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## Mexican experience in the establishment of outer limit of the continental shelf in respect of the Western Polygon in the Gulf of Mexico

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## 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.”

Internal code of conduct for members of the Commission on the Limits of the Continental Shelf, Section 6 (CLCS/47, 8 September 2005)

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## Overview

- Provisions contained in article 76 of and Annex II to UNCLOS.
- The preparation of the submission of Mexico to the CLCS.
- The Partial Submission of Mexico in the Western Polygon of the Gulf of Mexico.
- The consideration of the Submission by the CLCS.
- The management of the extended shelf: laws, policies and sustainable development.

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## Article 76

Paragraph 1:      Definition of the continental shelf

Paragraphs 2 to 6:      Establishment of the outer limit

Paragraph 7:      Delineation of the outer limit

Paragraph 8:      Obligation to submit information to the CLCS

Paragraph 9:      Deposit with the SG of the UN of information

Paragraph 10:      Without prejudice to the question of delimitation

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### Annex II

Article 1: Obligation to create the CLCS.

Article 2: Composition numbers, expertise, nationality and service in their personal capacity. Election, term of tenure and expenses.

Article 3: Functions of the CLCS. Cooperation with competent international organizations.

Article 4: Obligation to submit information on the limits to the CLCS along with supporting scientific and technical data within 10 years and names of CLCS advisers.

Article 5: Function by way of sub-commissions.

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### Annex II (cont.)

Article 6: Subcommission Recommendations to Commission and two thirds majority vote.

Article 7: Obligation of coastal States to establish the outer limits in accordance with article 76 (8) and their own national procedures.

Article 8: In case of disagreement, a coastal State can make a new or revised Submission.

Article 9: Without prejudice to the question of delimitation.

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### The Preparation of the Submission of Mexico

- A decentralized technical committee of Mexican institutions under the Spanish acronym PLACA was appointed to prepare the submission.
- The diplomatic, policy, legal, scientific and technical coordination of the project was conducted from the Ministry of Foreign Affairs.
- Each member institution was responsible to fund the costs relating to the data collection and data processing relevant to the preparation of the submission from their own budgets.

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### Mexican institutions responsible for the preparation of the partial submission from 2004 to 2007.

Coordinating Agency:

Ministry of Foreign Affairs (SRE)

Assisting Agencies:

- Ministry of Energy (SENER)
- Ministry of the Navy (SEMAR)
- National Institute of Statistics, Geography and Informatics (INEGI)
- Petróleos Mexicanos (PEMEX)

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The partial submission contained data and information on the outer limits of the continental shelf beyond 200 M of Mexico in the Western Polygon.

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### Partial submission

- UNCLOS and the Rules of Procedure of the CLCS, together with the practice of States Parties, offered the possibility to make a partial submission (Paragraph 3 of Annex I of the Rules of Procedure of the CLCS).
- The partial submission was made in respect of the Western Polygon of the Gulf of Mexico delimited between Mexico and the United States by means of a boundary agreement signed on 9 June 2000.
- A second submission in respect of any potential continental shelf spaces beyond 200 nautical miles in the Eastern Polygon of the Gulf of Mexico will be made at a later stage.

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### Consultations

- The Government of México held consultations with the Governments of Cuba and the U.S.A. in relation to the partial submission.
- Two diplomatic notes were sent to the Government of the United States dated 25 October 2006 and 26 November 2007 with notices about the partial submission.
- A diplomatic note was sent to the Government of Cuba on 26 November 2007 a notice about the partial submission.

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### Absence of disputes

- There were no boundary disputes or controversies in any portion of the outer limits of the continental shelf beyond 200 nautical miles in the Western Polygon.
- No State presented any note based on a maritime or territorial dispute against the submission of data and information made by Mexico in the Western Polygon.

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### Advice

In accordance with article 3, paragraph 1 (b) of Annex II to UNCLOS, the Government of México received advice from Dr. Galo Carrera Hurtado, a member of the Commission on the Limits of the Continental Shelf.

