



Commission on the Limits of the Continental Shelf

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New York, 5 July–22 August 2023

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-eighth session of the Commission on the Limits of the Continental Shelf, held for the first time in its new composition following the election of its members at the thirty-second Meeting of States Parties to the United Nations Convention on the Law of the Sea in June 2022. The statement contains information on the election of the officers of the Commission, the appointment of members to its subsidiary bodies and deliberations concerning the internal working methods of the Commission. The statement also contains an overview of the progress made in the examination of the submissions made by the Russian Federation, in respect of the south-eastern part of the Eurasia basin in the Arctic Ocean (partial revised submission); Brazil, in respect of the Brazilian equatorial margin (partial revised submission); the Cook Islands, concerning the Manihiki Plateau (revised submission); Iceland, in respect of the western, southern and south-eastern parts of the Reykjanes Ridge (partial revised submission); Mauritius, in respect of the region of Rodrigues Island (partial submission); Nigeria; Palau, in respect of the North Area (partial amended submission); Portugal; Spain, in respect of the area of Galicia (partial submission); Trinidad and Tobago; and Namibia. The statement further contains information on the presentation of the submission made by Indonesia in respect of the area of south of Java and south of Nusa Tenggara and the approval of two sets of recommendations with regard to the submissions made by Nigeria and the Russian Federation, respectively. The statement provides information on other issues covered by the Commission during the session, including discussions on the outcomes of the thirty-third Meeting of States Parties to the United Nations Convention on the Law of the Sea relevant to the Commission.



Introduction

1. The Commission on the Limits of the Continental Shelf held its fifty-eighth session at Headquarters from 5 July to 22 August 2023. The plenary parts of the session were held on 5 July and from 8 to 11 August.¹ The remainder of the session was devoted to the scientific and technical examination of submissions at the Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs of the United Nations Secretariat.

2. The following members of the Commission attended the session: Adnan Rashid Nasser Al-Azri, Lawrence Asangongo Apaalse, Harald Brekke, Efen Perez Carandang, Aldino Manuel dos Santos de Campos, Antonio Fernando Garcez Faria, Helena Inniss, Miloud Loukili, Estevão Stefane Mahanjane, Domingos de Carvalho Viana Moreira, David Cole Mosher, Simon Njuguna, Tolojanahary Randriamiarantsoa, Rajan Sivaramakrishnan, Yong Tang, Ariel Hernán Troisi, Toshitsugu Yamazaki and Gonzalo Alejandro Yáñez Carrizo.² Prior to the session, Mateusz Damrat, member-elect of the Commission, informed the Secretary-General of the United Nations, by a letter dated 2 June 2023, of his resignation.

3. The Commission had before it the following documents:

(a) Provisional agenda (CLCS/58/L.1), agenda (CLCS/58/1) and revised agenda (CLCS/58/1/Rev.1);

(b) Statements by the Chair on the progress of work in the Commission at its fifty-sixth and fifty-seventh sessions;³

(c) Submissions made by coastal States⁴ pursuant to article 76, paragraph 8, of the United Nations Convention on the Law of the Sea, including related communications;

(d) General Assembly resolution 77/248 on oceans and the law of the sea;

(e) Letter dated 11 April 2023 from the Chair of the Commission on the Limits of the Continental Shelf addressed to the President of the thirty-third Meeting of States Parties to the Convention (SPLOS/33/10);

(f) Report of the thirty-third Meeting of States Parties to the Convention (SPLOS/33/15);

(g) Relevant communications from States parties to the Convention and States Members of the United Nations.

Opening of the fifty-eighth session

4. The Director of the Division for Ocean Affairs and the Law of the Sea, on behalf of the Under-Secretary-General for Legal Affairs and United Nations Legal Counsel, opened the fifty-eighth session of the Commission.

5. In his opening remarks, the Director welcomed the members elected in 2022⁵ to the first session of the sixth term of office of the Commission and congratulated them on their election. He highlighted the importance of ensuring continuity in the consideration of submissions and commended the preparation of handover documents by

¹ General Assembly resolution 77/248, para. 116.

² Ivan F. Glumov did not attend the session.

³ CLCS/56/1 and CLCS/57/2, respectively.

⁴ For a full list of submissions, see www.un.org/Depts/los/clcs_new/commission_submissions.htm.

⁵ SPLOS/32/15, para. 72, and annex.

subcommissions as well as efforts made by the Commission to facilitate the induction of newly elected members. The Director noted the remarkable achievements of the Commission, which during the previous five terms of office had approved a total of 38 sets of recommendations, including three sets of recommendations during the fifty-seventh session. He recalled the substantial workload ahead, with 53 submissions still awaiting consideration. In this context, he also recalled that the Commission had recently revised its working methods to enhance efficiency, including in relation to the consideration of revised submissions.⁶ The Director noted the ongoing concerns in relation to the conditions of service of the members of the Commission and efforts of the Meeting of States Parties to find efficient, sustainable and long-term solutions. He called attention to the invitation of the General Assembly to the Commission at the beginning of its new term to maintain the current pattern of meetings in order to further advance the examination of submissions,⁷ as echoed by the Meeting of States Parties to the United Nations Convention on the Law of the Sea. He expressed regret that no members from the Group of Eastern European States were in attendance, as one seat allocated to the Group had remained vacant at the recent elections, one member-elect had since resigned and one member was not in a position to attend the session. On behalf of the Legal Counsel, the Director assured the Commission of the continued support of the Office of Legal Affairs through the Division and wished the members a productive session and successful term of office.

