



Commission on the Limits of the Continental Shelf

SUMMARY OF RECOMMENDATIONS OF THE COMMISSION ON THE LIMITS OF THE CONTINENTAL SHELF IN REGARD TO THE SUBMISSION MADE BY FRANCE IN RESPECT OF FRENCH GUIANA AND NEW CALEDONIA REGIONS ON 22 MAY 2007¹

Recommendations prepared by the Subcommittee established for the consideration
of the submission made by France

Adopted by the Subcommittee on 1 September 2009, and submitted to the
Commission on the Limits of the Continental Shelf for consideration and approval by
the Commission.

Adopted by the Commission on 2 September 2009

¹ The aim of this Summary is to provide information which is not of confidential or propriety nature in order to facilitate the function of the Secretary-General of the United Nations in accordance with CLCS/40/Rev.1, Annex III, Section V, Rule 11.3. This Summary is based on excerpts of the Recommendations and may refer to material not necessarily included either in the full Recommendations or this Summary.

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LIST OF TERMS AND ABBREVIATIONS

Acronyms

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

FOS – Foot of the continental slope

M – Nautical mile

Abbreviated terms

Critical FOS points – Foot of the continental slope points that generate formula fixed points on the line of the outer limit of the continental shelf.

FOS points – Foot of the continental slope points.

Depth constraint – The constraint line constructed at 100 M from the 2500 metre isobaths in accordance with article 76, paragraphs 5 and 6.

Distance constraint – The constraint line constructed at 350 M from the territorial sea baseline in accordance with article 76, paragraphs 5 and 6.

Relevant FOS point – Foot of the continental slope points that generate formula fixed points on the outer edge of the continental margin that are necessary for the construction of the outer limits of the continental shelf.

Sediment thickness formula points – Points determined from the application of Article 76, paragraph 4(a)(i) (also referred to as Gardiner points).

Territorial sea baselines - The baselines from which the breadth of the territorial sea is measured.

The Guidelines – The Scientific and Technical Guidelines of the Commission (CLCS/11).

The Commission – The Commission on the Limits of the Continental Shelf.

The Convention – The United Nations Convention on the Law of the Sea.

The Rules of Procedure – The Rules of Procedure of the Commission (CLCS/40).

60 M formula points – Points determined from the application of Article 76, paragraph 4(a)(ii) (also informally referred to as Hedberg points).

200 M limit – The line at 200 M from the baselines the territorial sea baselines.

Use of terms

Determine the foot of the continental slope.

Delineate the outer edge of the continental margin (in terms of construction of the outer edge of the continental margin by establishing and connecting fixed points).

Delineate the outer limits of the continental shelf (in terms of construction of the outer limits of the continental shelf by establishing and connecting fixed points).

Establish the outer edge of the continental margin (in terms of following procedure in the convention for submitting the outer edge of the continental margin as basis for the outer limits of the continental shelf).

Establish the outer limits of the continental shelf (in terms of following procedure in the convention including the submission of the outer limits of the continental shelf).

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I. INTRODUCTION

- 1 On 22 May 2007, France submitted through the Secretary-General of the United Nations to the Commission on the Limits of the Continental Shelf (“the Commission”), in accordance with Article 76, paragraph 8 of the United Nations Convention on the Law of the Sea of 10 December 1982 (“the Convention”), information on the limits of the continental shelf beyond 200 nautical miles (M) from the baselines from which the breadth of the territorial sea is measured. The Convention entered into force for France on 11 May 1996.
- 2 The Submission was for two separate regions: French Guiana and New Caledonia.¹
- 3 The Subcommission carried out its examination of the Submission during the following sessions: twentieth, twenty-first, twenty-second, twenty-third and twenty-fourth. During these sessions the Subcommission held seven meetings with the Delegation of France in which it posed six questions in writing, presented two preliminary considerations involving documents and PowerPoint presentations and one consolidated set of views and general conclusions covering the whole Submission.² During the course of the examination of the Submission by the Subcommission and the Commission, the Delegation of France provided additional material consisting of five documents (with enclosures), four PowerPoint presentations as well as seven CD/DVD.³ During the examination of the Submission, the Subcommission requested and received support from the Division for Ocean Affairs and the Law of the Sea (“DOALOS”), Office of Legal Affairs, in particular in the form of technical support by DOALOS GIS staff.
- 4 The Commission received and took note of the contents of the following notes verbales transmitted to the Commission in relation to the Submission: from the Government of the Republic Vanuatu dated 11 July 2007; from the Permanent Mission of New Zealand to the United Nations, note verbale No. 08/07/11, dated 15 August 2007 and from the Permanent Mission of Suriname to the United Nations, note verbale No. 138/07, dated 17 August 2007⁴. The notes verbale are posted on the website of the Commission.

II. GENERAL PRINCIPLES ON WHICH THESE RECOMMENDATIONS ARE BASED

- 5 The Recommendations of the Commission are based on the scientific and technical data and other material provided by France in relation to the implementation of article 76. The Recommendations of the Commission only deal with issues related to article 76 and Annex II to the Convention and are without prejudice to matters relating to delimitation between States, or application of other parts of the Convention or any other treaties.

¹ The list of the material included in the original Submission is contained in Annex II to the Recommendations.

² Material supplied to the Delegation of France by the Subcommission – questions, and list of documents and presentations is contained in Annex IV to the Recommendations

³ A list of additional material submitted to the Commission by Delegation of France is contained in Annex III to the Recommendations.

⁴ The notes verbales are available on the DOALOS web site for the Commission at http://www.un.org/Depts/los/clcs_new/submissions_files/submission_fra.htm

III. RECOMMENDATIONS

- 6 The Submission of France of 22 May 2007 relates to two separate regions in the (Figures 1 and 2) as follows:
 - (i) French Guiana; and
 - (ii) New Caledonia.

