

PRELIMINARY INFORMATION

**INDICATIVE OF THE OUTER LIMITS OF THE CONTINENTAL SHELF
AND DESCRIPTION OF THE STATUS OF PREPARATION OF MAKING
A SUBMISSION TO**

**THE COMMISSION ON THE LIMITS OF THE
CONTINENTAL SHELF**

FOR

THE REPUBLIC OF COSTA RICA

MAY 2009

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1. Introduction

The Republic of Costa Rica presents to the Secretary-General of the United Nations the following preliminary information containing data on the outer limits of its continental shelf beyond 200 nautical miles (M) from the baselines from which the breadth of the territorial sea is measured, in accordance with Article 76 of the 1982 United Nations Convention on the Law of

presented without prejudice to the right of the Republic of Costa Rica to make other submissions for other areas at a future time.

The Republic of Costa Rica signed UNCLOS on 10 December 1982, at the close of the Third United Nations Conference on the Law of the Sea in Montego Bay, Jamaica. On 15 July 1992 the Congress of Costa Rica adopted law number 7291 approving UNCLOS and ratified it on 21 September 1992. The Convention entered into force for Costa Rica on 16 November 1994.

In accordance with UNCLOS, the Political Constitution of Costa Rica, Article 6, establishes:

The State exercises complete and exclusive sovereignty over the airspace above its territory, its territorial waters for a distance of 12 miles from the low-water line along its coasts, its continental shelf and its insular sill, in accordance with the principles of international law.

Furthermore, it exercises special jurisdiction over the seas adjacent to its territory for an extent of 200 miles from the aforesaid line, in order to protect, conserve, and utilize on an exclusive basis all natural resources and riches existing in the waters, soil and sub-soil of those zones, in conformity with the aforesaid principles.

On 13 January 1997, Costa Rica deposited with the Secretary-General of the United Nations the Official Chart by the National Geographical Institute of Costa Rica, on the limits of the exclusive economic zone in the Pacific Ocean (see figure 1).

