



## International Legal Regulations for The Establishment of Right Ownership Islands and Dispute Resolution in The East Sea Nowadays

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**Abstract.** East Sea region's a hot spot, where place to contain multiple sovereignty disputes between countries in the Southeast Asian region. To establish the sovereignty of the East Sea in the current period, the study's authors focused on the following major contents: (i) Differences between the sea and island sovereignty in the system of international legal; (ii) International legal regulations on the establishment of sovereignty over the islands; (iii) Based on international law rejects these false views concerning China's sovereignty issues for the island waters, the islands belong to Vietnam; (iv) Apply international legal regulations to assert the sovereignty of Hoang Sa and Truong Sa Islands belong to Vietnam.

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### 1. Introduction:

In view comes from the perspective of modern International Law, the supremacy of nation over territory's the sovereign right exercised within its territory which expressed in two basic aspects such as: *National's power is supreme for everyone, every organization, exclude all activities of the power of other nations. Only that country has the right to use, possess and dispose of its territory* (United Nations,1994).

The supreme power of the state over its territory is the highest of all external powers within its territory. In fact, there're some other countries can take part of that power for portion of the territory of the host country for a certain period or forever. For example, foreign countries exercise control over the embassy's office, for the land rented by the host country. However, these powers can only be done on the basis of the consent of the host nation. Therefore, it's can confirm that the supreme power belongs to the territory of the host country overseas and not belong to the other managed. National border demarcation limit lands, waters, airspace and subsoil of full sovereignty and each country separately. National boundaries associated with the territory so international law, as well as international practices, always recognize the inviolability of national borders. Therefore, border protection's also the protection of territorial sovereignty against all forms of foreign invasion.

On April 1, 2010, President Nguyen Minh Triet visited the 953 HQ Regiment stationed in Bach Long Vi Island and worked with the Vietnamese People's Navy

Command, he affirmed: *"Vietnam's a peace-loving nation.*

*It's always want to deal with border issues with its neighbors, especially the sea frontiers, by negotiating peace. The President has taken the view: "For borders, territorial waters, we want peace and friendship between the two nations and people bordering us, it's the wish of people. Peace and friendship, the people have a stable life, it's the good of the whole nation of Vietnam throughout thousands of years to build and maintain the country. Do this on the basis of negotiation, exchange, advocacy, persuasion. Do not let anyone encroach on their territory, sea, or island. Confirmed the right policy, unshakeable determination of the Party, the State. We do not take someone, the meter of soil's the homeland we do not compromise"*(Minh, 2011c).

The study of international legal regulations's relating sovereignty disputes over islands 's an urgent matter, important implications for the long-term process of fighting international legally to assert sovereignty over the Hoang Sa and Truong Sa Islands belong to Vietnam based on the principles of international law, the provisions of the Law International Sea especially the Convention on the Law of the Sea United Nations International in 1982, at the same time, the wrong views do not have the legal validity of the parties involved in the dispute was abolished (United Nations,1994).

For the purposes of this important significance, the author of this study aims to provide more multi-dimensional, systematic information of international legal determining national sovereignty over territorial sea such



as islands and international legal regulations to resolve the island sovereignty dispute to resolve the island sovereignty dispute in the East Sea nowadays.

## 2. Contents' Research:

### 2.1. Goal's Research:

Author's research focuses on clarifying the following issues: (i) Differences between the sea and island sovereignty in the system of international legal; (ii) International legal regulations on the establishment of sovereignty over the islands; (iii) Based on international law rejects these false views concerning China's sovereignty issues for the island waters, the islands belong to Vietnam; (iv) Apply international legal regulations to assert the sovereignty of Hoang Sa and Truong Sa Islands belong to Vietnam.

### 2.2. Methods' Research:

The author uses research methods historical thinking, logic, analysis of data in chronological order to demonstrate the need to apply international legal rules in the establishment of sovereignty over islands, acts of violation of the sovereignty of China. In addition, the author uses the international methodology, the study area to analyze, interpret and clarify the problem necessary to apply international legal rules to assert sovereignty over Hoang Sa and Truong Sa Islands belong to Vietnam.

