



Note: 06/09/11

UN/7/12/1A

The New Zealand Permanent Mission to the United Nations in New York presents its compliments to the Secretary-General of the United Nations and has the honour to refer to the submission of the Cook Islands 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, presented on 16 April 2009.

New Zealand notes that the area of extended continental shelf over the Manihiki Plateau contained in the submission made by the Cook Islands overlaps in part with the potential area of extended continental shelf of Tokelau indicated in the preliminary information provided by New Zealand on 11 May 2009 consistent with decision SPLOS/183 of the eighteenth meeting of States Parties to UNCLOS held in New York in June 2008.

New Zealand further notes the statements in paragraphs 5-2 and 5-3 of the Executive Summary of the submission made by the Cook Islands to the effect that the exclusive economic zone entitlement of the Cook Islands overlaps with that of Tokelau and that the area of extended continental shelf contained in the Cook Islands' submission is "not affected by" that outstanding delimitation.

It is the position of New Zealand that in addition to the outstanding exclusive economic zone delimitation between the Cook Islands and Tokelau, there may also be a potential outstanding delimitation over the overlapping area of extended continental shelf identified above.

Consistent with the provisions of Article 76, paragraph 10, of the Convention, New Zealand understands that the submission made by the Cook Islands and any recommendations by the Commission with respect to it are necessarily without prejudice to the delimitation of the continental shelf between the Cook Islands and Tokelau and to any future submission made to the Commission by New Zealand with respect to the extended continental shelf of Tokelau. New Zealand accordingly confirms that it has no objection to the Commission considering and making recommendations with respect to the Cook Islands' submission on that basis.

The New Zealand Permanent Mission 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

29 June 2009

