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## **Permanent Mission of the Democratic Republic of the Congo to the United Nations**

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New York, 14 June 2010

The Permanent Mission of the Democratic Republic of the Congo to the United Nations presents its compliments to the Secretariat of the United Nations and has the honour to refer to the preliminary information submitted by the Republic of Angola to the Commission on the Limits of the Continental Shelf on 4 May 2009, and to note No. 7/003 addressed by the Permanent Mission of the Republic of Angola to the Secretariat on 31 July 2009.

In connection with those documents, the contents of which it found to be of particular interest, the Government of the Democratic Republic of the Congo wishes to make the following points:

1. The Democratic Republic of the Congo confirms the terms of the Act delimiting its maritime areas, and reiterates its intention to establish the outer limits of its continental shelf beyond 200 nautical miles. The Act affirms its rights and legitimate interests in a spirit of fairness.
2. The Government of the Democratic Republic of the Congo notes with regret that the plan submitted by the Republic of Angola to the Commission on 4 May 2009 delimits the continental shelf of that country without reference to the rights of the Democratic Republic of the Congo as a coastal State. It therefore contravenes the United Nations Convention on the Law of the Sea of 10 December 1982, and in particular article 7, paragraph 6, which provides that "the system of straight baselines 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 an exclusive economic zone"; article 77, paragraph 1, which provides that "the coastal State exercises over the continental shelf sovereign rights for the purpose of exploring it and exploiting its natural resources"; and article 77, paragraph 2, which provides that "the rights referred to in paragraph 1 are exclusive in the sense that if the coastal State does not explore the continental shelf or exploit its natural resources, no one may undertake these activities without the express consent of the coastal State".

Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs

C.c. Chairman of the Commission on the Limits of the Continental Shelf

C.c. President of the twentieth Meeting of States Parties to the United Nations Convention on the Law of the Sea

3. The Democratic Republic of the Congo does not consider itself bound by the Republic of Angola's delimitation of those maritime spaces, and rejects the plan to the Committee by that State on 4 May 2009.

4. The Democratic Republic of the Congo intends to study the plan of the Republic of Angola to extend its continental shelf beyond 200 nautical miles, and will make its position on the subject known in due course.

5. The Democratic Republic of the Congo stands ready to resolve any dispute arising from this situation through the relevant mechanism provided for by international law.

The Government of the Democratic Republic of the Congo requests the Secretary-General to register this letter and have it distributed and published in the Law of the Sea Bulletin and any other relevant United Nations publications.

The Permanent Mission of the Democratic Republic of the Congo to the United Nations takes this opportunity to convey to the Secretariat of the United Nations the renewed assurances of its highest consideration.

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