

RU-55

S 1584

d. 32

The Socialist Republic of Vietnam and the Law of the Sea

An Analysis of Vietnamese Behavior
within the Emerging International Oceans
Regime

EPSEY COOKE FARRELL



MARTINUS NIJHOFF PUBLISHERS
THE HAGUE / BOSTON / LONDON

A C.I.P. Catalogue record for this book is available from the Library of Congress.

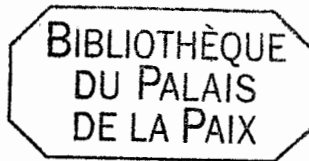
ISBN 90-411-0473-9

Published by Kluwer Law International,
P.O. Box 85889, 2508 CN The Hague, The Netherlands.

Sold and distributed in the U.S.A. and Canada
by Kluwer Law International,
675 Massachusetts Avenue, Cambridge, MA 02139, U.S.A.

In all other countries, sold and distributed
by Kluwer Law International, Distribution Centre,
P.O. Box 322, 3300 AH Dordrecht, The Netherlands.

Printed on acid-free paper



All Rights Reserved
© 1998 Kluwer Law International
Kluwer Law International incorporates the publishing programmes of
Graham & Trotman Ltd, Kluwer Law and Taxation Publishers,
and Martinus Nijhoff Publishers.

No part of the material protected by this copyright notice may be reproduced or
utilized in any form or by any means, electronic or mechanical,
including photocopying, recording, or by any information storage and
retrieval system, without written permission from the copyright owner.

Printed in the Netherlands

APPENDIX 5

**Agreement on the Historical Waters of the Socialist Republic
of Vietnam and the People's Republic of Kampuchea,
7 July 1982¹**

The Government of the Socialist Republic of Vietnam and the Government of the People's Republic of Kampuchea,

Desirous of further consolidating and developing the special Vietnam-Kampuchea relations in the spirit of the Treaty of Peace, Friendship and Cooperation between the Socialist Republic of Vietnam and the People's Republic of Kampuchea signed on February 18, 1979,

Considering the reality that the maritime zone situated between the coast of Kien Giang Province, Phu Quoc Island and the Tho Chu archipelago of the Socialist Republic of Vietnam on the one side, and the coast of Kampot Province and the Poulo Wai group of islands of the People's Republic of Kampuchea on the other, encompasses waters which by their special geographical conditions and their great importance for the national defence and the economy of both countries have long belonged to Vietnam and Kampuchea,

Have agreed on the following:

Article 1

The waters located between the coast of Kien Giang Province, Phu Quoc Island and the Tho Chu archipelago of the Socialist Republic of Vietnam on the one side, and the coast of Kampot Province and the Poulo Wai group of islands of the People's Republic of Kampuchea on the other, form the historical waters of the two countries placed under the juridical

¹ Text as given by VNA and reported in *FBIS-APA*, 9 July 1982, K3-K4.

regime of their internal waters and are delimited (according to the Greenwich east longitude):

To the northwest by a straight line stretching from coordinates 09 degrees 54'2 north latitude-102 degrees 55'2 east longitude and coordinates 09 degrees 54'5 north latitude-102 degrees 57'2 east longitude of Poulo Wai Islands (Kampuchea) to coordinates 10 degrees 24'1 north latitude-103 degrees 48'0 east longitude and 10 degrees 25'6 north latitude-103 degrees 49'2 east longitude of the Koh Ses Island (Kampuchea) to coordinates 10 degrees 30'0 north latitude-103 degrees 47'4 east longitude of Koh Thmei Island (Kampuchea) to coordinates 10 degrees 32'4 north latitude-103 degrees 48'2 east longitude on the coast of Kampot Province (Kampuchea).

To the north by the coast of Kampot Province stretching from coordinates 10 degrees 32'4 north latitude-103 degrees 48'2 east longitude on the terminus of the land border between Vietnam and Kampuchea on the coast.

To the south-east by a line stretching from the terminus of the land border between Vietnam and Kampuchea on the coast to coordinates 10 degrees 04'42 north latitude-104 degrees 02'3 east longitude from the An Yet point of Phu Quoc Island (Vietnam) and along the northern coast of this island to the Dat Do Point situated at coordinates 10 degrees 02'8 north latitude-103 degrees 59'1 east longitude, and from there to coordinates 09 degrees 10'1 north latitude-103 degrees 26'4 east longitude of Tho Chu Island (Vietnam) to coordinates 09 degrees 15'0 north latitude-103 degrees 27'0 east longitude of Hon Nhan Island in the Tho Chu archipelago (Vietnam).

To the south-west by a straight line stretching from coordinates 09 degrees 55'0 north latitude-102 degrees 53'5 east longitude from Poulo Wai Islands (Kampuchea) to coordinates 09 degrees 15'0 north latitude-103 degrees 27'0 east longitude of Hon Nhan Island in the Tho Chu archipelago (Vietnam).

Article 2

The two sides will hold at a suitable time negotiations in the spirit of equality, friendship and respect for each other's independence, sovereignty, territorial integrity and the legitimate interests of each side in order to delimitate the maritime frontier between the two countries in the historical waters mentioned in Article 1.

Article 3

Pending the settlement of the maritime border between the two states in the historical waters mentioned in Article 1:

- The meeting point 0 of the two base lines used for measuring the width of the territorial waters of each country situation [*sic*] on the high sea on the straight line linking the Tho Chu archipelago and Poulo Wai Island will be determined by mutual agreement.
- The two sides continue to regard the Brevie Line drawn in 1939 as dividing line for the islands in this zone.
- Patrolling and surveillance in these historical waters will be jointly conducted by the two sides.
- The local populations will continue to conduct their fishing operations and the catch of other sea products in this zone according to the habits that have existed so far.
- The exploitation of natural resources in this zone will be decided by common agreement.

Done in Ho Chi Minh City on the 7th of July 1982, in two languages, Vietnamese and Khmer, both being equally valid.

For
The Government of the
Socialist Republic of
Vietnam

Nguyen Co Thach

Minister for foreign
affairs of the Socialist
Republic of Vietnam

For
The Government of the
People's Republic of
Kampuchea

Hun Sen

Minister for foreign
affairs of the People's
Republic of Kampuchea