

Appraisal of Applicable Depth Constraint Lines for the Purposes of the Delineation of the Outer Limits of the Continental Shelf

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ABSTRACT

Among the two constraint criteria in Article 76(5-6) of the LOS Convention only the distance constraint may be applied on submarine ridges while on submarine elevations, that are natural components of the continental margin, the two constraints may be combined. In its Scientific and Technical Guidelines the Commission on the Limits of the Continental Shelf recommends a number of criteria regarding the selection of points along the 2,500 m isobath with regard to the construction of applicable depth constraint lines. In its considerations of the proposed outer limits that coastal States have submitted to the Commission there are clear inconsistencies between the principles adopted by the Commission and the Guidelines governing the determination of valid 2,500 m isobaths for the purposes of delineating the outer limits of the continental shelf. Further, the Commission appears recently to have changed its interpretation of Article 76(6) which raises concerns as to its concordance with the very letter of the LOS Convention.