

The Commission on the Limits of the Continental Shelf (CLCS) and its work

Division for Ocean Affairs and the Law of the Sea,
Office of Legal Affairs

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IMPORTANT

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Outline

- The continental shelf
- Delineation of the continental shelf beyond 200 M
- The Commission on the Limits of the Continental Shelf (CLCS)
- Current workload of the Commission



The continental shelf



Continental shelf – Legal framework

Part VI, United Nations Convention on the Law of the Sea (UNCLOS)

- Definition (article 76)
- Rights and duties of coastal States (articles 77-82, 84, 85)
- Delimitation between States with opposite or adjacent coasts (article 83)
- Outer limits of the continental shelf are limits of national jurisdiction and hence also limits of the Area (international seabed, common heritage of mankind)



Continental shelf – Benefits I

Coastal State has

- Sovereign rights for the purpose of exploring the continental shelf and exploiting its natural resources

These rights are

- Exclusive
- Independent from occupation
- No proclamation required



Continental shelf – Natural resources

Article 77, UNCLOS

- Mineral and other non-living resources of the seabed and subsoil
- Living organisms belonging to sedentary species

In the case of exploitation of non-living resources beyond 200 M (article 82):

- Payments or contributions in kind to the International Seabed Authority (up to 7% of value or volume of production)

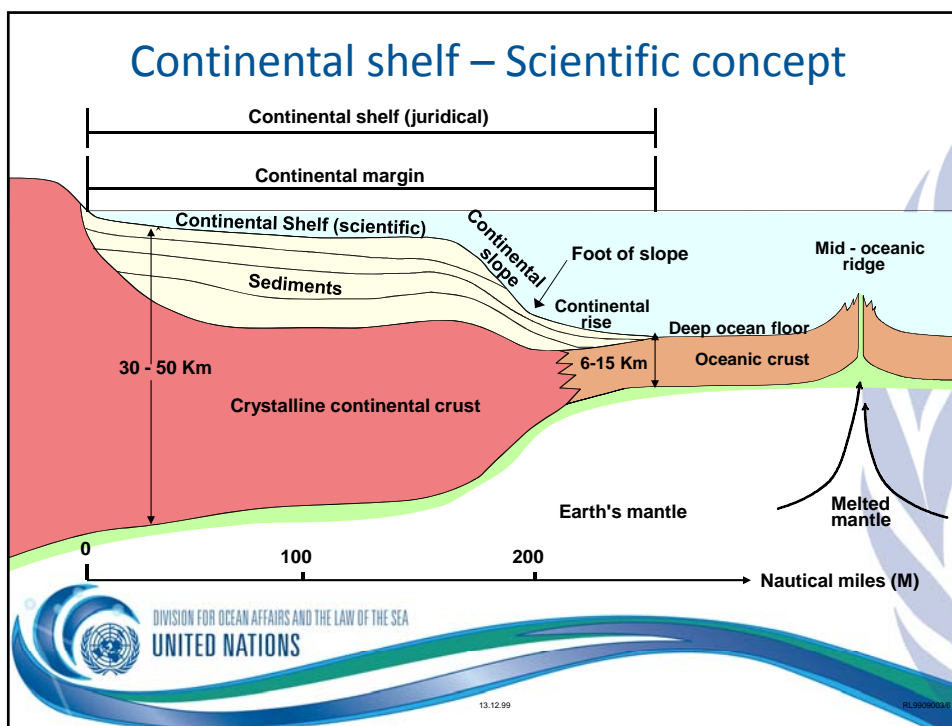


Continental shelf – Benefits II

Coastal State has jurisdiction with regard to

- Establishment and use of artificial islands, installations and structures (article 80);
- Drilling on the continental shelf (article 81);
- Cables and pipelines connected to its exploration and exploitation or to operations of artificial islands, installations and structures (article 79);
- Marine scientific research (article 246);
- Protection and preservation of marine environment (article 208).





Continental shelf – Scenarios

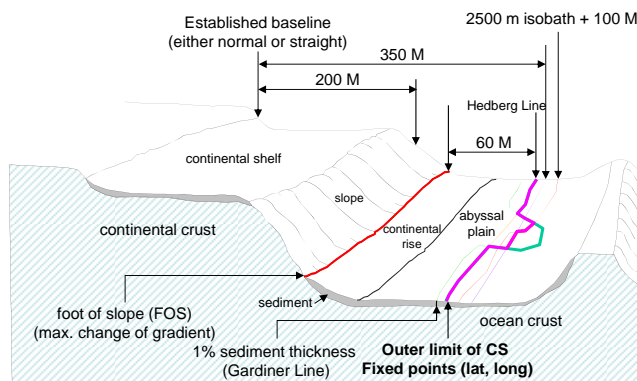
Possible scenarios:

- A. States with continental margins up to 200 M
 ➔ No further action needed.
- B. States with continental margins extending beyond 200 M
 ➔ Obligation to submit information on the limits of the continental shelf to the CLCS, wherever they extend beyond 200 M. Limits established on the basis of recommendations of the CLCS are final and binding.