Minute of silent prayer or meditation

6. The Commission observed a minute of silent prayer or meditation in remembrance of Osvaldo Pedro Astiz, a member of the Commission from 1997 to 2012 who had passed away on 13 April 2023, and Fernando Manuel Maia Pimentel, a member of the Commission from 2002 to 2012 who had passed away on 25 April 2023.

Solemn declaration by the members of the Commission

7. Pursuant to rule 10 of the rules of procedure of the Commission ([CLCS/40/Rev.1](#)) and paragraph 1 of the internal code of conduct for members of the Commission ([CLCS/47](#)), the members made solemn declarations and delivered signed copies thereof to the Director of the Division, as representative of the Secretary-General.

Election of the Chair of the Commission

8. The Director of the Division, as the representative of the Secretary-General, facilitated the election of the Chair of the Commission. Recalling rule 12 of the rules of procedure and the decision made by the Commission at its nineteenth session with regard to the equitable geographical rotation of the office of the Chairperson,⁸ the Commission noted that, over the course of the first five terms of office, the position of Chair had rotated among members from each of the five regional groups. Following the opening for nominations from any regional group, Mr. Campos was nominated and elected as Chair of the Commission by acclamation. In accordance with rule 13 of the rules of procedure, Mr. Campos was elected for a term of two and a half years and will be eligible for re-election.

⁶ [CLCS/57/2](#), paras. 70–73.

⁷ General Assembly resolution [77/248](#), para. 99.

⁸ [CLCS/54](#), para. 69.

Adoption of the agenda

9. The Commission considered the provisional agenda (CLCS/58/L.1) and adopted it, with amendments (CLCS/58/1). Subsequently, pursuant to rule 5, paragraph 5, of the rules of procedure, the Commission revised its agenda (CLCS/58/1/Rev.1).

Election of the Vice-Chairs

10. Following consultations, the Commission elected Messrs. Garcez, Njuguna and Tang as Vice-Chairs by acclamation. In accordance with rule 13 of the rules of procedure, the Vice-Chairs were elected for a term of two and a half years and will be eligible for re-election. Noting that the Group of Eastern European States was not represented at the current session, the Commission decided to postpone the election of the remaining Vice-Chair to a future session.

Appointment of the members of the subcommissions and other subsidiary bodies

Appointment of members to subcommissions

11. Considering the partial change in membership of the Commission resulting from the elections held at the thirty-second Meeting of States Parties to the Convention, the Commission proceeded with the appointment of its members to the subcommissions actively examining submissions. In that regard, the Commission took into account that only 20 members of the Commission had been elected by the Meeting of States Parties⁹ and that one member-elect had since resigned.¹⁰ Pending the appointment of a seventh member for some of the subcommissions, the Commission decided that the membership would be as follows:¹¹

(a) Subcommission established to consider the partial revised submission made by Brazil in respect of the Brazilian equatorial margin: Messrs. Brekke, Loukili, Moreira, Sivaramakrishnan, Yamazaki and Yáñez;

(b) Subcommission established to consider the revised submission made by the Cook Islands concerning the Manihiki Plateau: Messrs. Apaalse, Carandang, Garcez, Moreira, Mosher and Sivaramakrishnan;

(c) Subcommission established to consider the partial revised submission made by Iceland in respect of the western, southern and south-eastern parts of the Reykjanes Ridge:¹² Messrs. Campos, Carandang, Garcez, Mahanjane, Njuguna and Sivaramakrishnan;

(d) Subcommission established to consider the partial submission made by Mauritius in respect of the region of Rodrigues Island: Messrs. Campos and Glumov, Ms. Inniss and Messrs. Loukili, Randriamiantsoa, Yamazaki and Yáñez;

(e) Subcommission established to consider the partial amended submission made by Palau in respect of the North Area: Messrs. Al-Azri, Brekke, Mahanjane, Njuguna, Tang and Troisi;

⁹ SPLOS/32/15, para. 72.

¹⁰ SPLOS/33/15, para. 72.

¹¹ For information on the election of officers of the subcommissions, see the sections devoted to the respective submissions below.

¹² See para. 37 below.

(f) Subcommittee established to consider the submission made by Portugal: Messrs. Al-Azri, Apaalse, Carandang and Glumov, Ms. Inniss and Messrs. Mosher and Randriamiantsoa;

(g) Subcommittee established to consider the partial submission made by Spain in respect of the area of Galicia: Messrs. Al-Azri Apaalse and Glumov, Ms. Inniss and Messrs. Moreira, Mosher and Yáñez;

(h) Subcommittee established to consider the submission made by Trinidad and Tobago: Messrs. Brekke, Loukili, Randriamiantsoa, Tang, Troisi and Yamazaki;

(i) Subcommittee established to consider the submission made by Namibia: Messrs. Campos, Garcez, Mahanjane, Njuguna, Tang and Troisi.

Appointment of members of other subsidiary bodies

12. After consultations, the Commission appointed members to other subsidiary bodies, as follows:¹³

(a) Committee on Confidentiality: Messrs. Brekke, Moreira, Troisi and Yamazaki;

(b) Scientific and Technical Advice Committee: Mr. Apaalse, Ms. Inniss and Messrs. Mosher and Sivaramakrishnan.

Organization of work

13. The Commission approved its organization of work as outlined by the Chair, on the understanding that the members of the Commission would dedicate some of the time to activities related to the commencement of the new term of office as well as to reviewing recommendations prepared for other submissions at the fifty-seventh or fifty-eighth sessions.

