



The implementation of the mandate of the Commission on the Limits of the Continental Shelf: 1997 to 2017

Galo Carrera Hurtado

Twentieth Anniversary of the
Commission on the Limits of the Continental Shelf



The implementation of the mandate of the CLCS: 1997 to 2017
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United Nations Headquarters, NY
10 March 2017

Overview

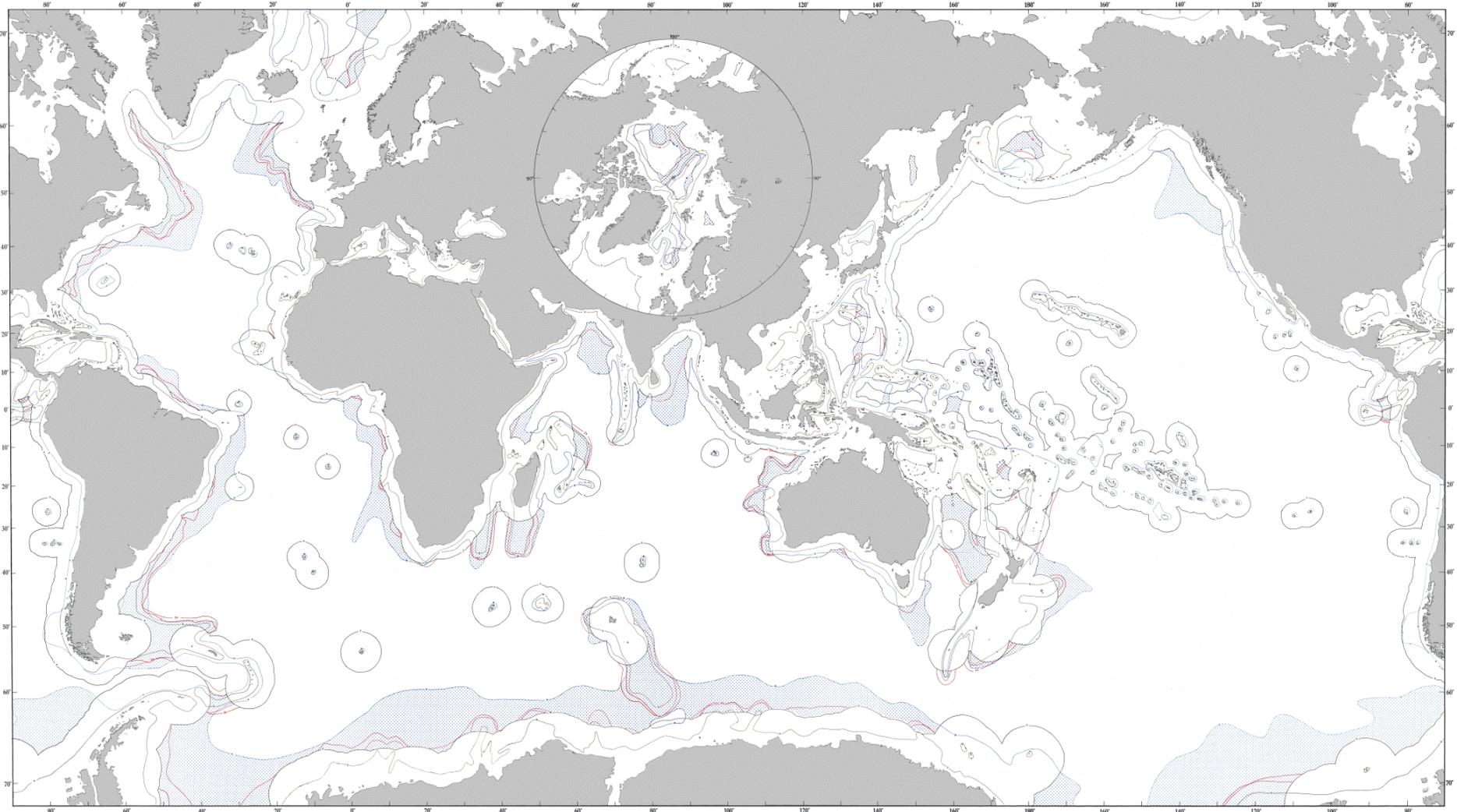


- What did we know during the Third Conference?
- The unique status of the determination of the outer limits of the continental shelf beyond 200 nautical miles in international law: p. 8, Article 76
- The mandate of the Commission on the Limits of the Continental Shelf in accordance with the provisions of article 3 of Annex II to UNCLOS
- Submissions by States and consideration by the Commission
- Advice to States
- Capacity building activities
- What do we know now?

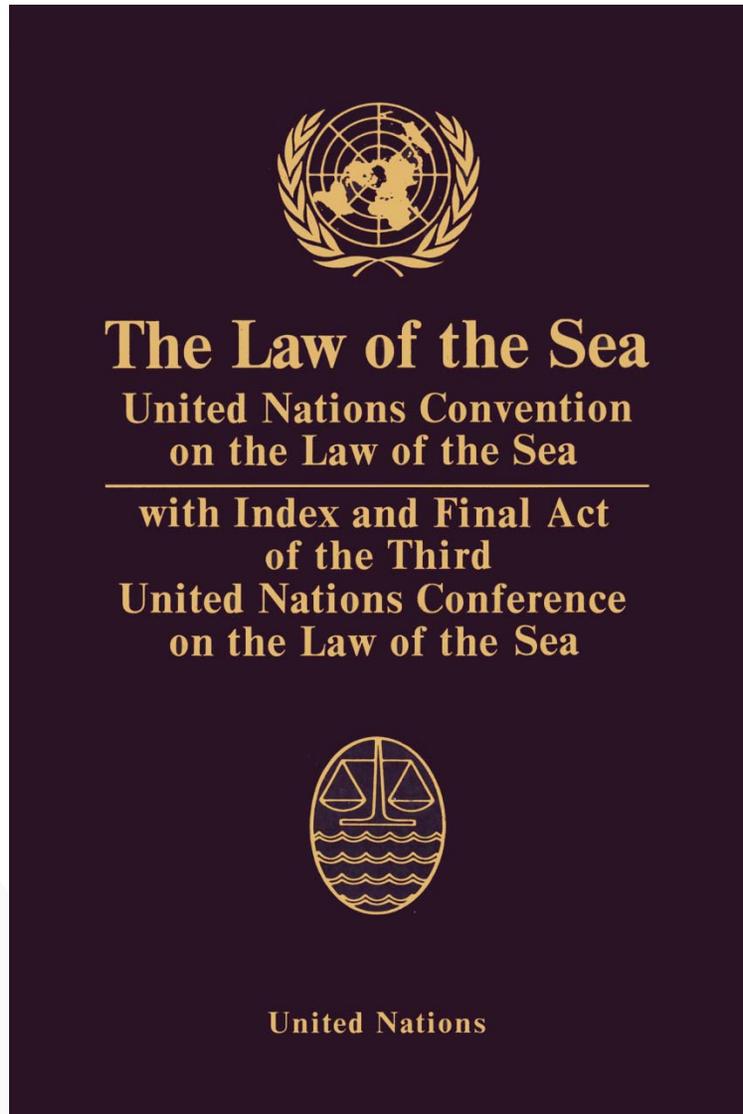
What did we know in 1978?



