

EXECUTIVE SUMMARY

A PARTIAL SUBMISSION OF DATA AND INFORMATION ON

THE OUTER LIMITS OF THE CONTINENTAL SHELF OF THE

KINGDOM OF TONGA IN THE WESTERN PART OF THE

LAU-COLVILLE RIDGE PURSUANT TO PART VI OF AND ANNEX II

TO THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

PART I

Submission to the Commission on the Limits of the Continental Shelf through the Secretary-General of the United Nations

April 2014

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1. INTRODUCTION AND OBJECTIVES

The Kingdom of Tonga is proud to have the longest continuous legal claim of historic title to maritime domain in the World. The Royal Proclamation issued by His Majesty George Tubou, King of Tonga, on 24 August 1887 claims national jurisdiction by the Kingdom of Tonga over "all, islands, rocks, reefs, foreshores and waters lying between the fifteenth and twenty-third and a half degrees of south latitude and between the one hundred and seventy-third and the one hundred and seventy-seventh degrees of west longitude from the Meridian of Greenwich" (Annex A.1).

The Royal Proclamation of 24 August 1887 has resulted in the exercise of continuous jurisdiction and authority by the Kingdom of Tonga over the land territory and the maritime spaces defined in accordance with the claim for over one hundred and twenty years (Figure 1). This claim has never been reacted against or objected to by any State.

The Kingdom of Tonga became a State Party to the 1958 Geneva Conventions on the Territorial Sea and the Contiguous Zone (United Nations, Treaty Series, vol. 516, p. 205) and the Continental Shelf (United Nations, Treaty Series, vol. 499, p. 311) when it deposited its instruments of succession on 29 June 1971. These instruments of succession were followed by a communication from the Government of Tonga to the Secretary-General of the United Nations on 22 October 1971, to the effect that it wishes to maintain all objections made by the United Kingdom to the reservations or declarations made by States with respect to these Conventions.

The Kingdom of Tonga became a State Party to the United Nations Convention on the Law of the Sea (United Nations, Treaty Series, vol. 1833, p. 3) when it deposited its instrument of accession on 2 August 1995. It also deposited its instrument of participation to the Agreement relating to the Implementation of Part XI of the Convention on 2 August 1995, and it signed and ratified the Agreement for the Implementation of the Provisions of the Convention relating to the

Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks on 31 July 1996.

Historic title is recognised in international law and in the United Nations Convention on the Law of the Sea (International Law Commission, 1962). Historic title is recognised in the Convention in the context of several other provisions, such as article 15 on the delimitation of the territorial sea between States with opposite or adjacent coasts in Part II on the Territorial Sea and Contiguous Zone, and article 46 Use of terms in Part IV on Archipelagic States. The Kingdom of Tonga asserts in this Submission consistency between its claim of historic title made by means of the Royal Proclamation of 24 August 1887 and its maritime jurisdiction as established in the United Nations Convention on the Law of the Sea (the Convention).

For further clarification, the Kingdom of Tonga applies the concept of historic title in international law to all those maritime spaces established under its national jurisdiction in agreement with the Convention that can be included within the geographical limits defined in the Royal Proclamation of 24 August 1887. The breadths of the maritime spaces under the national jurisdiction of the Kingdom of Tonga within and beyond the geographical limits established by the Royal Proclamation of 24 August 1887 are defined in accordance with the relevant provisions of the Convention relating to internal and archipelagic waters, the territorial sea, the contiguous zone, the exclusive economic zone and the continental shelf. Thus the implementation of the Convention is consistent with the decision of the Kingdom of Tonga to maintain its claim of historic title over the land and maritime spaces established within the geographical limits included in the Royal Proclamation of 24 August 1887.

On 15 June 1972, a Royal Proclamation was published in the gazette of the Government of the Kingdom of Tonga asserting jurisdiction and control over the islands of Teleki Tonga and Teleki Tokelau:

His Majesty King Taufa ahau Tupou IV in Council DOES HEREBY PROCLAIM:

WHEREAS the Reefs known as North Minerva Reef and South Minerva Reef have long served as fishing grounds for the Tongan people and have long been regarded as belonging to the Kingdom of Tonga has now created on these Reefs islands known as Teleki Tokelau and Teleki Tonga; AND WHEREAS it is expedient that we should now confirm the rights of the Kingdom of Tonga to these islands; THEREFORE we do hereby AFFIRM and PROCLAIM that the islands, rocks, reefs, foreshores and waters lying within a radius of twelve miles [19.31 km] thereof are part of our Kingdom of Tonga.

The islands of Teleki Tokelau and Teleki Tonga were recognized as part of the Tongan national territory by the South Pacific Forum of States in September 1972.

Paragraph 1 of article 311 of the Convention establishes that:

This Convention shall prevail, as between States Parties, over the Geneva Conventions on the Law of the Sea of 29 April 1958.

Accordingly, the Kingdom of Tonga implements the Convention, and the provisions of Part VI of and Annex II to the Convention in its two partial submissions as prevailing over the Geneva Conventions on the Law of the Sea.

The continental shelf under national jurisdiction is defined under paragraph 1 of article 76 of the Convention as:

The continental shelf of a coastal State comprises the sea-bed and subsoil of the submarine areas that extend beyond its territorial sea throughout the natural prolongation of its land territory to the outer edge of the continental margin, or to a distance of 200 nautical miles from the baselines from which the breadth of the territorial sea is measured where the outer edge of the continental margin does not extend up to that distance.

The continental margin, in turn, is defined under paragraph 3 of article 76 of the Convention as:

The continental margin comprises the submerged prolongation of the land mass of the coastal State, and consists of the sea-bed and subsoil of the shelf the slope and the rise. It does not include the deep ocean floor with its oceanic ridges or the subsoil thereof.

The outer limits of the continental shelf are prescribed under paragraph 2 of article 76 not to exceed the combination of rules referred to in paragraphs 4 to 6:

The continental shelf of a coastal State shall not extend beyond the limits provided for in paragraphs 4 to 6.

The provisions established in paragraph 6 of article 76 are particularly applicable in this Submission:

Notwithstanding the provisions of paragraph 5, on submarine ridges, the outer limit of the continental shelf shall not exceed 350 nautical miles from the baselines from which the breadth of the territorial sea is measured. This paragraph does not apply to submarine elevations that are natural components of the continental margin, such as its plateaux, rises, caps, banks and spurs.