## 3. The Result's Research:

### 3.1. Differences between the sea and island sovereignty in the system of international legal

In the dispute over sovereignty of the islands, there's a fundamental difference between the sovereignty over the islands and one-sided the sovereignty, sovereign rights and national jurisdiction for sea. This's a fundamental difference that is clearly stated in the UN Convention on the Law of the Sea 1982 (UNCLOS), which has been adopted by practice law, international law and international maritime law.

In fact of international law, international practice, particularly the provisions of UNCLOS (United Nations Convention on the Law of the Sea) regulations sovereignty over the islands is absolute, not unlike sovereignty over terrestrial or inland waters of the coastal state and the archipelago.

Not the sovereignty, sovereign rights and jurisdiction of coastal States for the waters are not absolute, but also more complex sovereignty over the island, it is clearly stipulated in UNCLOS. These rights include absolute sovereignty territorial waters 12 nautical width, because UNCLOS recognizes the non-injurious rights of foreign vessels, and the sovereign rights, jurisdiction different contiguous area into the open sea 24 nautical miles from the baseline used to calculate the width of the territorial sea, 200 nautical miles exclusive economic zone

and continental shelf beyond 200 nautical miles under UNCLOS (United Nations,1994).

The sovereignty of State over an island belonging to its territory, that State has sovereignty, sovereign rights and jurisdiction over the maritime areas of that island in accordance with UNCLOS. If an island qualifies for human habitation in the territorial waters of State, the territorial waters, such as the territorial sea, the contiguous zone, the exclusive economic zone of that island shall belong to that State. But modern international law practice, in particular, UNCLOS, has shown that if an island is located the sea such as the contiguous zone, exclusive economic zone or continental shelf of a coastal state, of an archipelago does not mean that all the islands within that territorial sea belong to that country.

Consequently, the sovereignty of the island is enshrined in international law as inviolable, as inland and inland, still waters subject to regulation is not absolute sovereignty, by UNCLOS stipulates that all foreign vessels have the right to cross innocuous in these waters, or in other words territorial sovereignty is limited by the right to innocent passage of foreign vessels and irrespective ships or cargo ships (United Nations,1994).

Thus, the sovereignty of the island-born from waters under the sovereignty, sovereign rights, and jurisdiction, but the waters under the sovereignty and jurisdiction of coastal states not born sovereignty for the island.

### 3.2. International legal regulations on the establishment of sovereignty over the islands

#### 3.2.1. The acquisition of sovereignty

In customary international practice shows that the establishment of national sovereignty for the territory there are different views, there've been many cases of territorial disputes between nations based on very different legal standards. Previously, the establishment of national sovereignty to the occupied territory is a territory that follows certain legal standards and establishes national sovereignty over that territory. Practices of international law exist in the following five basic acquisition forms: Acquisition by occupation, Acquisition by transfer, Acquisition by possessed under statute, Acquisition by conquest and acquisition by the action of nature.

Possession's the act of a nation that establishes and exercises its power over a territory that is not yet sovereign of another. This 's a form of acquisition of territory always the basis for the formation of the territory of the majority of countries today. The prerequisite for acquiring territory is that the territory of possession must be a derelict territory. However, at present no ownerless territory to countries conducting possession, but its characteristics become criteria to judge the existing territorial disputes in many countries around the world and especially dispute in the East Sea.

Acquisition by assignment is a voluntary transfer of territorial sovereignty from one country to another.

Normally the form of transfer's valid through the terms of a formal agreement, it contains detailed notes on the land being transferred, as well as conditions for the transfer.

Acquisition of tenure under the statute of limitations is ongoing and peace in a long time the power of a nation for an inherent territory under the sovereignty of another state, or sovereignty is not clearly defined and contested.

The acquisition's a mode of territorial acquisition that takes place after wars, whereby a victorious nation merges territory or part of the territory of the defeated nation into its territory. This method exists in the feudal era, this method now completely rejected, because it's contrary to the principle of non-use of force or threat to use force in international relations of the United Nations.