A/CONF.62/C.2/L.98 and Add.1, 18 April 1978



The continental shelf and the CLCS in UNCLOS



Part VI

Continental Shelf

Annex II

Commission on the Limits of the Continental Shelf



The unique status of the determination of the outer limits of the continental shelf beyond 200 nautical miles

PART VI CONTINENTAL SHELF

Article 76

Definition of the continental shelf

8. Information on the limits of the continental shelf beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured shall be submitted by the coastal State to the Commission on the Limits of the Continental Shelf set up under Annex II on the basis of equitable geographical representation. The Commission shall make recommendations to coastal States on matters related to the establishment of the outer limits of their continental shelf. The limits of the shelf established by a coastal State on the basis of these recommendations shall be final and binding.



The mandates of the Commission on the Limits of the Continental Shelf

ANNEX II. COMMISSION ON THE LIMITS OF THE CONTINENTAL SHELF

Article 3

1. The functions of the Commission shall be:

(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).



77 submissions plus 5 revised submissions

41 Partial Submissions and 7 Joint Submissions



Submissions, through the Secretary-General of the United Nations, to the Commission on the Limits of the Continental Shelf, pursuant to article 76, paragraph 8, of the United Nations Convention on the Law of the Sea of 10 December 1982

Updated on 26 April 2016

Please note that submissions are listed in the order received. Please also note that the designations employed in the submissions, including description of the areas, are as contained in the communications from submitting States or in the executive summaries. Their listing on this web site and the presentation of material do not imply the expression of any opinion whatsoever on the part of the Secretariat of the United Nations concerning the legal status of any country, territory, city or area or of its authorities, or concerning the delimitation of its frontiers or boundaries.

Submission by [State]	Date of submission	Presentation to the CLCS*	Submission established	Recommendations adopted on [For summaries of the recommendations follow the link to the respective submission page]
1. Russian Federation	20 December 2001	See CLCS/42	See CLCS/42	
1a. Russian Federation - partial revised Submission in respect of the Okhotsk Sea	28 February 2013	See CLCS/80	See CLCS/80	11 March 2014 See CLCS/83
1b. Russian Federation - partial revised Submission in respect of the Arctic Ocean	3 August 2015			
2. Brazil	17 May 2004	See CLCS/42	See CLCS/42	4 April 2007 See CLCS/54
2a. Brazil - partial revised Submission - In respect of the Brazilian Southern Region	10 April 2015	See CLCS/80	See CLCS/80	
3. Australia	15 November 2004	See CLCS/44	See CLCS/44	9 April 2008 See CLCS/58
4. Ireland - Porcupine Abyssal Plain	25 May 2005	See CLCS/48	See CLCS/48	5 April 2007 See CLCS/54
5. New Zealand	19 April 2006	See CLCS/52	See CLCS/52	22 August 2008 See CLCS/60
6. Joint submission by France, Ireland, Spain and the United Kingdom of Great Britain and Northern Ireland - in the area of the Celtic Sea and the Bay of Biscay	19 May 2006	See CLCS/52	See CLCS/52	24 March 2009 See CLCS/62
7. Norway - in the North East Atlantic and the Arctic	27 November 2006	See CLCS/54	See CLCS/54	27 March 2009 See CLCS/62
8. France - in respect of the areas of French Guiana and New Caledonia	22 May 2007	See CLCS/56	See CLCS/56	2 September 2009 See CLCS/64
9. Mexico - in respect of the western polygon in the Gulf of Mexico	13 December 2007	See CLCS/58	See CLCS/58	11 March 2009 See CLCS/62
10. Barbados	8 May 2008	See CLCS/60	See CLCS/60	15 April 2010 See CLCS/66
10a. Barbados - revised	25 July 2011	---	See CLCS/72	13 April 2012 See CLCS/74
11. United Kingdom of Great Britain and Northern Ireland - Ascension Island	9 May 2008	See CLCS/60	See CLCS/62	15 April 2010 See CLCS/66
12. Indonesia - North West of Sumatra Island	16 June 2008	See CLCS/62	See CLCS/62	28 March 2011 See CLCS/70
13. Japan	12 November 2008	See CLCS/62	See CLCS/64	19 April 2012 See CLCS/74
14. Joint submission by the Republic of Mauritius and the Republic of Seychelles - in the region of the Mascarene Plateau	11 December 2008	See CLCS/62	See CLCS/66	30 March 2011 See CLCS/70
15. Vietnam	6 December 2008	See CLCS/64	See CLCS/66	30 March 2011 See CLCS/70
16. Myanmar	16 December 2008	See CLCS/64		
17. France - areas of the French Antilles and the Kingman Islands	5 February 2009	See CLCS/66	See CLCS/68	19 April 2012 See CLCS/74
18. Yemen - in respect of south east of Socotra Island	20 March 2009	See CLCS/68		
19. United Kingdom of Great Britain and Northern Ireland - in respect of Hatton Rockall Area	31 March 2009	See CLCS/64		
20. Ireland - in respect of Hatton-Rockall Area	31 March 2009	See CLCS/64		
21. Tonga	17 April 2009	See CLCS/64	See CLCS/70	
22. Philippines - in the Benham Rise region	9 April 2009	See CLCS/64	See CLCS/70	12 April 2012 See CLCS/74
23. The Cook Islands - concerning the Manihiki Plateau	21 April 2009	See CLCS/64	See CLCS/72	
24. Fiji	20 April 2009	See CLCS/64		
25. Argentina	21 April 2009	See CLCS/64 & CLCS/78	See CLCS/76	11 March 2016 See CLCS/83
26. Ghana	28 April 2009	See CLCS/64	See CLCS/76	9 September 2014 See CLCS/85
27. Iceland - in the Egeir Basin area and in the western and southern parts of Reykjanes Ridge	29 April 2009	See CLCS/78	See CLCS/76	10 March 2016 See CLCS/83
28. Denmark - in the area north of the Faro Islands	29 April 2009	See CLCS/64 & CLCS/78	See CLCS/76	11 March 2014 See CLCS/83
29. Pakistan	30 April 2009	See CLCS/80	See CLCS/80	13 March 2015 See CLCS/88
30. Norway - in respect of Bouvetøya and Dronning Maud Land	4 May 2009	See CLCS/66	See CLCS/80	
31. South Africa - in respect of the mainland of the territory of the Republic of South Africa	5 May 2009	See CLCS/68	See CLCS/83	
32. Joint submission by the Federated States of Micronesia, Papua New Guinea and Solomon Islands - concerning the Ontong Java Plateau	5 May 2009	See CLCS/66	See CLCS/83	
33. Joint submission by Malaysia and Viet Nam - in the southern part of the South China Sea	6 May 2009	See CLCS/64		
34. Joint submission by France and South Africa - in the area of the Crozet Archipelago and the Prince Edward Islands	6 May 2009	See CLCS/68	See CLCS/83	

