

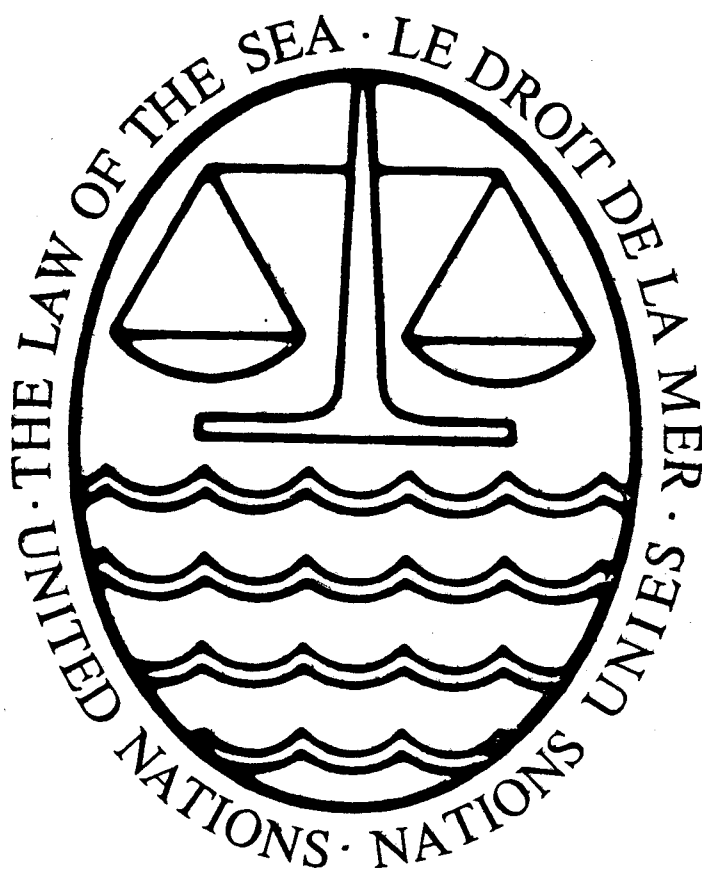
L A W O F T H E S E A

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B U L L E T I N

No. 1

SEPTEMBER 1983



OFFICE OF THE SPECIAL REPRESENTATIVE
OF THE SECRETARY-GENERAL FOR THE LAW OF THE SEA

TABLE OF CONTENTS

INTRODUCTION

I. STATUS OF THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

- (a) Table of signatories and ratifications..... 6
- (b) Declarations made upon signature of the Convention -
classified..... 11

II. LEGAL INFORMATION RELEVANT TO THE UNITED NATIONS CONVENTION ON THE
LAW OF THE SEA

- (a) Recent national legislation and Notes received from Governments: 32
Oman (Note by the Islamic Republic of Iran), Sao Tome and
Principe, Suriname, Syrian Arab Republic (Notes by Israel
and New Zealand), Vanuatu, Viet Nam (Statement by China)
- (b) Statements made by States or group of States:..... 77
 - (1) Proclamation by the President of the United States of America,
10 March 1983 on the Exclusive Economic Zone of the
United States of America; Statement by the President.. 78
 - (2) Statement by the Group of Eastern European (Socialist)
Countries in connection with the Proclamation
issued on 10 March 1983 by the President of the United
States of America concerning the establishment of the
exclusive economic zone of the United States of America
and his statement of the same date concerning United
States ocean policy, 8 April 1983 (LOS/PCN/6)..... 83
 - (3) Declaration of the Group of 77 (in connection with the
Convention), 11 April 1983 (LOS/PCN/5)..... 85
 - (4) Statement made by the Soviet Government on 23 April 1983
(A/38/175)..... 86
- (c) Treaties:..... 88
 - (1) Convention for the Protection and Development of the Marine
Environment of the Wider Caribbean Region, 24 March 1983,
and Protocol concerning Co-operation in Combating Oil
Spills in the Wider Caribbean Region..... 89
 - (2) Recent delimitation agreements..... 112
- (d) Recent United Nations resolutions of interest:..... 115
Resolution 1983/4 of the Economic and Social Council on
"Measures to improve international co-operation in the
maritime interdiction of illicit drug traffic"

III. OTHER INFORMATION RELEVANT TO THE CONVENTION AND TO THE LAW OF THE SEA

- (a) Publication of the index to the United Nations Convention
on the Law of the Sea..... 117
- (b) Entry into force on 2 October 1983 of the International
Convention for the Prevention of Pollution from Ships..... 117
- (c) International Court of Justice: Delimitation of the Maritime
Boundary in the Gulf of Maine Area (Canada/United States
of America)..... 117

INTRODUCTION

The Office of the Special Representative of the Secretary-General for the Law of the Sea is instituting a Law of the Sea Bulletin series as a means to provide for the broad dissemination of information on law of the sea matters. This Bulletin series is intended to promote awareness of activities undertaken in connection with the United Nations Convention on the Law of the Sea and to provide a convenient compilation of information relevant to the law of the sea, including:

- information on facts relevant to the ratification process and on the progress of the future implementation of the Convention by States and entities;
- information on issues of a general nature that have arisen with respect to the Convention;
- information on international organizations' activities relevant to the Convention; other institutional developments of interest;
- information on the progress regarding preparatory work for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea;
- information on national legislation, international agreements, charts and lists of co-ordinates, etc.

The series will provide additional, complementary information and intends to analyze and organize in a coherent fashion all material relevant to the subjects treated, so as to provide an up-to-date source for matters relevant to the United Nations Convention on the Law of the Sea and the new legal régime governing ocean space. It is hoped that such a series will prove to be of service to governments which may need to have current information readily available on any particular issue of concern to them.

The Bulletin will be published periodically. The present issue, being the first, contains basic information on the conclusion of the Third United Nations Conference on the Law of the Sea, the status of the Convention to date, a substantive classification of the declarations made at the time of signature, recent legislative material, and other information of relevance to the progressive development of the law of the sea.

Future issues of the Bulletin will continue to carry general material of this kind, providing information on current developments and the progress of the future implementation of the Convention. From time to time, a more comprehensive treatment of particular subjects will also be carried out. Preparation is already underway for the publication of information on the first session and resumed first session of the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea, compilation of national legislation on maritime spaces, delimitation agreements, annotations to provisions of the Convention containing reference to treaties governing activities of agencies and organizations of the United Nations system and other treaties relating to marine affairs, sources of the provisions of the Convention, archival information on documents of the Conference, and a selective bibliography on the law of the sea.

The Office of the Special Representative would welcome any comments or suggestions regarding the form and content of the Bulletin, so that the series can be further tailored to meet the precise needs of governments. In addition, the attention of the Office of the Special Representative should be drawn to any errors which may appear, so that future issues can carry the necessary corrections.

(Two copies of the Bulletin will be distributed to each Permanent Mission to the United Nations in New York. A limited number of extra copies will be available and can be obtained from the office of the Special Representative of the Secretary-General for the Law of the Sea, Room 1827, United Nations Headquarters, New York).

I. STATUS OF THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

(a) Table of signatories and ratifications:

The United Nations Conference on the Law of the Sea held the final part of the 11th session in Montego Bay, Jamaica from 4 to 10 December 1983 for the purpose of the signing of the Final Act and the opening of the Convention for signature. The following table lists States and entities 1/ that signed the Convention or are entitled to do so, as well as States that have ratified the Convention 2/. The table also contains notations as to whether the State or entity deposited, at the time of signing, a declaration in accordance with either Articles 287, 298 or 310 of the Convention.

1/ Article 305 contains a list of entities other than States that may sign the Convention; articles 306 and 307 allow those entities to ratify the Convention, or to confirm or accede to it.

Article 305
Signature

1. This Convention shall be open for signature by:

...

(b) Namibia, represented by the United Nations Council for Namibia;

(c) all self-governing associated States which have chosen that status in an act of self-determination supervised and approved by the United Nations in accordance with General Assembly resolution 1514 (XV) and which have competence over the matters governed by this Convention, including the competence to enter into treaties in respect of those matters;

(d) all self-governing associated States which, in accordance with their respective instruments of association, have competence over the matters governed by this Convention, including the competence to enter into treaties in respect of those matters;

(e) all territories which enjoy full internal self-government, recognized as such by the United Nations, but have not attained full independence in accordance with General Assembly resolution 1514 (XV) and which have competence over the matters governed by this Convention, including the competence to enter into treaties in respect of those matters;

(f) international organizations, in accordance with Annex IX.

Article 306
Ratification and formal confirmation

This Convention is subject to ratification by States and the other entities referred to in article 305, paragraph 1(b), (c), (d) and (e), and to formal confirmation, in accordance with Annex IX, by the entities referred to in article 305, paragraph 1(f). ...

Article 307
Accession

This Convention shall remain open for accession by States and the other entities referred to in article 305. Accession by the entities referred to in article 305, paragraph 1(f), shall be in accordance with Annex IX. ...

2/ The relevant provision of the Convention is article 308, paragraph 1 "Entry into force" which reads: "1. This Convention shall enter into force 12 months after the date of deposit of the sixtieth instrument of ratification or accession."

TABLE OF SIGNATORIES AND RATIFICATIONS
UNITED NATIONS CONVENTION ON THE LAW OF THE SEA
AS OF 15 SEPTEMBER 1983

STATES	SIGNATURE <u>1/</u>	RATIFICATION
Afghanistan	3/18/83	
Albania		
Algeria* <u>2/</u>	x	
Angola	x	
Antigua and Barbuda	2/7/83	

Argentina		
Australia	x	
Austria	x	
Bahamas	x	7/29/83
Bahrain	x	

Bangladesh	x	
Barbados	x	
Belgium		
Belize	x	8/13/83
Benin	8/30/83	

Bhutan	x	
Bolivia		
Botswana		
Brazil*	x	
Bulgaria	x	

Burma	x	
Burundi	x	
Byelorussian SSR*	x	
Canada	x	
Cape Verde*	x	

Central African Republic		
Chad	x	
Chile*	x	
China	x	
Colombia	x	

Comoros		
Congo	x	
Costa Rica*	x	
Cuba*	x	
Cyprus	x	

1/ The States which signed the Convention on 10 December 1982 are indicated by an "x".

2/ Those States which have made declarations at the time of signature of the Convention are indicated with an "**".

STATES	SIGNATURE	RATIFICATION
Czechoslovakia	x	
Democratic Kampuchea	7/1/83	
Dem. People's Rep. of Korea	x	
Democratic Yemen	x	
Denmark	x	
<hr/>		
Djibouti	x	
Dominica	3/28/83	
Dominican Republic	x	
Ecuador		
Egypt	x	8/26/83
<hr/>		
El Salvador		
Equatorial Guinea	6/1/84	
Ethiopia	x	
Fiji	x	12/10/82
Finland*	x	
<hr/>		
France*	x	
Gabon	x	
Gambia	x	
German Dem. Republic*	x	
Germany, Federal Rep. of		
<hr/>		
Ghana	x	6/7/83
Greece*	x	
Grenada	x	
Guatemala	7/8/83	
Guinea		
<hr/>		
Guinea-Bissau	x	
Guyana	x	
Haiti	x	
Holy See		
Honduras	x	
<hr/>		
Hungary	x	
Iceland	x	
India	x	
Indonesia	x	
Iran (Islamic Republic of)*	x	
<hr/>		
Iraq*	x	
Ireland	x	
Israel		
Italy		
Ivory Coast	x	
<hr/>		
Jamaica	x	3/21/83
Japan	2/7/83	
Jordan		
Kenya	x	
Kiribati		

STATES	SIGNATURE	RATIFICATION
Kuwait	x	
Lao People's Dem. Republic	x	
Lebanon		
Lesotho	x	
Liberia	x	
<hr/>		
Libyan Arab Jamahiriya		
Liechtenstein		
Luxembourg		
Madagascar	2/25/83	
Malawi		
<hr/>		
Malaysia	x	
Maldives	x	
Mali	10/19/83	
Malta	x	
Mauritania	x	
<hr/>		
Mauritius	x	
Mexico	x	3/18/83
Monaco	x	
Mongolia	x	
Morocco	x	
<hr/>		
Mozambique	x	
Nauru	x	
Nepal	x	
Netherlands	x	
New Zealand	x	
<hr/>		
Nicaragua		
Niger	x	
Nigeria	x	
Norway	x	
Oman*	7/1/83	
<hr/>		
Pakistan	x	
Panama	x	
Papua New Guinea	x	
Paraguay	x	
Peru		
<hr/>		
Philippines*	x	
Poland	x	
Portugal	x	
Qatar		
Republic of Korea	3/14/83	
<hr/>		
Romania*	x	
Rwanda	x	
Saint Lucia	x	
St. Vincent and the Grenadines	x	
Samoa		

STATES	SIGNATURE	RATIFICATION
San Marino		
Sao Tome and Principe*	7/12/83	
Saudi Arabia		
Senegal	x	
Seychelles	x	

Sierra Leone	x	
Singapore	x	
Solomon Islands	x	
Somalia	x	
South Africa		

Spain		
Sri Lanka	x	
Sudan	x	
Suriname	x	
Swaziland		

Sweden*	x	
Switzerland		
Syrian Arab Republic		
Thailand	x	
Togo	x	

Tonga		
Trinidad and Tobago	x	
Tunisia	x	
Turkey		
Tuvalu	x	

Uganda	x	
Ukrainian SSR*	x	
Union of Soviet Socialist Rep.*	x	
United Arab Emirates	x	
United Kingdom		

United Republic of Cameroon	x	
United Republic of Tanzania	x	
United States of America		
Upper Volta	x	
Uruguay*	x	

Vanuatu	x	
Venezuela		
Viet Nam	x	
Yemen*	x	
Yugoslavia	x	

Zaire	8/22/83	
Zambia	x	3/07/83
Zimbabwe	x	

TOTAL FOR STATES

~~129~~
130

8

OTHER ENTITIES

SIGNATURE 1/ RATIFICATION

Namibia (UN Council for)
Cook Islands

x
x

4/18/83

European Economic Community
Netherlands Antilles
Trust Territory of the Pacific
Islands

West Indies Associated States
African National Congress
Palestine Liberation
Organization
Pan Africanist Congress
South West Africa People's
Organization

TOTAL FOR STATES AND OTHER
ENTITIES

~~131~~
132

9

I (b) Declarations made upon signature of the Convention - classified:

Certain of the provisions of the Convention allow those States and entities entitled to participate in the Convention in accordance with articles 305 to 307 to make declarations regarding its application in respect of them.

Article 310 specifies that such States and entities may make declarations or statements at the time of signing, ratifying or acceding to the Convention, which do not purport to exclude or modify the legal effect of provisions of the Convention 1/.