Acquisition by nature is a form of acquisition of territory by which a country has the right to expand its territory through voluntary accretion into the main territory, or by the emergence of islands rising within the territorial waters of the nation, this island not only becomes a part of the country but also extends beyond the national border at sea. Apart from the above-mentioned acquisition of territory has some form of acquisition of territory, but over time they increasingly lost all practical significance. For example, donation, the inheritance of feudal kings. These forms were also the foundations of the acquisition of territory by many nations. In addition to the cases of territorial changes in accordance with the content and principles of international law have been generally accepted then the occupation, acquisition usually takes place very complicated for the region, the region "derelict" or "abandoned".

In the process of institutional development on the occupying of derelict or abandoned territories, there are two periods in accordance with different applicable legal principles and standards. Previously discovered by some countries, finding new lands for a long time, international law recognized the principle of occupation. The content of this principle recognition of acquisition of territory just carried out some acts of nature or symbolic form. For example, a country may establish its sovereignty over a territory newly discovered under the flag etiquette drag, claiming or national emblem placed on this territory is sufficient legal standard to that territory became national territory without leading to actual governance exists or not. Acts which are considered the basis to establish or establish national sovereignty to a new territory. But later, the occupied unrecognized form is sufficient legal basis for the new territorial acquisition.

In the legal system, international law recognizes another principle as the true principle, in some materials this principle is also called the principle of effective occupation. This is a principle formed from the international practice of resolving territorial disputes in Asia, Europe, Africa, the Americas and the Pacific. Especially, disputes over legal issues in the last decades of the twentieth century are of great practical value.

International practice has built up the international legal standards to establish or determine sovereignty over the territory "derelict" or territory "abandoned". It is the real occupation and continuity of the state. International law treats these standards as evidence of sovereignty over territories. Possess truly possess the state and set up his power peacefully. The state must make truly continuous and peaceful state power in that territory (Wikipedia, 2018a; 2018b)

Today, when international law as the right to national self-determination is one of the basic factors in the relationship between states and other subjects of international law, any inhabited territory always belonged to communities living on that territory. Therefore, any occupation or establish sovereignty against the will of the communities living on the territory of which are a violation of the principle of national self-determination and the principle of another basic international law modern.

International legal practice modern dismisses the views are outdated or irrelevant in establishing sovereignty. These are the views: first discovery, first possession, symbolic possession, private possession, conquest.

According to the provisions of the modern international law, especially UNCLOS, the sovereignty of a coastal state to a territory expresses national sovereignty over the island, it is based on the composition of two elements: the acquisition of sovereignty and the maintenance of continuous state sovereignty without national objection. International law practice has broadly recognized that a nation must acquire sovereignty by State action to assert sovereignty over derelict land, notably, this action must not oppose other countries. The development of the modern world has increasingly made the legal system of international law gradually change, to timely adjust the arising of its subjects. One such change 's the normative legal claims have also changed over time as follows:

Prior to the nineteenth century, conquest or invasion could be considered worthy of sovereignty, depending on the circumstances and the specific conditions. At the end of the nineteenth century, in the 1885 Berlin Convention, the European and American powers assumed, to assert sovereignty over a territory, a country must occupy that territory and inform other states of that occupation (Wikipedia2018a; 2018b).

In this context, the United Nations does not allow the acquisition of sovereignty by conquest. Any infringement by force is prohibited and considered that the act goes against the norms of modern international law, contrary to the United Nations and have no legal value.

### 3.2.2. Maintaining state sovereignty in terms of continuity and peace

The practical modern international law has stipulated that, after conducting sovereignty, states

concerned must maintain its sovereignty by implementing state sovereignty in a peaceful and continuous nature. It's important that even after acquiring sovereignty, a country may lose its sovereignty in case of dispute if it's proven that failed in maintaining its sovereignty.

Under the modern international law, the sovereign right of the state to the territory is an inherent and inherent attribute of the nation. It is necessary to consider the question of national territory in each of its close relations in terms of its position and social role with the reality of the existence of communities of different political-economic-communal states. It's the expression of national sovereignty on the two aspects of the physical and national power 's done within the territory, through a system of state agencies such as the legislature, executive and judiciary that no other country can impose their power on the territory of this country, unless these activities are legitimate host country allows. The territory also owned the nation's only new country as "people" have the right to possess, use and dispose of territorial issues on a consistent basis with the choice and the interests of the people live on it.

