



Commission on the Limits of the Continental Shelf

RECOMMENDATIONS OF THE COMMISSION ON THE LIMITS OF THE CONTINENTAL SHELF IN REGARD TO THE PARTIAL REVISED SUBMISSION MADE BY THE RUSSIAN FEDERATION IN RESPECT OF THE SEA OF OKHOTSK ON 28 FEBRUARY 2013

Recommendations prepared by the Subcommittee established for the consideration
of the Submission made by the Russian Federation

Adopted by the Subcommittee on 4 February 2014

Adopted by the Commission, with amendments, on 11 March 2014

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GLOSSARY OF TERMS

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|--|---|
| 60 M formula line | The line delineated by reference to fixed points determined at a distance of 60 nautical miles from the foot of the continental slope |
| 200 M limit | The line at a distance of 200 nautical miles from the baselines from which the breadth of the territorial sea is measured |
| 2500 m isobath | A line connecting the depth of 2,500 metres. |
| Article 76 | Article 76 of the Convention |
| Commission | The Commission on the Limits of the Continental Shelf |
| Convention | The United Nations Convention on the Law of the Sea of 10 December 1982 |
| Depth constraint | The constraint line constructed at a distance of 100 M from the 2500 m isobath |
| Distance constraint | The constraint line constructed at a distance of 350 M from the baselines from which the breadth of the territorial sea is measured |
| DOALOS | Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs |
| FOS | Foot of the continental slope |
| FOS points | Foot of the continental slope points |
| Guidelines | The Scientific and Technical Guidelines of the Commission (CLCS/11 and CLCS/11/Add.1) |
| M | Nautical mile |
| Rules of Procedure | The Rules of Procedure of the Commission (CLCS/40/Rev.1) |
| Secretary-General | The Secretary-General of the United Nations |
| Sediment thickness formula line | The line delineated by reference to the outermost fixed points at each of which the thickness of sedimentary rocks is at least 1 per cent of the shortest distance from such point to the foot of the continental slope |

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I. INTRODUCTION

- 1 On 28 February 2013, the Russian Federation submitted to the Commission on the Limits of the Continental Shelf, through the Secretary-General of the United Nations, information on the limits of the continental shelf beyond 200 M from the baselines from which the breadth of the territorial sea is measured in respect of the Sea of Okhotsk, in accordance with article 76, paragraph 8.
- 2 The Convention entered into force for the Russian Federation on 11 April 1997.
- 3 It is recalled that, on 20 December 2001, the Russian Federation had made a Submission to the Commission, which covered the following regions: Barents Sea, Bering Sea, Sea of Okhotsk and Central Arctic Ocean. On 27 June 2002, the Commission adopted the "*Recommendations of the Commission on the Limits of the Continental Shelf in regard to the Submission made by the Russian Federation on 20 December 2001.*" In these Recommendations, inter alia, the Commission

- 13 The Subcommittee held two meetings with the Delegation, during which the Delegation presented the additional geodetic and hydrographic data and information and the Subcommittee provided a comprehensive presentation of its views and general conclusions arising from the examination of the Partial Revised Submission and of the additional data and information, pursuant to paragraph 10.3 of Annex III to the Rules of Procedure. In accordance with paragraph 10.4 of Annex III to the Rules of Procedure, the Delegation responded to the presentation and indicated its agreement with the views of the Subcommittee. The Delegation also stated that it would consider making a presentation to the Commission pursuant to paragraph 15.1 bis of Annex III to the Rules of Procedure at the thirty-fourth session.
- 14 Subsequently, on 20 November 2013, the Subcommittee adopted the substance of the Recommendations unanimously and decided that it would proceed with the adoption of the final draft at the thirty-fourth session of the Commission, with a view to transmitting the Recommendations to the Commission in advance of the first plenary part of that same session. The final draft of the Recommendations was adopted by the Subcommittee on 4 February 2014 and submitted to the Commission on the same date for consideration and approval.
- 15 The Commission makes these Recommendations to the Russian Federation in fulfillment of its mandate as contained in article 76, paragraph 8, and articles 3 and 5 of Annex II to the Convention. The limits of the continental shelf established by the Russian Federation on the basis of these Recommendations shall be final and binding.
- 16 The Commission prepared these Recommendations, which were adopted on 11 March 2014 taking into consideration the internal procedures and the methodology outlined in the following documents of the Commission: the Rules of Procedure; the Guidelines and article 6 of Annex II to the Convention.
- 17 A Summary of the Recommendations is included as Annex V of this document in conformity with paragraph 11.3 of Annex III to the Rules of Procedure.
- 18 Throughout the examination of the Partial Revised Submission, the Subcommittee received secretariat support from DOALOS.

