



**HA 24/09**

The Permanent Mission of Malaysia to the United Nations presents its compliments to the Secretary General of the United Nations and, with reference to the Note Verbale CML/17/2009 dated 7 May 2009 from the Permanent Mission of the People's Republic of China to the United Nations, has the honour to state the position of the Government of Malaysia as follows:

The Joint Submission of Malaysia and the Socialist Republic of Vietnam to the Commission on the Limits of the Continental Shelf (hereinafter referred to as "the Joint Submission") to establish the limits of the continental shelf appurtenant to Malaysia and the Socialist Republic of Vietnam beyond 200 nautical miles from their baselines from which the breadth of their respective territorial seas is measured in respect of the southern part of the South China Sea constitute legitimate undertakings in implementation of the obligations of States Parties to the United Nations Convention on the Law of the Sea 1982 (UNCLOS 1982), which conform to the pertinent provisions of UNCLOS 1982 as well as the Rules of Procedure of the Commission on the Limits of the Continental Shelf.

The Joint Submission is made without prejudice to the question of delimitation of the continental shelf between States with opposite or adjacent coasts in consonance with Article 76 (10) of UNCLOS 1982, Article 9 of Annex II of UNCLOS 1982, Rule 46 to the Commission's Rules of Procedure, and Paragraphs 1, 2 and 5 of Annex I to the Commission's Rules of Procedure. Similarly, the Joint Submission is without prejudice to the position of States which are parties to a land or maritime dispute in consonance with Paragraph 5 (b) of Annex I to the Commission's Rules of Procedure.

The Government of Malaysia has informed the People's Republic of China of its position prior to the submission of the Joint Submission to the Commission on the Limits of the Continental Shelf.

The Permanent Mission of Malaysia has further the honour to request that this note be circulated to all members of the Commission on the Limits of the Continental Shelf (CLCS), all States Parties to the United Nations Convention on the Law of the Sea 1982 as well as all Members of the United Nations.

The Permanent Mission of Malaysia 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.

New York, 20 May 2009



**H.E. Mr. BAN KI-MOON**  
**Secretary General**  
**United Nations**