



1

## Presentation of the Commission on the Limits of the Continental Shelf to the Bureau of the MSP, concerning the workload of the Commission



2

## Potential Programme of Work

- The CLCS Rules of Procedure
- Exceptions to rule
- Communications from the CLCS to MSP
- Past, present and future Submissions
- Projected work
- Conclusion

## UNCLOS and the Rules of Procedure



3

- Article 5 of Annex II to UNCLOS:

“Unless the Commission decides otherwise, the Commission shall function by way of sub-commissions composed of seven members ...”

- In response to outcomes of 16th Meeting of SPLOS (SPLOS/144 and 148) the CLCS decided during the -18<sup>th</sup> session CLCS (CLCS/52) that:

“Only three subcommissions shall function simultaneously while considering submissions. The submissions shall be queued in the order they are received. The submission next in line shall be taken for consideration by a subcommission only after one of the three working subcommissions presents its recommendations to the Commission.”

- Represented a temporary and partial measure; It was subject to review.

## Rule 51 of the Rules of Procedure



4

The CLCS adopted Rule 51 during the 21<sup>st</sup> session April 2008 (CLCS/40/Rev.1):

4. Unless it decides otherwise, the Commission shall establish a subcommission in accordance with rule 42 for the consideration of each submission.
- 4 bis. Unless the Commission decides otherwise, only three subcommissions shall function simultaneously while considering submissions.
- 4 ter. The submissions shall be queued in the order they are received. The submission next in line shall be taken for consideration by a subcommission only after one of the three working subcommissions presents its recommendations to the Commission.

## Two exceptions under rule 51



The CLCS has considered necessary and useful to appoint twice fourth Subcommissions as exceptions under Rule 51:

- Subcommission appointed to consider the Submission of Mexico during the 21<sup>st</sup> Session, April 2008 (CLCS/58)
- Subcommission appointed to consider the Submission of Indonesia during the 23<sup>rd</sup> Session, March 2009 (CLCS/62).

## Communications from the CLCS to MSP 2005, 2006, 2007



2005 15 MSP PowerPoint presentation by the CLCS Chairman – key messages Scenario A - 17 States, Scenario B - 28 States, Scenario C - 50 States by May 2009. Under Scenario B, members will be required in New York more than 3.5 months per year. For Sessions 21-25 it will become unsustainable – will require changes in working arrangements or submissions will need to be queued. Scenario C too difficult to consider.

2006 SPLOS/140 Letter from CLCS Chairman to President of 16 MSP  
Annex contained draft decision that members of the CLCS receive emoluments and expenses through the regular budget of the UN. 4 months per year in New York was estimated as being required. This proposal was not supported by the MSP.

2007 SPLOS/156 Letter from CLCS Chairman to President of 17 MSP  
Reintroduced proposal contained in SPLOS/140. Notified MSP that it had been decided that generally no more than 3 subcommissions would be working simultaneously, and that a queuing system had been introduced. The reintroduced SPLOS/140 proposal was again not supported by the MSP.

## Communications from the CLCS to MSP 2007



7

2007 17 MSP PowerPoint presentation by the CLCS Chairman – key messages

Current estimate of States with ECS is 65, of which 54 have a May 2009 deadline (essentially same as Scenario C above). Rate of receipt up to June 2007 was only at Scenario A rate (hockey-stick curve). Even so, number of weeks required in NY was then running at 11 weeks per year and forecast to reach 18 weeks for 2008-2009 (14 in fact). In order to process the 65 submissions time required will be up to 2014 at per year, 2021 at 4 per year and 2035 at 2 per year (current rate).

- Option 1 – do nothing
- Option 2 – increase rate to 4 per year (18 weeks per year) or 8 per year (with almost full-time CLCS presence in NY).
- Option 3 – Change the approach – Secretariat doing more background work, more efficient working practices in CLCS.

