



Commission on the Limits of the Continental Shelf

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New York, 19 October-4 December 2015

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

Statement by the Chair

Summary

The present statement provides information on the work carried out by the Commission on the Limits of the Continental Shelf and its subcommissions during its thirty-ninth session. In particular, it contains an overview of the progress made in the examination of the submissions made by the following: Brazil, in respect of the Brazilian Southern Region (partial revised submission); Uruguay; Norway, in respect of Bouvetøya and Dronning Maud Land; South Africa, in respect of the mainland of the territory of the Republic of South Africa; the Federated States of Micronesia, Papua New Guinea and Solomon Islands, jointly, concerning the Ontong Java Plateau; France and South Africa, jointly, in the area of the Crozet Archipelago and the Prince Edward Islands; Kenya; Mauritius, in the region of Rodrigues Island; and Nigeria.



1. Pursuant to the decision adopted at its thirty-fifth session (see [CLCS/85](#), para. 87), as endorsed by the General Assembly in paragraph 85 of its resolution 69/245, and as subsequently amended at the thirty-eighth session (see [CLCS/90](#), para. 99), the Commission on the Limits of the Continental Shelf held its thirty-ninth session at United Nations Headquarters from 19 October to 4 December 2015. The session was entirely devoted to the technical examination of submissions at the geographic information system (GIS) laboratories of the Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs of the Secretariat.

2. The following members of the Commission attended the session: Muhammad Arshad, Lawrence Folajimi Awosika, Galo Carrera, Francis L. Charles, Richard Thomas Haworth, Martin Vang Heinesen, Emmanuel Kalngui, Wenzheng Lyu, Mazlan Bin Madon, Estevao Stefane Mahanjane, Jair Alberto Ribas Marques, Simon Njuguna, Isaac Owusu Oduro, Yong-Ahn Park, Carlos Marcelo Paterlini, Rasik Ravindra, Walter R. Roest, Tetsuro Urabe and Szymon Uścińowicz.¹ Ivan F. Glumov did not attend the session owing to health-related reasons. Mr. Awosika did not attend the session from 2 to 13 November for family reasons. In his absence, the Commission was presided by one of the Vice-Chairs, Mr. Carrera. Mr. Urabe attended the session from 19 October to 20 November.

3. The Commission had before it the following documents:

(a) Statement by the Chair on the progress of work in the Commission at its thirty-eighth session ([CLCS/90](#));

(b) Submissions made by coastal States² pursuant to article 76, paragraph 8, of the United Nations Convention on the Law of the Sea.³

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

Progress in the work of the subcommission at the thirty-ninth session

4. The subcommission, chaired by Mr. Carrera, met from 2 to 13 November 2015. During that period it carried out the initial examination of the submission, in conformity with section III of annex III to the rules of procedure of the Commission ([CLCS/40/Rev.1](#)).

5. The subcommission held three meetings with the delegation of Brazil, during which the delegation introduced the submission to the subcommission and presented its responses to questions and requests for clarifications that had been raised by the subcommission during the session.

6. The subcommission verified the format and completeness of the partial revised submission and completed the preliminary analysis thereof, inter alia, confirming that

¹ See also [CLCS/90](#), footnote 1.

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

³ United Nations, *Treaty Series*, vol. 1833, No. 31363.

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

the test of appurtenance was satisfied.⁵ The subcommission also determined that it was not necessary to recommend that the advice of specialists, in accordance with rule 57 of the rules of procedure, or that the cooperation of relevant international organizations, in accordance with rule 56, be sought. The subcommission further determined that more time would be required to examine all the data and prepare recommendations for transmittal to the Commission.

7. The subcommission decided that it would resume its consideration of the submission during the fortieth session.

8. The meetings of the subcommission during the fortieth session will be held from 22 to 26 February 2016.

Consideration of the submission made by Uruguay⁶

Progress in the work of the subcommission at the thirty-ninth session

9. The subcommission, chaired by Mr. Charles, met from 2 to 13 November 2015. It finalized the draft recommendations, which were approved by consensus on 6 November and transmitted to the Commission on 11 November. The draft recommendations will be presented to the Commission at the fortieth session.

Consideration of the submission made by Norway in respect of Bouvetøya and Dronning Maud Land⁷

Progress in the work of the subcommission at the thirty-ninth session

10. The subcommission, chaired by Mr. Haworth, met from 23 November to 4 December 2015. During that period, the delegation of Norway transmitted additional information to the subcommission in response to the preliminary views of the subcommission that were conveyed at the thirty-eighth session.

11. The subcommission held three meetings with the delegation, during which the delegation presented its responses to additional questions and requests for clarifications that had been raised by the subcommission during the session.

