



Presentation of the Commission on the Limits of the Continental Shelf to the Informal Working Group of the MSP, concerning the workload of the Commission



Outline of the Presentation

- Communications from the CLCS to the MSP and the Informal WG of MSP
- Past, present and future Submissions
- Views requested from the CLCS by the IWG of the MSP
- Conclusions



Communications from the CLCS to MSP and the IWG from 2005 to 2007

- 2005 15 MSP PowerPoint presentation by the CLCS Chairman
- 2006 SPLOS/140 Letter from CLCS Chairman to President of 16 MSP
- 2007 SPLOS/156 Letter from CLCS Chairman to President of 17 MSP
- 2007 17 MSP PowerPoint presentation by the CLCS Chairman



Communications from the CLCS to MSP and the IWG from 2009 to 2010

- 2009 19 MSP PowerPoint presentation by the CLCS Chairman
- 2009 PowerPoint presentation by the Chairman of the Workload Working Group of CLCS to the Bureau of the Informal Working Group (1 September)
- 2010 PowerPoint presentation by the Chairman of the Workload Working Group of CLCS to the Informal Working Group (14 April)
- 2010 20 MSP PowerPoint presentation by the CLCS Chairman



Past, present and future Submissions

- Fourteen (14) recommendations were completed between 2000 and April 2011.
- Four (4) Submissions under simultaneous consideration since 2007.
- Forty one (41) Submissions to consider in the future between 2011 and 20??
- The list does not include new and revised submissions.
- Forty five (45) Preliminary Notes received by the Secretary-General, two became Submissions.



Resolutions of GA (A/RES/65/37A)

57. Notes with concern that the heavy workload of the Commission, owing to the considerable number of submissions, places additional demands on and challenges before its members and the secretariat as provided by the Division, and in that regard emphasizes the need to ensure that the Commission can perform its functions expeditiously, efficiently and effectively and maintain its high level of quality and expertise;



Resolutions of GA (A/RES/65/37A)

59. Welcomes the decision of the twentieth Meeting of States Parties to continue to consider the issue of the workload of the Commission, including through its Informal Working Group facilitated by the Bureau of the Meeting of States Parties, in particular to assess further measures that may be necessary, including the possibility of a full-time Commission, and for the Informal Working Group to make recommendations to the twenty-first Meeting of States Parties, in 2011;



Resolutions of GA (A/RES/65/37A)

64. *Encourages* States to participate actively in and contribute constructively to the ongoing work of the Informal Working Group considering the issues related to the workload of the Commission;

70. *Notes* the number of submissions yet to be considered by the Commission, and in this regard stresses the urgent need for States Parties to the Convention to take appropriate and prompt steps that will allow the Commission to consider the increased number of submissions in a timely, efficient and effective manner;

