



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 THE REPUBLIC OF CUBA IN RESPECT OF THE EASTERN POLYGON IN THE GULF OF MEXICO ON 1 JUNE 2009 AND AMENDED ON 15 FEBRUARY 2024¹

Recommendations prepared by the Subcommittee established for the consideration of the amended Submission made by Cuba in respect of the eastern polygon in the Gulf of Mexico

Adopted by the Subcommittee on 15 November 2024

Approved by the Commission, with amendments, on 26 February 2025

¹ The aim of this Summary is to provide information which is not of confidential or proprietary nature in order to facilitate the function of the Secretary-General in accordance with paragraph 11(3) of annex III to the Rules of Procedure of the Commission. 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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GLOSSARY OF TERMS

60 M formula line	The line delineated by reference to fixed points not more than 60 nautical miles from the foot of the continental slope
60 M formula point	Fixed point not more than 60 nautical miles from the foot of the continental slope
200 M line	The line at a distance of 200 nautical miles from the baselines from which the breadth of the territorial sea is measured
2,500 m isobath	A line connecting the depth of 2,500 metres
Article 76	Article 76 of the Convention
Baselines	The baselines from which the breadth of the territorial sea is measured
BOS	The base of the continental slope
Commission	The Commission on the Limits of the Continental Shelf
Convention	The United Nations Convention on the Law of the Sea of 10 December 1982
Depth Constraint	The constraint line determined at a distance of 100 M from the 2,500 m isobath
Distance Constraint	The constraint line determined at a distance of 350 M from the baselines
DOALOS	Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs, United Nations
FOS	Foot of the continental slope
Guidelines	The Scientific and Technical Guidelines of the Commission (CLCS/11 and CLCS/11/Add.1)
M	Nautical mile
Rules of Procedure	The Rules of Procedure of the Commission (CLCS/40/Rev.1 and CLCS/40/Rev.2)
Secretary-General	The Secretary-General of the United Nations
Sediment thickness formula line	The line delineated by reference to the outermost fixed points at each of which the thickness of sedimentary rocks is at least 1 per cent of the shortest distance from such point to the FOS
Sediment thickness formula point	Outermost fixed point at which the thickness of sedimentary rocks is at least 1 per cent of the shortest distance from that point to the FOS

I. INTRODUCTION

- 1 On 1 June 2009, the Republic of Cuba submitted to the Commission, through the Secretary-General¹, information on the limits of the continental shelf beyond 200 M from the baselines in respect of the eastern polygon in the Gulf of Mexico, in accordance with article 76, paragraph 8.
- 2 The Convention entered into force for Cuba on 16 November 1994.
- 3 The Submission was made in respect of the eastern polygon in the Gulf of Mexico. According to Cuba: “[i]n the Eastern Sector of the Gulf of Mexico, the maritime boundaries between neighboring coastal States have not been delimited up to the present time. In this area there are not disputes”; “[t]he submission does not prejudice the final delimitation of the continental shelf of the Republic of Cuba in the Eastern Sector of the Gulf of Mexico to be resolved by means of agreements or other peaceful means with neighboring States, in accordance to what is established in paragraph 1 of Article 83 of the Convention”; and “[t]he proposed outer limit does not prejudice the matter of the final demarcation of the extended continental shelf between neighboring coastal States.”²
- 4 On 8 June 2009, the Secretary-General issued Continental Shelf Notification CLCS.51.2009.LOS³ giving due publicity to the Executive Summary of the Submission in accordance with rule 50 of the Rules of Procedure. Pursuant to rule 51 of the Rules of Procedure, the consideration of the Submission was included in the agenda of the twenty-fifth session of the Commission held from 15 March to 23 April 2010.
- 5 Pursuant to section 2 of annex III to the Rules of Procedure, a presentation of the Submission was made to the plenary of the twenty-fifth session of the Commission on 7 April 2010, by Abelardo Moreno, Ambassador and Deputy Minister, Ministry of Foreign Affairs, and Rafael Tenreyro, Director of Prospecting and Exploitation, Cuba Petróleo.⁴ The Delegation of Cuba (the “Delegation”) also included Pedro Núñez Mosquera, Permanent Representative of Cuba to the United Nations, and a number of advisers. In addition to elaborating on substantive points of the Submission, Mr. Moreno indicated that no member of the Commission had assisted Cuba by providing scientific and technical advice with respect to the Submission. Mr. Moreno further stated that no disputes existed in respect of the areas subject to the Submission. With respect to the notes verbales from the United States of America, dated 30 June 2009, and from Mexico, dated 21 August 2009, Mr. Moreno stated that “they did not object to the submission of information to delimit the Cuban continental shelf in the Gulf of Mexico.” Mr. Moreno also stated that “the outer limit of the continental shelf of Cuba did not prejudice the final delimitation between coastal States that had access to the eastern sector of the Gulf of Mexico”.⁵
- 6 The Commission received and took note of the contents of the following communications transmitted to the Commission in regard to the Submission and of the views expressed by the Delegation in connection with the communications.

¹ The Submission was received by DOALOS as the secretariat of the Commission.

² See https://www.un.org/depts/los/clcs_new/submissions_files/cub51_09/cub_2009execsumm.

³ See Continental Shelf Notification CLCS.51.2009.LOS at https://www.un.org/depts/los/clcs_new/submissions_files/submission_cub_51_2009.htm.

⁴ See CLCS/66, paras. 82-86.

⁵ See CLCS/66, para. 85.

- 7 In a communication dated 30 June 2009, the United States of America informed the Secretary-General that the United States “has taken note of the potential overlap in the Eastern Gap of the Gulf of Mexico between an area of continental shelf extending beyond 200 nautical miles from Cuba and an area of continental shelf extending beyond 200 nautical miles from the United States”; and that the United States “does not object to Cuba’s request that the Commission consider the documentation in its submission related to the aforementioned area and make its recommendations 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 this area between Cuba and the United States”. In communication No. ONU03534 dated 21 August 2009, Mexico informed the Secretary-General that “the delimitation of maritime boundaries between the Republic of Cuba and the United Mexican States is still pending”, and that “[c]onsequently, the submission to be made by the Republic of Cuba and any recommendation made by the CLCS related to it, shall be understood without prejudice to any future submission made by Mexico in relation to the Eastern Gap, or the delimitation of the continental shelf in this area between the Republic of Cuba and the United Mexican States”.
- 8 The Commission addressed the modalities for the consideration of the Submission and decided that, as provided for in article 5 of annex II to the Convention and in rule 42 of the Rules of Procedure, the Submission would be addressed by a Subcommission to be established in accordance with rule 51, paragraph 4 *ter*, of the Rules of Procedure, at a future session. The Commission decided to revert to the consideration of the Submission at the plenary level when it was next in line for consideration as queued in the order in which it was received.⁶
- 9 The Subcommission for the consideration of the Submission made by Cuba in respect of the eastern polygon in the Gulf of Mexico was established on 2 February 2024, during the plenary of the sixtieth session of the Commission. The following members of the Commission were appointed as members of the Subcommission: Aldino Manuel dos Santos de Campos, Antonio Fernando Garcez Faria, Estevao Stefane Mahanjane, Simon Njuguna, Yong Tang, Michał Tomczak and Ariel Hernán Troisi. The Subcommission elected Mr. Tang as its Chairperson, and Messrs. Garcez and Mahanjane as its Vice-Chairpersons.
- 10 On 15 February 2024, Cuba submitted an amended Executive Summary, which was given due publicity by the Secretary-General through Continental Shelf Notification CLCS.51.2009.LOS.Add.1,⁷ in accordance with rule 50 of the Rules of Procedure. According to Cuba, the amended Executive Summary superseded the original Executive Summary of its Submission made on 1 June 2009. On 28 May 2024, Cuba submitted an amendment to the Submission, comprising the Main Body and Supporting Data and Information, which, according to Cuba, were in addition to the amended Executive Summary and superseded in their entirety those parts of the original Submission made on 1 June 2009. Pursuant to rule 51 of the Rules of Procedure, the consideration of the amended Submission was included in the agenda of the sixty-first session of the Commission, held from 8 July to 23 August 2024.

