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**United Nations Convention on the Law of the Sea  
concluded at Montego Bay, Jamaica  
on 10 December 1982**

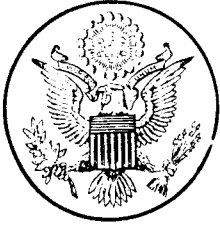
United States of America: Notification regarding the submission made by the  
Russian Federation to the Commission on the Limits of the Continental Shelf

The Secretary-General of the United Nations communicates the following:

On 28 February 2002, the Legal Counsel received from the Permanent Representative of the United States of America to the United Nations a letter with attachment, dated 28 February 2002, referring to the submission to the Commission on the Limits of the Continental Shelf, made by the Russian Federation on 20 December 2001, pursuant to article 76, paragraph 8, of the Convention.

..... The text of the letter with attachment is circulated for information.





THE REPRESENTATIVE  
OF THE  
UNITED STATES OF AMERICA  
TO THE  
UNITED NATIONS

February 28, 2002

Dear Mr. Under-Secretary-General:

The United States has reviewed the executive summary of the Russian submission to the Commission on the Limits of the Continental Shelf (Commission) of December 20, 2001. The United States believes that the submission has major flaws as it relates to the continental shelf claim in the Arctic. The integrity of the Convention and the process for establishing the outer limit of the continental shelf beyond 200 nautical miles ultimately depends on adherence to legal criteria and whether the geological criteria and interpretations applied are accepted as valid by the weight of informed scientific opinion. The United States requests that the paper we have enclosed be distributed to all States Members of the UN and to all Commission members before its meeting on March 25.

Please let me know if we can be of further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "John D. Negroponte", with a long horizontal flourish extending to the right.

John D. Negroponte

Attachments: As stated.

His Excellency  
Mr. Hans Corell,  
Under-Secretary-General  
for Legal Affairs,  
United Nations,  
New York, New York.

The Government of the United States of America wishes to stress the importance of promoting stability of relations in the oceans, and of complying with the provisions of Article 76 of the 1982 United Nations Convention on the Law of the Sea. The Government of the United States of America has reviewed the executive summary, circulated by the Secretary General of the United Nations to all States Members of the United Nations, of the Government of the Russian Federation's submission of December 20, 2001 to the Commission on the Limits of the Continental Shelf, with respect to the proposed outer limit of its continental shelf.

#### TIME LIMIT FOR SUBMISSIONS

The Meeting of States Parties in May 2001 adopted a decision that submissions need not be made before 2009, notwithstanding that certain States became Party to the Convention before 1999. This decision was both legally defensible and practical. It recognized implicitly that there should not be a rush by States to submit, particularly if questions of a scientific, technical or financial nature remained unresolved.

#### BASELINES

The Government of the United States of America is of the view that, while the Commission has no competence over questions of baselines from which the breadth of the territorial sea is measured, it should not be perceived as endorsing particular baselines. In any event, the Commission should ensure that it does not, on a global basis, endorse baselines, whether or not they may be inconsistent with international law. It might, for example, indicate in all recommendations regarding all submissions, that it is not taking a position regarding baselines.

#### MARITIME BOUNDARIES

The Government of the United States of America wishes to note that the Russian submission utilizes the boundary embodied in the Maritime Boundary Agreement between the United States of America and the Union of the Soviet Socialist Republics (signed on June 1, 1990), notwithstanding the fact that the Russian Duma has not yet approved the treaty. The use of that boundary is consistent with the mutual interests of Russia and the United States in stability of expectations, and with Article 9 of Annex II of the Convention, which provides that the actions of the Commission shall not prejudice matters relating to delimitation of boundaries between States with opposite or adjacent coasts.

#### SEA FLOOR POSITION DATA

Critical to the Russian submission relating to the Arctic Ocean are the positions of the 2,500 meter isobath and the foot of the continental slope. The positions of these lines in the Russian presentation could not be examined for accuracy and completeness, because they are not included in the executive summary. Independent estimates of the position of the 2,500 meter isobath and the foot of the continental shelf can be obtained from the data base used to prepare the International Bathymetric Chart of the Arctic Ocean (IBCOA). This chart, sponsored by the International Arctic Science Committee, the Intergovernmental Oceanographic Commission and

the International Hydrographic Organization, was first published in 2000 and is periodically updated. Objective evaluation of the Russian claim will require that the positions of the 2,500 meter isobath and base of continental slope in the Russian claim be compared with their positions on the new chart and its data base.

## RIDGES

Paragraph 3 of Article 76 states: "The continental margin comprises the submerged prolongation of the land mass of the coastal State.... It does not include the deep ocean floor with its oceanic ridges or the subsoil thereof."