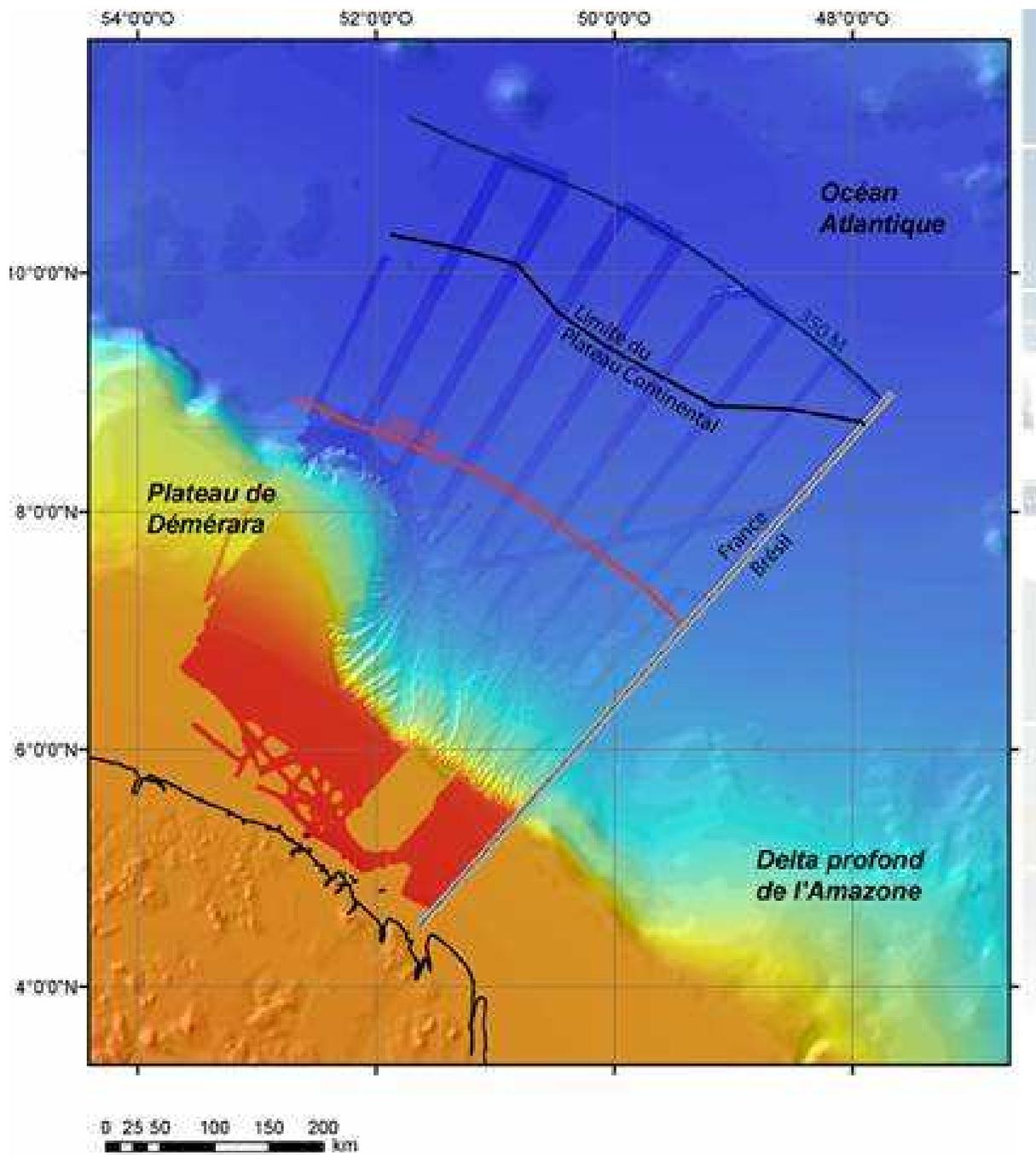


Figure 1. Locality map of the Submission in the French Guiana Region.

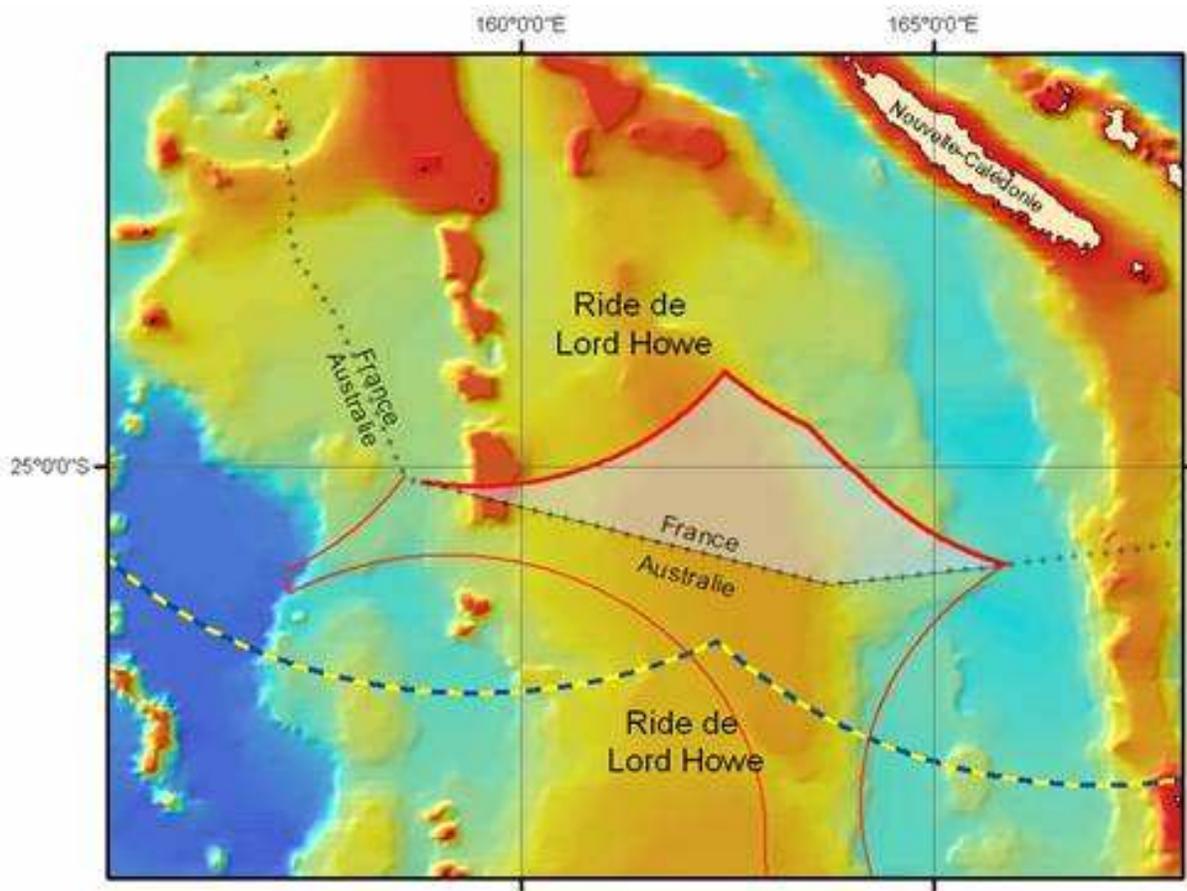


Figure 2. Locality map of the Submission in the New Caledonia Region.

A. French Guiana Region

1. Geographical region description

- 7 French Guiana is located in the North East part of South America. It is located between the Federative Republic of Brazil and the Republic of Suriname along the Atlantic coast.
- 8 The maritime region of French Guiana spans laterally from the Demerara/Guyana Plateau to the North East to the northern edge of the Amazonas Deep Sea Fan Delta to the South West.

2. Notes verbales submitted by other States

- 9 In its note verbale dated 17 August 2007, the Republic of Suriname stated *inter alia* that “It is the position of the Government of the Republic of Suriname that the submission made by the French Republic and any recommendations (prepared) by the Commission are without prejudice to any future submission to be made by Suriname with respect to the continental shelf in the Atlantic Ocean and the delimitation of the continental shelf between Suriname and the French Republic.”

3. Submerged prolongation of the landmass and entitlement to the continental shelf beyond 200 M

- 10 The area of continental shelf beyond 200M subject to the examination and consideration of the Commission is located between the continental slope and rise of the eastern and southern part of the Demerara/Guyana Plateau and the northern part of the Amazonas Deep Sea Fan Delta.
- 11 The French Republic has demonstrated that the landmass of the French Guiana extends in terms of both morphological and geophysical criteria into the Atlantic Ocean.
- 12 The outer edge of the continental margin, as generated from the foot of the continental slope by applying the provisions of article 76, paragraph 4, extends beyond the 200 M limits of French Guiana and passes the Test of Appurtenance. On this basis, the Commission recognises the legal entitlement of the French Republic to establish continental shelf beyond its 200 M limits in this region.

4. The determination of the foot of the continental slope

- 13 The foot of the continental slope should be established in accordance with article 76, paragraph 4(b).

4.1 Considerations

- 14 The escarpment of the Demerara/Guyana Plateau and the southern part of the passive continental margin located towards the Amazonas Deep Sea Fan Delta are the regions where the French Republic conducted its analyses in search of the base and the foot of the continental slope.
- 15 The original submission included eleven foot of the slope points. However, the French delegation informed the Subcommittee in the document dated 2 December 2008 that, among other changes, the foot of the continental slope points 10 and 11 had been suppressed from further consideration in the submission.
- 16 Further analyses of the Submission indicated that among the eleven foot of the slope points only five became critical foot of the slope points, namely, the five points that contribute to the determination of the outer limit of the continental shelf.
- 17 Among these five critical FOS points, four points are located on the base of the continental slope around the Demerara/Guyana Plateau. These four points were determined on a morphological basis by means of maximum change in the gradient. Only one critical foot of the slope point was located along the remaining part of the eastern margin. This remaining point was determined employing morphological and geological information by means of maximum change in the gradient supported by additional sedimentary and geophysical evidence.
- 18 The Subcommittee was of the view that the four critical points located at the base of the Demerara/Guyana Plateau were determined in accordance with the provisions contained in article 76 paragraph 4 (b) and the Scientific and Technical Guidelines.
- 19 In accordance with the Rules of Procedure, the Subcommittee informed the delegation about its preliminary views relating to the Submission in a presentation dated 19 March 2009. The Subcommittee also requested additional clarification in relation to the location of the remaining critical FOS point described in the submission by its sequential designation as number FOS 9.

