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**Commission on the Limits of the Continental Shelf:
information reported by the Chair of the Commission**

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

Introduction

1. I have the honour to inform you about the progress of work of the Commission since the thirty-second Meeting of States Parties to the United Nations Convention on the Law of the Sea, held in June 2022.
2. The Commission held its fifty-fifth, fifty-sixth and fifty-seventh sessions at United Nations Headquarters from 5 July to 19 August 2022, from 5 October to 22 November 2022 and from 23 January to 10 March 2023, respectively. Documents [CLCS/55/2](#), [CLCS/56/1](#) and [CLCS/57/2](#) contain more detailed accounts of the progress in the work of the Commission during those sessions, in particular with regard to the submissions under active consideration. The focus of the present letter is on issues of importance for the discharge by the Commission of its mandate under the Convention.

Consideration of submissions

3. During the sessions referred to above, the following 11 submissions were considered by the Commission and its subcommissions: Russian Federation, in respect of the Arctic Ocean (partial revised submission); Brazil, in respect of the Brazilian equatorial margin (partial revised submission); France and South Africa, jointly, in respect of the area of the Crozet Archipelago and the Prince Edward Islands; Kenya; Mauritius in respect of the region of Rodrigues Island; Nigeria; Palau in respect of the North Area (partial amended submission); Sri Lanka; Portugal; Spain in respect of the area of Galicia (partial submission); and India.
4. With respect to recommendations before the plenary of the Commission, I am pleased to inform the Meeting that during the reporting period the Commission approved three sets of recommendations. This significant achievement was made possible, inter alia, by the one-year extension of the term of office of current members to 15 June 2023 that the Meeting of States Parties adopted on an exceptional basis, owing to the unprecedented circumstances arising as a result of the COVID-19

* [SPLOS/33/L.1](#).



pandemic (SPLOS/31/10). At its fifty-seventh session, the Commission approved the recommendations with regard to the submissions made by the Russian Federation in respect of the Arctic Ocean (partial revised submission); France and South Africa, jointly, in respect of the area of the Crozet Archipelago and the Prince Edward Islands; and Kenya. The Commission also began its consideration of the recommendations in regard to the submission made by Nigeria, which had been transmitted to it by the respective subcommission during the fifty-seventh session.

5. Since the thirty-second Meeting of States Parties, the Commission has also heard presentations on new submissions made by the following submitting States: Malaysia, in respect of the South China Sea (partial submission); Chile, in respect of the eastern continental shelf of Easter Island Province (partial submission); Indonesia in respect of the area of south-west of Sumatera (partial submission); Chile in respect of the western continental shelf of the Chilean Antarctic Territory (partial submission); and Ecuador concerning the southern region of the Carnegie Ridge (partial submission).

6. With respect to the partial submission made by India in May 2009, which was already under active consideration, Pakistan requested the Commission, in a communication dated 6 July 2020,¹ not to consider and qualify the part of the submission pertaining to the western offshore region of India in the Arabian Sea.

7. With respect to the submission made by Sri Lanka in May 2009, which was also already under active consideration, India requested the Commission, in a communication dated 25 October 2022,² not to consider and qualify that submission.

8. Both of the above-mentioned communications invoked paragraph 5 (a) of annex I to the Rules of Procedure of the Commission. At its fifty-seventh session, after extensive discussions prompted by the fact that the communications had been transmitted after the establishment of the respective subcommissions, the Commission decided to suspend the consideration of the partial submission made by India and of the submission made by Sri Lanka, as requested in the above-mentioned communications. The Commission decided to consider any further developments that might occur with regard to those submissions, noting that 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.

Conditions of service of the members of the Commission

9. With regard to the conditions of service of the members of the Commission, significant disparities in the levels of support provided for the fulfilment of their duties continued to exist.

