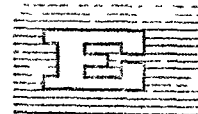


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Thirty-fifth session
Agenda item 9

THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND ITS APPLICATION TO PEOPLES
UNDER COLONIAL OR ALIEN DOMINATION OR FOREIGN OCCUPATION

Letter dated 27 February 1979 addressed to the Chairman of the
Commission on Human Rights at its thirty-fifth session by the
Chargé d'Affaires ad interim of the Permanent Mission of the
Socialist Republic of Viet Nam to the
United Nations Office at Geneva

In view of the circulation to the Commission on Human Rights of document E/CN.4/1331 containing untruthful allegations concerning the flagrant aggression perpetrated by the Chinese authorities against Viet Nam, I have the honour to transmit to you, in order to restore the truth and shed light on the nature of the large-scale war of aggression undertaken by China since 17 February 1979 against the Socialist Republic of Viet Nam, the following documents:

The statement of the Socialist Republic of Viet Nam dated 17 February 1979;

The memorandum of the Ministry of Foreign Affairs of the Socialist Republic of Viet Nam dated 14 February 1979.

I should be grateful if you would circulate these documents, together with the present letter, as official documents of the thirty-fifth session of the Commission on Human Rights under agenda item 9.

(Signed) Truong Quan Phan

STATEMENT

of the Government of Viet Nam

On 17 February 1979, the Chinese rulers brazenly started a war of aggression against Viet Nam.

They mobilized many infantry, armour and artillery divisions with air support to launch a massive attack on the whole Viet Nam-China border. They attacked the towns of Lao Cai and Hong Cai and the district towns of Dong Dang and Muong Khuong deep inside the Vietnamese territory. Chinese forces attacked and occupied many border posts and many areas in Dinh Lap, Trang Dinh, Loc Dinh and Van Lang districts in Lang Son province, Tra Linh, Ha Quang and Quang Ha in Cao Bang province, Muong Khuong and Bat Xat in Hoang Lien Son province, Phong Tho in Lai Chau province and Binh Lieu in Quang Ninh province, committing many serious crimes and causing great losses in lives and property to the Vietnamese people.

It is obvious that the Chinese rulers, after repeated failures in their hostile policy against Viet Nam, have stepped into the ruts of the Chinese feudalists, the imperialists and the colonialists in launching an aggressive war against Viet Nam, an independent and sovereign country.

By invading Viet Nam, the Chinese rulers have totally revealed their expansionism, big-Power hegemonism and reactionary policy, run counter to the interests of the Chinese people and seriously undermine the traditional friendship between the peoples of Viet Nam and China.

By invading Viet Nam the Chinese rulers have opposed the whole socialist system and the national liberation movement and sabotaged peace and stability in South-East Asia and in the world.

Their war of aggression has grossly trampled upon the most elementary principles in international relations and the United Nations Charter. It is an insolent challenge to all peace- and justice-loving people.

For several years now, especially in the recent past, in spite of the Chinese rulers' intensified provocations and threats, the people and Government of Viet Nam have shown utmost self-restraint in the interests of peace and friendship, and sought all means to settle through negotiations all the problems in the relations between the two countries. But the Chinese rulers, heedless of reason, have continued their armed provocations and provoked a war of aggression against Viet Nam. In the face of that aggression by the reactionary Chinese rulers, the Vietnamese people and army have no alternative but to exercise their legitimate right to self-defence and resolutely fight back against the aggressors.

Acting upon beloved President Ho Chi Minh's teaching "Nothing is more precious than independence and freedom", once again our entire people and army, men and women, old and young, united millions as one man are unanimously standing up to fight resolutely in defence of the independence, sovereignty and sacred territorial integrity of their Motherland.

The people and Government of Viet Nam urgently call on the Soviet Union, the fraternal socialist countries, the national independent countries, the countries in the non-aligned movement, the friendly countries, the communist and workers parties, and the progressive people throughout the world to enhance their solidarity with Viet Nam, support and defend Viet Nam, and to demand that the Peking rulers put an immediate end to their aggressive war and withdraw all their troops from Viet Nam.

The fraternal peoples of Viet Nam, Laos and Kampuchea who have fought shoulder to shoulder and defeated the aggressive imperialists, are strengthening further their solidarity to defeat the reactionary policy of the Chinese rulers.

For peace and the long-standing friendship between the two countries, the Vietnamese people call on the Chinese people and troops to resolutely protest against the aggressive war provoked by the Peking rulers.

The people and Government of Viet Nam call on the United Nations and the democratic organizations, for the sake of peace and justice, to energetically condemn the aggressive war of the Peking rulers.

