

**MINUTES OF THE 7<sup>th</sup> MEETING OF THE ADVISORY BOARD (ABLOS)**  
24-25 AUGUST 2000

DIVISION OF OCEAN AFFAIRS AND LAW OF THE SEA: OFFICE OF LEGAL AFFAIRS  
UNITED NATIONS  
NEW YORK

The Meeting was attended by;

Members

Mr Chris Carleton Chairman (IHO) UK  
Mr Ron MacNab (IOC) Vice-Chairman Canada  
R/Adm Neil Guy (IHO) IHB  
Mr Bjorn Harsson (IAG) Norway  
Dr Tadahiko Katsura (IHO) Japan  
A/Prof Chris Rizos (IAG) Australia  
Prof Petr Vanicek (IAG) Canada  
Mr Alexei Zinchenko (DOALOS) UN

Absentees

Mr Samual Betah (IOC) (Cameroon)  
Mr Xiangleng (IOC) (China)

Corresponding Members

Dr Shigeru Kato (IHO) Japan  
Mr Iain Lamont (CLCS) New Zealand

Observers

Mr Dick Gent (UKHO) UK  
Mr Jerome Sheppard (LINZ) New Zealand

1) Agenda Item 1- Welcome

The Board Members, Corresponding Members and Observers were welcomed by Mme A de Marffy, Acting Director DOALOS. She stressed the importance of ABLOS and expressed the appreciation of DOALOS to those ABLOS Members who had participated in the various 'group of experts' meeting held at the UN by DOALOS. The importance of the work of ABLOS, particularly in regard to Article 76, was highlighted.

The Chairman responded by also welcoming the delegates to his first meeting as Chairman and thanked Mme de Marffy and her staff for the use of the DOALOS facilities and for their assistance in the preparation of the meeting.

2) Agenda Item 2- The Minutes of the 6<sup>th</sup> ABLOS Meeting held in Monaco 8<sup>th</sup> September 1999.

These were approved with minor corrections.

3) Agenda Item 3- New Edition of the TALOS Manual

Neil Guy reported that while the IHB had commenced the editing of those sections of the TALOS Manual for which it had agreed to do, no other contributions had been received as yet. It was pointed out that the other Chapter Editors were awaiting communication advising them of the overall plan and process. It was then agreed that the IHB would assume overall responsibility and arrange a meeting of the sub-editors before the end of the ABLOS Meeting. The IHB agreed to forward an electronic version of the manual to chapter editors when it was available.

The use of the Open ECDIS Forum by IHO Member states and the general public was also noted and the possibility of a similar forum for ABLOS was discussed. Neil Guy would forward information of the Forum to Chris Rizos for consideration.

4) Agenda Item 4-Cooperation with IAG, (GALOS), IHO and IOC

It was noted with regret that the two new IOC representatives were unable to attend. It was further noted that it had been difficult to make contact with one of these delegates. As a member who fails to attend two consecutive meetings automatically loses his membership Ron MacNab would advise the IOC of the situation. It was accepted that there was a great demand on all the budgets and it was possible that this was a factor especially when the meeting was held at a remote venue.

Funding problems for IAG Members to attend ABLOS meetings were discussed and it was agreed that both the Chairman and the GALOS Chairman would approach IAG for sympathetic consideration of the funding of their delegates to future meetings.

The Chairman reported that all members had been re-nominated by their respective organisations and their re-election was accepted by the meeting. The Chairman drew attention to the fact that most of the members were subject to re-election at the same time and that this should be reconsidered for continuity reasons.

5) Agenda Item 5- ABLOS / ABE-LOS

Information on ABE-LOS (IOC) was provided by Ron MacNab and possible conflict of interest and confusion in regard to the acronym were discussed. It was agreed that the acronym was unfortunate but that the stated terms of reference of ABE-LOS did not conflict with ABLOS. The situation would be monitored however.

6) Agenda Item 6- IHO/IOC Book on the Continental Shelf

The 'flyer' from Oxford University Press announcing the publication was distributed. It consisted of a price indicator and an order form. Alexei Zinchenko felt that it was unfortunate that the IHO and the IOC, who had funded the publication, were not given any mention in the 'flyer'. The Chairman, who was one of the editors, agreed, but stated that unfortunately he was unaware of the content of the 'flyer'. The publisher would be advised for any future action of this nature.

7) Agenda Item 7- Requests to Members to assist with Continental Shelf claims.