Workload of the Commission and working conditions of its members

14. Taking note of the invitations of the General Assembly and the Meeting of States Parties concerning the duration and frequency of its sessions and, bearing in mind its previous decisions,¹⁴ the Commission decided that, in 2024, it would continue to meet for a total of 21 weeks per year by holding three sessions of 7 weeks each and that no two sessions would be sequential. Four of those 21 weeks would be devoted to plenary meetings. The Commission will continue to review the pattern of its meetings in the context of a more general review of the modalities of its work.¹⁵

15. After taking note of the information reported by Mr. Njuguna in his capacity as the liaison between the Commission and the Meeting of States Parties Open-ended Working Group on the conditions of service of the members of the Commission,¹⁶ the Commission adopted the following terms of reference for the liaison:

¹³ For information on the election of officers of the subsidiary bodies, see the respective sections below.

¹⁴ General Assembly resolution 77/248, para. 99, and CLCS/100, para. 14; CLCS/95, para. 113; and CLCS/88, para. 13. For information on the dates of the sixtieth, sixty-first and sixty-second sessions, see para. 111 below.

¹⁵ See para. 104 below.

¹⁶ SPLOS/33/15, paras. 63–68.

- (a) To participate in the meetings of the Open-ended Working Group and the Meetings of States Parties on behalf of the Commission;
- (b) To convey to the Open-ended Working Group the views of the Commission concerning the conditions of service of its members;
- (c) To report to the Commission on the proceedings of the Open-ended Working Group;
- (d) When in need of guidance during the intersessional period, to seek such guidance from the Chair of the Commission, who may consult with the Bureau of the Commission¹⁷ and/or the Commission.

16. The Commission reappointed Mr. Njuguna as the liaison for two and a half years. The Commission noted that no financial arrangements were currently linked to that function, in particular with regard to defraying costs of travel and expenses for the liaison to participate in person in meetings of the Open-ended Working Group held at United Nations Headquarters in New York during the Meetings of States Parties.

Presentation and consideration of the partial revised submission made by the Russian Federation in respect of the south-eastern part of the Eurasia basin in the Arctic Ocean¹⁸

Presentation of the submission

17. The presentation of the partial revised submission in respect of the south-eastern part of the Eurasia Basin in the Arctic Ocean to the Commission was made on 5 July 2023 by the head of delegation and Minister of Natural Resources and Environment, Alexander Kozlov.

18. In addition to elaborating on substantive points of the submission, the delegation informed the Commission that one of its current members, Ivan F. Glumov, had assisted the Russian Federation by providing scientific and technical advice.

19. The delegation elaborated in detail on issues of maritime delimitation in the area covered by the submission. In particular, it addressed unresolved issues of maritime delimitation, resulting from the fact that submissions made in respect of the Arctic region by Canada, Denmark and the Russian Federation partly overlap. In this regard, the delegation underscored that the three States concerned had agreed not to object to the consideration of the respective submissions by the Commission and requested the Commission to proceed with the consideration of the submission and make recommendations thereupon.

20. The Commission continued its meeting in private. Addressing the modalities for the consideration of the submission, the Commission observed that the submission had been received before the adoption, during the fifty-seventh session, of the new approach concerning revised submissions.¹⁹ Moreover, the Commission recalled that at the fifty-seventh session, it had decided to defer a decision regarding the consideration of this submission to the fifty-eighth session.²⁰ In view of the above, and taking into account the presentation made by the delegation and the fact that no communications had been received from other States regarding this revised

¹⁷ The Bureau is composed of the Chair and the four Vice-Chairs of the Commission.

¹⁸ Submission made on 14 February 2023. Available at www.un.org/depts/los/clcs_new/submissions_files/submission_rus_rev2.htm.

¹⁹ CLCS/57/2, para. 72.

²⁰ Ibid., para. 78.

submission, the Commission decided to proceed with its examination. In view of the content of the presentation and of the data and information contained in the executive summary of the submission, the Commission concluded that it was in a position to efficiently conduct the consideration of the submission at the plenary level.

Consideration of the submission and adoption of the recommendations

21. The Commission considered the submission between 7 and 14 July 2023. During that period, it completed the initial examination of the submission and its main scientific and technical examination pursuant to sections III and IV of annex III to the rules of procedure. Pursuant to paragraph 10.3 of annex III to the rules of procedure, *mutatis mutandis*, the Commission informed the delegation in writing of its views and general conclusions arising from the examination of the submission. Subsequently, the delegation provided in writing its response, pursuant to paragraph 10.4 of annex III to the rules of procedure, *mutatis mutandis*, expressing agreement with the views and general conclusions of the Commission. The Commission then proceeded with the preparation of its recommendations, in accordance with paragraph 10.5 of annex III to the rules of procedure, *mutatis mutandis*, which it finalized on 14 July 2023 and adopted on 8 August 2023, without a vote.

22. 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 the Secretary-General on 11 August 2023.

Consideration of the partial revised submission made by Brazil in respect of the Brazilian equatorial margin²¹

23. The subcommission elected Mr. Yamazaki as its Chair and Messrs. Sivaramakrishnan and Yáñez as Vice-Chairs.

24. The subcommission met from 20 July to 2 August 2023. During that period, it continued the main scientific and technical examination of the submission.

25. The subcommission held four meetings with the delegation which included presentations and exchanges of views regarding additional data and information provided by the delegation before and during the session. At the end of the session, the subcommission transmitted a communication to the delegation outlining observations relating to the submission and requesting clarifications and additional data and information.

26. The subcommission decided that it would resume its consideration of the submission during the fifty-ninth session, which would include meetings with the delegation.

