Non-Living Resources


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INTRODUCTION

The author was one of many scholars who over a generation was challenged, inspired, and influenced by the visionary thinking of the late Elisabeth Mann Borgese. Elisabeth was a firm believer and supporter of the International Seabed Authority (Authority), established by the United Nations Convention on the Law of the Sea (LOS Convention) in Jamaica, as a new international organization responsible for the International Seabed Area (Area). That belief included a vision of the Authority as humanity’s trustee for the common heritage of mankind. Elisabeth, like her mentor Arvid Pardo, saw the Area as a source of wealth that should be used to ameliorate the socioeconomic conditions of the developing world. Unfortunately, the technological and economic conditions at this time, or for the foreseeable future, are not such as to enable the full realization of that grand vision. However, a part of that visionary thinking may be realizable. The Authority is today in existence and in the foreseeable future may well play a unique role in channeling benefits from national ocean development to developing states.

In recent years, offshore oil and gas drilling technology has developed to enable exploratory and commercial activities on the slope and rise of the continental margin outside the 200-nautical mile (M) limit. State parties to the LOS Convention are entitled to claim up to 200 M of continental shelf or, where the continental margin extends beyond 200 M, up to the limits of the continental margin according to criteria set out in the Convention (extended continental shelf).1 There may be as many as 50 or more states entitled to an extended continental shelf, and which are referred to in this article as broad

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ARTICLE 82

Article 82 states the following:

1. The coastal State shall make payments or contributions in kind in


3. LOS Convention (n. 1 above), Article 82.