II. CONTENTS OF THE PARTIAL REVISED SUBMISSION

A. Original Submission

- 19 The Partial Revised Submission, as received on 28 February 2013, contained an Executive Summary; a Main Body, which is the analytical and descriptive part; and Scientific and Technical Data.⁶

B. Communications and additional material

- 20 In the course of the examination of the Partial Revised Submission by the Subcommittee, the Delegation submitted additional geodetic data and measured bathymetric profiles across the continental slope and its base in the Sea of Okhotsk.⁷

⁶ See para. 1.1 of Annex III to the Rules of Procedure and paras. 9.1.3, 9.1.4, 9.1.5 and 9.1.6 of the Guidelines. A list of the material included in the Partial Revised Submission received on 28 February 2013 is contained in Annex I to these Recommendations.

⁷ Lists of both the additional material submitted by the Delegation of the Russian Federation and the communications

- (iv) Determination of the depth constraint at a distance of 100 M from the 2500 m isobath;
- (v) Seeking clarifications, where necessary, through exchanges between the Delegation and the Subcommittee. In particular, the Subcommittee requested additional geodetic data and information relevant for the construction of the *Enclave* and hydrographic data and information relevant

IV. PROVISIONS OF THE CONVENTION ON WHICH THESE RECOMMENDATIONS ARE BASED

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2. The determination of the foot of the continental slope (article 76, paragraph 4(b))

28 The FOS should be established in accordance with a

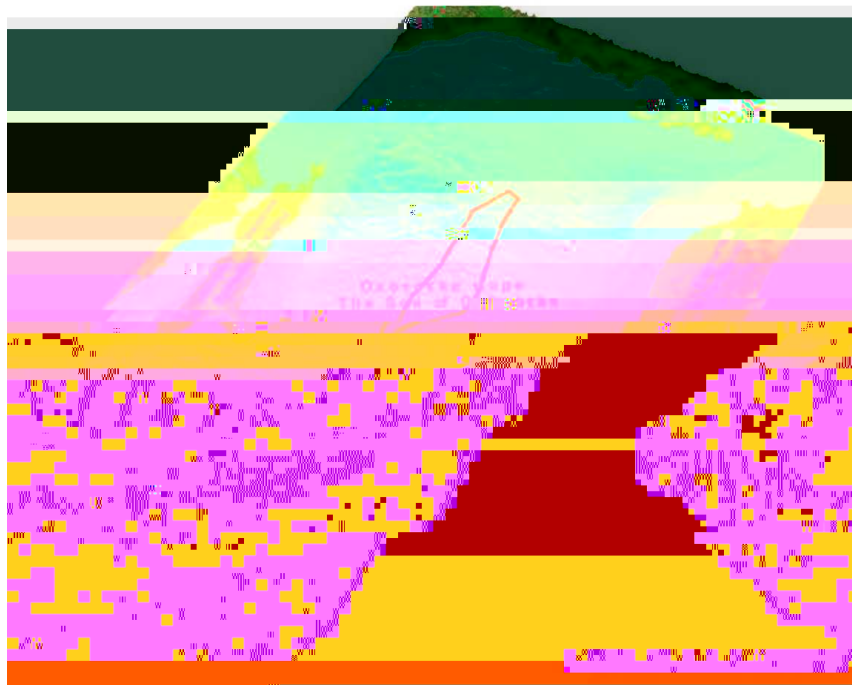


Figure 2 – Base of the continental slope (yellow region) and FOS points (yellow points) in the southern part of the Sea of Okhotsk (Figure adapted from Executive Summary of the Partial Revised Submission).

exceed 100 M from the 2,500 m isobath, which is a line connecting the depth of 2,500 m (Figure 3).



Figure 3 - *Enclave* landward of the 2500 m isobath (blue) (Figure adapted from Executive Summary of the Partial Revised Submission).

- 37 The application of the constraint criteria involves, firstly, the construction of the distance and the depth constraint lines. Secondly, it involves the combination of these two constraint lines to establish a single constraints line to be applied in accordance with the provisions contained in paragraphs 5 and 6 of article 76.
- 38 The depth constraint line in the Partial Revised Submission was determined from all hydrographic data and information collected in the Sea of Okhotsk. The *Enclave* is located landward of the depth constraint.
- 39 The distance constraint line in the Partial Revised Submission was determined by envelopes of arcs at a distance of 350 M from the baselines from which the breadth of the territorial sea of the Russian Federation is measured. The *Enclave* is located landward of the distance constraint.

