



## Commission on the Limits of the Continental Shelf

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### Fifty-second session

New York, 27 January–13 March 2020

## 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 during the fifty-second session of the Commission on the Limits of the Continental Shelf. 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 equatorial margin (partial revised submission); France and South Africa, jointly, in respect of the area of the Crozet Archipelago and the Prince Edward Islands; Kenya; Nigeria; Palau in respect of the North Area (partial amended submission); Sri Lanka; Portugal; Spain in respect of the area of Galicia (partial submission); and India (partial submission). The statement also contains information about the approval of the recommendations with regard to the submission made by France in respect of Reunion and the Saint-Paul and Amsterdam islands and the recommendations with regard to the submission made by Côte d'Ivoire, and about the presentation of the partial submission made by Indonesia in respect of the area of North of Papua (Eauripik Rise). In addition, it provides information on other issues addressed by the Commission during the session, such as the conditions of service of its members.



## Introduction

1. The Commission on the Limits of the Continental Shelf held its fifty-second session at United Nations Headquarters from 27 January to 13 March 2020. The plenary parts of the session were held from 3 to 7 February and from 2 to 6 March 2020.<sup>1</sup> The other parts of the session were devoted to the technical examination of submissions by the various subcommissions and were held 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: Adnan Rashid Nasser al-Azri, Lawrence Folajimi Awosika, Aldino Campos, Wanda-Lee De Landro-Clarke, Ivan F. Glumov, Martin Vang Heinesen, Mazlan bin Madon, Estevão Stefane Mahanjane, Jair Alberto Ribas Marques, Marcin Mazurowski, Domingos de Carvalho Viana Moreira, David Cole Mosher, Simon Njuguna, Yong Ahn Park, Carlos Marcelo Paterlini, Clodette Raharimananirina, Yong Tang, Toshitsugu Yamazaki and Gonzalo Alejandro Yáñez Carrizo.<sup>2</sup> Emmanuel Kalngui informed the secretariat of the Commission that he would not be able to attend the session owing to visa-related issues.

3. The Commission had before it the following documents and communications:

- (a) Provisional agenda (CLCS/52/L.1);
- (b) Statements by the Chair on the progress of work in the Commission at its fiftieth and fifty-first sessions (CLCS/50/2 and CLCS/51/1);
- (c) Submissions made by coastal States<sup>3</sup> pursuant to article 76, paragraph 8, of the United Nations Convention on the Law of the Sea;
- (d) General Assembly resolution 74/19 on oceans and the law of the sea;
- (e) Relevant communications from States parties to the Convention and States Members of the United Nations, including from Brazil (10 January 2020), Canada (20 December 2019), Mauritius (3 March 2020) and South Africa (18 and 23 October 2019 and 27 January 2020).

## Item 1

### Opening of the fifty-second session

4. The Chair of the Commission, Mr. Al-Azri, opened the fifty-second session of the Commission.

### Statement by the Under-Secretary-General for Legal Affairs and United Nations Legal Counsel

5. The Under-Secretary-General for Legal Affairs and United Nations Legal Counsel congratulated the officers of the Commission, elected at the fiftieth session (see CLCS/50/2, paras. 70–74), on their election and thanked the outgoing officers

<sup>1</sup> See CLCS/50/2, para. 88, and General Assembly resolution 74/19, para. 109.

<sup>2</sup> Mr. Awosika attended the session from 27 January to 21 February and from 26 February; Ms. De Landro-Clarke and Mr. Mazurowski attended the session until 6 March; Mr. Moreira attended the session from 27 January to 14 February and from 23 February to 6 March; Mr. Glumov attended the session from 3 February to 6 March; and Mr. Tang attended the session from 28 February. In addition, owing to the impact of coronavirus disease (COVID-19) preparedness policies on international travel, a number of members had to return home during the last week of the session.