Decisions of SPLOS and the work of CLCS

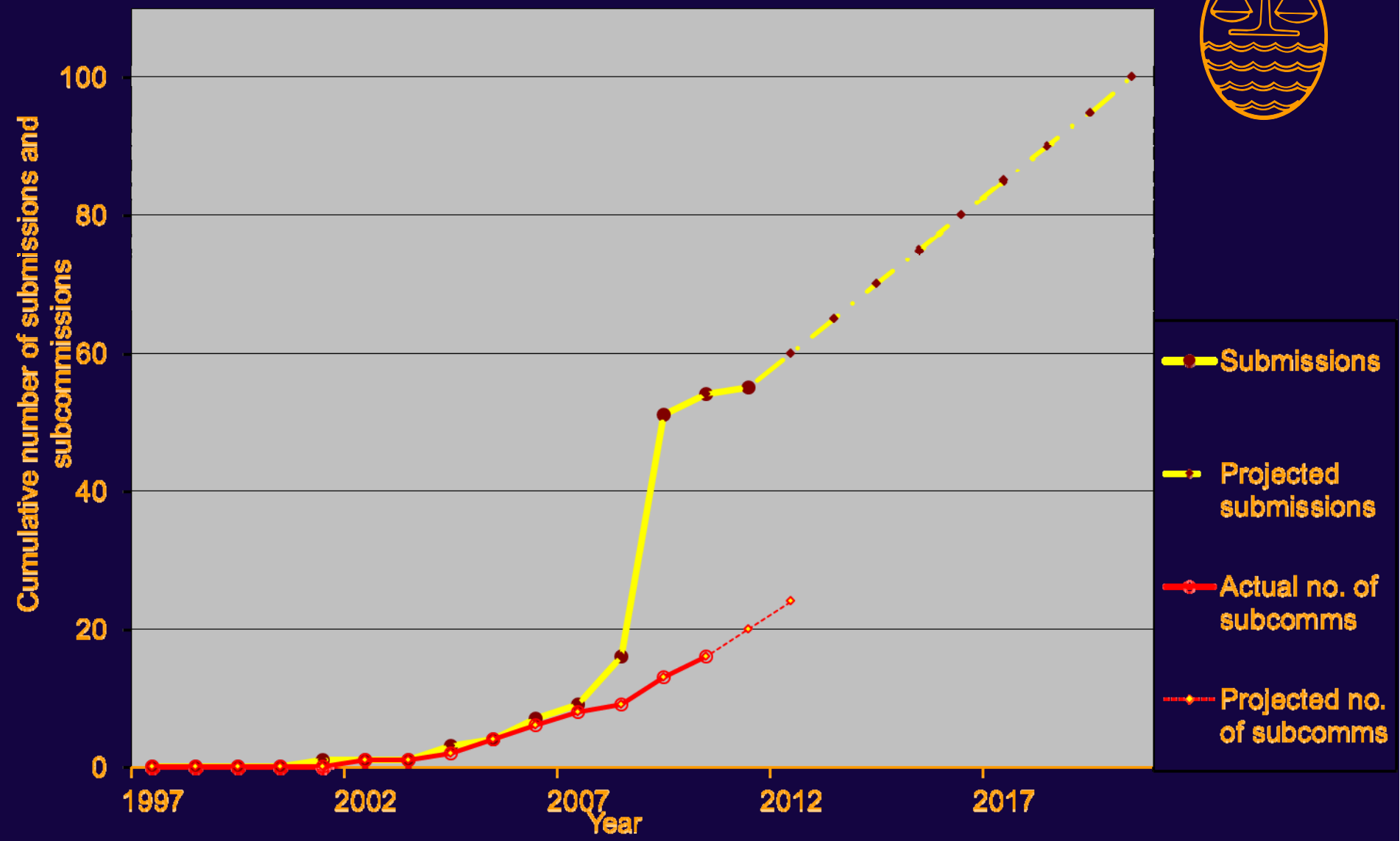


- The date of election of the members of the first CLCS.
- The commencement date for the ten year period of 13 May 1999 (SPLOS/72).
- Preliminary Information Notes (SPLOS/183).
- Informal Working Group and SPLOS/157 Secretariat update
- Decision regarding the workload of the CLCS (SPLOS/216)