27. The meetings of the subcommission during the fifty-ninth session will be held from 19 October to 2 November 2023.

²¹ Submission made on 8 September 2017. Available at www.un.org/Depts/los/clcs_new/submissions_files/submission_bra_rev2.htm.

Presentation and consideration of the revised submission made by the Cook Islands concerning the Manihiki Plateau²²

Presentation of the submission

28. The presentation of the revised submission of the Cook Islands in respect of the Manihiki Plateau was made on 11 August 2023 by the Director of Treaties, Multilateral and Oceans Division of the Ministry of Foreign Affairs and Immigration of the Cook Islands, Sandrina Thondoo; the Manager of Geographic Information Systems, Vaipo Mataora; and a consultant for the Cook Islands, Alain Murphy. The presentation included a pre-recorded video address by the Prime Minister and Minister for Foreign Affairs and Immigration of the Cook Islands, Mark Brown.

29. In addition to elaborating on substantive points of the submission, the delegation informed the Commission that two of its former members, Walter Roest and Philip Symonds, had assisted the Cook Islands by providing advice during the preparation of the submission. The delegation stated that the Cook Islands had delimited maritime boundaries with five opposite or adjacent coastal States in the region, namely, France (in respect of French Polynesia), Kiribati, New Zealand (in respect of Tokelau), Niue and the United States of America (in respect of American Samoa), “for areas in which the exclusive economic zone entitlements ... would otherwise overlap” and that “no disputes existed between the Cook Islands and its neighbours”.

30. The Commission continued its meeting in private. It was recalled that the Commission had addressed the modalities for the consideration of the submission during the fifty-seventh session of the Commission, at which it had decided to proceed with its examination by way of the respective subcommission (CLCS/57/2, paras. 80–81). The Commission took note of the presentation of the Cook Islands and instructed the subcommission, which had commenced its work at the fifty-eighth session, to take the presentation into consideration, as appropriate, when continuing its work.

Consideration of the submission

31. The subcommission elected Mr. Mosher as Chair and Messrs. Apaalse and Moreira as Vice-Chairs.

32. The subcommission met from 3 to 7 and from 14 to 22 August. During that period, it completed the initial examination of the submission and commenced its main scientific and technical examination.

33. The subcommission verified the format and completeness of the submission. In addition, it completed the preliminary analysis of the submission, concluding, *inter alia*, that the test of appurtenance was satisfied and that more time would be required to examine the data and to prepare recommendations for transmittal to the Commission. The subcommission concluded that it was not necessary at the current stage to recommend seeking cooperation with competent international organizations, in accordance with rule 56 of the rules of procedure, or advice by specialists, in accordance with rule 57.

34. The subcommission held two meetings with the delegation, during which they exchanged views, the delegation made introductory presentations and the subcommission provided a standard presentation on the procedures and practices followed by subcommissions in the examination of submissions. At the end of the session, the subcommission transmitted a communication informing the delegation of the outcome of the initial examination, outlining some preliminary observations

²² Submission made on 3 December 2021. Available at https://www.un.org/depts/los/clcs_new/submissions_files/submission_cok_23_2021.htm.

relating to the submission and requesting clarifications concerning the data and information provided.

35. 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 during the fifty-ninth session, which would include meetings with the delegation.

36. The meetings of the subcommission during the fifty-ninth session will be held from 4 to 18 October 2023.

Presentation and consideration of the partial revised submission made by Iceland in respect of the western, southern and south-eastern parts of the Reykjanes Ridge

Establishment of the subcommission

37. In view of the progress in its work,²³ the Commission decided to proceed with the examination of the partial revised submission made by Iceland in respect of the western, southern and south-eastern parts of the Reykjanes Ridge, by way of the respective subcommission.²⁴

Consideration of the submission

38. The subcommission elected Mr. Garcez as Chairperson and Messrs. Mahanjane and Sivaramakrishnan as Vice-Chairs.

39. The subcommission met from 6 to 19 July. During that period, it completed the initial examination of the submission and commenced its main scientific and technical examination.

40. The subcommission considered the format and completeness of the submission. In addition, it completed the preliminary analysis of the submission, concluding that the test of appurtenance had been satisfied and that more time would be required to examine the data and to prepare recommendations for transmittal to the Commission. The subcommission concluded that it was not necessary at the current stage to recommend seeking cooperation with competent international organizations, in accordance with rule 56 of the rules of procedure, or advice by specialists, in accordance with rule 57.

41. No meetings were held with the delegation. At the end of the session, the subcommission transmitted a communication to the delegation, informing it of the outcome of the initial examination, outlining preliminary observations relating to the submission and requesting clarifications and additional data and information.

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 during the fifty-ninth session, which would include meetings with the delegation.

43. The meetings of the subcommission during the fifty-ninth session will be held from 7 to 21 November 2023.

²³ See para. 47.

²⁴ For the membership of the subcommission, see para. 11 (c) above.

Presentation of the submission

44. The presentation of the submission was made on 9 August by the, Director, Ministry of Foreign Affairs and head of delegation, Birgir Búason; Freysteinn Sigmundsson, Research Professor, Institute of Earth Sciences, University of Iceland; and Sigvaldi Thordarson, Senior Geophysicist, Iceland GeoSurvey.