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### Normal baselines

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### Single-beam echo-sounding information collected

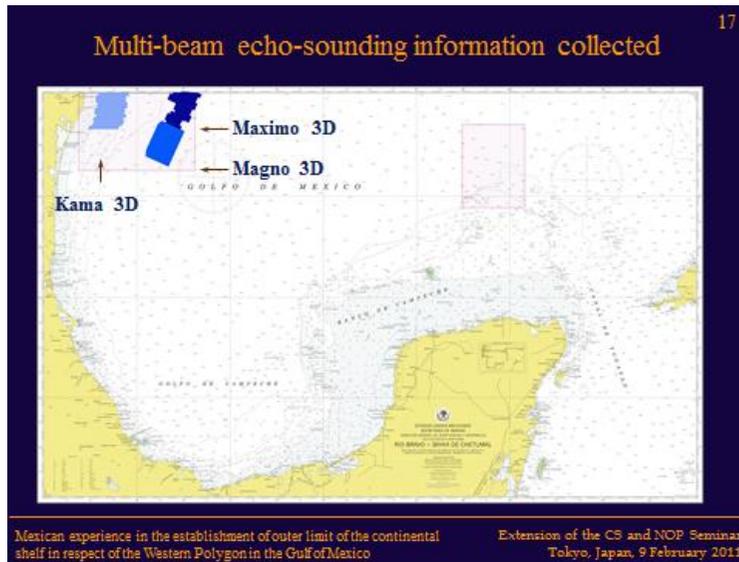
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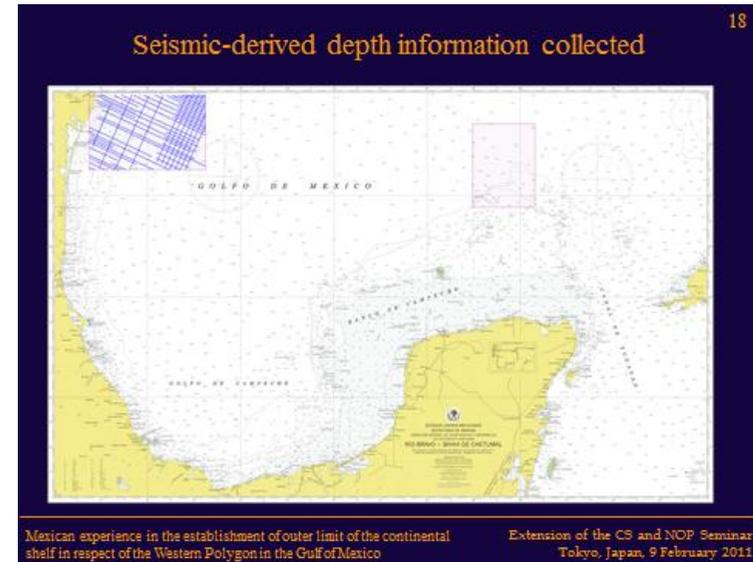
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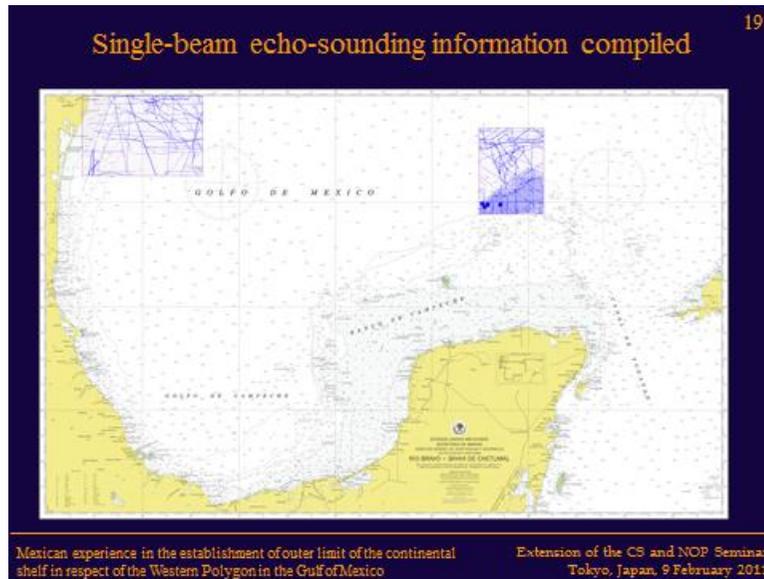
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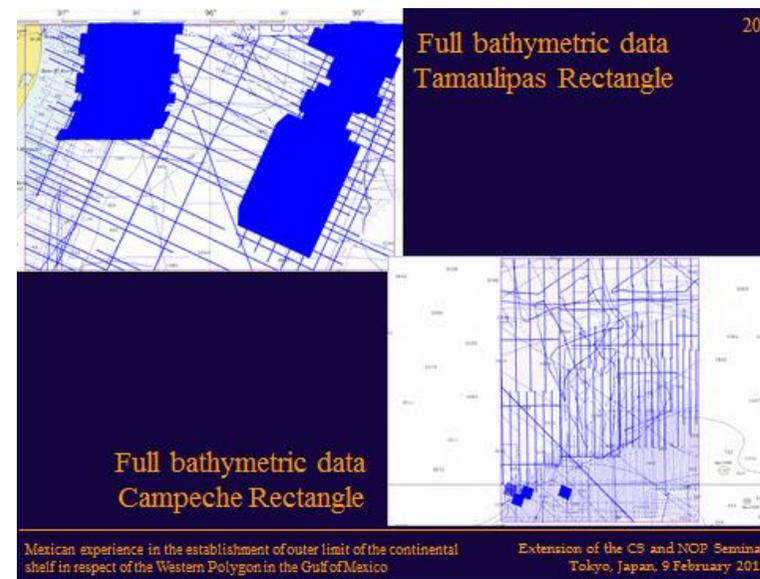
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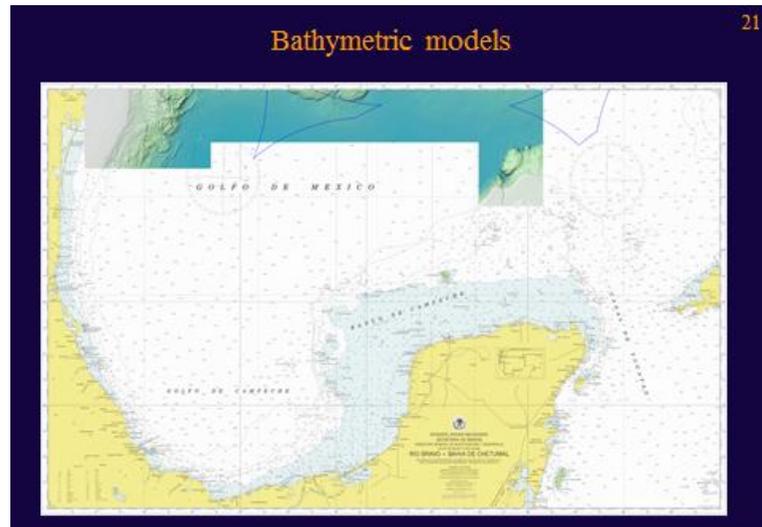
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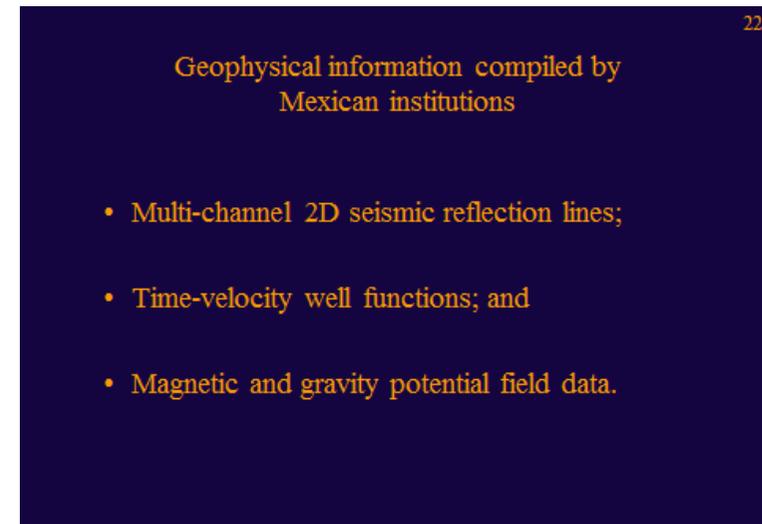


