



PAKISTAN MISSION TO THE UNITED NATIONS
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No. Sixth/LS/7/2020

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 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, the Government of Pakistan observes the following:

- i. The contents of the Executive Summary of Indian Submission as contained in Section-V “Relevant Delimitations” fails 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. Pakistan also objected to the Indian Baseline System that was posted on the website of the Division for the Ocean Affairs and the Law of the Sea (copy of the note verbale attached). Failing to reflect Sir Creek dispute is in contravention of Rule 46 and Annex I (para 2) of the Rules of Procedure of the Commission; and
- ii. Section-VI (paragraph 7) “Region-by-Region Overview”, highlights that the outer limits of Indian extended Continental Shelf (Western offshore region, Arabian Sea) is defined by 220 fixed points out of which 19 points are located on the potential maritime boundary between Pakistan and India. This is a unilateral action, not recognized by Pakistan, and is in contravention of Article 76 (10) and Article 9 of Annex II to the United Nations Convention on Law of the Sea (UNCLOS) and Rules of Procedure of the Commission.

The Government of the Islamic Republic of Pakistan believes that failing to reflect Sir Creek dispute and unilaterally constructing the median lines as a potential maritime boundary between Pakistan and India is in violation of the UNCLOS and Rules of Procedures of the CLCS.

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

The Government of the Islamic Republic of Pakistan reiterates its commitment to make every effort to resolve the boundary dispute and reach a bilateral agreement with India on dispute over Sir Creek, and therefore until such time, the Commission should not prejudice the matter related to the delimitation of the boundaries between States with

adjacent or opposite coasts, as enshrined in Article 76 and Annex II of the UNCLOS (1982).

The Permanent Mission of the Islamic Republic of Pakistan to the United Nations requests that this Note Verbale be circulated to all members of the Commission and all States 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 Secretariat-General of the United Nations, the assurances of its highest consideration.

Encl: (as above)



New York, 6 July 2020

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



CC:

Mr. Miguel de Serpa Soares,
Under-Secretary-General,
Legal Affairs/Legal Counsel,
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No. Sixth/LS/7/2011

6 December 2011

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 with reference to Government of India's Notifications No. S.O.1197(E) dated 11 May 2009 and S.O. 2962(E) dated 20 November 2009, specifying list of geographical coordinates of base points defining Baseline System of India to measure its maritime boundaries, posted on the website of Division for Ocean Affairs and the Law of the Sea (UN circular No. M.Z.N. 76.2010.LOS of 17 February 2010) and published in Law of the Sea Bulletins No. 71 & 72 has the honour to state the following:-

- a. The Government of Pakistan is of the view that the following sections of the baseline points notified by India are inconsistent with international law, including the relevant provisions of 1982 United Nations Convention on the Law of the Sea (UNCLOS). The Government of Pakistan therefore, reserves its rights and those of its nationals in this regard.
- b. India's Base Points 1 to 3 of Schedule-I of India Notification (coordinates mentioned below), impinge upon Pakistan's territorial limits in Sir Creek area and encroach upon its territorial waters, which are within its sovereign jurisdiction. This encroachment by India in Pakistan's limits is a grave violation of international principles and established practices and clear violation of UNCLOS-82 Article 7(6) which states that system of straight baseline may not be applied by a State in such a manner as to cut off the territorial sea of another state from the high seas or EEZ.
 - i) Sir Mouth N. - 23° 40' 20.80" N, 68° 04' 31.20" E
 - ii) Sir Mouth S. - 23° 36' 30.30" N, 68° 07' 00.90" E
 - iii) Pir Sanai Creek - 23° 36' 15.20" N, 68° 07' 28.50" E
- c. The Government of Pakistan notes that disregarding the provisions of UNCLOS 82 Article 5, straight baseline segments joining base points No.24-25, 27-28, & 18-19 have been drawn by India on relatively smooth coast which is not indented

or fringed by islands. India should have used normal baseline, the low water line, as required by UNCLOS 82. Pakistan is of the view that this creeping appropriation of sea due to excessive baselines have infringed the rights of international community as a whole being part of res communis in international seabed Area and Pakistan in particular being adjacent Coastal State.

- d. The Government of Pakistan further notes that straight baselines have been drawn by India to and from low-tide elevations in West/East Coast of India, which do not have lighthouses or similar installations on them or any international recognition, contravening Article 7(4) of UNCLOS-82.
- e. Coordinates of normal baseline segments have not been given in the Notification.
- f. Lengthy segments of straight baseline, which is against the spirit and practices of UNCLOS have been used to maximize the area of internal waters.

In view of the above, the Government of Pakistan does not recognize the Baseline System promulgated by India. While the Government of Pakistan reserves its right to seek suitable revision of this notification, any claim India makes on the basis of above cited Indian Notification to extend its sovereignty/jurisdiction on Pakistani waters or extend its internal waters, territorial sea, Exclusive Economic Zone and Continental Shelf is therefore, not acceptable to Pakistan being in contravention to the provisions of UNLCOS 1982.

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

The United Nation Secretariat,
Ms. Patricia O'Brien -
Under Secretary-General/ Legal Counsel,
Office of Legal Affairs,
New York. N.Y. 10017.