45. In addition to elaborating on substantive points of the submission, the delegation informed the Commission that one of its current members, Mr. Brekke, had assisted Iceland by providing scientific and technical advice during the preparation of the submission. The delegation stated that the submission “does not cover the continental shelf of Iceland in the Hatton-Rockall area, which is subject to overlapping claims by Denmark/the Faroe Islands, Ireland and the United Kingdom” and that “the area submitted in the south-eastern part of Reykjanes Ridge does not overlap with the disputed area”. The delegation indicated that the north-eastern part of Reykjanes Ridge was not included in the scope of the submission, given that “other arguments” applied to it and that “[s]uch arguments might lead to an overlap with competing claims in the Hatton-Rockall area”. The delegation noted that a partial submission for the north-eastern part of Reykjanes Ridge and the Hatton-Rockall area would be made at a later stage.

46. With respect to a “small overlap of claims west of the Reykjanes Ridge”, reference was made to the “2013 Agreed Minutes on the delimitation of the continental shelf beyond 200 M between Iceland and Greenland in the Irminger Sea”, reflecting the “[m]utual consent by the two States for the Commission to consider submissions and make recommendations” “[w]ithout prejudice to the question of bilateral delimitation”. It was noted that “[f]ollowing the procedures set out in article 76 (8) of the Convention, the States will finalize the delimitation of the continental shelf in the area through an agreement”.

47. The Chair of the Commission recalled that the Commission had addressed the modalities for the consideration of the submission during the first plenary part of the fifty-eighth session on 5 July, at which it had decided to proceed with its examination by way of the respective subcommission,²⁵ which had commenced its work thereafter.

48. The Commission continued its meeting in private. It took note of the presentation of Iceland and invited the subcommission to take the presentation into consideration, as appropriate, when continuing its work.

Consideration of the partial submission made by Mauritius in respect of the region of Rodrigues Island²⁶

49. The subcommission elected Mr. Yáñez as Chair, confirmed Mr. Yamazaki as a Vice-Chair and elected Mr. Randriamiantsoa as the other Vice-Chair.

50. The subcommission met from 3 to 7 and from 14 to 22 August. During that period, it completed the initial examination of the partial submission and commenced its main scientific and technical examination.

51. The subcommission verified the format and completeness of the submission. It completed the preliminary analysis of the submission, concluding that more time would be required to examine the data and to prepare recommendations for transmittal to the Commission. It decided to address the question of whether the test of

²⁵ See para. 37 above.

²⁶ Submission made on 6 May 2009. Available at www.un.org/Depts/los/clcs_new/submissions_files/submission_mus_36_2009.htm.

appurtenance had been satisfied in the main scientific and technical examination of the submission. The subcommission concluded that it was not necessary at the current stage to recommend seeking cooperation with competent international organizations, in accordance with rule 56 of the rules of procedure, or advice by specialists, in accordance with rule 57.

52. The subcommission held two meetings with the delegation, which included presentations and exchanges of views. The delegation presented its submission, as amended on 3 March 2020, for the benefit of new members of the subcommission, and the subcommission presented its preliminary views on the submission. At the end of the session, the subcommission transmitted a communication to the delegation, informing it of the outcome of the initial examination, outlining preliminary observations relating to the submission and requesting clarifications and additional data and information.

53. 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 during the fifty-ninth session, which may include meetings with the delegation.

54. The meetings of the subcommission during the fifty-ninth session will be held from 4 to 18 October 2023.

Consideration of the submission made by Nigeria²⁷

Consideration of recommendations

55. In view of the election of new members of the Commission, Nigeria had requested the opportunity to repeat the presentation it had made to the Commission at the fifty-seventh session, pursuant to paragraph 15.1 bis of annex III to the rules of procedure.²⁸ The Commission decided to accommodate the request, on the understanding that the Commission would follow, *mutatis mutandis*, the *modus operandi* provided in that paragraph and that the presentation would include no new data or information.

56. In accordance with the practice of the Commission and in order to facilitate the continued consideration of the recommendations adopted by the subcommission and transmitted to the Commission during the fifty-seventh session, the Chair of the subcommission, Mr. Mahanjane, together with Messrs. Njuguna and Yamazaki, repeated, on 19 July 2023, the presentation delivered at the fifty-seventh session.²⁹

57. The presentation by the delegation was made on 8 August 2023 by the Permanent Representative of Nigeria to the United Nations and head of delegation, Tijjani Muhammad Bande; a technical adviser and member of the High-Powered Presidential Committee on the Continental Shelf, Lawrence Awosika; and a technical consultant with the Australian National Centre for Ocean Resources and Security at the University of Wollongong, Philip Symonds.

58. The Commission continued with the consideration of the recommendations in private. On 11 August 2023, following extensive deliberations, the Commission approved, without a vote, the recommendations, with amendments.

²⁷ Available at www.un.org/depts/los/clcs_new/submissions_files/submission_nga_38_2009.htm.

²⁸ CLCS/57/2, paras. 38–39.

²⁹ Ibid., para. 37.

59. 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 the Secretary-General on 17 August 2023.

Consideration of the partial amended submission made by Palau in respect of the North Area³⁰

60. The subcommission elected Mr. Troisi as Chair and confirmed Messrs. Al-Azri and Tang as Vice-Chairs.

61. The subcommission met from 3 to 7 and from 14 to 22 August. During that period, it continued the main scientific and technical examination of the submission.

62. The subcommission held two meetings with the delegation, headed by the Minister of State for Foreign Affairs, Gustav N. Aitaro, during which the delegation made a presentation on its responses to the observations and requests for additional data and information of the subcommission at the fifty-sixth session. The subcommission made a presentation of its views on the submission. At the end of the session, the subcommission transmitted a communication to the delegation.

63. 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-ninth session, which may include meetings with the delegation.