<sup>3</sup> For a full list of the submissions, see [www.un.org/Depts/los/clcs\\_new/commission\\_submissions.htm](http://www.un.org/Depts/los/clcs_new/commission_submissions.htm).

for their service. He commended the Commission on the continued progress made in its consideration of submissions made by coastal States, despite its heavy workload and incomplete membership owing to the continued vacancy of the seat allocated to the Eastern European States. He recalled the decisions taken by the twenty-ninth Meeting of States Parties to the Convention with a view to filling that vacancy and the efforts made by Member States to improve the working conditions of the members of the Commission. He reaffirmed the continued support of the Office of Legal Affairs, through its Division for Ocean Affairs and the Law of the Sea, for the Commission and also thanked the Director of the Division, on the occasion of her retirement, for her service to the Commission.

## **Item 2**

### **Adoption of the agenda**

6. The Commission considered the provisional agenda ([CLCS/52/L.1](#)) and adopted it with amendments ([CLCS/52/1](#)).

## **Item 3**

### **Organization of work**

7. The Commission approved its programme of work and the schedule for deliberations as outlined by the Chair.

## **Item 4**

### **Workload of the Commission and working conditions of its members**

8. The Chair of the Commission stressed that the conditions of service of the members remained a matter of significant concern and that the Commission continued to urge that all members should receive similar and reasonable treatment related to their duties, including reasonable travel conditions and accommodation and full insurance coverage, with the United Nations standards serving as a minimum.

9. The secretariat recalled that the twenty-ninth Meeting of States Parties to the Convention, held in June 2019, had requested it to prepare a comprehensive study that set out possible options to address the working conditions of the Commission, including its funding, to be discussed by the thirtieth Meeting of States Parties to the Convention, in June 2020, covering such options as the payment of a fee in connection with the making of submissions and the conversion of the Commission into a full-time body, as well as information on the minimum requirements that nominating States should meet with regard to the treatment of the members of the Commission nominated by them, if elected.

10. The secretariat noted that the study was being prepared. It requested members of the Commission who were experiencing a change in their conditions of service to bring the matter to the attention of the Chair of the Commission in writing.

11. After a discussion, the Commission established an open-ended working group to consider the issues raised during the twenty-ninth Meeting of States Parties to the Convention and formulate proposals. The working group, composed of Messrs. Awosika (co-coordinator), Campos, Mazurowski, Park (co-coordinator) and Yáñez Carrizo as core members, met after the second plenary part of the session and concluded that: (a) the sustainability of the Commission's meeting for 21 weeks a year was not guaranteed under the current conditions; (b) the trust fund meant to provide financial assistance to facilitate the participation of members from

developing countries was underfunded and thus not sustainable; (c) a more sustainable way of funding the participation of all members, irrespective of region, in the meetings of the Commission was needed; and (d) the conditions of service should include remuneration of all members to ensure the quality and sustainability of the work of the Commission and the provision of health insurance, which should be paid for by States parties and should not be restricted to members from developing States. The working group reported the outcome of its work to the Commission and requested that its conclusions be reflected in the letter of the Chair of the Commission to the President of the thirtieth Meeting of States Parties to the Convention.

## **Item 5**

### **Consideration of the partial revised submission made by the Russian Federation in respect of the Arctic Ocean<sup>4</sup>**

12. The Chair of the subcommission, Mr. Madon, reported on the progress of its work, noting that the subcommission had met from 17 to 21 February. During that period, the subcommission had continued the main scientific and technical examination of the submission, focusing in particular on the data and information provided by the delegation of the Russian Federation in response to the requests for clarification made by the subcommission during the fifty-first session.

13. Three meetings had been held with the delegation, headed by the Minister of Natural Resources and the Environment of the Russian Federation, Dmitry Kobylnik, during which the subcommission and the delegation had made presentations with regard to the additional data and information provided by the delegation.

