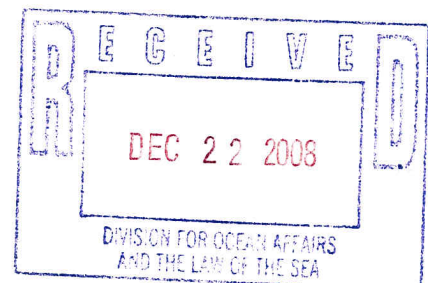


**UNITED STATES MISSION TO THE UNITED NATIONS
NEW YORK**

December 22, 2008

The Permanent Mission of the United States of America to the United Nations presents its compliments to the Secretariat of the United Nations (Office of Legal Affairs) and, referring to its communication No. CLCS.13.2008.LOS of November 13, 2008 concerning receipt of the submission made by Japan to the Commission on the Limits of the Continental Shelf, has the honor to submit the following observations by the Government of the United States.

The United States has taken note of the potential overlap between two areas of continental shelf with respect to which information is being submitted by Japan (one extending beyond 200 nautical miles (nm) from Haha Shima and from Minami-Tori Shima and the other extending beyond 200 nm from Minami-Io To), and areas of continental shelf beyond 200 nm extending from Farallon de Pajaros in the Commonwealth of the Northern Mariana Islands.



DIPLOMATIC NOTE

The United Nations Convention on the Law of the Sea, including its Annex II, and the Rules of Procedure of the Commission, in particular Annex 1 thereto, provide that the actions of the Commission shall not prejudice matters relating to delimitation of boundaries between States with opposite or adjacent coasts.

With reference to the Executive Summary of Japan's submission, the Government of the United States confirms that it does not object to Japan's request that the Commission consider the documentation in its submission relating to the aforementioned areas and make its recommendation on the basis of this documentation, to the extent that such recommendations are without prejudice to the establishment of the outer limits of its continental shelf by the United States, or to any final delimitation of the continental shelf concluded subsequently in these areas between Japan and the United States.

The Permanent Mission of the United States of America to the United Nations takes this opportunity to renew to the United Nations the assurances of its highest consideration.