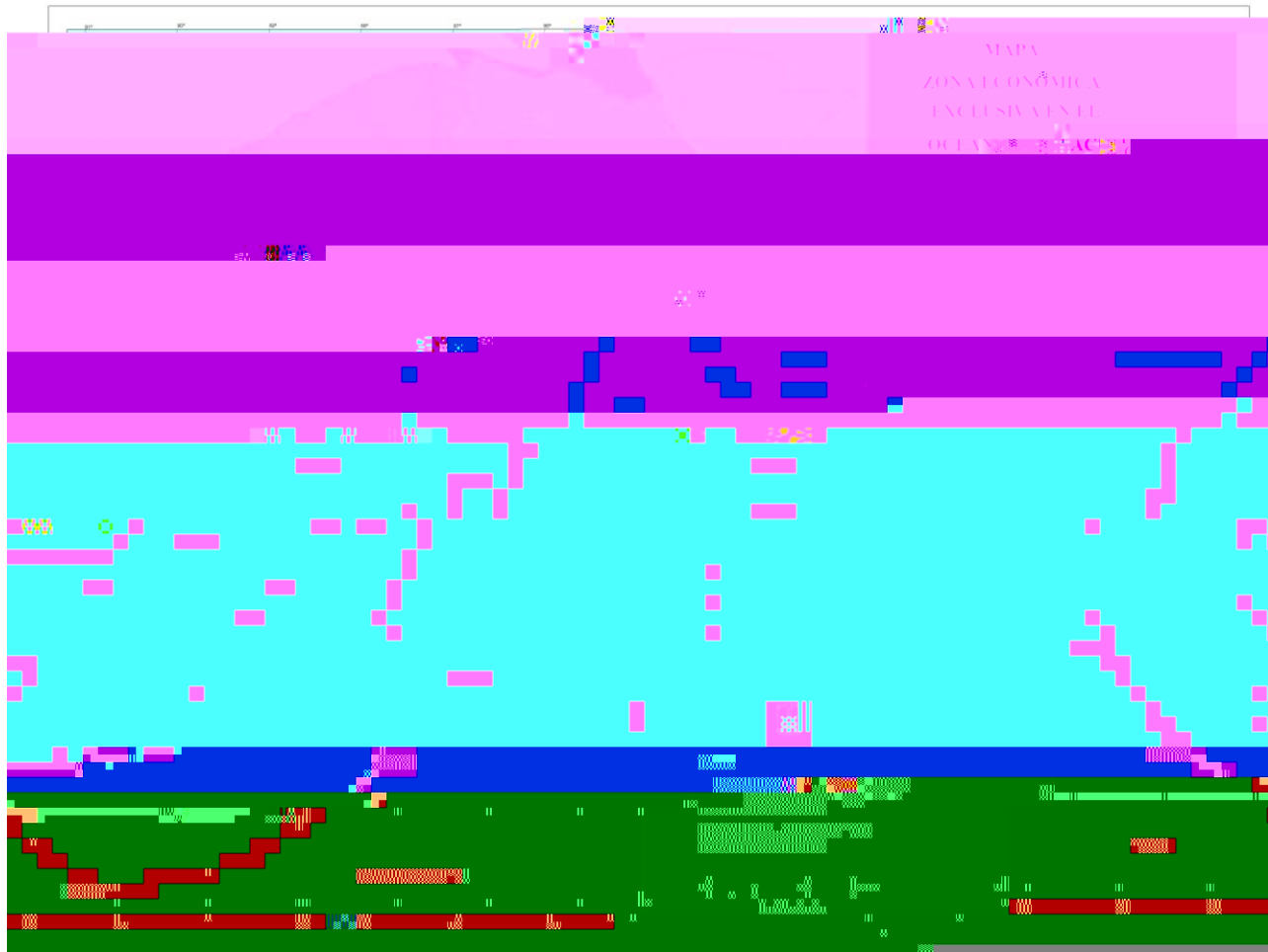


Figure 1: Official Chart on the Limits of Economic Exclusive Zone of Costa Rica.

This submission of preliminary information establishes that the natural prolongation of the Costa Rican land mass from its coast to the outer edge of the continental margin extends beyond 200 M to the northwest and southeast of Cocos Island in the Eastern Pacific Ocean (see figure 2).

