



PAKISTAN MISSION TO THE UNITED NATIONS  
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No. Sixth/LS/7/2021

The Permanent Mission of the Islamic Republic of Pakistan to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honour to draw his attention to Note Verbale No. NY/PM/443/3/2010 dated 17 November 2020 by the Republic of India, responding to Note Verbale No. Sixth/LS/7/2020 dated 6 July 2020 addressed to the Secretary-General of the United Nations by the Permanent Mission of Pakistan to the United Nations, which objected to the partial Submission related to Western offshore region (Arabian Sea) presented by the Republic of India to the Commission on the Limits of the Continental Shelf (CLCS).

Based on the consideration of the Executive Summary of the Indian Submission and its subsequent response, Pakistan regrets that India was unable to address the procedural inconsistencies and violations of the 1982 United Nations Convention on the Law of the Sea (UNCLOS) as well as the Rules of Procedure of the CLCS in its Submission. Therefore, the Government of Pakistan rejects the Indian contentions as contained in its Note Verbale No. NY/PM/443/3/2010 dated 17 November 2020 and wishes to observe the following:

- i) It is reiterated that the contents of the Executive Summary of Indian Submission, as contained in Section-V “Relevant Delimitation”, fail to highlight the dispute between Pakistan and India in Sir Creek area due to which the determination of agreed Land Terminus and subsequent delimitation of maritime boundary is pending. Indian contention equating “outstanding maritime delimitations” with “dispute” does not comply with Rule 46 and Clause 2(a) of Annex I of the Rules of Procedure of the Commission, which categorically necessitates the coastal state(s) to inform the Commission of “such disputes”;
- ii) India’s claim to have made its Submission “without prejudice to matters relating to delimitation of boundaries with its neighbouring States” is contrary to what India has submitted under Section-VI (paragraph 7), “Region-by-Region Overview”, which highlights that the outer limits of the Indian extended Continental Shelf (Western offshore region, Arabian Sea) is defined by 220 fixed points – out of which 19 points (a segment of more than 100 nautical miles) are located on the potential maritime boundary between Pakistan and India. This is in violation of Article 76 (10) and Article 9 of Annex II of UNCLOS as well as the Rules of Procedure of the Commission;
- iii) India’s argument that Pakistan’s Submission was considered by the Commission despite “outstanding maritime delimitation” is misleading, as Pakistan’s Submission neither had any segment of bilateral boundary, nor did it undertake any unilateral construction of potential maritime boundary with India. Pakistan

also unambiguously mentioned the boundary dispute over Sir Creek with India in its Submission; and

- iv) India's assertions that "the potential maritime boundary is based on median line equidistance principle" and that "Pakistan has also followed the same" is again an attempt to divert the Commission's attention from the main issue. Using equidistance principle is not fundamentally under consideration at present. What is critical to note is that, while using the equidistance principle, Pakistan never included any part of the potential maritime boundary with India in its Submission for the consideration of CLCS.

The Government of Pakistan reiterates that by failing to reflect the Sir Creek dispute and by unilaterally constructing the median lines as a potential maritime boundary with Pakistan and presenting it to the Commission for review, India is in violation of the UNCLOS and the Rules of Procedure of the CLCS.

The Government of Pakistan, therefore, in accordance with Article 5(a) of Annex-I to the Rules of Procedure of the CLCS, requests the Commission once again not to consider and qualify the partial Submission of India pertaining to its Western offshore region in North Arabian Sea, as it would prejudice the matters related to the delimitation of boundaries between Pakistan and India.

The Government of Pakistan reiterates its commitment to make every effort to resolve the boundary dispute and reach an agreement with India on the dispute over Sir Creek, and, therefore, until such time, the Commission should not consider the matter related to the delimitation of the boundaries between States with adjacent or opposite coasts, as is the case with Pakistan and India, in accordance with Article 76 and Annex II of the UNCLOS.

Pakistan has also responded to India bilaterally on the subject in response to a note verbale dated 1 December 2020 addressed to the Ministry of Foreign Affairs, Islamabad, by the Indian High Commission in Islamabad. A copy of the note verbale sent to India is enclosed.

The Permanent Mission requests that this Note Verbale, along with its enclosure, be circulated to all members of the Commission and to all State Parties to the UNCLOS.

