



UNCLOS AND SUSTAINABLE DEVELOPMENT

THE IMPLICATIONS OF THE CONTINENTAL SHELF REGIME



DISCLAIMER

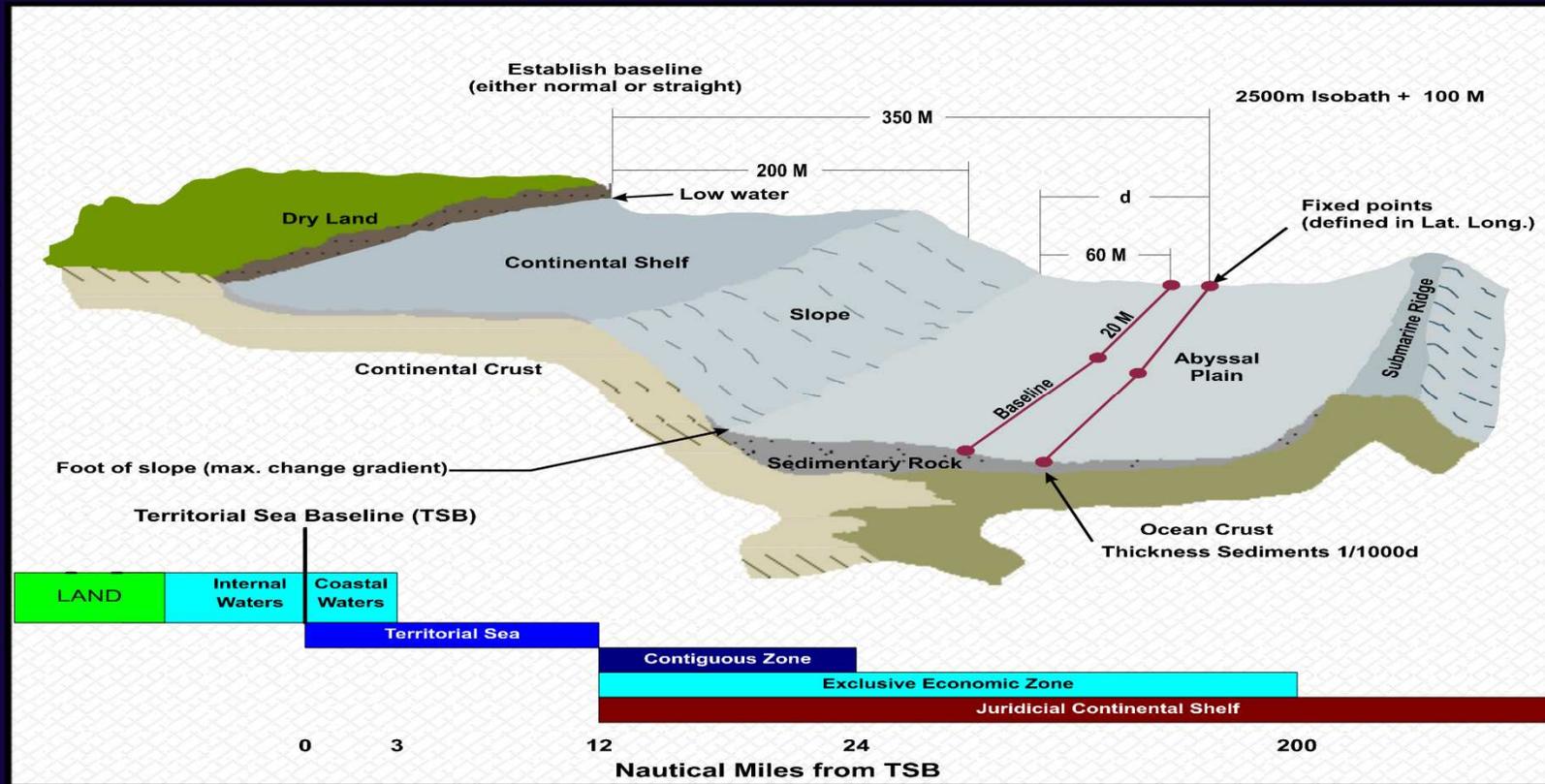
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Maritime Zones

Under national sovereignty or jurisdiction

Adapted from Kapoor and Kerr, A Guide to Maritime Boundary Delimitation, Toronto, 1985



Territorial Sea, Contiguous Zone, EEZ, Continental Shelf

Continental shelf



- **1958 regime: “exploitability” criterion = uncertainty**
- **1982 regime:**
 - **fixed criteria = certainty**
 - **complex scientific/technical criteria=need for expert body**



Commission on the Limits of the Continental Shelf [CLCS]

- 21 experts in the field of
 - geology;
 - geophysics; or
 - hydrography;
- Elected by States Parties
- Due regard to the need to ensure equitable geographical representation (min: three members from each geographical region)
- Serve in their personal capacities
- 4 commissions elected so far since 1997

CLCS (cont'd)



- One of the functions of the Commission shall be:
 - (a) **to consider the data and other material** submitted by coastal States concerning the outer limits of the continental shelf in areas where those limits extend beyond 200 nautical miles, and **to make recommendations** in accordance with article 76 and the Statement of Understanding adopted on 29 August 1980 by the Third United Nations Conference on the Law of the Sea [Art. 3 – Annex II to UNCLOS]
- The limits of the shelf established by a coastal State on the basis of these recommendations shall be **final and binding** [Art. 76(8) – UNCLOS].

Continental shelf & sustainable development



- **Clarity of entitlement = possibility to derive benefits from continental shelf (c.s.) resources**
- **Outer limits of the c.s. = limits of the Area**
 - **Benefits from the resources of the Area**
 - **the outer continental shelf contains 86 billion barrels of oil and 420 trillion cubic feet of natural gas (US MMS)**
 - **Both for coastal and land-locked States**
- **Increased knowledge of own resources**

Workload of the commission



- Importance of c.s. resources = explains very high number of submissions
- Workload for the CLCS – 70 submissions so far, 18 recommendations
- More submissions expected from Prelim doc and new States
- Revised submission



Conclusions

In the drafting of the c.s. regime, science:

- contributed to shaping diplomatic discourse
- facilitated achievement of negotiated solutions
- CLCS work contributes to:
 - peaceful maritime space acquisition for States
 - sustainable development



THANK YOU
FOR
YOUR ATTENTION