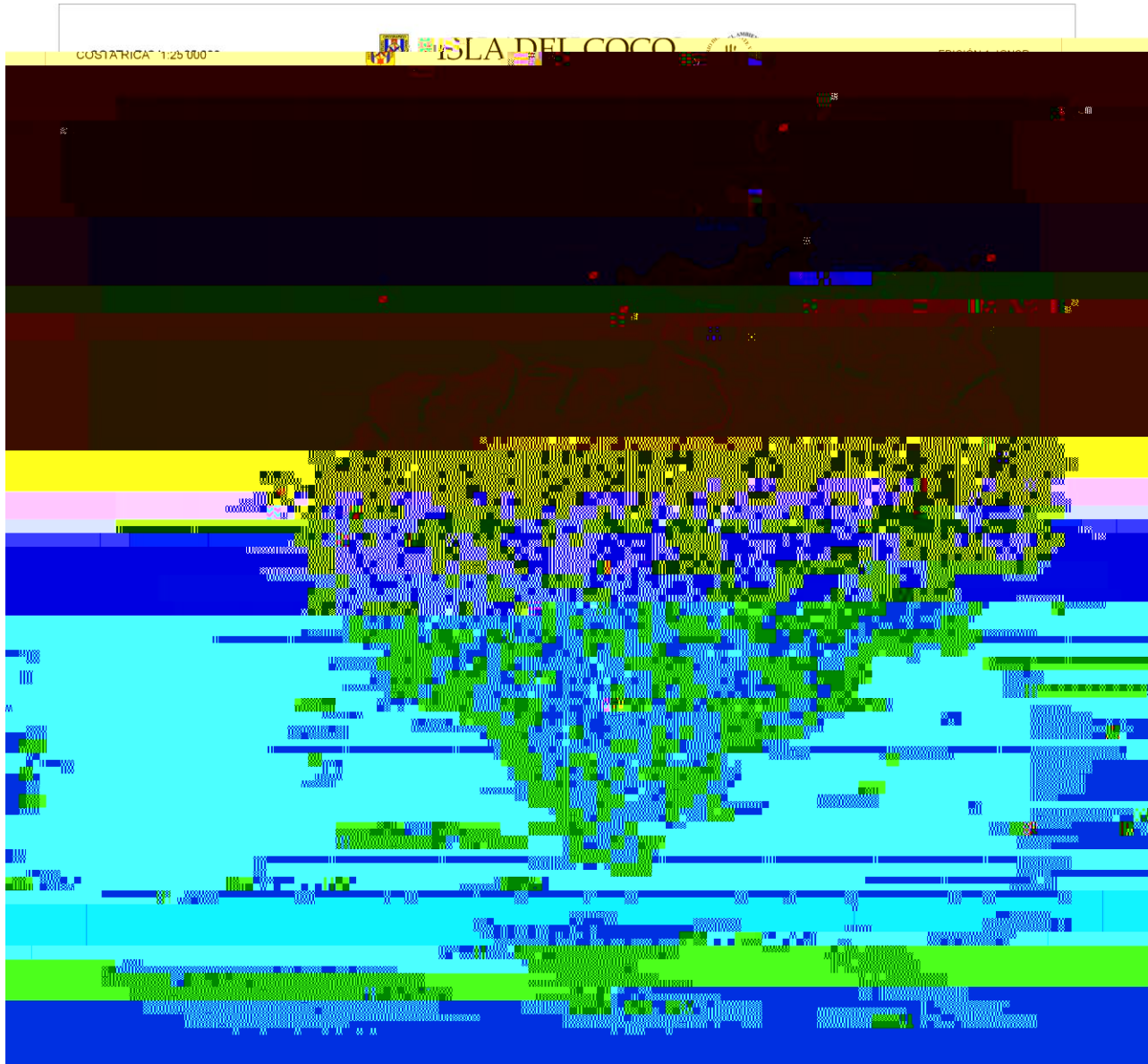


Figure 2: Costa Rica's Cocos Island.

The Convention (paragraph 1 of Article 76) defines the continental shelf that may be subject to the sovereign rights and jurisdiction of the coastal State as follows:

1. The continental shelf of a coastal State comprises the seabed and subsoil of the submarine areas that extend beyond its territorial sea throughout the natural prolongation of its land territory to the outer edge of the continental margin, or to a distance of 200 nautical miles from the baselines from which the breadth of the territorial sea is measured where the outer edge of the continental margin does not extend up to that distance.

Article 4 of Annex II to the Convention stipulates that where a coastal State intends to establish, in accordance with Article 76, the outer limits of its continental shelf beyond 200 M from the baselines from which the breadth of the territorial sea is measured, it should submit particulars of such limits to the CLCS, along with supporting scientific and technical data as soon as possible.

In accordance with the aforementioned texts, the data and information contained in this document beyond the 200 M from Cocos Island in two potential areas shown in Figure 3 below. Relevant technical information, preliminary charts and basic argumentation that prove Costa Rica to delineate the continental shelf beyond 200 M are included in this document. The precise final shelf shall extend beyond the 200 M, as well as the coordinates of its outer limit, will be contained in the final submission to be presented by Costa Rica to the Commission.

