



Some of The International Conference on Home with Regard to The Right of Vietnam for Two Parcel and Spratly Islands Period 1943 – 1951

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Abstract: Vietnam's sovereignty over the Paracel and Spratly archipelagos is indisputable, based on the constituent elements of a territorial sovereignty that assert sovereignty over the state, and of course, acknowledged in international practice. Vietnam is the only country with geographic, historical, national and international legal basis to establish sovereignty and assert its sovereignty over Hoang Sa and Truong Sa archipelagos.

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Posted in the theme of BIEN DONG in China's maritime strategy.

1. Put Issues

The sovereignty of Vietnam for two Paracels and Spratlys is undisputed, based on the elements of a sovereign national territory that is claims on the state and the current acknowledges that in international practice. Vietnam is the only country with the geographical data, historical evidence, the legal basis for national and international assert sovereignty and assert its sovereignty for two Paracels and Spratlys. Contents of the marine policy of the State of Vietnam in the process of establishing a sovereign state in terms of both the Paracels and Spratlys are consistent with the legal system of international rules for establishing sovereignty with a territory. It was established as a national sovereignty over a territory to fully express the nature of the surface state, ie the state which issued documents, policies and administrative institutions regions Native or not when it is not under the sovereignty of any country or territory, and how to assert sovereignty must be done by organizations under state administration. Considering this aspect, Vietnam is the only country in the East Sea meets the established nature of sovereignty and assert sovereignty over the two Paracels and Spratlys on state according to international law and international practice.

The process of planning and implementing the policy of the State of Vietnam sea through the feudal dynasty was clearly expressed during all stages of the history, content that has been formed and is continuously developing legacy through state institutions. In particular, the policy content of the island sovereignty of the State of

Vietnam for two Paracels and Spratlys The historical evidence proves the established sovereignty over the entire island waters of the State of Vietnam, including two Paracels and Spratlys, is one of the basic content of the deployment process maritime policy for the State of feudal Vietnam. During the long history of development of the country, the sovereignty of the State of Vietnam on the coast and island archipelagos Paracels and Spratlys in the East Sea has always been clearly defined, it is possible content through the basic content of the planning process and implementation of policies on the country's sea, which is perfectly consistent with the fundamental principles of international law to establish sovereignty over the territory contemporary derelict.

Vietnam during the Le - Trinh (1592 - 1788), has witnessed the expansion of the territory south of the Nguyen at Cochin. Since Lord Nguyen Hoang (1558 - 1613), laid the foundation for territorial expansion to the peak of Lord Nguyen Phuc Nguyen (1613 - 1635), lord of the worlds first open period of the seventeenth century. During this period, the sovereignty of Vietnam for two Paracels and Spratlys has been established and put into the management and exploitation of a uniform civil nature is both militaries. However, due to historical issues, therefore, the sovereignty of the State of Vietnam on two Paracels and the Spratlys in the East Sea have been a number of countries and territories in the region despite the natural basic principles of international law and the content of Charter of the United Nations as well as the provisions

of international law illegally invaded completely Paracels and some islands of the Spratly Islands stone House Vietnam. This has consequently led to the struggle in terms of historical evidence and legal basis for international, national laws and diplomatic fronts to assert the sovereignty of the State of Vietnam for two Paracels and Spratlys is a long struggle but glorious, difficult and very complex.

Access to the international legal basis of the results of a content analysis of a number of international conferences taking place in the twentieth century was, of course, acknowledge the sovereignty of the State of Vietnam for two Paracels and Changsha is the new research directions. The basic contents are specified in the international conference can be seen as one of the international legal basis is important for the State to Vietnam to serve as a basis for the long struggle to assert their rights, forcing the parties concerned with unjustified claims of sovereignty over the Paracel islands returned and some rocky islets, rocks, Shoals Spratly Islands belong to Vietnam under international law, in peacefully resolve territorial disputes.

2. Cairo Declaration

In 1943 the overall context of the world is more complicated, international relations continuous take many different forms, but the main purpose of the large country is competing spheres of influence and distribution divide the borders after the Second World war ended. Besides, world war has entered the second phase the most intense. To consider a number of important issues related to world borders, representatives of Britain, the US and China (the Republic of China headed by Chiang Kai-shek) met in Cairo the capital of Egypt Date 27/11/1943, whose history is called Three intensity Conference England - US-China. The conference ended issued by the Joint Declaration, in paragraph statement: Japan must be removed from all the islands in the Pacific that Japan has claimed or occupied since the beginning of World War first in 1914, and all the territories Japan had occupied China as Manchuria, Taiwan and Penghu will be returned to the Republic of China (Cairo and Teheran Conference, 1943). Here we consider the sovereignty of the State of Vietnam for two Paracels and Spratlys on two basic aspects:

First, the issue of China's territory, the Cairo Declaration affirmed the will of the powers forced Japan to give back to the ROC territory that Japan had seized from China include: Man Zhou Li, Taiwan and the Pescadores, nothing related to the sovereignty of the two Paracels and Spratlys, because it was under the sovereignty of the State of Vietnam long.

