Tung - President)
110. Florida Việt Báo (Chu, Ba Yen – Editor)
111. Former RVN Soldiers, South Florida (Nguyen, Kim Son –President)
112. Former Soldiers, Cadres and Civil Servants Association, Jacksonville, FL (Le, Đình Qui – President)
113. Former Vietnamese Veterans Association (Truong, Nhu Phung)
114. Former Vietnamese Veterans Association of Houston, Texas (Luu, Qui Tung)
115. Freedom and Democracy Forum, Los Angeles, CA (Nguyen, Duy Nghieu – Representative)
116. HO Friendship Association (Huyynh, Cong Khanh – President)
117. Hung Vuong Temple, San Diego, CA (Tran, Van Hoach – President)
118. International Institute for Vietnam (Doan, Viet Hoat - Chairman)
119. Jacksonville Committee to Support Freedom and Democracy in Vietnam (Le, Thanh Nhon – President)
120. Lavang Maria Catholic Community, Sarasota, Fl. (Nguyen, van Bon – Representative)
121. Phan Boi Chau Youth Organization (Le, Van – President)
122. Southeastern USA Catholics (Nguyen, Tien Canh, President)
123. Union of Vietnamese Student Associations of Southern California (Ly, Vinh Phong - Vice President for External Affairs)
124. Vietnam Council for the Integrity of the Fatherland (Doan, The Cuong - President)
125. Vietnam Heritage Foundation (Trịnh Minh Đức, Chủ Tịch)
126. Vietnam Human Rights Network (Nguyen, Thanh Trang – President)
127. VietnAmerica (Phạm Văn Thanh, Chủ Tịch)
128. Vietnamese American Women Association for Free Việt Nam (Luu, Ngoc Dinh – Chairperson)
129. Vietnamese Chamber of Commerce in San Diego (Ngo, Khanh – President)

### **Community Organizations - Worldwide**

130. Asian Community in Riverside, CA (Le, Quang Tich - President)
131. Federation of Vietnamese Americans, Northern California (Hoang, The Dan - President)
132. US Vietnamese Community (Nguyen, V. Tan – President, epresentative Board; Nguyen, Bac Ai – President, Executive Board; Trương, Ngọc Tích- President, Board of Inspectors)
133. Vietnamese American Community in Southern California (Nguyen, Tan Lac - President)
134. Vietnamese Community in Central Florida (Luu, Tuoi – President)
135. Vietnamese Community in Dallas (Thai, Hoa To – President)
136. Vietnamese Community in Florida (Đồng Thanh, President; Trần, Minh Trung - President, Board of representatives)
137. Vietnamese Community in Florida (Le, Thanh Lien – President)
138. Vietnamese Community in Hawaii (Ma, Tong – Secretary General)
139. Vietnamese Community in Jacksonville, Fl. (Hoang, Cam – President)
140. Vietnamese Community in Lancaster, PA (Le, Van Chieu – President)
141. Vietnamese Community in Michigan, IL. (Pham, Van Thanh- President)
142. Vietnamese Community in Pensacola, Fl. (Justin Phan, President)
143. Vietnamese Community in Pomona Valley, CA (Vo, Đình Huu - President)

144. Vietnamese Community in San Diego (Nguyen, Van Luc – President)
145. Vietnamese Community in Tampa Bay, Fl. (Vu, Dinh Vuong – President)
146. Vietnamese Community in Washington DC, Maryland and Virginia (Do, Hong Anh - President)
147. Vietnamese Community of Georgia (Le, Van Thanh - President)
148. Vietnamese Community of Sarasota, Florida (Nguyen, Van Hien – President)
149. Vietnamese Community, North California (Nguyen, Ngoc Tien – President)
150. Vietnamese Refugee Community of Los Angeles County (Nguyen, Long – President)