



Note: 07/08/41

UN/7/12/1/A

The New Zealand Permanent Mission to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honour to refer to the submission dated 19 April 2006 by the Government of New Zealand to the Commission on the Limits of the Continental Shelf pursuant to article 76, paragraph 8, of the United Nations Convention on the Law of the Sea. The Permanent Mission has the further honour to refer to Note F.328/9 dated 8 April 2008 submitted by the Permanent Mission of the Kingdom of Tonga to the United Nations regarding the New Zealand submission and the unresolved maritime delimitation between New Zealand and Tonga.

The Permanent Mission notes that there is no overlap between the exclusive economic zones of Tonga and New Zealand and that the New Zealand continental shelf does not intrude into the exclusive economic zone of Tonga. However, as indicated in the New Zealand submission, the submerged prolongation of the land mass of New Zealand beyond 200 nautical miles as described in that submission does partly overlap with the submerged prolongation of the land mass of Tonga beyond 200 nautical miles in respect of the area of the Kermadec Ridge, Havre Trough and Colville Ridge. The Permanent Mission reaffirms that this area of continental shelf beyond 200 nautical miles remains subject to delimitation between New Zealand and Tonga. The Permanent Mission advises that New Zealand has made extensive efforts to resolve the boundary both prior to and since presenting its submission and that negotiations between New Zealand and Tonga remain ongoing.

The Permanent Mission wishes further to reaffirm that, consistent with article 76, paragraph 10, of the Convention, the New Zealand submission has been made without prejudice to the eventual delimitation of boundaries between New Zealand and Tonga and without prejudice to Tonga's right to make its own submission to the Commission on the Limits of the Continental Shelf pursuant to article 76, paragraph 8, of the Convention. The Permanent Mission accordingly welcomes Tonga's confirmation that it has no objection to the Commission considering and making recommendations on the New Zealand submission on that basis.

The Permanent Mission requests that this Note be placed on the website of the Division for Ocean Affairs and Law of the Sea, Office of Legal Affairs of the United Nations.

The New Zealand Permanent Mission to the United Nations takes this opportunity to renew to the Secretary-General of the United Nations the assurances of its highest consideration.

New Zealand Permanent Mission to the United Nations

NEW YORK

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