35. Kenya	6 May 2009	See CLCS/64 & CLCS/85	See CLCS/90	
36. Mauritius - in the region of Rodrigues Island	6 May 2009	See CLCS/64	See CLCS/83	
37. Viet Nam - in North Area (VNM-N)	7 May 2009	See CLCS/64		
38. Nigeria	7 May 2009	See CLCS/64	See CLCS/90	
39. Seychelles - concerning the Northern Plateau Region	7 May 2009	See CLCS/64		
40. France - in respect of La Reunion Island and Saint-Paul and Amsterdam Islands	8 May 2009	See CLCS/60		
41. Palau	8 May 2009	See CLCS/64		
42. Côte d'Ivoire	8 May 2009	See CLCS/64		
43. Sri Lanka	8 May 2009			
44. Portugal	11 May 2009	See CLCS/66		
45. United Kingdom of Great Britain and Northern Ireland - in respect of the Falkland Islands, and of South Georgia and the South Sandwich Islands	11 May 2009	See CLCS/66		
46. Tonga	11 May 2009	See CLCS/66		
47. Spain - in respect of the area of Galicia	11 May 2009	See CLCS/66		
48. India	11 May 2009	See CLCS/68		
49. Trinidad and Tobago	12 May 2009	See CLCS/66		
50. Namibia	12 May 2009	See CLCS/66		
51. Cuba	1 June 2009	See CLCS/66		
52. Mozambique	7 July 2010	See CLCS/70		
53. Maldives	26 July 2010	See CLCS/70		
54. Denmark - France-Rockall Plateau Region	2 December 2010	See CLCS/70		
55. Bangladesh	25 February 2011	See CLCS/72		
56. Madagascar	29 April 2011	See CLCS/72		
57. Guyana	6 September 2011	See CLCS/74		
58. Mexico - in respect of the eastern polygon in the Gulf of Mexico	19 December 2011	See CLCS/74		
59. United Republic of Tanzania	18 January 2012	See CLCS/76		
60. Gabon	10 April 2012	See CLCS/78		
61. Denmark - in respect of the Southern Continental Shelf of Greenland	14 June 2012			
62. Joint Submission by Tuzetu, France and New Zealand (Tobela) - in respect of the area of the Robble Ridge	7 December 2012	See CLCS/80		
63. China - In Part of the East China Sea	14 December 2012	See CLCS/80		
64. Kiribati	24 December 2012	See CLCS/80		
65. Republic of Korea	26 December 2012	See CLCS/80		
66. Nicaragua - in the southwestern part of the Caribbean Sea	24 June 2013	See CLCS/83		
67. Federated States of Micronesia - in respect of the Eauripik Rise	30 August 2013	See CLCS/83		
68. Denmark - in respect of the North-Eastern Continental Shelf of Greenland	26 November 2013			
69. Angola	6 December 2013	See CLCS/90		
70. Canada - in respect of the Atlantic Ocean	6 December 2013			
71. Bahamas	6 February 2014			
72. France - in respect of Saint-Pierre-et-Miquelon	16 April 2014			
73. Tonga - in the western part of the Lau-Colville Ridge	23 April 2014	See CLCS/88		
74. Somalia	21 July 2014			
75. Joint Submission by Cabo Verde, The Gambia, Guinea, Guinea-Bissau, Mauritania, Senegal and Sierra Leone - in respect of areas in the Atlantic Ocean adjacent to the coast of West Africa	25 September 2014	See CLCS/90		
76. Denmark - in respect of the Northern Continental Shelf of Greenland	15 December 2014			
77. Spain - in respect of the area west of the Canary Islands	17 December 2014	See CLCS/90		

*Presentation of the submission by coastal State representatives at a session of the Commission. Rule 52 of and section II, paragraph 2, of Annex III to the rules of procedure of the Commission (CLCS/40/Rev.1) refer. Prepared by the Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs, United Nations.