The Convention also establishes a procedure for the determination of the outer limits of the continental shelf beyond 200 nautical miles by the coastal State based on the recommendations made by the Commission on the Limits of the Continental Shelf (CLCS) in relation to a submission of information on the limits as described in paragraph 8 of article 76:

Information on the limits of the continental shelf beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured shall be submitted by the coastal State to the Commission on the Limits of the Continental Shelf set up under Annex II on the basis of equitable geographical representation. The Commission shall make recommendations to coastal States on matters related to the establishment of the

outer limits of their continental shelf. The limits of the shelf established by a coastal State on the basis of these recommendations shall be final and binding.

The above procedure is further elaborated in article 4 of Annex II to the Convention with the addition of a temporal requirement and a request designed to inform the Commission:

Where a coastal State intends to establish, in accordance with article 76, the outer limits of its continental shelf beyond 200 nautical miles, it shall submit particulars of such limits to the Commission along with supporting scientific and technical data as soon as possible but in any case within 10 years of the entry into force of this Convention for that State. The coastal State shall at the same time give the names of any Commission members who have provided it with scientific and technical advice.

The Eleventh Meeting of States Parties to the Convention, held from 14 to 18 May 2001, noted that it was only after the adoption of the Scientific and Technical Guidelines by the Commission on 13 May 1999 that States had before them the basic documents concerning submissions in accordance with article 76, paragraph 8, of the Convention. Considering the problems encountered by States Parties, in particular developing countries, including small-island developing States, in complying with the time limit set out in article 4 of Annex II to the Convention; the Meeting of States Parties (SPLOS/72) decided that:

- (a) in the case of a State Party for which the Convention entered into force before 13 May 1999, it is understood that the ten-year time period referred to in article 4 of Annex II to the Convention shall be taken to have commenced on 13 May 1999; and that
- (b) the general issue of the ability of States, particularly developing States, to fulfil the requirements of article 4 of Annex II to the Convention is kept under review.

The Government of the Kingdom of Tonga has identified the eastern part of the Tonga-Kermadec Ridge and the western part of the Lau-Colville Ridge as two regions over which it can extend its national jurisdiction over the continental shelf beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured.

A Partial Submission relating to the eastern part of the Tonga-Kermadec Ridge was made 11 May 2009 and the presentation of the partial submission to the CLCS was made on 6 April 2010 by Lord Tuita, Minister for Lands, Survey and National Resources, head of delegation, Kelepi Mafi, Principal Geologist and 'Aminiasi Kefu, Solicitor-General. The delegation of Tonga also included His Excellency Lord Sonatane T. Taumoepeau-Tupou of Toula and Kotu, Permanent Representative of Tonga to the United Nations, and other legal and technical advisers.

In addition to elaborating on substantive points of the submission, Lord Tuita pointed out that the submission was a partial submission in respect of the eastern part of Tonga-Kermadec Ridge and that it was without prejudice to a second submission in respect of continental shelf spaces extended beyond 200 nautical miles in the western part of the Lau-Colville Ridge.

Lord Tuita stated that there were no boundary disputes or controversies in any portion of the outer limits of the continental shelf beyond 200 miles. With respect to New Zealand's note verbale No. 06/09/09, dated 29 June 2009, Lord Tuita noted that it had raised no objection to the Commission considering and making recommendations on the submission on the basis of article 76, paragraph 10, of the Convention.

In accordance with paragraph 65 of Statement by the Chairperson of the CLCS on the progress of work in the Commission at the Twenty-fifth session (CLCS/66), the Commission then agreed to consider the partial submission by way of a subcommission when the submission was next in line for consideration as queued in the order in which it was received:

65. The Commission then continued its meeting in private. Addressing the modalities for the consideration of the submission, the Commission decided that, as provided for in article 5 of annex II to the Convention and in rule 42 of the rules of procedure, the submission would be addressed by a subcommission to be established in accordance with rule 51, paragraph 4 ter, of the rules of procedure, at a future session. The Commission decided to revert to the consideration of the submission at the plenary level when the submission was next in line for consideration as queued in the order in which it was received.

The eastern part of the Kermadec Ridge and the western part of the Lau-Colville Ridge are regions over which there are overlaps of maritime spaces under the national jurisdictions of the Kingdom of Tonga, the Republic of the Fiji Islands, and New Zealand. These overlaps have not been resolved by means of maritime boundary delimitation agreements among the three States to this date.

The Convention recognizes that competence with respect to the delimitation of international maritime boundaries which may arise in connection with the establishment of the outer limits of the continental shelf rests with States according to paragraph 1 of article 83:

The delimitation of the continental shelf between States with opposite or adjacent coasts shall be effected by agreement on the basis of international law, as referred to in Article 38 of the Statute of the International Court of Justice, in order to achieve an equitable solution.

The Convention establishes that any outer limits of the continental shelf beyond 200 nautical miles determined in accordance with paragraphs 4 to 6 of article 76 are without prejudice to the delimitation of continental shelf boundaries between States according to paragraph 10 of the same article:

The provisions of this article are without prejudice to the question of delimitation of the continental shelf between States with opposite or adjacent coasts.

The distinction between the delimitation of international continental shelf boundaries and the determination of the outer limits of the continental shelf is further reinforced by a savings provision contained in paragraph 4 of article 134:

Nothing in this article affects the establishment of the outer limits of the continental shelf in accordance with Part VI or the validity of agreements relating to delimitation between States with opposite or adjacent coasts.

However, the Convention, in article 9 of Annex II, also urges the Commission to take a cautious approach during the consideration of submissions and the preparation of its recommendations:

The actions of the Commission shall not prejudice matters relating to delimitation of boundaries between States with opposite or adjacent coasts.

This is appropriate under certain circumstances because the basis for entitlement to the continental shelf by States is also pertinent to its delimitation. The Kingdom of Tonga takes note of paragraph 3 of Annex I of the Rules of Procedure of the CLCS:

A submission may be made by a coastal State for a portion of its continental shelf in order not to prejudice questions relating to the delimitation of boundaries between States in any other portion or portions of the 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 the Convention.

In this sense, the Kingdom of Tonga makes this second partial submission of data and information concerning the outer limits of the continental shelf along the western portion of the Lau-Colville Ridge for the consideration of the CLCS without prejudice to boundary delimitations with the governments of the Republic of the Fiji Islands and New Zealand, which may be conducted at a later date.