- 20 The French delegation requested, in turn, additional information from the Subcommission which would be of assistance to the delegation in the preparation of this information. The Subcommission prepared and delivered to the delegation a letter dated 16 July 2009 with an attachment entitled "Preliminary considerations regarding the establishment of the foot of the continental slope points".
- 21 Following a series of interactions based on responses and additional information, including a number of publications related to this matter (e.g., Loncke et al., 2008) and based on the Submission, and the additional data and material provided by the delegation of the French Republic, the Subcommission and the delegation agreed with the approach adopted to define the base of the continental slope associated with the French Guiana Region.
- 22 Based on the morphological and bathymetric evidence, supplemented by other geological and geophysical data provided by France, the Subcommission considered that the data and the methodology employed in the determination of FOS points 1 to 8 located in the region of the Demerara/Guyana Plateau are sufficient and adequate to be employed in the full implementation of article 76. The Subcommission also considered that the original submission made, plus the additional information supplied by France and the interactions held with the French delegation, support the determination of the foot of the continental slope at a revised point 9 of coordinates: 6°50' 32.95" North and 50°45' 27.36" West.
- 23 The Subcommission agreed with the locations of five (1, 2, 3, 5 and revised 9) critical foot of continental slope points (Figure 3).

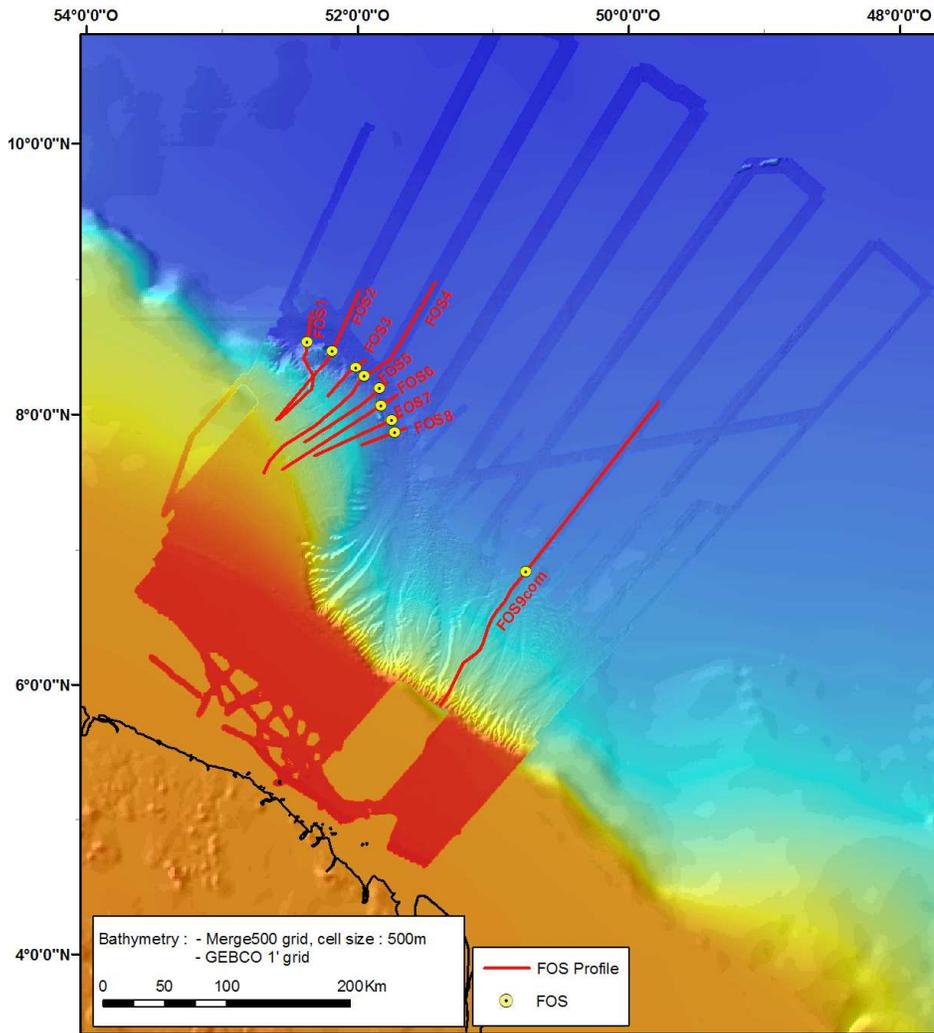


Figure 3. Locations of final foot of continental slope points

4.2 Recommendations

- 24 Based on its consideration of the technical and scientific documentation contained in the submission of 22 May 2007 and the information provided in document FRA_DOC_SC_003_30_11_2008 and FRA_DOC_SC_004_27_08_2009, the Commission concluded that the five critical foot of the continental slope points fulfil

the criteria in accordance with article 76 and Chapter 5 of the Guidelines. The Commission recommends that these five critical foot of the continental slope points should form the basis for the establishment of the outer edge of the continental margin of France for the purposes of the Convention in the French Guiana Region.

5. The establishment of the outer edge of the continental margin

- 25 There is a single outer edge of the continental margin in the French Guiana Region.
- 26 The outer edge of the continental margin of the French Republic in the French Guiana Region should, for the purposes of the Convention, be established in accordance with article 76, paragraphs 4 and 7.

5.1 The application of the 60 M distance formula

- 27 The determination of the 60 M distance formula was implemented by the French Republic in the French Guiana Region but it does not contribute to the determination of the outer limit of the continental margin. This formula line does not become effective because it is located landwards of the 1 per cent sediment thickness line. Nevertheless, the Subcommission agrees with the implementation of the general methodology employed by the French Republic.

5.2 The application of the sediment thickness formula

- 28 The 1 per cent thickness provision contained on article 76, paragraph 4(a)(ii) was applied. It consists of seven points and six geodesics.
- 29 In the French Guiana Region, the French Republic submitted seven fixed points based on the sediment thickness provision of article 76, paragraph 4 (a)(i) that are derived from five critical FOS points on the continental margin. The French Republic established these sediment thickness points based on seven seismic lines.
- 30 The Commission agrees with the procedure applied by the French Republic to establish the seven sediment thickness points from the five critical FOS points on the continental margin of French Guiana as contained in Table 1, Annex I, including the data provided, the seismic interpretation, the methods of depth conversion, and the distance calculations.

5.3 Configuration of the Outer Edge of the Continental Margin

- 31 In the French Guiana Region, the outer edge of the continental margin extends along the six segments of the 1 per cent sediment thickness formula line westwards. This part of the outer edge of the continental margin does not join the 200 M limit of French Guiana (Figure 4).

5.4 Recommendations

- 32 In the French Guiana Region, the outer edge of the continental margin beyond 200 M is based on the locations of seven 1 per cent sediment thickness points and the six segments of geodesics joining them (Figure 4). The Commission recommends that these seven points and six straight lines be used as the basis for delineating the outer limits of the continental shelf in this region.

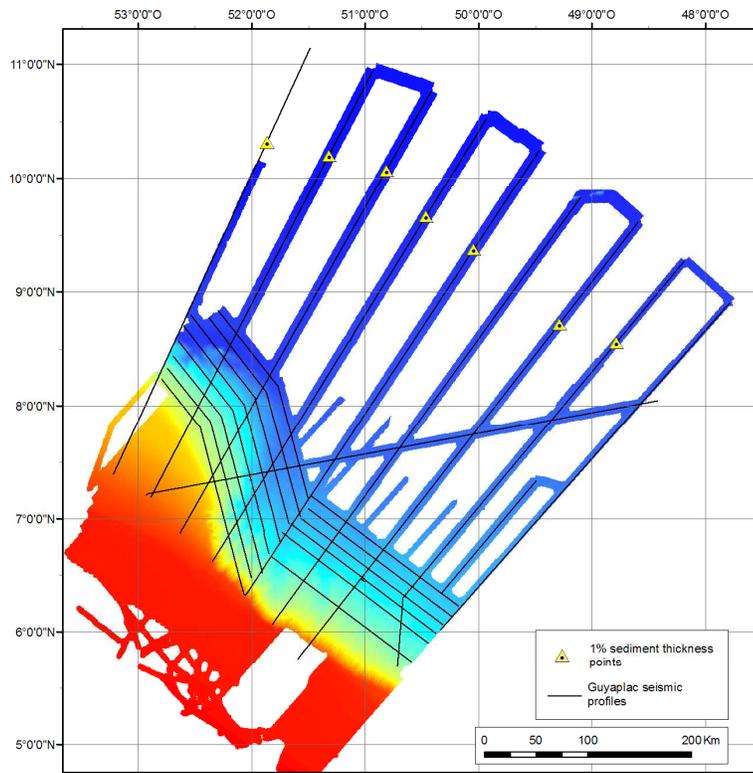


Figure 4. Locations of seven 1 per cent sediment thickness points and the six segments of geodesics joining them.