Today, all national transitions must be made on the basis of self-determination, by referendum and the signing of international treaties on the territory. However, among countries with political regimes, economic - different societies, the national sovereignty of the territory also brings content and different in nature quite large.

3.3. Based on international law rejects these false views concerning China's sovereignty issues for the island waters, the islands belong to Vietnam

3.3.1. The absurdity of sovereignty claims

To assert its sovereignty wrong for two Hoang Sa and Truong Sa belong to Vietnam, on 7 May 2009, along with the note sent UN Secretary-General objected to Vietnam to submit report on the Limits of its continental shelf beyond the Commission on the Limits of the Continental Shelf under the provisions of the United Nations of the International Convention on the Law of the Sea 1982, China has attached a diagram showing its "nine dots line" in the East Sea. In the Chinese diplomatic notes, "China has indisputable sovereignty over islands in the South China Sea (East Sea)'s adjacent waters, sovereign rights and jurisdiction over with the relevant waters as well as this seabed ground" (Minh, 2011c).

On 8 May 2009, the Vietnamese Permanent Mission to the United Nations issued the Note No. 86/HC-2009 to the Secretary-General of the United Nations to reject the note and plan of China. Through historical evidence to establish sovereignty, the State of Vietnam always assert the sovereignty of Vietnam for two Hoang Sa, Truong Sa Islands and considered "nine dots line" China's not worth because there is no legal basis, science, and practice (Minh, 2010).

China's claim to 80 percent of the East Sea's coastline, drawn alongside the East Sea states, Vietnam, Indonesia, Malaysia, Brunei, Philippines. The line originally had 11 sections, drawn by the Chinese government in 1947 and later adopted by the People's Republic of China, but with modifications, that is, China has dropped two sections in the Gulf of Tonkin, leaving only nine sections. Verbal on 7 May 2009's the first text in more than 60 years since 1949, represents the official view of China on the international legal implications of the "nine dots line" and it's also the first time that China officially announces its roadmap to the world. Previously, although the claim line was repeatedly displayed on the Chinese map, the People's Republic of China had never formally stated its international and national legal significance. Even in the process of planning important legal documents of the People's Republic of China on maritime areas such as Declaration of the 1958 Territorial Sea, the 1992 Territorial Sea and Contiguous Zone, the 1996 Baselines and the Exclusive Economic Zone and the Continental Shelf, etc., the claim was not addressed.

Sovereignty claims in the "nine dots line" have been shown by China in the diagram attached to the note dated 7 May 2009, China cannot claim sovereignty, sovereign rights and jurisdiction over the waters lies in this way under the statute of exclusive economic zone and continental shelf of the 1982 Convention. Because, the progressive nature of the Convention, 1982 is the recognition and expand the sovereign rights of coastal states are protecting natural resources associated with their territory within the limits of 200 nm (1 nautical mile = 1852m). An unspoken path thousands of miles from China's mainland could not meet the requirements of the UN Convention on the Law of the Sea 1982.

In terms of the state established its sovereignty over the two archipelagos of Hoang Sa and Truong Sa, the area the only State of Vietnam 's full of evidence in accordance with the principles of international law on determination Sovereignty over territories. The legal foundations of history, archeology, law and culture have been demonstrated in the first half of the seventeenth century, when Vietnam established sovereignty over the state with Hoang Sa and Truong Sa archipelagos shall not have any one country or territory in the region and the world established the sovereignty of the state over the two archipelagos nor any other country opposed the State of Vietnam established sovereignty over the two archipelagos.

