

REPUBLIC OF KOREA  
PERMANENT MISSION TO THE UNITED NATIONS

27 February 2009

MUN/046/09

Commission") on November 12, 2008.

The Permanent Mission of the Republic of Korea has further the honour to make a comment regarding the data in the executive summary provided by Japan, in accordance with Annex III,

the United Nations Convention on the Law of the Sea (hereinafter referred to as "the Convention") and the member states of the United Nations which have ratified the Convention, state:

Article 121, paragraph 3 of the Convention clearly states that "rocks which cannot sustain human habitation or economic life of their own shall have no exclusive economic zone or continental shelf."

In this regard, the Republic of Korea has consistently held the view that Oki-no-Tori Shima, considered as a rock under Article 121, paragraph 3 of the Convention, is not entitled to any continental shelf extending to or beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured, as defined in Article 76 of the Convention.

The Republic of Korea furthermore believes that the legal status of Oki-no-Tori Shima is not a scientific or technical matter involving the establishment of the outer limits of the continental shelf, but rather a matter involving the interpretation and application of Article 121 of the Convention, which is beyond the purview of the Commission.

positions relating to Oki-no-Tori Shima from its action on the submission made by Japan.

The Permanent Mission of the Republic of Korea to the United Nations shall avail itself of every opportunity to renew to the Secretary-General the occurrence of its proper consideration.

Secretary-General  
The United Nations  
NEW YORK