6. The delineation of the outer limits of the continental shelf

33 The outer limits of the continental shelf should be based on the established outer edge of the continental margin, taking into consideration the constraints contained in article 76, paragraphs 5 and 6.

6.1 The application of constraint criteria

34 The outer limits of the continental shelf cannot extend beyond the constraints as per the provisions contained in article 76, paragraph 5. Accordingly, the provision that the outer limits of the continental shelf may not exceed 350 M from the baselines from which the territorial sea is measured (“the distance constraint”) may be applied in all cases. Alternatively, the provision that the outer limits of the continental shelf may not exceed 100 M from the 2500 m isobath (“the depth constraint”) may be applied to those parts of the continental margin that are classified as natural components of that margin.

35 For the outer limits of the continental shelf in the French Guiana Region, the French Republic has invoked the 350 M distance constraint.

6.1.1 The construction of the distance constraint line

36 The distance constraint line submitted by the French Republic in the French Guiana Region is constructed by arcs at 350 M distance from the baselines from which the territorial sea is measured (Figure 5). The Commission agrees with the procedure and methods applied by the French Republic in the construction of this constraint line.

6.1.2 The construction of the depth constraint line and the application of the combination of the distance and the depth constraints

37 The envelope of arcs constraint line at 100 M from the 2,500 m isobath does not exceed the breadth of the 350 M constraint line at any point throughout the French Guiana Region.

38 In the French Guiana Region, the French Republic has applied a constraint line based on the distance constraint contained in article 76, paragraph 5. The Commission agrees in general with the methodology employed to determine and apply this constraint line (Figure 5).

6.2 The outer limits of the continental shelf

39 The outer limits of the continental shelf in the French Guiana Region, as contained in the Submission of the French Republic of 22 May 2007 and revised under letter of 27 August 2009 (FRA_DOC_SC_004_27_08_2009), consists of seven fixed points connected by six straight lines not exceeding 60 M in length. The fixed points are listed in Table 1, Annex I. The fixed points are established by the provisions contained in article 76, paragraph 4(a), (Figure 5).

6.3 Recommendations

40 The Commission agrees with the determination of the fixed points listed in Table 1, Annex I establishing the outer edge of the continental margin in the French Guiana Region. The Commission recommends that the delineation of the outer limits of the continental shelf in the French Guiana Region be conducted in accordance with

paragraph 7 of article 76 by straight lines not exceeding 60 M in length, connecting fixed points, defined by coordinates of latitude and longitude. Further, the Commission agrees with the principles applied in delineating the outer limits of the continental shelf in the French Guiana, including the determination of the fixed points listed in Table 1, Annex I, and the construction of the straight lines connecting those points. The Commission recommends that the French Republic proceeds to establish the outer limits of the continental shelf from fixed point 1 to fixed point 7 accordingly.

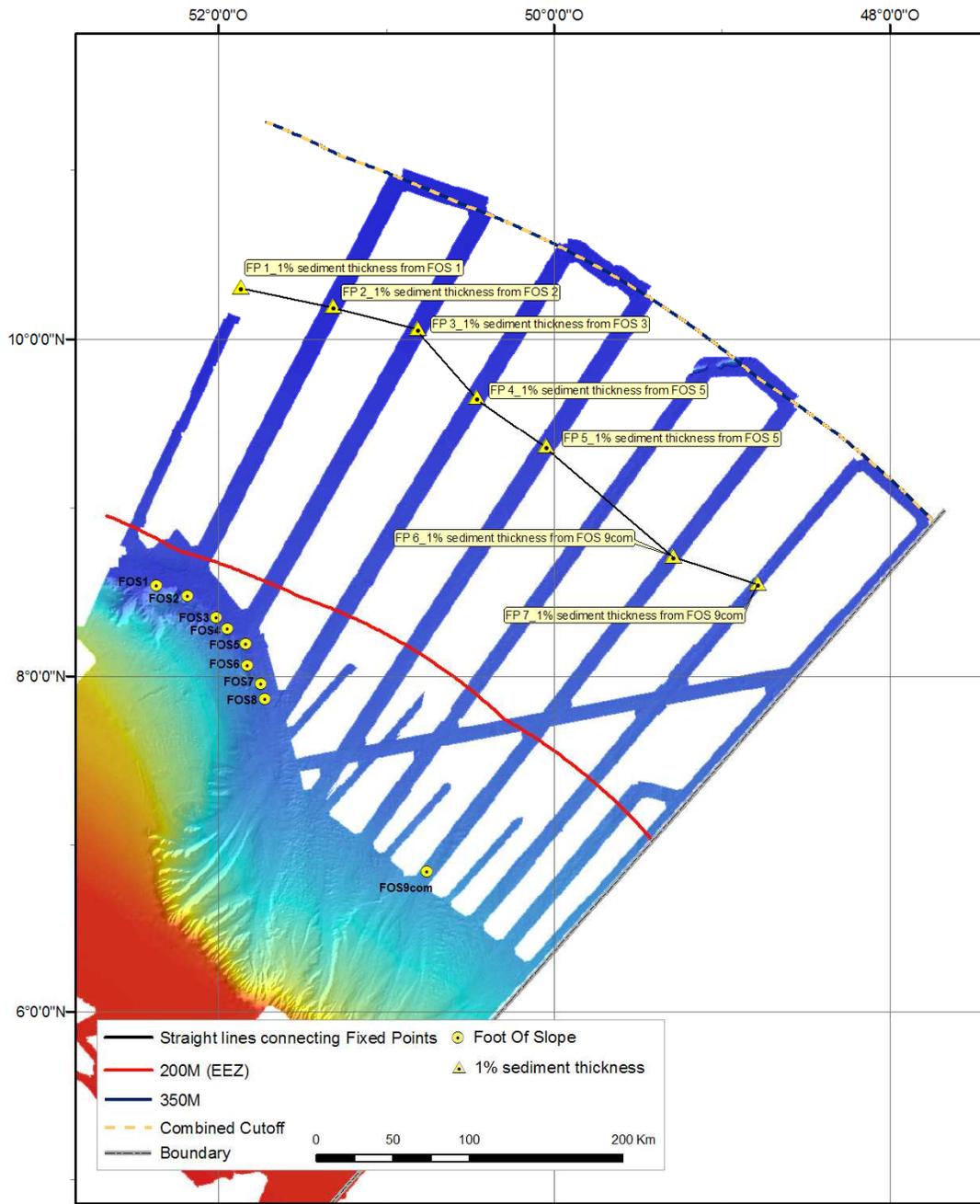


Figure 5. The outer limits of the continental shelf in the French Guiana Region.

B. New Caledonia Region

1. Geographical region description

- 41 New Caledonia includes the landmasses of the main island of New Caledonia, the Chesterfield Islands and the Bellona Reefs, all situated in the tectonically complex area between the northern parts of the Fiji Basin in the east and the Tasmania Sea in the west (Figure 6). The main island of New Caledonia is situated in the northern extension of the Norfolk Ridge underlain by rifted continental crust.
- 42 The south-west area of the submission comprises the northern extension of the Lord Howe Rise. The south-east area of the submission relates to the continental slope between the Loyalty Ridge and the South Fiji Basin and the Cook Fracture Zone. The Norfolk Ridge and the Lord Howe Rise are separated by the New Caledonia Basin, which is underlain by crust of uncertain nature. The Chesterfield Islands and the Bellona Reefs are located on the Bellona Plateau, which together with the Fairway Ridge constitutes the northern extension of the Lord Howe Rise (*sensu lato*), also underlain by rifted continental crust.