The decision to make two partial submissions, the first in the eastern part of the Tonga-Kermadec Ridge, and the second in the western part of the Lau-Colville Ridge, is consistent with the position expressed in the Note Verbale issued by the Government of the Kingdom of Tonga dated 8 April 2008 in which it informed the CLCS that it had discovered from the outset that the Executive Summary presented as part of the Submission made by the Government of New Zealand to the CLCS presented under the cover of Note No. NZ-CLCS-TPN-01 of 19 April 2006 includes portions of maritime spaces under the national jurisdiction of the Kingdom of Tonga. The designated Northern Region in that Submission specifically overlapped southern portions of the exclusive economic zone and the continental shelf within and beyond 200 nautical miles of the Kingdom of Tonga.

The Government of the Kingdom of Tonga felt compelled to clarify its position on the Submission made by New Zealand:

- In accordance with article 74, paragraph 3, and article 83, paragraph 3, pending agreement, the States concerned, shall make every effort to enter into provisional arrangements of a practical nature and, during this transitional period, not to jeopardize or hamper the reaching of the final agreement. Such arrangements shall be without prejudice to the final delimitation.
- In accordance with article 76, paragraph 10, the provisions designed to establish the outer limit of the continental shelf are without prejudice to the question of delimitation of the continental shelf between States with opposite or adjacent coasts.

The Government of the Kingdom of Tonga also informed the CLCS that as a result of the discovery of their overlapping maritime spaces, the Governments of the Kingdom of Tonga and New Zealand had held consultations in a spirit of understanding and co-operation pending agreement as provided for in article 74, paragraph 1, and article 83, paragraph 1, of the Convention. Both Governments made various efforts in the past to enter into provisional arrangements of a practical nature, including the consideration of a Joint Submission to the CLCS in certain areas. While the complexities of the issues involved and the advanced stage of

the consideration of the Submission of New Zealand by the CLCS made it impossible to agree to prepare a Joint Submission, the Government of the Kingdom of Tonga acted in a way not to jeopardize or to hamper in any way the consideration by the CLCS of the Submission made by New Zealand in its Northern Region.

The Kingdom of Tonga communicated its views to the CLCS also fully aware of the fact that the position of the Government of New Zealand is consistent with its own interpretation of article 76, paragraph 10, in the sense that notwithstanding the outcome of the Recommendations in regard to the submission made by New Zealand adopted by the CLCS on August 22, 2008, the international maritime boundary delimitation of the exclusive economic zone and the continental shelf shall be effected by agreement on the basis of international law, as referred to in Article 38 of the Statute of the International Court of Justice, in order to achieve an equitable solution.

The Government of the Kingdom of Tonga takes note of the consistent position taken by the Government of New Zealand on the interpretation of article 76, paragraph 10, as evidenced in direct consultations and its Note No. NZ-CLCS-TPN03 dated 10 July 2006.

The Government of the Kingdom of Tonga also feels that a decision to make this second partial submission to the CLCS is consistent with the position expressed by the Government of the Fiji Islands in its Note Verbale NY 6/10/8/5 dated 23 June 2006 to the Secretary-General in which it establishes that

... the submission made by New Zealand and any recommendation to be made by the Commission on the Continental Shelf regarding the same ought to be without prejudice to any future submission to be made by the Republic of the Fiji Islands nor to the delimitation of the continental shelf of the Kermadec Ridge, Havre Trough, and Colville Ridge area between the Republic of the Fiji Islands and New Zealand.

The Government of the Fiji Islands confirmed this interpretation in paragraph 5-1 of the revised Executive Summary dated 30 April 2012 of its Submission dated 20 April 2009:

5-1 Fiji has outstanding delimitations in the area of this partial submission with the Kingdom of Tonga and New Zealand. Fiji's submission is made without prejudice to outstanding delimitations, consistent with Article 76, paragraph 10 and Annex II, Article 9 of UNCLOS.

From all the information communicated officially to the Secretary-General and the CLCS by the Kingdom of Tonga, the Republic of the Fiji Islands and New Zealand, it follows that all three States coincide in their interpretation of the relevant provisions of the Convention in the sense that any full or partial submission made by either Party is without prejudice to both the consideration of the full or partial submissions by the CLCS, and to boundary delimitations among them, which are to be conducted at a later date.

In its first partial submission dated 11 May 2009, the Kingdom of Tonga reserved the right to make a second partial separate submission of information and data to support the outer limits of the continental shelf beyond 200 nautical miles from which the breadth of the territorial sea is measured in the western part of the Lau-Colville Ridge at a later date, notwithstanding the provisions regarding the ten-year period established by article 4 of Annex II to the Convention. In light of the relevant provisions contained in the Convention, the Kingdom of Tonga makes this second partial submission through the Secretary-General to the Commission:

- i) to fulfil its obligations pursuant to paragraph 8 of article 76 of, and article 4 of Annex II to the Convention;
- ii) in accordance with the methodology contained in paragraphs 1 to 7 of article 76 of the Convention; and
- iii) without prejudice to questions relating to the delimitation of international boundaries among States in the Tonga-Kermadec and Lau-Colville Ridges regions.

This second partial submission contains data and information used in support of the determination of the outer limits of the continental shelf beyond 200 nautical miles of the Kingdom of Tonga in accordance with the Convention and the Scientific and Technical Guidelines of the Commission on the Limits of the Continental Shelf (CLCS/11; CLCS/11/Corr. 1; CLCS/11/Add. 1; CLCS/11/Add. 1/Corr. 1).

2. THE OUTER LIMIT OF THE CONTINENTAL SHELF IN THE WESTERN PART OF THE LAU-COLVILLE RIDGE

The Convention offers two complementary provisions designed to provide the definition of the continental margin and the breadth of its outer limit. The first provision, contained in paragraph 3 of article 76, provides its definition:

The continental margin comprises the submerged prolongation of the land mass of the coastal State, and consists of the sea-bed and subsoil of the shelf, the slope and the rise. It does not include the deep ocean floor with its oceanic ridges or the subsoil thereof.

The second provision, contained in paragraph 4 (a) (i) and (ii), subject to paragraphs 5 and 6 of article 76, determines the position of the outer limit of the continental margin by means of a complex formula based on four rules. Two of these rules are affirmative and the remaining two are negative. The two positive rules, herein referred to as *formulae*, are connected through an inclusive disjunction:

- (i) a line delineated in accordance with paragraph 7 by reference to the outermost fixed points at each of which the thickness of sedimentary rocks is at least 1 per cent of the shortest distance from such point to the foot of the continental slope; or
- (ii) a line delineated in accordance with paragraph 7 by reference to fixed points not more than 60 nautical miles from the foot of the slope.