10. I note that, in its resolution 77/248, the General Assembly recalled its decision that members of the Commission could join the United Nations Headquarters medical insurance scheme upon payment of the full cost of the premium, and authorized the Secretary-General to reimburse the costs of the premium paid by members from developing States or, alternatively, to reimburse those members for the costs of medical travel insurance and short-term medical insurance on a session-by-session basis, using the voluntary trust fund established for the purpose of facilitating the participation of members of the Commission from developing States in the meetings of the Commission, subject to the availability of funds.

11. The secretariat informed the Commission that, while the current balance of the voluntary trust fund allowed for such reimbursement, it had not been possible in

¹ Available at www.un.org/Depts/los/clcs_new/submissions_files/submission_ind_48_2009.htm.

² Available at www.un.org/Depts/los/clcs_new/submissions_files/submission_lka_43_2009.htm.

previous sessions owing to insufficient funds. In the view of the Commission, since a sufficient level of funds is not guaranteed from year to year, this approach does not seem viable as a sustainable and predictable solution. In addition, I note again that the requirement to pay in advance the entire yearly premium of the United Nations Headquarters medical insurance can be prohibitive. The fact that financial assistance concerning this insurance scheme is only available by way of reimbursement *de facto* renders this assistance inaccessible to some members.

12. The Commission therefore reiterates its encouragement to States parties to find a long-term and sustainable solution to this issue to ensure that all members of the Commission receive similar and reasonable treatment related to their duties, including reasonable travel and accommodation allowances and full insurance coverage, with United Nations standards as a minimum.

13. The Commission expresses its appreciation for the work of the Open-ended Working Group on the Conditions of Service of the Members of the Commission on the Limits of the Continental Shelf towards finding a solution to these issues. In this regard, at the fifty-seventh session, the Commission decided to appoint one of its members, Simon Njuguna, to act as a liaison between the Commission and the Co-Coordination of the Open-ended Working Group.

Workload of the Commission

14. As at 11 April 2023, 74 States parties had made submissions, either individually or jointly. Overall, the Commission has received 103 submissions, including 10 revised submissions. Since the thirty-second Meeting of States Parties to the Convention, held in June 2022, the Commission has received two submissions, namely a partial revised submission made by the Russian Federation in respect of the south-eastern part of the Eurasian basin in the Arctic Ocean and a partial submission made by Indonesia in respect of the area of south of Java and south of Nusa Tenggara.

15. To date, the Commission has issued 38 sets of recommendations, including for five revised submissions. It is projected that there will be nine submissions under active consideration during the fifty-eighth session. In addition, there is one submission for which consideration at the plenary level has not yet been completed, and there are two submissions for which consideration has been suspended, leaving 53 submissions still awaiting consideration.

16. The complexity of the submissions and the related sustained exchanges between subcommissions and submitting States have contributed to an increase in the waiting time between the date a submission is made and the date a subcommission is established by the Commission to approximately 14 years. Furthermore, objections raised regarding submissions involving land or maritime disputes have resulted in the deferment or suspension of the consideration of an increasing number of submissions. In this regard, having taken note of concerns expressed by some delegations regarding progress in the consideration of the submissions (see [CLCS/55/2](#), para. 80), the Commission wishes to again encourage States to take advantage of avenues available to them, such as provisional arrangements of a practical nature, so that the consideration of submissions may proceed.

17. In response to the views expressed by some delegations at the thirty-second Meeting (see [SPLOS/32/15](#), para. 53), the Commission decided at its fifty-fifth session to establish two open-ended working groups: (a) to identify the needs of the Commission for upgrades to existing technical facilities; and (b) to review the working methods of the Commission, with a view to enhancing efficiency (see [CLCS/55/2](#), paras. 87–89). At the fifty-seventh session, it was decided to merge these working groups ([CLCS/57/2](#), para. 68).

