

Description of ILA Outer Continental Shelf Committee

This Committee was established in 2000. Its mandate is to study the regime of the continental shelf beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured. Under article 76 of the 1982 United Nations Convention on the Law of the Sea, coastal States have to submit information on the outer limits of the continental shelf beyond 200 nautical miles to the Commission on the Limits of the Continental Shelf, an organ which has been established under the Convention. The Commission shall issue recommendations to coastal States on matters related to the establishment of the outer limits of the continental shelf. Outer limits established by the coastal State on the basis of the recommendations of the Commission shall be final and binding. The implementation of article 76 should contribute to the attainment of precise and stable boundaries between areas under national jurisdiction and the international sea-bed area. Article 82 of the United Nations Convention on the Law of the Sea, which was negotiated in close connection with article 76, lays down rules on payments and contributions by the coastal States with respect to the exploitation of the continental shelf beyond 200 nautical miles. Article 82 can be considered an important element of the common heritage principle as embodied in the Convention.<P>

The Committee is studying the questions raised by the application and implementation of articles 76, 82 and other provisions of the United Nations Convention on the Law of the Sea in respect of the continental shelf. At the 2002 Conference of the ILA held in New Delhi, the Committee presented a preliminary report outlining the issues to be considered in its further work. On the basis of this preliminary report the first report dealing with article 76 of the Convention was presented at the 2004 Conference of the ILA held in Berlin. This report took into account the work of the CLCS on its rules of procedures and scientific guidelines and the issues arising from the first submissions by coastal states. The Committee submitted its second report to the 2006 Conference of the ILA held in Toronto. This represented the final report on the rules of the Convention on the Law of the Sea of relevance to the establishment of the outer limits of the continental shelf. The Committee has ended its work on article 76 and related provisions of the Convention. At the next ILA Conference to be convened in Rio de Janeiro the Committee intends to submit a report on matters relating to article 82 of the Convention. An intersessional meeting of the Committee was held at the University of Utrecht, 20-21 October 2007 where a draft report on article 82 was examined. The work of the Committee is intended to clarify the regime of the continental shelf beyond 200 miles and thus to assist States and other actors in the application and implementation of the relevant provisions of the United Nations Convention on the Law of the Sea.