The Vietnamese people, a dauntless, courageous and indomitable nation who have defeated all aggressors, are firmly convinced that under the leadership of the Communist Party of Viet Nam and the Government of the Socialist Republic of Viet Nam and enjoying strong sympathy and support from their brothers and friends in all continents, will defeat the aggressive war of the Chinese rulers, defend their independence and sovereignty and make a worthy contribution to the safeguarding of peace and stability in South-East Asia and the world.

Hanoi, 17 February 1979

MEMORANDUM

OF THE MINISTRY OF FOREIGN AFFAIRS OF THE SOCIALIST REPUBLIC OF
VIET NAM CONCERNING THE INTENSIFICATION OF ARMED ACTIVITIES ON THE
FRONTIERS OF VIET NAM BY THE CHINESE AUTHORITIES AND THE FEVERISH
PREPARATIONS BY THOSE AUTHORITIES FOR WAR AGAINST VIET NAM

The frontier between Viet Nam and China was defined in the treaties concluded in 1887 and 1895 between the French Government and the Qing Dynasty (China) and was officially delineated by boundary markers.

Prompted by the traditional friendship between the two peoples, the Central Committee of the Vietnamese Workers Party reached agreement in 1957-1958 with the Central Committee of the Chinese Communist Party on the maintenance of the status quo on the frontier bequeathed by history, considering the settlement of all frontier and territorial problems to be a matter for the two Governments, and advocating the settlement of any disputes by means of negotiation.

In conformity with the spirit of this agreement, representatives of the Vietnamese and Chinese frontier-area authorities at various levels began talks on border issues which were within the competence of the local authorities. The representatives of the two Governments also had contacts and held negotiations on the problem of the frontier between the two countries.

The Vietnamese party has always abided strictly by the agreement concluded between the Central Committees of the two parties and made every effort to help to make the frontier between Viet Nam and China a frontier of friendship.

The Chinese authorities, however, harbouring sinister aims, have long been violating the 1957-1958 agreement between the Central Committees of the two Parties and have provoked increasingly complex and grave frontier incidents.

From 1957 to 1977, using odious methods, they encroached on Vietnamese territory at more than 50 points along the frontier, in six provinces: Quang Ninh, Lang Son, Cao Bang, Hoang Lien Son, Ha Tuyen and Lai Chau, not to mention the areas which they placed under their administration from 1957 onwards and which are beyond the historical frontier.

Their violations of the sovereignty and the territory of Viet Nam and their acts of harassment and provocation along the land frontiers began in 1973 in certain places and have multiplied steadily since 1974:

1974:	179 cases
1975:	294 cases
1976:	812 cases
1977:	873 cases.

This total of 2,158 cases includes 568 cases of cultivation in Vietnamese territory, 1,355 cases of armed patrolling and 61 cases of attacks on and kidnappings of Vietnamese persons on Vietnamese territory.

It should be noted that, since 1955, the Chinese party, taking advantage of the assistance given to Viet Nam for the reconstruction of the railway line between Huu Nghi Quan and Yen Vien, placed the meeting point of the railway tracks of the two countries more than 300 metres from the frontier and considers this point to be a point on the national frontier between Viet Nam and China.

During the same 1975-1977 period, Chinese vessels violated Vietnamese territorial waters more than 1500 times, sometimes coming within two to five kilometres of Vietnamese islands. One serious incident was the occupation by China on 20 January 1974 of the Vietnamese Hoang Sa Islands (Paracel Islands). China has also made absurd claims to other Vietnamese islands situated in the Eastern Sea (South China Sea).

Since 1978, stepping up their policy of hostility to Viet Nam, the Chinese authorities have increased their acts of harassment and armed interventions on the Vietnamese frontier and have undertaken feverish preparations for war against Viet Nam.

A. They have incited the Hoa to cause disturbances in the frontier regions of Viet Nam.

Early in 1978, acting in accordance with an organized and most perfidious plan, the Chinese party incited or compelled hundreds of thousands of Hoa to go to China, in an attempt to cause political, social and economic disturbances in Viet Nam. Taking advantage of the special geographic and demographic features of the frontier areas and resorting to various psychological warfare methods, it exerted direct pressure on the Hoa, first of all in the frontier areas of North Viet Nam, and later in other provinces and towns of Viet Nam inhabited by the Hoa.

Of the 170,000 Hoa who went to China, nearly 100,000 were from the province of Quang Ninh alone, which adjoins the Chinese autonomous region of Kwangsi.