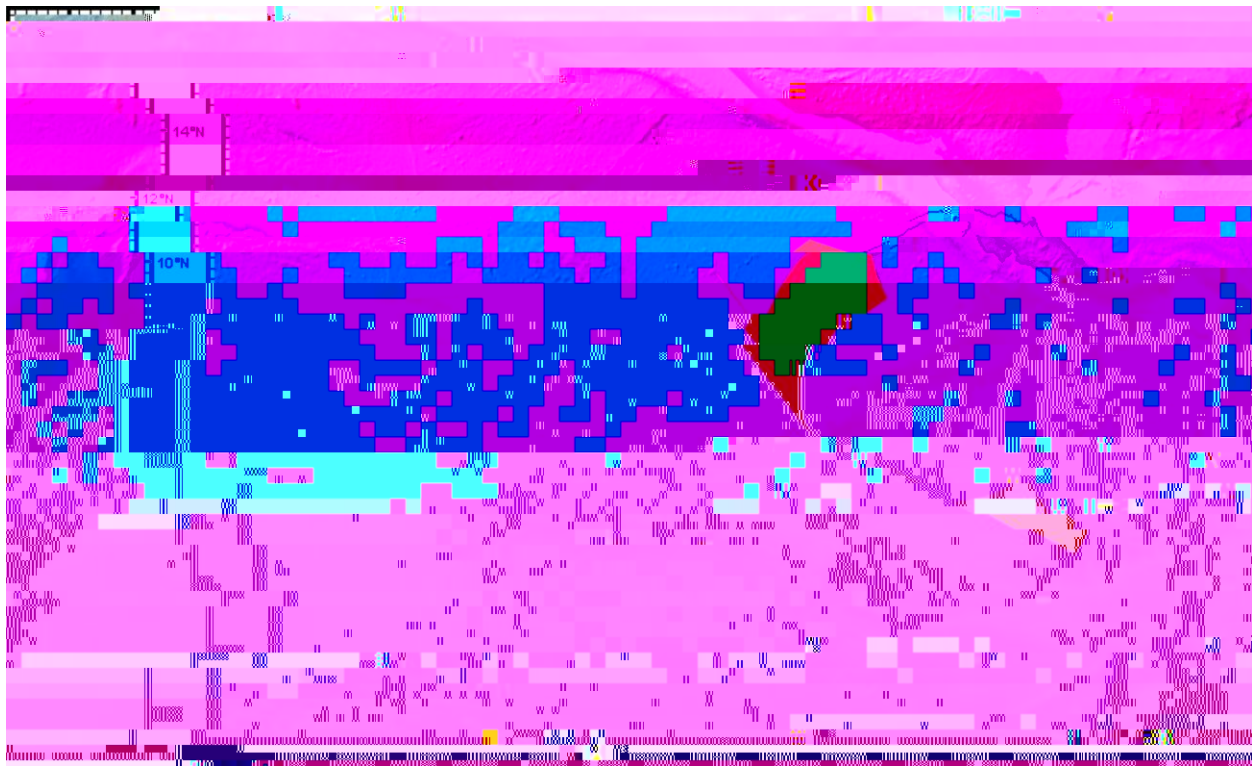


Figure. 3: Areas of potential submission (in yellow) of the Republic of Costa Rica for the extension of the continental shelf beyond 200 M in accordance with Article 76 (8) of UNCLOS.

2. Background

The consistent implementation of the provisions of Article 76 of the Convention is the responsibility of all coastal States that intend to exercise national jurisdiction over the continental shelf beyond 200 M from the baselines from which the breadth of their territorial sea is measured. In order to assist coastal States in carrying out this responsibility, UNCLOS established the CLCS, which has provided for a procedure and regulations for the submission of information on the determination of the outer limits of the continental shelf beyond 200 M. This is indicated in paragraph 8 of Article 76 and Article 4 of the Annex II of the Convention cited above.

In accordance with Article 3 of Annex II of UNCLOS, the CLCS has as functions:

- (a) to consider the data and other material submitted by coastal States concerning the outer limits of the continental shelf in areas where those limits extend beyond 200 nautical miles, and to make recommendations in accordance with Article 76 and the Statement of Understanding adopted on 29 August 1980 by the Third United Nations Conference on the Law of the Sea;
- (b) to provide scientific and technical advice, if requested by the coastal State concerned during the preparation of the data referred to in subparagraph (a).

Under its mandate, and with aim of assisting coastal states to establish, in accordance with Article 76, the outer limits of its continental shelf beyond 200 M from the baselines from which the breadth of the territorial sea is measured, the Commission adopted the Scientific and Technical Guidelines (CLCS/11 and Corr.1 and Corr.2; CLCS/11/Add.1 and Corr.1.).

The Eleventh Meeting of States Parties to the Convention, held from 14 to 18 May 2001, noted that it was only after the adoption of the Scientific and Technical Guidelines by the Commission on 13 May 1999, they had before them the basic documents concerning submissions (SPLOS/72, Decision regarding the date of commencement of the ten-year period for making submissions to the Commission on the Limits of the Continental Shelf set out in Article 4 of Annex II to the United Nations Convention on the Law of the Sea). It is understood that the ten-year time period referred to in Article 4 of Annex II to the Convention shall be taken to have commenced on 13

Advisory Group used the free domain application GeoMapAp (www.geomapapp.org). This software is funded by the US National Science Foundation and was

test of appurtenance in support of the preliminary information indicative of the outer limits of the continental shelf beyond 200 M.

Given the nature of the continental shelf southwest from Costa Rica (please see section 6 of this document), with a very rough ocean floor, the application of the second derivative without proper filtering of bathymetric profiles does not give meaningful results. For the Foot of Slope (FOS) analysis presented here a moving average filter has been applied on the topography for 15 data points before and after each depth datum.

The Scientific and Technical Guidelines of the Commission (CLCS/11) establish the following:

5.4.4. For the purpose of identifying the region defined as the base (of the slope), the Commission defines the continental slope as the outer portion of the continental margin that



Figure 5: Regional tectonic setting of Costa Rica (from Protti et al., 2001).¹

Cocos and Nazca plates are generated along the East Pacific Rise and along the Galapagos Spreading Center. Ocean lithosphere created along the East Pacific Rise, a mid-ocean ridge with a very fast spreading rate, is characterized by a smooth ocean floor. On the contrary, the ocea

part of the continental margin of southern Central America and northwestern South America, as can be seen in Figure 7.