2. Notes verbales submitted by other States

- 43 In its note verbale dated 11 July 2007, the Republic of Vanuatu stated that “The submission by France to the Commission under the aforesaid article of UNCLOS covering an area to the south east of New Caledonia will have serious implications and ramifications on Vanuatu’s legal and traditional sovereign territory of Mathew and Hunter islands, south of Vanuatu.”
- 44 In a letter dated 18 July 2007, France informed the Sub-commission that France takes note of the note verbale from Vanuatu and requested that the Sub-commission should not proceed to examine the south-east area of the submission, leaving only the south-west area between the New Caledonia Basin and the Tasman Sea (referred to in the following as the Western Area) to be considered by the Commission.
- 45 In a note verbale of 15 August 2007 from the Permanent Mission of New Zealand to the United Nations (Annex II), New Zealand takes note of the potential overlap between the areas of extended continental shelf of the two States in the Loyalty Ridge and Three Kings Ridge region and that France in its submission emphasizes that its submission for an extended continental shelf is without prejudice to any subsequent delimitation between the two States. The Permanent Mission of New Zealand confirms that New Zealand has no objection to the Commission considering and making recommendations on the French submission. The recommendations of the Commission relating to the Three Kings Ridge Region only deal with the outer limits of the continental shelf of Australia in this region and shall not prejudice any bilateral delimitation issues between States.

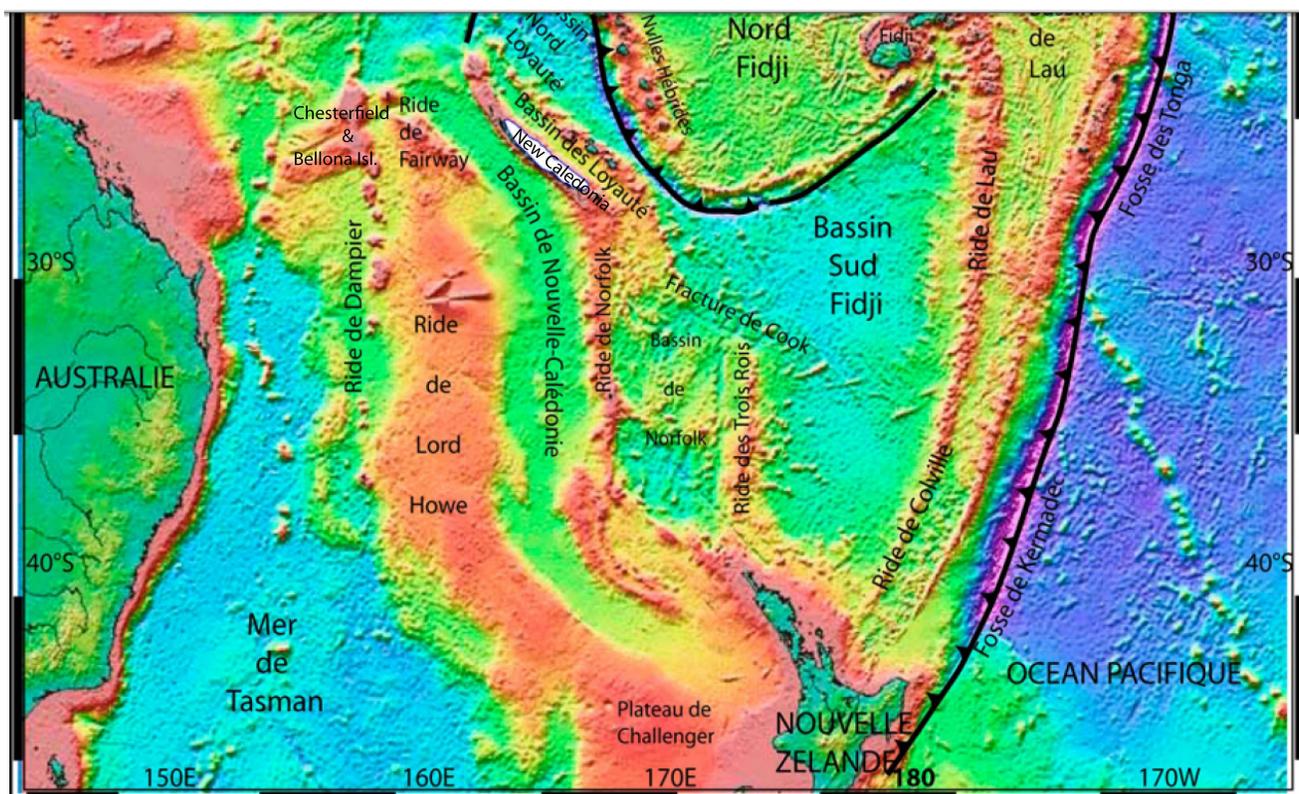


Figure 6. Structural elements of the New Caledonia Region.

3. Submerged prolongation of the landmass and entitlement to the continental shelf beyond 200 M in the Western Area

- 46 The area of continental shelf beyond 200M in the Western Area is located on the northern part of Lord Howe Rise south of the Fairway Ridge (Figure 7).
- 47 In its original submission, France presented the view that the whole elevated area between the South Fiji basin in the east and the Tasman Sea in the west constitutes the submerged landmass of the island of New Caledonia. This would imply that there is submerged prolongation in the sense of paragraph 3 of article 76 throughout and between the tectonic elements of the Norfolk Ridge, the New Caledonia Basin and the Lord Howe Rise, with their northward extensions.
- 48 The Subcommittee questioned this view on the basis of the uncertain nature of the crust beneath the New Caledonian Basin separating the Lord Howe Rise (with its northern extension into Fairway Ridge and Bellona and Chesterfield Islands) and the Norfolk Ridge (with its extensions into Loyalty Ridge and New Caledonia). Therefore, the Subcommittee recommended to France that the Lord Howe Rise should be viewed as one entity not connected to the ridges further east. The Lord Howe Rise should then form the basis for the submerged prolongation of the nearest appurtenant land territory of New Caledonia dependencies, in this case the Bellona Islands, to the area beyond 200 M in the Western Area.

- 49 In its response of 15 August 2008 (FRA_DOC_SC_001_15_08_2008), France maintained its view, but for practical purposes agreed to implement the recommendation by the Subcommission.
- 50 Accordingly, France has demonstrated that in terms of both crustal characteristics and morphology, this area is underlain by the submerged prolongation of the landmass of the Bellona Islands.
- 51 The outer edge of the continental margin, as generated from the foot of the continental slope on the western and eastern flanks of the Lord Howe Rise by applying the provisions of article 76, paragraph 4, extends beyond the 200 M limits of New Caledonia. On this basis, the Commission recognises the legal entitlement of France to establish continental shelf beyond its 200 M limits in this region (Figure 8).

