



UNCLOS AND SUSTAINABLE DEVELOPMENT

THE IMPLICATIONS OF THE CONTINENTAL SHELF REGIME



DISCLAIMER

The views expressed herein are solely those of the author and do not necessarily reflect the views of the Commission on the Limits of the 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