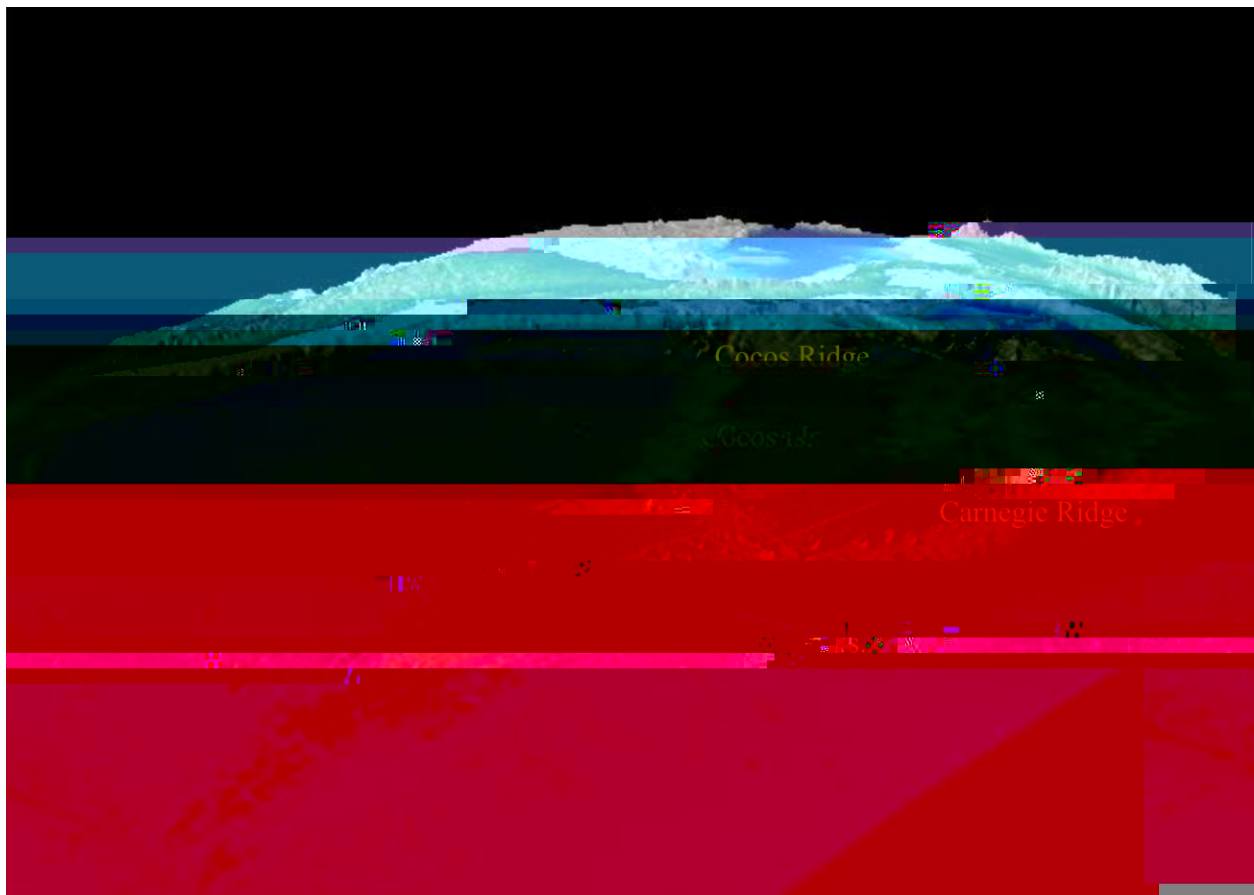


Figure 6: Three dimensional view of the Pacific continental margin of Costa Rica and Cocos Island with names of key submarine features.