18. Upon the proposal of the open-ended working group established to identify the needs of the Commission for upgrades to existing technical facilities, the Commission decided at its fifty-seventh session that, with a view to facilitating the work of its members and ensuring the effective and timely consideration of submissions, the geographic information systems laboratories of the Division for Ocean Affairs and the Law of the Sea should be upgraded with dual, larger computer monitors, additional secure network storage space and new software ([CLCS/57/2](#), para. 69). The technical upgrades requested by the Commission are described in the annex to the present letter.

19. With regard to its working methods, at its fifty-seventh session, the Commission addressed the matter of submissions in areas where land or maritime disputes existed. It recalled that it was governed by annex I to its Rules of Procedure, specifically, paragraph 5 (a) thereof, in which it is indicated that, “[i]n cases where a land or maritime dispute exists, the Commission shall not consider and qualify a submission made by any of the States concerned in the dispute”. The Commission requested that I draw attention to the fact that objections to some submissions were received at an advanced stage of consideration, in one case more than six years after the establishment of the subcommission. This situation is beyond the control of the Commission, and has had an adverse impact on the progress and efficiency of its work, including its ability to make recommendations in a timely manner.

20. I wish to note further that, at the fifty-seventh session, upon the proposal of the open-ended working group to review the working methods of the Commission, the Commission decided to review its approach to the consideration of revised submissions. Recalling its decision taken at the twenty-sixth session with respect to the order in which revised submissions are considered ([CLCS/68](#), para. 57), the Commission noted that the priority accorded by that decision to the consideration of revised submissions, combined with an increase in the number and complexity of revised submissions, had had an adverse impact on the progress of work with regard to the consideration of submissions in the general queue. If this practice were to continue, the Commission might soon be fully occupied with the consideration of revised submissions and unable to advance with the consideration of submissions in the original queue. The Commission decided that the consideration of submissions at future sessions would be such that at any given time, the ratio of original submissions to revised submissions under consideration would be maintained at 2 to 1, unless the Commission decided otherwise. The Commission decided that it would proceed on the basis of two queues, one for original submissions and the other for revised submissions. With this approach, under the current working method of having nine active subcommissions, a maximum of three revised submissions would be under active consideration at any one time. The Commission also decided that revised submissions would be considered in the order in which they were received, pursuant to rule 51, paragraph 4 ter, of the Rules of Procedure. The Commission decided to keep the aforementioned policy under review to ensure the efficiency of its working methods and the fair and equitable treatment of submitting coastal States (see [CLCS/57/2](#), paras. 71–74).

Consideration of additional submissions

21. At its fifty-seventh session, in keeping with its newly adopted approach concerning revised submissions, the Commission established subcommissions for the consideration of the submissions made by Trinidad and Tobago and by Namibia and decided that the consideration of the revised submission made by the Cook Islands concerning the Manihiki Plateau would also commence by way of the respective subcommission. In view of the expiration of the term of office of the current members of the Commission on 15 June 2023, the Commission decided that the membership of

the three subcommissions would be determined at the fifty-eighth session, following the commencement of the term of office of the newly elected members. With regard to the partial revised submission made by the Russian Federation in respect of the south-eastern part of the Eurasian basin in the Arctic Ocean, which had been received during the fifty-seventh session, the Commission decided to defer the decision on its consideration to the fifty-eighth session, when that submission would be on the agenda.

Election cycle

22. I wish to recall that the decision of the thirty-first Meeting of States Parties to extend the term of office of the current members of the Commission by one year, until 15 June 2023, while maintaining the existing cycle of elections for the 21 members of the Commission, has resulted in a one-year gap between the election and the assumption by the members of their functions on 16 June 2023. As I have previously stated, this approach has several advantages, including allowing for newly elected members to familiarize themselves, if necessary, with the basic documents and past work of the Commission and allowing all members to adequately plan their professional and personal lives and avoid making travel arrangements at short notice. In the light of these advantages, I wish to reiterate the invitation to the Meeting of States Parties to consider holding elections one year before the expiration of the five-year term of office of the sitting members (see [SPLOS/32/L.2](#) and [SPLOS/32/7](#), para. 22).