64. The meetings of the subcommission during the fifty-ninth session will be held from 4 to 18 October 2023.

Consideration of the submission made by Portugal³¹

65. The subcommission elected Ms. Inniss as Chair and Messrs. Apaalse and Mosher as Vice-Chairs.

66. The subcommission met from 20 July to 2 August. During that period, it continued the main scientific and technical examination of the submission.

67. The subcommission held one meeting with the delegation, during which they exchanged views, and the delegation gave a presentation to introduce the submission to the new members of the subcommission and to summarize the interactions between the delegation and the subcommission. At the end of the session, the subcommission transmitted a communication to the delegation with the views and observations of the subcommission.

68. 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 during the fifty-ninth session, which would include meetings with the delegation.

69. The meetings of the subcommission during the fifty-ninth session will be held from 19 October to 2 November 2023.

³⁰ 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.

³¹ 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.

Communication dated 8 August 2023 from Portugal

70. The Commission took note of a communication dated 8 August 2023 addressed by the delegation of Portugal to the Commission on scheduling a presentation to the Commission and transmitted a communication requesting further clarifications.

Consideration of the partial submission made by Spain in respect of the area of Galicia³²

71. The subcommission confirmed Mr. Mosher as Chair and Mr. Al-Azri as a Vice-Chair and elected Ms. Inniss as the other Vice-Chair.

72. The subcommission met from 6 to 19 July 2023. During that period, it continued the main scientific and technical examination of the submission, in particular of the data and information received from the delegation in response to observations and requests made by the subcommission at the fifty-seventh session.

73. No meetings were held with the delegation. At the end of the session, the subcommission transmitted a communication to the delegation outlining observations relating to the submission and requesting clarifications and additional information.

74. 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 during the fifty-ninth session, which may include meetings with the delegation.

75. The meetings of the subcommission during the fifty-ninth session will be held from 7 to 21 November 2023.

Consideration of the submission made by Trinidad and Tobago

76. The subcommission elected Mr. Brekke as Chairperson and Messrs. Randriamiantsoa and Troisi as Vice-Chairs.

77. The subcommission met from 6 to 19 July. During that period, it completed the initial examination of the submission and commenced its main scientific and technical examination.

78. The subcommission verified the format and completeness of the submission. On the basis of a preliminary analysis of the submission, the subcommission decided that further time would be required to examine all the data and prepare recommendations for transmittal to the Commission. It also decided to address the question of whether the test of appurtenance had been satisfied in the main scientific and technical examination of the submission. The subcommission concluded that it was not necessary at the current stage to recommend seeking cooperation with competent international organizations, in accordance with rule 56 of the rules of procedure, or advice by specialists, in accordance with rule 57.

79. The subcommission held two meetings with the delegation during which they exchanged views. The delegation made introductory presentations and the subcommission made a standard presentation on the procedures and practices followed by subcommissions in the examination of submissions.

80. At the end of the session, the subcommission transmitted a communication to the delegation informing it of the outcome of the initial examination, outlining its

³² Submission made on 11 May 2009. Available at www.un.org/depts/los/clcs_new/submissions_files/submission_esp_47_2009.htm.

preliminary observations and making requests for further clarification. Pending further guidance from the Commission regarding the communication from the Bolivarian Republic of Venezuela dated 10 July 2023,³³ 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-ninth session, which may include meetings with the delegation.

81. The meetings of the subcommission during the fifty-ninth session will be held from 7 to 21 November 2023.

Communication dated 10 July 2023 from the Bolivarian Republic of Venezuela

82. On 10 July 2023, the Bolivarian Republic of Venezuela addressed a communication to the Secretary-General of the United Nations in which it objected to the consideration by the Commission of the amended submission from Trinidad and Tobago. Owing to the limited time available, the Commission decided to defer the matter to the sixtieth session, noting that, in the meantime, the States concerned may wish to make use of the avenues available to them, including provisional arrangements of a practical nature provided for in annex I to the rules of procedure.

Consideration of the submission made by Namibia³⁴

83. The subcommission elected Mr. Mahanjane as Chair and Messrs. Tang and Troisi as Vice-Chairs.

84. The subcommission met from 20 July to 2 August 2023. During that period, it completed the initial examination of the submission and commenced its main scientific and technical examination.

85. The subcommission verified the format and completeness of the submission. In addition, it completed the preliminary analysis of the submission, concluding, *inter alia*, that the test of appurtenance had been satisfied and that more time would be required to examine the data and to prepare recommendations for transmittal to the Commission. The subcommission concluded that it was not necessary at the current stage to recommend seeking cooperation with competent international organizations, in accordance with rule 56 of the rules of procedure, or advice by specialists, in accordance with rule 57.

86. The subcommission held four meetings with the delegation. Following a standard introductory presentation by the subcommission on the procedure and common practices for the consideration of a submission by a subcommission, the delegation made a presentation on the submission. The subcommission and the delegation exchanged further presentations and views regarding data and information contained in the submission or provided by the delegation in response to requests made by the subcommission during the session. At the end of the session, the subcommission transmitted a communication to the delegation containing requests for clarifications and additional data and information.

87. 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-ninth session.

³³ See para. 82 above.

³⁴ Submission made on 12 May 2009. Available at www.un.org/depts/los/clcs_new/submissions_files/submission_nam_50_2009.htm.