⁶ See CLCS/66, para. 86.

⁷ See Continental Shelf Notification CLCS.51.2009.LOS.Add.1 at https://www.un.org/depts/los/clcs_new/submissions_files/submission_cub_51_2009.htm.

- 11 Pursuant to section 2 of annex III to the Rules of Procedure, a presentation of the amended Submission was made to the plenary of the sixty-first session of the Commission on 19 August 2024, by Carlos Fernández de Cossío Domínguez, Deputy Foreign Minister; Eva Yelina Silva Walker, Director of International Law of the Ministry of Foreign Affairs; Alejandro Morales Abreu, Head of the Technical Group of the State Commission on the Outer Limits of the Continental Shelf; and Liana Ordaz Sánchez, geophysicist. The delegation also included the Permanent Representative of Cuba to the United Nations, Ernesto Soberón Guzmán, and the Deputy Permanent Representative of Cuba to the United Nations, Yusnier Romero Puentes. In addition to elaborating on substantive points of the Submission, the Delegation indicated that it had taken as a reference a technical report by a former member of the Commission, Carlos Marcelo Paterlini,⁸ who was part of the National Commission on the Outer Limit of the Continental Shelf of Argentina, which had provided scientific and technical advice to Cuba. The Delegation also stated that it had signed maritime boundary delimitation agreements with the two adjacent coastal States in the area under consideration, and that the submission area was not the subject of any disputes.⁹
- 12 The Commission recalled that it had addressed the modalities for the consideration of the Submission made by Cuba during the twenty-fifth session and that at its sixtieth session, on 2 February 2024, it had decided to establish a subcommission for the consideration of the Submission, which had commenced its work during the sixtieth session. Taking into account that no communications had been received from other States regarding the amended Submission, the Commission took note of the presentation by Cuba and invited the Subcommission to take the presentation into consideration, as appropriate, when continuing its work.¹⁰
- 13 The Subcommission examined the Submission during the sixtieth, sixty-first and sixty-second sessions. During these sessions, the Subcommission held six meetings with the Delegation, posed questions in writing and presented preliminary considerations involving documents and presentations. During the course of the examination of the Submission by the Subcommission, the Delegation provided responses to the questions posed both in writing and as presentations, and provided additional material.
- 14 The Subcommission conducted its interactions with the Delegation according to the Rules of Procedure and practice of the Commission outlined in a presentation provided to the Delegation in connection with the first meeting held remotely with the Subcommission.
- 15 Following its establishment, the Subcommission met during the sixtieth session and commenced its consideration of the Submission. The Subcommission conducted a preliminary analysis of the Submission pursuant to paragraph 5.1 of annex III to the Rules of Procedure.
- 16 At the sixty-first session, the Subcommission commenced the main scientific and technical examination of the amended Submission pursuant to paragraph 9 of annex III to the Rules of Procedure.
- 17 The main scientific and technical examination continued until the sixty-second session when, on 13 November 2024, the Subcommission provided a comprehensive presentation of its views and general conclusions arising from the

⁸ Carlos Marcelo Paterlini was a member of the Commission from 2012 to 2023.

⁹ See CLCS/61/2, paras. 22-24.

¹⁰ See CLCS/61/2, para. 25.

examination of all of the amended Submission in accordance with paragraph 10.3 of annex III to the Rules of Procedure. On 14 November 2024, the Delegation provided in writing its response pursuant to paragraph 10.4 of annex III to the Rules of Procedure.

- 18 The Subcommittee adopted its Recommendations on 15 November 2024 and submitted them to the Commission on 15 November 2024 for consideration and approval.
- 19 The Subcommittee made a presentation to the Commission on the substance and rationale for its Recommendations on Tuesday 25 February 2025. The Delegation subsequently made a presentation to the Commission on 25 February 2025 in accordance with paragraph 15(1 bis) of annex III to the Rules of Procedure.
- 20 The Commission approved these Recommendations on 26 February 2025, taking into consideration article 76 and annex II to the Convention, the Guidelines and the Rules of Procedure.
- 21 The Recommendations of the Commission are based on the scientific and technical data and other material provided by the Delegation in relation to the implementation of article 76. The Commission makes these Recommendations to Cuba in fulfilment of its mandate as contained in article 76 and in articles 3 and 5 of annex II to the Convention.
- 22 The Recommendations of the Commission only deal with issues related to article 76 and annex II to the Convention and shall not prejudice matters relating to delimitation of boundaries between States with opposite or adjacent coasts, or prejudice the position of States which are parties to a land or maritime dispute, or the application of other parts of the Convention or any other treaties.
- 23 The Commission makes Recommendations to coastal States on matters related to the establishment of the outer limits of their continental shelf in accordance with article 76, paragraph 8. Pursuant to this provision, the limits of the continental shelf established by a coastal State on the basis of these Recommendations shall be final and binding. A Summary of the Recommendations is included as annex II to this document in conformity with paragraph 11.3 of annex III to the Rules of Procedure.
- 24 Throughout the examination of the Submission, the Subcommittee requested and received support from DOALOS.

II. CONTENTS OF THE SUBMISSION

A. Original Submission

- 25 The original Submission received on 1 June 2009 contained three parts: an Executive Summary; a Main Body which is the analytical and descriptive part; and Scientific and Technical Data.
- 26 The Submission relates to the eastern polygon in the Gulf of Mexico.

B. Amendment to the Submission

- 27 On 15 February 2024, Cuba submitted an amended Executive Summary, which, according to Cuba, superseded the original Executive Summary submitted on 1 June 2009. On 28 May 2024, Cuba transmitted an amendment to the Submission, based on newly acquired scientific data, comprising the Main Body and Scientific and Technical Data, which, according to Cuba, were in addition to the amended Executive Summary, and superseded in their entirety those parts of the original

Submission made on 1 June 2009. The amended Submission contained three parts: an Executive Summary; a Main Body which is the analytical and descriptive part; and Scientific and Technical Data.