Delineation of the continental shelf beyond 200 M



Delineation beyond 200 M – Overview



Delineation beyond 200 M – Summary

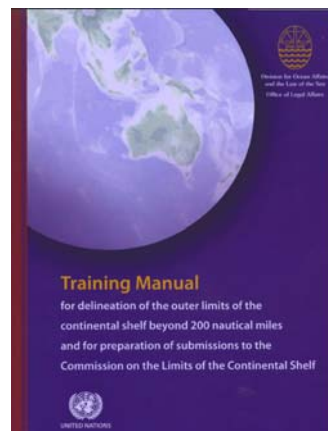
- The outer limits of the continental shelf beyond 200 M result from the application of two formulae (giving entitlement) and two constraint lines (restricting entitlement):
 - 60 M formula line (FOS + 60 M)
 - sediment thickness formula line (sediment thickness at least 1% of distance back to FOS)
 - distance constraint (350 M from baselines)
 - depth constraint (2500 m isobath + 100 M)
- Seaward combination is outer edge of continental margin
- Seaward combination of two constraint lines applies
- Landward combination of combined formulae and combined constraints lines to be used for outer limits of the continental shelf



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Delineation beyond 200 M – Framework

- Article 76 of UNCLOS
- Scientific and Technical Guidelines of the CLCS ([link to the document](#))
- Training manual details methodological aspects of the delineation process including the preparation of submissions to the CLCS
- Methodological aspects such as geodesy, hydrology, geology and geomorphology are necessary for delineating the outer limit of the continental shelf



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The Commission on the Limits of the Continental Shelf (CLCS)



CLCS – Mandate



- Considers submissions by coastal States in respect of the establishment of the outer limits of the continental shelf beyond 200 M;
- Makes recommendations regarding the outer limits;
- Provides scientific and technical advice in this context.



CLCS – Framework

- Article 76, paragraph 8 (role of the CLCS in the delineation of the outer limits of the continental shelf)
- Annex II to the Convention (more detailed)
- Rules of Procedure of the CLCS – Document CLCS/40/Rev.1 (day-to-day operation of the CLCS)
- Regular sessions at UN Headquarters (currently three sessions per year of seven weeks each)
- Division for Ocean Affairs and the Law of the Sea (DOALOS) acts as the Secretariat of the CLCS



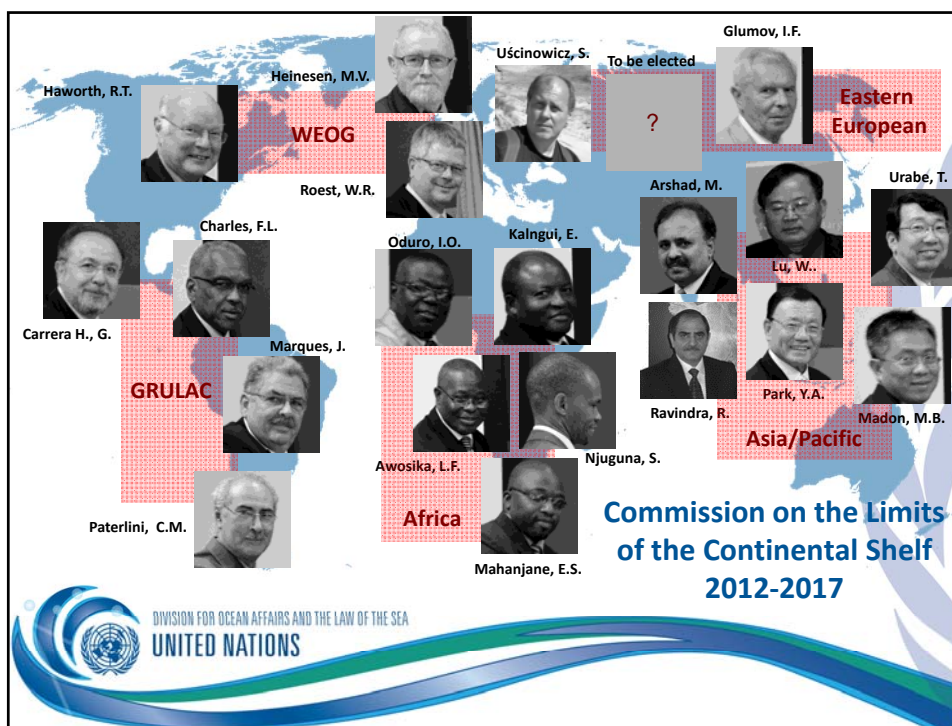
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CLCS – Composition