Article 287 provides that States and entities, when signing, ratifying or acceding to the Convention, or at any time thereafter, may make declarations specifying the fora for settlement of disputes to which they will be amenable 2/.

1/

Article 310
Declarations and statements

Article 309 does not preclude a State, when signing, ratifying or acceding to this Convention, from making declarations or statements, however phrased or named, with a view, inter alia, to the harmonization of its laws and regulations with the provisions of this Convention, provided that such declarations or statements do not purport to exclude or to modify the legal effect of the provisions of this Convention in their application to that State.

2/

Article 287
Choice of procedure

1. When signing, ratifying or acceding to this Convention or at any time thereafter, a State shall be free to choose, by means of a written declaration, one or more of the following means for the settlement of disputes concerning the interpretation or application of this Convention:

- (a) the International Tribunal for the Law of the Sea established in accordance with Annex VI;
- (b) the International Court of Justice;
- (c) an arbitral tribunal constituted in accordance with Annex VII;
- (d) a special arbitral tribunal constituted in accordance with Annex VIII for one or more of the categories of disputes specified therein.

...

In addition, article 298 allows States and entities to declare that they exclude the application of the system for settlement of disputes under the Convention in respect of certain kinds of disputes 3/.

3/

Article 298

Optional exceptions to applicability of section 2

1. When signing, ratifying or acceding to this Convention or at any time thereafter, a State may, without prejudice to the obligations arising under section 1, declare in writing that it does not accept any one or more of the procedures provided for in section 2 with respect to one or more of the following categories of disputes:

- (a) (i) disputes concerning the interpretation or application of articles 15, 74 and 83 relating to sea boundary delimitations, or those involving historic bays or titles, provided that a State having made such a declaration shall, when such a dispute arises subsequent to the entry into force of this Convention and where no agreement within a reasonable period of time is reached in negotiations between the parties, at the request of any party to the dispute, accept submission of the matter to conciliation under Annex V, section 2; and provided further that any dispute that necessarily involves the concurrent consideration of any unsettled dispute concerning sovereignty or other rights over continental or insular land territory shall be excluded from such submission;
- (ii) after the conciliation commission has presented its report, which shall state the reasons on which it is based, the parties shall negotiate an agreement on the basis of that report; if these negotiations do not result in an agreement, the parties shall, by mutual consent, submit the question to one of the procedures provided for in section 2, unless the parties otherwise agree;
- (iii) this subparagraph does not apply to any sea boundary dispute finally settled by an arrangement between the parties, or to any such dispute which is to be settled in accordance with a bilateral or multilateral agreement binding upon those parties;
- (b) disputes concerning military activities, including military activities by government vessels and aircraft engaged in non-commercial service, and disputes concerning law enforcement activities in regard to the exercise of sovereign rights or jurisdiction excluded from the jurisdiction of a court or tribunal under article 297, paragraph 2 or 3;
- (c) disputes in respect of which the Security Council of the United Nations is exercising the functions assigned to it by the Charter of the United Nations, unless the Security Council decides to remove the matter from its agenda or calls upon the parties to settle it by the means provided for in this Convention.

....

The full text of all such declarations made to-date appears in alphabetical order in document C.N.7.1983. TREATIES-1 (Depositary Notification). For the purpose of convenience, these declarations have been analyzed and organized by subject matter as follows:

I. GENERAL DECLARATIONS

- A. Compatibility
- B. Non-prejudice of position
- C. Recognition
- D. Recognition of rights under the Convention

II. INTERPRETATIVE DECLARATIONS

- A. Innocent passage through the territorial sea and security interests (Part II, section 3, subsection A)
- B. Régime of straits (Part III)
- C. Exclusive economic zone (Part V)
- D. Continental shelf (Part VI)
- E. Delimitation
- F. Régime of islands (Part VIII)
- G. Enclosed and semi-enclosed seas (Part IX)
- H. Right of access (Part X)
- I. The Area (Part XI)
- J. Protection and preservation of the marine environment (Part XII) - application of article 230, paragraph 2
- K. General provisions (Part XVI) - application of article 301

III. DECLARATIONS WITH REGARD TO SETTLEMENT OF DISPUTES

- A. Reservation of position
- B. Declarations in accordance with article 287
- C. Optional exceptions to application of Part XV, Section 2

DECLARATIONS MADE UPON SIGNATURE OF THE
UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

I. GENERAL DECLARATIONS

A. COMPATIBILITY:

1. Of national law with the Convention:

BRAZIL

"(II) The Brazilian Government understands that the régime which is applied in practice in maritime area adjacent to the coast of Brazil is compatible with the provisions of the Convention."

CAPE VERDE

"II. The provisions of the Convention relating to the archipelagic waters, territorial sea, exclusive economic zone and continental shelf are compatible with the fundamental objectives and aims that inspire the legislation of the Republic of Cape Verde concerning its sovereignty and jurisdiction over the sea adjacent to and within its coasts and over the seabed and subsoil thereof up to the limit of 200 miles."

PHILIPPINES

"5. The Convention shall not be construed as amending in any manner any pertinent laws and Presidential Decrees or Proclamations of the Republic of the Philippines; the Government of the Republic of the Philippines maintains and reserves the right and authority to make any amendments to such laws, decrees or proclamations pursuant to the provisions of the Philippine Constitution;

6. The provisions of the Convention on archipelagic passage through sea lanes do not nullify or impair the sovereignty of the Philippines as an archipelagic state over the sea lanes and do not deprive it of authority to enact legislation to protect its sovereignty, independence, and security;

7. The concept of archipelagic waters is similar to the concept of internal waters under the Constitution of the Philippines, and removes straits connecting these waters with the economic zone or high sea from the rights of foreign vessels to transit passage for international navigation;"

SAO TOME AND PRINCIPE

"III. The Government of the Democratic Republic of Sao Tome and Principe considers that the provisions of the Convention relating to archipelagic waters, the territorial sea and the exclusive economic zone are compatible with the legislation of the Republic of Sao Tome and Principe as regards its sovereignty and its jurisdiction over the maritime space adjacent to its coasts;"

URUGUAY

"(A) The provisions of the Convention concerning the territorial sea and the exclusive economic zone are compatible with the main purposes and principles underlying Uruguayan legislation in respect of Uruguay's sovereignty and jurisdiction over the sea adjacent to its coast and over its bed and sub-soil up to a limit of 200 miles."

A. COMPATIBILITY (cont):

2. Non-recognition of laws and regulations incompatible with the Convention:

FRANCE

"1. The provisions of the Convention relating to the status of the different maritime spaces and to the legal régime of the uses and protection of the marine environment confirm and consolidate the general rules of the law of the sea and thus entitle the French Republic not to recognize as enforceable against it any foreign laws or regulations that are not in conformity with those general rules."

B. NON-PREJUDICE OF POSITION:

ANGOLA

"The Government of the People's Republic of Angola reserves the right to interpret any and all articles of the Convention in the context of and with due regard to Angolan Sovereignty and territorial integrity as it applies to land, space and sea. Details of these interpretations will be placed on record at the time of ratification of the Convention.

The present signature is without prejudice to the position taken by the Government of Angola or to be taken by it on the Convention at the time of ratification."

BRAZIL

"(I) Signature by Brazil is ad referendum, subject to ratification of the Convention in conformity with Brazilian constitutional procedures, which include approval by the National Congress."

GERMAN DEMOCRATIC REPUBLIC

"[2] The German Democratic Republic reserves the right, in connection with the ratification of the Convention on the Law of the Sea, to make declarations and statements pursuant to article 310 of the Convention and to present its views on declarations and statements made by other States when signing, ratifying or acceding to the Convention."

PHILIPPINES

"1. The signing of the Convention by the Government of the Republic of the Philippines shall not in any manner impair or prejudice the sovereign rights of the Republic of the Philippines under and arising from the Constitution of the Philippines;

2. Such signing shall not in any manner affect the sovereign rights of the Republic of the Philippines as successor of the United States of America, under and arising out of the Treaty of Paris between Spain and the United States of America of December 10, 1898, and the Treaty of Washington between the United States of America and Great Britain of January 2, 1930;

3. Such signing shall not diminish or in any manner affect the rights and obligations of the contracting parties under the Mutual Defense Treaty between the Philippines and the United States of America of August 30, 1951, and its related interpretative instruments; nor those under any other pertinent bilateral or multilateral treaty or agreement to which the Philippines is a party;

B. NON-PREJUDICE OF POSITION (cont):

PHILIPPINES (cont):

4. Such signing shall not in any manner impair or prejudice the sovereignty of the Republic of the Philippines over any territory over which it exercises sovereign authority, such as the Kalayaan Islands, and the waters appurtenant thereto;

...

8. The agreement of the Republic of the Philippines to the submission for peaceful resolution, under any of the procedures provided in the Convention, of disputes under Article 298 shall not be considered as a derogation of Philippine sovereignty."

SAO TOME AND PRINCIPE

"I. The signing of the Convention by the Government of the Democratic Republic of Sao Tome and Principe will in no way affect or prejudice the sovereign rights of the Democratic Republic of Sao Tome and Principe embodied in and flowing from the Constitution of Sao Tome and Principe;"

SWEDEN

"It is also the understanding of the Government of Sweden that the Convention does not affect the rights and duties of a neutral State provided for in the Convention concerning the Rights and Duties of Neutral Powers in case of Naval Warfare (XIII Convention), adopted at The Hague on 18 October 1907."

YEMEN

"4. The Yemen Arab Republic declares that its signature of the Convention on the Law of the Sea is subject to the provisions of this declaration and the completion of the constitutional procedures in effect."

C. RECOGNITION:

ALGERIA

"It is the view of the Government of Algeria that its signing the Final Act and the United Nations Convention on the Law of the Sea does not entail any change in its position on the non-recognition of certain other signatories, nor any obligation to co-operate in any field whatsoever with those signatories."

IRAQ

"1. The present signature in no way signifies recognition of Israel and implies no relationship with it."

SUDAN

"[4] The fact that [the Sudan] is signing this Convention and the Final Act of the Conference in no way means that [it] recognizes any State whatsoever which it does not recognize or with which it has no relations."

YEMEN

"The fact that we have signed the said Convention in no way implies that we recognize Israel or are entering into relations with it."

D. RECOGNITION OF RIGHTS UNDER THE CONVENTION:

1. Only vis-à-vis States Parties:

ISLAMIC REPUBLIC OF IRAN

"1) Notwithstanding the intended character of the Convention being one of general application and of law making nature, certain of its provisions are merely product of quid pro quo which do not necessarily purport to codify the existing customs or established usage (practice) regarded as having an obligatory character. Therefore, it seems natural and in harmony with article 34 of the 1969 Vienna Convention on the Law of Treaties, that only states parties to the Law of the Sea Convention shall be entitled to benefit from the contractual rights created therein."

2. Only on the basis of reciprocity:

URUGUAY

"(G) When the Convention enters into force, Uruguay will apply, with respect to other States Parties, the provisions established by the Convention and by Uruguayan legislation, on the basis of reciprocity."

II. INTERPRETATIVE DECLARATIONS

A. INNOCENT PASSAGE THROUGH THE TERRITORIAL SEA AND SECURITY INTERESTS
(Part II, section 3, subsection A):

CAPE VERDE

"I. This Convention recognizes the right of coastal States to adopt measures to safeguard their security interests, including the right to adopt laws and regulations relating to the innocent passage of foreign warships through their territorial sea or archipelagic waters. This right is in full conformity with articles 19 and 25 of the Convention, as it was clearly stated in the Declaration made by the President of the Third United Nations Conference on the Law of the Sea in the plenary meeting of the Conference on April 26 1982."

FINLAND

"As regards those parts of the Convention which deal with innocent passage through the territorial sea, it is the intention of the Government of Finland to continue to apply the present régime to the passage of foreign warships and other government-owned vessels used for non-commercial purposes through the Finnish territorial sea, that régime being fully compatible with the Convention."

ISLAMIC REPUBLIC OF IRAN

"2) In the light of customary international law, the provisions of article 21, read in association with article 19 (on the Meaning of Innocent Passage) and article 25 (on the Rights of Protection of the Coastal States), recognizes (though implicitly) the rights of the Coastal States to take measures to safeguard their security interests including the adoption of laws and regulations regarding, inter alia, the requirements of prior authorization for warships willing to exercise the right of innocent passage through the territorial sea."

OMAN

"It is the understanding of the Government of the Sultanate of Oman that the application of the provisions of articles 19, 25, 34, 38 and 45 of the Convention does not preclude a coastal State from taking such appropriate measures as are necessary to protect its interest of peace and security."

A. INNOCENT PASSAGE THROUGH THE TERRITORIAL SEA AND SECURITY INTERESTS
(Part II, section 3, subsection A) (cont):

ROMANIA

"2. The Socialist Republic of Romania reaffirms the right of coastal States to adopt measures to safeguard their security interests, including the right to adopt national laws and regulations relating to the passage of foreign warships through their territorial sea.

The right to adopt such measures is in full conformity with articles 19 and 25 of the Convention, as it is also specified in the Statement by the President of the United Nations Conference on the Law of the Sea in the plenary meeting of the Conference on April 26, 1982."

SAO TOME AND PRINCIPE

"II. The Government of the Democratic Republic of Sao Tome and Principe reserves the right to adopt laws and regulations relating to the innocent passage of foreign warships through its territorial sea or its archipelagic waters and to take any other measures aimed at safeguarding its security;"

SUDAN

"[2] [The Sudan] wishes to reiterate [the statement by the President of the Conference] in plenary meeting during the Third United Nations Conference on the Law of the Sea, on 26 April 1982, concerning article 21, which deals with the laws and regulations of the coastal State relating to innocent passage: namely, that the withdrawal of the amendment submitted at the time by a number of States did not prejudice the right of coastal States to take all necessary measures, particularly in order to protect their security, in accordance with article 19 on the meaning of the term "innocent passage" and article 25 on the rights of protection of the coastal State."

SWEDEN

"As regards those parts of the Convention which deal with innocent passage through the territorial sea, it is the intention of the Government of Sweden to continue to apply the present régime for the passage of foreign warships and other government-owned vessels used for non-commercial purposes through the Swedish territorial sea, that régime being fully compatible with the Convention."

YEMEN

"2. The Yemen Arab Republic adheres to the concept of general international law concerning free passage as applying exclusively to merchant ships and aircraft; nuclear-powered craft, as well as warships and warplanes in general, must obtain the prior agreement of the Yemen Arab Republic before passing through its territorial waters, in accordance with the established norm of general international law relating to national sovereignty."

