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The Permanent Mission of the Republic of Palau to the United Nations presents its compliments to the Secretariat of the United Nations (Office of Legal Affairs) and, referring to its Note Verbal No. 011/MSEJK/2009 of 06 March 2009 in response to and acknowledging receipt of GOJ Foreign Affairs Ministry Note Verbal No. 3037/E-O dated October 9, 2008, concerning potential area of overlap between Palau and Japan along the Palau/Kyushu Ridge, has the honor to submit the following observations by the Government of the Republic of Palau.

The Republic of Palau has taken note of the potential overlap between two areas of continental shelf with respect to which information has been submitted by Japan extending beyond 200 nautical miles (nm) from Okino Tori Island and areas of continental shelf beyond 200 nm extending from the northeastern portion of the Republic of Palau's 200 nm Exclusive Economic Zone (EEZ).

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.

With reference to the Executive Summary of Japan's submission, the Government of the Republic of Palau 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 Republic of Palau, or to any final delimitation of the continental shelf concluded subsequently in these areas between Japan and the Republic of Palau.

The Permanent Mission of the Republic of Palau to the United Nations avails itself of this opportunity to renew to the Secretariat of the United Nations (Office of Legal Affairs) the assurances of its highest consideration.

New York, 15 June 2009

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