C. Communications and additional material

- 28 In the course of the examination of the Submission by the Subcommittee, the Delegation submitted additional material, including responses to questions and requests for clarifications of the Subcommittee.

III. EXAMINATION OF THE SUBMISSION BY THE SUBCOMMISSION

A. Examination of the format and completeness of the Submission

- 29 Pursuant to paragraph 3 of annex III to the Rules of Procedure, the Subcommittee verified the format and completeness of the Submission.

B. Preliminary analysis of the Submission

- 30 Pursuant to paragraph 5 of annex III to the Rules of Procedure, the Subcommittee undertook a preliminary analysis of the Submission, and determined that:
- (a) Owing to the complexities of verifying the sediment thickness formula, confirming the test of appurtenance and the question whether appropriate combinations of FOS points and constraint lines had been used by Cuba would be considered in the context of the main scientific and technical examination;
 - (b) The submitted outer limits of the continental shelf beyond 200 M of Cuba in the eastern polygon in the Gulf of Mexico (**Error! Reference source not found.**) are based on five fixed points (MXCU 01, MXCU 02, MXCU 03, MXCU 04/EUCU 02, and EUCU 01) from the maritime boundary delimitation agreements with the United States of America and the United Mexican States. These points are located landward of the sediment thickness formula line and distance constraint line as applied by Cuba;
 - (c) The construction of the outer limits contains straight lines no longer than 60 M;
 - (d) The cooperation of relevant international organizations, in accordance with rule 56 of the Rules of Procedure, or the advice of specialists, in accordance with rule 57, and/or of any other member of the Commission was not considered necessary; and
 - (e) Additional time would be required to review all the data and to prepare its Recommendations during future sessions of the Commission.

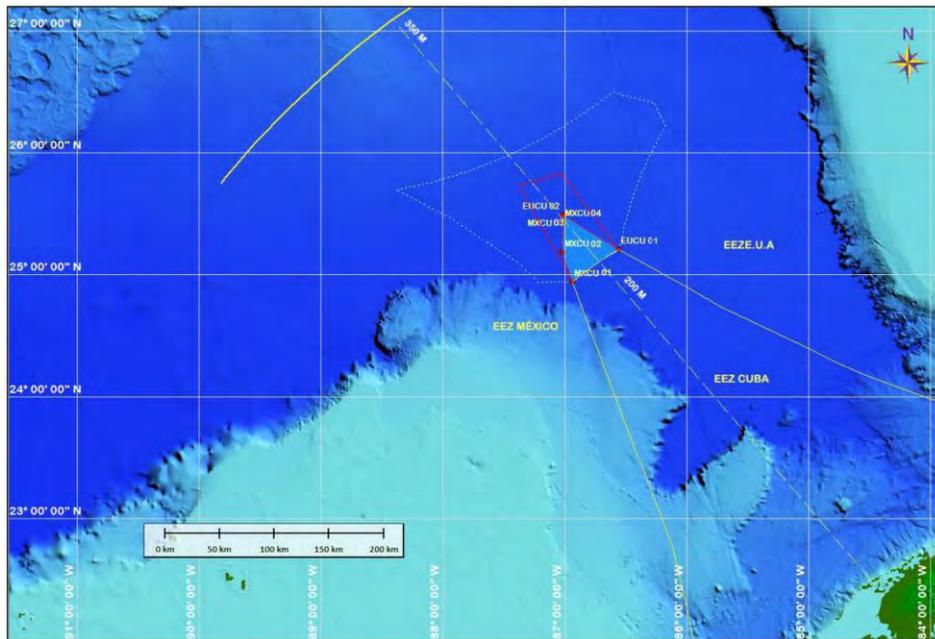


Figure 1. Outer limits of the continental shelf as submitted by Cuba (amended Main Body, Figure CU PCE VI. 2).

C. Main scientific and technical examination of the Submission

31 Pursuant to paragraph 9 of annex III to the Rules of Procedure, the Subcommittee conducted an examination of the Submission based on the Guidelines and evaluated the following, as applicable:

- (a) The data and methodology employed by the coastal State to determine the location of the FOS;
- (b) The methodology used to determine the formula line at a distance of 60 M from the FOS;
- (c) The data and methodology used to determine the formula line delineated by reference to the outermost fixed points at each of which the thickness of sedimentary rocks was at least 1 per cent of the shortest distance from such point to the FOS, or not less than 1 kilometre in the cases in which the Statement of Understanding applies;
- (d) The data and methodology employed in the determination of the 2,500 metre isobath;
- (e) The methodology used to determine the depth constraint line;
- (f) The data and methodology used to determine the distance constraint line;
- (g) The construction of the formulae line as the outer envelope of the two formulae;
- (h) The construction of the constraint line as the outer envelope of the two constraints;

- (i) The construction of the inner envelope of the formulae and constraint lines;
 - (j) The delineation of the outer limits of the continental shelf by means of straight lines not exceeding 60 M in length with a view to ensuring that only the portions/areas of the seabed that satisfy all the provisions of article 76 and the Statement of Understanding are enclosed;
 - (k) The estimates of the uncertainties in the methods applied, with a view to identifying the main source(s) of such uncertainties and their effect on the Submission; and
 - (l) Whether the data submitted are sufficient in terms of quantity and quality to justify the proposed limits.
- 32 In conducting its examination of the Submission, the Subcommittee:
- (a) Proceeded with a detailed examination of the data and information supporting every FOS point selected for the establishment of the outer edge of the continental margin;
 - (b) Sought clarifications, where necessary, through exchanges with the Delegation;
 - (c) Presented preliminary views and conclusions to the Delegation;
 - (d) Made a comprehensive presentation of its views and general conclusions to the Delegation at an advanced stage of the examination of the Submission, as provided for in paragraph 10(3) of annex III to the Rules of Procedure.

IV. RECOMMENDATIONS OF THE COMMISSION WITH RESPECT TO THE EASTERN POLYGON IN THE GULF OF MEXICO

1. Geographical and geological description of the region

- 33 Cuba, in the amended Main Body, stated that the Gulf of Mexico is bound to the north by the southern coast of the United States, to the east by the Florida Peninsula, to the west by the eastern coast of Mexico, and to the south by the Yucatan Peninsula and the northern coast of Cuba. Within the Gulf of Mexico (“GoM”), the area of interest of the Submission is the Eastern Polygon, located at the abyssal zone of the GoM, with depths from 3,000 m to 3,500 m and includes a sector of the Sigsbee Basin. The Eastern Polygon is delimited by maritime boundary agreements that define the limits of the respective exclusive economic zones of Cuba, Mexico and the United States of America (Figure 2).
- 34 The main geomorphological elements in the area of interest are the Florida Escarpment and Bank to the northeast, the Yucatan Channel to the south, and the Campeche Escarpment and Bank and the Tulum Terrace to the southwest. The shelf of the southern coast of the GoM widens eastwards, reaching a width of up to 170 km off Campeche and up to 220 km on the northern coast of Yucatan. The adjacent slope is steeper to the west (facing the Yucatan Peninsula) and gentler to the east. The Sigsbee abyssal plain is the deepest part of the region at 3,600 m (Figure 2).