14. The Chair of the subcommission also reported to the Commission on certain substantive matters concerning the submission. During the ensuing discussion, members of the Commission provided feedback and the subcommission responded to questions.

15. The subcommission decided that its members would continue to work individually on the submission during the intersessional period and that it would resume its consideration of the submission at the fifty-third session, which would include meetings with the delegation.

16. It was decided that the meetings of the subcommission during the fifty-third session would be held from 6 to 17 July 2020.

## **Item 6**

### **Consideration of the partial revised submission made by Brazil in respect of the Brazilian equatorial margin<sup>5</sup>**

17. The Chair of the subcommission, Mr. Awosika, reported on the progress of its work, noting that the subcommission had met from 27 to 31 January and from 10 to 14 February. During that period, the subcommission had continued the main scientific and technical examination of the submission.

18. Three meetings had been held with the delegation of Brazil, during which the subcommission and the delegation had made presentations with regard to the data and information submitted by the delegation in response to the requests transmitted at the

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<sup>4</sup> Submission made on 3 August 2015; available at [www.un.org/depts/los/clcs\\_new/submissions\\_files/submission\\_rus\\_rev1.htm](http://www.un.org/depts/los/clcs_new/submissions_files/submission_rus_rev1.htm).

<sup>5</sup> Submission made on 8 September 2017; available at [www.un.org/Depts/los/clcs\\_new/submissions\\_files/submission\\_bra\\_rev2.htm](http://www.un.org/Depts/los/clcs_new/submissions_files/submission_bra_rev2.htm).

end of the fifty-first session and additional observations and requests made by the subcommission during the fifty-second session.

19. The Chair of the subcommission also reported to the Commission on certain substantive matters concerning the submission. During the ensuing discussion, members of the Commission provided feedback and the subcommission responded to questions. The subcommission decided that it would resume its consideration of the submission at the fifty-third session.

20. It was decided that the meetings of the subcommission during the fifty-third session would be held from 3 to 7 and from 17 to 21 August 2020.

## **Item 7**

### **Consideration of the joint submission made by France and South Africa in respect of the area of the Crozet Archipelago and the Prince Edward Islands<sup>6</sup>**

21. The Chair of the subcommission, Mr. Njuguna, reported on the progress of its work, noting that the subcommission had met from 27 to 31 January. During that period, the subcommission had continued the main scientific and technical examination of the submission.

22. No meetings had been held with the joint delegation of France and South Africa. The subcommission had considered the communications, documents and data and information received during the intersessional period. The subcommission had transmitted a document responding to a request for clarifications with regard to a number of scientific and technical issues, including the views and conclusions reflected in the document transmitted by the subcommission during the forty-fifth session, pursuant to paragraph 10.3 of annex III to the rules of procedure (see [CLCS/103](#), para. 23), and the related document containing clarifications that the subcommission had transmitted during the forty-eighth session.

23. The Chair of the subcommission also reported to the Commission on certain substantive matters concerning the submission. During the ensuing discussion, members of the Commission provided feedback, including on the way forward in the consideration of the submission, and the subcommission responded to questions.

24. The subcommission decided that it would resume its consideration of the submission at the fifty-third session.

25. It was decided that the meetings of the subcommission during the fifty-third session would be held from 17 to 21 August 2020.

## **Item 8**

### **Consideration of the submission made by Kenya<sup>7</sup>**

26. The Chair of the subcommission, Mr. Heinesen, reported on the progress of its work, noting that the subcommission had met from 24 to 28 February and from 9 to 13 March. During that period, the subcommission had continued the main scientific and technical examination of the submission, including reviewing the response by the

<sup>6</sup> Submission made on 6 May 2009; available at [www.un.org/Depts/los/clcs\\_new/submissions\\_files/submission\\_frazaf\\_34\\_2009.htm](http://www.un.org/Depts/los/clcs_new/submissions_files/submission_frazaf_34_2009.htm).

