

**PERMANENT MISSION OF THE REPUBLIC OF VANUATU
TO THE UNITED NATIONS**

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The Permanent Mission of the Republic of Vanuatu to the United Nations presents its compliments to the Secretary-General of the United Nations in his capacity as the depository for the United Nations Convention on the Law of the Sea ("UNCLOS"), and draws his attention to the following observations of the Republic of Vanuatu arising from the amended information of Fiji's Partial Submission, presented to the Commission on the Limits of the Continental Shelf ("the Commission") on 30th of April 2012.

The Republic of Vanuatu notes with satisfaction paragraph 71 of the Statement by the Chairman of the Commission on the Limits of the Continental Shelf on the progress of work in the Commission at its Twenty-fourth session held in New York, 10 August-11 September 2009 (CLCS/64), which acknowledges the Note Verbale from the Republic of Vanuatu dated 12 August 2009 relating to paragraph 5(a) of annex I to the rules of procedure with reference to disputes in the area of the Fiji's Partial Submission.

The Republic of Vanuatu again notes that the Executive Summary of the Fiji Submission fails to comply on both substantive and procedural grounds with UNCLOS and with the Rules of Procedure of the Commission ("the Rules"). In particular, the amended information of the partial submission asserts Fiji's claims to an area that the Republic of Vanuatu has officially claimed. Entitlement to that maritime area is still subject to a dispute between Fiji and the Republic of Vanuatu, despite ongoing maritime boundary negotiations.

In that regard, the Republic of Vanuatu maintains in full its objection to the consideration of the Partial Submission of Fiji in view of the existence of a maritime dispute described in its Note Verbale dated 12 August 2009, and specifically noting Article 76 of UNCLOS and Annex I of the Rules of Procedure of the Commission, that the actions of the Commission shall not prejudice matters relating to the delimitation of boundaries between States with adjacent or opposite coasts.

As with the Note Verbale dated 12 August 2009, this Note Verbale is without prejudice to the agreement or the preliminary information that was provided to the Commission by Fiji, Vanuatu and Solomon Islands concerning the North Fiji Basin Region.

The Republic of Vanuatu reserves its rights to submit further comments in relation to the partial submission of Fiji as and when more qualified assessments can be conducted, including an assessment of relevant scientific data.

The Republic of Vanuatu requests that the Secretary – General of the United Nations to inform the Commission and notify member States of the receipt of this Note Verbale.

The Permanent Mission of Vanuatu to the United Nations avails itself of this opportunity to renew to the Secretary - General of the United Nations assurances of its highest consideration.

New York, 18 July 2012

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