## Communications from the CLCS to MSP 2009



8

2009 19 MSP PowerPoint presentation by the CLCS Chairman – key messages

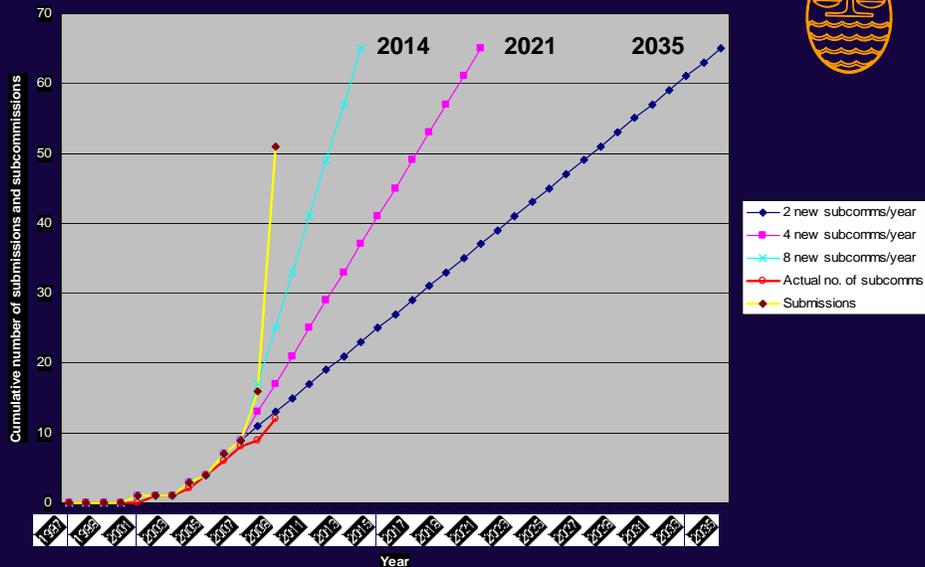
The reality of 51 submissions and 43 SPLOS/183 P.I.s, partial submissions adding to the number and the possibility of revised submissions. Assuming 4 Sessions required for each submission, and not more than 3 subcommissions working simultaneously, then it would take till 2030 to complete the submission by Cuba (no. 51).

Re-introduced SPLOS/140 proposal. As an alternative to that, it introduced a new proposal contained in SPLOS/195 regarding the definition of expenses for members, as referred to in Annex II of the Convention. The MSP did not support either of these proposals.

## Number of submissions - The hockey-stick curve



9



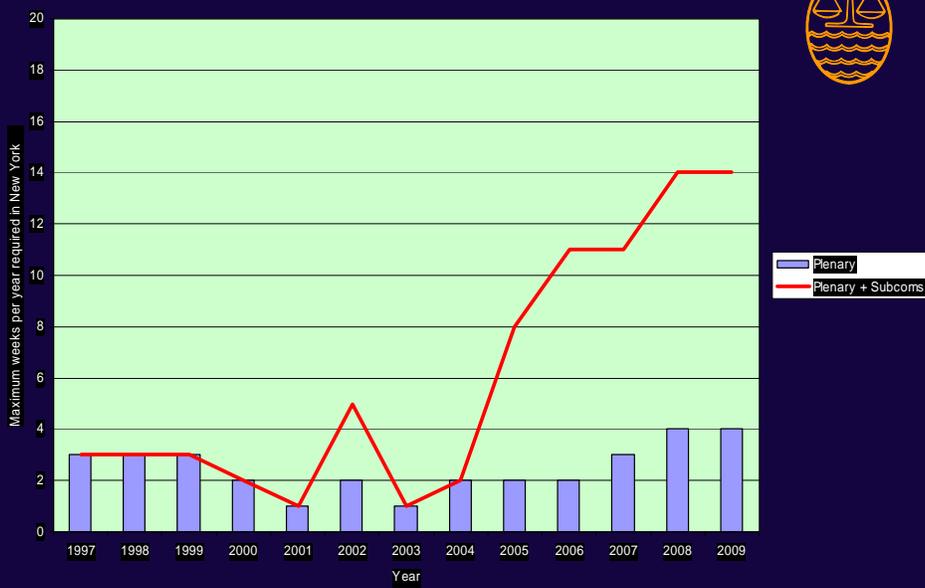
Presentation of the CLCS to the Bureau of the MSP

UN Headquarters, NY  
1 September 2009

## Work Weeks in New York



10



Presentation of the CLCS to the Bureau of the MSP

UN Headquarters, NY  
1 September 2009

## Past, present and future Submissions



- Eight (8) recommendations were completed between 2000 and 2009.
- Four (4) Submissions under current consideration between 2007 and 2009.
- Thirty nine (39) Submissions to consider in the future between 2009 and 20??
- The list does not include new and revised submissions.
- Forty four (44) Preliminary Notes received by the Secretary-General