<sup>7</sup> Submission made on 6 May 2009; available at [www.un.org/Depts/los/clcs\\_new/submissions\\_files/submission\\_ken\\_35\\_2009.htm](http://www.un.org/Depts/los/clcs_new/submissions_files/submission_ken_35_2009.htm).

delegation of Kenya to requests for clarification made by the subcommission during the fifty-first session.

27. No meetings had been held with the delegation. At the end of the session, the subcommission transmitted an update of the summary of its consideration of the submission.

28. The Chair of the subcommission also reported to the Commission on certain substantive matters concerning the submission. During the ensuing discussion, members of the Commission provided feedback and the subcommission responded to questions.

29. The subcommission decided that its members would continue to work individually on the submission during the intersessional period and that it would resume its consideration of the submission at the fifty-third session.

30. It was decided that the meetings of the subcommission during the fifty-third session would be held from 20 to 24 July 2020.

## **Item 9**

### **Consideration of the submission made by Nigeria<sup>8</sup>**

31. The Chair of the subcommission, Mr. Mahanjane, reported on the progress of its work, noting that the subcommission had met from 17 to 21 February. During that period, the subcommission had continued the main scientific and technical examination of the submission.

32. Two meetings had been held with the delegation of Nigeria, headed by the Attorney General and Minister of Justice, Abubakar Malami, during which the delegation had presented its response to the views and conclusions of the subcommission relating to the submission area that had been transmitted at the fifty-first session, and the delegation and the subcommission had exchanged further views.

33. The Chair of the subcommission also reported to the Commission on certain substantive matters concerning the submission. During the ensuing discussion, members of the Commission provided feedback and the subcommission responded to questions.

34. The subcommission decided that its members would continue to work individually on the submission during the intersessional period and that it would resume its consideration of the submission at the fifty-third session, which would include meetings with the delegation.

35. It was decided that the meetings of the subcommission during the fifty-third session would be held from 6 to 17 July 2020.

## **Item 10**

### **Consideration of the submission made by France in respect of Reunion and the Saint-Paul and Amsterdam islands<sup>9</sup>**

36. Following the presentations made by the subcommission and by the delegation of France at the fiftieth session (CLCS/50/2, paras. 37–39), the Commission resumed

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<sup>8</sup> Submission made on 7 May 2009 and amended on 18 November 2016; available at [www.un.org/Depts/los/clcs\\_new/submissions\\_files/submission\\_nga\\_38\\_2009.htm](http://www.un.org/Depts/los/clcs_new/submissions_files/submission_nga_38_2009.htm). See also paragraph 79 below.

<sup>9</sup> Submission made on 8 May 2009; available at [www.un.org/depts/los/clcs\\_new/submissions\\_files/submission\\_fra\\_40\\_2009.htm](http://www.un.org/depts/los/clcs_new/submissions_files/submission_fra_40_2009.htm).

its consideration of the draft recommendations with regard to the submission made by France in respect of Reunion and the Saint-Paul and Amsterdam islands.

37. On 4 March, following extensive deliberations, the Commission approved, without a vote, the draft recommendations, with amendments.

38. Pursuant to article 6, paragraph 3, of annex II to the Convention, the recommendations, including a summary thereof, were submitted in writing to the coastal State and to the Secretary-General on 13 March 2020.

## **Item 11**

### **Consideration of the partial amended submission made by Palau in respect of the North Area<sup>10</sup>**

39. The Chair of the subcommission, Mr. Paterlini, reported on the progress of its work, noting that the subcommission had met from 24 to 28 February and from 9 to 13 March. During that period, the subcommission had continued the main scientific and technical examination of the submission, focusing in particular on the additional data and information provided by the delegation of Palau in response to the requests made by the subcommission during the fifty-first session.

40. Two meetings had been held with the delegation, during which the subcommission and the delegation had made presentations with regard to the data and information submitted by the delegation in response to the requests transmitted at the end of the fifty-first session and the progress of the consideration of the submission by the subcommission.