B. REGIME OF STRAITS (Part III):

CHILE

"... With regard to straits used for international navigation, the delegation of Chile wishes to reaffirm and reiterate in full the statement made last April, as reproduced in document A/CONF.62/SR.164 referred to above, as well as the content of the supplementary written statement dated 7 April 1982 contained in document A/CONF.62/WS/19."

B. REGIME OF STRAITS (Part III) (cont):

FINLAND

"It is the understanding of the Government of Finland that the exception from the transit passage régime in straits provided for in article 35 (c) of the Convention is applicable to the strait between Finland (the Aland Islands) and Sweden. Since in that strait the passage is regulated in part by a longstanding international convention in force, the present legal régime in that strait will remain unchanged after the entry into force of the Convention."

GREECE

"The present declaration concerns the provisions of Part III "on straits used for international navigation" and more especially the application in practice of articles 36, 38, 41 and 42 of the Convention on the Law of the Sea. In areas where there are numerous spread out islands that form a great number of alternative straits which serve in fact one and the same route of international navigation, it is the understanding of Greece, that the coastal state concerned has the responsibility to designate the route or routes, in the said alternative straits, through which ships and aircrafts of third countries could pass under transit passage régime, in such a way as on the one hand the requirements of international navigation and overflight are satisfied, and on the other hand the minimum security requirements of both the ships and aircrafts in transit as well as those of the coastal state are fulfilled."

ISLAMIC REPUBLIC OF IRAN

"1) Notwithstanding the intended character of the Convention being one of general application and of law making nature, certain of its provisions are merely product of quid-pro-quo which do not necessarily purport to codify the existing customs or established usage (practice) regarded as having an obligatory character. Therefore, it seems natural and in harmony with article 34 of the 1969 Vienna Convention on the Law of Treaties, that only states parties to the Law of the Sea Convention shall be entitled to benefit from the contractual rights created therein.

The above considerations pertain specifically (but not exclusively) to the following:

- The right of Transit passage through straits used for international navigation (Part III, Section 2, article 38)."

IRAQ

"2. Iraq interprets the provisions applying to all types of straits set forth in Part III of the Convention as applying also to navigation between islands situated near those straits if the shipping lanes leaving or entering those straits and defined by the competent international organization lie near such islands."

OMAN

"It is the understanding of the Government of the Sultanate of Oman that the application of the provisions of articles 19, 25, 34, 38 and 45 of the Convention does not preclude a coastal State from taking such appropriate measures as are necessary to protect its interest of peace and security."

PHILIPPINES

"7. The concept of archipelagic waters is similar to the concept of internal waters under the Constitution of the Philippines, and removes straits connecting these waters with the economic zone or high sea from the rights of foreign vessels to transit passage for international navigation;"

B. REGIME OF STRAITS (Part III) (cont):

SWEDEN

"It is the understanding of the Government of Sweden that the exception from the transit passage régime in straits provided for in Article 35 (c) of the Convention is applicable to the strait between Sweden and Denmark (Oresund) as well as to the strait between Sweden and Finland (the Aland islands). Since in both those straits the passage is regulated in whole or in part by long-standing international conventions in force, the present legal régime in the two straits will remain unchanged after the entry into force of the Convention."

YEMEN

"1. The Yemen Arabic Republic adheres to the rules of general international law concerning rights to national sovereignty over coastal territorial waters, even in the case of the waters of a strait linking two seas."

C. EXCLUSIVE ECONOMIC ZONE (Part V):

1. Sui generis nature:

CAPE VERDE

"III. The legal nature of the exclusive economic zone as defined in the Convention and the scope of the rights recognized therein to the coastal state leave no doubt as to its character of a "sui generis" zone of national jurisdiction different from the territorial sea and which is not a part of the high seas."

CHILE

"In exercise of the right conferred by article 310 of the Convention, the delegation of Chile wishes first of all to reiterate in its entirety the statement it made at [the April 1982] meeting when the Convention was adopted, which statement is reproduced in document A/CONF.62/SR.164. In particular [it wishes to refer] to the Convention's pivotal legal concept, that of the 200 mile exclusive economic zone to the elaboration of which [Chile] made an important contribution, having been the first to declare such a concept, 35 years ago in 1947, and having subsequently helped to define and earn it international acceptance. The exclusive economic zone has a sui generis legal character distinct from that of the territorial sea and the high seas. It is a zone under national jurisdiction, over which the coastal State exercises economic sovereignty and in which third States enjoy freedom of navigation and overflight and the freedoms inherent in international communication. The Convention defines it as a maritime space under the jurisdiction of the coastal State, bound to the latter's territorial sovereignty and actual territory, on terms similar to those governing other maritime spaces, namely the territorial sea and the continental shelf. ..."

URUGUAY

"(B) The legal nature of the exclusive economic zone as defined in the Convention and the scope of the rights which the Convention recognizes to the coastal State leave room for no doubt that it is a "sui generis" zone of national jurisdiction different from the territorial sea and that it is not part of the high seas."

C. EXCLUSIVE ECONOMIC ZONE (Part V) (cont):

2. Application only vis-à-vis other States Parties:

ISLAMIC REPUBLIC OF IRAN

"1) Notwithstanding the intended character of the Convention being one of general application and of law making nature, certain of its provisions are merely product of quid-pro-quo which do not necessarily purport to codify the existing customs or established usage (practice) regarded as having an obligatory character. Therefore, it seems natural and in harmony with article 34 of the 1969 Vienna Convention on the Law of Treaties, that only states parties to the Law of the Sea Convention shall be entitled to benefit from the contractual rights created therein.

The above considerations pertain specifically (but not exclusively) to the following:

...

- The notion of "Exclusive Economic Zone" (Part V)."

3. Non-military use by other States:

BRAZIL

"(IV) The Brazilian Government understands that the provisions of the Convention do not authorize other States to carry out in the exclusive economic zone military exercises or manoeuvres, in particular those that imply the use of weapons or explosives, without the consent of the coastal State."

CAPE VERDE

"V. In the exclusive economic zone, the enjoyment of the freedoms of international communication, in conformity with its definition and with other relevant provisions of the Convention, excludes any non-peaceful use without the consent of the coastal State, such as exercises with weapons or other activities which may affect the rights or interests of the said state; and it also excludes the threat or use of force against the territorial integrity, political independence, peace or security of the coastal State."

URUGUAY

"(D) In the exclusive economic zone, enjoyment of the freedom of international communication in accordance with the way it is defined and in accordance with other relevant provisions of the Convention excludes any non-peaceful use without the consent of the coastal State - for instance, military exercises or other activities which may affect the rights or interests of that State - and it also excludes the threat or use of force against the territorial integrity, political independence, peace or security of the coastal State."

C. EXCLUSIVE ECONOMIC ZONE (Part V) (cont):

4. Residual rights:

CAPE VERDE

"IV. The regulations of the uses or activities which are not expressly provided for in the Convention but are related to the sovereign rights and to the jurisdiction of the coastal State in its exclusive economic zone falls within the competence of the said State, provided that such regulation does not hinder the enjoyment of the freedoms of international communication which are recognized to other States."

URUGUAY

"(C) Regulation of the uses and activities not provided for expressly in the Convention (residual rights and obligations) relating to the rights of sovereignty and to the jurisdiction of the coastal State in its exclusive economic zone falls within the competence of that State, provided that such regulation does not prevent enjoyment of the freedom of international communication which is recognized to other States."

5. Importance of international co-operation for access by geographically disadvantaged States:

ROMANIA

"1. As a geographically disadvantaged country bordering a sea poor in living resources, Romania reaffirms the necessity to develop international co-operation for the exploitation of the living resources of the economic zones, on the basis of just and equitable agreements that should ensure the access of the countries from this category to the fishing resources in the economic zones of other regions or subregions."

6. Application of article 60:

BRAZIL

"(V) The Brazilian Government understands that, in accordance with the provisions of the Convention, the coastal State has, in the exclusive economic zone and on the continental shelf, the exclusive right to construct and to authorize and regulate the construction, operation and use of all types of installations and structures, without exception, whatever their nature or purpose."

CAPE VERDE

"VI. This Convention does not entitle any State to construct, operate or use installations or structures in the exclusive economic zone of another State, either those provided for in the Convention or those of any other nature, without the consent of the coastal State."

URUGUAY

"(E) This Convention does not empower any State to build, operate or utilize installations or structures in the exclusive economic zone of another State, neither those referred to in the Convention nor any other kind, without the consent of the coastal State."

C. EXCLUSIVE ECONOMIC ZONE (Part V) (cont):

7. Duties vis-à-vis article 63, paragraph 2:

CAPE VERDE

"VII. In accordance with all the relevant provisions of the Convention, where the same stock or stocks of associated species occur both within the exclusive economic zone and in an area beyond and adjacent to the zone, the States fishing for such stocks in the adjacent area are duty bound to enter into arrangements with the coastal State upon the measures necessary for the conservation of these stock or stocks of associated species."

SAO TOME AND PRINCIPE

"IV. The Government of the Democratic Republic of Sao Tome and Principe considers that, in accordance with the provisions of the Convention, where the same stock or stocks of associated species occur within the exclusive economic zone or in an area adjacent thereto, the States fishing for such stocks in the adjacent area are under an obligation to agree with the coastal State upon the measures necessary for the conservation of the stock or stocks of associated species;"

URUGUAY

"(F) In accordance with all the relevant provisions of the Convention, where the same stock or stocks of associated species occur both within the exclusive economic zone and in an area beyond and adjacent to the zone, the States fishing for such stocks in the adjacent area are duty bound to agree with the coastal State upon the measures necessary for the conservation of these stocks or associated species."

8. Application of articles 62 and 64, paragraph 2:

COSTA RICA

"The Government of Costa Rica declares that the provisions of Costa Rican law under which foreign vessels must pay for licences to fish in its exclusive economic zone, shall apply also to fishing for highly migratory species, pursuant to the provisions of articles 62 and 64, paragraph 2, of the Convention."

SAO TOME AND PRINCIPE

"V. The Government of the Democratic Republic of Sao Tome and Principe, in accordance with the relevant provisions of the Convention, reserves the right to adopt laws and regulations to ensure the conservation of highly migratory species and to co-operate with the States whose nationals harvest these species in order to promote the optimum utilization thereof."

9. Application of article 70:

ISLAMIC REPUBLIC OF IRAN:

"4) The provisions of article 70, regarding "Right of States with Special Geographical Characteristics" are without prejudice to the exclusive right of the Coastal States of enclosed and semi-enclosed maritime regions (such as the Persian Gulf and the Sea of Oman) with large population predominantly dependent upon relatively poor stocks of living resources of the same regions."

C. EXCLUSIVE ECONOMIC ZONE (Part V) (cont):

9. Application of article 70 (cont):

SUDAN

"[3] The Sudan also wishes to state that, according to its interpretation, the definition of the term "geographically disadvantaged States" given in article 70, paragraph 2, applies to all the parts of the Convention in which this term appears."

D. CONTINENTAL SHELF (Part VI):

1. Application of article 76:

BRAZIL

"(VI) Brazil exercises sovereignty rights over the continental shelf, beyond the distance of two hundred nautical miles from the baselines, up to the outer edge of the continental margin, as defined in article 76."

URUGUAY

"(J) Reaffirms that, as stated in article 76, the continental shelf is the natural prolongation of the territory of the coastal State to the outer edge of the continental margin."

2. Application of article 80:

BRAZIL

"(V) The Brazilian Government understands that, in accordance with the provisions of the Convention, the coastal State has, in the exclusive economic zone and on the continental shelf, the exclusive right to construct and to authorize and regulate the construction, operation and use of all types of installations and structures, without exception, whatever their nature or purpose."

E. DELIMITATION:

ISLAMIC REPUBLIC OF IRAN

"5) Islets situated in enclosed and semi-enclosed seas which potentially can sustain human habitation or economic life of their own, but due to climatic conditions, resource restriction or other limitations, have not yet been put to development, fall within the provisions of paragraph 2 of article 121 concerning "Regime of Islands", and have, therefore, full effect in boundary delimitation of various maritime zones of the interested Coastal States."

ROMANIA

"3. The Socialist Republic of Romania states that according to the requirements of equity - as it results from articles 74 and 83 of the Convention on the Law of the Sea - the uninhabited islands and without economic life can in no way affect the delimitation of the maritime spaces belonging to the main land coasts of the coastal States."

F. REGIME OF ISLANDS (Part VIII):

ISLAMIC REPUBLIC OF IRAN

"5) Islets situated in enclosed and semi-enclosed seas which potentially can sustain human habitation or economic life of their own, but due to climatic conditions, resource restriction or other limitations, have not yet been put to development, fall within the provisions of paragraph 2 of article 121 concerning "Regime of Islands", and have, therefore, full effect in boundary delimitation of various maritime zones of the interested Coastal States."

F. REGIME OF ISLANDS (Part VIII) (cont):

ROMANIA

"3. The Socialist Republic of Romania states that according to the requirements of equity - as it results from articles 74 and 83 of the Convention on the Law of the Sea - the uninhabited islands and without economic life can in no way affect the delimitation of the maritime spaces belonging to the main land coasts of the coastal States."

YEMEN

"3. The Yemen Arab Republic confirms its national sovereignty over all the islands in the Red Sea and the Indian Ocean which have been its dependencies since the period when the Yemen and the Arab countries were a Turkish administration."

G. ENCLOSED AND SEMI-ENCLOSED SEAS (Part IX):

ISLAMIC REPUBLIC OF IRAN

"4) The provisions of article 70, regarding "Right of States with Special Geographical Characteristics" are without prejudice to the exclusive right of the Coastal States of enclosed and semi-enclosed maritime regions (such as the Persian Gulf and the Sea of Oman) with large population predominantly dependent upon relatively poor stocks of living resources of the same regions.

5) Islets situated in enclosed and semi-enclosed seas which potentially can sustain human habitation or economic life of their own, but due to climatic conditions, resource restriction or other limitations, have not yet been put to development, fall within the provisions of paragraph 2 of article 121 concerning "Regime of Islands", and have, therefore, full effect in boundary delimitation of various maritime zones of the interested Coastal States."

H. RIGHT OF ACCESS (Part X):

ISLAMIC REPUBLIC OF IRAN

"3) The right referred to in article 125 regarding access to and from the sea and freedom of transit of Land-locked States is one which is derived from mutual agreement of States concerned based on the principle of reciprocity."

I. THE AREA (Part XI):

1. Application of article 140:

FRANCE

"3. With reference to article 140, the signing of the Convention by France shall not be interpreted as implying any change in its position in respect of resolution 1514 (XV)."

