



Commission on the Limits of the Continental Shelf

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New York, 17 October-2 December 2016

Progress of work in the Commission on the Limits of the Continental Shelf

Statement by the Chair

Summary

The present statement provides information on the work carried out by the Commission on the Limits of the Continental Shelf and its subcommissions during the forty-second session. In particular, it contains an overview of the progress made in the examination of the submissions made by the Russian Federation, in respect of the Arctic Ocean (partial revised submission); Brazil, in respect of the Brazilian Southern Region (partial revised submission); France and South Africa, jointly, in respect of the area of the Crozet Archipelago and the Prince Edward Islands; Kenya; Nigeria; Seychelles, in respect of the Northern Plateau Region; France, in respect of La Réunion and the Saint-Paul and Amsterdam islands; Côte d'Ivoire; and Sri Lanka. The statement also addresses the preparations for the open meeting to commemorate the twentieth anniversary of the establishment of the Commission, to be held on 10 March 2017.



1. Pursuant to the decision adopted at its thirty-eighth session (see [CLCS/90](#), para. 100), as endorsed by the General Assembly in its resolution [70/235](#) (para. 94), the Commission on the Limits of the Continental Shelf held its forty-second session at Headquarters from 17 October to 2 December 2016. The session was entirely devoted to the technical examination of submissions at the geographic information system laboratories of the Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs of the Secretariat.
2. The following members of the Commission attended the session: Muhammad Arshad, Lawrence Folajimi Awosika, Galo Carrera, Francis L. Charles, Ivan F. Glumov, Richard Thomas Haworth, Martin Vang Heinesen, Emmanuel Kalngui, Wenzheng Lyu, Mazlan Bin Madon, Estevao Stefane Mahanjane, Jair Alberto Ribas Marques, Simon Njuguna, Isaac Owusu Oduro, Yong-Ahn Park, Carlos Marcelo Paterlini, Rasik Ravindra, Walter R. Roest, Tetsuro Urabe and Szymon Uścińowicz.¹
3. The Commission had before it the following documents:
 - (a) Statement by the Chair on the progress of work in the Commission at its forty-first session ([CLCS/95](#));
 - (b) Submissions made by coastal States² pursuant to article 76, paragraph 8, of the United Nations Convention on the Law of the Sea, including related communications.

Consideration of the partial revised submission made by the Russian Federation in respect of the Arctic Ocean³

Progress in the work of the subcommission

4. The subcommission, chaired by Mr. Carrera, met from 21 November to 2 December 2016. During that period, it began the main scientific and technical examination of the submission pursuant to section IV of annex III to the rules of procedure of the Commission (see [CLCS/40/Rev.1](#)) and examined the data and information submitted by the delegation in response to the request made by the subcommission during the forty-first session.
5. The subcommission held three meetings with the delegation, headed by the Minister of Natural Resources and Environment of the Russian Federation, Sergei E. Donskoi, during which the delegation made four presentations, which included new data and analysis of the submission.
6. The subcommission also continued the consideration of a matter of an organizational nature raised in a communication dated 19 August 2016 (see [CLCS/95](#), para. 17) and reiterated by the head of the delegation during the above-mentioned meetings, namely a proposal to hold additional meetings of the subcommission in May 2017, for which the cost would be defrayed by the

¹ For medical reasons, Mr. Glumov attended the session from 1 November to 2 December. Mr. Urabe attended the session from 17 October to 11 November.

² For a full list of the submissions made to the Commission, see www.un.org/Depts/los/clcs_new/commission_submissions.htm.

³ Submission made on 3 August 2015; see www.un.org/depts/los/clcs_new/submissions_files/submission_rus_rev1.htm.

submitting State. In that regard, the subcommission conveyed to the delegation that the matter was to be decided upon by the Commission at its forty-third session. Nevertheless, from a preliminary discussion in the subcommission it appeared that the majority of the members of the subcommission had pre-existing work-related engagements during that period.

7. The subcommission decided that its members would continue to work on the submission during the intersessional period and that it would resume its consideration of the submission during the forty-third session, which would include meetings with the delegation. The subcommission also decided that, at the forty-third session, it would prepare a “hand-over” document to ensure the continuity of work of the subcommission in view of the election of members of the Commission to be held in June 2017 at the twenty-seventh Meeting of States Parties to the Convention.

8. The meetings of the subcommission during the forty-third session will be held from 27 February to 3 March 2017.

Consideration of the partial revised submission made by Brazil in respect of the Brazilian Southern Region⁴

Progress in the work of the subcommission

9. The subcommission, chaired by Mr. Carrera, met from 7 to 18 November 2016. During that period, it continued the main scientific and technical examination of the submission.