41. The Chair of the subcommission also reported to the Commission on certain substantive matters concerning the submission. During the ensuing discussion, members of the Commission provided feedback and the subcommission responded to questions.

42. The subcommission decided that its members would continue to work individually on the submission during the intersessional period and that it would resume its consideration of the submission at the fifty-third session, which would include meetings with the delegation.

43. It was decided that the meetings of the subcommission during the fifty-third session would be held from 20 to 24 July 2020.

## **Item 12**

### **Consideration of the submission made by Côte d'Ivoire<sup>11</sup>**

44. Following the presentations made by the subcommission and by the delegation of Côte d'Ivoire at the fiftieth session (see [CLCS/50/2](#), paras. 41 and 42), the Commission resumed its consideration of the draft recommendations with regard to the submission made by Côte d'Ivoire.

45. On 5 February, following extensive deliberations, the Commission approved, without a vote, the draft recommendations, with amendments.

<sup>10</sup> Submission made on 8 May 2009 and amended on 26 October 2017; available at [www.un.org/depts/los/clcs\\_new/submissions\\_files/submission\\_plw\\_41\\_2009.htm](http://www.un.org/depts/los/clcs_new/submissions_files/submission_plw_41_2009.htm).

<sup>11</sup> Submission made on 8 May 2009 and amended on 24 March 2016; available at [www.un.org/depts/los/clcs\\_new/submissions\\_files/submission\\_civ\\_42\\_2009.htm](http://www.un.org/depts/los/clcs_new/submissions_files/submission_civ_42_2009.htm).

46. Pursuant to article 6, paragraph 3, of annex II to the Convention, the recommendations, including a summary thereof, were submitted in writing to the coastal State and to the Secretary-General on 19 February 2020.

### **Item 13**

#### **Consideration of the submission made by Sri Lanka<sup>12</sup>**

47. The Chair of the subcommission, Mr. Yáñez Carrizo, reported on the progress of its work, noting that the subcommission had met from 24 to 28 February and from 9 to 13 March. During that period, the subcommission had continued the main scientific and technical examination of the submission, focusing in particular on the data and information provided by the delegation of Sri Lanka in response to the requests for clarification made by the subcommission during the fifty-first session.

48. Three meetings had been held with the delegation, during which the subcommission and the delegation had made presentations with regard to the additional data and information provided by the delegation. Subsequently, the subcommission transmitted comments and requests based on its examination of the data and information submitted during the session.

49. The Chair of the subcommission also reported to the Commission on certain substantive matters concerning the submission.

50. The subcommission decided that its members would continue to work individually on the submission during the intersessional period and that it would resume its consideration of the submission at the fifty-third session, which would include meetings with the delegation.

51. It was decided that the meetings of the subcommission during the fifty-third session would be held from 20 to 24 July 2020.

### **Item 14**

#### **Consideration of the submission made by Portugal<sup>13</sup>**

52. The Chair of the subcommission, Ms. De Landro-Clarke, reported on the progress of its work, noting that the subcommission had met from 27 to 31 January and from 10 to 14 February. During that period, the subcommission had continued the main scientific and technical examination of the submission, focusing in particular on the response by the delegation of Portugal to the requests for clarification made by the subcommission during the fifty-first session.

53. Three meetings had been held with the delegation, during which the subcommission and the delegation had made presentations with regard to the data and information submitted by the delegation and the additional observations and requests made by the subcommission during the fifty-second session.

54. The Chair of the subcommission also reported to the Commission on certain substantive matters concerning the submission.

55. The subcommission decided that its members would continue to work individually on the submission during the intersessional period and that it would

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<sup>12</sup> Submission made on 8 May 2009; available at [www.un.org/depts/los/clcs\\_new/submissions\\_files/submission\\_lka\\_43\\_2009.htm](http://www.un.org/depts/los/clcs_new/submissions_files/submission_lka_43_2009.htm).