I. THE AREA (Part XI) (cont):

2. Application only vis-à-vis other States Parties:

ISLAMIC REPUBLIC OF IRAN

"1) Notwithstanding the intended character of the Convention being one of general application and of law making nature, certain of its provisions are merely product of quid-pro-quo which do not necessarily purport to codify the existing customs or established usage (practice) regarded as having an obligatory character. Therefore, it seems natural and in harmony with article 34 of the 1969 Vienna Convention on the Law of Treaties, that only states parties to the Law of the Sea Convention shall be entitled to benefit from the contractual rights created therein.

The above considerations pertain specifically (but not exclusively) to the following:

...

- All matters regarding the International Seabed Area and the Concept of "Common Heritage of mankind" (Part XI)."

3. Work of the Preparatory Commission:

FRANCE

"2. The provisions of the Convention relating to the area of the sea-bed and ocean floor beyond the limits of national jurisdiction show considerable deficiencies and flaws with respect to the exploration and exploitation of the said area which will require rectification through the adoption by the Preparatory Commission of draft rules, regulations and procedures to ensure the establishment and effective functioning of the International Sea-Bed Authority.

To this end, all efforts must be made within the Preparatory Commission to reach general agreement on any matter of substance, in accordance with the procedure set out in rule 37 of the rules of procedure of the Third United Nations Conference on the Law of the Sea."

4. Principle of common heritage as jus cogens:

CHILE

"With regard to the international sea-bed régime, [the delegation of Chile wishes] to reiterate the statement made by the Group of 77 at [the April 1982] meeting regarding the legal concept of the common heritage of mankind, the existence of which was solemnly confirmed by consensus by the General Assembly in 1970 and which the present Convention defines as a part of jus cogens. Any action taken in contravention of this principle and outside the framework of the sea-bed régime would, as [the April 1982] debate showed, be totally invalid and illegal."

J. PROTECTION AND PRESERVATION OF THE MARINE ENVIRONMENT (Part XII):
Application of article 230, paragraph 2:

FRANCE

"4. The provisions of article 230, paragraph 2, of the Convention shall not preclude interim or preventive measures against the parties responsible for the operation of foreign vessels, such as immobilization of the vessel. They shall also not preclude the imposition of penalties other than monetary penalties for any wilful and serious act which causes pollution."

K. GENERAL PROVISIONS (Part XVI):
Application of article 301:

BRAZIL

"(III) The Brazilian Government understands that the provision of article 301, which prohibits "any threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the principles of international law embodied in the Charter of the United Nations", apply, in particular, to the maritime areas under the sovereignty or the jurisdiction of the coastal State."

III. DECLARATIONS WITH REGARD TO SETTLEMENT OF DISPUTES

A. RESERVATION OF POSITION:

BRAZIL

"(VII) The Brazilian Government reserves the right to make at the appropriate time the declarations provided for in articles 287 and 298, concerning the settlement of disputes."

CUBA

"At the time of signing the Convention on the Law of the Sea, the Cuban Delegation declares that, having gained possession of the definitive text of the Convention just a few hours ago, it will leave for the time of the ratification of the Convention the issuing of any statement it deems pertinent with respect to articles:

287 - on the election of the procedure for the settlement of controversies pertaining to the interpretation or implementation of the Convention;

292 - on the prompt release of ships and their crews;

298 - on the optional exceptions to the applicability of Section 2;

as well as whatever statement or declaration it might deem appropriate to make in conformity with article 310 of the Convention."

ISLAMIC REPUBLIC OF IRAN

"Furthermore, with regard to "Compulsory Procedures Entailing Binding Decisions" the Government of the Islamic Republic of Iran, while fully endorsing the Concept of settlement of all international disputes by peaceful means, and recognizing the necessity and desirability of settling, in an atmosphere of mutual understanding and co-operation, issues relating to the interpretation and application of the Convention on the Law of the Sea, at this time will not pronounce on the choice of procedures pursuant to articles 287 and 298 and reserves its positions to be declared in due time."

B. DECLARATIONS IN ACCORDANCE WITH ARTICLE 287:

1. International Tribunal for the Law of the Sea (article 287, paragraph 1(a)):

a. With regard to the interpretation or application of the Convention:

URUGUAY

"(H) Pursuant to the provisions of article 287, Uruguay declares that it chooses the International Tribunal for the Law of the Sea for the settlement of such disputes relating to the interpretation or application of the Convention as are not subject to other procedures, without prejudice to its recognition of the jurisdiction of the International Court of Justice and of such agreements with other States as may provide for other means for peaceful settlement."

BYELORUSSIAN SOVIET SOCIALIST REPUBLIC

"1. ... The Byelorussian Soviet Socialist Republic recognizes the competence of the International Tribunal for the Law of the Sea in relation to questions of the prompt release of detained vessels or their crews, as envisaged in article 292."

GERMAN DEMOCRATIC REPUBLIC

"1. ... The German Democratic Republic recognizes the competence, provided for in article 292 of the Convention, of the International Tribunal for the Law of the Sea in matters relating to the prompt release of vessels and crews."

UKRAINIAN SOVIET SOCIALIST REPUBLIC

"1. ... The Ukrainian SSR recognizes the competence, as stipulated in article 292, of the International Tribunal for the Law of the Sea in respect of questions relating to the prompt release of detained vessels or their crews."

UNION OF SOVIET SOCIALIST REPUBLICS

"1. ... It recognizes the competence of the International Tribunal for the Law of the Sea, as provided for in article 292, in matters relating to the prompt release of detained vessels and crews."

2. International Court of Justice (article 287, paragraph 1(b)):

URUGUAY

"(H) Pursuant to the provisions of article 287, Uruguay declares that it chooses the International Tribunal for the Law of the Sea for the settlement of such disputes relating to the interpretation or application of the Convention as are not subject to other procedures, without prejudice to its recognition of the jurisdiction of the International Court of Justice and of such agreements with other States as may provide for other means for peaceful settlement."

B. DECLARATIONS IN ACCORDANCE WITH ARTICLE 287 (cont):

3. Arbitration in accordance with Annex VII (article 276, paragraph 1(c)):

BYELORUSSIAN SOVIET SOCIALIST REPUBLIC

"1. The Byelorussian Soviet Socialist Republic declares that, in accordance with article 287 of the United Nations Convention on the Law of the Sea, it accepts, as the basic means for the settlement of disputes concerning the interpretation or application of the Convention, an arbitral tribunal constituted in accordance with Annex VII."

GERMAN DEMOCRATIC REPUBLIC

"[1] The German Democratic Republic declares that it accepts an arbitral tribunal as provided for in article 287, paragraph 1 (c), which is to be constituted in accordance with Annex VII, as competent for the settlement of disputes concerning the interpretation or application of this Convention, which cannot be settled by the States involved by recourse to other peaceful means of dispute settlement agreed between them. ... "

UKRAINIAN SOVIET SOCIALIST REPUBLIC

"1. The Ukrainian Soviet Socialist Republic declares that, in accordance with article 287 of the United Nations Convention on the Law of the Sea, it chooses as the principal means for the settlement of disputes concerning the interpretation or application of this Convention an arbitral tribunal constituted in accordance with Annex VII. ... "

UNION OF SOVIET SOCIALIST REPUBLICS

"1. The Union of Soviet Socialist Republics declares that, under article 287 of the United Nations Convention on the Law of the Sea, it chooses an arbitral tribunal constituted in accordance with Annex VII as the basic means for the settlement of disputes concerning the interpretation or application of the Convention. ... "

4. Special arbitration in accordance with Annex VIII (article 287, paragraph 1(d)):

BYELORUSSIAN SOVIET SOCIALIST REPUBLIC

"For the consideration of questions relating to fisheries, the protection and preservation of the marine environment, marine scientific research and navigation, including pollution from vessels and by dumping, the Byelorussian Soviet Socialist Republic chooses a special arbitral tribunal constituted in accordance with Annex VIII. ... "

GERMAN DEMOCRATIC REPUBLIC

"[1] ... The German Democratic Republic further declares that it accepts a special arbitral tribunal as provided for in article 287, paragraph 1 (d), which is to be constituted in accordance with Annex VIII, as competent for the settlement of disputes concerning the interpretation or application of articles of this Convention relating to fisheries, the protection and preservation of the marine environment, marine scientific research and navigation, including pollution from ships and through dumping."

B. DECLARATIONS IN ACCORDANCE WITH ARTICLE 287 (cont):

4. Special arbitration in accordance with Annex VIII (article 287, paragraph 1(d)) (cont):

UKRAINIAN SOVIET SOCIALIST REPUBLIC

"1. ... For the consideration of questions relating to fisheries, protection and preservation of the marine environment, marine scientific research and navigation, including pollution from vessels and by dumping, the Ukrainian SSR chooses a special arbitral tribunal constituted in accordance with Annex VIII. ... "

UNION OF SOVIET SOCIALIST REPUBLICS

"1. ... It opts for a special arbitral tribunal constituted in accordance with Annex VIII for the consideration of matters relating to fisheries, the protection and preservation of the marine environment, marine scientific research, and navigation, including pollution from vessels and dumping. ... "

C. OPTIONAL EXCEPTIONS TO APPLICATION OF PART XV, SECTION 2:

1. With respect to disputes specified under article 298, paragraphs 1(a), (b) and (c):

BYELORUSSIAN SOVIET SOCIALIST REPUBLIC

"2. The Byelorussian Soviet Socialist Republic declares that, in accordance with article 298 of the Convention, it does not accept compulsory procedures entailing binding decisions in the consideration of disputes concerned with the delimitation of marine limits, disputes relating to military activity and disputes in relation to which the United Nations Security Council performs functions entrusted to it under the United Nations Charter."

GERMAN DEMOCRATIC REPUBLIC

"(1) ... The German Democratic Republic declares, in accordance with article 298 of the Convention, that it does not accept any compulsory procedures entailing binding decisions

- in disputes relating to sea boundary delimitations,
- in disputes relating to military activities and
- in disputes concerning which the United Nations Security Council exercises the functions assigned to it by the Charter of the United Nations."

UKRAINIAN SOVIET SOCIALIST REPUBLIC

"2. The Ukrainian Soviet Socialist Republic declares, in accordance with article 298 of the Convention, that it does not accept compulsory procedures, involving binding decisions, for the consideration of disputes relating to sea boundary delimitations, disputes concerning military activities and disputes in respect of which the Security Council of the United Nations is exercising the functions assigned to it by the Charter of the United Nations."

UNION OF SOVIET SOCIALIST REPUBLICS

"2. The Union of Soviet Socialist Republics declares that, in accordance with article 298 of the Convention, it does not accept the compulsory procedures entailing binding decisions for the consideration of disputes relating to sea boundary delimitations, disputes concerning military activities, or disputes in respect of which the Security Council of the United Nations is exercising the functions assigned to it by the Charter of the United Nations."

C. OPTIONAL EXCEPTIONS TO APPLICATION OF PART XV, SECTION 2 (cont):

2. With respect to disputes involving law enforcement activities only (article 298, paragraph 1(b)):

URUGUAY

"(I) Pursuant to the provisions of article 298, Uruguay declares that it will not accept the procedures provided for in Part XV, section 2 of the Convention, in respect of disputes concerning law enforcement activities in regard to the exercise of sovereign rights or jurisdiction excluded from the jurisdiction of a court or tribunal under article 297, paragraphs 2 and 3."

II. LEGAL INFORMATION RELEVANT TO THE UNITED NATIONS
CONVENTION ON THE LAW OF THE SEA

(a) Recent national legislation and Notes received from Governments:

The following national legislation has been communicated to the United Nations Secretariat since 1982 and, therefore has not yet appeared in the United Nations Legislative series. Legislation so communicated is followed by any Notes or Statements subsequently received from governments referring to that legislation. The texts are arranged in chronological order and include legislation and subsequent Notes or Statements of the following States: Oman (Note by the Islamic Republic of Iran), Sao Tome and Principe, Suriname, Syrian Arab Republic (Notes by Israel and New Zealand), Vanuatu, Viet Nam (Statement by China).

OMAN

ROYAL DECREE
CONCERNING THE TERRITORIAL SEA CONTINENTAL
SHELF AND EXCLUSIVE ECONOMIC ZONE

We, Qaboos bin Said Sultan of Oman

In pursuance of Royal Decree number 26/75 promulgating the State Administration Organization Law and amendments thereto:

And pursuant to the Royal Decree relating to the territorial sea, continental shelf and exclusive fishing zone promulgated on 20 July 1972 as further amended by the Royal Decree number 44/77 dated 16 June 1977:

And as required by the exigencies of public interest;

Have decreed as follows:

Article 1: The territorial sea

The Sultanate of Oman exercises full sovereignty over the territorial sea of the Sultanate and over the airspace, and the seabed and the subsoil beneath the territorial sea of the Sultanate, in harmony with the principle of innocent passage of ships and planes of other States through international straits, and laws and regulations of the Sultanate relating thereto.

Article 2:

The territorial sea of the Sultanate extends twelve nautical miles (22,224 meters) seaward, measured according to the following standards and regulations set forth:

- (a) the outer limit of the territorial sea is the line every point of which is at a distance of 12 nautical miles from the nearest point of the baseline;
- (b) Except as otherwise provided in this Decree, the normal baseline for measuring the breadth of the territorial sea is the low water line along the coast of the mainland or of islands and rocks;
- (c) The Government of the Sultanate of Oman will be issuing a directive in which the application of the system of straight baselines will be set forth and which will, in accordance thereof, determine the baselines for any part of the coast of the Sultanate of Oman, so also the lines relating to the closed waters lying within gulfs and bays or in between islands and the mainland coast. Any line described therein will be regarded as the baseline. Provided it is so required the Government of the Sultanate of Oman may amend or revoke any provisions which will be promulgated under this clause.

Article 3: Internal Waters

The internal waters of the Sultanate of Oman shall include the waters on the landward side of the baseline of the territorial sea. The Omani laws which are applicable to national ports, roadsteads and bays shall, ipso facto, be applicable to internal waters also.

Article 4: The exclusive Economic zone

The Sultanate of Oman exercises sovereign rights over the exclusive economic zone for the purposes of exploring, developing and exploiting its natural wealth, whether living or non-living.

Article 5:

The exclusive economic zone extends 200 nautical miles and is measured from the baseline from which the breadth of the territorial sea is measured.

Article 6: The Continental Shelf

The Sultanate of Oman exercises sovereign rights over its continental shelf for the purposes of exploring and exploiting its natural resources.

Article 7:

The Sultanate of Oman will be issuing a declaration for delimiting the span of its continental shelf.

Article 8: Miscellaneous Provisions

Where the coast of another State is opposite or adjacent to the coast of the Sultanate of Oman, the outer limits of the territorial sea, exclusive economic zone and continental shelf shall be (measured upto) the median line (so that) every point of which is equidistant from the nearest points on the baselines from which the breadth of the territorial sea of the Sultanate and the territorial sea of such other States is measured.