The use of a disjunction between the two *formulae* above implies that it is sufficient that one formula line extends beyond 200 nautical miles in order to ensure the determination of an outer limit of the continental shelf beyond this distance. Thus, the limit of the continental shelf beyond 200 nautical miles can be extended up to a line delineated by reference to fixed points where sediment thickness is at least 1% from the shortest distance to the foot of the continental slope, or to a line delineated by reference to fixed points at a distance of 60 nautical miles from the foot of the continental slope, whichever is furthest from the baselines from which the breadth of the territorial sea is measured.

The use of an inclusive disjunction also implies that when both *formulae* lines are used, their outer envelope determines the maximum potential extent of entitlement over the continental shelf by a coastal State. If any portion of this outer envelope extends beyond 200 nautical miles, the test of appurtenance would be satisfied and a coastal State would be in a position to apply the full range of provisions contained in paragraphs 4 to 6 to determine the outer limits of the continental shelf extended beyond 200 nautical miles.

The determination of the outer limits is an essential procedure of the implementation of article 76. The outer envelope of the 1% sediment thickness and the foot of the slope plus 60 nautical miles lines *formulae* is used once again in this procedure. But it is still subject to spatial constraints in order to produce the determination of the outer limits of the continental shelf.

The extent of the outer envelope formed by the lines derived from the two *formulae* is restricted by a line derived from the two lines, defined by the Commission as constraints. According to paragraph 5, the simultaneous application of these two constraints defines the outer limit beyond which the continental shelf cannot be extended:

The fixed points comprising the line of the outer limits of the continental shelf on the seabed, drawn in accordance with paragraph 4 (a) (i) and (ii), either shall not exceed 350 nautical miles from the baselines from which the breadth of the territorial sea is measured or shall not exceed 100 nautical miles from the 2,500 metre isobath, which is a line connecting the depth of 2,500 metres.

The outer limit of the continental shelf beyond 200 nautical miles in the western part of the Lau-Colville Ridge region is determined under the above provisions by the application of a single formula provided by a line determined at a distance of 60 nautical miles from the foot of the continental slope, and a single constraint provided by the 350 nautical miles line.

The formula line defined by 1 per cent sediment thickness of the shortest distance to the foot of the continental slope and the constraint line defined by the 2,500 metres isobath plus 100 nautical miles are not satisfied in this region and they were not applied to determine the outer limit of the continental shelf.

2.1 THE FOOT OF THE CONTINENTAL SLOPE PLUS 60 M FORMULA

Bathymetric and morphological information was assembled in order to demonstrate that the seabed and subsoil of the submarine areas that extend beyond the territorial sea to the outer edge of the continental margin are the natural prolongation of the land territory of the Kingdom of Tonga to the outer edge of the continental margin (Article 76, Paragraph 1). Morphological criteria were implemented to demonstrate the legal entitlement of the Kingdom of Tonga to extend the outer limits of the continental shelf beyond 200 nautical miles and to determine the coordinates of these limits.

The geodetic coordinates of the foot of the continental slope points were determined by means of morphological criteria as the points of maximum change in the gradient at its base. The Government of the Kingdom of Tonga finds additional guidance for the determination of the base and the foot of the continental slope in the Summary of the Recommendations of the Commission of the Continental Shelf produced by the CLCS in regard to the Submission made by New Zealand 16 April 2006 and dated 22 August 2008, and the Table of coordinates for the

outer edge of the continental margin points beyond 200 M (CM) and their corresponding FOS points for the northern region.

The distance formula was implemented by means of the method of envelopes of arcs in accordance with paragraph 7 by reference to fixed points not more than 60 nautical miles from the foot of the continental slope. (Article 76, Paragraph 4 (ii)). These points define the entitlement of the Kingdom of Tonga to determine outer limit of the continental shelf beyond 200 nautical miles (Figure 2).

2.2 THE 350 M CONSTRAINT

The extent of the outer envelope formed by the lines derived from the two *formulae* is restricted by a line derived from the two lines, defined by the Commission as constraints. According to paragraph 5 of article 76, the simultaneous application of these two constraints defines the outer limit beyond which the continental shelf cannot be extended:

The fixed points comprising the line of the outer limits of the continental shelf on the seabed, drawn in accordance with paragraph 4 (a) (i) and (ii), either shall not exceed 350 nautical miles from the baselines from which the breadth of the territorial sea is measured or shall not exceed 100 nautical miles from the 2,500 metre isobath, which is a line connecting the depth of 2,500 metres.

Geodetic baseline information was collected to determine the location of the constraint line at a distance of 350 nautical miles from the baselines from which the breadth of the territorial sea is measured in the southern part of the Kingdom of Tonga. This constraint is satisfied by the points which define the outer limit of the continental shelf of the Kingdom of Tonga beyond 200 nautical miles (Figure 2).

3. NAMES OF MEMBERS OF THE CLCS WHO PROVIDED ADVICE

The Kingdom of Tonga received advice from Mr. Galo Carrera-Hurtado a member of the Commission on the Limits of the Continental Shelf since 1997.

4. ABSENCE OF DISPUTES

The western part of the Lau-Colville Ridge is a maritime region over which there are overlapping claims made by other States and consultations among the States in the region are expected to take place soon for its delimitation. There are no disputes in the region relevant to this partial submission of data and information relating to the outer limits of the continental shelf beyond 200 nautical miles which are determined without prejudice to the delimitation of continental shelf boundaries between States according to paragraph 10 of article 76.

5. INSTITUTIONS RESPONSIBLE FOR THE PREPARATION OF THIS SUBMISSION

The Tongan institutions responsible for the preparation of this submission to the Commission on the Limits of the Continental Shelf are, in alphabetical order:

- Attorney General's Office
- His Majesty's Armed Forces
- Ministry of Foreign Affairs and Trade
- Ministry of Lands, Environment, Climate Change and Natural Resources

The Preparation of the Submission of the Kingdom of Tonga was supported with the assistance from the Special Advisory Services Division of the Commonwealth Secretariat.

Scientific and technical training was received from the United Nations Division of Oceans Affairs and the Law of the Sea (DOALOS).

6. THE OUTER LIMIT OF THE CONTINENTAL SHELF

Figure 3 shows the outer limit of the continental shelf beyond 200 nautical miles measured from the baselines from which the breadth of the territorial sea is measured from the Kingdom of Tonga and New Zealand in the eastern part of the Lau-Colville Ridge region.