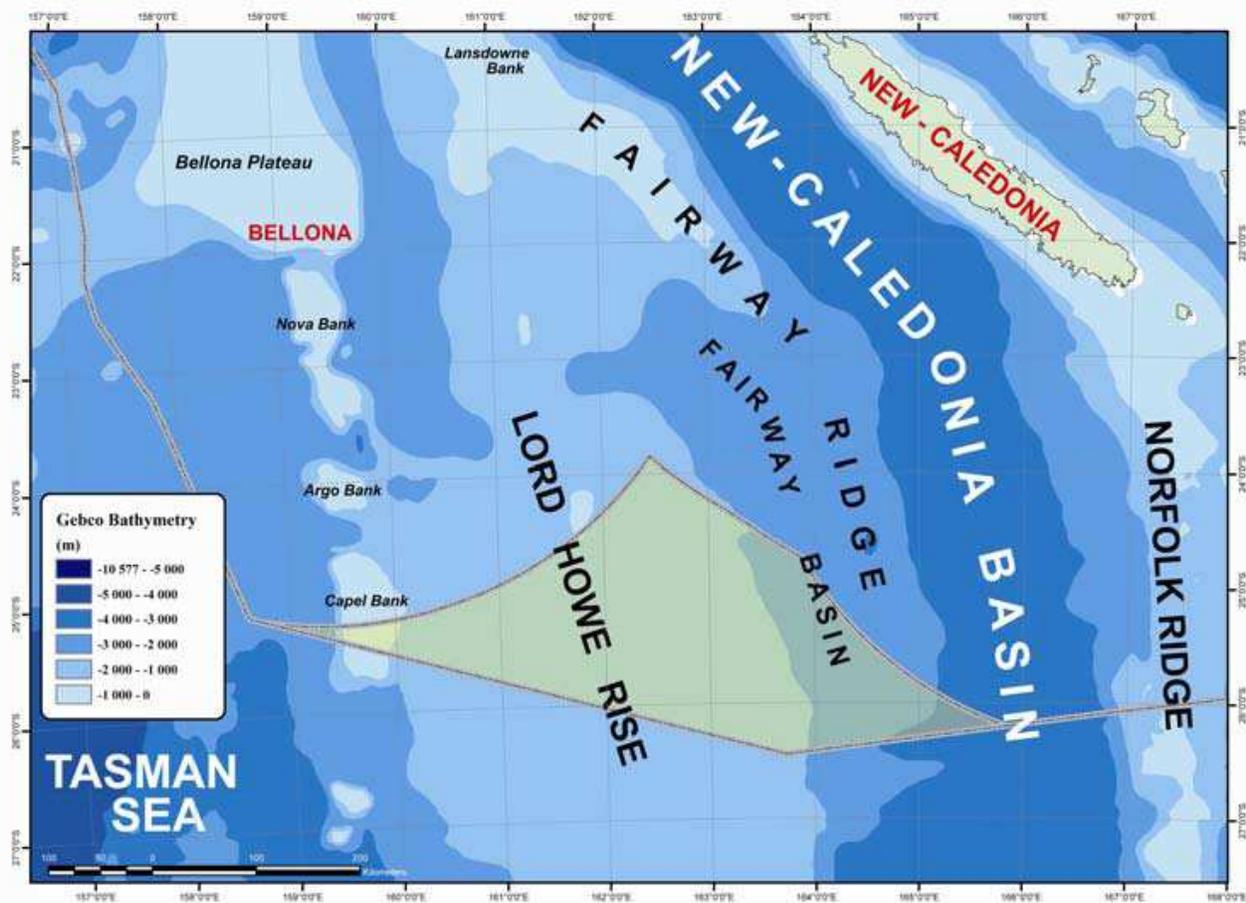


Figure 7. The Western Area of the submission. The area beyond 200 M for which the submission is made in the Western Area is bounded to the north by the 200 M lines from the baselines of New Caledonia and to the south by the treaty line between France and Australia, and is indicated in pale yellow shading.

4. The determination of the foot of the continental slope

52 The foot of the continental slope should be established in accordance with article 76, paragraph 4(b).

4.1 Considerations

53 Following the view in its original submission that the whole elevated area between the South Fiji basin in the east and the Tasman Sea in the west constitutes the submerged landmass of the island of New Caledonia, France originally submitted two critical FOS points relevant to the Western Area, one point situated in the South Fiji Basin in the east and one point situated in the Tasman Sea.

54 Following the view of the Subcommission referred to in paragraph 32, that the flanks of the Lord Howe Rise constitute the continental slopes of the landmass of the Chesterfield Islands and the Bellona Reef, the Subcommission requested that the FOS point in the South Fiji Basin should be supplemented by a FOS point on the eastern flank of the Lord Howe Rise for the purpose of delineating the continental margin in the Western Area.

55 Accordingly, in its communication of 2 December 2008 (FRA_DOC_SC_003_02_12_2008), France submitted a supplementary critical foot of the slope point, FOS East, at the base of the slope on the eastern flank of the Lord Howe Rise. The FOS point originally submitted on the western flank was slightly revised in the same communication and designated as the FOS West. These foot of the slope points are situated close to the intersections between the 200M line of New Caledonia and the treaty line with Australia.

56 The location of the base of the continental slopes of Lord Howe Rise, i.e. the transition from the slope to the deep ocean floor of the Tasman Sea and New Caledonia Basin, respectively, is distinct and easily identified on a morphological basis. Accordingly, foot of the slope points are readily determined and the Subcommission agreed with the way FOS West and FOS East have been established by France.

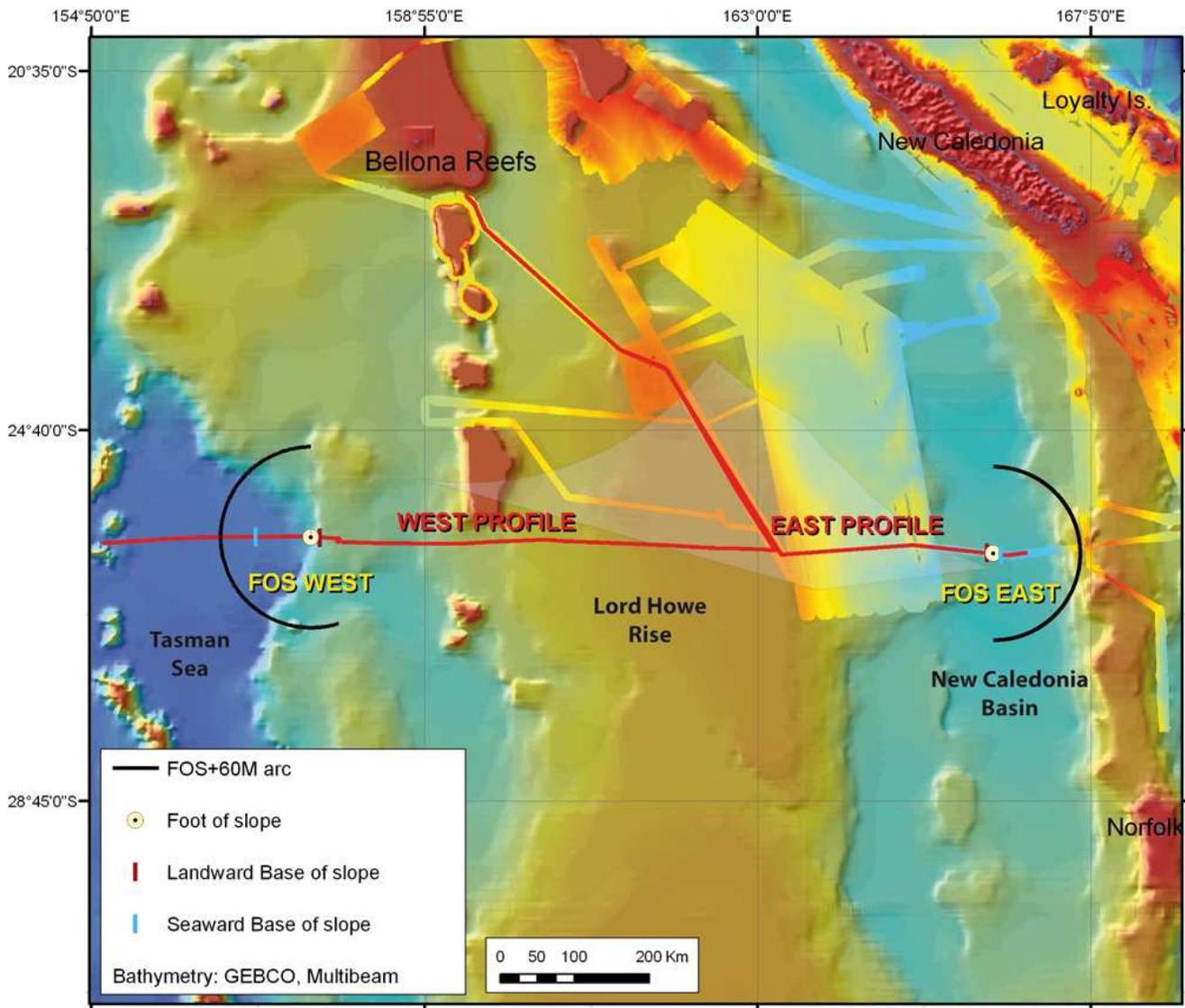


Figure 8. The natural prolongation of New Caledonia in the Western Area. The data and information submitted by France, including the West and East profiles depicted on the map, demonstrate that the Lord Howe Rise constitutes the natural prolongation of the New Caledonian landmasses in the Bellona Reefs and Chesterfield Islands. It also demonstrate that the area beyond 200 M for which the submission is made in the Western Area in its entirety lies landward of the foot of the continental slope along the Lord Howe Rise.

4.2 Recommendations

57 Based on its consideration of the technical and scientific documentation contained in the submission of 22 May 2007 and the information provided in document FRA_DOC_SC_003_02_12_2008 the Commission concludes that the foot of the continental slope points FOS West and FOS East fulfil the criteria in accordance with article 76 and Chapter 5 of the Guidelines. The Commission recommends that these foot of the continental slope points should form the basis for the establishment of the outer edge of the continental margin of France for the purposes of the Convention in the SW area of the New Caledonian region.