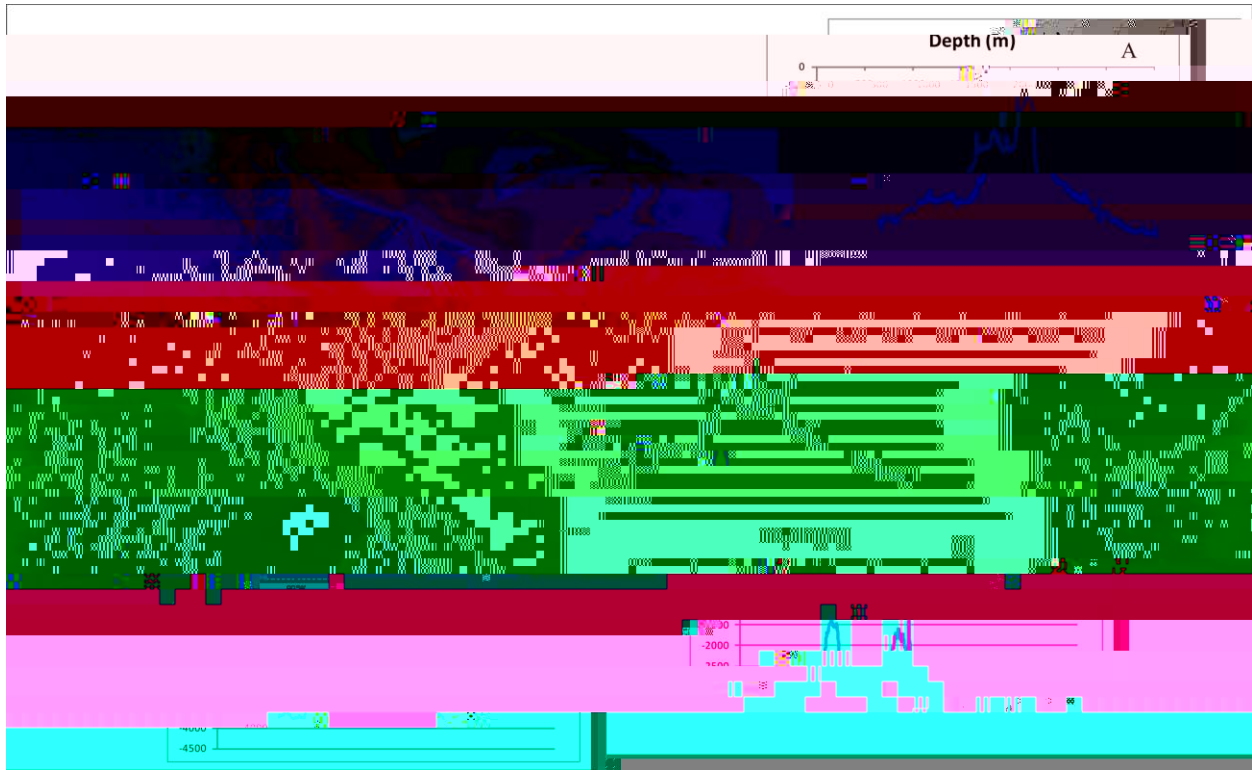


Figure 7: Map showing the extension of the Cocos and Carnegie ridges in southern Central America and western South America and depth sections across these ridges.

Cocos Island is part of the Cocos Ridge and is internationally recognized as part of the official territory of Costa Rica. Along this extension of the continental shelf of Costa Rica and from Cocos Island is where the Government of Costa Rica delineates the continental shelf beyond 200 M according to the criteria established in Article 76 of the UNCLOS. Although most of this continental margin is already within the 200 M of Costa Rica

Unresolved questions remain in relation to bilateral delimitation of the continental shelf with neighboring

NW flank of the Cocos Ridge is

8.2.1 FOS-1

Basic Data

Data type	Data source
Measured and estimated seafloor topography	Smith, W. H. F., and D. T. Sandwell, Global seafloor topography from satellite altimetry and ship depth soundings, <i>Science</i> , v. 277, p. 1957-1962, 26 Sept., 1997. http://topex.ucsd.edu/WWW_html/mar_topo.html

Point FOS-1 is located at the base of the continental slope of the north-western part of the Cocos Ridge. The continental slope in this area connects the shelf of Co

8.3 Indicative extent of the continental shelf based on selected FOS points

Point FOS-1 genera35.54 Tm{oT1 0 760 0 1 135.98 668.(oin)-5(ts)]TJETBT181.20 1 132.62 668.86 Tm[)TJET

The Training Manual provided by the Division for Ocean Affairs and the Law of the Sea/ Office of Legal Affairs (DOALOS)³, contains further details on how such a project may be conducted. According this Training Manual the following steps should be taken to plan and manage a submission:

- Undertake the initial appurtenance study;

- Produce a desktop study;

- Plan and acquire data;

- Analyze all data and produce all relevant scientific and technical documentation;

- Prepare the final submission; and

- Provide technical support to political level throughout the project cycle.

The

To fund activities related to preparing a submission, Costa Rica will make an application to the *“Trust fund for the purpose of facilitating the preparation of submissions to the Commission on*