Table 1 lists the coordinates of the turning points of the outer limit defined by straight lines not exceeding 60 M in length. All coordinates of longitude have been set to longitude east. This makes it easier to work with data across the dateline in Geographic Information Systems (GIS) and other digital elevation model (DEM) visualization software available in this submission.

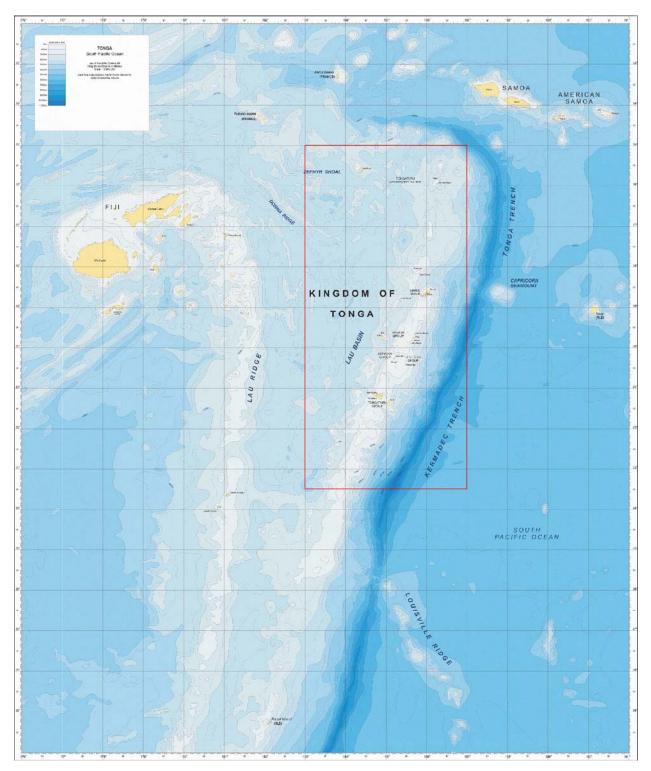


Figure 1. Geographical limits of the land and maritime claim made in the Royal Proclamation issued by His Majesty George Tubou, King of Tonga, on 24 August 1887.

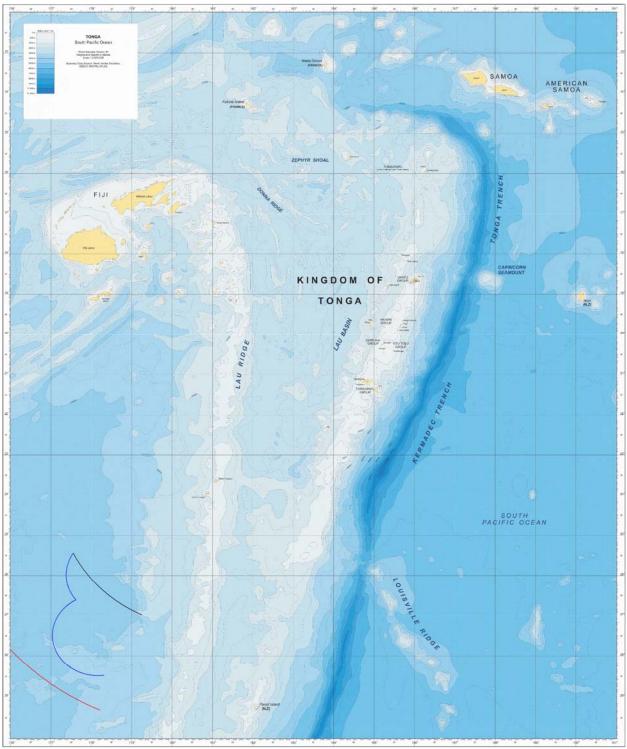


Figure 2. The distance formula line (shown in blue) delineated in accordance with paragraph 7 by reference to fixed points not more than 60 nautical miles from the foot of the continental slope, and the constraint line (shown in red) at a distance of 350 nautical miles from the baselines from which the breadth of the territorial sea is measured.

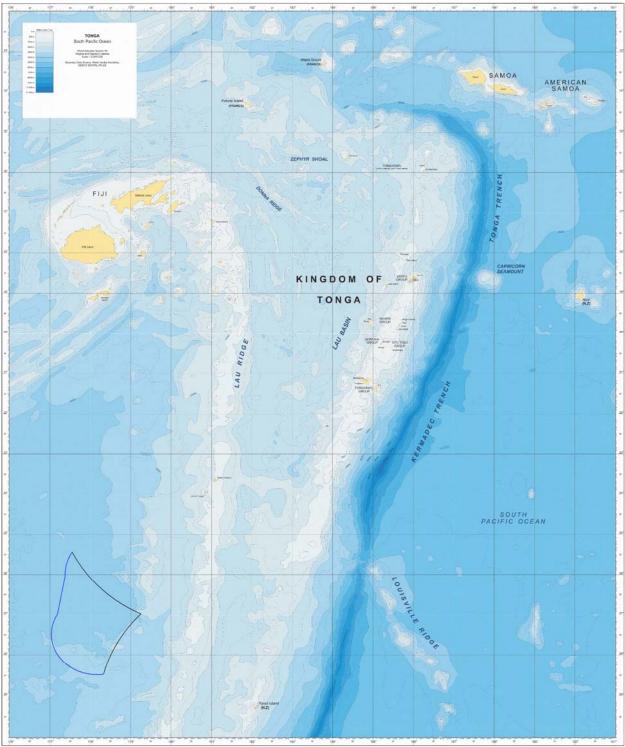


Figure 3. The outer limits of the continental shelf of the Kingdom of Tonga (shown in blue) beyond 200 nautical miles measured from the baselines of the Kingdom of Tonga and New Zealand according to paragraph 7 by straight lines not exceeding 60 nautical miles in length, connecting fixed points, defined by coordinates of latitude and longitude.

