



Ministerio de Relaciones Exteriores
República de Colombia

**Prosperidad
para todos**

**Question put to both Parties by Judge Bennouna
at the end of the public sitting of 4 May 2012, afternoon**

« Les règles posées à l'article 76 de la convention des Nations Unies de 1982 sur le droit de la mer, pour la détermination de la limite extérieure du plateau continental au-delà des 200 milles marins, peuvent-elles être considérées aujourd'hui comme ayant le caractère de règles de droit international coutumier ? »

In response, Colombia notes that the question has been posed in the context of a specific case in which there are no areas of continental shelf lying more than 200 nm from the nearest land territory, and where Colombia has objected to the admissibility of Nicaragua's outer continental shelf claim.

State parties to the Convention intending to establish the outer limits of their continental shelf beyond 200 nm from their baselines are obliged to do so in accordance with the provisions set out in paragraphs 4 to 9 of Article 76 of the Convention. This is done pursuant to conventional obligations, not customary international law.

With respect to States that are not party to the Convention, there is no evidence of State practice indicating that the provisions of paragraphs 4 to 9 of Article 76 are considered to be rules of customary international law.