Article 9:

The precise limits of the territorial sea, exclusive economic zone and the continental shelf shall be determined by the Government of the Sultanate of Oman on maps and hydrographic charts and geodatic datas.

Article 10:

The provisions of the Royal Decree dated 20 July 1972 concerning the territorial sea, the continental shelf and exclusive fishing zone and those of the Royal Decree numbering 44/77 of 15 June 1977 and all other provisions which are in contravention to the provisions of the present Decree stand cancelled.

Article II:

This Decree shall be published in the Official Gazette and shall come into force from the date of its issue.

Issued on
5 Rabi al Thani 1401
10 February, 1981

Qaboos bin Said
Sultan of Oman

UNOFFICIAL TRANSLATION

NOTICE

I, Yousuf Al Alawi Abdullah, Minister of State for Foreign Affairs;

In pursuance of the Royal Decree Number 15/81 concerning the territorial sea and economic zone, and the Royal Decree Number 38/82 relating to the application of the straight baselines system for the demarcation of baselines for the territorial sea, the internal waters and the enclosed waters;

Have hereby issued the following notification:

Article 1

By application of Article 2 paragraph 'c' of the Royal Decree Number 15/81 referred to above, the fixing of the straight baselines for any part of the Sultanate of Oman and the lines for enclosed waters lying between gulfs and bays and also the waters in between islands and the mainland coast shall be on the following basis:

- (a) The co-ordinates of latitudes and longitudes mentioned below shall determine the positions of points for drawing the straight baselines for the Sultanate of Oman.
- (b) The straight lines joining the points between the co-ordinates of latitudes and longitudes referred to in the preceding paragraph shall determine the straight baselines as provided by the Royal Decree Number 15/81
- (c) The co-ordinates of latitudes and longitudes referred to shall also be the basis for the demarcation of the internal and enclosed waters in the Sultanate:

CO-ORDINATES OF POINTS

<u>NUMBER OF THE POINT</u>	<u>NORTH LATITUDES</u>	<u>EAST LONGITUDES</u>
	<u>GROUP "A"</u>	
1.	26° 03' 04.703"	56° 05' 01.869"
2.	26° 04' 04"	56° 05' 22"
3.	26° 13' 30"	56° 10' 52"
4.	26° 14' 28"	56° 11' 34"
5.	26° 15' 08"	56° 12' 19"
6.	26° 22' 29"	56° 21' 02"
7.	26° 30' 19"	56° 30' 34"
8.	26° 29' 50"	56° 31' 37"
9.	26° 29' 11"	56° 32' 14"
10.	26° 21' 59"	56° 32' 13"

<u>NUMBER OF THE POINT</u>	<u>CO-ORDINATES OF POINTS</u>	
	<u>NORTH LATITUDES</u>	<u>EAST LONGITUDES</u>
	<u>GROUP "A"</u>	
11.	26° 10' 32"	56° 32' 58"
12.	26° 05' 02"	56° 28' 34"
13.	25° 56' 30"	56° 28' 17"
14.	25° 48' 32"	56° 22' 02"
15.	25° 45' 10"	56° 19' 55"
16.	25° 37' 32.345"	56° 16' 03.950"
	<u>GROUP "B"</u>	
17.	23° 46' 40"	57° 41' 38"
18.	23° 47' 00"	57° 46' 00"
19.	23° 50' 28"	57° 57' 38"
20.	23° 51' 26"	58° 03' 41"
21.	23° 52' 00"	58° 06' 00"
22.	23° 52' 06"	58° 07' 09"
23.	23° 50' 28"	58° 10' 33"
24.	23° 40' 55"	57° 29' 50"
25.	23° 37' 38"	57° 35' 29"
26.	23° 31' 18"	58° 45' 09"
	<u>GROUP "C"</u>	
27.	20° 57' 18"	58° 49' 00"
28.	20° 41' 29"	58° 54' 38"
29.	20° 41' 08"	58° 54' 47"
30.	20° 30' 12"	58° 58' 39"
31.	20° 30' 00"	58° 57' 18"
32.	20° 16' 29"	58° 46' 41"
33.	20° 12' 44"	58° 43' 20"
34.	20° 10' 36"	58° 39' 22"
35.	20° 09' 18"	58° 38' 18"
36.	20° 20' 30"	58° 19' 30"
37.	20° 19' 12"	57° 59' 00"

CO-ORDINATES OF POINTS

<u>NUMBER OF THE POINT</u>	<u>NORTH LATITUDES</u>	<u>EAST LONGITUDES</u>
	<u>GROUP "D"</u>	
38.	17° 55' 02"	56° 20' 29"
39.	17° 30' 17"	56° 24' 02"
40.	17° 29' 42"	56° 02' 33"
41.	17° 29' 12"	55° 51' 48"
42.	17° 27' 57"	55° 35' 03"
43.	17° 24' 00"	55° 17' 02"

Article 2

The provisions of this Notice shall come into force from the date of issue of this Notice and it shall be published in the Official Gazette.

Issued Muscat
on 1 June 1982

SIGNED YOUSUF AL ALAWI ABDULLAH
MINISTER OF STATE FOR FOREIGN AFFAIRS

NOTE OF THE ISLAMIC REPUBLIC OF IRAN

The Permanent Mission of the Islamic Republic of Iran to the United Nations sent to the Secretary-General of the United Nations a Note dated 4 February 1983, which reads as follows:

The Permanent Representative of the Islamic Republic of Iran to the United Nations presents his compliments to the Secretary General of the United Nations and with reference to the note No. MO/264/82 dated 31 August 1982 of the Permanent Mission of Oman to the United Nations, circulated with the Secretariat's communication No. LE 113(3-3) dated 23 November 1982, has the honour to inform that the Government of the Islamic Republic of Iran considers notification of 1st June 1982, attached to the Note No. MO/262/82, August 31, 1982 of the Permanent Mission of Oman, as the unilateral extension of the internal waters and the territorial Sea of Oman. Therefore, the Government of the Islamic Republic of Iran, under provisions of International Law, including Articles 4 and 5 of the Convention on the Territorial Sea and the Contiguous Zone of 1958, as well as, Article 8 of the United Nations Convention on the Law of the Sea, adopted on 30 April 1982, presumes that this notification shall not alter the legal nature of this area in connection with the passage right of the third countries' ships, that they have exercised traditionally and historically.

It would be highly appreciated if this notification could be transmitted to the Permanent Mission of States Members of the United Nations.

The Permanent Representative of the Islamic Republic of Iran to the United Nations avails himself of this opportunity to renew to the Secretary General of the United Nations the assurances of his highest consideration.

SAO TOME AND PRINCIPE

Council of Ministers

Decree-Law No. 48/82

Considering the necessity of correcting the geographic coordinates which in Article 2 of Decree-Law No. 14/78, of June 16, determine the straight base lines joining the most salient points of the islands of São Tomé and Príncipe;

Considering further the advisability of determining more coordinates in order to provide perfect continuity of plotting the straight base lines;

Given Decree-Law No. 14/78, of June 16;

The pertinent articles of the Convention of the Law of the Sea, approved by the Third United Nations Conference on the Law of the Sea on April 30, 1982, having been examined;

Now and therefore;

Exercising the power conferred by indent s) of Article 32 of the Constitution, the Government of the Democratic Republic of São Tomé and Príncipe decrees and I promulgate the following:

Article 1. Article 2 of Decree-Law No. 14/78, of June 16, shall be amended to read as follows:

Article 2,-1. The base line from which the extension of the territorial waters of the Democratic Republic of São Tomé and Príncipe is measured consists of the straight line successively joining the most salient points of the two principal islands,

islets and emerged reefs surrounding them and is determined by the following geographic coordinates:

Points	Coordinates	
	Latitude	Longitude
1 -Ilhéu das Rolas (SE)	0 00 45" S	6 31 44" E
2 -Ilhéu das Rolas (S)	0 00 47" S	6 31 21" E
3 -Ilhéu das Rolas (SW)	0 00 28" S	6 31 00" E
4 -Ilhéu Gabado (SW)	0 07 52" N	6 29 05" E
5 -Ilhéu Coco (W)	0 12 02" N	6 27 58" E
6 -Ponta Furada	0 14 39" N	6 27 56" E
7 -Ponta Alema (W)	0 15 48" N	6 28 20" E
8 -Ponta Diogo Vaz (W)	0 19 06" N	6 29 51" E
9 -Pedra da Galé (NW)	1 43 40" N	7 22 55" E
10 -Ilhéus Monteiro (NE)	1 41 14" N	7 28 20" E
11 -Ponto a Sul da Ponta da Garça (E)	1 37 40" N	7 27 52" E
12 -Ilhéu Carroço (SE)	1 30 47" N	7 26 05" E
13 -Ilhéu Santana (E)	0 14 29" N	6 45 59" E
14 -Sete Pedras (SE)	0 02 17" N	6 37 48" E

2. The ellipsoid and the datum used in the definition of the geographic coordinates are the following:

Ellipsoid used: International

Datum:

Island of São Tomé

▲ Fortaleza $y = 0^{\circ} 20' 49'' .02$ N
 $L = 6 \quad 44 \quad 41 \quad .85$ E

Island of Principe

▲ Morro do Papagaio $y = 1^{\circ} 36' 46'' .87$ N
 $L = 7 \quad 23 \quad 39 \quad .65$ E

Article 3. This decree-law becomes effective immediately.
Seen and approved in Council of Ministers on November
19, 1982.

.....

Promulgated December 2, 1982.

Let it be published.

The President of the Republic, MANUEL PINTO DA COSTA.

SURINAME

DECREE C-14

DECREE of 31 December 1980, regulating the field of sea fishery.

THE PRESIDENT OF THE REPUBLIC OF SURINAME,

Having considered that it is desirable to amend the law relating to the field of sea fishery according to the changed circumstances;

HAS DECIDED:

CHAPTER I

Definitions

Article 1

For the provisions stated in or resulting from this decree, the following terms refer to:

- a. "the law" : the law of 14 April 1978, containing the extension of the territorial sea of the Republic of Suriname and the establishment of a contiguous economic zone (S.R.S.1978 no. 26);
- b. "the Minister" : the Minister of Agriculture, Animal Husbandry, Fisheries and Forestry;
- c. "the Director" : the Director of Agriculture, Animal Husbandry, Fisheries, and Forestry;
- d. "fishery zone" : a zone which comprises the territorial sea referred to and described in Articles 1 and 2 of the law, as well as the economic zone referred to and described in Article 3 of the law;

-2-

- e. "fishing" : 1. the placing or keeping in water, or the raising or retrieving, of fishing equipment as well as of any other means for catching or killing fish;
2. any other activity which results, or may result in the catching or killing of fish;
3. any activity aimed at maintaining or supplying fishing vessels, including the acquisition, processing, preparation, storage, refrigeration or transportation of fish;
- with the exception of fishing with a line or rod as a sport or for recreation, and with the exception of activities of a noncommercial nature, carried out by a vessel equipped for scientific fishery research.
- f. "fish" : fish and parts of fish, shellfish or crustacea, as well as all other animal or plant organisms which are part of the natural resources of the sea, with the exception of birds;
- g. "sea fishery" : fishing in the fishery zone;
- h. "fishing vessel" : a boat used commercially, or intended to be used commercially, for sea fishery;
- i. "operator" : the operator of a fishing vessel;
- j. "the Council" : the Advisory Council for Sea Fishery, referred to in Article 26;
- k. "the Harbor Master" : the Head of Port and Pilot Services of the Ministry of Public Works and Traffic.

Article 2

1. For the provisions stated in or resulting from this decree, the expression "Surinamese fishing vessel" refers to a fishing vessel if:
- a. it belongs for at least fifty percent to Surinamese nationals, or for at least twenty-five percent to Surinamese nationals and at least fifty percent to residents of Suriname, and

- b. it regularly moors or will moor in Suriname, and
- c. the owner is established in Suriname and is registered as such in the Register of the Chamber of Commerce and Factories.

2. In this article the term "Surinamese nationals" includes besides individuals:

- 1. partnerships, limited or other, established in Suriname, of which all severally liable partners are Surinamese nationals living in Suriname;
- 2. companies with limited liability, founded according to the law of Suriname and established in Suriname, of which at least fifty percent of the invested capital stock belongs to Surinamese nationals living in Suriname;
- 3. incorporated associations or foundations, founded according to the law of Suriname and established in Suriname, of which the majority of the directors consists of Surinamese nationals living in Suriname.

3. In this article the expression "residents of Suriname" includes besides individuals:

- 1. partnerships, limited or other, established in Suriname, of which all severally liable partners are Surinamese nationals living in Suriname, or residents of Suriname;
- 2. companies with limited liability, founded according to the law of Suriname and established in Suriname, of which at least fifty percent of the invested capital stock belongs to Surinamese nationals living in Suriname, or to residents of Suriname;
- 3. incorporated associations or foundations, founded according to the law of Suriname and established in Suriname, of which the majority of the directors consists of Surinamese nationals living in Suriname, or of residents of Suriname.

Article 3

For the provisions stated in or resulting from this decree, the expression "Surinamese fishing vessel" also refers to a fishing vessel if:

- a. it regularly moors or will moor in Suriname, and
- b. the operator is established in Suriname and is registered as such in the Register of the Chamber of Commerce and Factories, and
- c. the operator has the contractual use of it for a period of least three years, a copy of said contract - accompanied by a Dutch translation - having been deposited with the Harbor Master, and
- d. the owner has notified the Harbor Master in writing of his consent to have his fishing vessel registered in the central fishery register, and
- e. the operator ensures that the catch is largely processed in Suriname.

Article 4

For the provisions stated in or resulting from this decree, the expression "foreign fishing vessel, permitted to enter Suriname" refers to a fishing vessel if:

- a. it regularly moors or will moor in Suriname, and
- b. the operator has offices in Suriname and is registered as such in the registry of the Chamber of Commerce and Factories, and
- c. the operator ensures that the catch is largely processed in Suriname.

Article 5

For the provisions stated in or resulting from this decree, the expression "alien fishing vessel" refers to any fishing vessel not covered by Articles 2, 3 and 4.

CHAPTER II
Registration of Fishing Vessels
Article 6

1. The Harbor Master maintains a central fishery register consisting of three parts. The Surinamese fishing vessels referred to in Article 2 are registered in part A; the Surinamese fishing vessels referred to in Article 3 are registered in part B; and the foreign fishing vessels permitted to enter Suriname, referred to in Article 4, are registered in part C.
2. In order to be registered in the central fishery register, the owner or operator of the fishing vessel shall file a written application on a form to be determined by the Minister of Public Works and Traffic and to be provided free of charge by the Harbor Master.
3. Registration can only be applied for, and only be granted, for part A, or for part B, or for part C.