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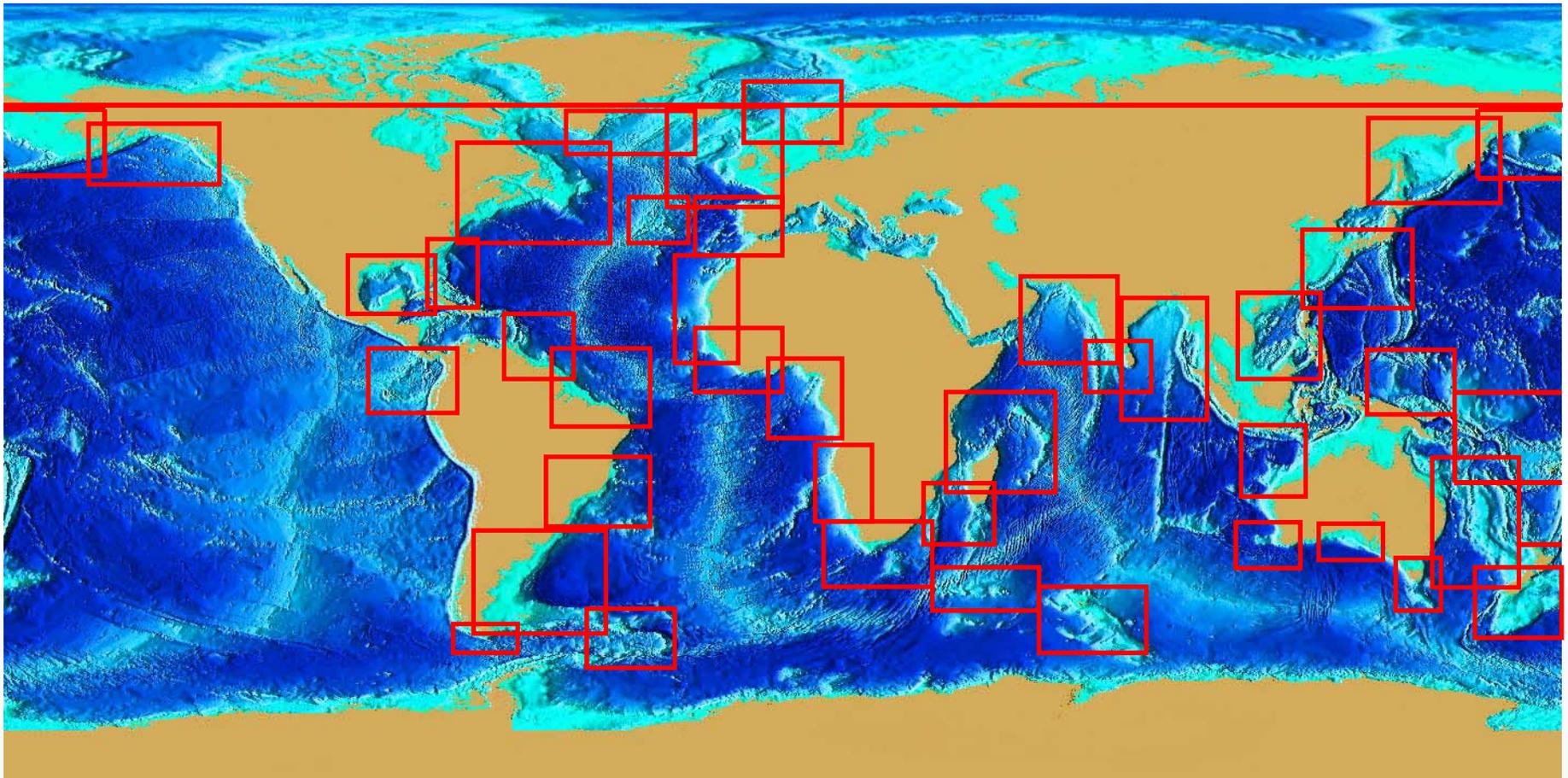
Yet to become Submissions to the Commission?

As of 10 March 2017:

- Forty-seven (47) Preliminary Information Notes (22 were followed by Submissions, 3 were followed by Submissions for only parts of the areas)

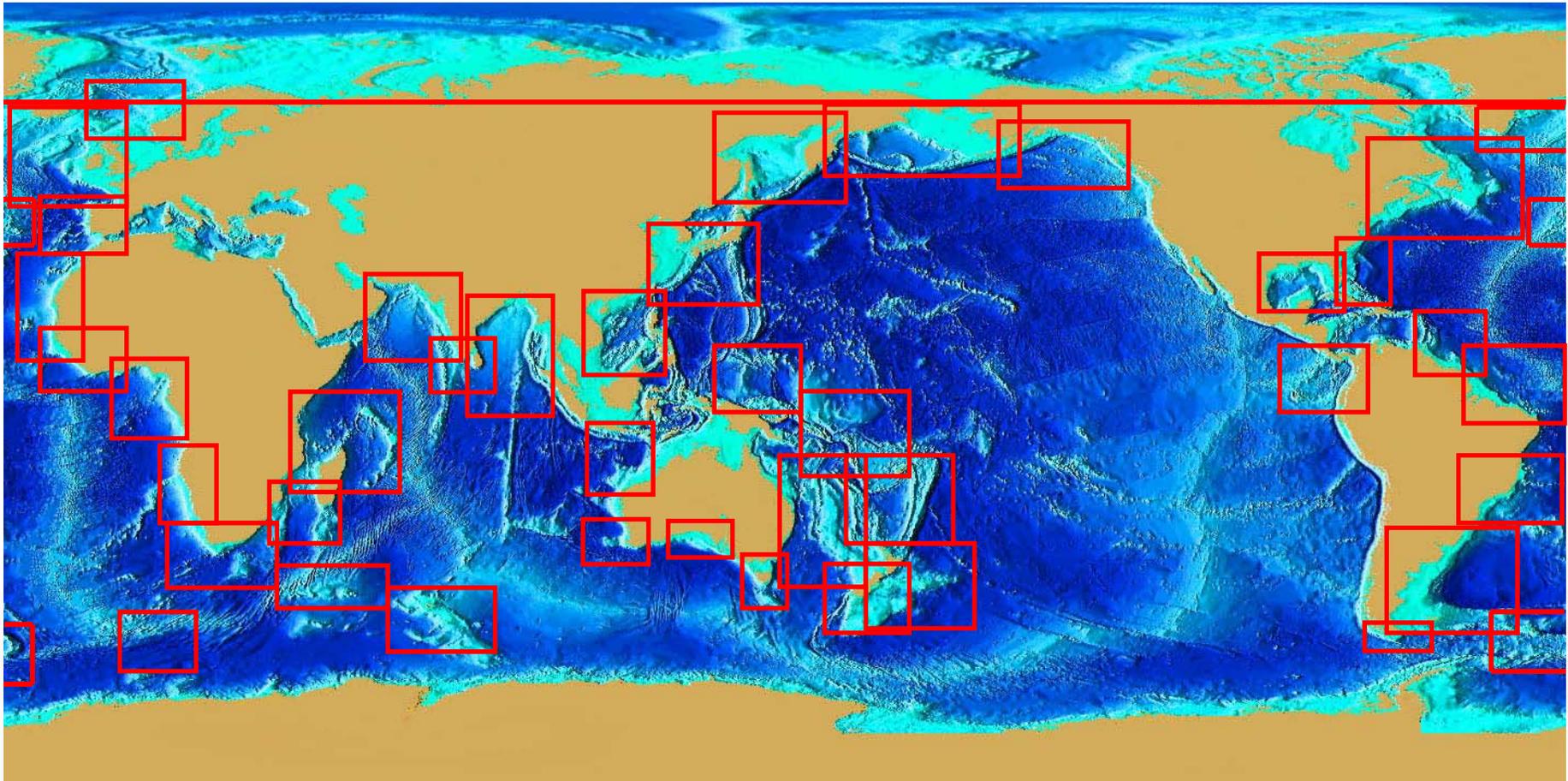
- Unknown numbers:
 - New or revised submissions from previous Submissions?
 - Submissions for States whose deadline is beyond 2017?
 - Potential Submissions to be made by current non-States Parties?