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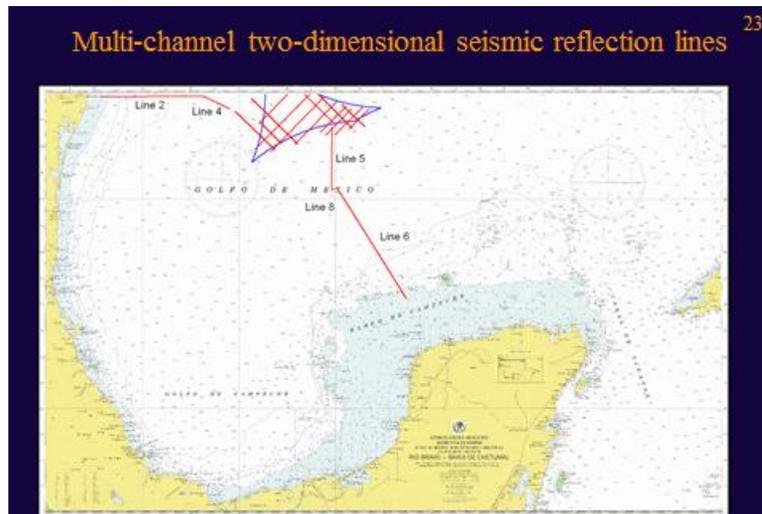