12. 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 fortieth session.

13. The meetings of the subcommission during the fortieth session will be held from 1 to 5 February 2016.

⁵ See: Summary of the “Recommendations of the Commission on the Limits of the Continental Shelf in regard to the submission made by Brazil on 17 May 2004 of information on the proposed outer limits of its continental shelf beyond 200 nautical miles” — www.un.org/Depts/los/clcs_new/submissions_files/submission_bra.htm.

⁶ Submission made on 7 April 2009; see www.un.org/Depts/los/clcs_new/submissions_files/submission_ury_21_2009.htm.

⁷ Submission made on 4 May 2009; see www.un.org/Depts/los/clcs_new/submissions_files/submission_nor_30_2009.htm.

Consideration of the submission made by South Africa in respect of the mainland of the territory of the Republic of South Africa⁸

Progress in the work of the subcommission at the thirty-ninth session

14. The subcommission, chaired by Mr. Haworth, met from 19 to 30 October and from 16 to 20 November 2015. During that period, the subcommission presented its preliminary views on a number of issues and indicated areas where it was in agreement with the delegation on the basis of the data and information submitted by the latter.

15. The subcommission held four meetings with the delegation, during which the delegation presented its responses to additional questions and requests for clarifications that had been raised by the subcommission during the session.

16. 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 fortieth session.

17. The meetings of the subcommission during the fortieth session will be held from 29 February to 4 March and from 14 to 18 March 2016.

Consideration of the joint submission made by the Federated States of Micronesia, Papua New Guinea and Solomon Islands concerning the Ontong Java Plateau⁹

Progress in the work of the subcommission at the thirty-ninth session

18. The subcommission, chaired by Mr. Roest, met from 19 to 30 October and from 16 to 20 November 2015. During that period, it continued the main scientific and technical examination of the joint submission.

19. The subcommission held four meetings with the joint delegation, during which they exchanged presentations. In particular, the joint delegation conveyed its intention to submit new data in further support of some aspects of the joint submission, indicating that it could only submit such data for the consideration of the subcommission at the forty-first session. Consequently, the joint delegation requested a suspension in the consideration of the joint submission until the new data could be made available to the subcommission.

20. The subcommission expressed its concern about the fact that the suspension of the consideration of the joint submission requested by the joint delegation might leave insufficient time to complete the consideration of the joint submission before the end of the term of office of the members of the Commission in June 2017.

21. The subcommission then prepared a document requesting further clarifications on some outstanding issues from the joint delegation. The subcommission informed the joint delegation that it would wait for the submission of the new data, provided

⁸ Submission made on 5 May 2009; see www.un.org/Depts/los/clcs_new/submissions_files/submission_zaf_31_2009.htm.

⁹ Submission made on 5 May 2009; see www.un.org/Depts/los/clcs_new/submissions_files/submission_fmgsb_32_2009.htm.

that the joint delegation would confirm, by the fortieth session, that such data would be made available by the forty-first session.

22. The subcommission decided that it would resume its consideration of the joint submission during the fortieth session.

23. The meetings of the subcommission during the fortieth session will be held from 29 February to 4 March and from 14 to 18 March 2016.

Consideration of the joint submission made by France and South Africa in respect of the area of the Crozet Archipelago and the Prince Edward Islands¹⁰

Progress in the work of the subcommission at the thirty-ninth session

24. The subcommission, chaired by Mr. Njuguna, met from 2 to 13 November 2015. During that period, the subcommission examined the data and information submitted by the joint delegation in response to the request made by the subcommission during the thirty-eighth session.

25. The subcommission held three meetings with the joint delegation of France and South Africa, during which they exchanged their respective views and clarifications on the joint submission including on the above-mentioned data and information, through three presentations. The subcommission subsequently conveyed a summary of its views and a request for further clarifications to the joint delegation in writing.

26. The subcommission decided that its members would continue to work on the joint submission during the intersessional period, and that it would resume its consideration of the submission during the fortieth session.

27. The meetings of the subcommission during the fortieth session will be held from 15 to 26 February 2016.

Consideration of the submission made by Kenya¹¹

Progress in the work of the subcommission at the thirty-ninth session

28. The subcommission, chaired by Mr. Park, met from 19 to 30 October and from 16 to 20 November 2015. During that period it carried out the initial examination of the submission, in conformity with section III of annex III to the rules of procedure.

29. The subcommission verified the format and completeness of the submission. Three working groups were established within the subcommission to facilitate the consideration of the submission, namely on morphology, hydrography and geodesy; geology and geophysics; and drafting and quality control. The subcommission decided that it was not necessary to recommend at that time that the advice of specialists, in

¹⁰ Submission made on 6 May 2009; see www.un.org/Depts/los/clcs_new/submissions_files/submission_frazaf_34_2009.htm.

