

Maritime boundary which affects two neighbouring countries with Cambodia, namely, the Kingdom of Thailand and the Socialist Republic of Viet Nam, in the Gulf of Thailand, and Cambodia itself^{3/}

The Ministry of Foreign Affairs and International Cooperation presents its compliments to the Royal Embassy of Thailand and to the Embassy of the Socialist Republic of Viet Nam in Phnom Penh and, with reference to the Agreement between the Government of the Kingdom of Thailand and the Government of the Socialist Republic of Viet Nam on the Delimitation of the Maritime Boundary between the two countries in the Gulf of Thailand, has the honour to declare the position of the Royal Government of Cambodia as follows:

1. The said Agreement between Thailand and Viet Nam, signed on 9 August 1977 in Bangkok, in article 1, paragraph 3, which is based on the so-called "maritime boundary" between the Socialist Republic of Viet Nam and the Kingdom of Cambodia, and which Cambodia has never agreed to, constitutes a violation of Cambodia's sovereignty and its rights over its exclusive economic zone as well as its continental shelf in this part of the Gulf of Thailand.
2. All provisions of the said Agreement are without prejudice with respect to Cambodia, and are, under international law, neither binding upon Cambodia nor affect her rights and legitimate interests in the area in question.
3. The boundary delimitation of the continental shelf and the exclusive economic zone in this part of the Gulf of Thailand shall be determined on the basis of agreement in accordance with both the general principles of international law and the United Nations Convention on the Law of the Sea of 1982, which calls for all States concerned to achieve an equitable solution.
4. In this connection, Cambodia totally reserves its position in relation to any delimitation of the maritime boundary in this part of the Gulf of Thailand, which has been made or may be made without the agreement of the Royal Government of Cambodia.
5. In a spirit of goodwill, cooperation and respect of each State's sovereignty, the Royal Government Cambodia wishes to reiterate its readiness and determination to work in a positive, productive and friendly way with its neighbours in order to reach a provisional arrangement of a practical nature or a final agreement on this matter as soon as possible.

³ Communicated by the Permanent Mission of the Kingdom of Cambodia to the United Nations in a note verbale dated 13 March 1998.