Point	l	_atitude South	า	Longitude East		
1	25°	26'	32.3879	177°	33'	5.1412
2	25°	26'	56.3543	177°	32'	48.3828
3	25°	27'	23.9581	177°	32'	29.4841
4	25°	27'	51.7146	177°	32'	10.8574
5	25°	28'	19.6215	177°	31'	52.5042
6	25°	28'	47.6765	177°	31'	34.4261
7	25°	29'	15.8775	177°	31'	16.6246
8	25°	29'	44.2221	177°	30'	59.1012
9	25°	30'	12.7081	177°	30'	41.8572
10	25°	30'	41.3332	177°	30'	24.8942
11	25°	31'	10.0951	177°	30'	8.2135
12	25°	31'	38.9915	177°	29'	51.8166
13	25°	32'	8.0201	177°	29'	35.7048
14	25°	32'	37.1786	177°	29'	19.8795
15	25°	33'	6.4646	177°	29'	4.3419
16	25°	33'	35.8759	177°	28'	49.0934
17	25°	34'	5.4099	177°	28'	34.1353
18	25°	34'	35.0644	177°	28'	19.4688
19	25°	35'	4.837	177°	28'	5.0952
20	25°	35'	34.7253	177°	27'	51.0156

Point	L	_atitude South	า	°	°Longitude East		
21	25°	36'	4.7269	177°	27'	37.2313	
22	25°	36'	34.8394	177°	27'	23.7435	
23	25°	37'	5.0604	177°	27'	10.5532	
24	25°	37'	35.3874	177°	26'	57.6616	
25	25°	38'	5.8181	177°	26'	45.0698	
26	25°	38'	36.3499	177°	26'	32.7788	
27	25°	39'	6.9804	177°	26'	20.7898	
28	25°	39'	37.7072	177°	26'	9.1037	
29	25°	40'	8.5278	177°	25'	57.7216	
30	25°	40'	39.4396	177°	25'	46.6444	
31	25°	41'	10.4404	177°	25'	35.873	
32	25°	41'	41.5274	177°	25'	25.4085	
33	25°	42'	12.6983	177°	25'	15.2517	
34	25°	42'	43.9505	177°	25'	5.4035	
35	25°	43'	15.2816	177°	24'	55.8647	
36	25°	43'	46.6889	177°	24'	46.6363	
37	25°	44'	18.17	177°	24'	37.7189	
38	25°	44'	49.7224	177°	24'	29.1134	
39	25°	45'	21.3434	177°	24'	20.8206	
40	25°	45'	53.0306	177°	24'	12.8412	

Point	L	_atitude Soutl	h	L	ongitude Eas	st
41	25°	46'	24.7813	177°	24'	5.1759
42	25°	46'	56.5931	177°	23'	57.8253
43	25°	47'	28.4634	177°	23'	50.7902
44	25°	48'	0.3896	177°	23'	44.0712
45	25°	48'	32.3691	177°	23'	37.6689
46	25°	49'	4.3993	177°	23'	31.5839
47	25°	49'	36.4777	177°	23'	25.8167
48	25°	50'	8.6017	177°	23'	20.3679
49	25°	50'	40.7687	177°	23'	15.238
50	25°	51'	12.9761	177°	23'	10.4275
51	25°	51'	45.2212	177°	23'	5.9368
52	25°	52'	17.5016	177°	23'	1.7664
53	25°	52'	49.8145	177°	22'	57.9167
54	25°	53'	22.1574	177°	22'	54.388
55	25°	53'	54.5277	177°	22'	51.1808
56	25°	54'	26.9226	177°	22'	48.2953
57	25°	54'	59.3398	177°	22'	45.7319
58	25°	55'	31.7764	177°	22'	43.4908
59	25°	56'	4.2299	177°	22'	41.5723
60	25°	56'	36.6976	177°	22'	39.9767

Point	Latitude South			Longitude East		
61	25°	57'	9.177	177°	22'	38.704
62	25°	57'	41.6653	177°	22'	37.7546
63	25°	58'	14.1601	177°	22'	37.1286
64	25°	58'	46.6585	177°	22'	36.826
65	25°	59'	19.1581	177°	22'	36.847
66	25°	59'	51.6562	177°	22'	37.1917
67	26°	0'	24.15	177°	22'	37.86
68	26°	0'	56.6371	177°	22'	38.8521
69	26°	59'	43.24	177°	10'	53.4218
70	27°	0'	11.5934	177°	10'	35.7504
71	27°	0'	40.0875	177°	10'	18.362
72	27°	1'	8.7198	177°	10'	1.2579
73	27°	1'	37.4882	177°	9'	44.4396
74	27°	2'	6.3903	177°	9'	27.9086
75	27°	2'	35.4238	177°	9'	11.6662
76	27°	3'	4.5864	177°	8'	55.7137
77	27°	3'	33.8757	177°	8'	40.0525
78	27°	4'	3.2895	177°	8'	24.684
79	27°	4'	32.8253	177°	8'	9.6093
80	27°	5'	2.4809	177°	7'	54.8298

Point	L	atitude Sout	h	L	ongitude Eas	st
81	27°	5'	32.2537	177°	7'	40.3467
82	27°	6'	2.1415	177°	7'	26.1613
83	27°	6'	32.1419	177°	7'	12.2747
84	27°	7'	2.2524	177°	6'	58.6881
85	27°	7'	32.4707	177°	6'	45.4027
86	27°	8'	2.7942	177°	6'	32.4197
87	27°	8'	33.2207	177°	6'	19.74
88	27°	9'	3.7476	177°	6'	7.3648
89	27°	9'	34.3725	177°	5'	55.2952
90	27°	10'	5.0929	177°	5'	43.5322
91	27°	10'	35.9065	177°	5'	32.0768
92	27°	11'	6.8106	177°	5'	20.93
93	27°	11'	37.8029	177°	5'	10.0927
94	27°	12'	8.8808	177°	4'	59.5659
95	27°	12'	40.0419	177°	4'	49.3506
96	27°	13'	11.2836	177°	4'	39.4476
97	27°	13'	42.6035	177°	4'	29.8577
98	27°	14'	13.9989	177°	4'	20.5819
99	27°	14'	45.4675	177°	4'	11.6209
100	27°	15'	17.0067	177°	4'	2.9756

Point	L	atitude Sout	h	L	ongitude Eas	st
101	27°	15'	48.6138	177°	3'	54.6466
102	27°	16'	20.2865	177°	3'	46.6348
103	27°	16'	52.0221	177°	3'	38.9409
104	27°	17'	23.8182	177°	3'	31.5655
105	27°	17'	55.672	177°	3'	24.5093
106	27°	18'	27.5812	177°	3'	17.773
107	27°	18'	59.543	177°	3'	11.3572
108	27°	19'	31.555	177°	3'	5.2625
109	27°	20'	3.6145	177°	2'	59.4894
110	27°	20'	35.719	177°	2'	54.0385
111	27°	21'	7.8659	177°	2'	48.9103
112	27°	21'	40.0525	177°	2'	44.1053
113	27°	22'	12.2764	177°	2'	39.624
114	27°	22'	44.5349	177°	2'	35.4668
115	27°	23'	16.8254	177°	2'	31.6341
116	27°	23'	49.1453	177°	2'	28.1263
117	27°	24'	21.4919	177°	2'	24.9437
118	27°	24'	53.8628	177°	2'	22.0868
119	27°	25'	26.2552	177°	2'	19.5557
120	27°	25'	58.6666	177°	2'	17.3509