<sup>13</sup> Submission made on 11 May 2009 and amended on 1 August 2017; available at [www.un.org/depts/los/clcs\\_new/submissions\\_files/submission\\_prt\\_44\\_2009.htm](http://www.un.org/depts/los/clcs_new/submissions_files/submission_prt_44_2009.htm).

resume its consideration of the submission at the fifty-third session, which would include meetings with the delegation.

56. It was decided that the meetings of the subcommission during the fifty-third session would be held from 3 to 7 and 17 to 21 August 2020.

## **Item 15**

### **Consideration of the partial submission made by Spain in respect of the area of Galicia<sup>14</sup>**

57. The Chair of the subcommission, Mr. Mosher, reported on the progress of its work, noting that the subcommission had met from 17 to 21 February. During that period, it had continued the main scientific and technical examination of the submission.

58. Two meetings had been held with the delegation of Spain, during which the subcommission and the delegation had made presentations with regard to the consideration of the submission and the additional data and information submitted by the delegation in response to the requests made by the subcommission at the fifty-first session.

59. The Chair of the subcommission also reported to the Commission on certain substantive matters concerning the submission. During the ensuing discussion, members of the Commission provided feedback and the subcommission responded to questions.

60. The subcommission decided that its members would continue to work individually on the submission during the intersessional period and that it would resume its consideration of the submission at the fifty-third session, which would include meetings with the delegation.

61. It was decided that the meetings of the subcommission during the fifty-third session would be held from 6 to 17 July 2020.

## **Item 16**

### **Consideration of the submission made by India<sup>15</sup>**

62. The Chair of the subcommission, Mr. Mahanjane, reported on the progress of its work, noting that the subcommission had met from 10 to 14 February. During that period, the subcommission had continued the main scientific and technical examination of the submission, focusing in particular on the data and information provided by the delegation of India in response to the requests for clarification made by the subcommission during the fifty-first session.

63. Two meetings had been held with the delegation, during which the subcommission and the delegation had made presentations with regard to the submission and, in particular, the additional data and information provided by the delegation in response to the comments and requests made by the subcommission on the basis of its examination of the data and information submitted during the session.

<sup>14</sup> Submission made on 11 May 2009; available at [www.un.org/Depts/los/clcs\\_new/submissions\\_files/submission\\_esp\\_47\\_2009.htm](http://www.un.org/Depts/los/clcs_new/submissions_files/submission_esp_47_2009.htm). See also paragraph 79 below.

<sup>15</sup> Submission made on 11 May 2009; available at [www.un.org/Depts/los/clcs\\_new/submissions\\_files/submission\\_ind\\_48\\_2009.htm](http://www.un.org/Depts/los/clcs_new/submissions_files/submission_ind_48_2009.htm).

64. The Chair of the subcommission also reported to the Commission on certain substantive matters concerning the submission. During the ensuing discussion, members of the Commission provided feedback and the subcommission responded to questions.

65. The subcommission decided that its members would continue to work individually on the submission during the intersessional period and that it would resume its consideration of the submission at the fifty-third session, which would include meetings with the delegation.

66. It was decided that the meetings of the subcommission during the fifty-third session would be held from 3 to 7 August 2020.

### **Item 17**

#### **Consideration of other submissions made pursuant to article 76, paragraph 8, of the Convention: presentation of the partial submission made by Indonesia in respect of the area of North of Papua (Eauripik Rise)<sup>16</sup>**

67. The submission made by Indonesia was presented on 4 March by the Special Staff to the Coordinating Minister for Maritime Affairs and Investment and the alternate head of the delegation, Ayodhia Kalake; the Chief Hydrographer, Harjo Susmoro; the Deputy for Basic Geospatial Information of the Geospatial Information Agency, Arief Syafii; and the Director for Legal and Territorial Treaties in the Ministry of Foreign Affairs, Bebeb Djundjunan. The delegation also included a number of advisers.