## The practical scenario



	Presentation	Subcommission formed	Draft Recommendations tabled	Number of meetings of the Subcommission (formation to recommendations tabling inclusive)
Russian Federation	Mar-Apr 2002 (10th session)	Mar-Apr 2002 (10th session)	Jun 2002 (11th session)	2
Brazil	Aug-Sep 2004 (14th session)	Aug-Sep 2004 (14th session)	Mar-Apr 2007 (19th session)	6
Australia	Apr 2005 (15th session)	Apr 2005 (15th session)	Mar-Apr 2007 (19th session)	5
Ireland	Aug-Sep 2005 (16th session)	Aug-Sep 2005 (16th session)	Aug-Sep 2006 (18th session)	3
New Zealand	Aug-Sep 2006 (18th session)	Aug-Sep 2006 (18th session)	Mar-Apr 2008 (21st session)	4
FISU	Aug-Sep 2006 (18th session)	Aug-Sep 2006 (18th session)	Mar-Apr 2009 (23rd session)	6
Norway	Mar-Apr 2007 (19th session)	Mar-Apr 2007 (19th session)	Mar-Apr 2009 (23rd session)	5
France (NC/FG)	Aug-Sep 2007 (20th session)	Aug-Sep 2007 (20th session)	Aug-Sep 2009 (24th session)	5
Mexico	Mar-Apr 2008 (21st session)	Mar-Apr 2008 (21st session)	Mar-Apr 2009 (23rd session)	3

## The practical scenario



Barbados	Aug-Sep 2008 (22nd session)	Mar-Apr 2009 (23rd session)	Aug-Sep 2010 (26th session)	4
UK (Ascension Isl)	Aug-Sep 2008 (22nd session)	Mar-Apr 2009 (23rd session)	Aug-Sep 2010 (26th session)	4
Indonesia	Mar-Apr 2009 (23rd session)	Mar-Apr 2009 (23rd session)	Aug-Sep 2010 (26th session)	4
Japan	Mar-Apr 2009 (23rd session)	Aug-Sep 2010 (26th session)	Mar-Apr 2012 (29th session)	4
Mauritius/ Seychelles	Mar-Apr 2009 (23rd session)	Aug-Sep 2010 (26th session)	Mar-Apr 2012 (29th session)	4
Suriname	Aug-Sep 2009 (24th session)	Aug-Sep 2010 (26th session)	Mar-Apr 2012 (29th session)	4

Presentation of the CLCS to the  
Bureau of the MSP

UN Headquarters, NY  
1 September 2009

## The practical scenario



Myanmar	Aug-Sep 2009 (24th session)	Mar-Apr 2012 (29th session)	Aug-Sep 2013 (32nd session)	4
France (FA/KI)	Aug-Sep 2009 (24th session)	Mar-Apr 2012 (29th session)	Aug-Sep 2013 (32nd session)	4
Yemen	Aug-Sep 2009 (24th session)	Mar-Apr 2012 (29th session)	Aug-Sep 2013 (32nd session)	4
UK (HRA)	Aug-Sep 2009 (24th session)	Aug-Sep 2013 (32nd session)	Mar-Apr 2015 (35th session)	4
Ireland (HRA)	Aug-Sep 2009 (24th session)	Aug-Sep 2013 (32nd session)	Mar-Apr 2015 (35th session)	4
Uruguay	Aug-Sep 2009 (24th session)	Aug-Sep 2013 (32nd session)	Mar-Apr 2015 (35th session)	4

Presentation of the CLCS to the  
Bureau of the MSP

UN Headquarters, NY  
1 September 2009

## The practical scenario



Philippines	Aug-Sep 2009 (24th session)	Mar-Apr 2015 (35th session)	Aug-Sep 2016 (38th session)	4
The Cook Islands	Aug-Sep 2009 (24th session)	Mar-Apr 2015 (35th session)	Aug-Sep 2016 (38th session)	4
Fiji	Aug-Sep 2009 (24th session)	Mar-Apr 2015 (35th session)	Aug-Sep 2016 (38th session)	4
Argentina	Aug-Sep 2009 (24th session)	Aug-Sep 2016 (38th session)	Mar-Apr 2018 (41st session)	4
Ghana	Aug-Sep 2009 (24th session)	Aug-Sep 2016 (38th session)	Mar-Apr 2018 (41st session)	4
Iceland	Aug-Sep 2009 (24th session)	Aug-Sep 2016 (38th session)	Mar-Apr 2018 (41st session)	4
Denmark/ Faroe Islands	Aug-Sep 2009 (24th session)	Mar-Apr 2018 (41st session)	Aug-Sep 2019 (44th session)	4

