

*Translated from Spanish*

No. 381 AV/ot

New York, 10 June 2009

The Permanent Mission of Spain to the United Nations, pursuant to the compliments to the Secretary-General of the United Nations, and with reference to Notification No. CLCS 44 2009 LOS, of 14 May 2009, relating to the receipt of the submission made by Portugal to the Commission on the Limits of the Continental Shelf, has the honour to submit for his consideration the following observations by the Government of Spain.

The 1982 United Nations Convention on the Law of the Sea to which both Spain and Portugal are States parties, including its Annex II, and the Rules of Procedure of the Commission on the Limits of the Continental Shelf (CLCS/40/Rev.1), in particular Annex I thereof, provide that the actions of the Commission shall not prejudice matters relating to delimitation of boundaries between States parties with opposite or adjacent coasts.

The Government of Spain does not object to Portugal's request that the Commission should consider its submission documentation relating to the Madeira Islands Region\* and should make its recommendations on the basis of that documentation, provided this is without prejudice to Spain's rights in relation to the extension of its continental shelf in the area west of the Canary Islands, in respect of which extension Spain has deposited preliminary information in accordance with decision SPLOS/183. Accordingly, Spain communicates to the Commission its willingness to undertake, in agreement with Portugal, the final delimitation of the continental shelf between the two countries as soon as the Commission has examined the definitive claim deposited by Spain.

The Permanent Mission of Spain takes this opportunity to convey to the Secretary-General of the United Nations the renewed assurances of its highest consideration.

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\* Translator's note: The Executive Summary of Portugal's submission refers to the Eastern Region (which includes the Madeira Principality), the Western Region and the Garcia Bank Region.