

The Commission on the Limits of the Continental Shelf: Its Establishment and Subsequent Practices

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The 1982 United Nations Convention on the Law of the Sea (LOSC) recognised that all coastal states had a right to a minimum continental shelf of 200 nautical miles. However, Article 76 of the LOSC also provides that certain states may be able to proclaim an outer continental shelf beyond the 200 nautical mile limit subject to certain geological and geomorphological criteria. In order to proclaim a continental shelf beyond the 200 nautical mile limit coastal states are required to make submissions to the Commission on the Limits of the Continental Shelf, which is a LOSC institution comprised of scientific experts that makes recommendations to coastal states on their continental shelf claims. The CLCS has been operational since 1997 and during the past 15 years has been through four phases: organizational, primary, secondary and tertiary. During that period the CLCS has received 61 submissions and made 18 recommendations. A total of 43 submissions to the CLCS remain under active consideration, however some of these submissions will not be subject to recommendations for many years. The CLCS is making a significant contribution to the development of the modern law of the sea. Its work is contributing to the delimitation of the maritime domain between seabed subject to coastal state sovereign rights and jurisdiction and the internationalised 'Area' of the deep seabed regulated by the International Seabed Authority. This paper reviews the practices to date of the CLCS from a legal and operational perspective.