## ALPHA-MENDELEEV RIDGE

Mounting geologic and geophysical evidence indicates the Alpha-Mendelev Ridge System is the surface expression of a single continuous geologic feature that formed on oceanic crust of the Arctic Ocean basin by volcanism over a "hot spot." (A "hot spot" is a magma source rooted in the Earth's mantle that is persistent for at least a few tens of millions of years and intermittently produces volcanoes on the overlying earth's crust as it drifts across the hot spot during continental drift.) The Alpha-Mendelev hot spot was formed by magma that was funneled from a hot spot to the spreading axis that created the Amerasia Basin of the Arctic Ocean 130 to 120 million years ago, and built a volcanic ridge about 35 km thick on the newly formed oceanic crust. Both aeromagnetic and bathymetric data show that the ridge extends entirely across the Arctic Ocean, and that its characteristic aeromagnetic expression ends at the continental margins at both ends and is absent from the adjacent continental shelves. The Alpha-Mendelev Ridge is identical in origin to the Iceland-Faroe Ridge, an oceanic ridge of volcanic origin of similar thickness and morphology that is now forming from magma funneled from a hot spot to the actively spreading Mid-Atlantic Ridge. The Alpha-Mendelev Ridge System is therefore a volcanic feature of oceanic origin that was formed on, and occurs only within the area of, the oceanic crust that underlies the Amerasia Subbasin of the deep Arctic Ocean Basin. It is not part of any State's continental shelf. Some specific supporting data are:

-- The sea floor of the Alpha-Mendelev Ridge is bathymetrically rough and the overall (average) slope of its flanks is low to moderate. In these characteristics it resembles the morphology of the oceanic Iceland-Faroe Ridge and differs markedly from the morphology of ridges in the ocean that are composed of continental rock, which have flat or gently convex crests and steep slopes.

-- Modern aeromagnetic data, which cover essentially all of the Arctic Ocean, show that the Alpha-Mendelev Ridge System is the bathymetric expression of a single, extensive field of magnetic anomalies of distinctive character that lies within the confines of the deep water, oceanic part of the Arctic Ocean Basin. This anomaly field, which is characterized by geometrically irregular short wavelength, high amplitude anomalies, does not cross the Russian continental margin and is absent from the adjacent broad continental shelf of the East Siberian Sea. It is similar in magnetic character to the magnetic anomaly field generated by the oceanic Iceland-Faroe Ridge. The Alpha-Mendelev Ridge System is not, therefore, a submerged prolongation of the land mass of Russia.

-- Canadian seismic reflection and refraction data indicate that the eastern part of the Alpha-Mendelev Ridge System is underlain by unusually homogeneous crust with moderate to high seismic velocities that resemble those measured in the oceanic Iceland-Faroe Ridge of the North Atlantic and the oceanic Manihiki Volcanic Plateau of the Central Pacific Ocean. In addition, these rocks are directly overlain by thin-bedded sedimentary rocks with low seismic velocities that are only 100 to 500 meters thick. Piston cores show that these sediments are pelagic deposits formed by slow settling of fine-grained material through the water column. They are typical of oceanic ridges and the deep ocean far from land, rather than the more rapidly deposited, typically coarser-grained current-bedded deposits found on continental shelves.

-- Only two collections of bedrock from the Alpha-Mendelev Ridge System have been reported in the literature, and both consist of volcanic rock. One, near 110 degrees W., consists of fragmental alkalic basalt, which is commonly associated with "hot spot" volcanism. The other, from near the center of the combined Alpha-Mendelev Ridge System near 170 degrees W., consists of black basalt. Pebbles and cobbles from cores and dredge samples in very young (Quaternary) sedimentary deposits from the Alpha-Mendelev Ridge near 82 degrees N., 180 degrees E. have been reported informally by Russian workers to include Paleozoic sedimentary bedrock of local origin. However, the composition of these pebbles and cobble suites is the same as those collected from numerous cores taken from the Quaternary deposits of the Beaufort and Chukchi shelves and Northwind and Mendelev Ridges almost to the North Pole. These pebbles and cobbles can be shown to have originated in northwestern Canada, and to have been distributed widely in the Amerasian Basin of the Arctic Ocean by glacial icebergs. They, therefore, cannot represent local bedrock on Mendelev Ridge.

## LOMONOSOV RIDGE

Lomonosov Ridge raises questions relating to natural prolongation. The ridge is a freestanding feature in the deep, oceanic part of the Arctic Ocean Basin, and not a natural component of the continental margins of either Russia or any other State.

## "SUBMARINE RIDGES"

The issue of ridges is complicated by the provision of Article 76, paragraph 6, which speaks of "submarine ridges." In that regard, the Government of the United States of America understands that the first sentence of that paragraph was not used by Russia in establishing the outer limit of the continental shelf beyond 200 nautical miles. Furthermore, that provision could not be so applied.

