



**UNITED NATIONS
OFFICE OF LEGAL AFFAIRS**

**Thirty-seventh session of the
Commission on the Limits of the Continental Shelf**

Statement

by

Mr. Miguel de Serpa Soares

Under-Secretary-General for Legal Affairs
and United Nations Legal Counsel

Conference Room 6
Monday, 9 February 2015 at 10:00 a.m.

Thank you, Mr. Chairman, for giving me the floor.

Mr. Chairman,

Distinguished Members of the Commission,

On behalf of the Secretary-General of the United Nations, I am pleased to welcome you to the opening of the plenary part of the thirty-seventh session of the Commission on the Limits of the Continental Shelf.

As you are beginning the second half of your term of office, the Secretary-General and I would like to seize this opportunity to express appreciation for your dedication and would like to convey our best wishes for your continued success. Let me also congratulate you on the adoption, at the thirty-fifth session, of your latest recommendations, the twenty-first, in respect of the Submission made by Ghana.

I understand that the active Subcommissions have made great advances in respect of other Submissions and are expected to transmit their draft recommendations to the plenary during the present and subsequent sessions. In this context, I trust that the Commission will complete its examination of as many actively considered Submissions as possible by adopting

recommendations before the end of its mandate in June 2017, as has been the practice.

This may also be an opportune time for the Commission to start considering ways and means to ensure continuity in the work of the Commission after the end of the current term of office.

I have noted with appreciation that the Commission continues to receive an increasing number of submissions. Since the previous session, three new Submissions have been transmitted to the Commission through the Secretary-General, namely:

- A Submission made jointly by Cabo Verde, The Gambia, Guinea, Guinea-Bissau, Mauritania, Senegal and Sierra Leone, in respect of areas in the Atlantic Ocean adjacent to the coast of West Africa;
- A Submission made by Denmark, in respect of the northern continental shelf of Greenland; and
- A Submission made by Spain, in respect of the area west of the Canary Islands.

This brings the total number of Submissions to the Commission to 77.

In light of the new Submission made by Denmark, as well as expected future submissions by coastal States that border the Arctic Ocean, we have observed that the media and the public are paying an increased attention to the work of the Commission. This presents an unprecedented opportunity for the Commission to highlight the importance of its role in assisting States in the process of the delineation of the outer limits of the continental shelf, but it will also mean increased scrutiny by States, the media and the public.

Let me take this opportunity to recall a recent development that is closely related to your work and will further increase the relevance of the Commission. As you may know, at its last meeting in January, the General Assembly Ad Hoc Open-ended Informal Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction adopted important recommendations.

These recommendations pave the way to the development of an international legally-binding instrument under the Convention on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction.

As the mandate of the Commission is ultimately to facilitate States in delineating the outer limits of the continental shelf beyond 200 nautical miles, it

has also a direct impact on the identification of the areas beyond national jurisdiction to which this future instrument would apply.

Distinguished Members of the Commission,

It is evident that you have a critical task ahead of you. I would like to recall the importance that States attach to the work of the Commission.

For this reason, the Secretary-General and I fully agree with and support your determination that full attendance of all members at every session is crucial for the effective functioning of the Commission and the efficient delivery of recommendations. In this regard, I note that a member of the Commission from Georgia who had not been attending sessions of the Commission, recently resigned. By-elections to replace that member will take place at the Meeting of States Parties to the Convention to be held in June 2015. The call for nominations of candidates has already been dispatched.

Distinguished Members of the Commission,

The Commission has by now accumulated a wealth of scientific and technical experience and it is known for the high level of expertise that it has continued to demonstrate throughout the years.

States Parties value and respect this expertise and have high expectation in relation to the exchanges between the delegations of the submitting States and the respective Subcommissions. Those of you who have been involved in the preparation of your countries' submissions or have assisted other States in preparation of their submissions know this firsthand.

In this regard, during the examination of the submissions in the Subcommissions, the submitting States expect to engage in a comprehensive, substantive and transparent exchange of views.

To this end, I trust that the Commission and its Subcommissions will continue to do their utmost to provide the submitting States with clear scientific and technical guidance. Given the fact that delegations of many submitting States may not have the same level of combined expertise as the Subcommissions do, it seems to be of essence that the views of the Subcommissions be communicated to those States in a clear and well elaborated way.

Distinguished Members of the Commission,

Let me recall that, in its most recent resolution on Oceans and the Law of the Sea [*resolution 69/245 - provisionally available as A/69/L.29*], the General Assembly authorized the Secretary-General - *as an interim measure and subject to the availability of funds in the Trust Fund established for facilitating the participation of members of the Commission from developing States in the meetings of the Commission* - to reimburse those members for the cost of medical travel insurance on a session-by-session basis and subject to a reasonable limit that the Secretary-General shall determine, based on the information regarding medical travel insurance available to him.

The General Assembly also requested the Secretary-General to provide written information on options for mechanisms to provide medical insurance coverage to members of the Commission, including costs, giving due consideration to the exceptional character of the Commission, its working arrangements and the importance of its work for the international community. Following consideration of that information, the General Assembly expressed its intention to further review the terms of reference for the above-mentioned Trust Fund.

Finally, the General Assembly requested the Secretary-General to provide, in consultation with the Commission, written information on options for providing additional working space to the Division in order to ensure that members of the Commission have sufficient working space during their work at the sessions of the Commission and its Subcommissions, before the end of April 2015.

The Office of Legal Affairs, through its Division for Ocean Affairs and the Law of the Sea, is already undertaking necessary steps in furtherance of the requests addressed to the Secretary-General and will consult with the Commission in this regard. My staff and I remain committed to assisting the Commission in the discharge of its important functions.

Distinguished Members of the Commission,

In conclusion, please allow me to reiterate that the Secretary-General and I highly appreciate your commitment to the work of the Commission and would like to encourage you to maintain the high quality work and expertise that you have shown.

I look forward to working with you through the remainder of your term and wish you a successful thirty-seventh session.

Thank you.