4.2 Recommendations

- 40 Based on its consideration of the scientific and technical data and information containh csar

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the Russian Federation that the *Enclave* lies landwards of the single constraints line.

4.3 The outer limits of the continental shelf (article 76, paragraph 7)

- 41 The *Enclave* is part of the continental shelf of the Russian Federation. No outer limits delineated by straight lines not exceeding 60 M in length, connecting fixed points, defined by coordinates of latitude and longitude are included.

4.4 Recommendations

- 42 Based on its consideration of the scientific and technical data and information contained in the Partial Revised Submission made by the Russian Federation on 28 February 2013, together with the additional data provided by the Russian Federation on 28 October and 13 November 2013, the Commission agrees with the Russian Federation that the *Enclave* lies landwards of the single constraints line (Figure 3).
- 43 The Commission acknowledges that since the Partial Revised Submission concerns an enclave no outer limits delineated by straight lines not exceeding 60 M in length, connecting fixed points, defined by coordinates of latitude and

| Appendix Number | Title | Filename (CorelDraw v.12) | GIS project |
|-----------------|--|---------------------------|--------------------------|
| 9 | Сейсмические исследования в Охотском море <i>Seismic surveys in the Sea of Okhotsk</i> | Append_9.cdr | Seismic.mxd (ArcGIS 9.2) |
| 10 | Охотское море. временной разрез в о. профиля 2- - по данным О -ОГ <i>The Sea of Okhotsk. Time section along 2-DV-M line from multichannel seismic reflection data</i> | Append_10.cdr | |
| 11 | Сейсмическая модель земной коры Охотского моря в о. профиля 2- - <i>Seismic model of the Earth's crust of the Sea of Okhotsk along 2-DV-M line</i> | Append_11.cdr | |

Глинистый разрез осадочного чехла Охотского моря

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ANNEX II
LIST OF ADDITIONAL MATERIAL SUBMITTED TO THE COMMISSION BY THE RUSSIAN
FEDERATION

28 October 2013: Additional information including the public domain data used in the submission; and

13 November 2013: Additional information including the public domain data used in the submission as well as data obtained from the RV "Vice-admiral Vorontsov" cruise (2013).

ANNEX III
MATERIAL SUPPLIED TO THE DELEGATION BY THE SUBCOMMISSION – QUESTIONS, AND LIST OF DOCUMENTS AND PRESENTATIONS

A. Questions posed by the Subcommittee in writing

2013_08_22_SCRUS_LET_RUS_003_13-02254.pdf. dated 22 August 2013, requesting additional data and information.

B. List of documents and presentations supplied to the Delegation by the Subcommittee

2013_08_22_SCRUS_PRE_RUS_001.ppt, dated 22 August 2013 (9 slides); and
2013_11_14_SCRUS_PRE_RUS_002.ppt, dated 14 November 2013 (23 slides).

ANNEX IV

LIST OF NOTES VERBALES RELATED TO THE PARTIAL REVISED SUBMISSION

ANNEX V



Commission on the Limits of the Continental Shelf

SUMMARY OF RECOMMENDATIONS OF THE COMMISSION ON THE LIMITS OF THE CONTINENTAL SHELF IN REGARD TO THE PARTIAL REVISED SUBMISSION MADE BY THE RUSSIAN FEDERATION IN RESPECT OF THE SEA OF OKHOTSK ON 28 FEBRUARY 2013¹⁰

Recommendations prepared by the Subcommittee established for the consideration
of the Submission made by the Russian Federation

Adopted by the Subcommittee on 4 February 2014

Adopted by the Commission, with amendments, on 11 March 2014

¹⁰ The aim of this Summary is to provide information which is not of confidential or proprietary nature in order to facilitate the function of the Secretary-General in accordance with Rule 11.3 of Annex III to the Rules of Procedure of the Commission (CLCS/40/Rev.1). This Summary is based on excerpts of the Recommendations and may refer to material not necessarily included either in the full Recommendations or this Summary.