The Nguyen dynasties exercised their sovereignty over the state, manifested clearly through important events such as the organization of the "The Hoang Sa", "Bac Hai" ... Activities of the Nguyen, Tay Son to the Nguyen Dynasty as well as the next state institutions for both the Paracels and Spratlys were saved in many historical documents of the official historians and contemporary historians, in the official history books of the State of

Vietnam, such as: “All of Thien Nam Tu Chi Lo” letter of Do Ba Tu Cong Dao (1686), “Phu Bien Phuoc” by Le Quy Don (1776), Dai Viet history full letter (1697)... and the writings of many scholars and foreigners to Vietnam as “Overseas memoir” by Thich Dai San came from China.

This shows that the establishment of Vietnam's sovereignty over the Hoang Sa and Truong Sa archipelagos is stated it is not an act of using force to carry out the invasion, occupation or discovery of an individual. This ‘s in line with the principles of international law on asserting sovereignty over the nation's territory. Because, in Article 3, Article 34 and Article 35 of the Berlin Convention signed June 26, 1885, the content of the principle of real possession of the state and the conditions for possession the following “*Must maintain on the territory that the country has taken possession of on that territory a power enough to make the water rights of tenure are respected*”. Vietnam’s also the only country in the region with an absolute legal basis to apply it in the international negotiation process for demarcation for the countries involved in the area and consolidate the legal basis to continue the struggle for sovereignty over the Hoang Sa and Truong Sa Islands (Wikipedia, 2018a; 2018b).

### 3.3.2. Invaded the island has no legal value in establishing sovereignty

International practice has built up the international legal standards to establish or identify national sovereignty on a territory derelict or abandoned territory. One of the important legal standards recognized tenure that is truly continuous and peace of the state against territory and that state must issue a policy to administer that territory without any nation opposing it. International law considers this standard to be one of the proofs of sovereignty over the occupied territories. Possess truly possess the state and set up his power peacefully without any country objected to a territory. The state must implement real policy continuity and peace of state power in the territory actually possessed.

In terms of this, the State of Vietnam is the only country with the important historical evidence to define and assert sovereignty. So, since the 17th century, the Nguyen founded the “Hoang Sa” and later the “Bac Hai” to manage and exploit the Hoang Sa and Truong Sa archipelagoes, but not with any country or territory in the region and around the world protest. Therefore, China's argument based on the claim “nine dots line”’re serious arguments and will mistake creates a bad precedent in the international relations, because the argument does not have a legal, scientific, practical, null and egalitarian basis, and does not conform to the principles of international law, modern international maritime law and UNCLOS.

The Charter of the United Nations was signed June 26, 1945 in San Francisco, and entered into force on October 24, 1945. The study showed that the UN Charter did not have a clause recognizing the use of force to invade the territory of another country to assert sovereignty and

exercise its sovereignty. In Clause 3, Article 2 of the Charter of the United Nations stated: “*All the members of the UN resolve international disputes of them by peaceful means, so as not to harm the peace, international security and justice*”. Thus, the basis for asserting sovereignty is the act of the state to assert and uphold the sovereignty, not the individual's perception or action of force. History has proven a truism when China has forcibly occupied the An Vinh group of the Hoang Sa Islands in Vietnam since 1956 and has used force illegally occupied the Hoang Sa entire State of Vietnam in 1974, continued to use force to conquer some rocky islands of the Truong Sa Islands of Vietnam in 1988 (Wikipedia, 2018a; 2018b).

These are actions invasion has seriously violated the sovereignty of the State maritime Vietnam, serious violations of the UN Charter, international law and the international community must not and regional recognition. Because, in Article 4, Article 2 of the Charter of the United Nations, it is clear that “*all Member States of the United Nations renounce the threat of force or the use of force in international relations against the inviolability of the territory or political independence of any country as well as otherwise contrary to the purposes of the United Nations*” (United Nations, 1994).

It can be seen that the development practice of modern international law did not recognize the acquisition of sovereignty by conquering or using force to invade the territory of another country. UN General Assembly Resolution 2625 of 24 October 1974 Declaration on the Principles of International Public Relations and International Cooperation in the United Nations Charter states: “*The territory of a State cannot be subjected to a military occupation after the use of force contrary to the provisions of the United Nations Charter. The territory of a country can not be the subject of an acquisition by another country following the use of force or threat to use force. No acquisition of territory by threat or use of force shall be recognized as legal*”. With an important position of the East Sea to the countries in the region and beyond in terms of economic, political, security, defense, therefore, the East Sea should be the ASEAN countries and China soon adopted the Code of Conduct in the East Sea (COC) to manage the risk of conflict (Sam, 2011).