10. The subcommission held one meeting with the delegation, at its request, during which the delegation made two presentations.

11. The subcommission also took note of the communication, dated 29 November 2016, in which the delegation partially revisited the issue of the confidentiality of the submission in order to facilitate its timely analysis, and consequently the subcommission decided that its members would continue to work on the submission during the intersessional period and that it would resume its consideration of the submission during the forty-third session, which would include meetings with the delegation. The subcommission also decided that, at the forty-third session, it would prepare a “hand-over” document to ensure the continuity of work of the subcommission in view of the election of members of the Commission to be held in June 2017 at the twenty-seventh Meeting of States Parties to the Convention.

12. The meetings of the subcommission during the forty-third session will be held from 30 January to 10 February 2017.

⁴ Submission made on 10 April 2015; see www.un.org/Depts/los/clcs_new/submissions_files/submission_bra_rev.htm.

Consideration of the joint submission made by France and South Africa in respect of the area of the Crozet Archipelago and the Prince Edward Islands⁵

Progress in the work of the subcommission

13. The subcommission, chaired by Mr. Njuguna, met from 7 to 18 November 2016. During that period, it continued the main scientific and technical examination of the joint submission and examined the data and information submitted by the joint delegation during the forty-second session in response to the request made by the subcommission during the forty-first session.

14. No meetings were held with the joint delegation. Nevertheless, the subcommission transmitted to the joint delegation a document that addressed a number of outstanding issues. It also proposed a course of action for the completion of its examination of the joint submission. The joint delegation responded with revised data and information and informed the subcommission that it planned to submit additional data and information.

15. The subcommission examined the revised data and information and began to prepare a “hand-over” document to ensure the continuity of work of the subcommission in view of the election of members of the Commission to be held in June 2017 at the twenty-seventh Meeting of States Parties to the Convention.

16. Taking into account that the subcommission had previously found the data and information submitted thus far by the joint delegation to be sufficient to reach its conclusions on the joint submission, the subcommission decided, after its deliberations, to invite the joint delegation to a meeting at the forty-third session during which the subcommission would present its views and general conclusions arising from the examination of the joint submission, pursuant to paragraph 10.3 of annex III to the rules of procedure. The joint delegation would then have an opportunity to respond in accordance with paragraph 10.4 of that annex.

17. The subcommission decided that its members would continue to work on the joint submission during the intersessional period and that it would resume its consideration of the joint submission during the forty-third session, which would include meetings with the delegation. The subcommission also decided that at the forty-third session it would complete the above-mentioned “hand-over” document.

18. The meetings of the subcommission during the forty-third session will be held from 30 January to 3 February 2017.

Consideration of the submission made by Kenya⁶

Progress in the work of the subcommission

19. The subcommission, chaired by Mr. Park, met from 17 October to 4 November 2016. During that period, the delegation transmitted a response to the request for

⁵ Submission made on 6 May 2009; see www.un.org/Depts/los/clcs_new/submissions_files/submission_frazaf_34_2009.htm.

⁶ Submission made on 6 May 2009; see www.un.org/Depts/los/clcs_new/submissions_files/submission_ken_35_2009.htm.

additional clarification, which had been made by the subcommission at the fortieth session, and the subcommission continued the main scientific and technical examination of the submission.

20. The subcommission held two meetings with the delegation, during which the subcommission presented its views and general conclusions arising from the examination of the submission, pursuant to paragraph 10.3 of annex III to the rules of procedure, and the delegation gave a presentation on the new data and information submitted to the subcommission during the forty-second session. The delegation then informed the subcommission in writing that it was undertaking further processing, analysis and interpretation of the existing data and information and that it would provide the subcommission with a comprehensive response before the beginning of the forty-third session.

21. The subcommission decided that it would resume its consideration of the submission during the forty-third session, which would include meetings with the delegation. The subcommission also decided that, at the forty-third session, it would prepare a “hand-over” document to ensure the continuity of work of the subcommission in view of the election of members of the Commission to be held in June 2017 at the twenty-seventh Meeting of States Parties to the Convention. Given that Kenya classified parts of its submission as confidential, pursuant to annex II to the rules of procedure, the members of the subcommission would not be in a position to continue to examine the submission during the intersessional period.

22. The meetings of the subcommission during the forty-third session will be held from 20 to 24 February 2017.

Consideration of the submission made by Nigeria⁷

Progress in the work of the subcommission

23. The subcommission, chaired by Mr. Mahanjane, met from 21 November to 2 December 2016. During that period, it continued the main scientific and technical examination of the submission.

24. On 18 November, the Government of Nigeria transmitted an amendment to the submission to be considered in conjunction with the submission made on 7 May 2009.