Issues that impact the workload of the CLCS



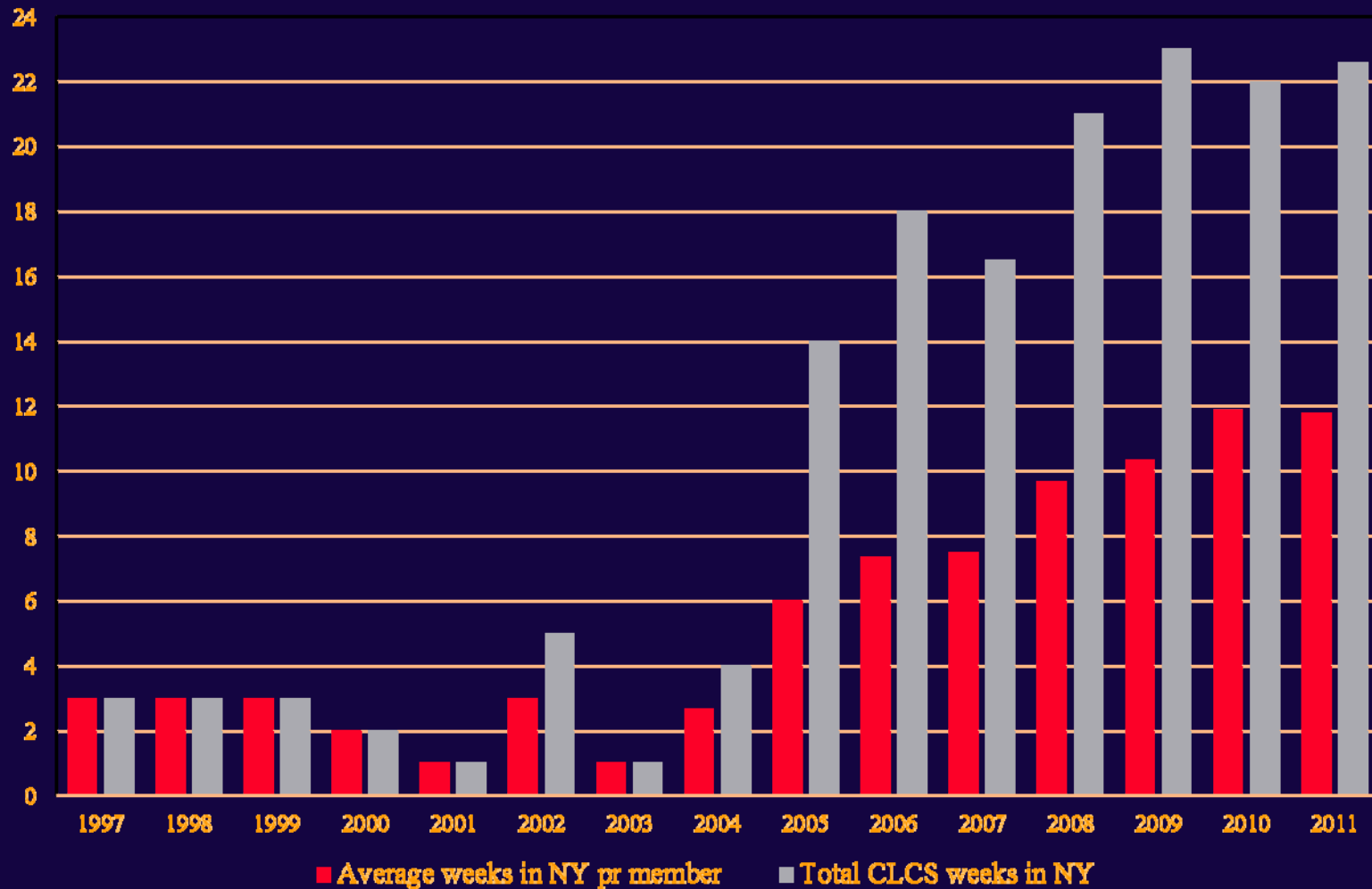
- The large size and high scientific and technical complexity of Submissions made by States, irrespective of submitted area (e.g., one large: 9 regions - 26 presentations and 59 documents in response to 15 questions/requests for clarification from the Subcommittee; a group of States: 6 sessions; one State: 1 Terabyte = 1,000 Gigabytes of data). CLCS RoP and STG ensure the examination of all data contained in submissions prepared by States over periods between 5 to 10 years.
- The large number of submissions delivered a few weeks prior to the deadline of 13 May 2009.
- Annex III, 1 (additional materials, an increasing number of States).
- Bilateral schedule for work established between the CLCS and each submitting State – Annex III, 6 (Clarifications, e.g., a group of States, 15 meetings over 6 sessions plus original and final presentations to the CLCS; one State 9 meetings over 3 sessions).





Work statistics

Total CLCS and average member weeks per year





Views requested from the CLCS by the IWG of the MSP

The Informal Working Group would like to hear the Commission's views on the possible measures to address the issue including but not limited to:

- The members of the Commission working at the United Nations on a full-time basis.
- The members of the Commission working for a total of six months per year, organized in the manner which in the view of the Commission will be most effective.

The Informal Working Group requested if the Commission would use the opportunity to explain the impact of the measures listed in operative paragraph 1 (a) to (f) of SPLOS 216 on the workload of the Commission.



Full time option

The Statement of Chairman CLCS/68 reported that the position consistently held by the Commission is:

43. The Commission underscored that, in the light of the experience accumulated over the years in considering submissions, working on a full-time basis at United Nations Headquarters was the most efficient and effective way to address its growing workload.

A potential scenario of full-time work at the UN

Schedule of continuous work



- Three Subcommissions, each spend two weeks per episode examining the submissions with questions and consultations for delegations;
- Progress is achieved until the point when responses are requested from States; the three Subcommissions move onto next three submissions in the queue;
- The States respond to questions/consultations within a time limit specified by the CLCS;
- The recommendations are issued by subcommissions to the CLCS following approximately 8 weeks of full-time consideration;
- Four plenary sessions of one-week duration each every quarter.

A potential scenario of full-time work at the UN Challenges



- The complexity of the submission;
- The number of separate areas it contains;
- The timely responses to the questions/consultations by the State;
- The actual number of weeks of consideration;
- The membership of the subcommission (skills/experience);
- Scheduled breaks in the course of the year due to holidays and other unpredictable events.

