

《Vietnam fooling no one》

Hanoi should stop fabricating evidence and trying to renege on its recognition that Xisha Islands are part of China's sovereign territory

Continuous actions taken by Vietnam since early May disturbing the normal drilling of a Chinese oil rig in the waters off Zhongjian Island, which belongs to China's Xisha Islands, have compromised China's sovereignty, sovereign rights, right of jurisdiction and the safety of the operating platform.

Given that its rashness has enlisted the support of the United States, Japan and the Philippines and has also caught the eye of some other countries, Hanoi has thus tried to play up the so-called Xisha Islands dispute by holding press conferences and listing heaps of specious historical and legal bases to boost its groundless claims.

How big an appetite on Earth does Vietnam have for the islands, reefs and natural resources in the South China Sea? How self-contradictory is Vietnam's fabricated "historical and legal evidence" which is full of laws?

Vietnam has presented to the international community an image of being weak while its vessels have intentionally crashed into China's vessels near the site of the Chinese oil rig. Those Hanoi sympathizers may have been blinded to the fact that Vietnam has claimed sovereignty over almost all the islands and reefs in the South China Sea. The 215 oil and gas blocks claimed by the Vietnamese government in the South China Sea are sufficient to expose Hanoi's ambitions for exclusive occupation of South China Sea resources and its impulse to turn the waters into the "sea of Vietnam".

The Xisha Islands were already included into the scope of China's sovereign jurisdiction at least by the 10th century. Even during the 1930s, a time when China's national strength had fallen to an unprecedented weak position and during which China suffered from Japan's large-scale invasion, the Chinese government still filed protests against the illegal occupation of some of its South China Sea islands by the French colonial authorities. From 1934 to 1935, a committee was co-established by China's ministry of foreign affairs, ministry of internal affairs and naval headquarters. The committee made a special examination on various islands in the South China Sea, renamed the islands and reefs, and published an official map on which the Dongsha, Xisha, Zhongsha and Nansha islands were explicitly marked as China's territory.

Japan usurped from China the Xisha Islands in 1939, but after Tokyo's surrender in 1945, in accordance with the Cairo Declaration and other binding international documents, the Chinese government recovered its sovereignty over a series of China's territories including the Xisha and Nansha islands "stolen" by Japan. The Chinese government sent a flotilla of warships to the Xisha Islands in November 1946 and the Nansha Islands in December 1946 to take over the sovereignty of the islands and erecting some monuments on them. Some Chinese soldiers were also left on these islands for defense.

On September 4, 1958, the government of the People's Republic of China issued a statement, declaring 12 nautical miles as its territorial sea, and made it explicit that "this provision applies to all of its territories, including its Dongsha, Xisha, Zhongsha and Nansha islands as well as other islands whose sovereignty belongs to China". Following the statement, the Vietnamese prime minister Pham Van Dong sent a verbal note to Chinese premier Zhou Enlai, solemnly expressing that the government of the Democratic Republic of Vietnam "recognizes

and endorses "the Chinese government's statement and "respects" such a decision by the Chinese government.

The said note is not the only evidence of the Vietnamese government's recognition of the Xisha Islands being part of China's territory through diplomatic or other official channels. During a meeting with the charge d'affaires of the Chinese embassy in Vietnam on June 15, 1956, the Vietnamese deputy foreign minister explicitly expressed that "from a historical perspective and based on the documents from the Vietnamese side, the Xisha Islands should belong to China's territory".

Following the drawing of a "theater of war" by the US government, the Vietnamese government issued a statement on May 9, 1965, saying that US president Lyndon Johnson's inclusion of "the entire Vietnam, 100 nautical miles off its coasts as well as some waters of the territorial sea of China's Xisha Islands" as the "theater of war" for the US armed forces, constitutes a direct threat to the security of Vietnam and its neighboring country. The above official stance of the Vietnamese government toward China's sovereignty over the Xisha Islands was also reflected in its official maps, newspapers, journals and textbooks. As a matter of fact, the Vietnamese government never changed this stance until its south-north reunification in 1975.

According to the principle of equitable estoppel of international law, the Vietnamese government cannot overturn its previous official stance on the sovereignty of the Xisha Islands. The attempt by the Vietnamese government to reinterpret Pham Van Dong's verbal note will be futile. On the one hand, the note is not the only official evidence of Vietnam's recognition of Xisha Islands as a part of China's territory. On the other hand, according to the principle of "the land dominates the sea", the right of sovereignty over the territorial sea of a coastal state originates from its sovereignty over its land or islands. Thus, Pham Van Dong's recognition and respect to China's 12-nautical miles territorial sea inevitably indicates its recognition and respect of China's sovereignty over the Xisha Islands.

The so-called dispute over the Xisha Islands has been completely concocted by Vietnam in the otherwise peaceful South China Sea. In recent years, the Vietnamese government has repeatedly claimed that "China occupied the Xisha Islands by force in 1974, which was an act of aggression and a violation of the UN Charter and the basic norms of international law". But China's self-defense against South Vietnam on the Xisha Islands in 1974 is not a remote episode whose truth should be known by everyone. Modern international law prohibits the unlawful use of force in resolving international disputes, but according to Article 51 of the UN Charter, a sovereign state has the right of self-defense to maintain its territorial integrity. China's self-defense against South Vietnam in 1974 came after its illegal attempt at occupation of China's Xisha Islands. The truth of this fact allows no distortion.

The Vietnamese government should not go back on its commitments on such big issues as territorial sovereignty. Otherwise, how can it build its national reputation in the international society?

It is now also time for Vietnam to account to China and the international society for its successive armed occupation of 29 islands and reefs affiliated to China's Nansha Islands since the 1970s, which is an obvious renegade of its own recognition of the Nansha Islands as a part of China's territory.