Article 7

1. When filing the completed and signed form, written evidence shall be submitted as proof that the fishing vessel meets the requirements of Article 2, Article 3, or Article 4, and the contract referred to in Article 3, paragraph c, and the notification referred to in Article 3, paragraph d, shall be submitted.
2. After receipt of the form and the written evidence and documents referred to in paragraph 1, the Harbor Master decides, within thirty days, whether or not to proceed to registration.
3. If the form is incompletely filled out, or if the necessary written evidence or documents are missing, the signatory shall have one opportunity to complete the missing information or to submit the missing written evidence or documents within the term set by the Harbor Master.
4. If the missing information has not been supplied, or the missing written evidence or documents have not been submitted, within the term set according to paragraph 3, the application will not be processed by the Harbor Master.

Article 8

1. The Harbor Master shall inform the signatory of the application form of his refusal to proceed to registration, by registered letter with indication of the reasons.
2. The parties concerned, within thirty days from the forwarding of the refusal, may appeal it to the Court.
3. Failure on the part of the Harbor Master to take the decision referred to in Article 7, paragraph 2, within the term set forth therein, shall be equivalent to his refusal to proceed to registration.

Article 9

1. After registration, the Harbor Master shall send the signatory of the application form, against payment of an amount determined in agreement with the Minister- by the Minister of Public Works and Traffic, a registration certificate in duplicate, according to a model to be determined by the Minister of Public Works and Traffic, and to be publicized in the Advertentieblad of the Republic of Suriname, containing at least the following:
 - a. the name and registration number of the fishing vessel;
 - b. the identification letters and numbers applied to the fishing vessel;
 - c. the part under which the fishing vessel is registered;
 - d. the tonnage, measured according to the applicable legal regulations, as well as the overall length;
 - e. a description of the fishing vessel according to the registration;
 - f. the name and address of the owner or owners of the fishing vessel;
 - g. the name and address of the operator of the fishing vessel;
 - h. the engine horsepower.

Article 10

1. the central fishery register is public.
2. Anyone is entitled to obtain information from the central fishery register against payment of a sum to be determined by the Minister of Public Works and Traffic.

Article 11

1. A Surinamese fishing vessel shall fly the flag of Suriname.
2. An alien fishing vessel present in the fishery zone shall fly the flag of the country in which it is registered.

Article 12

1. The owner or operator of a Surinamese fishing vessel or a foreign fishing vessel permitted to enter Suriname, must inform the Harbor Master of any change which could result in modifications to its entry in the central fishery register; this information shall be given within a week following the change.
2. The Harbor Master shall delete the entry:
 - a. at the request of the owner or operator;
 - b. officially, if it appears to him that the requirements for registration as a Surinamese fishing vessel or as a foreign fishing vessel permitted to enter Suriname are not longer being met;
 - c. officially, if he has not been informed in due time or in full of a change referred to in paragraph 1.
3. The Harbor Master shall inform the owner or operator of the deletion by registered letter, with indication of the reasons.
4. The Harbor Master shall notify the Director at once of a deletion.
5. As a result of a deletion, a vessel no longer qualifies as a Surinamese fishing vessel, or as a foreign fishing vessel permitted to enter Suriname.
6. Within thirty days following the forwarding of the deletion, the parties concerned have the right to appeal it to the Court.

Article 13

By means and by virtue of a Government decree, further regulations concerning the implementation of this chapter may be issued.

CHAPTER III
License for Sea Fishery
Article 14

1. The owner or operator of the fishing vessel shall apply in writing for a license to engage in sea fishery, on a form to be determined by the Minister and to be provided free of charge by the Harbor Master.
2. When filling the completed and signed form with the Harbor Master, the enclosures referred to in Article 15 shall be submitted.
3. If the form is incompletely filled out, or if the enclosures referred to in Article 15 are missing, the signatory will be given one opportunity by the Harbor Master to complete the missing information or to supply the missing enclosures, within a period of time deemed reasonable by the Harbor Master with regard to the circumstances.
4. If the missing information or the missing enclosures have not been submitted within the term determined according to paragraph 3, the application will not be processed by the Harbor Master.

Article 15

1. The owner or operator of the fishing vessel shall attach the following enclosures to the form referred to in Article 14, paragraph 1:
 - a. a list of the names and addresses of the captain and the other crew members;
 - b. a recent photograph or recent photographs of the fishing vessel, showing clearly the name and the registration marks of the fishing vessel;
 - c. a description of the fishing equipment on board the vessel and of the fishing methods which can and will be used on board the vessel;
 - d. a description of the radio communication equipment on board the vessel with indication of the call number and the frequency, as well as of any other electric or electronic apparatus;
 - e. a description of the types of fish to be caught.

2. Before each departure from port, the captain of the fishing vessel shall submit to the Harbor Master a copy of the list referred to in paragraph 1a, after having made any changes necessary to match the list with the composition of the crew.
3. After consultation with the Council, the Minister can issue further regulations concerning the form and contents of the enclosures referred to in paragraph 1.
4. After consultation with the Council, the Minister can also demand that other enclosures be attached to the license application, if necessary.

Article 16.

1. As soon as possible, the Harbor Master sends to the Director the forms received, accompanied by the enclosures as well as - except in the case of alien fishing vessels - a copy of the registration certificate delivered to the fishing vessel concerned.
2. The Harbor Master may add his notes or comments to the documents forwarded.
3. The Harbor Master provides the signatory of the form with a dated acknowledgment of the forwarding to the Director.

Article 17

1. Before the 20th of January of each year, and after consultation with the Council, the Minister announces in the Advertentieblad of the Republic of Suriname and in two daily newspapers with a nationwide circulation the date when the application forms referred to in Article 14, paragraph 1, will be available from the Harbor Master, as well as the maximum number of licenses to be issued that year per fish or type of fish, with mention of the distribution ratio for fishing vessels registered in part A, part B or part C of the central fishery register, and for alien fishing vessels.

2. When making the announcements referred to in paragraph 1, the Minister, after consultation with the Council, also makes public the general conditions governing the issue of licenses. These general conditions concern, amongst others, the allowable means and methods for catching fish, the mesh sizes, the seasons and zones in which fishing is authorized, the minimum fish size, the catch maxima and the methods for reporting catches. They are printed on the reverse of the license.
3. Over and above, and by virtue of the general conditions set forth in paragraph 2 of this article, the Minister, after consultation with the Council, can, when granting a license, attach special conditions or obligations to it which will only be applicable to a particular fishing vessel or a group of particular fishing vessels.

Article 18

1. Within thirty days from the date of the acknowledgement of the forwarding to the Director, referred to in Article 16, paragraph 3, the Minister - contrary to the provisions of Article 6, paragraph 1 of the law - grants the license, which is valid for maximum one year, and which is delivered in the form of one original and one duplicate copy.
2. The license is not transferable.
3. If a license is granted, the Harbor Master informs the signatory of the form referred to in Article 14, paragraph 1, in writing or orally, that both sets of the license referred to in paragraph 1, can be acquired at his office against simultaneous payment of the amount referred to in Article 19 and - except in the case of alien fishing vessels - upon presentation of the certificate of seaworthiness referred to in Article 21.
4. Denials of license applications are sent by the Minister, by registered mail with indication of the reasons, to the signatory of the form referred to in Article 14, paragraph 1, within thirty days from the date of the acknowledgment of the forwarding to the Director, referred to in Article 16, paragraph 3.

5. The parties concerned, within thirty days from the mailing of the denial or, in the case of the granting of a license to which special conditions or obligations are attached as referred to in Article 17, paragraph 3, within thirty days from receipt of the license, may appeal the denial or the special conditions or obligations attached to the license, to the Court.

Article 19

An amount, determined by the Minister after consultation with the Council, must be paid to the Government for the license. It is announced simultaneously and in the manner referred to in Article 17, paragraph 1. In determining the amount, the Minister may distinguish between fishing vessels registered in parts A,B or C of the central fishery register, and alien fishing vessels, or he may make a distinction according to the fish or types of fish for which fishing will be allowed, or according to the engine size or the engine horsepower of the fishing vessel.

Article 20

1. Contrary to the provisions of Article 6, paragraph 3 of the law, the Minister revokes the license, with indication of the reasons:
 - a. at the request of the license holder;
 - b. if an act or negligence occurs in violation of the general conditions or of the special conditions or obligations attached to the license;
 - c. if the license holder is declared bankrupt or is granted suspension of payment;
 - d. if an act or negligence occurs in violation of the regulations or prohibitions set forth in Article 25;
 - e. if a vessel no longer qualifies as a Surinamese fishing vessel or as a foreign fishing vessel permitted to enter Suriname.
2. The parties concerned, within thirty days from the date of the notification of the revocation-to be forwarded by registered mail - may appeal the revocation to the Court.

CHAPTER IV
Certificate of Seaworthiness
Article 21

1. The Harbor Master issues a certificate of seaworthiness after the officials of the Shipping Control Department of the Ministry of Public Works and Traffic have ascertained the seaworthiness, both on land and in water, of the Surinamese fishing vessel and of the foreign fishing vessel permitted to enter Suriname.
2. The certificate of seaworthiness is valid for a maximum period of one year.
3. The form and contents of the certificate of seaworthiness are determined by the Minister of Public Works and Traffic, according to a model to be publicized in the Advertentieblad of the Republic of Suriname.

CHAPTER V
Special Provisions

1. The captain of a fishing vessel which is not an alien fishing vessel must ensure the presence on board of his ship of:
 - a. one set of the registration certificate;
 - b. the original or the duplicate copy of the license;
 - c. the certificate of seaworthiness.
2. The captain of an alien fishing vessel must ensure the presence on board of his ship of either the original or the duplicate copy of the license.
3. At the first request of an official inspector, the registration certificate, the license, or the certificate of seaworthiness must be shown to him and, if so requested, handed over.

Article 23

A license may only be granted to the owner or operator of an alien fishing vessel if, between the Republic of Suriname and the Country in which the alien fishing vessel is registered, an international agreement is in force governing fishing in the fishery zone of the Republic of Suriname and in the waters of that Country.

Article 24

1. The provisions of Chapter II, III and IV may be deviated from by government decree, for fishing in the fishery zone with fishing vessels below a minimum tonnage, which operate exclusively at a very short distance from the coast of Suriname.
2. The government decree referred to in paragraph 1 may contain further regulations with regard to fishing in the fishery zone with the fishing vessels referred to therein.

Article 25

1. To protect and maintain the stock of fish, further regulations may be issued by government decree, containing:
 1. a prohibition against fishing for a particular fish or type of fish;
 2. a prohibition against fishing during a particular period or on particular days, with possible distinctions according to fish or type of fish;
 3. a prohibition against the use of particularly indicated fishing methods or fishing equipment;
 4. a prohibition against catching fish smaller than a particular size;
 5. a prohibition against catching fish in particular fishing zones;
 6. a prohibition against catching fish in excess of a particular maximum quantity, with possible distinctions according to fish or type of fish.
2. In as far as possible, the regulations set forth in paragraph 1 are printed on the reverse of the license.

CHAPTER VI

The Advisory Council for Sea Fishery

Article 26

1. There exists an Advisory Council for Sea Fishery.

2. The task of the Advisory Council for Sea Fishery is to advise the Minister both on cases governed by this decree and on general matters relating to sea fishery. The Council may give unsolicited advice to the Minister.
3. The Council consists of the following members:
 - a. the Director, or his deputy, as chairman;
 - b. the Harbor Master;
 - c. a representative of the Minister of Justice, the Armed Forces and Police and Foreign Affairs;
 - d. a representative of the operators of shrimp trawlers;
 - e. a representative of the fishermen fishing for fish other than shrimp;
 - f. a representative of the coastal fishermen;
 - g. a representative of the fish-processing industry.
4. The appointment of the representative referred to in paragraph 3c. is made by the Minister of Justice, the Armed Forces and Police and Foreign Affairs. The appointment of the representatives referred to in paragraph 3d.-g. is made by a joint decision of the Ministers of Justice, the Armed Forces and Police and Foreign Affairs, and of Agriculture, Animal Husbandry, Fisheries and Forestry, on the basis of a recommendation for two persons for each vacancy, drawn up by organizations of the operators and fishermen concerned which, in the opinion of the Minister, are deemed representative of the total number of those operators and fishermen.
5. Unless it is withdrawn earlier, the appointment of the representatives referred to in paragraph 3d.-g. is valid for a period of maximum three years.
6. The Ministers shall not deviate from the recommendation submitted, nor shall they withdraw the appointment of a representative as referred to in paragraph 3d.-g., until they have given the organizations the opportunity to express their feelings on the matter.

7. If there are no representative organizations as referred to in paragraph 4, the appointments and withdrawal of appointments of representatives referred to in paragraph 3d.-g., shall be left to the discretion of the Ministers.

CHAPTER VII

Penalties

Article 27

1. The person who, without a valid license, fishes with a fishing vessel in the fishery zone or permits his fishing vessel to be used for fishing in the fishery zone without a valid license, will be punished with a prison term of maximum six years or a fine of maximum five hundred thousand guilders.
2. In the case of a prison sentence, the judge may impose a fine as well.

Article 28

1. The person who, without a valid license, is present in the fishery zone with an alien fishing vessel, or with an alien vessel from which fishing could be done, will be punished with a prison term of maximum six years or a fine of maximum five hundred thousand guilders, unless he proves that he is in direct transit, or that he is there for some other purpose related to navigation or communication, recognized as such by international law.
2. In the case of a prison sentence, the judge may impose a fine as well.

Article 29

1. The person who fails to meet - on time or in full - the general conditions stated in or resulting from Article 17, paragraph 2, or the special conditions or obligations attached to the license as referred to in Article 17, paragraph 3, or who acts in violation of these general conditions, special conditions or obligations, will be punished with a jail term of maximum one year or a fine of maximum one hundred thousand guilders.

2. In the case of a jail sentence, the judge may impose a fine as well.

Article 30

Violations of the provisions of Articles 11, 12, paragraph 1, and 22 will be punishable with a jail term of maximum six months or a fine of maximum three thousand guilders.

Article 31

The person who acts in violation of a prohibition issued on account of Article 25 will be punished with a prison term of maximum three years or a fine of maximum one hundred thousand guilders.

Article 32.

Violations of the rules issued by virtue of this decree shall not be punishable with jail terms of more than six months or fines of more than three thousand guilders.

Article 33

The acts made punishable in Articles 27,28 and 31, will be considered as criminal offenses, and those made punishable in or on account of Articles 29, 30 or 32, as misdemeanors.

Article 34

1. The objects used to commit offenses as described in Articles 27,28, 29 and 31, as well as goods obtained from the offense, may be confiscated.