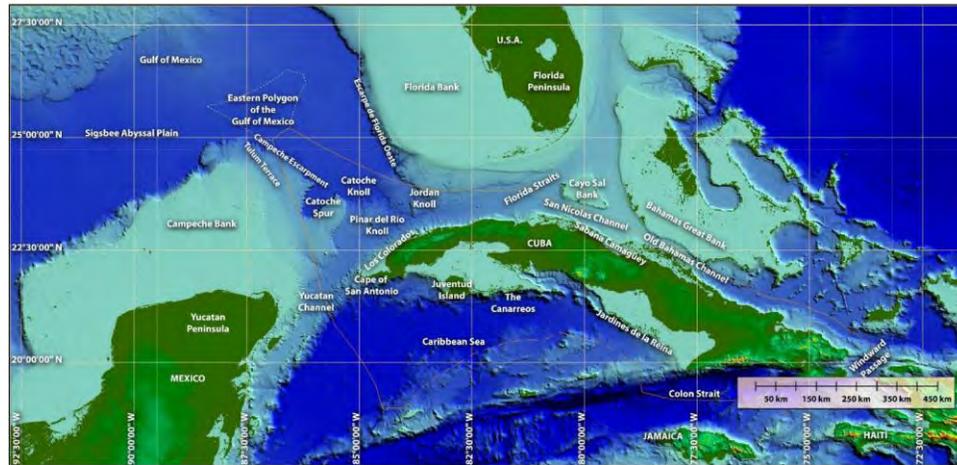


Figure 2. Main physiographic features in the region of the Submission made by Cuba (amended Main Body, Figure CU PCE II. 1).

- 35 The Gulf of Mexico emerged as a single basin that has been divided subsequently into three areas characterized by different tectonic styles and evolution. This large territory began to be defined during the opening stage (rifting), which occurred from the lower and middle Jurassic. In the stage of continental drift (upper Jurassic-middle Cretaceous) the continental margin of North America developed and can be defined in two sectors: Florida and Yucatan.
- 36 Cuba, in the amended Main Body, stated that the geological evolution of the Gulf of Mexico links to the opening of the oceanic crust during the upper Jurassic. It also links to the formation of the continental slopes, the Yucatan and the Florida slopes, and to the collision, in the middle Eocene, of the Cuban orogen against the Yucatan microplate in western Cuba and against the Bahamas-Florida microplate in its central and eastern part. Geological evolution models of the region (Figure 3) agree that the Gulf of Mexico was formed from the breakup of a large continental mass at the end of the Triassic (200 Ma). The later stages of rift and continental drift developed during the upper Jurassic-middle Cretaceous (150 and 100 Ma), giving rise to the formation of the continental margin of North America, characterized by the sectors: Florida and Yucatan. From the upper Cretaceous (70 Ma) the sector that included the basins and platform uplifts of the south of the Yucatan and Florida margins was deformed by the thrust of the Cretaceous volcanic island arc. The thrusting of the rocks of the Caribbean Plate on the continental margin gave rise to the formation of the folded belt that extended until the Paleogene (30 Ma). The collision determined the formation of the Cuban orogen and its physical-geographic integration into the Yucatan platform sector as a redesigned continental margin.

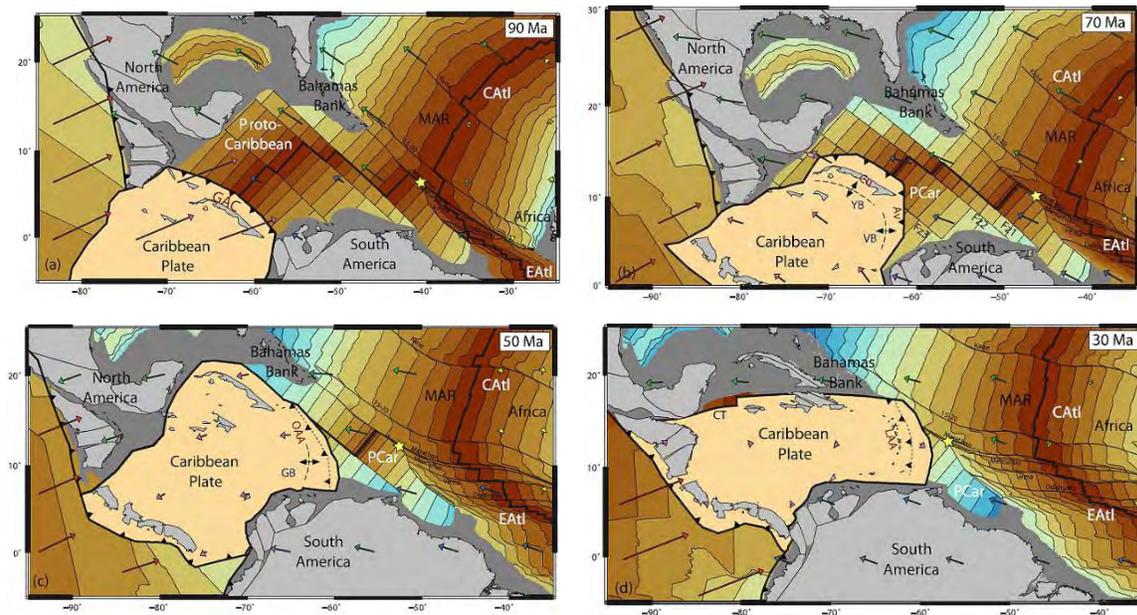


Figure 3. Geological evolution of the southeastern Gulf of Mexico [provided by Cuba on 19 August 2024].

2. The determination of the FOS (article 76, paragraph 4(b))

37 The FOS shall be established in accordance with article 76, paragraph 4(b).

2.1 Considerations

- 38 The location of the BOS in the eastern polygon in the Gulf of Mexico off the Campeche Escarpment and the Catoche Spur (Tongue, Ledge) is distinct and easily identified on a morphological basis.
- 39 Cuba submitted bathymetric evidence demonstrating morphological continuity, from its landmass to the BOS, where the northern escarpment of the Catoche Spur merges directly with the Gulf of Mexico abyssal plain (Figure 4).