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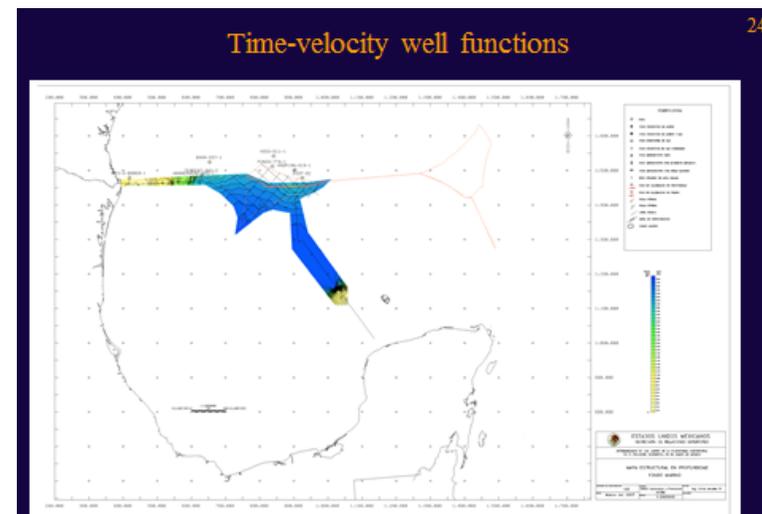


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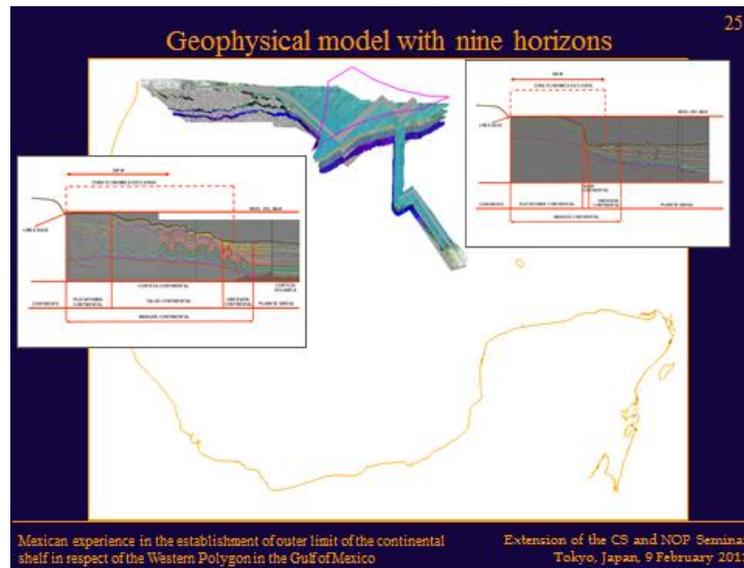