Membership of the Commission

23. For the benefit of, in particular, the newly elected members of the Commission whose terms of office will commence on 16 June 2023, the Commission decided at its fifty-fifth session to establish an open-ended working group to consider, and formulate a proposal on, how best to facilitate the induction of new members. At the fifty-sixth session, the working group compiled, updated and finalized a number of presentations to help newly elected members to familiarize themselves with relevant procedural, scientific and technical, administrative and logistical aspects of the work of the Commission. At the fifty-seventh session, it proposed an action plan to make available to the newly elected members information on the relevant aspects of the work of the Commission through presentations during the fifty-eighth session and subsequent workshops, to be scheduled at future sessions, as time would allow.

24. I also wish to recall the long-standing issue of the vacant seat allocated to the Eastern European States, which has remained unfilled since 2015. Most notably, the vacant seat was not filled during the elections of members of the Commission held at the thirty-second Meeting of States Parties. The Commission reiterates the importance of filling this vacancy in the interests of ensuring equitable geographical representation in the Commission and the effective discharge of its mandate.

Absence of members

25. The Commission continues to address instances of non-attendance on a case-by-case basis, as necessary and appropriate, with a view to ensuring the full participation of all members in its work, and, if warranted, of reminding nominating States of their obligations under article 2, paragraph 5, of annex II to the Convention. Absenteeism not only affects the equal geographic representation and equal distribution of work among Commission members, but has, on a number of occasions, resulted in the lack of the quorum required for the conduct of business in some subcommissions, which consequently could not take decisions on the submissions under their consideration.

26. I wish to recall that, under rule 7, paragraph 4, of the Rules of Procedure, the absence of a member of the Commission during two consecutive sessions of the Commission without justification shall be brought to the attention of the Meeting of States Parties. In this regard, in the case of Emmanuel Kalngui (Cameroon), as was previously reported, the absences have continued since the fiftieth session, in 2019 (see [SPLOS/32/7](#), para. 19). In this connection, I also recall that, at its fifty-fourth session, the Commission decided that Mr. Kalngui would no longer serve as a member of three subcommissions (see [SPLOS/32/7](#), para. 21).

Other matters

27. The Commission is regularly informed by the Division for Ocean Affairs and the Law of the Sea about the status of the voluntary trust fund for the purpose of defraying the cost of participation of the members of the Commission from developing States in its meetings, including information on contributing States (see [CLCS/55/2](#), paras. 96–98; [CLCS/56/1](#), para. 46; and [CLCS/57/2](#), paras. 87–89). The Commission was informed that, as at 31 March 2023, the trust fund had an approximate balance of \$885,000. The Commission was also informed that the secretariat had been unsuccessful thus far in recovering an amount of \$14,568 that is payable to the trust fund by a member of the Commission.

28. The Commission was further informed that, at this stage, given the start of a new term of office of the members of the Commission, the potential funding requirements for the upcoming fifty-eighth and fifty-ninth sessions of the Commission, in 2023, could not be determined. The Commission wishes to encourage continued contributions to the voluntary trust fund so that the necessary assistance can be provided, including with respect to health insurance. The Commission wishes to express its sincere appreciation to all States that have made contributions to the trust fund over the years.

29. In conclusion, allow me to address matters of a practical nature. While waiting for their submissions to arrive at the top of the queue and the establishment of subcommissions for the consideration of those submissions, submitting States should take steps to regularly update their data and information, especially those submitted in a geographical information system format, in order to ensure that the Commission is able to examine those submissions, once their turn comes, using the latest versions of software and other available technical tools.