88. The meetings of the subcommission during the fifty-ninth session will be held from 19 October to 2 November 2023.

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 south of Java and south of Nusa Tenggara

89. The presentation of the partial submission made by Indonesia in respect of the area of south of Java and south of Nusa Tenggara was made on 10 August by the Deputy Coordinating Minister for Maritime Sovereignty and Energy and head of delegation, Jodi Mahardi; the Deputy Commander, Indonesian Navy Hydro-Oceanographic Centre, Rear Admiral Budi Purwanto; the Head of the Centre for Marine and Coastal Environment Mapping, Indonesian Geospatial Information Agency, Yosef Dwi Sigit Purnomo; the Head of the Centre for Boundary Mapping, Indonesian Geospatial Information Agency, Astrit Rimayanti; the Deputy for Basic Geospatial Mapping, Indonesian Geospatial Information Agency, Muhammad Arief Syafi'i; and the Director of Legal Affairs and Territorial Treaties of the Ministry of Foreign Affairs of Indonesia, Andreano Erwin. The delegation also included Arrmanatha Christiawan Nasir, Permanent Representative of Indonesia to the United Nations.

90. In addition to elaborating on substantive points of the submission, the delegation noted that the submission was the fourth partial submission made by Indonesia to the Commission. The delegation stated that no disputes existed in respect of the area covered in the submission. The delegation informed the Commission that no member of the Commission had assisted Indonesia by providing scientific and technical advice in the preparation of the submission.

91. The Commission continued its meeting in private. Addressing the modalities for the consideration of the submission, the Commission noted that no communications had been received from other States. Taking into account the presentation made by the delegation, the Commission decided to proceed with the consideration of the submission by Indonesia when it is next in line for consideration, as queued in the order in which it was received.

Report on the thirty-third Meeting of States Parties to the United Nations Convention on the Law of the Sea

92. The former Chair of the Commission, Mr. Al-Azri, reported on the discussions at the thirty-third Meeting of States Parties relating to the work of the Commission.³⁵

93. The Commission took note of the information reported. The Commission decided, for future sessions of the Commission, to split the agenda item on the report on the Meeting of States Parties to the Convention into two sub-items: "Report of the Chair of the Commission" and "Report of the Liaison between the Commission and the Open-ended Working Group of the Meeting of States Parties on the conditions of service of the members of the Commission".

³⁵ See [SPLOS/33/15](#), sect. VI.B. For the work of the Open-ended Working Group on the conditions of service of the members of the Commission, see para. 15 above.

Report of the Chairperson of the Committee on Confidentiality

94. The Committee on Confidentiality met and elected Mr. Brekke as Chair and Mr. Moreira as Vice-Chair.

95. The Chairperson of the Committee, Mr. Brekke, reported that no further meetings of the Committee had been required during the present session.

Report of the Chairperson of the Scientific and Technical Advice Committee

96. The Scientific and Technical Advice Committee met and elected Mr. Mosher as Chair and Mr. Sivaramakrishnan as Vice-Chair.

97. The Chair of the Committee, Mr. Mosher, reported that no further meetings of the Committee had been required during the present session, as no request had been received from any State.

Other matters

Communications dated 1 October 2022 and 11 July 2023 from Bangladesh

98. The Commission recalled that on 1 October 2022, Bangladesh had addressed a communication to the Chair of the Commission concerning the decision taken by the Commission following its consideration of the amended submission at the fifty-fourth session. Owing to the limited time available, the Commission had decided to defer the matter to the fifty-eighth session.³⁶ On 11 July 2023, Bangladesh addressed a second communication to the Chair of the Commission outlining its position on the matter.

99. In considering these communications, the Commission recalled the communications concerning the submissions which had been transmitted by Myanmar and India dated 26 January 2021 and 16 April 2021, respectively. The Commission also recalled its practice under annex I to its rules of procedure concerning communications from States and concluded that it was not in a position to change its decision as reflected in the statement of the Chair on the progress of work of the Commission at its fifty-fourth session.³⁷

100. Accordingly, the Commission will revert to the consideration of the submission when it is next in line for consideration as queued in the order in which it was received, taking into account any notes verbales that might be received in the future. The Commission took its decision in order to take into consideration any further developments that might occur throughout the intervening period during which the States concerned might wish to make use of the avenues available to them, including provisional arrangements of a practical nature provided for in annex I to the rules of procedure.

Communication dated 1 June 2023 from South Africa

101. On 1 June 2023, the delegation of South Africa, as focal point for the joint partial submission made by France and South Africa in respect of the area of the Crozet Archipelago and the Prince Edward Islands,³⁸ addressed a communication to the Chair

³⁶ CLCS/57/2, para. 65.

³⁷ CLCS/54/2, paras. 62–63.

³⁸ Submission made on 6 May 2009. Available at www.un.org/Depts/los/clcs_new/submissions_files/submission_frazaf_34_2009.htm.

of the Commission. The Commission took note of its content and, following deliberations, decided to issue a corrigendum to the *Recommendations of the Commission on the Limits of the Continental Shelf in Regard to the Partial Joint Submission Made by the French Republic and the Republic of South Africa in Respect of the Area of the Crozet Archipelago and the Prince Edward Islands on 6 May 2009*. The Commission transmitted a communication to the delegation, dated 22 August 2023.

Communication dated 17 June 2023 from Palau

102. The Permanent Representative of Palau to the United Nations addressed to the secretariat a communication dated 17 June 2023 concerning the consideration of the submission made by Palau. The Commission took note of the content of the communication, to which the Chair of the Commission responded through a letter dated 6 July 2023.

Induction of newly elected members of the Commission

103. According to the action plan proposed by the open-ended working group established at the fifty-fifth session to consider how best to facilitate the induction of new members, a number of presentations were made by re-elected members of the Commission and the secretariat.