I. INTRODUCTION

- 1 On 28 February 2013, the Russian Federation submitted to the Commission on the Limits of the Continental Shelf, through the Secretary-General of the United Nations, information on the limits of the continental shelf beyond 200 M from the baselines from which the breadth of the territorial sea is measured in respect of the Sea of Okhotsk, in accordance with article 76, paragraph 8.
- 2 The Convention entered into force for the Russian Federation on 11 April 1997.
- 3 It is recalled that, on 20 December 2001, the Russian Federation had made a

Gennadyevich Khramov, Deputy Minister of Natural Resources and Environment. The Delegation also included Yuri Borisovitch Kazmin, deputy head of Delegation, and Evgeny T. Zagaynov, Deputy Permanent Representative of the Russian Federation to the United Nations, New York, as well as a number of advisers. In addition to elaborating on substantive points of the Partial Revised Submission, Mr. Khramov informed the Commission that Ivan F. Glumov, member of the Commission, had assisted the Russian Federation by providing scientific and technical advice in respect of the Partial Revised Submission.

- 8 Mr. Khramov stated that the Partial Revised Submission did not prejudice the issues related to delimitation of maritime boundaries between Japan and the Russian Federation in the southern Sea of Okhotsk and that Japan did not object to the consideration of the Partial Revised Submission by the Commission.
- 9 The Commission received and took note of the content of note verbale No. SC/13/203, from the Permanent Mission of Japan to the United Nations, dated 23 May 2013, which informed the secretariat of the Commission¹³ that “the Government of Japan confirms that it does not object to Russia's request to the Commission to consider Russia's revised partial submission” and that “this Note Verbale itself and the possible Commission's recommendations to be made in relation to the aforementioned Russia's revised partial submission shall be without prejudice to the position and view of the Government of Japan in regard to the Islands of Etorofu, Kunashiri, Shikotan and Habomai, which are inherent part of the Japanese territory, as well as to the delimitation of the exclusive economic zone and the continental shelf yet to be agreed upon between Japan and the Russian Federation.”
- 10 The Commission addressed the modalities for the consideration of the Partial Revised Submission, recalling the decision taken at its twenty-sixth session, as well as the existing practice of the Commission in this regard,¹⁴ whereby revised submissions would be considered on a priority basis notwithstanding the queue (CLCS/68, para. 57). The Commission assigned the examination of the submission to the Subcommittee referred to in paragraph 6.
- 11 Following its reconstitution, the Subcommittee met without delay. The Subcommittee prepared a set of procedures for the conduct of meetings with the Delegation. During its initial examination of the Partial Revised Submission, held from 19 to 22 August 2013, the Subcommittee carried out an analysis of the data and information. On the basis of the preliminary analysis carried out in that context, the Subcommittee decided to continue its work during the thirty-third session. The Subcommittee also held two meetings with the Delegation of the Russian Federation, during which it requested the Delegation to provide additional geodetic and hydrographic data and information, which was available from either Russian sources and/or from public domain sources across the continental slope and its base in the Sea of Okhotsk.¹⁵
- 12 The Subcommittee continued its examination of the Partial Revised Submission during the thirty-third session. During this session, the Delegation transmitted, through the Secretariat, the requested additional geodetic and hydrographic data and information. On 28 October 2013, the Delegation transmitted public domain

¹³ Division for Ocean Affairs and the Law of the Sea (“DOALOS”), Office of Legal Affairs, United Nations.

¹⁴ CLCS/72, paragraph 49.

¹⁵ The material supplied to the Delegation by the Subcommittee is contained in Annex III to the Recommendations.