What is crueller still, after having incited or compelled the Hoa from various provinces to pour into the frontier areas, the Chinese authorities caused the frontier barriers to be closed, thus leaving the Hoa blocked and homeless. They then sent their agents to penetrate secretly into Vietnamese territory and to infiltrate groups of Hoa hooligans. These people caused disturbances and committed acts of violence against Vietnamese officials and civilians and disturbed political security and social order in the frontier areas of Viet Nam. A serious incident occurred on 25 August 1978 at the "Friendship" frontier barrier. Just as Vietnamese officials were giving explanations to the blocked Hoa and were persuading them to return to their former homes, the Chinese party gave instructions by megaphone to Hoa hooligans and sent hundreds of soldiers and plain-clothes police to break through into Vietnamese territory. These soldiers and police attacked Vietnamese officials and border guards with iron bars, sticks and knives, leaving on the scene two Vietnamese dead and 25 injured, seven of them seriously.

B. The Chinese authorities have stepped up their armed activities violating Vietnamese territory.

The attacks on Vietnamese territory by the Chinese armed forces have increased daily. In 1978 there were 583 incidents. In January and the first week of February 1977 alone there were 230 incidents. The scale of those violations has steadily increased over the whole frontier line from Quang Ninh to Lai Chau.

These incidents have been of increasing gravity, ranging from acts of harassment to disturb the population of the frontier area in its daily activities and encirclement actions and provocations against the Vietnamese armed security forces and militia on duty in Vietnamese territory to ambushes, gunfire, the abduction of Vietnamese to China and attacks against guard posts of the Vietnamese militia and against Vietnamese frontier posts.

The Chinese armed forces have penetrated further and further into Vietnamese territory, sometimes as far as 5,000 metres from the frontier, as in the case of the attack against the Vietnamese militia guard posts at Ban Lau, in Hoang Lien Son province, on 14 January 1979.

The size of the intruding forces has been increasing. At some points they mobilized up to 1,000 persons, including regular troops, public security forces and peoples' militia, as in the case of the occupation of Chong Mu hill, Cao Bang province, on 1 November 1978. A regular battalion penetrated up to 2,000 metres into Vietnamese territory in some places, to occupy guard posts of the Vietnamese militia set up in the area behind common border marker No.25 at Thanh Hoa, Cao Loc district, Lang Son province, on 10 February 1979.

An increasingly wide variety of weapons has been used, from infantry weapons to heavy machine guns and mortars. In the attack of 6 February 1979 against the Xa Ho guard post of the Vietnamese armed security forces, Ma Li Chai commune, Phong Tho district, Lai Chau province, the Chinese troops used 82 mm mortars and 12.7 mm machine guns. In the attack of 8 February 1979 against the frontier post of Ho Pa and adjoining areas, Ban May district, Ha Tuyen province, they used 75 mm and 85 mm recoilless cannon.

The Chinese armed forces have made repeated and indiscriminate use of large-calibre weapons sited in Chinese territory to fire into Vietnamese territory on vehicles and inhabitants moving along roads in the border area, as well as on guard posts, villages, major towns, building sites, forestry operations, etc., in Viet Nam. Examples of this were the firing by machine guns, on 14 January 1979, on the hamlet of Phai Lau, Dong Van commune, Binh Lieu district, Quang Ninh province; the firing by heavy weapons, the same day, on the town of Lao Cai, Hoang Lien Son province; and the firing by 12.7 mm machine guns on 2 February 1979, on the border post at Ta Lung, on the security post at Phuoc Hoa and on the village of Hung Long, Qui Thuan commune, Quang Hoa district, Cao Bang province. This firing sometimes extended over several days in the same area, as in the case of the firing by 82 mm mortars and other infantry weapons on the border post at Tra Linh, Cao Bang province, and on neighbouring villages, from 10 January 1979 to the end of that month.

The Chinese authorities have caused increasing losses in lives and property for the Vietnamese people.

In January and the first days of February 1979 alone, the Chinese armed forces killed more than 40 civilians and members of the militia and the armed security forces, injured hundreds of persons and captured and carried off to China some 20 persons. Many Vietnamese homes have been damaged. At several places in the border area the normal activities of the Vietnamese population have been seriously hampered. While these armed activities of increasing scale and intensity have been occurring along the land frontier, violations of Vietnamese air space have been committed by Chinese combat aircraft and intrusions into Vietnamese territorial waters have been made by Chinese vessels. In 1978 there were 100 aircraft sorties which violated Vietnamese air space and 431 cases of provocation by Chinese vessels in the territorial waters of Viet Nam.

C. The Chinese authorities have undertaken a massive troop concentration in immediate proximity to the Sino-Vietnamese frontier and feverish preparations for war against Viet Nam.