Working group on working methods and technical needs of the Commission

104. The Chairperson of the open-ended working group on working methods and technical needs of the Commission, Mr. Mosher, reported on the work of the working group and submitted, on its behalf, a number of matters for discussion by the Commission. On some of the proposals, the Commission took the decisions described below. The Commission tasked the working group with conducting a comprehensive assessment of the efficiency of the current methods of work of the Commission, with a view to identifying proposals to improve it, including with regard to the total number of annual weeks allocated to its sessions.

(a) Office and storage space

105. Noting that there was no longer office space available to the Commission outside of the geographic information system (GIS) laboratories, upon the proposal of the open-ended working group, the Commission requested that the secretariat designate two office spaces for use by members of the Commission during its sessions, within proximity of the premises of the Division.

106. The Commission took note of the shortage of physical storage space that the secretariat is experiencing as a result of the number and size of hard copies of the submissions received from States. Taking into account that the examination of submissions is currently being conducted on electronic copies of submissions, it decided for future submissions to encourage coastal States to consider submitting only two paper copies of the executive summary, main body and supporting data and information and requested the Chair to bring this information to the attention of States parties. The Commission requested the secretariat to contact submitting States that had already received recommendations inviting them to either retrieve their paper copy submissions or authorize the secretariat to safely dispose of them.

(b) Virtual meetings

107. Upon the proposal of the open-ended working group on working methods and technical needs of the Commission, the Commission decided to routinely offer delegations the possibility of meeting virtually with the Commission and its

submissions during the sessions of the Commission, taking into account the existing time zone differences. The Commission took note of the fact that, unless meetings were held in person in the conference rooms or geographic information system laboratories at United Nations Headquarters in New York, the secretariat was not in a position to fulfil the functions of the Secretary-General with respect to “provid[ing] the Commission with all necessary assistance in enforcing the rules concerning confidentiality”. In other words, given the lack of control over the communication networks and the environment on the client side, the secretariat could not ensure that the deliberations and/or data and information shared through remote meeting tools would remain confidential. Nevertheless, if delegations were to acknowledge and accept these limitations, virtual meetings could improve efficiency in the considerations of submissions.

Website update

108. The Commission decided to update the manner in which the submissions are presented on the website dedicated to the Commission and maintained by the secretariat. It instructed the secretariat to restructure the list of submissions so as to best reflect the decision adopted at the fifty-seventh session³⁹ to proceed on the basis of two queues and with a view to highlighting submissions under active consideration and submissions that have been the object of recommendations.

Organization of work for the fifty-ninth session

109. The Commission recalled that the General Assembly, in paragraph 116 of its resolution [77/248](#), had approved the convening of the fifty-ninth session of the Commission from 4 October to 21 November 2023, with no plenary meetings. The Commission agreed on the following programme of work:

1. Consideration of the partial submission made by Mauritius in respect of the region of Rodrigues Island.
2. Consideration of the partial amended submission made by Palau in respect of the North Area.
3. Consideration of the submission made by Portugal.
4. Consideration of the partial submission made by Spain in respect of the area of Galicia.
5. Consideration of the submission made by Trinidad and Tobago.
6. Consideration of the submission made by Namibia.
7. Consideration of revised submissions:
 - (a) Partial revised submission made by Brazil in respect of the Brazilian equatorial margin;
 - (b) Revised submission made by the Cook Islands concerning the Manihiki Plateau;
 - (c) Partial revised submission made by Iceland in respect of the western, southern and south-eastern parts of the Reykjanes Ridge.

110. The Commission agreed that it would hold meetings of all its members to exchange views on general scientific and procedural topics, as well as other matters concerning specific submissions, as needed.

³⁹ [CLCS/57/2](#), para. 72.

Schedule of meetings for future sessions

111. The Commission decided to hold the following sessions in 2024:

(a) Sixtieth session, from 22 January to 8 March, with the plenary parts of the session to be held from 29 January to 2 February and from 26 February to 1 March, subject to approval by the General Assembly;

(b) Sixty-first session, from 8 July to 23 August, with the plenary parts of the session to be held from 5 to 9 and from 19 to 23 August, subject to approval by the General Assembly;

(c) Sixty-second session, from 7 October to 22 November, with no plenary meetings.

Trust funds

112. 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 fifty-seventh session of the Commission, contributions had been received from Costa Rica, Iceland, Japan, Portugal and the Republic of Korea, with a forthcoming contribution expected to be received from Spain. As at 31 July 2023, the trust fund had certified net assets of 1,208,006 United States dollars.

113. For the fifty-eighth session, financial assistance for a total of approximately \$260,000, inclusive of programme support costs, was provided to nine members. It was noted that, barring any unexpected circumstances, the trust fund therefore had sufficient funding to provide assistance to those qualifying members up to and including the fifty-ninth session.

114. The secretariat recalled that the balance of the trust fund was currently sufficient 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 in 2023. It was emphasized, however, that although the trust fund had sufficient funds to cover such expenditures in the foreseeable future, without additional contributions, the trust fund would continue to be chronically underfunded.

115. 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 in compliance with article 76 of the United Nations Convention on the Law of the Sea, the secretariat reported that, as at 31 July 2023, the trust fund had an approximate balance of \$346,157 and that no contributions had been received since the previous session. Approximately \$63,000 would be disbursed from the aforementioned balance for assistance provided to Cuba. In addition, the Cook Islands, Indonesia, Mauritius, Namibia and Nigeria 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.

116. The Commission took note of the information on the trust funds, expressed appreciation to all States that had made contributions to the trust funds and appealed to States that were in a position to do so to contribute to the trust funds.