Predicted scenario presented in the CLCS Open Meeting held on 1 May 2000





Predicted scenario presented in the CLCS Open Meeting held on 1 May 2000

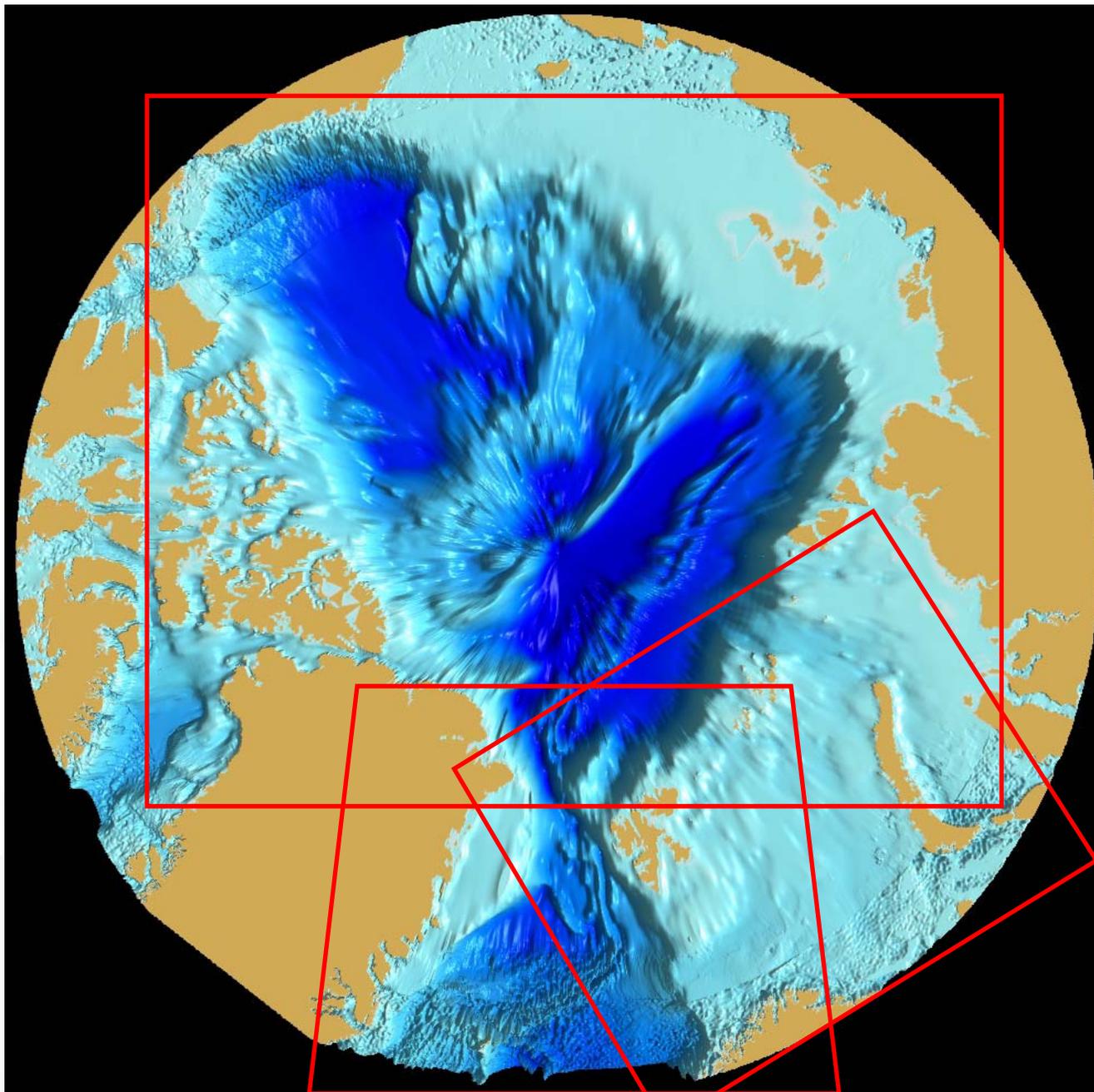




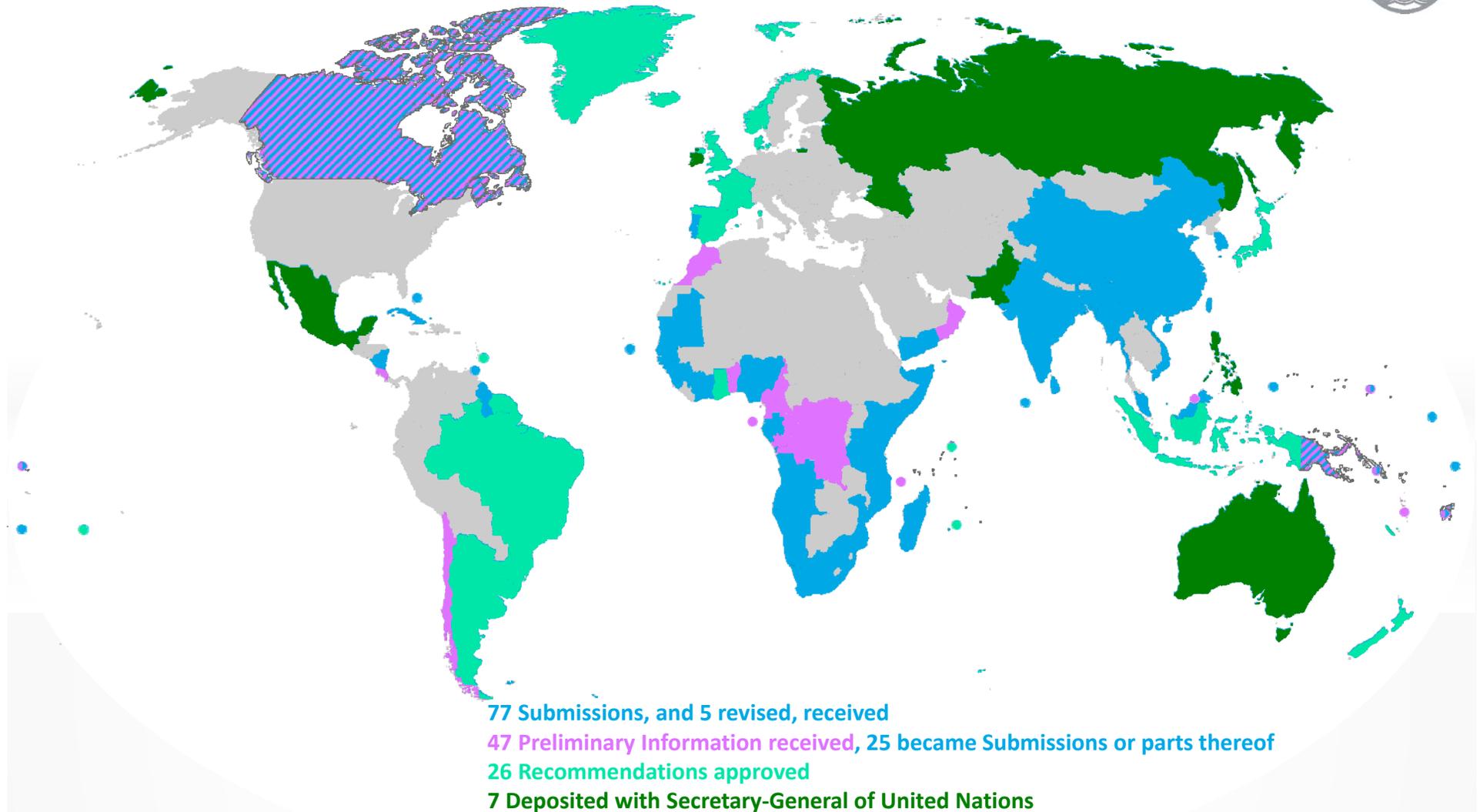
Predicted scenario

Wide continental
margins of the Arctic
ocean

Open Meeting 2000



States which have made Submissions to the Commission





Deposits of outer limits of the continental shelf made by coastal States on the basis of recommendations pursuant to paragraphs 76(9) and 84(2) of the Convention