5. The establishment of the outer edge of the continental margin

58 The outer edge of the continental margin of Western Area should, for the purposes of the Convention, be established in accordance with article 76, paragraphs 4 and 7.

5.1 The application of the 60 M distance formula

59 The two FOS points, FOS West and FOS East, as well as the consequent arcs defined by 60 M distance criterion contained in article 76, paragraph 4(a)(ii), are located beyond the limits of the area enclosed by the French 200 M limit and the maritime treaty boundary between France and Australia.

60 Therefore, the Commission agrees that this area thus enclosed is part of the continental margin of France in the Western Area.

5.2 Recommendations

61 Based on the locations of the FOS points and 60 M arcs referred to in Section 5.1, the Commission recommends that the area enclosed by the French 200 M limit and the maritime treaty boundary between France and Australia is to be considered part of the continental margin of France in the Western Area.

6. The delineation of the outer limits of the continental shelf

62 The outer limits of the continental shelf should be based on the established outer edge of the continental margin, taking into consideration the constraints contained in article 76, paragraphs 5 and 6.

6.1 The application of constraint criteria

63 The outer limits of the continental shelf cannot extend beyond the constraints as per the provisions contained in article 76, paragraph 5. Accordingly, the provision that the outer limits of the continental shelf may not exceed 350 M from the territorial sea baselines ("the distance constraint") may be applied in all cases. Alternatively, the provision that the outer limits of the continental shelf may not exceed 100 M from the 2500 m isobath ("the depth constraint") may be applied to those parts of the continental margin that are classified as natural components of that margin.

64 For the outer limits of the continental shelf in the Western Area, France in its original submission invoked the distance constraint of 350 M only, based on the base- points of all the land territories of New Caledonia. The Sub-commission, however, suggested to France that the constraint line should be based only on

base-points relevant to the natural prolongation into the area, i.e. the base-points relevant to the Chesterfield and Bellona Reef Islands. This would imply the application of a combination of the distance and the depth constraints (Figure 9). France agreed to follow this approach in this region.

6.1.1 The construction of the distance constraint line

- 65 The distance constraint line submitted by France is constructed by arcs at 350 M distance from the territorial sea baselines of the Bellona and Chesterfield Islands (Figure 9). The Commission agrees with the procedure and methods applied by France in the construction of this constraint line.

6.1.2 The construction of the depth constraint line

- 66 For France, the 2500 m depth point on which the depth constraint line is based located on the bathymetric line RC 1204dbf. This depth point is landward of the foot of the continental slope (Figure 9), and thus can be considered to conform to the general configuration of the continental margin. Therefore, the application of this depth point as a basis for the depth constraint is in accordance with paragraphs 4.4.1 and 4.4.2 of the Guidelines. The Commission recommends that the depth constraint line for the continental margin of France is constructed as submitted by France (Figure 9).

6.1.3 Consideration and classification of submarine highs

- 67 In the view of the Commission, the application of the depth constraint involves the examination of whether the Lord Howe Rise and its northern extension may be considered natural component of the continental margin.
- 68 Geologically, the New Caledonia Region is complex comprising continental, island arc and oceanic elements. The Commission agrees that the Lord Howe Rise and its northern extension is of continental origin that is well evidenced by deep sea drilling data, bottom sampling data, seismic reflection/refraction studies, and gravity modelling. The rifting structure and its process through geologic time are well documented by the scientific studies submitted. Overall, extension tectonics controlled the Region through early Cretaceous to mid-Tertiary. The Lord Howe Rise and other associated continental blocks were once parts of the Australian continent and separated from it by extension and possible seafloor spreading. Based on this evidence, the Commission considers the Lord Howe Rise to be classified as a submarine elevation that is a natural component of the continental margin of France in the sense of article 76, paragraph 6, and in accordance with paragraph 7.3.1.b of the Guidelines.

6.1.4 The application of the combination of the distance and the depth constraints

- 69 In the Western Area, France has applied a constraint line based on the combination of lines constructed by the application of both the distance and depth constraints contained in article 76, paragraph 5 (see sections 6.1.1 and 6.1.2 above). The Commission agrees in general with the way this combined constraint line has been applied.

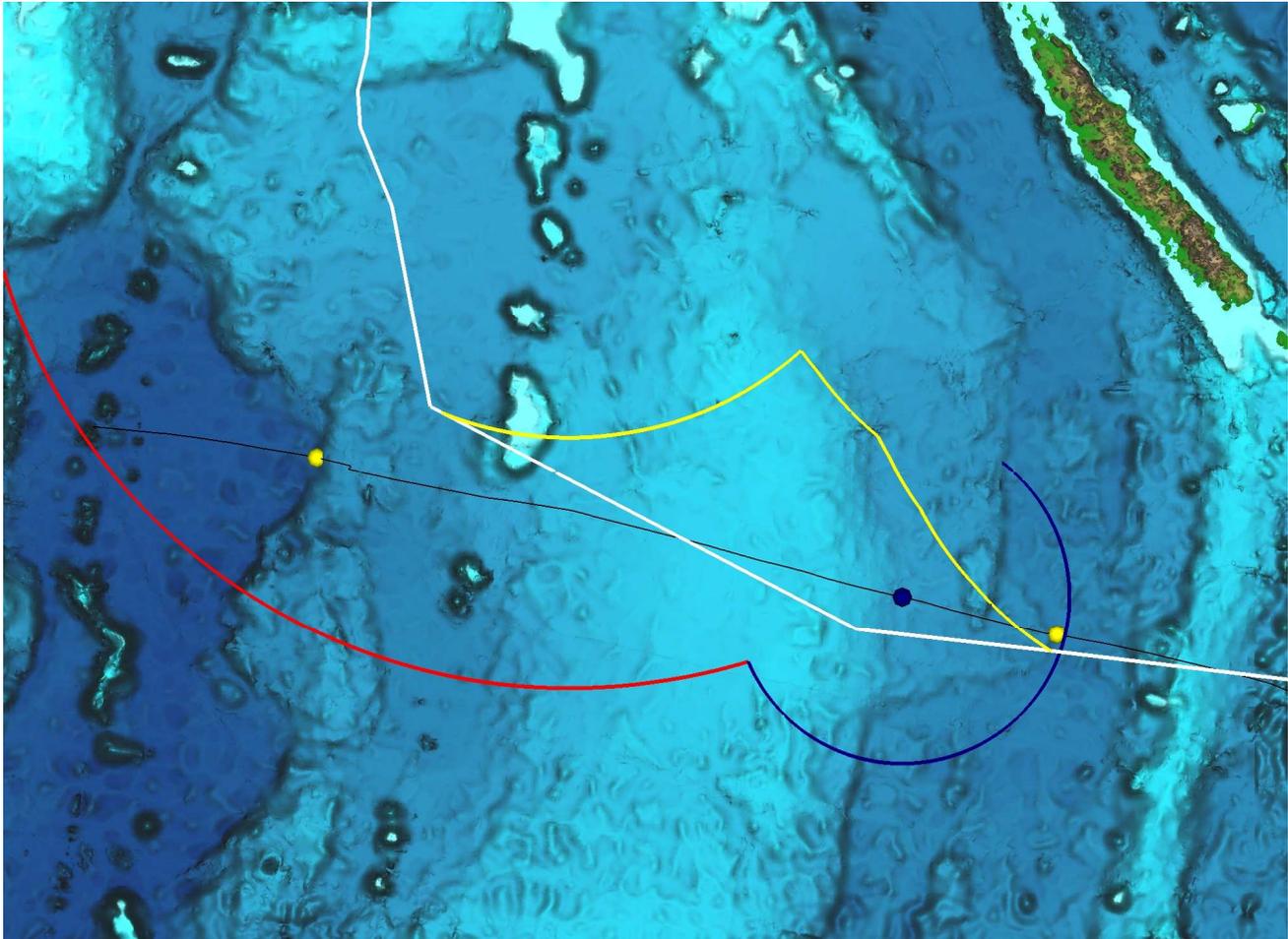


Figure 9. Map showing the continental margin and constraint lines in the Western Area. The bathymetric profile RC 1204dbf is shown as a thin black line, the two foot of the continental slope points (FOS West and FOS East) are shown as yellow spheres, and the relevant 2500 m depth point documented by profile RC 1204dbf is shown as a dark blue sphere. The 200 M limits of New Caledonia is shown in yellow, the treaty line between France and Australia is shown in white. The combined constraint line consists of the relevant segment of the 350 M line as measured from the Chesterfield and Bellona islands (shown in red), and the line at 100 M distance from the relevant 2500 m depth point on profile RC 1204dbf (shown in dark blue).