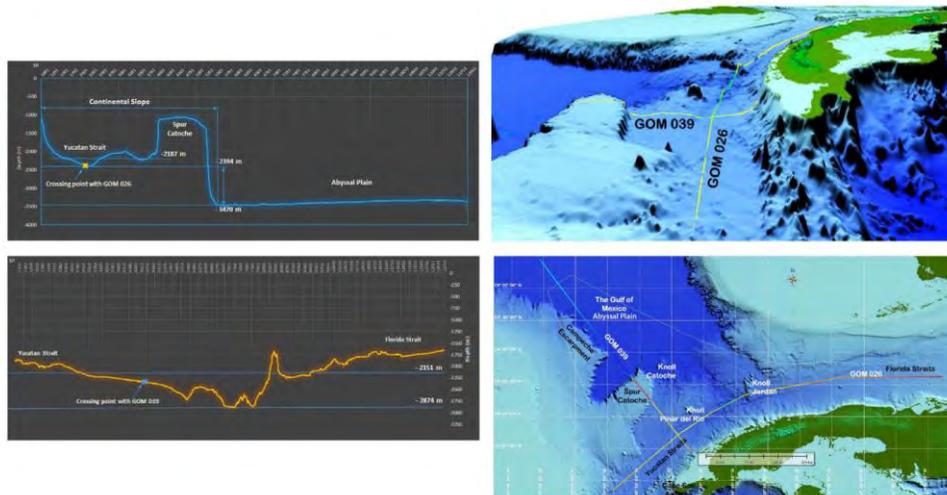


Figure 4. Bathymetric profiles of seismic lines GOM 026 and 039 illustrating morphological continuity (amended Main Body, Figure CU PCE IV.5).

- 40 Additionally, Cuba submitted a composite bathymetric profile¹¹ demonstrating morphological continuity from its landmass to the Catoche Spur and the Campeche Escarpment (Figure 5).

¹¹ Bathymetric profiles used in the composite profile from Cuba landmass to FOS GOM 062: GOM 031, KA939014, GOM 019, OPR425RA, GOM 056, GOM 17525, YUCAT 13, GOM 031 and GOM 062.

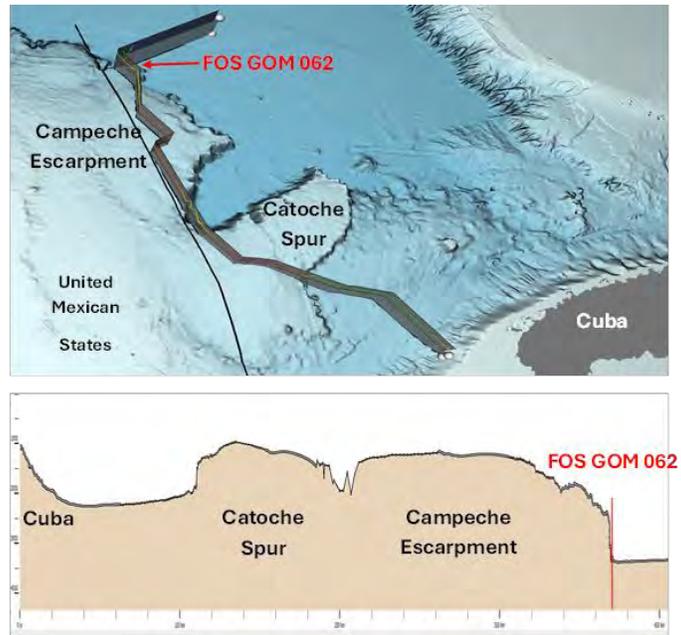


Figure 5.* Bathymetric composite profile illustrating morphological continuity from the Cuban landmass to the Catoche Spur and the Campeche Escarpment.

- 41 The Subcommittee agreed that the Cuban landmass is morphologically continuous to the Catoche Spur and the Campeche Escarpment, where the BOS was identified.
- 42 Cuba submitted a bathymetric model using single beam echosounder data along seismic survey lines conducted in 2010, 2016 and 2017, as well as the estimation of the associated uncertainties, and identified the BOS by applying a second derivative filter to this model (Figure 6).

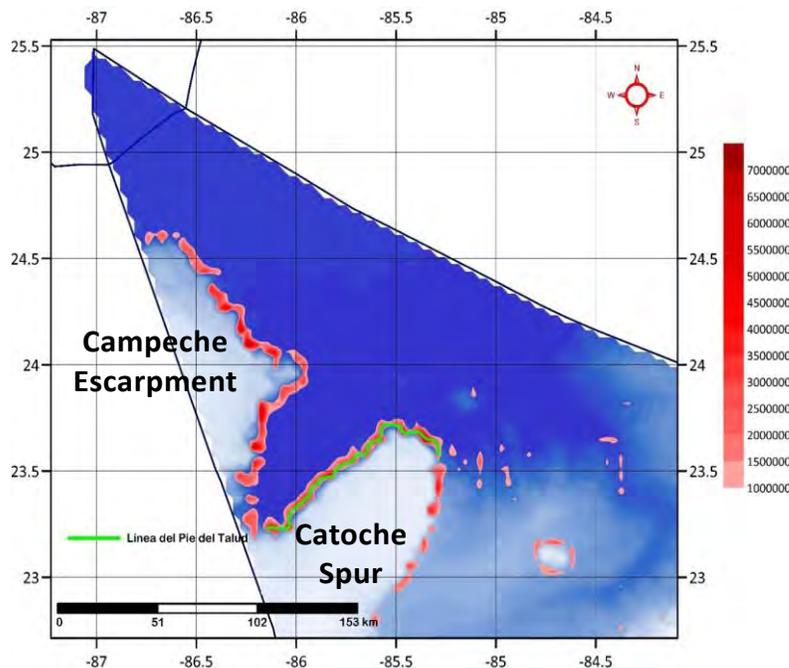


Figure 6. BOS identified by applying a second derivative filter (red) to the digital bathymetric model [provided by Cuba on 12 August 2024, labels added by the Subcommittee].

- 43 The Subcommittee agreed with the applied morphological approach to identify the search area of the BOS at the lower slope of the Campeche Escarpment and the Catoche Spur.
- 44 To determine the foot of the continental slope, Cuba first identified the BOS by applying a second derivative filter to the digital bathymetric model. Second, it analysed each bathymetric profile for general inclinations of the slope and the abyssal plain (Figure 7). Finally, first and second derivative filters were applied to determine the FOS points on each profile. In particular, Cuba used the following methodology to determine the FOS points within the region of the BOS on each bathymetric line:
- Landward edge (West limit): Seismic Shooting Point (SSP/PTS) for a value of the first derivative of -0.3784 (20.0°);
 - Seaward edge (East limit): SSP/PTS in which the first and second derivatives are very close to zero; and
 - FOS position: SSP/PTS where the point of maximum gradient change at the BOS.

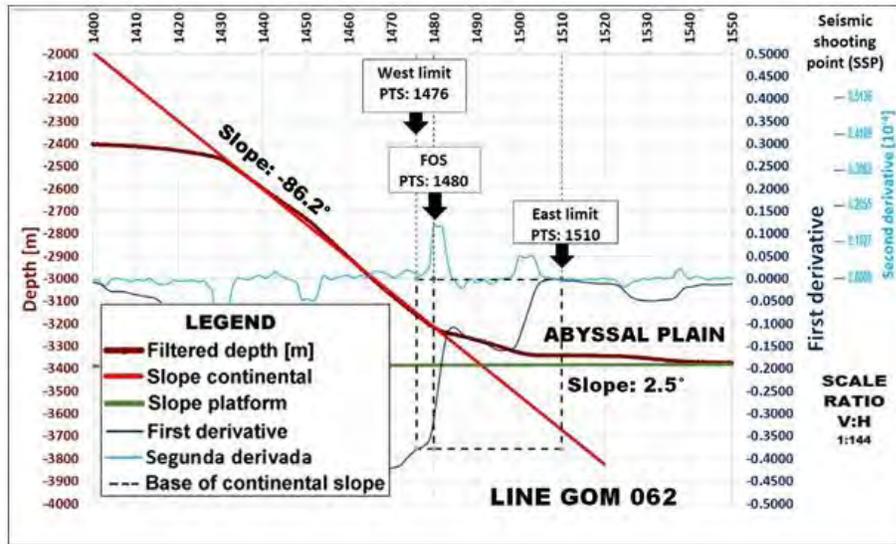


Figure 7. The application of the methodology for the determination of the foot of the slope and the western and eastern limits of the BOS (e.g. on bathymetric line GOM 062) [provided by Cuba on 25 September 2024].