Second, the Cairo Declaration did not mention the sovereignty of the country for two Paracels and Spratlys Why is that? Because the two islands were under the sovereignty of the State of Vietnam has long, at least since the seventeenth century has historical evidence to prove the

sovereignty of the State of Vietnam. Therefore, the head of the conference did not mention the territorial sovereignty of the Paracels and Spratlys for granted.

All in all, the contents of the Cairo Declaration in 1943, is considered one of the important international treaties for the system of international legal basis to assert the sovereignty of the State of Vietnam on two islands Paracels and Spratlys. At the same time as one of the international legal basis is important to use the State of Vietnam, in order to reject the false doctrine of objective reality. At the same time oppose the absurd claims of China invaded illegally completely Paracels and some rocky islands of the Spratly Islands State of Vietnam.

3. Potsdam Conference

In 1945, the World War Second gradually come to an end, the world has much to do with the victorious powers as territorial issues, dividing spheres of influence ... After World War II ended in Europe fronts, May 7/1945, representing three major countries are the UK, the US and the Soviet Union held a meeting in Potsdam in Germany, the main content of the meeting is to discuss political future, especially on the issue of organizing elections in Eastern Europe and Central Europe. Potsdam Conference issued a joint statement dated 26/7/1945, the contents of the statement are set to form disarm the Japanese army after the Pacific War ended.

For Vietnam, to disarm the Japanese army, three UK - US - USSR decided to split Vietnam into two areas of the 16th parallel, which the Chinese military are obliged to disarm and repatriate the Japanese side of the 16th parallel north and British troops disarmed commissioned Japanese troops from the 16th parallel into South. According to the Potsdam declaration, the Chinese delegation from the Republic of China (Kuomintang) are obliged to disarm the Japanese troops north of the 16th parallel, including the Paracel Islands from Vietnam is located at latitude 16 South West Crescent groups in latitude 16030'N and Amphitrite group in eastern North latitude 16050'N. Meanwhile, the Royal British troops are obliged to disarm the Japanese troops from the 16th parallel to the south, including the Spratly Islands, located at latitude from 120 to 70 N, Cam Ranh down from the province of Ca Mau. The task has been explicitly stated in the text of the Potsdam declaration, which is the force of the Republic of China and the UK on behalf of the Allies at the Japanese surrender, not to acquire or possess territory countries to do the task. Considering the nature plays an important role as the task has been explicitly stated in the statement that the Japanese surrender and this fact shows that the Allies had postulated two Paracels and Changsha territory of the State of Vietnam is of course.

May 8/1945, the Chinese military Kuomintang in the North to conduct the Japanese surrender here. After some time, China has signed the treaty with France Chongqing on December 28/02/1946. According to the

main content of the Treaty, the “French rejection of extraterritoriality and other related rights in China”, which is clearly expressed pay Chinese French Concession of Shanghai and Guangzhou in Taiwan. China agrees to return to the French army on the 16th parallel north replace the Chinese military KMT to perform tasks disarm the Japanese army. Shortly after that time, the French government has signed with the Government of North Vietnam Preliminary Agreement on the date of 06/3/1946, the issue revolves around the French State recognizes North Vietnam as a national freedom and autonomy within the Indochinese Federation and the Commonwealth of France and French troops will be out of the North Vietnam army invaded instead.

4. San Francisco Peace Conference

San Francisco Conference to be held from 04 - 09/8/1951, which represents 51 countries attended to discuss the signing of the peace treaty of peace with Japan. On 09/1951 Earlier this month, at the invitation of the Government of the United States, 51 countries had previously participated in or linked to the fight against the Japanese invasion from 1939 to 1945 attended the peace conference convened in the city of San Francisco to discuss ending the war and re-establish diplomatic relations with Japan. Vietnam National Delegation to represent the State of Vietnam by the Prime Minister and Foreign Minister Tran Van Huu, Bao Dai government head of delegation was also invited to join the conference. However, China and Taiwan regions have not been invited to the conference. During this meeting, the content was discussed a draft peace treaty by both Britain and the US proposal dated 12/7/1951. On 08/9/1951, the countries attending the conference signed a peace treaty with Japan, the three remaining countries except for the Soviet Union, Poland and Czechoslovakia did not sign. China America has gotten out of the conference, so, the Chinese leader since late 1950 has reacted. On the one hand the Chinese government has issued a number of official statements, on the other hand they published articles critical of the Chinese not invited to attend the conference and to present the views of China on a number of issues that need must be discussed, including the issue of sovereignty over the Parcel Islands and the Spratly Islands.