¹¹ Submission made on 6 May 2009; see www.un.org/Depts/los/clcs_new/submissions_files/submission_ken_35_2009.htm.

accordance with rule 57 of the rules of procedure, or that the cooperation of relevant international organizations, in accordance with rule 56, be sought.

30. The subcommission held one meeting with the delegation, during which the delegation gave a detailed presentation on its submission, relating, *inter alia*, to a new main body of the submission containing revised information on the limits of the continental shelf beyond 200 nautical miles from the baselines from which the breadth of the territorial sea was measured, which was transmitted to the subcommission on 19 October. The subcommission subsequently transmitted a communication to the delegation, dated 27 October, with requests for clarification relating to the submission, and a response was provided by the delegation in a communication dated 13 November 2015.

31. Based on the response, the subcommission completed the preliminary analysis of the submission, concluding, *inter alia*, that the test of appurtenance was met by Kenya and that further time would be required to examine all the data and prepare recommendations for transmittal to the Commission. The subcommission requested clarification relating, *inter alia*, to the methodology employed by the delegation in the determination of appropriate combinations of foot of the continental slope points and constraint lines, with reference to specific scientific and technical observations made by the subcommission.

32. The subcommission decided that its members would continue to consider part II of the submission during the intersessional period and that it would resume its consideration of the submission during the fortieth session.

33. The meetings of the subcommission during the fortieth session will be held from 29 February to 4 March and from 14 to 18 March 2016.

Consideration of the submission made by Mauritius in the region of Rodrigues Island¹²

Progress in the work of the subcommission at the thirty-ninth session

34. The subcommission, chaired by Mr. Madon, met from 23 November to 4 December 2015. During that period, the subcommission continued its examination of the additional data and information provided by the delegation in response to the presentation on the full results and conclusions of the preliminary analysis, including the test of appurtenance, which had been given by the subcommission at the thirty-sixth session.

35. The subcommission held three meetings with the delegation. During those meetings, the subcommission presented to the delegation its views and general conclusions arising from the examination of the submission pursuant to paragraph 10.3 of annex III to the rules of procedure. It was agreed that the delegation would provide its full response to the presentation by the subcommission pursuant to paragraph 10.4 of annex III to the rules of procedure in written form by 31 May 2016. Subsequently, the subcommission would proceed to prepare its recommendations to be submitted to the Commission for its consideration at the forty-first session.

¹² Submission made on 6 May 2009; see www.un.org/Depts/los/clcs_new/submissions_files/submission_mus_36_2009.htm.

36. The subcommission decided that it would resume its consideration of the submission during the fortieth session.

37. The meetings of the subcommission during the fortieth session will be held from 1 to 5 and from 15 to 19 February 2016.

Consideration of the submission made by Nigeria¹³

Progress in the work of the subcommission at the thirty-ninth session

38. The subcommission, chaired by Mr. Mahanjane, met from 23 November to 4 December 2015. During that period, the subcommission continued the preliminary analysis of the submission started at the thirty-eighth session.

39. The subcommission held two meetings with the delegation, during which the delegation made a presentation. The delegation, *inter alia*, informed the subcommission that it had scheduled a survey for the first trimester of 2016 and planned to submit further data and information, with GIS projects and databases, prior to the forty-first session. In response, the subcommission made a presentation informing the delegation that the subcommission had completed the preliminary analysis of the submission, concluding, *inter alia*, that the test of appurtenance was satisfied.

40. The subcommission then proceeded to the main scientific and technical examination of the submission.

41. The subcommission expressed its concern about the fact that the delayed provision of new data and information might leave insufficient time to complete the consideration of the submission before the end of the term of office of the members of the Commission in June 2017.

42. The subcommission decided that its members would continue to work on the submission during the intersessional period, and that it would resume its consideration of the submission during the fortieth session.

43. The meetings of the subcommission during the fortieth session will be held from 1 to 5 February 2016.

Other matters

Trust funds

44. The Commission was informed by the Secretariat about the status of the trust fund for the purpose of defraying the cost of participation in its meetings of the members of the Commission from developing States. For the thirty-eighth session, financial assistance had been provided to eight members of the Commission, in the total amount of approximately \$170,000. For the thirty-ninth session, an estimated total of \$146,000 in financial assistance was being provided to seven members of the Commission.

¹³ Submission made on 7 May 2009; see www.un.org/Depts/los/clcs_new/submissions_files/submission_nga_38_2009.htm.

Secretariat support

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