68. In addition to elaborating on substantive points of the partial submission, Mr. Kalake noted that the submission was the second partial submission made by Indonesia to the Commission. He also noted that no member of the Commission had assisted Indonesia by providing scientific and technical advice in the preparation of its partial submission. He further noted that Indonesia was finalizing its third partial submission in respect of the area of South West Sumatera. Mr. Djundjunan stated that no disputes existed in respect of the area covered in the partial submission and noted the efforts made by Indonesia and other countries to request the Commission to consider each country's submission without prejudice to future delimitation in the Eauripik Rise region. In that regard, Indonesia recognized potential overlapping claims over the continental shelf in the Eauripik Rise with Micronesia (Federated States of), Palau and Papua New Guinea, and requested the Commission to consider each country's submission without prejudice to any future delimitation between the countries concerned.

69. The Commission then continued its meeting in private. Taking into account the views expressed and the presentation made by the delegation, the Commission decided to establish a subcommission at a future session and to revert to the consideration of the submission at the plenary level when the submission was next in line for consideration, as queued in the order in which it had been received, taking into account any developments that might occur in the future.

### **Item 18**

#### **Report of the Chair of the Committee on Confidentiality**

70. The Committee held one meeting, during which it received information from the secretariat that no issues requiring its attention had arisen. The Committee took

<sup>16</sup> Submission made on 11 April 2019; available at [https://www.un.org/Depts/los/clcs\\_new/submissions\\_files/submission\\_idn1\\_83\\_2019.html](https://www.un.org/Depts/los/clcs_new/submissions_files/submission_idn1_83_2019.html).

the opportunity to proceed, on the basis of rule 13 (Term of office) and rule 44 (Conduct of business) of the rules of procedure, with the election of its Chair and Vice-Chair. It elected, without a vote, Mr. Campos as Chair of the Committee and Mr. Mahanjane as Vice-Chair.

## **Item 19**

### **Report of the Chair of the Scientific and Technical Advice Committee**

71. The Chair of the Committee, Mr. Madon, reported that it had held one meeting, during which it had confirmed in office the officers elected at the forty-fourth session and had noted that there were currently no requests for scientific or technical advice from States.

72. Following the report, the Commission decided that the Chair of the Commission, in his annual letter to the President of the Meeting of States Parties to the Convention, would draw the attention of States parties to the fact that the provision of scientific and technical advice was an important function of the Commission.

## **Item 20**

### **Other matters**

#### **Submission made by Mauritius in respect of the region of Rodrigues Island<sup>17</sup>**

73. At the forty-fourth session, having taken note of the request contained in two communications from Mauritius, dated 25 May 2016 and 30 January 2017, and of the information that the Government of Mauritius was obtaining further data in respect of the region of Rodrigues Island, the Commission decided that it would suspend its consideration of the submission until further notice and that, following the receipt of the new data and information, it would determine the modalities for the consideration of the submission, taking into consideration the organization of the work of the Commission at that time.

74. On 3 March 2020, Mauritius transmitted an amendment to its submission in respect of the region of Rodrigues Island, which, according to the coastal State, replaced the data and information previously submitted for that region in their entirety, and requested the opportunity to present the new data and information to the Commission and the subcommission.

75. The Commission discussed the modalities for resuming consideration of the submission, taking into account a letter dated 8 September 2017 from the Chair of the Commission addressed to the head of the delegation of Mauritius. The Commission took into consideration the fact that the members of the subcommission established for the consideration of the submission made by Mauritius were involved in the consideration of other submissions. In the circumstances, the Commission determined that that subcommission would not be in a position to resume its work until a later stage.