The Permanent Mission of the Islamic Republic of Pakistan to the United Nations avails itself of this opportunity to renew to the Secretary General of the United Nations the assurances of its highest consideration.

Encl: as above

**H.E. Mr. Antonio Guterres,**  
United Nations Secretary-General,  
**New York**



CC:

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**Mr. Miguel de Sepra Soares,**  
Under-Secretary-General,  
Legal Affairs/Legal Counsel,  
New York

MINISTRY OF FOREIGN AFFAIRS  
ISLAMABAD



No. UN(III)-3/10/2020

The Ministry of Foreign Affairs of the Islamic Republic of Pakistan presents its compliments to the High Commission for the Republic of India in Islamabad and has the honour to refer to the latter's Note Verbale No. ISL/108/2/2020 dated 1 December 2020 responding to Note Verbale No. Sixth/LS/7/2020 dated 6 July 2020 addressed to the Secretary-General of the United Nations by the Permanent Mission of Pakistan to the United Nations in New York on India's partial submission related to Western offshore region (Arabian Sea) to the Commission on the Limits of the Continental Shelf (CLCS).

Based on the consideration of the Executive Summary of the Indian Submission and its subsequent response, the Government of Pakistan regrets that India was unable to address the procedural inconsistencies and violations of the 1982 United Nations Convention on the Law of the Sea (UNCLOS) as well as the Rules of Procedure of the CLCS in its Submission. Therefore, the Government of Pakistan rejects the Indian contentions as contained in its Note Verbale No. ISL/108/2/2020 dated 1 December 2020 and wishes to observe the following:

- i. The contents of the Executive Summary of Indian Submission, as contained in Section-V "Relevant Delimitation", fail to highlight the dispute between Pakistan and India in Sir Creek area due to which the determination of agreed Land Terminus and subsequent delimitation of maritime boundary is pending. Indian contention equating "outstanding maritime delimitations" with "dispute" does not comply with Rule 46 and Clause 2(a) of Annex I of the Rules of Procedure of the CLCS, which categorically necessitates the coastal state(s) to inform the CLCS of "such disputes";
- ii. India's claim to have made its Submission "without prejudice to matters relating to delimitation of boundaries with its neighbouring States" is contrary to what India has submitted under Section-VI (paragraph 7), "Region-by-Region Overview", which highlights that the outer limits of the Indian extended Continental Shelf (Western offshore region, Arabian Sea) is defined by 220 fixed points – out of which 19 points (a segment of more than 100 nautical miles) are located on the potential maritime boundary between Pakistan and India. This is in violation of Article 76 (10) and Article 9 of Annex II of UNCLOS as well as the Rules of Procedure of the CLCS;

- iii. India's argument that Pakistan's Submission was considered by the CLCS despite "outstanding maritime delimitation" is misleading, as Pakistan's Submission neither had any segment of bilateral boundary, nor did it undertake any unilateral construction of potential maritime boundary with India. Pakistan also unambiguously mentioned the boundary dispute over Sir Creek with India in its Submission; and
- iv. Till such time that the Indian Submission is under consideration, Pakistan is well within its right to lodge an objection. There is no limitation of time prescribed under UNCLOS which constrains the CLCS from considering Pakistan's objection. It is pertinent to mention that 12 rounds of bilateral talks have been held between Pakistan and India on Sir Creek dispute till 2012. The said talks were discontinued by India in 2013 and need to be resumed to arrive at a mutually acceptable solution.

The Government of Pakistan wishes to highlight that by failing to reflect the Sir Creek dispute and by unilaterally constructing the median lines as a potential maritime boundary with Pakistan and by presenting it to the Commission for review, India is in violation of the UNCLOS and the Rules of Procedure of the CLCS.

The Government of Pakistan reiterates its commitment to make every effort to resolve the boundary dispute and reach an agreement with India on the dispute over Sir Creek. Until such time, Pakistan has every right to protect its interests in maritime zones from actions that may have prejudicial outcome.

The Ministry of Foreign Affairs of the Islamic Republic of Pakistan avails itself of this opportunity to renew to the High Commission for the Republic of India in Islamabad the assurances of its highest consideration.



Islamabad, 13 January 2021

High Commission of the Republic of India,  
Islamabad