6.2 The outer limits of the continental shelf

- 70 The continental shelf beyond 200 M in the Western Region as contained in the Submission of France of 22 May 2009 and revised under letter of 18 July 2007 (FRA_LET_COM_001_18_07_2007), consists of the area enclosed by the French 200 M limit and the maritime treaty boundary between France and Australia (Figure 10). With reference to Section 5.2 above, this area is considered to be part of the continental margin of France located entirely within the constraint lines recommended in Section 6.1.4.

6.3 Recommendations

- 71 The Commission agrees that the area enclosed by the French 200 M limit and the maritime treaty boundary between France and Australia constitutes the continental shelf beyond 200 M in the Western Area of the submission made by France with respect to the New Caledonia Region on 22 May 2007. The Commission recommends that France proceeds to establish the outer limits of the continental shelf accordingly.

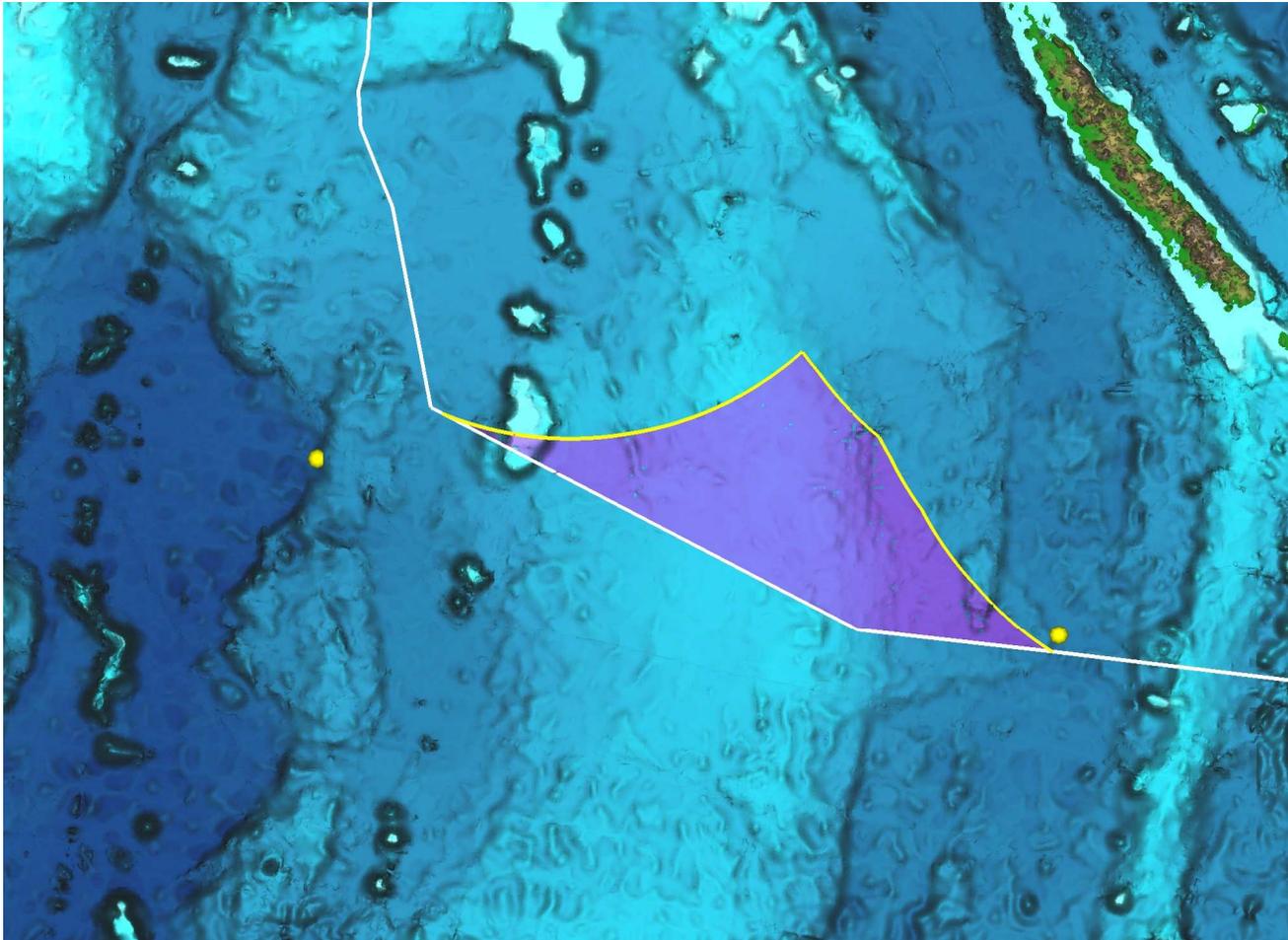


Figure 10. The continental shelf of New Caledonia beyond 200 M in the Western Area shown in pink shading, and delineated by the 200 M limits of New Caledonia (shown in yellow) and the treaty line between France and Australia (shown in white). The two relevant foot of the continental slope points (FOS West and FOS East) are shown as yellow spheres.

ANNEX I
TABLES OF COORDINATES, FOOT OF CONTINENTAL SLOPE POINTS AND OTHER
INFORMATION RELATED
TO THE ESTABLISHMENT OF THE OUTER EDGE OF THE CONTINENTAL MARGIN AND
THE DELINEATION OF THE OUTER LIMITS OF THE CONTINENTAL SHELF BEYOND 200 M
AS SUBMITTED BY FRANCE UNDER DOCUMENT DATED 27 AUGUST 2009:
FRA_DOC_SC_004_27_08_2009

FP	Latitude North	Longitude West	Method, Article 76	From	To	Distance (m)	Distance (Miles)
1	10.3136143	51.8676398	Fixed Point resulting from sediment thickness of 1% of the distance to the Foot of the Slope, 76(4a ii)				
2	10.2005811	51.3192497	Fixed Point resulting from sediment thickness of 1% of the distance to the Foot of the Slope, 76(4a ii)	1	2	61364.40	33.13
3	10.0648952	50.8151017	Fixed Point resulting from sediment thickness of 1% of the distance to the Foot of the Slope, 76(4a ii)	2	3	57253.91	30.91
4	9.6625010	50.4638717	Fixed Point resulting from sediment thickness of 1% of the distance to the Foot of the Slope, 76(4a ii)	3	4	58864.75	31.78
5	9.3689421	50.0461236	Fixed Point resulting from sediment thickness of 1% of the distance to the Foot of the Slope, 76(4a ii)	4	5	56196.85	30.34
6	8.7178897	49.2899915	Fixed Point resulting from sediment thickness of 1% of the distance to the Foot of the Slope, 76(4a ii)	5	6	109982.12	59.39
7	8.5535715	48.7873010	Fixed Point resulting from sediment thickness of 1% of the distance to the Foot of the Slope, 76(4a ii)	6	7	58237.21	31.45

Table 1. Coordinates for the outer limit of the continental shelf fixed points beyond 200 M in the French Guiana Region

Note: The area enclosed by the French 200 M limit and the maritime treaty boundary between France and Australia constitutes the continental shelf beyond 200 M in the Western Area of the submission made by France with respect to the New Caledonia Region on 22 May 2007.

ANNEX II

LIST OF NOTES VERBALES RELATED TO THE SUBMISSION OF FRANCE IN RESPECT OF THE AREAS OF FRENCH GUIANA AND NEW CALEDONIA

http://www.un.org/depts/los/clcs_new/submissions_files/submission_fra.htm

1. Government of the Republic of Vanuatu, dated 11 July 2007;
2. Permanent Mission of New Zealand to the United Nations, dated 15 August 2007. Note: 08/07/11 Ref.: UN/7/12/1
3. Permanent Mission of the Republic of Suriname to the United Nations, dated 17 August 2007. Ref. No:138/07