- 45 The Subcommittee agreed with the methodology applied by Cuba to determine the FOS points.
- 46 The FOS point determined on the seismic line GOM 039 (FOS GOM 039) was used to establish three sediment thickness formula points (FP-1, FP-2 and FP-3) in the eastern polygon in the Gulf of Mexico. The 60 M formula line generated from this FOS point lies within the 200 M line of Cuba (Figure 8).

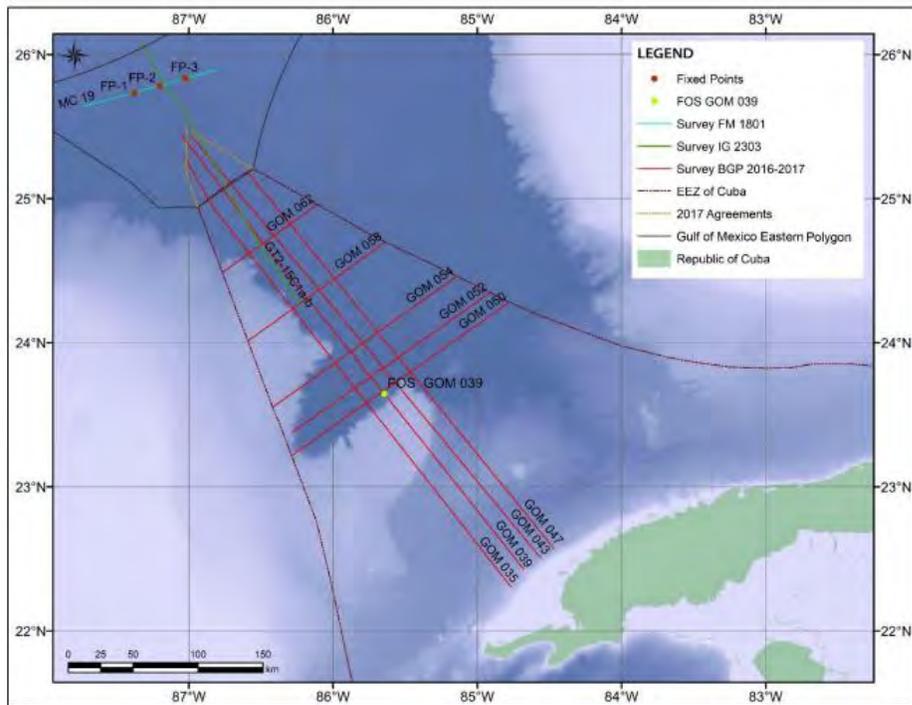


Figure 8. Location of FOS GOM 039 and sediment thickness points FP-1, FP-2 and FP-3 (amended Main Body, Figure CU PCE V. 1).

- 47 Following exchanges of views, Cuba submitted a new FOS point at the Campeche Escarpment, determined on the seismic line GOM 062 (FOS GOM 062).
- 48 The Subcommittee agreed with the location of the BOS as identified by Cuba along profile GOM 062 and with the location of the FOS point FOS GOM 062.
- 49 The FOS GOM 062 generates a formula line extending beyond the 200 M line of Cuba (article 76, paragraph 4), and therefore Cuba satisfies the test of appurtenance.
- 50 Based on the Submission, and the additional submitted data and material, the Subcommittee agreed with the approach to identify the BOS associated with the eastern polygon in the Gulf of Mexico. Further, considering the morphological and bathymetric evidence provided by Cuba, the Subcommittee agreed with the location of FOS GOM 062 (Figure 9).

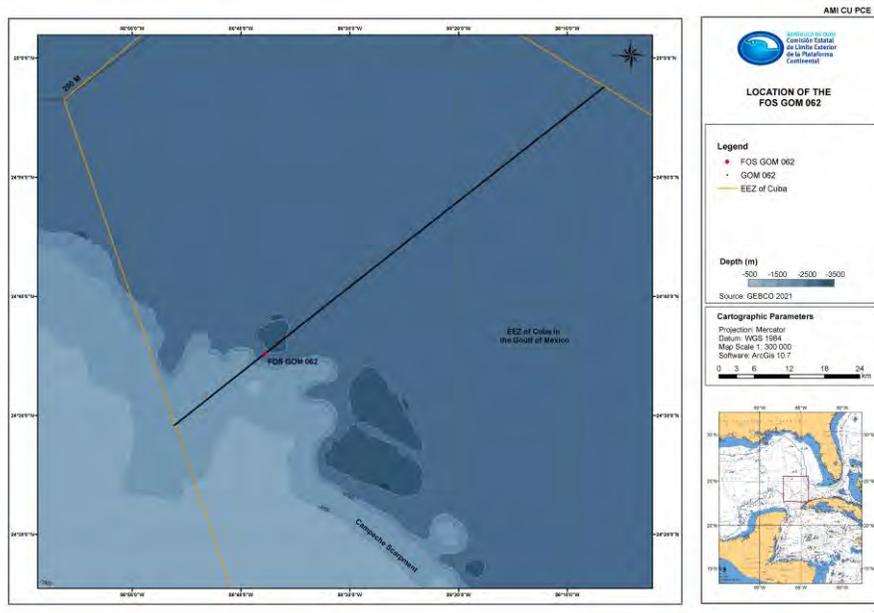


Figure 9. FOS GOM 062 in the eastern polygon in the Gulf of Mexico [provided by Cuba on 13 November 2024].

2.2 Recommendations

51 Based on its consideration of the scientific and technical documentation contained in the amended Submission made by Cuba and the additional scientific and technical data and information provided in the documents referred to in paragraphs 27 and 28, the Commission concludes that, in the eastern polygon in the Gulf of Mexico, the FOS point FOS GOM 062, listed in Table 1 of annex I, fulfills the requirements of article 76 and Chapter 5 of the Guidelines (Figure 9). The Commission recommends that this FOS point should form the basis for the establishment of the outer edge of the continental margin in the eastern polygon in the Gulf of Mexico.

3. The establishment of the outer edge of the continental margin (article 76, paragraph 4(a))

52 The outer edge of the continental margin of Cuba in the eastern polygon in the Gulf of Mexico shall be established in accordance with article 76, paragraph 4(a).

