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REVIEW OF THE IMPLEMENTATION OF THE
DECLARATION ON THE STRENGTHENING OF
INTERNATIONAL SECURITY

SECURITY COUNCIL
Thirty-seventh year

Letter dated 17 March 1982 from the Permanent Representative of Viet Nam
to the United Nations addressed to the Secretary-General

With reference to the letter of the Permanent Mission of China dated 8 March 1982 (A/37/110-S/14898) concerning the so-called "attack on Chinese fishing boats by Vietnamese naval vessels", I have the honour to forward herewith the note of 5 March 1982 sent by the Foreign Ministry of the Socialist Republic of Viet Nam to the Embassy of the People's Republic of China in Hanoi regarding the intrusion of about 40 armed boats into Vietnamese territorial waters (annex I) and a report by Viet Nam News Agency dated 10 March 1982 containing the confessions of the captain of the Chinese boat number 108 who was arrested after his intrusion into Vietnamese territorial waters (annex II).

These documents prove that the charges made by the Chinese Foreign Ministry are entirely groundless and that it is the Beijing authorities who have committed acts of intrusion into Vietnamese territorial waters and have engaged in premeditated espionage against Viet Nam's security in flagrant violation of international law. This is why I categorically reject the charges made by the Chinese side in the above-mentioned note.

I kindly request Your Excellency to have this note and its enclosures circulated as an official document of the General Assembly, under items 35 and 59 of the preliminary list, and of the Security Council.

(Signed) HA VAN LAU
Permanent Representative of the
Socialist Republic of Viet Nam
to the United Nations

* A/37/50.

ANNEX I

N O T E

SENT BY THE FOREIGN MINISTRY OF THE SOCIALIST REPUBLIC
OF VIET NAM TO THE EMBASSY OF THE PEOPLE'S REPUBLIC OF
CHINA IN HA NOI

On March 2 and 3, 1982, about 40 Chinese armed boats intruded into the Vietnamese territorial waters 4 to 10 nautical miles off the coast and from East of the Ron River to North of Con Co Island in Binh Tri Thien province. The boats carried out acts of espionage and provocation, thus preventing Vietnamese fishermen from engaging in normal activities of earning their livelihood.

The Ministry of Foreign Affairs of the Socialist Republic of Viet Nam sternly condemns this Chinese serious act which constitutes an encroachment on Viet Nam's sovereignty over its territorial waters and a threat to its security and resolutely demand that the Chinese side put an immediate end to such acts.

The Vietnamese people are determined to exercise their legitimate right to self-defence to safeguard their sovereignty and territorial integrity. The Chinese side must bear full responsibility for all consequences of its hostile acts against Viet Nam.

HA NOI March 5, 1982.

ANNEX II
CONFESSIONS BY CHINESE SEA INTRUDERS

HANOI VNA MARCH 10 -- "We confess having encroached upon Vietnamese waters" and "We confess having arms hidden under dining tables".

These confessions came from Chen Guanchang, captain of the Chinese boat bearing number 108 captured on March 3, 1982 within the territorial waters of the Socialist Republic of Viet Nam, at a place seven nautical miles East of the Nhat Le rivermouth.

At first questioning, he denied having any weapons on the boat but after the Vietnamese self-defence forces searched the boat and took out hard evidence materials, he submitted to the undeniable.

The weapons included machine guns, thousands of bullets, hundreds of grenades, and several bags of spent cartridges, all with the marking "People's Republic of China".

The captain of the boat 108 tried to alleviate their crime.

He said : "We admit that our ships have encroached upon the territorial waters of the Socialist Republic of Viet Nam. However, we wish you would add the words "because of bad weather".

He further said : " We admit having arms hidden under the dining tables. As for the spent cartridges, they are left from our shooting drills".

Fang Kimhan, deputy captain of the same boat, also admitted that his ship had entered Vietnamese waters but he said, "because this was an order from higher up we had to obey". However, the cartridge belts of heavy machinegun of the 12.7 mm calibre, the cases of AK assault rifle bullets and hand grenades are inconstestable evidence of the plan of these Chinese armed boats disguised as fishing boats to penetrate deeply into Vietnamese waters and carry out China's military design against Viet Nam.

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When Vietnamese boats closed in and Vietnamese militiamen patrolling the sea jumped onto the Chinese boat, the intruders pleaded that they "did not understand international signals very well" and later "we have learnt maritime navigation laws and international signals but did not remember them after a long neglect".

Before undeniable evidence, Chen Guanchang, the captain of the boat 108 had to sign a written confession admitting that his ship has "encroached upon the territorial waters of the Socialist Republic of Viet Nam and his ship is armed. Viet Nam has acted in conformity with international maritime law and treated the captured Chinese sailors humanely. None of us has been either beaten or humiliated".

Beijing has exerted every effort to deny its hostile acts towards Viet Nam. But Huang Zhipeng, a sailor on the boat 122 (another Chinese boat) testified :

"The boat 122 was equipped with weapons and radio. We received orders from our higher authorities on March 1st and started from Peima port on Hainan Island. On March 3, 1982 we entered Vietnamese waters where we spotted Vietnamese fishing boats. We did not expect that the Beijing authorities had used us to further their military purposes in their anti-Viet Nam plan. Having penetrated too deeply into Vietnamese waters,

we had to open fire first on Vietnamese fishing boats in an attempt to flee into the high sea. But we came right upon a resolute riposte. Our boat 122 was hit and set on fire and the captain was killed".

After the ship was hit by Vietnamese fire, the intruders jumped into the sea and were later rescued by Vietnamese self-defence forces even though minutes before they had hurled hand grenades onto a Vietnamese boat. The survivors made a desperate attempt to flee by sticking to their blazing ship. They later told the Vietnamese authorities that after spending a day floating on the sea they were rescued by Vietnamese fishermen who took them to the coast.