## U.S. CONCLUSIONS AND RECOMMENDATIONS

The integrity of the Convention and the process for establishing the outer limit of the continental shelf beyond 200 nautical miles ultimately depends on adherence to legal criteria and whether the geologic criteria and interpretations applied are accepted as valid by the weight of informed scientific opinion. A broad scientific consensus of the relevant experts, not confined to the Commission, is critical to the credibility of the Commission and the Convention. The

recommendations of the Commission must be based on a high degree of confidence that they will withstand the test of time. If the Commission is unsure, it should not make a recommendation but should announce that it needs further data, analysis and debate. If a State has doubts, it should perhaps make a partial submission, leaving further amplification to a later submission.

In the aforementioned scientific respects there are substantial differences between the Russian submission on the one hand and others in the relevant scientific community on the other hand, regarding key aspects of the proposed submission, based on reports in the open, peer-reviewed scientific literature. The Government of the United States of America proposes further consideration and broad debate before any recommendation is made by the Commission.

It will also be important that the Commission acts on procedural matters in a manner that enhances its integrity and public appearance. In the absence of a code of ethics, which we believe should be developed by the Commission, the Commissioners should ensure that there are no conflicts of interest or the appearance thereof.

The Russian submission is particularly complex and should be considered in a deliberate manner. A significant period of debate and reflection will be required for the Convention to be carefully applied in a manner to promote stability. Insofar as no applications to explore or exploit the Area have been made or are likely to be made in the Arctic for the foreseeable future, no prejudice is likely to result from a deliberative process.

#### References:

##### 1. Delineation of 2,500 meter isobath and foot of continental slope in the Arctic

The latest version of the IBCAO chart, which is periodically updated, can be accessed on the World Wide Web at: <http://www.ngdc.noaa.gov/mgg/bathymetry/arctic/arctic.html>

A printed version of the IBCAO chart was published as Plate 1 in Jakobsson, Martin, 2,000, Mapping the Arctic Ocean: Bathymetry and Pleistocene Paleogeography: Meddelanden fran Stockholms Universitets Institution for Geologi och Geokemi, No. 306.

##### 2. Origin of the Mendeleev Ridge

Data and discussions relevant to the geologic character or tectonic origin of the Alpha-Mendeleev Ridge System can be found in the following publications:

Forsyth, D.A., Morel-a-l'Huissier, P., Asudeh, I., and Green, A.G., 1986, Alpha Ridge and Iceland; Product of the same plume?: Journal of Geodynamics, v. 6, P.197-214.

Jackson, H.R., Forsyth, D.A., and Johnson, G.L., 1986, Oceanic affinities of the Alpha Ridge, Arctic Ocean: Marine Geology, v.73, p.237-261.

Mudie, P.J., Stoffyn-Egli, P., and Van Wagoner, N.A., 1986, Geologic constraints for tectonic models of the Alpha Ridge: *Journal of Geodynamics*, v.6, p.215-236.

Phillips, R.L., and Grantz, A., 2001, Regional variations in provenance and abundance of ice rafted clasts in Arctic Ocean sediments: implications for the configuration of late Quaternary oceanic and atmospheric circulation in the Arctic: *Marine Geology*, v.172, p.91-115.

Roest, W.R., Verhoef, Jacob, and Macnab, R., compilers, 1996, Magnetic anomaly map of the Arctic north of 640: Geological Survey of Canada Open File Report 3281, 1 sheet.

Taylor, P.T., 1983, Magnetic data over the Arctic from aircraft and satellites: *Cold Regions Science and Technology*, v.7, p.35-40.

Van Wagoner, N.A., Williamson, M.C., Robinson, P.T., and Gibson, I.L., 1986, First samples of acoustic basement recovered from the Alpha Ridge, Arctic Ocean: New constraints for the origin of the ridge: *Journal of Geodynamics*, v.6, p.177-196

Vogt, P.R., Taylor, P.T., Kovacs, L.C., and Johnson G.L., 1979, Detailed aeromagnetic investigation of the Arctic Basin: *Journal of Geophysical Research*, v.84, p. 1071-1089.

Weber, J.R., 1986, The Alpha Ridge: Gravity, seismic and magnetic evidence for homogeneous, mafic crust: *Journal of Geodynamics*, v.6, p.117-136.

Weber, J.R., 1990, The structure of the Alpha Ridge, Arctic Ocean and Iceland-Faroe Ridge, North Atlantic: Comparisons and implications for the evolution of the Canada Basin: *Marine Geology*, v. 93, no.1-4, p.43-68.

Weber, J.R., and Sweeney, J.F., 1990, Ridges and basins in the central Arctic Ocean in Grantz, A., Johnson, G.L., and Sweeney, J.F., eds., *The Arctic region*: Boulder, Colorado, Geological Society of America, *Geology of North America*, v.L, p. 305-336.