

PERMANENT MISSION OF JAPAN  
TO THE UNITED NATIONS  
NEW YORK

SC/09/248

The Permanent Mission of Japan to the United Nations presents its compliments to the Secretariat of the United Nations and, with reference to the preliminary information submitted by the Republic of Korea on 11 May 2009, has the honour to register the position of the Government of Japan, as follows:

The distance between the opposite coasts of Japan and the Republic of Korea in the area with regard to which the Republic of Korea has submitted preliminary information is less than 400 nautical miles. The delimitation of the continental shelf in this area shall be effected by agreement between the two States in accordance with Article 83 of the United Nations Convention on the Law of the Sea (hereinafter referred to as "the Convention"). It is indisputable that the establishment of the continental shelf beyond 200 nautical miles in an area comprising less than 400 nautical miles and subject to the delimitation of the continental shelf between the States concerned cannot be accomplished under the provisions of the Convention.

The Permanent Mission of Japan has further the honour to register that the Government of Japan reserves its right to make additional comments on matters concerning the preliminary information as well as to state its position when the Republic of Korea makes its submission to the Commission on the Limits of the Continental Shelf (hereinafter referred to as "the Commission") in accordance with Article 76 and Annex II of the Convention and the Rules of Procedure of the Commission.

The Permanent Mission of Japan to the United Nations avails itself of this opportunity to renew to the Secretariat of the United Nations the assurances of its highest consideration.

23 July 2009