From 2002 to 2013, ASEAN and China have been many attempts to maintain peace, stability and development of international cooperation in the East Sea. However, China's public claims about the “nine dots line” and concretize it when the illegal drilling of Hai Duong 981 drilling rig in the exclusive economic zone and continental shelf of Vietnam has made the situation in the East Sea more complicated and stressful, that went against the trend and the efforts of the regional countries and the international community to seek a peaceful solution, long-term stability for the maritime sovereignty disputes in the East Sea (Minh, 2011b). Issues on the East Sea to the countries of the region, in a spirit of respect for the

sovereignty and legitimate interests of each other, adhere to international law, to find a fair solution that the parties can accept.

3.4. Apply international legal regulations to assert the sovereignty of Hoang Sa and Truong Sa Islands belong to Vietnam

3.4.1. Hoang Sa archipelago belongs to the sovereignty of the State of Vietnam

Based on the system of historical, archaeological, legal and cultural evidence, it can be seen that in the first half of the 17th century, sovereignty over the Paracels belonged to Vietnam. Because, the Lord Nguyen dynasty Tay Son and Nguyen court has expressed ongoing management, peace at the state level for the Paracels but not one country in the region and around the world opposed. In other words, no nation yet asserted sovereignty over the Hoang Sa Islands.

In the first half of the 17th century and the first half of the 18th century, the Nguyen Lords established Hoang Sa and Bac Hai teams to measure, plant trees, establish landmark and collect valuable wildlife in the Hoang Sa and Truong Sa archipelagos on surrender to the court. These are important events that have confirmed the sovereignty of the State of Vietnam in terms of state ownership of the Hoang Sa archipelago rather than the invasion. These are important events that have confirmed the sovereignty of the State of Vietnam in terms of state ownership of the Hoang Sa archipelago rather than the invasion.

Based on the provisions of international law, the principles of modern international maritime law, particularly those of UNCLOS, prior to China's claim to the Paracel Islands of Vietnam, the Paracel Islands belonged to the Vietnamese State. Therefore, all claims of China and the use of force illegal occupation over the Paracel islands of the State of Vietnam was contrary to the norms of international law, Law of the Sea modern international.

Therefore, all of China's claims to sovereignty over the Paracels of the Vietnamese State are worthless. The blatant violation of sovereignty over the Hoang Sa archipelago of the Vietnamese State is a blot in the history of relations between the two countries caused by China (Minh, 2011a).

3.4.2. Truong Sa Island under the sovereignty of the State of Vietnam

For the Truong Sa Island, through the study of historical sources show that the work of the Bac Hai by Lord Nguyen performed in Truong Sa significant claims and sovereignty enforcement at the state level for the Truong Sa Islands, followed by the Tay Son dynasty, the Nguyen dynasty as well as the next state institutions made use management and lasting peace for the Truong Sa Islands without any other country in the region opposed.

Following the course of history, when the French invaded Vietnam, Vietnam on behalf of the French State's

claims to the Spratly Islands in 1925 and the subsequent actions of France. In 1930, France informed the great powers that the Spratly Islands belonged to France. No country objected, 1933, France annexed the Truong Sa in Ba Ria. Until 1939, Japan's Truong Sa dispute with France. Moreover, Japan has abandoned its claim to the Truong Sa Island in the Agreement of San Francisco in 1951. Until after World War II, China disputed the Truong Sa Islands with France, that is, after the French State has claimed sovereignty over 20 years since the French invaded Vietnam (Minh, 2011d).

On the basis of the evidence provided by the parties, since China began claiming sovereignty over the Truong Sa Islands after World War II, the Spratly Islands belonged to the Vietnam State. So claims of China on the Truong Sa Islands of Vietnam State are unfounded action, contrary to the norms of international law, International Maritime Law, especially those of UNCLOS, and all claims to China over the Truong Sa Island's worthless.