After unilaterally suspending the negotiations on the question of the Hoa (September 1978), the Chinese authorities have stepped up their preparations for war in the frontier area between the two countries. They have deployed in the area of the Sino-Vietnamese frontier a large military force which includes dozens of infantry divisions and several air force, anti-aircraft and artillery divisions, as well as specialized mountain-warfare units, with combat aircraft, tanks and cannon.

According to an Agence France Presse report from Peking on 21 January 1979, there have been major troop movements in the frontier areas and, according to Western military sources in Peking, there are 15 to 17 divisions of the Chinese army, or 150,000 men, in these areas.

On 3 February 1979 the BBC announced that "China is reinforcing its troops on the Sino-Vietnamese frontier and, according to United States intelligence sources, China has about 20 divisions in the area". The periodical Far Eastern Economic Review reported in its issue of 9 February 1979 that China had deployed some 160,000 men, with 700 combat aircraft, including F9 bombers of Chinese manufacture, along the Sino-Vietnamese frontier.

During the same period China has sent many high-ranking military commanders to the border areas. According to the Washington Star, General Yang Te Chih has been appointed commander of the Chinese armed forces on the frontier with Viet Nam. He is one of the most experienced generals in China and is politically trusted in Peking. In the immediate proximity of the Vietnamese frontier and even penetrating at some points into Vietnamese territory, the Chinese armed forces have dug trenches and communication trenches and have built fortifications. They have also held increasing numbers of large-scale military manoeuvres and forced the Chinese population to move from the frontier area into the interior of the country, and have thus created a climate in which hostilities could break out at any moment on the frontier between the two countries.

While engaging in preparations for war, the Chinese authorities have mobilized their gigantic propaganda machine, at both the central and regional levels, in order daily to spread untruthful allegations and gross slanders against Viet Nam.

Certain Chinese leaders recently made brazenly war-like threats, in extremely arrogant terms, against the Socialist Republic of Viet Nam.

During his recent visits to the United States of America and Japan, Chinese Deputy Prime Minister Teng Hsiao Ping unambiguously confirmed the reports of a massive concentration of Chinese troops near the Vietnamese frontier and repeatedly used arrogant great-nation language of a highly belligerent nature.

On 31 January 1979, in an interview granted to American journalists, he said: "Viet Nam must be given a needed lesson".

On 7 February 1979, in Tokyo, he stated that Viet Nam would have to be punished.

The massive concentration of troops, weapons and war material, together with the armed violations of Vietnamese territory and threats of war by the Chinese authorities, have created and are creating an extremely dangerous situation along the entire Sino-Vietnamese frontier.

According to an ANSA report from New York, dated 23 January 1979, the United States Administration specialists in Far Eastern affairs consider that an invasion of Viet Nam by large Chinese forces is possible.

According to the United States periodical Newsweek of 28 January 1979, quoting a source in the United States Department of State, the reinforcement of the Chinese military machine at the frontier with Viet Nam might presage intervention on a larger scale than a mere show of force.

Everyone clearly realizes the extreme gravity of the Chinese authorities' armed actions and arrogant threats against Viet Nam. Peking leaders have openly uttered threats of war against an independent sovereign country, arrogating to themselves the right to resort to force against the Socialist Republic of Viet Nam. They have thus bared their hostile designs on Viet Nam and their expansionist great-nation ambitions in South East Asia.

The Vietnamese people and the Government of the Socialist Republic of Viet Nam vehemently denounce and severely condemn the Chinese authorities' acts of war intimidation. These adventurous acts could have unforeseeable dangerous consequences for peace and stability in South East Asia and the world. They run counter to the Charter of the United Nations, violate the elementary principles of international law and constitute a grave challenge to peace-loving and justice-loving peoples and countries throughout the world.

The Vietnamese people and the Government of the Socialist Republic of Viet Nam are firmly convinced that the peoples and Governments of friendly countries and the broad sectors of world public opinion will strengthen their solidarity with and support for the Vietnamese people, put a timely stop to the Peking authorities' schemes and acts of war and prevent them from harming Viet Nam.

The Vietnamese people are steadfastly attached to the traditional friendship between the Vietnamese people and the Chinese people and are persevering in the policy of resolving the differences between the two countries by negotiation. However, they are determined to defend the independence, sovereignty and sacred territorial integrity of their fatherland and the fruits of their peaceful labour.

The Chinese authorities which are applying a policy of hostility to Viet Nam and creating an extremely tense situation at the frontier between the two countries will have to shoulder the entire responsibility for their adventurous and dangerous acts.

Hanoi, 14 February 1979