No requests had been received but the UKHO was actively engaged in approaching States to assist them

A lengthy discussion took place regarding the 10 year period in which continental shelf claims could be made to the CLCS. Alexei Zinchenko stated that although a number of States intended submitting claims during the period 2001-2002 there were many that had not started the process. It was not the prerogative of the CLCS to extend this period but should it be necessary a meeting of the States Party could very well do this.

The use of the term 'errors' and its possible effect on legal representatives was discussed and as it was possible that this could be misinterpreted it was suggested that the term 'uncertainties' be used in the future.

8) Agenda Item 8- Feedback from the First ABLOS Conference.

It was generally felt that the Conference had been a success and that the Proceedings were well prepared. A number of suggestions for improvement were made.

- a) Too many papers were presented in the various sessions which precluded the necessary discussions.
- b) Speakers should also be encouraged to 'speak to' their papers rather than read them especially when they were available in a printed format.
- c) Delegates should be responsible for their own hotel bookings within the framework of block bookings arranged by the IHB.
- d) The Proceedings would be forwarded to Chris Rizos to place on the web-site. It was noted however, that some formulae might create a problem as they were in a raster block.
- e) The DOALOS logo should be included on publications relating to the Conference.

9) Agenda Item 9- ABLOS Conference 2001

Neil Guy reported that while the Principality had agreed to underwrite the costs of the Grimaldi Forum, up to 50%, it was the cost of services provided by the Forum Staff that created a major problem. This totalled 90 000ff for 200 persons for 2 days and was effectively only for the provision of Power-Point and other similar aids. The IHB would continue to negotiate with the Principality and Mme de Malffy undertook to make representations to the Principality on behalf of ABLOS. Should this not be successful it was decided that the next conference would be held in the Conference Room of the IHB. The next ABLOS Meeting would immediately precede the Conference. The following decisions were made regarding the organisation of the Conference:

- a) The title would be "Accuracies and Uncertainties in Marine Boundaries and Outer Limits"
- b) Chris Rizos would be the Conference Convenor
- c) Neil Guy would be the on-site Technical Organiser

- d) There would be 3 sessions comprising 4 papers one of which in each session would be a 'keynote' speech.
  - e) The Opening Session would comprise an Opening Ceremony and the main keynote speaker. The Chairman would chair this session.
  - f) The other sessions would be Geodetic Aspects (Chris Rizos), Hydrographic Aspects (Neil Guy), Marine-Geoscience Aspects (Ron MacNab)
  - g) Publicity would be given to the Conference as soon as clarification was obtained about the venue.
- 10) Agenda Item 10- The need for a Legal Member of ABLOS  
After discussion it was agreed that the organisations were free to nominate a legal person if they felt it necessary but that specific representation by persons representing international legal organisations was not necessary at this stage. It was noted and accepted that Alexei Zinchenko was a lawyer and had access to legal counsel within the UN.
- 11) Agenda Item 11- Global Mapping Project (GOMap)  
Ron MacNab gave a brief report on this project, which was a US project to map the entire sea-surface of the world by survey. The right to survey in another State's territorial waters and EEZ would have to be resolved.
- 12) Agenda Item 12- ABLOS Website  
Chris Rizos advised the Meeting that the website was functioning well but that it could have more information on it.
- 13) Agenda Item 13- ABLOS Secretariat Services  
Neil Guy stated that it had been difficult to prioritise responsibilities within the IHB as all appeared to be urgent but that the IHB would continue to act as the Secretariat
- 14) Agenda Item 14- Any Other Business  
It was requested that Members provide the Chairman and Alexei Zinchenko with modified *curriculum vitae*.
- IHB requested that appropriate articles be sent to the IHB for onward transmission to the new IHO Review for consideration.
- The Meeting was advised that DOALOS had hired a consultant to evaluate the resources of the deep seabed.
- 15) Agenda Item 15- Date and Venue of the next Meeting  
It was confirmed that the next ABLOS Meeting would precede the ABLOS Conference to be held in Monaco in October 2001.
- Tadahiko Katsura suggested that the Japanese Hydrographic Office host the 2002 meeting in Tokyo. This offer would be confirmed at a later stage.
- 16) With all business attended to the Chairman closed the Meeting.