- 21 members
- Experts in the fields of geology, geophysics or hydrography
- Elected by States Parties to the Convention from among their nationals for terms of five years
- Equitable geographical representation (at least three members from each geographical region)
- Members serve in their personal capacities with a duty to act independently and preserve confidentiality



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CLCS – Procedure after submission

- Presentation of the submission to the CLCS by the State
- When submission is next in line and there is no dispute, establishment of a subcommission
- Consideration of the submission by the subcommission including exchanges with the State
- Preparation/adoption of draft recommendations and submission of them to the CLCS
- Consideration of draft recommendations by the CLCS including final presentation by the State
- Adoption of final recommendations by the CLCS and transmittal to State and Secretary-General of the UN
- Publication of summary of recommendations on website



(Rules of Procedure)

CLCS – Annex I, Rules of Procedure

In cases of

- disputes in the delimitation of the continental shelf between opposite or adjacent States, or
- other unresolved land or maritime disputes, related to the submission,

the CLCS will not consider the submission unless prior consent is given by all States parties to the dispute.

Avenues available to States

- Partial submission
- Joint submission
- Provisional arrangements of a practical nature



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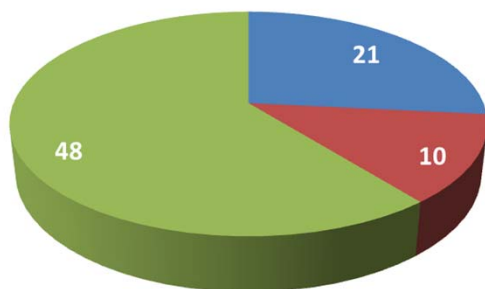
Current workload of the Commission



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Submissions – current status

- Total number of submissions: 77 plus two revised
- 17 of these include the participation of African States



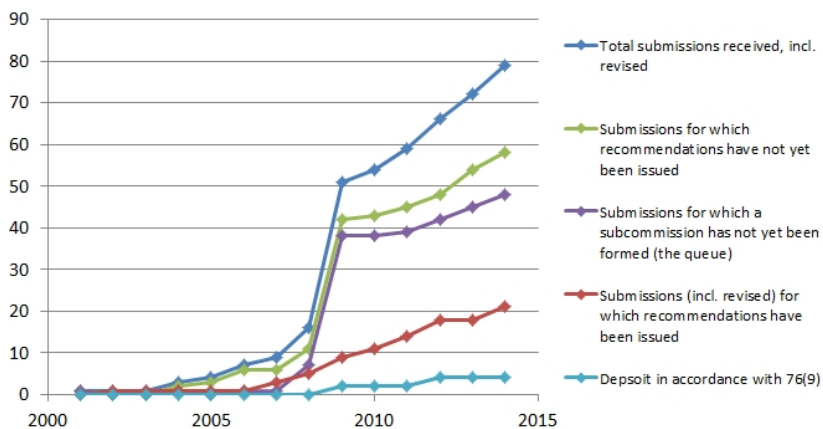
- Recommendations issued, incl. on revised submissions
- Submissions under active consideration
- Backlog of submissions



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(as of 01/2015)

Submissions over time



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(as of 01/2015)

Pending submissions

- 46 sets of Preliminary Information received (SPLOS/183), several of which have already been followed by full submissions for the whole (22) or part of the area (3) indicated in the Preliminary Information
- Further partial submissions for additional areas
- Further revised submissions
- New submissions by States whose ten-year time limit for making a submission has not yet expired
- New submissions by States not yet Parties



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Submitting States

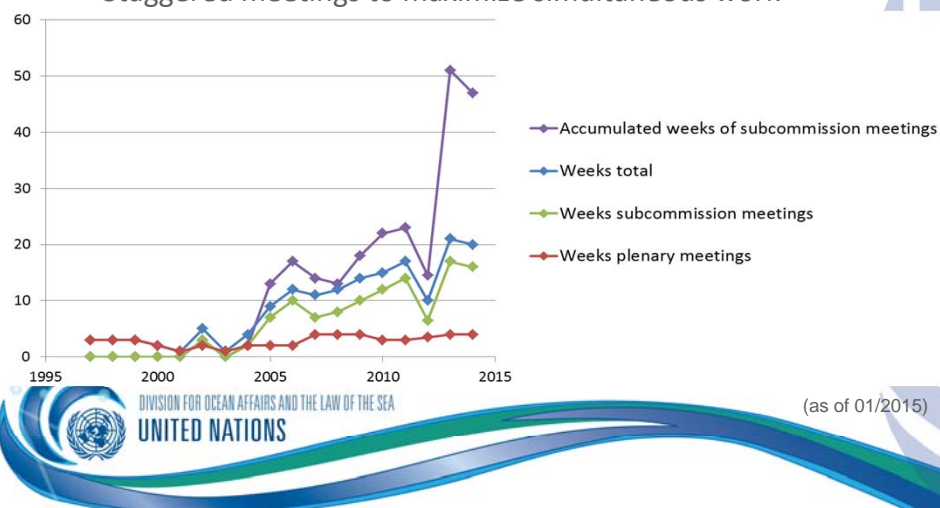
- At the time of the Third Conference on the Law of the Sea, the number of coastal States with a continental shelf beyond 200 M was estimated to be less than 40.
- Currently, the total number of submitting States stands at 67, including 21 African States.
- An additional 13 coastal States, including 8 African States, have submitted only Preliminary Information so far.