76. With respect to the request for an opportunity to make a presentation to the Commission and the subcommission, the Commission noted that the submission was currently before the subcommission and determined, in accordance with its practice,

<sup>17</sup> Submission made on 6 May 2009 and amended on 3 March 2020; available at [www.un.org/Depts/los/clcs\\_new/submissions\\_files/submission\\_mus\\_36\\_2009.htm](http://www.un.org/Depts/los/clcs_new/submissions_files/submission_mus_36_2009.htm).

that the presentation of the amended submission should be made to the subcommission when it resumed its work.

### **Attendance of members**

77. The Commission addressed the issue of the attendance of its members and re-emphasized that it was important for all members to attend all its meetings on time and in full, subject to absences for personal or health reasons. The Commission took note of the information that one member had been unable to attend the fiftieth, fifty-first and fifty-second sessions owing to visa-related issues and requested the Chair to address a letter to the United Nations Legal Counsel to seek further clarifications and assistance in that regard. It was also recalled that, during the thirty-fourth session, the Commission had agreed to bring the absence of members who had not attended two consecutive sessions of the Commission to the attention of the Meeting of States Parties to the Convention (see [CLCS/83](#), para. 96).

78. The Commission confirmed that it would continue the practice of addressing instances of non-attendance on a case-by-case basis, as necessary and appropriate, with a view to ensuring the full participation of all members in its work and, if warranted, of reminding nominating States of their obligations under article 2, paragraph 5, of annex II to the Convention.

79. The Commission noted that, as a result of the absences of some of its members during past sessions and the current session, the subcommission established for consideration of the submission made by Spain in respect of the area of Galicia had at times lacked the quorum required for the conduct of its business. To address that issue, the Commission decided to appoint Ms. De Landro-Clarke as a member of that subcommission, in the light of her area of expertise. Consequently, she would no longer serve as a member of the subcommission established to consider the submission made by Nigeria. The Commission also decided that, in order to fill the consequent vacancy in the latter subcommission, a seventh member of that subcommission would be appointed at a subsequent stage.

### **Workshops**

80. The Commission discussed and agreed on a list of scientific and procedural topics to be considered at workshops during the plenary parts of future sessions, should the workload so allow.

### **Trust funds**

81. The secretariat informed the Commission about the status of the voluntary trust fund for the purpose of defraying the cost of the participation of the members of the Commission from developing States in its meetings. Since the previous session, contributions had been received from Canada, Costa Rica, France, Ireland, New Zealand and Portugal. The secretariat also announced an additional forthcoming contribution from Japan.<sup>18</sup> As at 28 February 2020, the trust fund had an approximate balance of \$115,000.

82. The secretariat noted that, for the current session, financial assistance had been provided to six members of the Commission nominated by developing States, at an estimated total cost of \$120,000. Taking into account the current balance of the trust fund and the expected funding requirements for the fifty-third and fifty-fourth sessions, estimated at \$120,000 each, the trust fund would not, without additional contributions in advance of the fifty-third session, be able to provide assistance to all those members from developing States who were expected to request such assistance.

<sup>18</sup> A contribution of \$40,073 was received from Japan on 16 March 2020.

In addition, the balance of the trust fund was currently not sufficient either to reimburse the full costs of the premiums paid by the members of the Commission from developing States who joined the Headquarters medical insurance scheme or the costs of medical travel insurance. Consequently, the secretariat highlighted a critical need for contributions to the trust fund in order to ensure its continued operation throughout 2020; it was bringing the need for additional contributions to the attention of States.

83. With regard to the trust fund for the purpose of facilitating the preparation of submissions to the Commission on the Limits of the Continental Shelf for developing States, in particular the least developed countries and small island developing States, and compliance with article 76 of the United Nations Convention on the Law of the Sea, the secretariat reported that, as at 28 February 2020, the trust fund had an approximate balance of \$685,000, and that no contributions had been received for the trust fund since the previous session. Indonesia, Palau and Sri Lanka had received assistance from the trust fund to participate in meetings held with the Commission or the relevant subcommissions during the current session of the Commission.

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