

UNOFFICIAL TRANSLATION

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The Permanent Mission of Mexico to the United Nations presents its compliments to the Division of Oceans and Law of the Sea to the Organization and has the honor to refer to its communication CLCS.51.2009.LOS of 8 June 2009, by which the Secretary-General informed to the Member States that on June the 1st 2009, the Republic of Cuba submitted to the Commission on the Limits of the Continental Shelf (CLCS), pursuant to Article 76 of the United Nations Convention on the Law of the Sea, information on the outer limits of its continental shelf beyond 200 nautical miles in the area denominated the Eastern Gap of the Gulf of Mexico.

In this respect, the Permanent Mission would like to inform to the Division that in accordance with Annex I of the Rules of Procedure of the CLCS, the delimitation of maritime boundaries between the Republic of Cuba and the United Mexican States in the Eastern Gap of the Gulf of Mexico is still pending. The Convention establishes that any outer limits of the continental shelf beyond 200 nautical miles, determined in accordance with paragraphs 4 to 6 of article 76 and Annex II, are set without prejudice to the delimitation of continental shelf boundaries between States according to paragraph 10 of the same article. The Convention also urges the Commission, in article 9 of Annex II, to take a cautious approach during the consideration of submissions and the preparation of its recommendations.

Consequently, 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. In this regard, the Permanent Mission notes with appreciation the statement made by the Cuban Government in the executive summary of its submission to the CLCS, that "*The proposed outer limit does not prejudice the matter of the final demarcation of the extended continental shelf between neighboring States*".

The Government of Mexico considers that, notwithstanding the outcome of the Recommendations made by the CLCS and the outer limit determined by the Government of Cuba based on those Recommendations, the delimitation of the continental shelf beyond 200 nautical miles on the Eastern Gap shall be carried out by agreement between the States based on International Law.

Finally, the Government of Mexico kindly requests the Division to transmit this note to the CLCS and to the Member States, and to make it public through the Division web's site.

The Permanent Mission of Mexico to the United Nations avails itself of this opportunity to renew the Division of Oceans and Law of the Sea to the Organization the assurances of his highest consideration.

New York, August 21, 2009.

**To the
Division for Ocean Affairs and the Law of the Sea
United Nations Organization
New York**