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9 September 2004

**United Nations Convention on the Law of the Sea  
concluded at Montego Bay, Jamaica  
on 10 December 1982**

United States of America: Notification regarding the submission made by  
Brazil to the Commission on the Limits of the Continental Shelf

The Secretariat of the United Nations communicates the following:

On 30 August 2004, the Legal Counsel of the United Nations received from the Deputy Representative of the United States of America to the United Nations a letter dated 25 August 2004, referring to the submission to the Commission on the Limits of the Continental Shelf, made by Brazil on 17 May 2004, pursuant to article 76, paragraph 8, of the Convention.

The text of the letter is circulated for information.

V. G.

THE DEPUTY REPRESENTATIVE OF THE UNITED STATES  
OF AMERICA TO THE UNITED NATIONS

August 25, 2004

Dear Mr. Michel:

The United States has reviewed the executive summary of the Brazilian submission to the Commission on the Limits of the Continental Shelf (Commission) of May 17, 2004, and has several comments. The United States requests that this letter be distributed to all States Member of the UN and to all Commission members.

This letter highlights the issues of sediment thickness and the Vitoria-Trindade feature.

#### Sediment Thickness

With respect to sediment thickness, the United States examined those portions of the line in figure 2 that were derived by applying Article 76, paragraph 4(a)(i) (the "sediment thickness line"). The United States compared this sediment thickness line with publicly available data, for example, from the Deep Sea Drilling Project, from published journal articles, and from the database called Total Sediment Thickness of the World's Oceans and Marginal Seas, prepared by the National Geophysical Data Center of the U.S. Department of Commerce, National Oceanic & Atmospheric Administration (NGDC). In several places, the United States observed that there are differences between the sediment thickness as presented in the Brazilian summary and the sediment thickness derived from publicly available sources. While the United States recognizes that exploration seismic surveys conducted in this part of the margin may have produced data that is more refined than that contained in the NGDC database, the United States suggests that the Commission may want to examine Brazil's sediment thickness data carefully. With respect to points 65 to 69, the United States also notes that the zigzag pattern appears to be erratic compared to other parts of the sediment thickness line and may bear additional scrutiny.

His Excellency

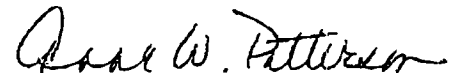
Mr. Nicolas Michel,  
Under-Secretary-General,  
The Legal Counsel,  
Office of Legal Affairs,  
Room S-3427A,  
United Nations,  
New York.

Vitoria-Trindade Feature

The United States has reviewed publicly available information regarding what Brazil refers to as the "Vitoria Trindade Ridge." The Commission should be aware that the International Hydrographic Organization/Intergovernmental Oceanographic Commission (IHO/IOC) General Bathymetric Chart of the Oceans (GEBCO) Sub-Committee on Undersea Feature Names (SCUFN) refers to that feature as the "Vitoria-Trindade Seamount Chain," and formerly referred to it as a "Ridge." IHO-IOC GEBCO Gazetteer of Undersea Feature Names, p. 353 (May, 2004). (The United States officially refers to the feature as the "Vitoria-Trindade Seamounts.") Based on the information made public by the United Nations regarding this aspect of Brazil's submission to the Commission, one cannot determine what data and analysis Brazil used and how Brazil applied relevant provisions of Article 76 to support its conclusion, in the area of this feature, that its continental margin extends beyond 200 nautical miles from the baselines from which the territorial sea is measured. The United States, after reviewing relevant literature, suggests that oceanic hot spot processes likely formed the feature in question. The United States doubts whether the feature in question is part of Brazil's continental margin beyond 200 nautical miles from the baselines from which the territorial sea is measured. The United States suggests that the Commission takes a cautious approach with regard to this feature.

Please let me know if we can be of further assistance.

Sincerely,



Ann W. Patterson  
Ambassador