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| Annex A | Presentation by Mme A de Malffy on DOALOS' History and Activities                |
| Annex B | Presentation by Alexei Zinchenko on the Recent Activities of the CLCS            |
| Annex C | Presentation by Dick Gent on the use of CARIS-LOTS by the UKHO.                  |
| Annex D | Presentation by Ron MacNab on the Initial Delimitation Steps taken in the Arctic |

## DOALOS AND CLCS, HISTORY AND ACTIVITIES

Mme A de Malffy gave a presentation on the history of DOALOS going back 27 years. DOALOS has been instrumental in fostering a number of significant publications related to ocean affairs and law of the sea particularly after the adoption of the 1982 United Nations Convention on the Law of the Sea (UNCLOS) in order to give account of how States were implementing the rules contained in the newly adopted Convention. From 1982 until 1994 DOALOS also provided substantive secretariat to the PREPCOM and circulated a variety of information on the law of the sea and ocean affairs for the benefit of States and the general public.

DOALOS' mandate, as contained in General Assembly Resolution 49/28, includes the following functions:

1) Information and Assistance.

DOALOS, as the substantive secretariat of UNCLOS, is obliged to inform Member States and, where necessary the general public of the progress being achieved in the implementation of the Convention. This includes the publication of the text of new legislation, treaties, as well as information on State Practice. DOALOS usually undertakes this task through the Law of the Sea Bulletin, which is issued three times per annum. In addition, the LOS Information Circular was established to provide information to States Parties, especially on the actions taken by them in implementing the Convention. Only information received directly from a Member State is published. DOALOS has also responded to requests for assistance by States or international organisations in relation to questions dealing with maritime boundary delimitation and other matters regarding the implementation of the Convention.

2) Depository Function

Articles 16, 75 and 84 of the Convention require States parties to deposit with the Secretary-General charts or lists of geographical co-ordinates indicating the outer limit lines of the territorial sea, exclusive economic zone and continental shelf. A system for the recording of, and giving due publicity to, the information was established. It is hoped that in the future a database will be set up, thus facilitating access, upon request, to the recorded information. Initially the information was being deposited by States with the Secretary-General in non-digital format. However, DOALOS quickly urged States to deposit, if possible, charts or lists of geographical co-ordinates in digital format. While there is no obligation for the Secretary-General to publicise such information deposited, it was considered to be both practical and useful and therefore DOALOS has endeavoured to fulfil this role.

3) Parliamentary

At present, there are 133 States Party to the Convention (132 States and 1 entity, the European Union). As it was necessary for the Secretary General to convene the Meetings of States Parties for the election of the members of Commission on the Limits of the Continental Shelf and of the International Tribunal for the Law of the Sea, DOALOS, as the substantive secretariat of the Convention, has provided secretariat services to those Meetings.

4) Reporting

DOALOS is required to report to the General Assembly all issues related to the Convention. This allows States Parties to the Convention and other States Members of the United Nations to monitor, through the General Assembly, all developments relating to the implementation of the Convention. A number of States were concerned that the implementation of the Convention had become fragmented due to the fact that it was multi-disciplinary. They considered it important to return to more comprehensive approach on oceans and the law of the sea. As a result Resolution 54/33 gave rise to the establishment of the formation of UN Informal Open-Ended Informal Consultative Process on Oceans and the Law of the Sea (UNICPOLOS) to facilitate the annual review by the General Assembly of developments in matters relating to oceans and the law of the sea by considering the Secretary-General's Report thereon prepared by DOALOS.

5) Co-operation and Co-ordination

In the field of oceans and the law of the sea co-operation is quite extensive among the organisations of the United Nations system, However, it was felt by the General Assembly that such co-operation and co-ordination should be enhanced and improved so as to avoid duplication and overlapping actions. Therefore, DOALOS has been entrusted with a co-ordinating role under the UNICPOLOS mandate

**Recent Activities of the CLCS**

A presentation was made to the Meeting by Mr Alexei Zinchenko, DOALOS' Senior Law of the Sea Officer and Secretary of Commission on the Limits of the Continental Shelf (CLCS), on Sixth and Seventh Sessions of the CLCS. The CLCS completed its Scientific and Technical Guidelines by adding to its flow-charts and illustrations facilitating the practical application of the Guidelines. Substantial time was devoted to the issue of training. A basic flow-chart for the preparation of a submission was approved and an action plan on training was adopted. This plan envisaged the preparation of a training course aimed at the practitioners drafting submissions of coastal States (the Secretariat will prepare a cost estimate for such a course). A letter, by the Chairman, was sent to the President of the UN General Assembly regarding training necessary for the implementation of Article 76 of UNCLOS within the 10 year time limit established by the Convention. The UN General Assembly welcomed these efforts of the CLCS in Resolution 54/31

The Commission also revisited the issue of confidentiality and introduced additions to its Rules of procedure. They specified the course of action to be undertaken by the Committee on Confidentiality of the CLCS in case of allegations of a breach of confidentiality within the CLCS.