20 May 2009 – Mexico, in respect of the western polygon in the Gulf of Mexico (MZN 72)

19 August 2009 – Ireland, in respect of the Porcupine Abyssal Plain (MZN 73)

2 July 2012 – Philippines, in respect of the Benham Rise region (MZN 88)

2 November 2012 – Australia (MZN 92)

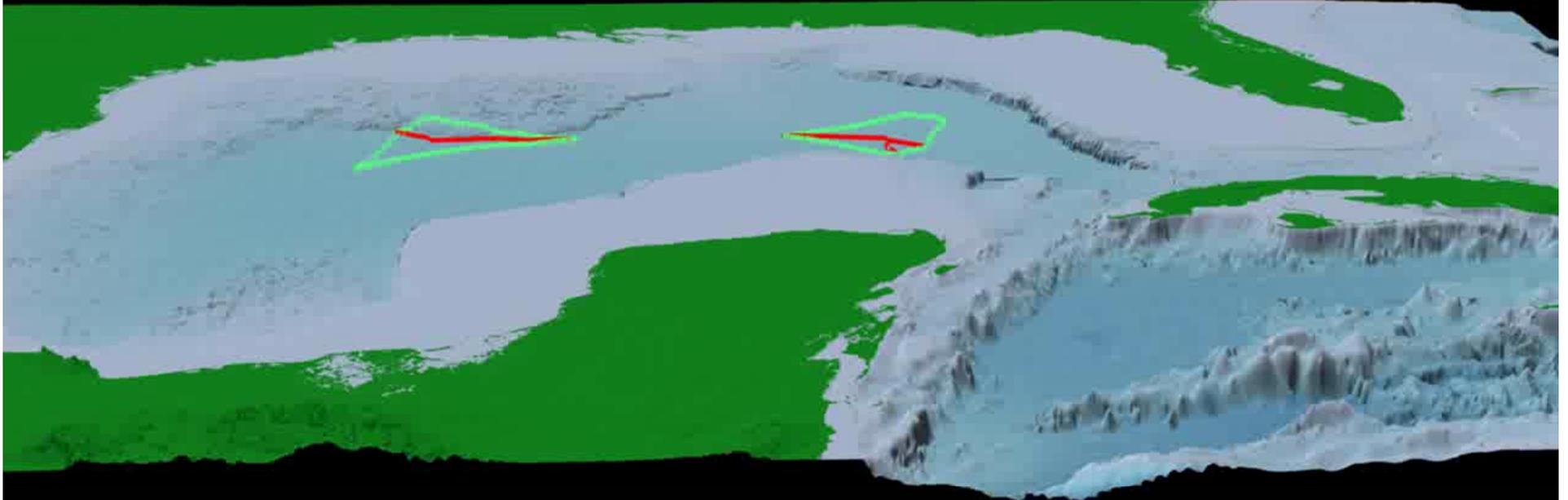
1 April and 25 May 2016 – Russian Federation, in respect of the Sea of Okhotsk (MZN 121)