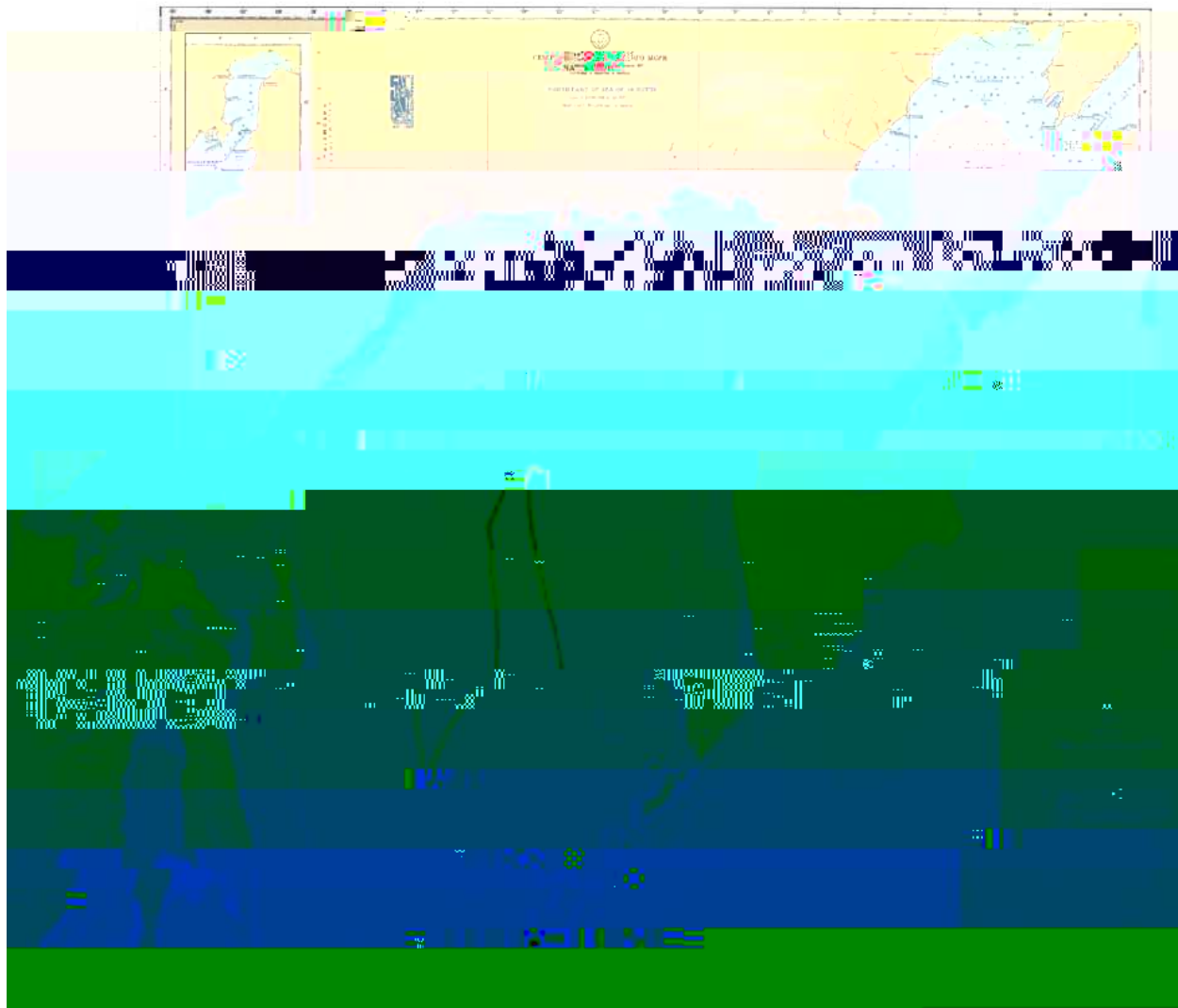
data. On 13 November 2013, it submitted data obtained from the RV “Vice-admiral Vorontsov” cruise (2013).

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bathymetric profiles across the continental slope and its base in the Sea of Okhotsk.¹⁷

III. EXAMINATION OF THE PARTIAL REVISED SUBMISSION

- (ii) Determination of the 60 M formula line;
- (iii) Determination of the 350 M distance constraint;
- (iv) Determination of the depth constraint at a distance of 100 M from the 2500 m isobath;
- (v) Seeking clarifications, where necessary, through exchanges between the Delegation and the Subcommittee. In particular, the Subcommittee requested additional geodetic data and information relevant for the construction of the *Enclave* and hydrographic data and information relevant for the determination of the base and the FOS points in the Sea of Okhotsk;
- (vi) Making a comprehensive presentation of the views and general conclusions of the Subcommittee to the Delegation, at an advanced stage of the examination of the Revised Partial Submission.¹⁹



¹⁹ See para. 10.3 of Annex III to the Rules of Procedure.

