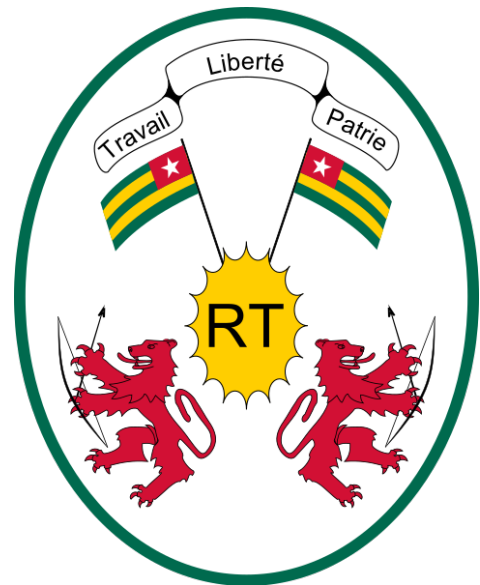


**Joint Submission of the Republic of Benin and  
the Togolese Republic regarding the  
continental shelf beyond 200 nautical miles, in  
accordance with paragraph 8 of Article 76 of  
the United Nations Convention on the Law of  
the Sea, 1982.**



**PART I – Executive Summary**

**September 2018**

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## **1 Introduction**

- 1.1 In accordance with the provisions of the 1982 United Nations Convention on the Law of the Sea (hereinafter referred to as 'the Convention'), a coastal State exercises over its continental shelf "sovereign rights" for the purpose of exploring and exploiting its natural resources (Article 77, paragraph 1). The enjoyment of such sovereign rights by the coastal State over its continental shelf are exclusive in the sense that no one may exercise such rights without the express consent of the coastal State (Article 77, paragraph 2).
- 1.2 As provided for in paragraph 1 of Article 76 of the Convention, a coastal State has a continental shelf comprising 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, up to the limits provided for in paragraphs 4 to 6 of Article 76, or to a distance of 200 nautical miles (M) from the territorial sea baselines where the outer edge of the continental margin does not extend to that distance.
- 1.3 Where the continental shelf extends beyond 200M from the territorial sea baseline, a coastal State seeking to establish the outer limits of the continental shelf beyond 200M consistent with the Convention is required under Article 76 to submit information on such outer limits to the Commission on the Limits of the Continental Shelf (hereinafter referred to as 'the Commission'), which makes recommendations to the coastal State concerning the outer limits of the continental shelf consistent with the relevant provisions of Article 76.
- 1.4 The present joint submission is made by the Republic of Benin and the Togolese Republic (hereinafter referred to as 'Benin and Togo' or the 'coastal States') pursuant to Article 76, paragraph 8, of the Convention, in support of the establishment by Benin and Togo of the outer limits of the continental shelf that lies beyond 200M from the baselines from which the breadth of the territorial sea is measured.
- 1.5 The coastal States have, for the purpose of preparing this amended submission, analysed and applied the relevant provisions of the Rules of Procedure of the Commission on the Limits of the Continental Shelf (CLCS/40/rev.1) adopted by the Commission on 17 April 2008 (hereinafter referred to as 'the Rules of Procedure') and the relevant parts of the recommendations contained in the Scientific and Technical Guidelines of the Commission on the Limits of the Continental Shelf (CLCS/11) adopted by the Commission on 13 May 1999 (hereinafter referred to as 'the Guidelines')<sup>1</sup>.

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<sup>1</sup> [http://www.un.org/depts/los/clcs\\_new/commission\\_guidelines.htm](http://www.un.org/depts/los/clcs_new/commission_guidelines.htm)

## **2 Outer limit of the continental shelf of Benin and Togo**

- 2.1 As provided for under paragraph 1 of Article 76 of the Convention, Benin and Togo have a continental shelf comprising the seabed and subsoil of the submarine area that extends beyond the territorial sea throughout the natural prolongation of the land territory to the outer edge of the continental margin up to the limits provided for in paragraphs 4 to 6 of Article 76.
- 2.2 Paragraphs 4 to 6 of Article 76 of the Convention elaborate provisions by which a coastal State may establish the outer edge of its continental margin, and the outer limits of the continental shelf wherever they extend beyond 200M measured from the territorial sea baselines.
- 2.3 As set out in paragraph 7 of Article 76 of the Convention, a coastal State is to delineate the outer limits of the continental shelf beyond 200M by straight lines not exceeding 60M in length, connecting fixed points, defined by coordinates of latitude and longitude.