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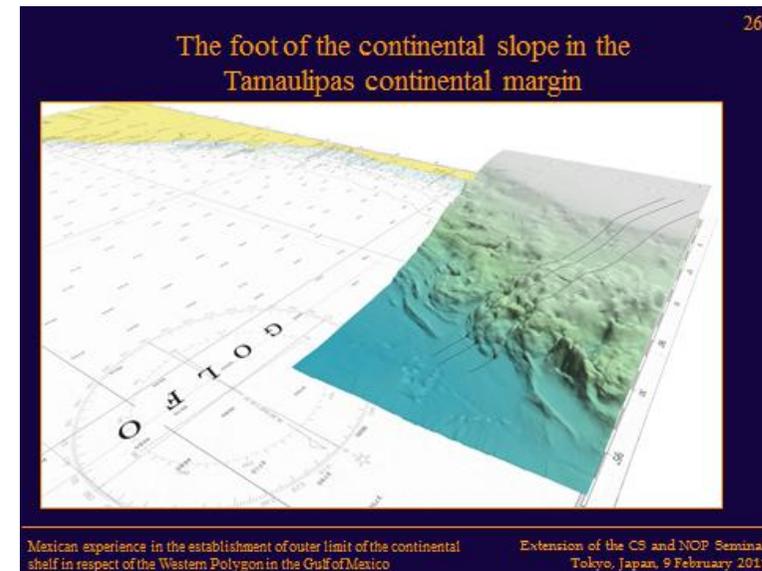
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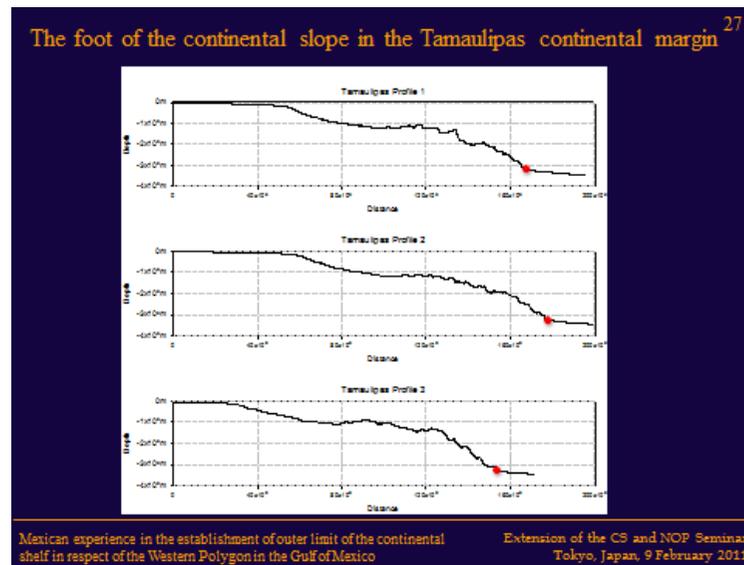
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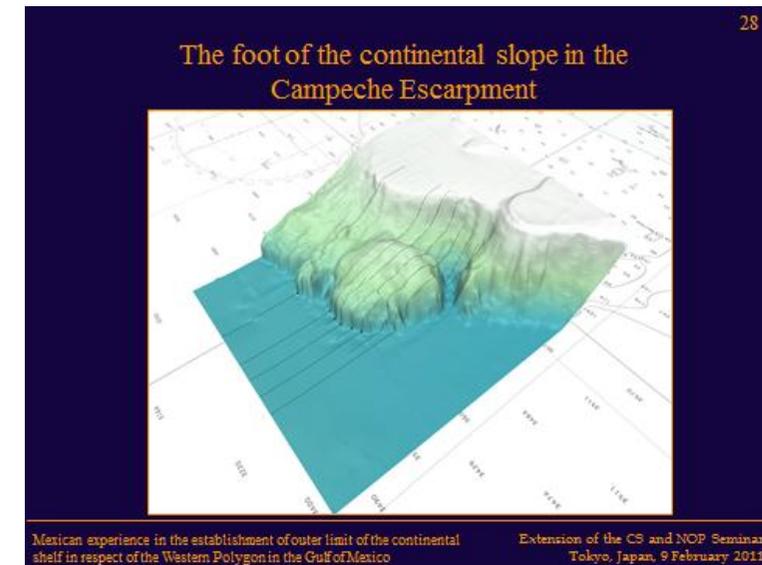
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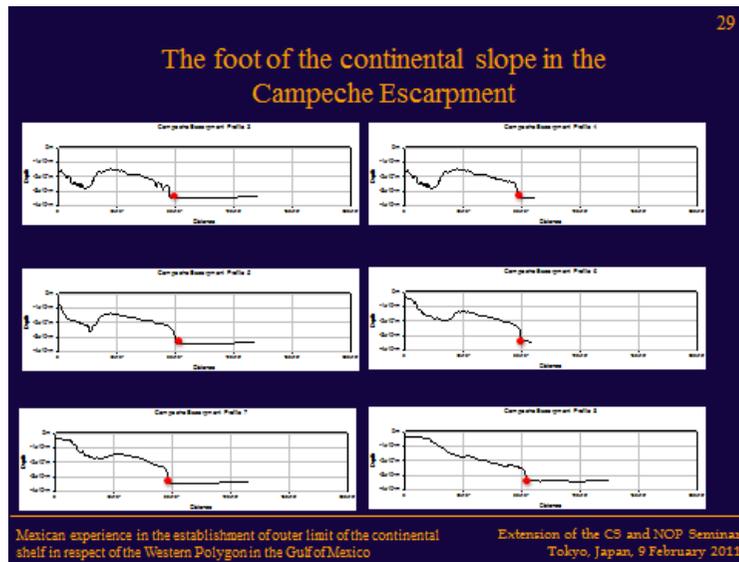