On 05/9/1951, in plenary session Monday of the San Francisco conference, delegates Andrei A. Gromyko Soviet Union was at the plenary session dated 05/9/1951, Andrei Gromyko, head of the delegation of the Union Soviet proposal that a draft amendment of the Treaty with Japan, under which Japan recognized the sovereignty of the People's Republic of China on the Paracels and Spratleys (The US State Department, 1951). But that vote Conference rejected this amendment with 46 votes in favor, 3 votes against including the Soviet Union, Poland, Czechoslovakia, and one abstention. At the San Francisco Peace Conference of 1951, the Vietnam National

delegations participating in the conference issued a statement confirming the sovereignty of Vietnam for two Paracels and Spratlys. On 07/9/1951, Prime Minister and Foreign Minister Trần Văn Hữu, head of the National Vietnam delegation issued a statement reaffirming the sovereignty of Vietnam on two Paracels and Spratlys before 51 diplomatic missions members of the United Nations: And do not hesitate to take advantage of every opportunity to extinguish the seeds of discord, we assert our sovereignty over the islands Paracels and Spratlys from past to present is the border of Vietnam (The US State Department, 1951). The statement that was the San Francisco Conference and recorded in the minutes of all 51 delegates attended the conference, there is no delegation expressed any objections in writing. Without any representatives of 51 countries attended the conferences were objections or reservations to the above statement of the representative of Vietnam at the San Francisco Conference.

On the legal aspects, with the publication claims of the State of Vietnam for two Paracels and Spratlys before the 50 member states of the United Nations to attend the conference in San Francisco in 1951, showed that: since 1951 the Paracels and Spratlys were the nations of the world, of course, recognize that the territory under the sovereignty of the State of Vietnam in an international conference with the participation of 50 member states of international organizations as the United Nations. Events 92% of the member states of the United Nations recognizes the sovereignty of the State of Vietnam for two Paracels and Spratlys absolute value in accordance with international law, to force other countries to admit, even for those countries and territories not attend the conference as China and Taiwan regions.

The San Francisco peace treaty to separate Taiwan, Penghu and two Paracels, Spratlys into two separate paragraph (b, f) itself have implied not recognize the sovereignty of the two Paracels and Spratlys belong to China. Specified in paragraph f: Japan renounces all right, title, and requires the Parcel and Spratly Islands (The US State Department, 1951).

Thus, the Vietnam National delegations participating in the San Francisco Conference May 9/1951 and the claims against both the Paracels and Spratlys are significant events important to demonstrate to the established sovereignty over the islands Paracels and Spratlys State of Vietnam. This is considered an important legal basis for Vietnam to continue to assert sovereignty over the islands two international conferences and regional forums in the international and regional may also take into lake legal documents to struggle with the parties claims in international courts.

5. Conclusion

Study material and evidence above suggests, it is clear that the international legal document dated



27/11/1943 from the Cairo Declaration and the Potsdam Declaration dated 26/7/1945 Conference reaffirmed content Cairo Declaration to the Treaty of San Francisco, dated 08/9/1951 did not confirm the sovereignty of any other country for two Paracels and Spratlys belong to the State of Vietnam. At the same time the country is not yet at the San Francisco Conference was held in 1951 objections or reservations about the statement of the Head of Delegation of the State of Vietnam at the time of the sovereignty of the State of Vietnam for two Paracels and Spratlys, which showed the international community has implicitly recognized the sovereignty of the State of Vietnam for two Paracels and Spratlys.

Thus, the regions confirmed that the Cairo Declaration and the Treaty of San Francisco reiterated that China's including Taiwan and Penghu. Throughout the international conference, the Cairo Declaration to the San Francisco Conference acknowledged the sovereignty of the State of Vietnam for two Paracels and Spratlys The recognition of the sovereignty of the State of Vietnam for two Paracels and Spratlys from 51 member countries of the UN organization's international legal basis for important

and lively, to assert sovereignty undisputed State of Vietnam for two Paracels and Spratlys.

Vietnam is the only country in the region and in the world of the international legal basis of the international conference to fight claims against both the Paracels and Spratlys, forward interested parties have had their claims for two Paracels and Spratlys to proceed returned to the State of Vietnam in accordance with the provisions of international law.

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