At the outset of the Seventh Session, the CLCS held its first Open Meeting. The aim was to flag the most important issues related to the establishment of the continental shelf beyond 200 nautical miles and to give a general indication to policy-makers and legal advisors of the benefits that a coastal State may derive from implementing article 76 of UNCLOS

It is noteworthy that the Tenth Meeting of the States Parties to UNCLOS, which took place after the Seventh Session of the Commission in May, adopted three important decisions. The Meeting recommended, to the UN General Assembly, the establishment of three voluntary trust funds:

- 1) To provide assistance to States Parties to meet their obligations under Article 76 of the Convention
- 2) To provide training to developing countries for the preparation of their submissions to the CLCS (particularly the least developed among them and small island developing States).
- 3) To meet the costs of participation (travel expenses and daily subsistence allowance) of the Members of the CLCS from developing countries in the Meetings of the CLCS.

## UKHO AND THE USE OF CARIS-LOTS

Mr Dick Gent of the UKHO made a presentation of the UKHO's experiences in the development and use of the CARIS-LOTS programme for the determination of boundaries and outer limits in accordance with the UN Convention on the Law of the Sea

In 1998, the project was announced and since that time, the UKHO has been involved in the development or enhancement of the project. While there were a number of anomalies in the programme, it has proved to be a useful and accurate tool.

The programme utilises the World Vector Shoreline with a 2 min grid predicted bathymetry included in the database. Further developments included the facility to plot range and bearing, an enhanced toolkit to plot the 'foot of the slope', improved import and export of data and maps, the development of database links to develop world model boundaries, limits and median lines for ENCs, and the development of proportional calculation of median lines.

It is possible to import bathymetric and sediment raster images. Other sources of coastline can be imported such as from charts and maps and it is also possible to digitise a coastline. Line data such as established boundaries or digital line data can be imported. A median line can be generated in 7 minutes from rigorous geodetic calculations. Outer limits can also be generated in a relatively short period of time.

In generating the limits the following is considered or utilised:

Complex model of the coastline in which every turning point is individually buffered, envelopes of arcs are generated and spheroidal distances are used. In the buffering of a simple loxodrome the end points are digitised, the line can be filled with additional points at any interval. A geodesic has the end points digitised and then the programme generates a geodetic azimuth and in-fills with points at 1m intervals.

The closing of 'juridical' bays is done automatically. The length of a possible closing line is tested against the Convention and may then be adjusted to maximise the closure.

The identification of the 'foot of the slope' can be achieved by an analysis of the profiles generated by the programme and the chosen position can be transferred to the map or chart to establish the 'foot of the slope zone'. Points may be generated on this line.

Sediment thickness can be interrogated from seismic survey inputs. The position in accordance with the 1% rule can be determined and marked on the chart as a Gardner Line.

A continental shelf claim can be generated taking into consideration all the criteria of Article 76.

Depending on the availability of data the programme enables a desktop study to be completed in about 2 days. The programme can be utilised to establish areas where additional data is required that can later be imported.

All methods for generating median lines can be used, including equidistance, equiratio and equiarea. Additional bias such as lengths of coastlines can be accommodated.

Finally the limits required for both paper and digital charting systems can be generated. If there are weak areas, they are in the import and export of data, the ability to establish an integrated database and the generation of baseline models from raster or paper images.

**ARCTIC MAPPING AND MARITIME ZONES**

Ron MacNab presented a paper on the progress made in the gathering of data and preparation for the determination of maritime zones in the Arctic Sea. As a result of the data that has been made available for the preparation of the Bathymetric Chart of the Arctic, a map/chart has been prepared reflecting the major submarine features. Much of the data has come from the submarine mapping programmes of the USA and the Russian Federation. The quality of this data augurs well for any delimitation undertaken.

Geologically there are six natural areas of prolongation but only one true mid-ocean spreading ridge. There are also two 'doughnut' holes in the centre of the two basins.

A number of States bordering the region have progressed to point where a submission may be possible notably Norway. There are three States that have not, as yet, commenced the process. There is very good regional co-operation and it is possible that complimentary databases could be established. It is unknown whether this could lead to joint submissions being made in the outer limits in areas where the lateral boundaries may not have been decided.

Further technical information is available from the reports and maps of the IBCAO.