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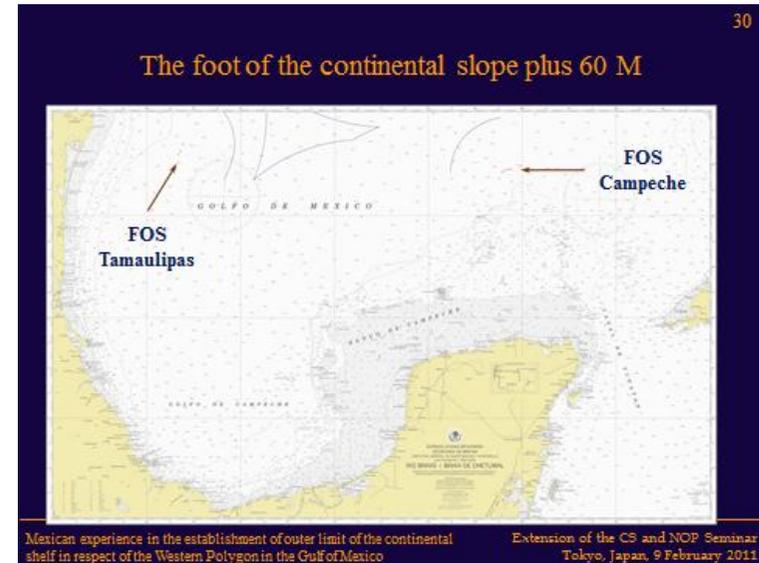
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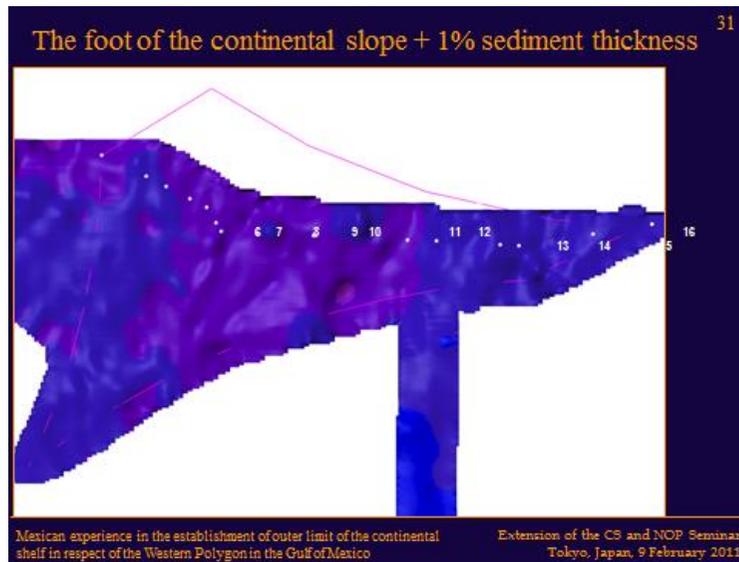
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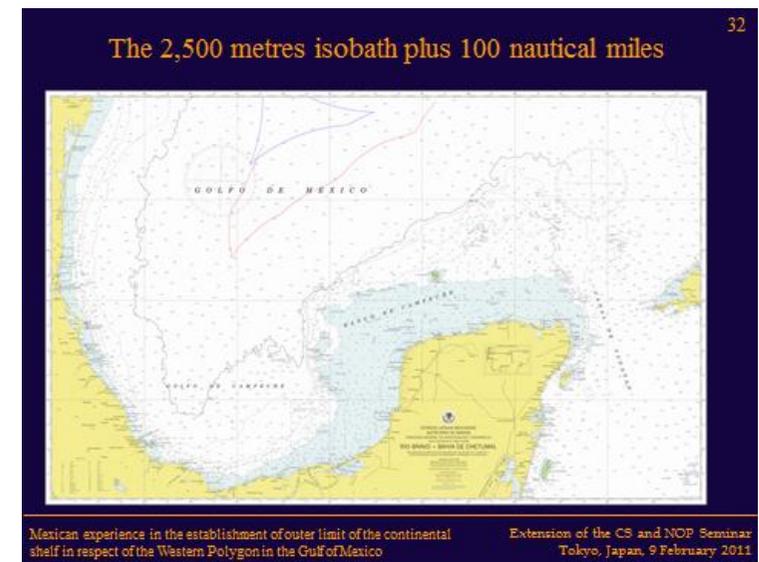
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### The 350 nautical miles constraint