3.1 The application of the 60 M distance formula (article 76, paragraph 4(a)(ii))

53 In the eastern polygon in the Gulf of Mexico, the outer edge of the continental margin is solely based on fixed points constructed at a distance of not more than 60 M from FOS point FOS GOM 062 on the continental margin of Cuba, in accordance with article 76, paragraph 4(a)(ii) (Figure 10; Table 2, annex I).

54 The Commission agrees with the procedure and its accuracy by which these points have been established by Cuba in the eastern polygon in the Gulf of Mexico.

3.2 The application of the one percent sediment thickness formula (article 76, paragraph 4(a)(i))

- 55 Cuba initially submitted three sediment thickness fixed points (PF-1, PF-2 and PF-3) utilizing FOS GOM 039 (Figure 8). Cuba established these sediment thickness points based on the seismic line MC 19.
- 56 At the sixty-second session, Cuba submitted an amended outer edge of its continental margin solely based on fixed points constructed at a distance of not more than 60 M from FOS GOM 062 (see paras. 46 and 47 above).

3.3 Configuration of the Outer Edge of the Continental Margin

- 57 In the eastern polygon in the Gulf of Mexico, the outer edge of the continental margin extends north-westwards from the 200 M line of Cuba and is defined by nine fixed points (Table 2, annex I). The outer edge of the continental margin joins to the 200 M line of the United States of America and the United Mexican States (Figure 10).

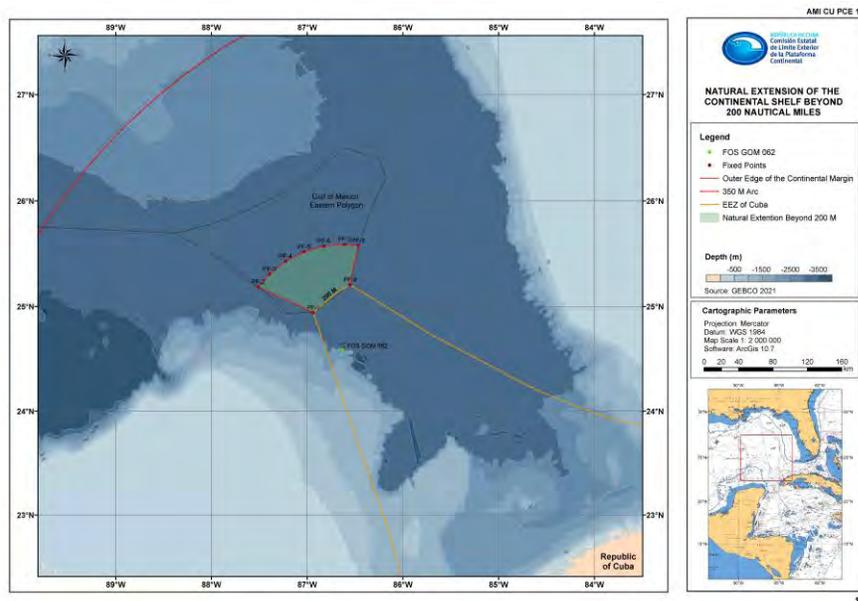


Figure 10. Outer edge of the continental margin of Cuba in the eastern polygon in the Gulf of Mexico [provided by Cuba on 13 November 2024].

3.4 Recommendations

- 58 In the eastern polygon in the Gulf of Mexico, the outer edge of the continental margin of Cuba beyond 200 M is based on nine fixed points located not more than 60 M from FOS GOM 062, in accordance with article 76, paragraph 4 (a)(ii) (Figure 10). The fixed points are listed in Table 2 of annex I to these Recommendations. The Commission recommends that these points be used as the basis for delineating the outer limits of the continental shelf in this region, subject to the application of the relevant constraints (see Chapter 4).

4. The application of the constraint criteria (article 76, paragraphs 5 and 6)

- 59 The outer limits of the continental shelf shall not extend beyond the constraints as per the provisions contained in article 76, paragraphs 5 and 6. The fixed points comprising the line of the outer limits of the continental shelf on the seabed, drawn in accordance with paragraph 4(a)(i) and (ii), either shall not exceed 350 M from the baselines, or shall not exceed 100 M from the 2,500 metre isobath.
- 60 For the outer limits of the continental shelf in the eastern polygon in the Gulf of Mexico, Cuba applied only the distance constraint.

4.1 The construction of the distance constraint line

- 61 The distance constraint line submitted by Cuba in the eastern polygon in the Gulf of Mexico was constructed by arcs at a distance of 350 M from the baselines of Cuba (Figure 11). The Commission agrees with the procedure and its accuracy applied by Cuba in the construction of this constraint line.
- 62 The distance constraint line is located entirely seaward of the outer edge of the continental margin of Cuba in that area.

4.2 Recommendations

- 63 The Commission recommends the use of the distance constraint line as applied by Cuba to establish the outer limits of the continental shelf in the eastern polygon in the Gulf of Mexico (Figure 11).

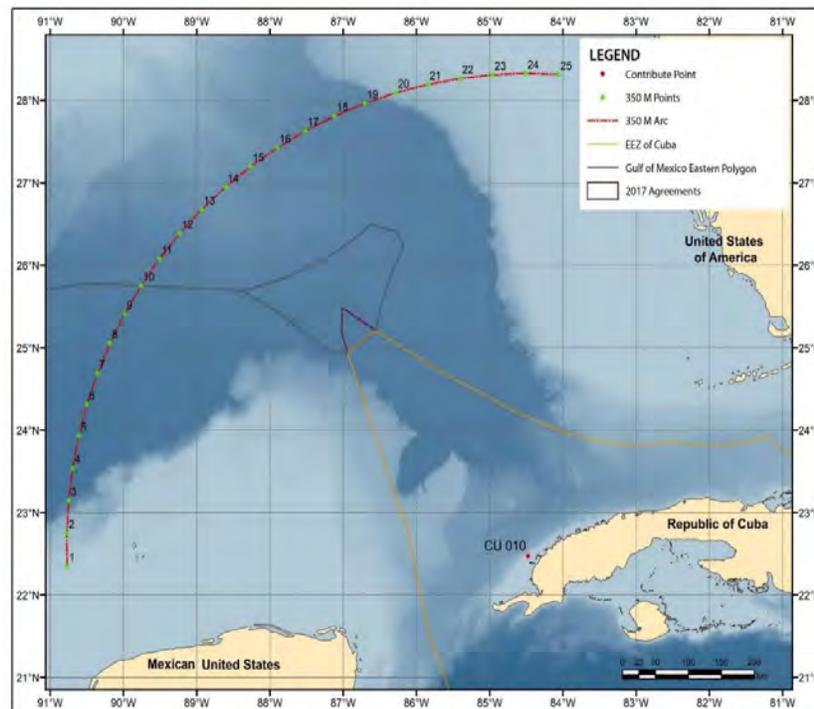


Figure 11. Distance constraint line of Cuba in the eastern polygon in the Gulf of Mexico [amended Main Body, Figure CU PCE III. 5].

