

REPUBLIC OF KOREA
PERMANENT MISSION TO THE UNITED NATIONS

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The Permanent Mission of the Republic of Korea to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honour to refer to the submission made by Japan to the Commission on the Limits of the Continental Shelf (hereinafter referred to as "the Commission") on 12 November 2008, and to the Note Verbale MUN/046/09 from the Permanent Mission of the Republic of Korea to the Secretary-General of the United Nations dated 27 February 2009.

The Permanent Mission of the Republic of Korea has further the honour to remind the Commission of Korea's comments made in the above-mentioned Note Verbale. The Republic of Korea reiterates that Oki-no-Tori Shima is clearly a rock under Article 121, paragraph 3 of the United Nations Convention on the Law of the Sea (hereinafter referred to as "the Convention"), and thus it is not entitled to any continental shelf extending to or beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured. Therefore, the legal status of Oki-no-Tori Shima is not a scientific or technical matter involving the establishment of the outer limits of the continental shelf, but rather a matter concerning the interpretation and application of Article 121 of the Convention, which is beyond the purview of the Commission.

In this regard, the Republic of Korea has the honour to draw attention to the Chairman's statement at the 23rd session of the Commission, which acknowledged that the Commission has no role on matters relating to the legal interpretation of Article 121 of the Convention and to the Commission's decision at its 24th session, which ruled that the Commission shall not take action on the part of the recommendations prepared by the Subcommission in relation to Oki-no-Tori Shima.

The Republic of Korea respectfully requests that the Commission take no action on the part of recommendations prepared by the Subcommission in relation to Oki-no-Tori Shima in accordance with its decision made at the 24th session.

The Permanent Mission of the Republic of Korea 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.

Secretary-General
The United Nations
New York