#### 4. Conclusion:

In the world and in the region, there has been an increase in the disputes over sovereignty over islands, islands, shallow beaches, and undergrounds, which are increasingly complex and difficult concessions. Sovereignty disputes over the islands take place in many aspects such as politics, law, and diplomacy, not only in the East Sea but also in other parts of the world, already have a serious impact on the environment of peace and stability of the region and the world.

The sovereignty of the sea, rocky islands, islands, Shoals, rocks held by many different causes such as: resources, a strategic location, geo-economic, geopolitical and influence of the sea island for the region and the world, also because historical reasons that sovereignty disputes over islands problematic, time-consuming and require significant investment of financial and human resources. These're the complex dispute over sovereignty, take many different forms and difficult to resolve, such as: Sovereignty disputes between Russia and Japan over the Kurin Islands, the sovereignty dispute between China and Japan over the Senkaku Islands, or the Diaoyu Islands in the East Sea, Sovereignty disputes between North Korea and South Korea over the Hoang Hai Sea, sovereignty disputes over the sea, islands, shallow islands, archipelagos among the relevant states in the East Sea...etc.

To solve the problem of sovereignty disputes over islands between countries should be based on a system of national legal basis to prove its sovereignty over the island waters in terms of aspects such as: politics, history, archeology, law, maritime culture, economics and international legal bases: Basic Principles of Modern International Law, United Nations Convention on the Law of the Sea, in particular the provisions of UNCLOS. The countries concerned must conduct peaceful diplomatic negotiations to resolve deep disputes over maritime

sovereignty. Absolutely no use of force or the threat of using force to settle disputes is the basic content required by international law strictly for the countries concerned. Sovereignty dispute resolution for bilateral maritime disputes involving only the sovereignty of the two countries, multilateral settlement of sovereignty disputes involving multiple parties, through diplomatic mechanisms or offering the International Tribunal for trial, when negotiations between the parties without result, fall into deadlock. The basic issue is that the countries concerned, including Vietnam, have to consolidate their legal base in line with international law and modern international maritime law, through peaceful negotiations.

On the other hand, for international judges to adjudicate equitably, arbitrators, international judges must be impartial, impartial, non-discriminatory between large countries and small countries, political regime and ensure fairness in accordance with the provisions of modern international law. Vietnam is a country with waters adjacent to many countries in the East Sea. For a long time, Vietnam has achieved achievements in negotiating sea delimitation with the relevant countries in the area. This content has positively contributed to creating a peaceful environment, creating conditions for economic development, especially the marine economy.

Due to Vietnam's waters adjacent to the countries in the region, Vietnam's waters have important positions on many different aspects of economic, political, defense and security, and it is because of that importance that many countries in the region have stepped up their sovereignty over the island waters of Vietnam that have created complex and difficult to resolve disputes. In addition, maritime powers, major countries in the world are also seeking national interests in the East Sea, including the waters of Vietnam, mainly the interests of international maritime freedom in the two fields of trade liberalization and military freedom for vehicles such as warships, submarines, aircraft carriers are an innocent passage. UNCLOS provides no harm to all types of ships, regardless of warships or cargo ships passing through 12 nautical miles. One of the complexes, difficult and time-consuming sovereignty disputes in the area of the Hoang Sa and Truong Sa Islands in Vietnam. One of the complexes, difficult and time-consuming sovereignty disputes in the area of the Paracel and Spratly Islands in Vietnam. To solve this problem requires Vietnam to conduct regular and long-term research activities to strengthen the system of national legal basis on aspects mainly: sea of political, historical, archaeological, cultural and maritime law to demonstrate sovereignty two Hoang Sa and Truong Sa belong to Vietnam State unquestionably, these contents are in full compliance with the provisions of modern international law, the Law of the Sea International, especially those of UNCLOS. When the State of Vietnam has established a solid national legal system in accordance with the principles of modern international law, in particular, those

of UNCLOS, the process of resolving sovereignty disputes will become easier and certainly international justice will recognize the legitimate rights of sovereignty of the State of Vietnam on two Hoang Sa and Truong Sa Islands./.

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