Point	L	_atitude Sout	h	L	ongitude Eas	st
121	27°	26'	31.0943	177°	2'	15.4725
122	27°	27'	3.5357	177°	2'	13.9207
123	27°	27'	35.9882	177°	2'	12.6959
124	27°	28'	8.4492	177°	2'	11.7981
125	27°	28'	40.916	177°	2'	11.2276
126	27°	29'	13.386	177°	2'	10.9844
127	27°	29'	45.8567	177°	2'	11.0686
128	27°	30'	18.3253	177°	2'	11.4803
129	27°	30'	50.7892	177°	2'	12.2196
130	27°	31'	23.2459	177°	2'	13.2865
131	27°	31'	55.6926	177°	2'	14.681
132	27°	32'	28.1269	177°	2'	16.403
133	27°	33'	0.5459	177°	2'	18.4525
134	27°	33'	32.9472	177°	2'	20.8293
135	27°	34'	5.328	177°	2'	23.5335
136	27°	34'	37.6858	177°	2'	26.5648
137	27°	35'	10.0179	177°	2'	29.9231
138	27°	35'	42.3217	177°	2'	33.6082
139	27°	36'	14.5947	177°	2'	37.6199
140	27°	36'	46.8341	177°	2'	41.9579

Point	L	_atitude Soutl	h	L	ongitude Eas	st
141	27°	37'	19.0373	177°	2'	46.6219
142	27°	37'	51.2018	177°	2'	51.6117
143	27°	38'	23.325	177°	2'	56.9269
144	27°	38'	55.4042	177°	3'	2.5672
145	27°	39'	27.4367	177°	3'	8.5322
146	27°	39'	59.4201	177°	3'	14.8214
147	27°	40'	31.3517	177°	3'	21.4346
148	27°	41'	3.229	177°	3'	28.3711
149	27°	41'	35.0493	177°	3'	35.6306
150	27°	42'	6.81	177°	3'	43.2124
151	27°	42'	38.5085	177°	3'	51.1161
152	27°	43'	10.1424	177°	3'	59.3411
153	27°	43'	41.7089	177°	4'	7.8868
154	27°	44'	13.2056	177°	4'	16.7527
155	27°	44'	44.6299	177°	4'	25.9379
156	27°	45'	15.9792	177°	4'	35.4419
157	27°	45'	47.2509	177°	4'	45.264
158	27°	46'	18.4425	177°	4'	55.4035
159	27°	46'	49.5515	177°	5'	5.8595
160	27°	47'	20.5754	177°	5'	16.6314

Point	L	_atitude Sout	h	Longitude East		
161	27°	47'	51.5115	177°	5'	27.7183
162	27°	48'	22.3574	177°	5'	39.1193
163	27°	48'	53.1106	177°	5'	50.8337
164	27°	49'	23.7686	177°	6'	2.8606
165	27°	49'	54.3288	177°	6'	15.199
166	27°	50'	24.7887	177°	6'	27.848
167	27°	50'	55.146	177°	6'	40.8067
168	27°	51'	25.398	177°	6'	54.074
169	27°	51'	55.5423	177°	7'	7.6489
170	27°	52'	25.5765	177°	7'	21.5305
171	27°	52'	55.4981	177°	7'	35.7177
172	27°	53'	25.3046	177°	7'	50.2092
173	27°	53'	54.9937	177°	8'	5.0042
174	27°	54'	24.5629	177°	8'	20.1013
175	27°	54'	54.0097	177°	8'	35.4995
176	27°	55'	23.3318	177°	8'	51.1975
177	27°	55'	52.5267	177°	9'	7.1942
178	27°	56'	21.5922	177°	9'	23.4882
179	27°	56'	50.5257	177°	9'	40.0784
180	27°	57'	19.3249	177°	9'	56.9633

Point	l	_atitude Soutl	า	Longitude East		
181	27°	57'	47.9875	177°	10'	14.1418
182	27°	58'	16.5112	177°	10'	31.6125
183	27°	58'	44.8935	177°	10'	49.374
184	27°	59'	13.1321	177°	11'	7.4248
185	27°	59'	41.2248	177°	11'	25.7637
186	28°	0'	9.1692	177°	11'	44.3891
187	28°	0'	36.9631	177°	12'	3.2996
188	28°	1'	4.6041	177°	12'	22.4936
189	28°	1'	32.09	177°	12'	41.9698
190	28°	1'	59.4186	177°	13'	1.7265
191	28°	2'	26.5875	177°	13'	21.7622
192	28°	2'	53.5947	177°	13'	42.0752
193	28°	3'	20.4377	177°	14'	2.6641
194	28°	3'	47.1145	177°	14'	23.5271
195	28°	4'	13.6228	177°	14'	44.6625
196	28°	4'	39.9606	177°	15'	6.0688
197	28°	5'	6.1255	177°	15'	27.7442
198	28°	5'	32.1154	177°	15'	49.687
199	28°	5'	57.9283	177°	16'	11.8954
200	28°	6'	23.562	177°	16'	34.3676

Table 1. List of coordinates of latitude and longitude of the turning points determined in accordance with paragraph 7 of article 76 which define the outer limit of the continental shelf of the Kingdom of Tonga beyond 200 nautical miles at distances not exceeding 60 nautical miles in the Lau-Colville Ridge region.

