

**THE COMMISSION ON THE LIMITS OF THE CONTINENTAL  
SHELF (CLCS)**

OPENING STATEMENT BY THE CHAIRPERSON OF THE COMMISSION  
ON THE LIMITS OF THE CONTINENTAL SHELF ON THE OCCASION  
OF THE COMMEMORATION OF THE 20TH ANNIVERSARY OF THE  
ESTABLISHMENT OF THE COMMISSION ON THE LIMITS OF THE  
CONTINENTAL SHELF (CLCS)

BY

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Secretary-General of the International Seabed Authority

President of the International Tribunal for the Law of the Sea

Excellencies

Ladies and Gentlemen

On behalf of the Commission on the Limits of the Continental Shelf, I have the honour to welcome you to this Open Meeting convened to commemorate the 20<sup>th</sup> anniversary of the establishment of the Commission on the Limits of the Continental Shelf. I would like to express our gratitude to you all for joining us to celebrate this occasion.

Let me recall at the outset that the Commission is one of the three bodies established under the United Nations Convention on the Law of the Sea. In accordance with the Convention, the 21 members of the Commission are experts in Geology, Geophysics or Hydrography, serving in their personal capacities.

The first election of 21 members was held at the sixth Meeting of States Parties to the Convention in March 1997.

Following this, three more elections took place, in 2002, 2007 and, most recently in June 2012 at the twenty-second Meeting of States Parties.

The first session of the Commission on the Limits of the Continental Shelf was held at United Nations Headquarters in New York, from 16 to 20 June 1997.

For the past twenty years, the Commission has performed its duties in line with its dual mandate, namely, first to consider the submissions made by coastal States, 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, and second, to provide scientific and technical advice.

Let me also seize this opportunity to express gratitude to all the current and past members of the Commission for their contributions to the advancement of the Commission's work. In addition, let me pay homage to two members of the Commission that passed away during their term of office, Mr. Alexandre Tagore Medeiros de Albuquerque of Brazil, Chairman during the third term of office of the Commission, and Mr. Kensaku Tamaki of Japan. In addition, let me recall two other members, Mr. Karl Hinz of Germany and Mr. Chisengu Leo M'Dala of Zambia who passed away after their work as members of the Commission. It would be very remiss of me not to recall the first Secretary of the Commission, Mr. Oleksiy Zinchenko, who had been assisting the Commission in that capacity for the first ten years until his untimely passing away almost exactly ten years ago, on 17 March 2007.

Your Excellencies,

Ladies and Gentlemen,

The initial work of the Commission focused on developing two of its most important documents. In September 1997, the Commission adopted its Rules of Procedure (including the Modus Operandi). In May 1999, it adopted the Scientific and Technical Guidelines to assist coastal States in the preparation of their submissions to the Commission. These documents will be elaborated in presentations that will be made at this Open Meeting.

Subsequently, the Commission immersed itself in the consideration of the submissions made by coastal States. To date, the Commission has received a total of 77 submissions and 5 revised submissions. I am happy to note that as of today the Commission had adopted a total of 26 Recommendations.

Your Excellencies,

Ladies and Gentlemen,

The vision enshrined in the Convention, which entered into force on 16 November 1994 and has received 168 ratifications so far, as well as the work of the Commission, are unique. In particular, I would like to underscore, as I have done on many occasions, that the implementation of Article 76 of the Convention is central to the maintenance of peace in the oceans. It allows coastal States that meet the criteria of Article 76 and the Statement of Understanding of the Convention to extend their continental shelves beyond 200 nautical miles, in a peaceful manner, the areas over which they enjoy sovereign rights and jurisdiction consistent with the principles of the Charter of the United Nations. The exercise under the regime contained in Part VI of the Convention, in addition, has the added benefit of promoting the knowledge of coastal States about its seabed, subsoil and the resources contained therein, and, more generally, about the structure and evolution of the seafloor.

The process of implementing article 76 of the Convention has triggered a flurry of ocean-mapping activities in ocean bodies adjacent to many of the coastal States. Many parts of the ocean which were not well known until recently are now better understood as a result of the surveys which have been conducted to prepare submissions to the Commission. Today's knowledge of geology, geophysics, geomorphology, hydrography of the ocean basins has shown us the real face of the structure of the earth beneath the oceans. Our current understanding is therefore different from that available to the drafters of the Convention when they gave legal meaning to scientific concepts like the Base and the Foot of the continental slope, submarine elevations, submarine ridges, etc.

All these factors inevitably became visible to the international community in a dramatic way, in May 2009 when the 10-year period for making submissions to the Commission was close to expiration for many State Parties to the Convention. Both the adoption of the scientific and technical guidelines, and the first open meeting in May 2000, highlighted the enormous scientific and

technical as well as practical challenges on the path towards the implementation of article 76.

While the initial pace of submissions was somewhat hesitant and the 10-year limit had to be interpreted by the Meeting of States Parties, starting in May 2009 the number of submissions skyrocketed to levels that had not been anticipated. This number more than tripled in a few months leading up to the expiration of the 10-year limit, passing from 16 at the end of 2008 to 51 in June 2009, multiplying the workload of the Commission manifold.

This situation made it necessary to develop a new working arrangement for the Commission. Taking into account a request by the State Parties, the Commission decided to significantly extend the duration of its sessions at the UN Headquarters in New York by holding three sessions of seven weeks each annually, including plenary meetings, for a total of 21 weeks. These new working arrangements represented an attempt to manage the workload of the Commission but may not constitute a permanent solution to the continuously growing workload, and pose problems to many members who have other professional obligations.

I am happy to note that the new working arrangements have contributed to the reduction of the waiting period between making a submission by a State and the time when a subcommission is formed to examine that submission.

The period between making a submission and examination by the Commission, however, continues to remain significant and leaves submitting States in the uncomfortable position of having to wait for a long time before their submissions reach the top of the queue and can be considered. This waiting time also poses a practical challenge to many States, as they need to maintain the expertise developed in the course of the preparation of their submissions. This is a serious concern for many States in view of the very significant financial and human resources they have invested to collect and interpret data, and to develop their submissions.

Your Excellencies

Ladies and Gentlemen,

Let me conclude my initial remarks by noting that the Commission on the Limits of the Continental Shelf feels honoured to be able to continue assisting

States in this process of expansion of the maritime areas under their sovereign rights and jurisdiction.

The Commission is grateful to the State Parties for their cooperation and support since the Commission came into existence. The Commission also wishes to acknowledge with appreciation the high quality of services provided by the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs in assisting the Commission in its work.

On behalf of the Commission, I would like to express gratitude also to the States that have been contributing over the years to the Trust Fund for the purpose of defraying the cost of participation of the members of the Commission from developing States in the meetings of the Commission. These contributions have made it possible for the Commission to ensure that there would be a quorum for its deliberations during its lengthy sessions.

Your Excellencies

Ladies and Gentlemen

On this occasion, I am pleased to reiterate that the Commission is proud of the contribution it is making in bringing sound scientific and technical interpretation to the application of the provisions of the Convention relating to the outer limits of the continental shelf beyond 200 M. The work of the Commission undoubtedly is contributing to peaceful oceans with new knowledge necessary for the sustainable management of ocean resources.

With that I hope that you will enjoy the presentations we have prepared for you at this special occasion, and I hand over to the convener of this open meeting, Mr Galo Carrera, one of the founding members of the Commission, who will introduce the program.

Thank You