## **3 Provisions of UNCLOS Article 76 invoked**

- 3.1 For the purposes of this submission Benin and Togo invoke paragraphs 4, 5 and 7 of Article 76 of the Convention to support the submission delineating the outer limits of the continental shelf beyond 200M from the territorial sea baselines.

## **4 Absence of disputes**

- 4.1 Article 9 of Annex II to the Convention provides that the actions of the Commission shall not prejudice matters relating to the delimitation of boundaries between States with opposite or adjacent coasts. The Commission has therefore adopted a practice, contained in Annex I of the Rules of Procedure that is intended to prevent the consideration of a submission in respect of disputed continental shelf without the consent of the parties in dispute.
- 4.2 The ECOWAS member States Republic of Benin, Republic of Côte d'Ivoire, Republic of Ghana, Federal Republic of Nigeria and the Togolese Republic held a meeting from 24<sup>th</sup> to 26<sup>th</sup> February 2009 in Accra. During this meeting, issues of the limit of adjacent and opposite maritime boundaries were discussed and the member States agreed that:

*“Issues of the limit of adjacent/opposite boundaries shall continue to be discussed in a spirit of cooperation to arrive at a definite delimitation even after the presentation of the preliminary information /submission, Member States would therefore write “no objection” Note to the submission of their neighboring States” (Minutes of Experts Meeting of*

ECOWAS member States on the Outer Limits of the Continental Shelf held in Accra from 24th to 26th February 2009).

- 4.3 The coastal states of Benin and Togo wish to assure the Commission on the Limits of the Continental Shelf that this joint submission is without prejudice to the future delimitation of their maritime boundaries with the Republic of Ghana and the Federal Republic of Nigeria.
- 4.4 Further, in accordance with paragraph 2(b) of Annex I to the Rules of Procedure, Benin and Togo also wish to inform the Commission that in its view, the consideration of this joint submission will not prejudice matters relating to the determination of boundaries between Benin, Togo and any other State(s).

## **5 Commission members who provided advice during the preparation of this submission**

- 5.1 Benin and Togo were assisted in the preparation of this submission by Mr. Peter F. Croker, member of the Commission (1997-2012) and Mr Walter R. Roest, member of the Commission (2012-2017). No advice was provided by any other members of the Commission, past or present.

## **6 Description of the outer limits of the continental shelf beyond 200M**

- 6.1 The outer limit of the continental shelf beyond 200M of Benin and Togo is defined by 7 fixed points (summarised in Table 1); of which 5 points (FP\_02 to FP\_06) are defined by the sediment thickness formula [Article 76, paragraph 4 (a)(i)], and 2 points (FP\_01 and FP\_07) are based on the 200M from the baselines of the territorial sea of Togo to the west and Benin to the east.
- 6.2 The list of coordinates of all the fixed points and descriptions of the method used to define the fixed points are shown in Table 1, and are illustrated in Figure 1.