5. The outer limits of the continental shelf (article 76, paragraph 7)

- 64 The Subcommittee is of the view that Cuba used an appropriate combination of FOS points and constraint lines. The Commission agrees.
- 65 The outer limits of the continental shelf result from the application of the distance constraint line. The outer edge of the continental margin, as amended by Cuba on 13 November 2024, is located landward of this constraint line. In the eastern polygon in the Gulf of Mexico, the outer limits of the continental shelf, as amended by Cuba on 15 February 2024, consist of five fixed points listed in Table 3 of annex I to these Recommendations. These points comply with article 76, as they are not more than 60 M from the foot of the continental slope of Cuba at the Campeche Escarpment and can be connected by straight lines not exceeding 60 M in length (Figure 12). These fixed points are also consistent with the points contained in treaties delimiting Cuban maritime boundaries with the United States of America and the United Mexican States.

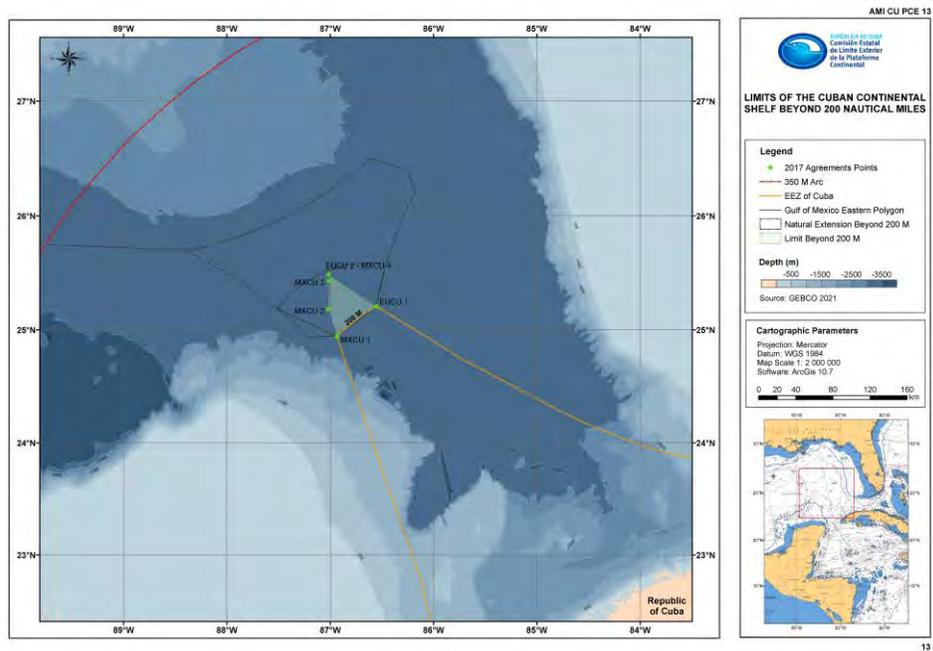


Figure 12. Submitted outer limits of the continental shelf of Cuba in respect of the eastern polygon in the Gulf of Mexico, and its defining fixed points, connected with straight lines not exceeding 60 M in length [provided by Cuba on 13 November 2024].

6. Recommendations for Cuba in respect of the eastern polygon in the Gulf of Mexico (article 76, paragraph 8)

- 66 The Commission agrees with the determination of the fixed points listed in Table 2, annex I, establishing the outer edge of the continental margin in the eastern polygon in the Gulf of Mexico. The Commission recommends that the delineation of the outer limits of the continental shelf be conducted in accordance with article 76, paragraph 7, by straight lines not exceeding 60 M in length, connecting fixed points, defined by coordinates of latitude and longitude. The Commission recommends,

taking into consideration article 9 of annex II to the Convention, that Cuba proceeds to delineate the outer limits of the continental shelf in the eastern polygon in the Gulf of Mexico on the basis of:

- (i) the outer edge of the continental margin referred to in paragraph 588;
- (ii) the views of the Commission on the submitted fixed points establishing the outer limits of the continental shelf of Cuba in the eastern polygon in the Gulf of Mexico, listed in Table 3, as referred to in paragraph 65; and
- (iii) the provisions of article 76, paragraphs 7, 8, 9 and 10.

* The illustrative maps marked by an asterisk are prepared by the Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs, United Nations, upon the request of the Subcommission established to consider the Submission made by Cuba on the basis of the submitted information. The designation employed and the presentation of material on these maps does not imply the expression of any opinion whatsoever on the part of the Secretariat of the United Nations concerning the legal status of any country, territory, city or area or of its authorities, or concerning the delimitation of its frontiers or boundaries.

ANNEX I

TABLES OF GEOGRAPHICAL COORDINATES OF: THE FOOT OF THE CONTINENTAL SLOPE POINTS, THE OUTER EDGE OF THE CONTINENTAL MARGIN BEYOND 200 M AND THE OUTER LIMITS OF THE CONTINENTAL SHELF BEYOND 200 M AS RECOMMENDED BY THE COMMISSION, BASED ON THE AMENDED SUBMISSION BY CUBA IN RESPECT OF THE EASTERN POLYGON IN THE GULF OF MEXICO

Table 1. Coordinates of the foot of the continental slope point

FOS point	Latitude [Decimal Degrees]	Longitude [Decimal Degrees]	Water depth [m]
FOS GOM 062	24.586458	-86.629958	3357

Table 2. Coordinates of fixed points defining the outer edge of the continental margin beyond 200 M and their corresponding FOS points¹²

Continental Margin Fixed Point	Latitude [Decimal Degrees]	Longitude [Decimal Degrees]	Distance to next CM Point [M]	Article 76 criterion	Relevant FOS Point
1	24.941736	-86.937944		4(a)(ii): FOS + 60 M	FOS GOM 062
2	25.185098	-87.512409	34.520		
3	25.308213	-87.394105	9.780		
4	25.430302	-87.225189	11.730		
5	25.519966	-87.033057	11.730		
6	25.573702	-86.825165	11.730		
7	25.589409	-86.609632	11.730		
8	25.578386	-86.465863	7.830		
9	25.207300	-86.553308	22.700		

¹²In Table 2, continental margin fixed points 1 and 9 are consistent with points MXCU 01 and EUCU 01, respectively.

Table 3. Coordinates of fixed points submitted by Cuba to define its outer limits of the continental shelf beyond 200 M¹³

Outer Limit Fixed Point	Latitude [Decimal Degrees]	Longitude [Decimal Degrees]	Distance to next OL Point [M]
MXCU 01	24.941736	-86.937944	15.1
MXCU 02	25.182861	-87.020103	14.77
MXCU 03	25.4297	-87.015125	3.48
MXCU 04/EUCU 02	25.4879	-87.013733	30.13
EUCU 01	25.2073	-86.553308	-

¹³ The fixed points listed on this table are consistent with the points contained in treaties delimiting Cuban maritime boundaries with the United States of America and the United Mexican States. Therefore, the establishment of the final outer limits of the continental shelf of Cuba in the eastern polygon in the Gulf of Mexico depends on delimitation between States.