Figure 1 -.Chart of the Sea of Okhotsk showing the bathymetry

2. The determination of the foot of the continental slope (article 76, paragraph 4(b))

- 28 The FOS should be established in accordance with article 76, paragraph 4(b) subject to the provisions of article 76, paragraph 3, namely that the margin comprises the submerged prolongation of the land mass of the coastal State; consists of the seabed and subsoil of the shelf, the slope and the rise; and does

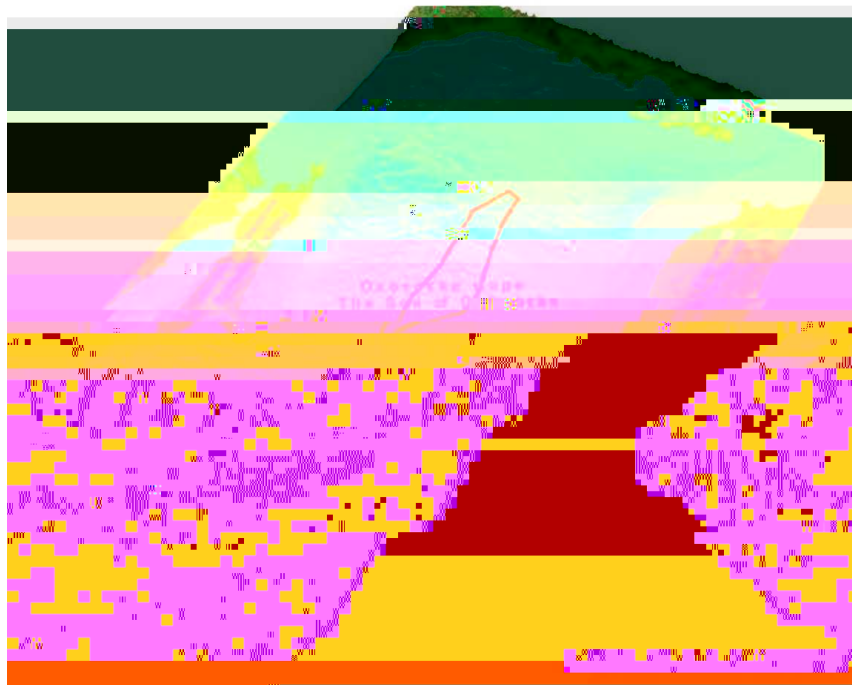


Figure 2 – Base of the continental slope (yellow region) and FOS points (yellow points) in the southern part of the Sea of Okhotsk. (Figure adapted from Executive Summary of the Survey B4 Line Fxlmvee)

exceed 100 M from the 2,500 m isobath, which is a line connecting the depth of 2,500 m (Figure 3).



Figure 3 - *Enclave* landward of the 2500 m isobath (blue) (Figure adapted from Executive Summary of the Partial Revised Submission).

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4.2 **Recommendations**

- 40 Based on its consideration of the scientific and technical data and information contained in the Partial Revised Submission made by the Russian Federation on 28 February 2013, together with the additional data provided by the Russian Federation on 28 October and 13 November 2013, the Commission agrees with the Russian Federation that the *Enclave* lies landwards of the single constraints line.

4.3 The outer limits of the continental shelf (article 76, paragraph 7)

- 41 The *Enclave* is part of the continental shelf of the Russian Federation. No outer limits delineated by straight lines not exceeding 60 M in length, connecting fixed points, defined by coordinates of latitude and longitude are included.

4.4 Recommendations

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- 43 The Commission acknowledges that since the Partial Revised Submission concerns an enclave no outer limits delineated by straight lines not exceeding 60 M in length, connecting fixed points, defined by coordinates of latitude and longitude are required.

5. Recommendations for the Enclave in the Sea of Okhotsk (Article 76, Paragraph 8)

- 44 In conclusion, based on its consideration of the scientific and technical data and information contained in the Partial Revised Submission made by the Russian Federation on 28 February 2013, together with the additional data provided by the Russian Federation on 28 October and 13 November 2013, the Commission agrees that:
- (i) the base of the continental slope of the continental margin of the Sea of Okhotsk has been correctly identified by the Russian Federation. The Commission also agrees with the general location of the FOS points determined by the Russian Federation;
 - (ii) passing the Test of Appurtenance guarantees that the *Enclave* is part of the continental shelf of the Russian Federation, subject to the application of the constraints;
 - (iii) the *Enclave* lies landwards of the single constraints line; and
 - (iv) since the Partial Revised Submission concerns an enclave that lies landward of the following three lines: (i) the 60 M formula line, (ii) the distance constraint of 350 M and (iii) the depth constraint determined at a distance of 100 M from the 2500 m isobath, no outer limits delineated by straight lines not exceeding 60 M in length, connecting fixed points, defined by coordinates of latitude and longitude are required.
- 45 Consequently, the Commission recommends that the *Enclave* be regarded as part of the continental shelf of the Russian Federation.