

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

November 12, 2014

The United States Mission to the United Nations presents its compliments to the Division for Ocean Affairs and the Law of the Sea and has the honor to refer to its communication CLCS.71.2014.LOS of April 17, 2014 concerning receipt of the submission by the Commonwealth of The Bahamas to the Commission on the Limits of the Continental Shelf (the "Submission"), has the honor to submit the following statement by the Government of the United States.

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 I thereto, provide that the actions of the Commission shall not prejudice matters relating to delimitation of boundaries between States with opposite or adjacent coasts. In particular, Annex I to the Commission's Rules of Procedure recognizes, and the United States concurs, "that the competence with respect to matters regarding disputes which may arise in connection with the establishment of the outer limits of the continental shelf rests with States."

**DIPLOMATIC NOTE**

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The United States takes note of paragraph 2.2 of the Executive Summary of the Submission, which states in part that “The Bahamas confirms that the area of continental shelf that forms the basis of the Submission is not the subject of any dispute with any other State.” Contrary to this statement, the area described in the Submission is the subject of a maritime dispute with the United States.

The United States notes further that paragraph 2.3 of the Executive Summary “notes that the establishment of agreed maritime boundaries between The Bahamas and the United States of America is presently subject to negotiation and final delimitation” and that the “Submission is made without prejudice to the delimitation of outstanding maritime boundaries between The Bahamas and the United States of America.” Notwithstanding the intention of The Bahamas, the United States considers that consideration of the Submission by the Commission would be prejudicial with respect to the rights of the United States in the area in question and the delimitation of the maritime boundary between the United States and The Bahamas.

Accordingly, the United States requests the Commission not to consider the Submission of The Bahamas, in accordance with Article 5(a) of Annex I to its Rules of Procedure, which states the following: “In cases where a land or maritime dispute exists, the Commission shall not consider and qualify a submission made by any of the States concerned in the dispute. However, the Commission may consider one or more submissions in the areas under dispute with prior consent given by all States that are parties to such a dispute.” At this time, the United States is unable to consent to the

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consideration by the Commission of the Submission of the Commonwealth of The Bahamas. The United States intends to keep this matter under active consideration in connection with ongoing efforts to delimit the maritime boundary between the United States and The Bahamas.

The United States Mission avails itself of this opportunity to renew to the United Nations the assurances of its highest consideration.

*m. a. s.*