

EL MINISTRO DE RELACIONES EXTERIORES DE CHILE

Santiago, 7 May 2009

His Excellency Ban Ki Moon  
Secretary-General of the United Nations  
New York, USA

Excellency,

With reference to article 76 of the United Nations Convention on the Law of the Sea (UNCLOS) and article 4 of its Annex II, as well as the decisions of the Eleventh and Eighteenth Meetings of States Parties contained in SPLOS/72, paragraph (a), and SPLOS/183, paragraph 1 (a), respectively, the Government of Chile has the honour to submit to the Secretary-General of the United Nations preliminary information indicative of the outer limits of the continental shelf beyond 200 nautical miles and a description of the status of preparation and intended date of making a submission in accordance with the requirements of article 76 of the Convention and with the Rules of Procedure and the Scientific and Technical Guidelines of the Commission on the Limits of the Continental Shelf (the Commission).

The Government of Chile also notes that the relevant provisions of the UNCLOS, including its article 77, provide *inter alia* that the rights of the coastal State over the continental shelf do not depend on any express proclamation, and recalls the decisions of Meetings of the States Parties to UNCLOS and the Rules of the Commission on the Limits of the Continental Shelf (the Commission).

Preliminary information indicative of the outer limits of the continental shelf provided by Chile shows that it passes the test of appurtenance as described in the Scientific and Technical Guidelines of the Commission. In all Foot of the Slope points that have been identified on the Chilean continental slope, it is clear that Chile's continental shelf extends beyond 200 nautical miles from the baseline.

The present preliminary information is without prejudice to the future submission in accordance with the requirements of article 76 of UNCLOS, and with the Rules of Procedure and the Scientific and Technical Guidelines of the Commission.

Chile has regard to the circumstances of the area south of 60 degrees South latitude and the special legal and political status of Antarctica under the provisions of the Antarctic Treaty, including its article IV, and notes that appurtenant to Antarctica there exist areas of continental shelf the extent of which has yet to be defined. It is open to the States concerned to submit information to the Commission which would not be

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examined by it for the time being, or to make a partial submission not including such areas of continental shelf, for which a submission may be made later, notwithstanding the provisions regarding the ten year period established by article 4 of Annex II to UNCLOS and the subsequent decision on its application taken by the Eleventh Meeting of States Parties to UNCLOS.

In fulfillment of SPLOS/183, paragraph 1 (a), I kindly request that this Note and the preliminary information be notified to member States and placed on the website of the Division for Ocean Affairs and the Law of the Sea.

Please accept Excellency, the assurances of my highest consideration,



**Mariano Fernández Amunátegui**  
Minister of Foreign Affairs