25. The subcommission held two meetings with the delegation, during which the delegation gave a presentation on its amendment to the submission and on its response to the additional requests for clarifications made by the subcommission during the fortieth session. The subcommission also gave a presentation with its initial observations in response to the presentation made by the delegation.

26. Based on its consideration of the amendment to the submission, the subcommission made an initial request for clarifications from the delegation.

27. The subcommission decided that it would resume its consideration of the submission during the forty-third session. The subcommission also decided that, at the forty-third session, it would prepare a “hand-over” document to ensure the

⁷ Submission made on 7 May 2009; see www.un.org/Depts/los/clcs_new/submissions_files/submission_nga_38_2009.htm.

continuity of work of the subcommission in view of the election of members of the Commission to be held in June 2017 at the twenty-seventh Meeting of States Parties to the Convention. Given that Nigeria classified parts of its submission as confidential, pursuant to annex II to the rules of procedure, the members of the subcommission would not be in a position to continue to examine the submission during the intersessional period.

28. The meetings of the subcommission during the forty-third session will be held from 27 February to 3 March 2017.

Consideration of the submission made by Seychelles in respect of the Northern Plateau Region⁸

Progress in the work of the subcommission

29. The subcommission, chaired by Mr. Roest, met from 7 to 18 November 2016. During that period, it examined the additional data submitted by the delegation in response to the request made by the subcommission during the forty-first session. The subcommission concluded, among other things, that the test of appurtenance was satisfied and then continued the main scientific and technical examination of the submission pursuant to section IV of annex III to the rules of procedure.

30. The subcommission held four meetings with the delegation, during which the delegation made a presentation on the new data and information that it had provided and the subcommission presented its preliminary views and indicated areas where it was in agreement with the delegation on the basis of the data and information submitted. Subsequently, pursuant to paragraph 10.3 of annex III to the rules of procedure, the subcommission presented to the delegation its views and general conclusions arising from the examination of the submission. The delegation provided in writing its response pursuant to paragraph 10.4 of that annex.

31. The subcommission decided that its members would continue to work on the draft recommendations during the intersessional period, with the aim of finalizing them before the first plenary week of the forty-third session.

32. The meetings of the subcommission during the forty-third session will be held from 30 January to 3 February 2017.

Consideration of the submission made by France in respect of La Réunion and the Saint-Paul and Amsterdam islands⁹

Progress in the work of the subcommission

33. The subcommission, chaired by Mr. Haworth, met from 21 November to 2 December 2016. During that period, it proceeded with the initial examination of the submission pursuant to section III of annex III to the rules of procedure.

⁸ Submission made on 7 May 2009; see www.un.org/depts/los/clcs_new/submissions_files/submission_syc_39_2009.htm.

⁹ Submission made on 7 May 2009; see www.un.org/depts/los/clcs_new/submissions_files/submission_fra_40_2009.htm.

34. The subcommission held three meetings with the delegation, during which the delegation made an initial presentation of the submission and the subcommission presented its preliminary views and requests for clarifications and additional information.

35. The subcommission verified the format and completeness of the submission. In addition, the subcommission completed the preliminary analysis of the submission, concluding, among other things, that the test of appurtenance was met, and that further time would be required to examine all the data and prepare recommendations for transmittal to the Commission. It also concluded that the cooperation of relevant international organizations or the advice of specialists, as provided for, respectively, in rules 56 and 57 of the rules of procedure, was not required.

36. The subcommission decided that its members would continue to work on the submission during the intersessional period and that it would resume its consideration of the submission during the forty-third session. The subcommission also decided that, at the forty-third session, it would prepare a “hand-over” document to ensure the continuity of work of the subcommission in view of the election of members of the Commission to be held in June 2017 at the twenty-seventh Meeting of States Parties to the Convention.

37. The meetings of the subcommission during the forty-third session will be held from 27 February to 3 March 2017.

Consideration of the submission made by Côte d’Ivoire¹⁰

Progress in the work of the subcommission

38. The subcommission, chaired by Mr. Roest, met from 17 October to 4 November 2016. During that period, it verified the format and completeness of the amended submission made on 24 March 2016, which, according to Côte d’Ivoire, replaced in its entirety the information submitted on 8 May 2009. In addition, the subcommission conducted the preliminary analysis of the amended submission, pursuant to section III of annex III to the rules of procedure, concluding, among other things, that further time would be required to examine all the data and prepare recommendations for transmittal to the Commission. It also concluded that the cooperation of relevant international organizations or the advice of specialists, as provided for, respectively, in rules 56 and 57 of the rules of procedure, was not required. The subcommission decided to address issues relating to the test of appurtenance in the context of the main scientific and technical examination of the submission.

