

RECENT DEVELOPMENTS

COMMONWEALTH

AUSTRALIA'S EXTENDED CONTINENTAL SHELF CONFIRMED*

On 9 April 2008, the Commission on the Limits of the Continental Shelf meeting at the United Nations in New York confirmed Australia's entitlement to an extended continental shelf of some 2.5 million square kilometres. That area is depicted in the accompanying map.

Under the 1982 United Nations Convention on the Law of the Sea, Australia is entitled to a number of maritime zones. These include the territorial sea, the exclusive economic zone and a continental shelf.

Each coastal State is entitled to a continental shelf of at least 200 nautical miles measured from its territorial sea baseline. It is entitled also to a continental shelf beyond 200 nautical miles (an extended continental shelf) where the natural prolongation of its land territory extends beyond that point. Within its continental shelf, a coastal State has the exclusive right to explore and exploit the resources of the seabed, including petroleum and biological resources. It has associated rights to protect and preserve the environment of the shelf.

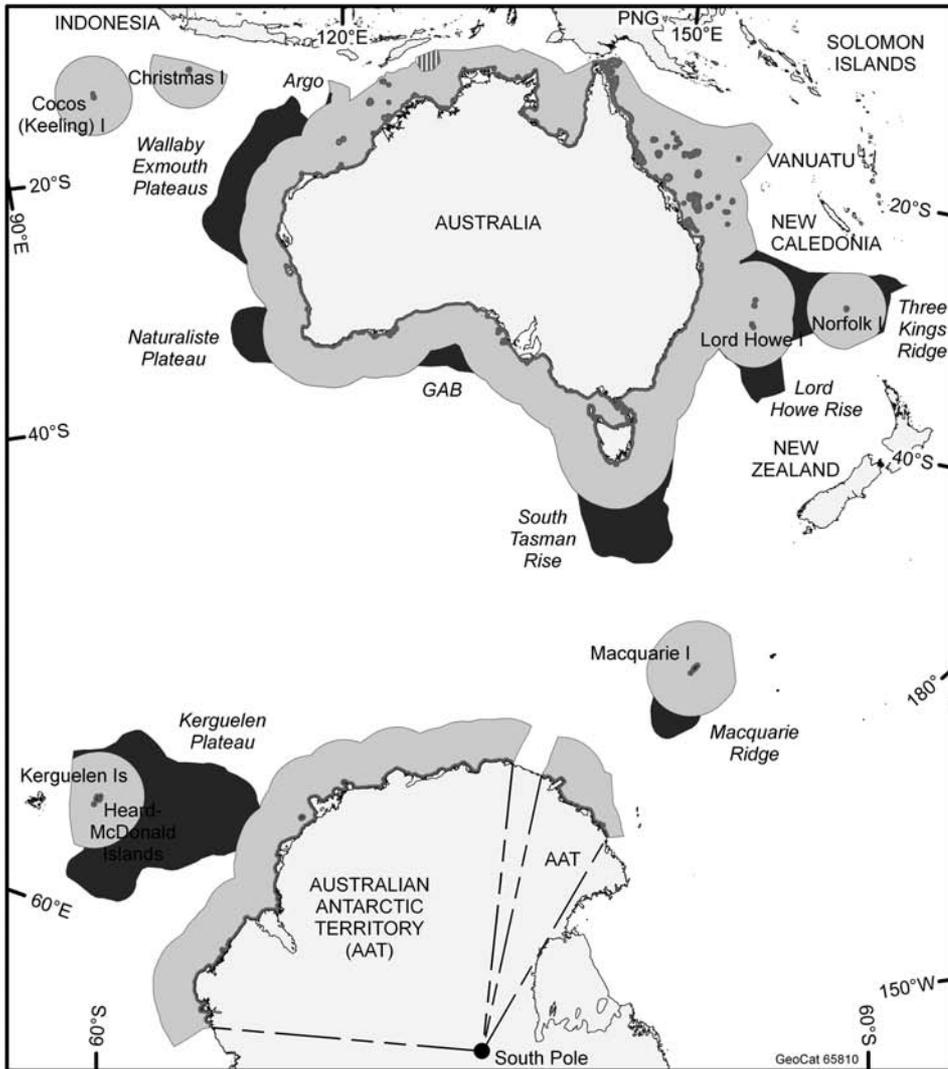
Where entitlement to an extended continental shelf exists, a submission must be made by the relevant country to the Commission established under the Convention seeking confirmation of that entitlement. Australia lodged its submission with the Commission in November 2004. It was the third country to do so. An Australian delegation from Geoscience Australia, the Attorney-General's Department and the Department of Foreign Affairs and Trade engaged with the Commission over its last seven sessions on matters relating to Australia's submission. That engagement covered complex geomorphological, geological and legal issues. The more complex legal issues included the manner in which the Commission should deal with Australia's existing and potential maritime delimitations with other countries, the construction of the outer boundary of the extended continental shelf and submarine ridges.

Australia submitted an area of some 3.3 million square kilometres to the Commission. In doing so, it requested the Commission not to consider for the time being the extended continental shelf of some 0.7 million square kilometres in the region adjacent to the Australian Antarctic Territory (AAT) due to international sensitivities over Australia's claim to sovereignty over the AAT. Also, two areas of extended continental shelf (the Joey Rise adjacent to Western Australia and the Williams Ridge in the Southern Ocean – combined area of 0.08 million square kilometres) are still to be fully resolved by the Commission.

Australia is the first country to be in a position of proclaiming the outer limit of its continental shelf following receipt of recommendations from the Commission. It is likely that a proclamation

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establishing that outer limit will be made in the near future under the *Seas and Submerged Lands Act 1973*.



AUSTRALIA'S CONTINENTAL SHELF CONFIRMED BY THE COMMISSION ON THE LIMITS OF THE CONTINENTAL SHELF

-  Territorial sea and internal waters
-  Area of Australia's continental shelf beyond 200 M as confirmed by the Commission on the Limits of the Continental Shelf
-  Areas of marine jurisdiction within 200 M of Australia and its external territories
-  Joint Petroleum Development Area under Timor Sea Treaty 2002

Note: The areas of continental shelf depicted to the north-west of Australia reflect the terms of the 1997 maritime boundary treaty with Indonesia which has not yet entered into force.

1 nautical mile (M) = 1852m

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