A potential scenario of full-time work at the UN Financing



- Salaries and other benefits of CLCS members
- Strengthening the full-time capacity of the Secretariat

A potential scenario of full-time work at the UN

Financing of members



- Income substitution to counter loss of income while at the United Nations;
- Travel and daily subsistence allowance for the members of the Commission and their families as required;
- Office space and facilities for the members of the Commission;
- Adequate medical and dental insurance for the members of the Commission and their eligible family members as required while at United Nations.

A potential scenario of full-time work at the UN Strengthening the capacity of the Secretariat



- Additional GIS officers, one of them at the senior level – as the need to manage a large volume of data and information associated with an increased number of submissions being considered simultaneously will require managerial skills;
- Additional staff other than GIS officers to support the work of the increased number of the Subcommissions working simultaneously.

A potential scenario of full-time work at the UN Enhanced GIS responsibilities by the Secretariat



- Maintenance of existing IT infrastructure (worth approximately \$2,000,000);
- Initial review of completeness of submissions and the GIS data;
- Maintenance of the GIS database structure;
- Preparation of submissions for in readiness for consideration;
- Provision of GIS services to the subcommissions;
- Preparation/update of submission material after additional data has been received;
- Assist the subcommission in the preparation of data-related, GIS or other technical questions;
- Assist the subcommission in the preparation of the technical parts of the recommendations.



A potential scenario of full-time work at the UN Other substantive responsibilities by the Secretariat

- Initial review of the completeness of the submission;
- Maintenance of the chronology file on information exchange, meetings etc;
- Drafting transmittal letters and other communications;
- Taking notes of major decisions made in the course of the consideration of the submission in collaboration with the GIS officers on technical issues;
- Assisting the subcommission in the preparation of questions;
- Assisting the subcommission in the preparation of recommendations;
- Perform the role of secretary to the subcommission tasked to be the focal point for communication with the focal point of the submitting State.



Six months per year option

Considering to the potential option to work six months per year, organized in the manner which in the view of the Commission will be most effective, the Commission arrived at the conclusion that:

While its preferred option is still the full-time basis at United Nations Headquarters as the most efficient and effective way to address its growing workload, this option is an important improvement over the most pressing and critical conditions confronted over the last few years and faced at present.

This option does not seem to address the need to consider submissions during inter-sessional periods and it does not precisely clarify the work conditions of CLCS members.



The impact of short, medium and long term measures implemented by the CLCS per SPLOS/216

- **Short Term:**

It has invoked an exception provision contained in Rule 51 4bis in order to create a 4th Subcommission on three consecutive occasions since 2008 (Mexico, Indonesia, Japan, France - Kerguelen F. Antilles, Philippines - Benham Rise).

- **Mid Term:**

It has extended to its maximum current capacity the number of work weeks conducted by Subcommissions at UN premises -and- home countries on an annual basis.

- **Long term:**

Without financial support, the most important suggestions made by the Informal Working Group could not possibly be implemented.



The need and importance to act now by the MSP

The MSP needs to establish with clarity the work conditions of the CLCS at its Twenty First Session because:

- Submitting States need to learn the work schedule of the CLCS and the time when they might arrive at the front of the queue.
- Potential candidates and their nominating States at the next election to be held in 2012 need to make sure that their attendance and professional commitment matches the growing workload of the CLCS.
- Potential candidates at the next election need a definition from the MSP in relation to the work conditions and time requirements if the full-time option, six-month option, or current conditions shall be in force throughout the delivery of their mandate over the next five years.



Conclusions

- The CLCS has consistently brought up to the attention of the Meeting of States Parties information relating to its workload with concrete proposals.
- As previously presented by the Chairman of the CLCS, the consideration of 55 Submissions received to date will extend to 2032. This scenario does not include the consideration of new and revised submissions from existing submissions, submissions from States for which the deadline has not arrived, submissions in disputed areas, submissions from new States Parties to UNCLOS and submissions stemming from 45 Preliminary Information Notes.
- The CLCS has taken every action possible within its current capacity to extend the maximum number of existing subcommissions and its work weeks in NY and home countries



Conclusions

- While the option to work on a full-time basis is the preferable option of the CLCS to dispense of its heavy workload, the option to work six months per year is also acceptable as an improvement over the current critical situation because the CLCS operates most effectively when all members are present in New York.
- Without financial support, the most important suggestions made by the Informal Working Group in its letter to the Secretariat dated 15 March 2010 with a view to updating SPLOS/157 could not possibly be implemented.
- The need and importance to act now by MSP:
 - Submitting States need to know the CLCS work schedule
 - Potential candidates need to be elected with a commitment to attend and comply with the work conditions, i.e., full-time, six-months, or the current scenario.