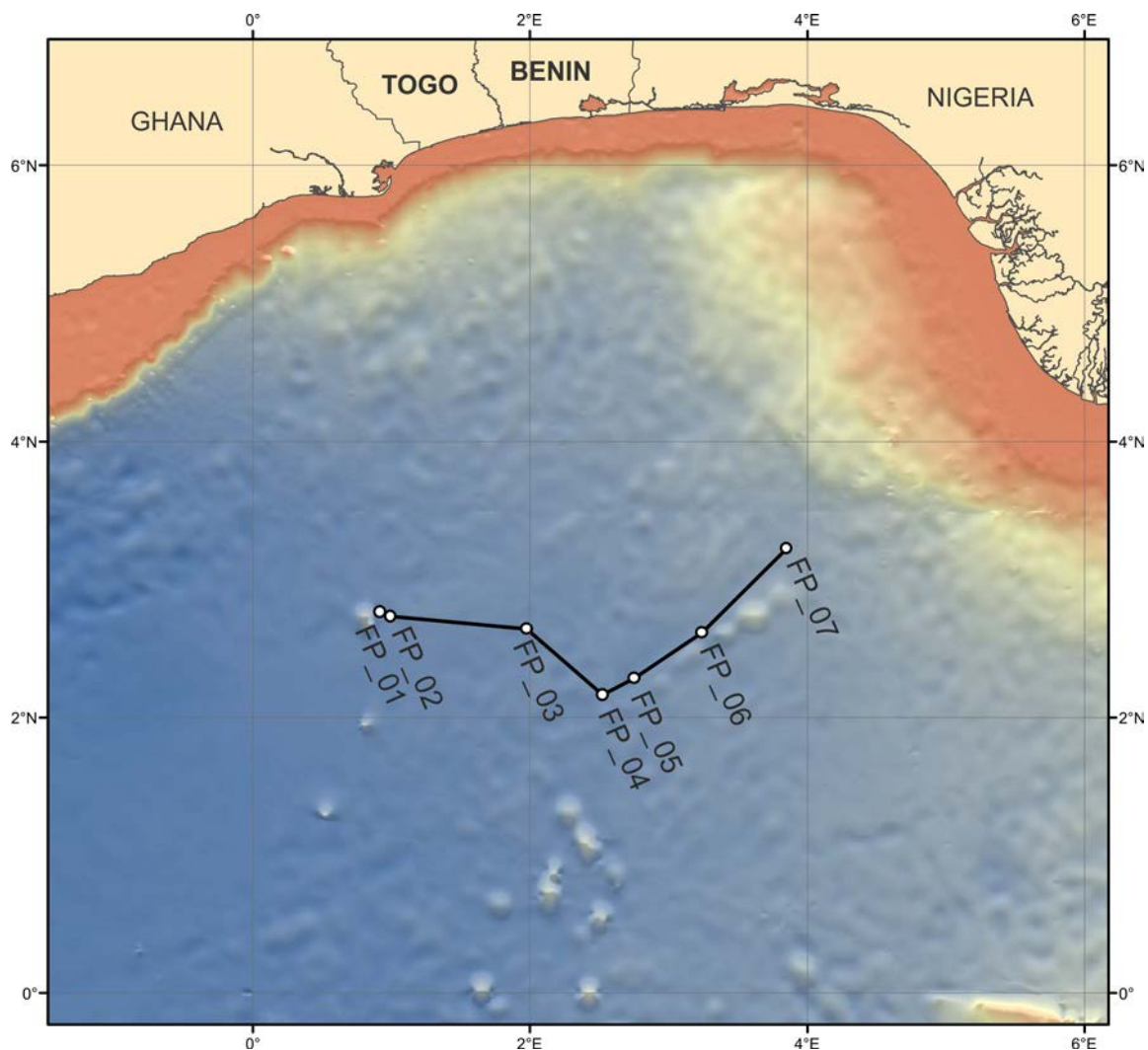


Figure 1 Outer limit line of the continental shelf beyond 200M of Benin and Togo in accordance with Article 76.

| FP number | Latitude (°N) | Longitude (°E) | Method                | Distance between FPs (M) |
|-----------|---------------|----------------|-----------------------|--------------------------|
| FP_01     | 2.7656546     | 0.9146722      | 200M                  | 0                        |
| FP_02     | 2.7361554     | 0.9938869      | 1% sediment thickness | 5.071624                 |
| FP_03     | 2.6444554     | 1.9730505      | 1% sediment thickness | 59.04524                 |
| FP_04     | 2.1673401     | 2.5234303      | 1% sediment thickness | 43.63486                 |
| FP_05     | 2.2851345     | 2.7491141      | 1% sediment thickness | 15.27110                 |
| FP_06     | 2.6138842     | 3.2396751      | 1% sediment thickness | 35.39987                 |
| FP_07     | 3.2240511     | 3.8490554      | 200M                  | 51.62757                 |

Table 1 Fixed points defining the outer limits of the continental shelf beyond 200M. All coordinates are referred to the WGS 84 geodetic reference system.

## **7 List of government ministries, departments/ corporations, internal and external institutions involved in the preparation of this submission**

### **Internal Institutions**

The Republic of Benin:

- Agence Béninoise de Gestion Intégrée des Espaces Frontaliers (Ministère de l'Intérieur et de la Sécurité Publique);
- Institut Géographique National (Ministère du Cadre de Vie et du Développement Durable);
- Société Béninoise des Hydrocarbures (Ministère de l'Eau et des Mines) ;
- Industrie Minière Pétrolière (Ministère de l'Eau et des Mines);
- Ministère des Affaires Étrangères et de la Coopération ;
- Institut de Recherches Halieutiques et Océanographiques du Bénin (Ministère de l'Enseignement Supérieur et de la Recherche Scientifique);
- Centre National de Télédétection (Ministère du Cadre de Vie et du Développement Durable);

The Togolese Republic:

- Haut Conseil pour la Mer
- Préfecture Maritime
- Université de Lomé
- Ministère des Mines et de l'Energie
- Ministères des Mines et des Ressources Forestières

### **External Institutions**

- Deutsche Gesellschaft fuer Internationale Zusammenarbeit (GIZ) GmbH
- Maritime Zone Solutions Limited, UK