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Workload of the Commission

- Extended number of work weeks in New York
- Increased number of active subcommissions (9)
- Staggered meetings to maximize simultaneous work



Currently under consideration

- Consideration of the draft recommendations - Iceland in respect of the Ægir Basin area and the western and southern parts of Reykjanes Ridge; Pakistan;
- Consideration of the submissions made by Uruguay; the Cook Islands in respect of the Manihiki Plateau; Argentina; Norway in respect of Bouvetøya and Dronning Maud Land; South Africa in respect of the mainland of its territory; jointly by the Federated States of Micronesia, Papua New Guinea and Solomon Islands in respect of the Ontong Java Plateau; jointly by France and South Africa in respect of the area of the Crozet Archipelago and the Prince Edward Islands; Mauritius in respect of the region of Rodrigues Island.

Conditions of service

- Medical and dental insurance
- Loss of income or benefits
- Impact on career development
- Adequacy of facilities and office space



CLCS – Procedure after recommendations

If State agrees with the recommendations:

- Proceed to establish the limits of the continental shelf on the basis of the recommendations, including depositing charts and/or lists of geographical coordinates with the Secretary-General of the UN and the Secretary-General of the International Seabed Authority, permanently describing the outer limits of the continental shelf
- Limits are final and binding (article 76, paragraph 8)

If State disagrees with the recommendations,

- Make a new or revised submission to the CLCS



Deposit obligations

- **Article 76, para. 9 (UNCLOS):**

The coastal State shall deposit with the Secretary-General of the United Nations charts and relevant information, including geodetic data, permanently describing the outer limits of its continental shelf. The Secretary-General shall give due publicity thereto.

- **Article 84, para. 2 (UNCLOS):**

The coastal State shall give due publicity to such charts or lists of geographical coordinates and shall deposit a copy of each such chart or list with the Secretary-General of the United Nations and, in the case of those showing the outer limit lines of the continental shelf, with the Secretary-General of the Authority.



www.un.org/depts/los

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[New developments and recent additions](#)

[Calendar of meetings](#)

[8 June - World Oceans Day](#)

[Secretary-General and Oceans](#)

[Video on UNCLOS in action](#)

THE CONVENTION AND THE RELATED AGREEMENTS	OCEANS AND THE LAW OF THE SEA AND THE GENERAL ASSEMBLY	BODIES ESTABLISHED BY THE CONVENTION	SETTLEMENT OF DISPUTES	THE DIVISION, ITS FUNCTIONS AND ACTIVITIES
<ul style="list-style-type: none"> ■ United Nations Convention on the Law of the Sea ■ Agreement relating to the implementation of Part XI of the Convention ■ 1995 United Nations Fish Stocks Agreement <ul style="list-style-type: none"> ■ Review Conference ■ Informal Consultations ■ Assistance fund ■ Meeting of States Parties to the Convention ■ Status of the Convention and of the Agreements ■ Process of implementation of the Convention 	<ul style="list-style-type: none"> ■ United Nations Open-ended Informal Consultative Process ■ Reports of the Secretary-General ■ General Assembly resolutions ■ Other General Assembly documents ■ Official Records of the General Assembly ■ A regular process for global reporting and assessment of the state of the marine environment, including socio-economic aspects ■ Ad Hoc Open-ended Informal Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction 	<ul style="list-style-type: none"> ■ Commission on the Limits of the Continental Shelf ■ International Seabed Authority ■ International Tribunal for the Law of the Sea ■ ITLOS Trust Fund 	<ul style="list-style-type: none"> ■ Choice of procedure under article 287 of the Convention ■ International Court of Justice ■ International Tribunal for the Law of the Sea ■ Lists of Arbitrators and Conciliators ■ List of experts 	<ul style="list-style-type: none"> ■ U.S. Amerasiahe Fellowship ■ TRAIN-SEA-COAST ■ Technical Cooperation Trust Fund - United Nations and The Nippon Foundation of Japan ■ Technical Assistance ■ United Nations publications prepared by the Division ■ Study - Available assistance to and measures that may be taken by developing States

Thank you for your attention!