2. If the offender is unknown or has died before the start of the prosecution the confiscation may be decided upon by judicial decree, at the request of the Public Prosecutor.
3. The decree referred to in paragraph 2 will be made public by the Registrar in the Advertentieblad of the Republic of Suriname and/or in one more daily newspapers to be chosen by the judge.
4. The decree referred to in paragraph 2 will take effect, except if a party concerned files a petition with the registrar within two months after publication and if it appears in the course of further investigation that no offense was committed regarding the matter in question.
5. During fourteen days the Attorney General has the right to appeal decrees issued in accordance with paragraph 2, to the Court. The same applies to decrees issued on account of paragraph 4, resulting from a petition.

Article 35

1. If one of the acts made punishable in or in accordance with this decree, is committed by or through a corporation, criminal prosecution can be instituted and the sentences and measures provided for in the law pronounced, if applicable:
 1. against the corporation, or
 2. against those who ordered the act as well as against those who were the actual leaders of the unlawful activity, or
 3. against those referred to in 1 and 2 together.
2. A punishable act is, amongst others, committed by or through a corporation, if it is committed by persons who are either acting in the course of duty or in some other manner falling within the range of corporate activities, regardless of whether these persons committed the punishable act individually or whether they were jointly involved in its perpetration.
3. If criminal prosecution is instituted against a corporation, the latter will be represented by the director during the prosecution or, if there is more than one director, by one of them.

The representative may appear by proxy. The judge may order a particular director to appear in person and in that case may instruct his proxy to that effect.

4. If criminal prosecution is instituted against a corporation, summonses will be served at the place where the board of directors meets or has its headquarters, or at the residence of the Head of the board of directors or, if the board of director has no head, at the residence of one of the directors. If the summons is a court document as referred to in Article 515 of the Penal Code, Article 517, paragraphs 2 and 3 of that Code, will be applicable accordingly.
5. For the application of the above paragraphs, the following are considered equivalent to corporations: unincorporated partnerships, partnerships all other associations of persons and objectives.

Article 36.

With the investigation of acts made punishable by this decree are charged, besides persons assigned in the Penal Code:

1. persons belonging to the Armed Forces of Suriname, specially assigned by the Minister of Justice, the Armed Forces and Police and Foreign Affairs for this purpose;
2. the Harbor Master and the Assistant Harbor Master;
3. the Harbor Master of Nieuw-Nickerie and Albina;
4. other persons specially assigned by the Minister of Justice, the Armed Forces and Police and Foreign Affairs for this purpose.

Article 37

1. The investigators are at all times authorized to seize and claim for seizure, all objects which may lead to the discovery of the truth, or of which the confiscation, or the rendering unserviceable, may be ordered.

2. If the goods or merchandise seized on the ground of paragraph 1 contain perishables, the Attorney General may grant permission for the sale of these goods or merchandise.
3. The sale will be conducted in public by the investigators, and according to local custom.
4. Proceeds from the sale of goods or merchandise as mentioned above may be confiscated.

CHAPTER VIII

Transitory and Final Provisions

Article 38

By means and by virtue of a government decree, further regulations concerning the implementation of this decree may be issued.

Article 39

The 1961 Law for the Protection of the Stock of Fish (G.B. 1961 no.44, G.B. 1963 no. 153 and G.B. 1965 no. 118) is amended as follows:

In article 1, the periode after "is situated and enclosed" is replaced by a semicolon, and a paragraph d is added to the article, reading as follows:

"d. inside Suriname: in the inland waters of Suriname, with the exception of the territorial sea, referred to and described in Articles 1 and 2 of the Law of 14 April 1978 containing the extension of the territorial sea of the Republic of Suriname and the establishment of a contiguous economic zone (S.R.S. 1978, no. 26), as well as with the exception of the economic zone, referred to and described in Article 3 of the aforementioned law.

Article 40

1. The Government Decree of 8 September 1971, containing regulations for fishing vessels in Suriname (1971 Fishing Vessel Decree), G.B. 1971 no. 158, will lapse on the day on which this decree enters into force.
2. This decree, which may be cited as the "1980 Sea Fishery Decree", enters into force on the 1st of January, 1981.

Issued in Paramaribo, on 31 December 1980.

H.R. CHIN A SEN.
The Military Authority,
D.D. BOUTERSE.

The Minister of Agriculture,
Animal Husbandry, Fisheries and Forestry,
A.H. VAN DIJK.

The Minister of Justice,
the Armed Forces and Police and Foreign Affairs,
A.R. HAAKMAT.

The Minister of Public Works
and Traffic,
M.N. ATAOLLAH.

Issued in Paramaribo, on 31 December 1980.

The Minister of Internal Affairs
and Rural Government

F.J. LEEFLANG.

SYRIAN ARAB REPUBLIC

LAW 37

THE PRESIDENT,
Relaying on Constitution's Articles, and on ...
States The Following:

- Article 1 - The Syrian Waters, being extended to 35 Nautical Miles towards Open Sea. Starting from base line applicable for measurement of Territorial Waters, or from Lowest Tidal Water Level's Line along Syrian Coast, as shown on large scaled nautical maps recognized in SYRIAN ARAB REPUBLIC.
- Article 2 - To be published in Official Gazzette, all opposite and previous statements to be changed in accordance with this law's art.'s.

Damascus 16.8.1981

PRESIDENT

H A F E Z E L A S S A D

NOTE OF ISRAEL

The Permanent Mission of Israel to the United Nations sent to the Secretary-General of the United Nations a Note dated 12 March 1982, which reads as follows:

The Permanent Representative of Israel to the United Nations presents his compliments to the Secretary-General of the United Nations and, in reference to communication LE 113 (3-3) of 5 February 1982, has the honour to state that:

In the view of the Government of Israel, there is no foundation in existing international law for Syria's claims to extend the territorial sea to a breadth of thirty-five miles from the baselines from which the breadth of the territorial sea is measured and, accordingly, it does not recognize the said Syrian measure, and reserves its rights and the rights of its nationals in respect to it.

The Permanent Representative of Israel has the honour to request that this communication be transmitted to the Permanent Missions of States members of the United Nations.

The Permanent Representative of Israel avails himself of this opportunity to renew to the Secretary-General the assurances of his highest consideration.

NOTE OF NEW ZEALAND

The Permanent Mission of New Zealand to the United Nations sent to the Secretary-General of the United Nations a Note dated 3 June 1982, which reads as follows:

The Permanent Representative of New Zealand to the United Nations presents his compliments to the Secretary-General of the United Nations and with reference to Note LE 113(3-3) of 5 February 1982 has the honour to convey the view of the New Zealand Government that it is contrary to international law for any coastal state to extend the breadth of its territorial sea to 35 nautical miles. Accordingly the Government of New Zealand does not recognise the Syrian Arab Republic's Law No. 37 and reserves its rights and the rights of New Zealand citizens with regard to that Law.

The Permanent Representative of New Zealand has the honour to request that this communication be transmitted to the Permanent Missions of States members of the United Nations.

The Permanent Representative of New Zealand to the United Nations avails himself of this opportunity to renew to the Secretary-General of the United Nations the assurances of his highest consideration.

REPUBLIC OF VANUATU

THE MARITIME ZONES ACT No. 23 of 1981^{1/}

Arrangement of Sections

PART 1 - INTERPRETATION

1. Interpretation.

PART 2 - INTERNAL WATERS

2. Internal Waters.

PART 3 - ARCHIPELAGIC WATERS AND TERRITORIAL SEA

3. Sovereignty of Vanuatu.
4. Archipelagic waters.
5. Territorial Sea.
6. Rights of passage.

PART 4 - CONTIGUOUS ZONE

7. Contiguous Zone.

PART 5 - THE CONTINENTAL SHELF AND EXCLUSIVE ECONOMIC ZONE

8. Continental Shelf.
9. Exclusive Economic Zone.
10. Vanuatu rights over continental shelf and exclusive economic zone.

^{1/} Brought into force as of 6 October 1982.

PART 6 - MISCELLANEOUS

- 11. Restricted activities.
- 12. Offences and Penalties.
- 13. Orders.

PART 7 - TRANSITIONAL AND COMMENCEMENT

- 14. Extension of laws to continental shelf and exclusive economic zone.
- 15. Interim provision for sea lanes and air routes.
- 16. Commencement.

SCHEDULE

ARCHIPELAGIC BASELINE

THE MARITIME ZONES ACT No. 23 OF 1981

Assent: 15.12.1981
Commencement: See Section 16.

To provide for the delimitation of the maritime zones of the Republic, and other matters incidental thereto.

Be it enacted by the President and Parliament as follows:-

PART 1 - INTERPRETATION

- Intepretation. 1. In this Act, unless the context otherwise requires -
- "bay" means an indentation of the coast with an area of not less than that of the semi-circle the diameter of which is a line drawn across the mouth of the indentation;

"island" means a naturally formed area of land, surrounded by water, which is above water at high tide;

"low waterline" means the relevant low water datum line shown on the latest relevant British Admiralty Charts or where there is no such datum the lowest astronomical tide line. In any case where there is doubt as to which is the latest relevant British Admiralty Chart for the purposes of this definition the Minister may establish which is such chart by declaration published in the Gazette;

"nautical mile" means an international nautical mile of 1,852 metres.

PART 2 - INTERNAL WATERS

Internal Waters.

2. The internal waters of Vanuatu comprise all waters that are contained within the baselines from which the breadth of the territorial sea is measured or for areas enclosed by straight archipelagic baselines, all waters that are contained within the innermost limits of the archipelagic waters.

PART 3 - ARCHIPELAGIC WATERS AND TERRITORIAL SEA

Sovereignty of Vanuatu.

3. The sovereignty of Vanuatu extends beyond the land and internal waters of its islands to the archipelagic waters and territorial sea and to the airspace thereover as well as to the seabed and subsoil thereunder.

Archipelagic waters.

4. (1) The archipelagic waters comprise all waters other than internal waters contained within the archipelagic baseline as delimited in the Schedule.
- (2) The innermost limits of the archipelagic waters shall be -

- (a) the low water line; or
- (b) in the case of the sea adjacent to a bay -
 - (i) where the bay has only one mouth and the distance between the low-water lines of the natural entrance points of the bay does not exceed 24 nautical miles, along a closing line joining those low-water lines;
 - (ii) where because of the presence of islands the bay has more than one mouth and the distance between the low-water lines of the natural entrance points of each mouth added together, do not exceed 24 nautical miles along a series of closing lines across each of the mouths so as to join those low-water lines;
 - (iii) where neither paragraph (a) nor paragraph (b) applies, along a closing line 24 nautical miles in length drawn from low-water line to low-water line within the bay in such a manner as to enclose the maximum area of water that is possible with a line of that length; and
- (c) in the case of the mouth or each mouth of a river which flows into the sea, a closing line across the river mouth between points on the low-water line of its banks.

**Territorial
Sea,**

- 5. (1) The territorial sea comprises all areas of sea having as their innermost limits the baselines described in sub-section (2) and as their outermost limits, a line measured seaward from those baselines, every point of which is 12 nautical miles from the nearest point of the appropriate baseline.
- (2) The baselines from which the territorial sea is measured shall be the archipelagic baseline and the low water line of the coast of Matthew Island and Hunter Island.

**Rights of
passage.**

- 6. (1) Subject to the provisions of this Act, all foreign ships may enjoy the right of innocent passage through the archipelagic waters and territorial sea.

- (2) The Minister may, after consultation with the Minister responsible for transport and communications, by order published in the Gazette, designate sea lanes and air routes, suitable for the continuous and expeditious passage of foreign ships and aircraft through or over the archipelagic waters and territorial sea and may also prescribe traffic separation schemes for the purpose of ensuring the safe passage of ships through narrow channels in such sea lanes.

PART 4 - CONTIGUOUS ZONE

- Contiguous Zone. 7. (1) The contiguous zone is an area beyond and adjacent to the territorial sea having as its outermost limits a line measured seaward from the baselines from which the territorial sea is measured, every point of which is 24 nautical miles from the nearest point of the appropriate baseline.
- (2) Vanuatu may exercise such powers and take such measures in relation to the contiguous zone as may be necessary in order to prevent or punish infringements of its customs, fiscal immigration or sanitary laws.

PART 5 - THE CONTINENTAL SHELF AND EXCLUSIVE ECONOMIC ZONE

- Continental Shelf. 8. The continental shelf comprises the seabed and subsoil of the submarine areas that extend beyond the limits of the territorial waters throughout the natural prolongation of the land territory of Vanuatu -
- (a) to the outer edge of the continental margin; or
- (b) to a distance of 200 nautical miles from the baseline from which the territorial sea is measured where the outer edge of the continental shelf does not extend up to that distance.

- Exclusive Economic Zone. 9. (1) The exclusive economic zone comprises those areas of the sea, seabed and sub-soil that are beyond and adjacent to the territorial sea having as their outermost limits a line measured seaward from the baselines from which the territorial sea is measured, every point of which line is 200 nautical miles from the nearest point of the appropriate baseline.
- (2) For the purposes of implementing any international agreement or otherwise, the Minister may by order published in the Gazette declare that the exclusive economic zone shall not extend to any specified area of the sea, seabed, or sub-soil, that would otherwise be included within the exclusive economic zone by virtue of this section.

Vanuatu rights
over continental
shelf and
exclusive
economic zone.

10. With prejudice to Sections 3, 7 and 8 Vanuatu has in the continental shelf and exclusive economic zone -
- (a) sovereign rights for the purposes of exploration, exploitation, conservation and management of all resources;
 - (b) exclusive rights and jurisdiction for the construction, maintenance or operation of artificial islands, off-shore terminals, installations and other structures and devices necessary for the exploration and exploitation of resources or for the convenience of shipping or for any other purpose;
 - (c) exclusive jurisdiction to authorise, regulate and conduct scientific research;
 - (d) exclusive jurisdiction to preserve and protect the marine environment and to prevent and control marine pollution; and
 - (e) such other rights as are recognised by International Law or State practice.

PART 6 - MISCELLANEOUS

Restricted
activities.

11. Except in accordance with an agreement entered into with the Government of Vanuatu or under the authority of a license granted by the responsible Minister no person shall in relation to the continental shelf or exclusive economic zone:
- (a) explore or exploit any resources;
 - (b) carry out any search, excavation or drilling operations;
 - (c) conduct any research;
 - (d) construct, maintain or operate any artificial island, off-shore terminal, installation or other structure or device.

Offences and
Penalties.