39. The subcommission then began the main scientific and technical examination of the submission pursuant to section IV of annex III to the rules of procedure. The subcommission also held four meetings with the delegation, during which preliminary views were exchanged. After this series of meetings, the subcommission transmitted a communication to Côte d’Ivoire containing requests for clarification.

40. The subcommission decided that its members would continue to work on the submission during the intersessional period and that it would resume its consideration

¹⁰ Submission made on 8 May 2009 and amended on 24 March 2016; see www.un.org/depts/los/clcs_new/submissions_files/submission_civ_42_2009.htm.

of the submission during the forty-third session, which would include meetings with the delegation. The subcommission also decided that, at the forty-third session, it would prepare a “hand-over” document to ensure the continuity of work of the subcommission in view of the election of members of the Commission to be held in June 2017 at the twenty-seventh Meeting of States Parties to the Convention.

41. The meetings of the subcommission during the forty-third session will be held from 6 to 10 and from 20 to 24 February 2017.

Consideration of the submission made by Sri Lanka¹¹

Progress in the work of the subcommission

42. The subcommission, chaired by Mr. Haworth, met from 17 October to 4 November 2016. During that period, it began the initial examination of the submission pursuant to section III of annex III to the rules of procedure.

43. The subcommission held five meetings with the delegation, during which the delegation made an initial presentation of its submission. The subcommission and the delegation then exchanged various presentations seeking clarifications on the submission and providing preliminary responses and additional data and information, respectively. Following the meetings, the subcommission transmitted a communication to the delegation requesting further data and clarifications, including with regard to the test of appurtenance.

44. The subcommission verified the format and completeness of the submission. In addition, it began the preliminary analysis of the submission, concluding, among other things, that further time would be required to examine all the data and prepare recommendations for transmittal to the Commission. Pending responses to its requests for additional information and clarification, the subcommission deferred the consideration of the test of appurtenance. It also concluded that the cooperation of relevant international organizations or the advice of specialists, as provided for, respectively, in rules 56 and 57 of the rules of procedure, was not required.

45. The subcommission decided that its members would continue to work on the submission during the intersessional period and that it would resume its consideration of the submission during the forty-third session, which would include meetings with the delegation. The subcommission also decided that, at the forty-third session, it would determine whether it was in a position to submit its recommendations to the Chair of the Commission or whether it would prepare a “hand-over” document to ensure the continuity of work of the subcommission in view of the election of members of the Commission to be held in June 2017 at the twenty-seventh Meeting of States Parties to the Convention.

46. The meetings of the subcommission during the forty-third session will be held from 6 to 10 and from 20 to 24 February 2017.

¹¹ Submission made on 8 May 2009; see www.un.org/depts/los/clcs_new/submissions_files/submission_lka_43_2009.htm.

Other matters

Trust funds

47. The Secretariat informed the members of the Commission about the status of the voluntary trust fund for the purpose of defraying the cost of the participation in its meetings of the members of the Commission from developing States. For the forty-first session, financial assistance had been provided to eight members of the Commission, in a total amount of some \$188,800. For the forty-second session, an estimated total of \$190,000 in financial assistance was being provided to seven members of the Commission.

48. The Secretariat also informed the members of the Commission that at the end of the forty-second session the critically low balance of funds in the trust fund would allow it to cover only travel costs and 20 days of daily subsistence allowance for their participation in the forty-third session. Unless further contributions were received before the beginning of the forty-third session, the remaining costs, including the medical travel insurance, would have to be covered, as provided for in article 2, paragraph 5, of annex II to the United Nations Convention on the Law of the Sea, by the nominating States parties.

Commemoration of the twentieth anniversary of the establishment of the Commission

49. The open-ended working group of the Commission established to facilitate the organization of the open meeting to commemorate the twentieth anniversary of its establishment, with Mr. Carrera as the convener, met and completed a draft programme of activities for the open meeting, to be held during the forty-third session.

50. The programme of the open meeting, scheduled from 10 a.m. to 1 p.m. on 10 March 2017, includes statements by the Secretary-General of the United Nations or his representative, the Secretary-General of the International Seabed Authority, the President of the International Tribunal for the Law of the Sea and the Chair and several members of the Commission.

51. In view of the lack of financial resources of the Commission, the working group suggested that the support of interested States parties should be sought to cover the costs associated with the logistics of the commemoration.

Secretariat support

52. The Bureau of the Commission, consisting of its Chair and four Vice-Chairs, noted with appreciation and gratitude the high standard of secretariat services rendered to it by the Division for Ocean Affairs and the Law of the Sea and expressed the hope that the Division would maintain the same level of support to the Commission notwithstanding the projected increase in the workload of the Division.