Presentation of the CLCS to the  
Bureau of the MSP

UN Headquarters, NY  
1 September 2009

## The practical scenario



Pakistan	Aug-Sep 2009 (24th session)	Mar-Apr 2018 (41st session)	Aug-Sep 2019 (44th session)	4
Norway (Bouvetøya/ DML)	Aug-Sep 2009 (24th session)	Mar-Apr 2018 (41st session)	Aug-Sep 2019 (44th session)	4
South Africa	Aug-Sep 2009 (24th session)	Aug-Sep 2019 (44th session)	Mar-Apr 2021 (47th session)	4
FSM, PNG, SI	Aug-Sep 2009 (24th session)	Aug-Sep 2019 (44th session)	Mar-Apr 2021 (47th session)	4
Malaysia, Viet Nam	Aug-Sep 2009 (24th session)	Aug-Sep 2019 (44th session)	Mar-Apr 2021 (47th session)	4
France, South Africa	Aug-Sep 2009 (24th session)	Mar-Apr 2021 (47th session)	Aug-Sep 2022 (50th session)	4
Kenya	Aug-Sep 2009 (24th session)	Mar-Apr 2021 (47th session)	Aug-Sep 2022 (50th session)	4

Presentation of the CLCS to the  
Bureau of the MSP

UN Headquarters, NY  
1 September 2009

## The practical scenario



Mauritius	Aug-Sep 2009 (24th session)	Mar-Apr 2021 (47th session)	Aug-Sep 2022 (50th session)	4
Viet Nam	Aug-Sep 2009 (24th session)	Aug-Sep 2022 (50th session)	Mar-Apr 2024 (53rd session)	4
Nigeria	Aug-Sep 2009 (24th session)	Aug-Sep 2022 (50th session)	Mar-Apr 2024 (53rd session)	4
Seychelles (Northern)	Aug-Sep 2009 (24th session)	Aug-Sep 2022 (50th session)	Mar-Apr 2024 (53rd session)	4
France (La Réunion, Saint-Paul, Amsterdam)	Aug-Sep 2009 (24th session)	Mar-Apr 2024 (53rd session)	Aug-Sep 2025 (56th session)	4
Palau	Aug-Sep 2009 (24th session)	Mar-Apr 2024 (53rd session)	Aug-Sep 2025 (56th session)	4
Côte d'Ivoire	Aug-Sep 2009 (24th session)	Mar-Apr 2024 (53rd session)	Aug-Sep 2025 (56th session)	4

Presentation of the CLCS to the  
Bureau of the MSP

UN Headquarters, NY  
1 September 2009

## The practical scenario



Sri Lanka	Aug-Sep 2009 (24th session)	Aug-Sep 2025 (56th session)	Mar-Apr 2027 (59th session)	4
Portugal	Mar-Apr 2010 (25th session)	Aug-Sep 2025 (56th session)	Mar-Apr 2027 (59th session)	4
UK (Falkland, South Georgia, South Sandwich)	Mar-Apr 2010 (25th session)	Aug-Sep 2025 (56th session)	Mar-Apr 2027 (59th session)	4
Tonga	Mar-Apr 2010 (25th session)	Mar-Apr 2027 (59th session)	Aug-Sep 2028 (62nd session)	4
Spain	Mar-Apr 2010 (25th session)	Mar-Apr 2027 (59th session)	Aug-Sep 2028 (62nd session)	4
India	Mar-Apr 2010 (25th session)	Mar-Apr 2027 (59th session)	Aug-Sep 2028 (62nd session)	4
Trinidad and Tobago	Mar-Apr 2010 (25th session)	Aug-Sep 2028 (62nd session)	Mar-Apr 2030 (65th session)	4
Namibia	Mar-Apr 2010 (25th session)	Aug-Sep 2028 (62nd session)	Mar-Apr 2030 (65th session)	4
Cuba	Mar-Apr 2010 (25th session)	Aug-Sep 2028 (62nd session)	Mar-Apr 2030 (65th session)	4

Presentation of the CLCS to the  
Bureau of the MSP

UN Headquarters, NY  
1 September 2009

## Conclusion



- Rule 51 of the Rules of Procedure: Unless the CLCS decides otherwise, only 3 simultaneous Subcommissions. Two exceptions to date.
- The CLCS has consistently brought up to the attention of the Meeting of States Parties information relating to its workload with concrete proposals. No action taken to date.
- Under the current *modus operandi* of the CLCS, the consideration of 51 Submissions received to date will extend to 2030. This scenario does not include the consideration of new and revised submissions from existing submissions, submissions from States for which the deadline has not arrived, submissions in disputed areas, submissions from new States Parties to UNCLOS and submissions stemming from 44 Preliminary Information Notes.

## Amendments to UNCLOS related to the work of CLCS adopted by MSP



- The date of election of the members of the first CLCS.
- The commencement date for the ten year period of 13 May 1999 (SPLOS/72).
- Preliminary Information Notes (SPLOS/183).