30 August 2016 – Pakistan (MZN 122)

7 September 2016 – Russian Federation, in respect of the Barents Sea (MZN 124)

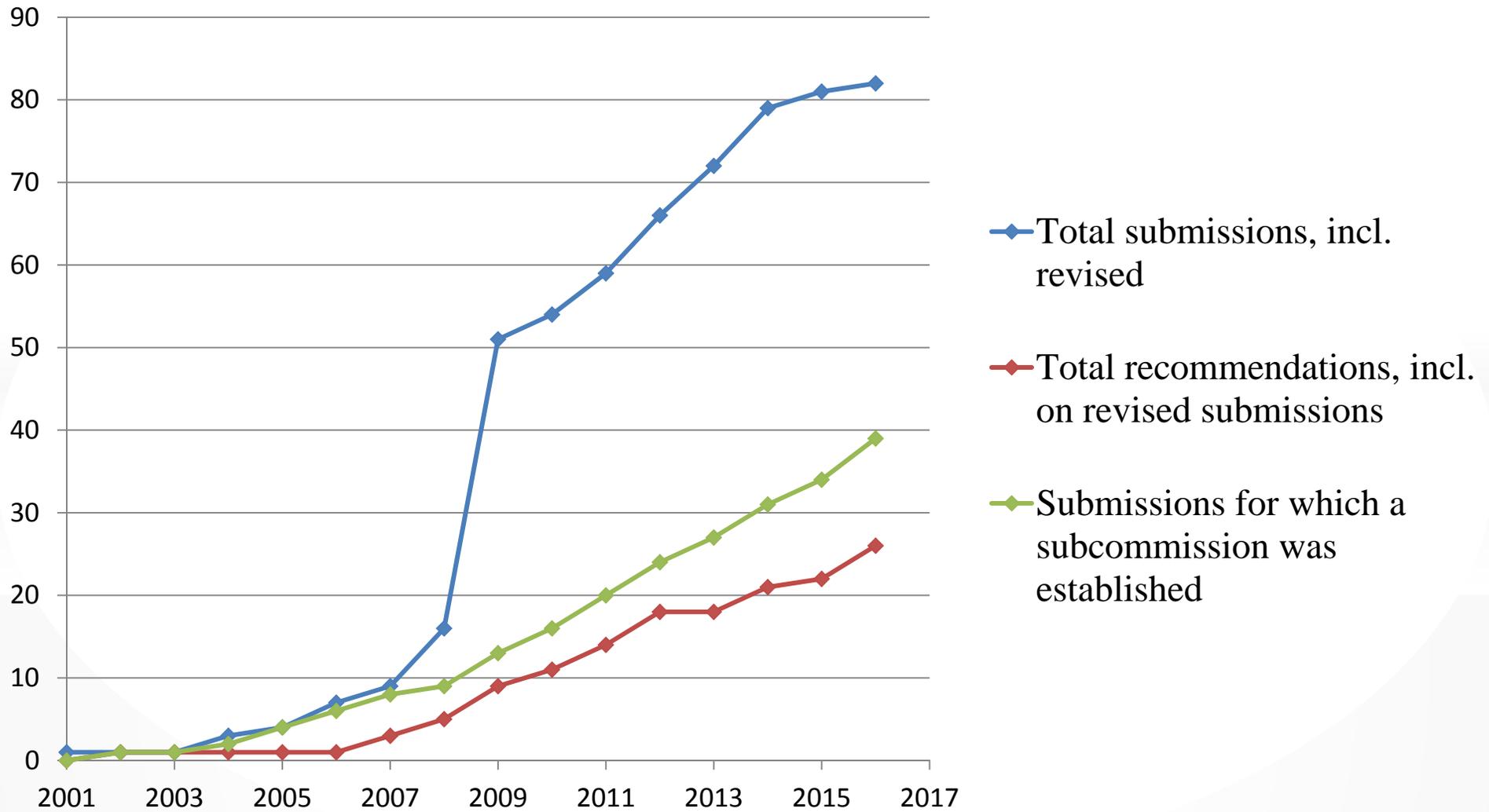
In addition, on 9 July 2012, Mauritius and Seychelles jointly deposited, pursuant to paragraph 84(2) of the Convention, a list of geographical coordinates of points defining the limits of the Joint Zone between the two States as contained in the “Treaty concerning the joint exercise of sovereign rights over the continental shelf in the Mascarene plateau region” of 13 March 2012 (MZN 91)

Gulf of Mexico and the continental shelf beyond 200 M





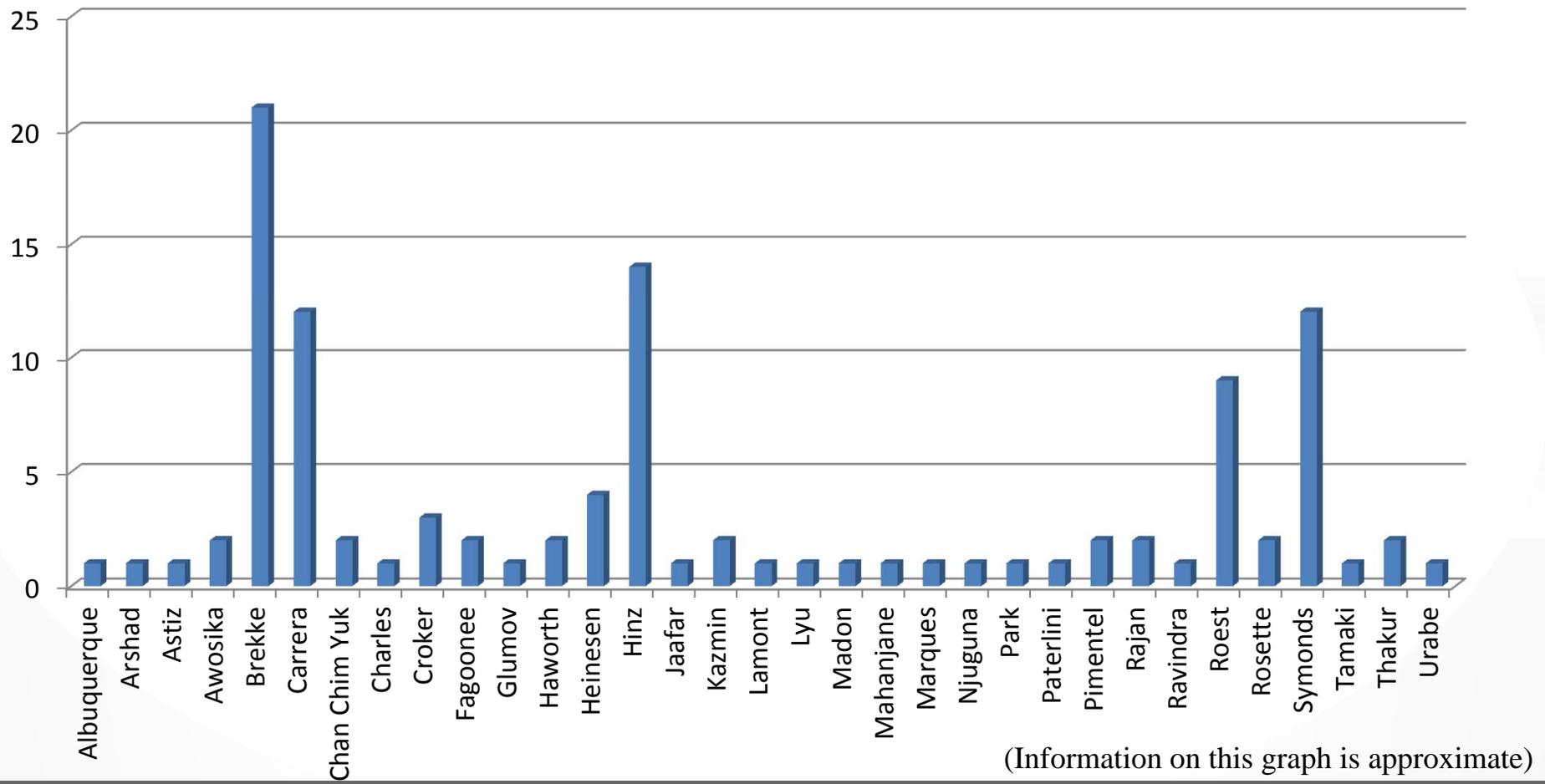
Submissions received and considered and recommendations issued as of 6 March 2017