Point	Latitude South			Longitude East		
201	28°	6'	49.0143	177°	16'	57.102
202	28°	7'	14.2833	177°	17'	20.0965
203	28°	7'	39.3667	177°	17'	43.3494
204	28°	8'	4.2626	177°	18'	6.8589
205	28°	8'	28.9689	177°	18'	30.623
206	28°	8'	53.4836	177°	18'	54.6399
207	28°	9'	17.8046	177°	19'	18.9076
208	28°	9'	41.9299	177°	19'	43.4241
209	28°	10'	5.8576	177°	20'	8.1875
210	28°	10'	29.5856	177°	20'	33.1958
211	28°	10'	53.1121	177°	20'	58.447
212	28°	11'	16.4351	177°	21'	23.939
213	28°	11'	39.5526	177°	21'	49.6698
214	28°	12'	2.4628	177°	22'	15.6372
215	28°	12'	25.1637	177°	22'	41.8393
216	28°	12'	47.6535	177°	23'	8.2739
217	28°	13'	9.9304	177°	23'	34.9388
218	28°	13'	31.9924	177°	24'	1.8319
219	28°	13'	53.8379	177°	24'	28.9509
220	28°	14'	15.4649	177°	24'	56.2938

Point	Latitude South			Longitude East		
221	28°	14'	36.8716	177°	25'	23.8583
222	28°	14'	58.0564	177°	25'	51.642
223	28°	15'	19.0175	177°	26'	19.6429
224	28°	15'	39.7531	177°	26'	47.8586
225	28°	16'	0.2615	177°	27'	16.2867
226	28°	16'	20.5411	177°	27'	44.9251
227	28°	16'	40.5901	177°	28'	13.7713
228	28°	17'	0.4069	177°	28'	42.823
229	28°	17'	19.9898	177°	29'	12.0778
230	28°	17'	39.3373	177°	29'	41.5334
231	28°	17'	58.4477	177°	30'	11.1873
232	28°	18'	17.3195	177°	30'	41.0371
233	28°	18'	35.9511	177°	31'	11.0804
234	28°	18'	54.3409	177°	31'	41.3147
235	28°	19'	12.4874	177°	32'	11.7376
236	28°	19'	30.3892	177°	32'	42.3465
237	28°	19'	48.0447	177°	33'	13.1389
238	28°	20'	5.4525	177°	33'	44.1124
239	28°	20'	22.6111	177°	34'	15.2643
240	28°	20'	39.5192	177°	34'	46.5922

Point	Latitude South			Longitude East		
241	28°	20'	56.1752	177°	35'	18.0933
242	28°	21'	12.5779	177°	35'	49.7653
243	28°	21'	28.7259	177°	36'	21.6054
244	28°	21'	44.6179	177°	36'	53.6111
245	28°	22'	0.2524	177°	37'	25.7796
246	28°	22'	15.6283	177°	37'	58.1084
247	28°	22'	30.7442	177°	38'	30.5949
248	28°	22'	45.599	177°	39'	3.2362
249	28°	23'	0.1913	177°	39'	36.0298
250	28°	23'	14.52	177°	40'	8.9729
251	28°	23'	28.5838	177°	40'	42.0629
252	28°	23'	42.3816	177°	41'	15.2969
253	28°	23'	55.9123	177°	41'	48.6723
254	28°	24'	9.1748	177°	42'	22.1862
255	28°	24'	22.1678	177°	42'	55.836
256	28°	24'	34.8905	177°	43'	29.6189
257	28°	24'	47.3416	177°	44'	3.532
258	28°	24'	59.5202	177°	44'	37.5726
259	28°	25'	11.4253	177°	45'	11.7378
260	28°	25'	23.0558	177°	45'	46.0248

Point	Latitude South			Longitude East		
261	28°	25'	34.4108	177°	46'	20.4308
262	28°	25'	45.4894	177°	46'	54.953
263	28°	25'	56.2907	177°	47'	29.5884
264	28°	26'	6.8136	177°	48'	4.3342
265	28°	26'	17.0575	177°	48'	39.1876
266	28°	26'	27.0213	177°	49'	14.1456
267	28°	26'	36.7044	177°	49'	49.2054
268	28°	26'	46.1058	177°	50'	24.364
269	28°	26'	55.2249	177°	50'	59.6185
270	28°	27'	4.0608	177°	51'	34.9661
271	28°	27'	12.6128	177°	52'	10.4037
272	28°	27'	20.8802	177°	52'	45.9285
273	28°	27'	28.8623	177°	53'	21.5375
274	28°	27'	36.5585	177°	53'	57.2277
275	28°	27'	43.9681	177°	54'	32.9962
276	28°	27'	51.0905	177°	55'	8.84
277	28°	27'	57.9251	177°	55'	44.7561
278	28°	28'	4.4713	177°	56'	20.7416
279	28°	28'	10.7287	177°	56'	56.7935
280	28°	28'	16.6965	177°	57'	32.9087

Point	Latitude South			Longitude East		
281	28°	28'	22.3745	177°	58'	9.0843
282	28°	28'	27.7621	177°	58'	45.3172
283	28°	28'	32.8588	177°	59'	21.6045
284	28°	28'	37.6643	177°	59'	57.9431
285	28°	28'	42.1781	178°	0'	34.3301
286	28°	28'	46.3998	178°	1'	10.7623
287	28°	28'	50.3292	178°	1'	47.2368
288	28°	28'	53.9658	178°	2'	23.7506
289	28°	28'	57.3094	178°	3'	0.3005
290	28°	29'	0.3597	178°	3'	36.8836
291	28°	29'	3.1165	178°	4'	13.4968
292	28°	29'	5.5795	178°	4'	50.137
293	28°	29'	7.7484	178°	5'	26.8013
294	28°	29'	9.6232	178°	6'	3.4865
295	28°	29'	11.2037	178°	6'	40.1897
296	28°	29'	12.4898	178°	7'	16.9077
297	28°	29'	13.4812	178°	7'	53.6376
298	28°	29'	14.178	178°	8'	30.3762
299	28°	29'	14.5801	178°	9'	7.1205
300	28°	29'	14.6875	178°	9'	43.8674

Table 1. List of coordinates of latitude and longitude of the turning points determined in accordance with paragraph 7 of article 76 which define the outer limit of the continental shelf of the Kingdom of Tonga beyond 200 nautical miles at distances not exceeding 60 nautical miles in the Lau-Colville Ridge region.

Point	Latitude South			Longitude East		
301	28°	29'	14.5001	178°	10'	20.6139
302	28°	29'	14.018	178°	10'	57.357
303	28°	29'	13.2412	178°	11'	34.0935
304	28°	29'	12.1698	178°	12'	10.8205
305	28°	29'	10.8038	178°	12'	47.5348
306	28°	29'	9.1434	178°	13'	24.2334
307	28°	29'	7.1888	178°	14'	0.9132
308	28°	29'	4.94	178°	14'	37.5713
309	28°	29'	2.3972	178°	15'	14.2045
310	28°	28'	59.5608	178°	15'	50.8098
311	28°	28'	56.4308	178°	16'	27.3842
312	28°	28'	53.0076	178°	17'	3.9246
313	28°	28'	49.2915	178°	17'	40.428
314	28°	28'	45.2828	178°	18'	16.8913
315	28°	28'	40.9817	178°	18'	53.3115