30. As this is the last year in which I will appear before the Meeting of States Parties as Chair of the Commission in its current term of office, let me seize this opportunity to express my gratitude to the members of the Commission³ for the honour they bestowed upon me by electing me as their Chair in December 2019. I wish to acknowledge their support as well as their contribution to the work of the Commission, in particular during this challenging term of office, and their related commitment to serve for one year longer than originally expected. As the tenure of some members of the Commission has come to an end, I wish to acknowledge in particular Lawrence Folajimi Awosika and Yong Ahn Park, who have been members of the Commission since its inception in 1997. Let me also recognize, most purposely, Wanda-Lee De Landro-Clarke and Clodette Raharimananirina, the first women

³ Members of the Commission and year of their first election: Adnan Rashid Nasser Al-Azri (2017), Lawrence Folajimi Awosika (1997), Aldino Campos (2017), Wanda Lee De Landro Clarke (2017), Antonio Fernando Garcez Faria (2022), Ivan F. Glumov (2012), Martin Vang Heinesen (2012), Emmanuel Kalngui (2007), Mazlan bin Madon (2012), Estevão Stefane Mahanjane (2012), Marcin Mazurowski (2017), Domingos de Carvalho Viana Moreira (2017), David Cole Mosher (2017), Simon Njuguna (2012), Yong Ahn Park (1997), Carlos Marcelo Paterlini (2012), Clodette Raharimananirina (2017), Yong Tang (2019), Yamazaki Toshitsugu (2017) and Gonzalo Alejandro Yáñez Carrizo (2017).

elected as members of the Commission. It is my hope that, in future elections, States parties will take more resolute steps towards ensuring gender balance within the Commission. I would be remiss if I did not also take this opportunity to thank the outgoing President of the Meeting of States Parties, Vanessa Frazier, Permanent Representative of Malta to the United Nations, for her letters of appreciation to outgoing members of the Commission in the context of the fortieth anniversary of the Convention and the twenty-fifth anniversary of the establishment of the Commission.

31. On behalf of the Commission, I should also like to express gratitude to the Division for Ocean Affairs and the Law of the Sea for the high standard of secretariat services rendered to the Commission.

32. I would like to request that the present letter be circulated as a document of the thirty-third Meeting of States Parties.

(Signed) Adnan Rashid Nasser **Al-Azri**
Chair of the Commission on the Limits of the Continental Shelf

Annex

Requests for upgrades to the existing technical facilities of the Division for Ocean Affairs and the Law of the Sea

Dual 27-inch monitors

1. The Commission requests that computer workstations in the Division for Ocean Affairs and the Law of the Sea geographic information systems laboratories be equipped with dual 27-inch high-resolution monitors. Effective and timely consideration of complex data and information contained in the submissions requires the running of multiple software applications simultaneously and, in particular, the geographic information systems software requires significant visual display area.

Five terabytes of additional digital storage space

2. The Commission requests an additional five terabytes to be added to the current digital storage space and related backup to enable it to continue to carry out its mandate in the most efficient manner. Submissions to the Commission are increasingly complex and include comparatively larger data volumes. In addition, the global data sets utilized by the Commission are larger, as data coverage and resolution has improved considerably (e.g. the 2022 General Bathymetric Chart of the Oceans (GEBCO) bathymetry is 20 gigabytes, compared with 0.2 gigabytes in 2008). The present 7.5 terabyte digital storage is insufficient to host past and current submissions and provide enough digital space for consideration of submissions. The digital space management measures implemented under the current circumstances: (a) limit the ability of members to access data and information related to submissions for which recommendations have been issued; (b) pose a significant data loss risk, as it is necessary to archive data on off-line media with limited shelf-life; and (c) limit the ability to host individual members' resource data and information (e.g. reference material).

Scientific analysis/plotting software

3. The Commission requests the purchase of scientific analysis and plotting software. Statistical and regression analysis, and mathematical operations on gridded surfaces, for example, are an integral part of the assessment of State submissions. In addition, the generation of comprehensible displays of these data is important for communication of analysis results. These requirements are beyond the capabilities of Microsoft Excel, which the Commission currently has available. Scientific analysis and plotting software such as Systat Software SigmaPlot or Synergy Kaleidagraph are recommended.