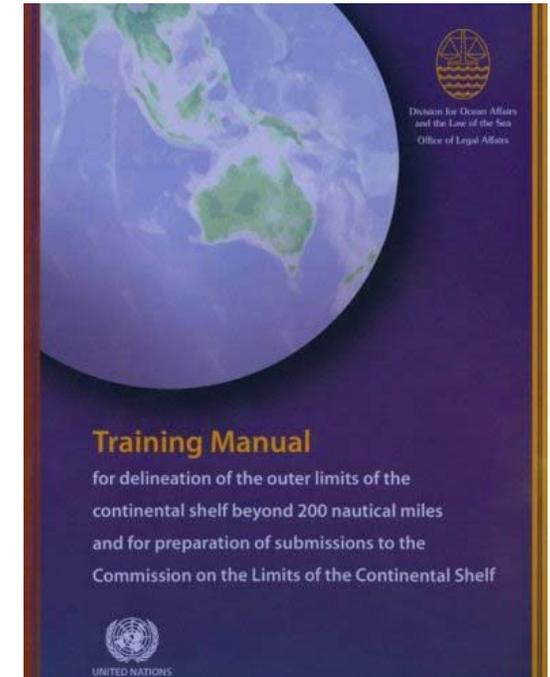
Advice provided to coastal States (number of submissions)

Although the Commission has not received any request for assistance to date, which would have been based on the second mandate of the Commission as described in paragraph 1(b) of article 3 of Annex II to the Convention, upon invitation, individual members provided assistance to many submitting States in their personal capacity.



Capacity Building

- Training Manual for delineation of the outer limits of the continental shelf beyond 200 M
- Regional, sub-regional and national training courses:
 - Suva, Fiji, 28 February - 4 March 2005;
 - Colombo, Sri Lanka, 16 - 20 May 2005;
 - Accra, Ghana, 5 - 9 December 2005;
 - Buenos Aires, Argentina, 8 - 12 May 2006;
 - Bandar Seri Begawan, Brunei Darussalam, 12 - 16 February 2007;
 - Cape Town, South Africa, 13 - 17 August 2007;
 - Port of Spain, Trinidad and Tobago, 14 - 18 January 2008;
 - Windhoek, Namibia, 22 - 26 September 2008;
 - Luanda, Angola, 16 - 20 May 2011; Guayaquil, Ecuador, 2 - 6 December 2013; and
 - Breckenridge, Colorado, USA, 21 - 25 September 2015.





Suva, Fiji

28 February - 4 March 2005

- CLCS: G. Carrera, K. Hinz, I. Lamont, and P. Symonds.
- DOALOS: V. Jareš, and R. Sandev.



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Colombo, Sri Lanka

16 - 20 May 2005

- CLCS: H. Brekke, G. Carrera, K. Hinz, I. Lamont, and Y.A. Park.
- DOALOS: V. Golitsyn, R. Sandev, and L. Santosuosso.



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Accra, Ghana

5 - 9 December 2005

- CLCS: L. Awosika, H. Brekke, G. Carrera and P. Croker.
- DOALOS: G. Blake, V. Jareš and R. Sandev.



Buenos Aires, Argentina

8 - 12 May 2006



- CLCS: O. Astiz, H. Brekke, G. Carrera, N. Francis, and K. Hinz.
- DOALOS: V. Golitsyn, R. Sandev, and L. Santosuosso.



Bandar Seri Begawan, Brunei Darussalam

12 - 16 February 2007



- CLCS: G. Carrera, K. Hinz, B. Jaafar, and Y.A. Park.
- DOALOS: G. Blake, R. Sandev, and L. Santosuosso.



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Cape Town, South Africa

13 - 17 August 2007

- CLCS: L. Awosika, H. Brekke, G. Carrera, and K. Hinz.
- DOALOS: R. Sandev and L. Santosuosso.



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Port of Spain, Trinidad and Tobago

14 - 18 January 2008

- CLCS: G. Carrera, F. Charles, N. Francis and K. Hinz.
- DOALOS: N. King, L. Santosuosso, and S. Stanley.



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Windhoek, Namibia

22 - 26 September 2008

- CLCS: G. Carrera and K. Hinz.
- DOALOS: L. Santosuosso and S. Stanley.



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Luanda, Angola

16 - 20 May 2011

- CLCS: G. Carrera and K. Hinz.
- DOALOS: V. Jareš and R. Sandev.



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10 March 2017



Guayaquil, Ecuador

2 - 6 December 2013

- CLCS: G. Carrera and W. Roest.
- DOALOS: V. Jareš and S. Stanley.



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10 March 2017



Breckenridge, Colorado, USA

21 - 25 September 2015

- CLCS: H. Brekke, G. Carrera and P. Symonds.
- DOALOS: V. Jareš and R. Sandev.



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What do we know now?

1. The work to be conducted by States was underestimated in terms of its scientific and technical breadth and scope, cost and time:

- The amount of scientific and technical data contained in a single national submission surpasses the size of the full World data set used in 1978
- The cost of a submission can range from hundreds of thousands of dollars to hundreds of millions of dollars. Trust Funds have made an important contribution.
- The preparation of a submission can range from 3 to 10 or more years ... deadlines 2004, 2009, 20??
- Advice to States by CLCS members and capacity building became important components of the implementation of article 76



What do we know now?

2. The work to be conducted by the CLCS was largely underestimated:

- A preliminary estimate of a total of 35 submissions, 1978
- 77 Submissions + 5 Revised Submissions ... likely more than 100
- 10 years?
- The CLCS is the only UNCLOS body not dedicated full-time to fulfill its mandate