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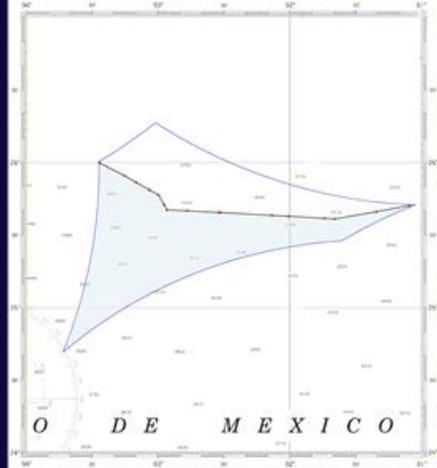
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### The outer limit of the continental shelf

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### Confidentiality

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- With the exception of Part I of the submission of Mexico, which contained the Executive Summary, Parts II and III were confidential;
- Part II of the submission, which contained the Main Body, was confidential but members of the Commission could consider it outside of the GIS laboratories designated for the work conducted by the Commission and/or its Subcommission; and
- Part III of the submission, which contained all Supporting Data, was confidential in the strictest sense of the term and it was not allowed to circulate in whole or in part outside of the GIS laboratories designated for the work conducted by the Commission and/or its Subcommission.

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### Questions and requests for clarification

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- The Government of Mexico proposed that any questions and requests for clarification which might be posed by the Commission and/or the Subcommission during the consideration of the submission be made in writing and that they become part of the official record of exchanges with the delegation of Mexico.
- The Government of Mexico proposed to respond in the same written manner to the Commission and/or the Subcommission.

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### The consideration of the Submission by the CLCS

- The Submission was made on 13 December 2007.
- The presentation of the Submission was made before the CLCS at its 21<sup>st</sup> Session on 1 April 2008.
- The CLCS established a sub-commission of seven members : Mr. Astiz (Vice-Chairman), Mr. Croker, Mr. Kazmin, Mr. Pimentel (Vice-Chairman), Mr. Rajan, Mr. Rosette and Mr. Tamaki (Chairman).
- The Subcommission requested clarifications in a letter dated 5 September 2008, and Mexico replied 9 March 2009 with an amendment to its submission.
- The Recommendations were adopted unanimously by the CLCS on 31 March 2009.

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### The management of the extended shelf: laws and policies

- Mexico deposited with the Secretary-General of the UN charts and relevant information, including geodetic data, permanently describing the outer limits of its continental shelf in a document dated 19 May 2009.
- The Secretary-General gave due publicity thereto in the DOALOS 2010 Bulletin of the Law of the Sea 71, pp. 32-33.
- All national laws and regulations pertaining to the continental shelf up to 200 M have been applied *mutatis mutandis* up to the outer limit of the continental shelf extended beyond 200 M in the Western Polygon.

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### The management of the extended shelf: sustainable development

- Sustainable development of the deep parts of the Gulf of Mexico is a high policy priority for the Government of Mexico.
- Programs are underway for its study and research, particularly with a focus on environmental and hydrocarbon exploration.
- Challenges to Mexico:
  - Investment and technological development for deep water environmental control and hydrocarbon exploitation; and
  - The preparation of a second Partial Submission to the CLCS in the region of the Eastern Polygon, still to be bilaterally delimited with Cuba and the U.S.A.

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