12. (1) Any contravention of this Act, or of any order made hereunder, occurring within the archipelagic waters, territorial sea or exclusive economic zone shall be deemed to have occurred in Vanuatu.
- (2) Where a contravention of this Act is triable in a Magistrate's Court it may be tried by any Senior Magistrate.
- (3) Any person who contravenes this Act or any order made hereunder shall be liable on conviction to a fine not exceeding 1,000,000 VT or to imprisonment for 5 years or both such fine and imprisonment.

Orders.

13. Where no other provision is for the time being made by any other law for any such purposes, the Minister may by order -
- (a) amend the Schedule;
 - (b) provide for the protection and preservation of the marine environment of the continental shelf archipelagic waters, the territorial sea and the exclusive economic zone;
 - (c) regulate the conduct of foreign ships and aircraft in relation to the rights of navigation and overflight provided for in sections 6 and 15;
 - (d) regulate the conduct of scientific research within the archipelagic waters, the territorial sea and the exclusive economic zone;
 - (e) regulate the construction, operation, and use of artificial islands (whether permanent or temporary), and other installations and structures in the archipelagic waters, and the territorial sea and the exclusive economic zone and establish safety zones around such islands, installations, and structures;
 - (f) regulate the exploration and exploitation of the archipelagic waters, the territorial sea and the exclusive economic zone for the production of energy from the water, currents, and winds, and for any other economic purposes;
 - (g) provide for such other matters as may be required for giving full effect to the sovereignty of Vanuatu in relation to the archipelagic waters, the territorial sea and the exclusive economic zone;
 - (h) provide otherwise for the better carrying out of the provisions of this Act and for its due administration.

PART 7 - TRANSITIONAL AND COMMENCEMENT

Extension of laws to continental shelf and exclusive economic zone.

14. The President may, on the advice of the Prime Minister, by order published in the Gazette -
- (a) extend with such restrictions and modifications as may be included in such order any law of Vanuatu to the continental shelf, the exclusive economic zone or any part of them;
 - (b) make provision for enforcing such law.

Interim provision for sea lanes and air routes.

15. Until such time as sea lanes or air routes are designated under the provisions of section 6 (2) or any other law, rights of navigation and overflight may, subject to the provisions of this Act or any other law, be exercised through and over the routes normally used for international navigation and overflight.

Commencement.

16. This Act shall come into force on such day as the Minister may appoint by Order published in the Gazette and the Minister may appoint different days for different provisions and any reference in any provision to the commencement of this Act shall be construed as a reference to the day appointed under this section for the coming into force of that provision.

SCHEDULE

ARCHIPELAGIC BASELINE

An archipelagic baseline commencing at the outermost point of the low water line on the Reef off Hiu Island co-ordinate $13^{\circ} 04' 18''$ South $166^{\circ} 32' 13''.8$ East, British Admiralty Chart No. 1575 and, except where the contrary intention appears, following the geodesic lines successively linking the outermost points on the low water lines of the land areas specified below:

<u>Point</u>	<u>Land Area</u>	<u>Co-ordinates</u>		<u>British Admiralty Chart Number*</u>
		<u>South</u>	<u>East</u>	
1)	Vat Ganai Island	$13^{\circ} 15' 10''.8$	$167^{\circ} 38' 10''.5$	1575
2)	Vetvai Point on Motlav Island	$13^{\circ} 38' 46''.8$	$167^{\circ} 42' 25''.5$	1575
3)	Islet of Merolava Island	$14^{\circ} 26' 22''.9$	$168^{\circ} 04' 10''.2$	1575
4)	Treerock Point on Pentacost Island	$15^{\circ} 55' 38''.4$	$168^{\circ} 16' 32''.5$	1575
5)	Tangaraki Island	$17^{\circ} 00' 38''.4$	$168^{\circ} 38' 27''$	1576
6)	Maniuro Point of Efate Island	$17^{\circ} 41' 42''$	$168^{\circ} 35' 10''$	1576
7)	Goat Islet off Erromango	$18^{\circ} 42' 09''.6$	$169^{\circ} 17' 43''.6$	1575
8)	Reef off Futuna Island	$19^{\circ} 30' 42''$	$170^{\circ} 13' 44''.3$	1576
9)	Masi Point on Futuna Island	$19^{\circ} 32' 37''.7$	$170^{\circ} 13' 34''.7$	1576
10)	Reef on Aneityum Island	$20^{\circ} 11' 45''.6$	$169^{\circ} 53' 42''$	1576
	and thence along the low-water line to point (11)			
11)	Flat Rock off Anoityum Island	$20^{\circ} 15' 30''$	$169^{\circ} 50' 42''.9$	1576
12)	Reef off Anoityum Island	$20^{\circ} 15' 58''.2$	$169^{\circ} 45' 25''.9$	1576
13)	Imlao on Tanna Island	$19^{\circ} 34' 51''.6$	$169^{\circ} 16' 42''.6$	1576
	and thence along the low-water line to point (14)			
14)	West Point Tanna Islands	$19^{\circ} 27' 09''$	$169^{\circ} 12' 39''$	1576

<u>Point</u>	<u>Land Area</u>	<u>Co-ordinates</u> South	East	<u>British Admiralty Chart Number*</u>
15)	Ountovin Point on Erromango Island	18° 52' 51"	158° 59' 03".6	1576
16)	Tukutuku Point on Efate Island	17° 43' 09".6	168° 09' 02".4	1576
17)	Tomman Island	16° 35' 37".5	167° 27' 17".4	1575
18)	Reef off Santo	15° 39' 24".6	166° 45' 58".8	1575
19)	Remarkable Point on Santa Island	15° 24' 04".5	166° 38' 27"	1575
20)	Reef off Santo Island	14° 51' 06"	166° 32' 00".6	1575
21)	On NW Coast of Santo	14° 44' 51".6	166° 32' 42".6	1575
22)	Thomeuf point on Hiu Island	13° 10' 21"	166° 31' 58".5	1575
23)	On Reef off Hiu Island	13° 04' 18"	166° 32' 13".8	1575

* The editions of charts referred to in the fifth column are

1575 7th September 1979

1576 24th November 1978

VIET NAM
S T A T E M E N T

BY THE GOVERNMENT OF THE SOCIALIST REPUBLIC OF VIET NAM
ON THE TERRITORIAL SEA BASELINE OF VIET NAM.

In implementing "the provisions of Paragraph 1 of the Statement on the territorial sea, the contiguous zone, the exclusive economic zone and the continental shelf issued by the Government of the Socialist Republic of Viet Nam on May 12, 1977 after being approved by the Standing Committee of the National Assembly of the Socialist Republic of Viet Nam,

The Government of the Socialist Republic of Viet Nam makes the following statement on the baseline from which the breadth of the territorial sea of Viet Nam shall be measured :

1/ The baseline from which the territorial sea of the continental territory of Viet Nam shall be measured is constituted by straight lines connecting those points the co-ordinates of which are listed in the annex attached herewith.

2/ The territorial sea baseline of Viet Nam which starts from point O - the meeting point of the two baselines for measuring the breadth of the territorial sea of the Socialist Republic of Viet Nam and that of the People's Republic of Kampuchea, located in the sea on the line linking the Tho Chu Archipelago with Poulo Wai Island - and which ends at Con Co Island shall be drawn following the co-ordinates listed in the attached annex on the 1/100,000 scale charts published by the Vietnamese people's Navy prior to 1979.

3/ The Gulf of Bac Bo (Tonkin Gulf) is a gulf situated between the Socialist Republic of Viet Nam and the People's Republic of China, the maritime frontier in the gulf between Viet Nam and China is delineated according to the June 26, 1887 convention of frontier boundary signed between France and the Qing Dynasty of China.

The part of the gulf appertaining to Viet Nam constitutes the historic waters and is subjected to the juridical regime of internal waters of the Socialist Republic of Viet Nam.

The baseline from Con Co Island to the mouth of the gulf will be defined following the settlement of the problem relating to the closing line of the gulf.

4/ The baseline for measuring the breadth of the territorial sea of the Hoang Sa and Truong Sa Archipelagoes will be determined in a coming instrument in conformity with Paragraph 5 of the May 12, 1977 Statement of the Government of the Socialist Republic of Viet Nam.

5/ The sea as lying behind the baseline and facing the coast or the islands of Viet Nam constitutes the internal waters of the Socialist Republic of Viet Nam.

6/ The Government of the Socialist Republic of Viet Nam holds that all differences with countries concerned relating to different sea areas and the continental shelf will be settled through negotiations on the basis of mutual respect for each other's national independence and sovereignty in conformity with international law and practice.

HANOI, November 12, 1982.

A N N E X

THE CO-ORDINATES OF THE POINTS ESTABLISHING THE STRAIGHT
BASELINE FROM WHICH THE BREADTH OF THE TERRITORIAL SEA
OF VIET NAM IS MEASURED.

(Attached to the November 12, 1982 Statement by the Government
of the Socialist Republic of Viet Nam).

POINTS	GEOGRAPHICAL DESCRIPTION	LATITUDE (N)	LONGITUDE (E)
0	On the Southwestern demarcation line of the historic waters of the Socialist Republic of Viet Nam and the People's Republic of Kampuchea.		
A1	At the Island of Nhan, Tho Chu Archipelago, Kien Giang province	09° 15' 0	103° 27' 0
A2	At Da Le Island which is South-East of Hon Khoai Island, Minh Hai province	08° 22' 8	104° 52' 4
A3	At Tai Lon Islet, Con Dao Islands, Con Dao - Vung Tau administrative sector.	08° 37' 8	106° 37' 5
A4	At Bong Lang Islet, Con Dao Islands	08° 38' 9	106° 40' 3
A5	At Bay Canh Islet, Con Dao Islands	08° 39' 7	106° 42' 1
A6	At Hon Hai Islet (Phu Qui group), Thuan Hai province	09° 58' 0	109° 05' 0
A7	At Hon Doi Islet, Thuan Hai province	12° 39' 0	109° 28' 0
A8	At Dai Lanh Cape, Phu Khanh province	12° 53' 8	109° 27' 2
A9	At Ong Can Islet, Phu Khanh province	13° 54' 0	109° 21' 0
A10	At Ly Son Island, Nghia Binh province	15° 23' 1	109° 09' 0
A11	At Con Co Island, Binh Tri Thien province	17° 10' 0	107° 20' 6

STATEMENT BY CHINA

Statement dated 28 November 1982 by the spokesman of the Ministry of Foreign Affairs of the People's Republic of China

In its "Declaration on base line of Vietnam's territorial waters" issued on 12 November 1982, the Vietnamese Government groundlessly declared that the Boundary-Delimitation Convention signed between China and France in 1887 "had defined" the maritime boundary line in the Beibu Gulf, and even described China's Xisha Islands and Nansha Islands as Viet Nam's islands, announcing that base lines would be drawn for their territorial sea. This is a wilful distortion of the historical Sino-Vietnamese Boundary-Delimitation Convention and a gross violation of China's sovereignty and territorial integrity.

It must be pointed out that the Sino-Vietnamese boundary-Delimitation Convention signed between China and France in 1887 did not in any way delimit the maritime area in the Beibu Gulf. Therefore, no maritime boundary line has ever existed in the sea of the Beibu Gulf. On 26 December 1973, the Vietnamese Government formally stated to the Chinese Government that "owing to the fact that Viet Nam has been in a state of war, the maritime area of the Beibu Gulf has so far not been delimited between the two countries." This clearly indicated that originally, the Vietnamese Government also recognized the fact that China and Viet Nam had not delimited the Beibu Gulf.

The Government of the People's Republic of China hereby solemnly states that the so-called boundary line in the Beibu Gulf as asserted by the Vietnamese Government is illegal and null and void and reiterates that Xisha Islands and Nansha Islands are an inalienable part of China's sacred territory.

The Vietnamese Government's "Declaration on base line of Vietnam's territorial waters" has fully revealed the expansionist designs of the Vietnamese authorities to appropriate a vast sea area of the Beibu Gulf and to encroach upon China's territory. It is also a deliberate new step to further aggravate Sino-Vietnamese relations. The Vietnamese authorities must bear full responsibility for all the serious consequences that may arise therefrom.

II. (b) Statements made by States or group of States:

- (1) Proclamation by the President of the United States of America, 10 March 1983 on the Exclusive Economic Zone of the United States of America; Statement by the President
- (2) Statement by the Group of Eastern European (Socialist) Countries in connection with the Proclamation issued on 10 March 1983 by the President of the United States of America concerning the establishment of the exclusive economic zone of the United States of America and his statement of the same date concerning United States ocean policy, 8 April 1983 (LOS/PCN/6)
- (3) Declaration of the Group of 77 (in connection with the Convention), 11 April 1983 (LOS/PCN/5)
- (4) Statement made by the Soviet Government on 23 April 1983 contained in an annex attached to a letter dated 28 April 1983 from the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations addressed to the Secretary-General (A/38/175)

THE WHITE HOUSE

Office of the Press Secretary

March 10, 1933

EXCLUSIVE ECONOMIC ZONE OF
THE UNITED STATES OF AMERICA

- - - - -

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the Government of the United States of America desires to facilitate the wise development and use of the oceans consistent with international law;

WHEREAS international law recognizes that, in a zone beyond its territory and adjacent to its territorial sea, known as the Exclusive Economic Zone, a coastal State may assert certain sovereign rights over natural resources and related jurisdiction; and

WHEREAS the establishment of an Exclusive Economic Zone by the United States will advance the development of ocean resources and promote the protection of the marine environment, while not affecting other lawful uses of the zone, including the freedoms of navigation and overflight, by other States;

NOW, THEREFORE, I, RONALD REAGAN, by the authority vested in me as President by the Constitution and laws of the United States of America, do hereby proclaim the sovereign rights and jurisdiction of the United States of America and confirm also the rights and freedoms of all States within an Exclusive Economic Zone, as described herein.

The Exclusive Economic Zone of the United States is a zone contiguous to the territorial sea, including zones contiguous to the territorial sea of the United States, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands (to the extent consistent with the Covenant and the United Nations Trusteeship Agreement), and United States overseas territories and possessions. The Exclusive Economic Zone extends to a distance 200 nautical miles from the baseline from which the breadth of the territorial sea is measured. In cases where the maritime boundary with a neighboring State remains to be determined, the boundary of the Exclusive Economic Zone shall be determined by the United States and other State concerned in accordance with equitable principles.

Within the Exclusive Economic Zone, the United States has, to the extent permitted by international law, (a) sovereign rights for the purpose of exploring, exploiting, conserving and managing natural resources, both living and non-living, of the seabed and subsoil and the superjacent waters and with regard to other activities for the economic exploitation and exploration of the zone, such as the production of energy from the water, currents and winds; and (b) jurisdiction with regard to the establishment and use of artificial islands, and installations and structures having economic purposes, and the protection and preservation of the marine environment.

This Proclamation does not change existing United States policies concerning the continental shelf, marine mammals and fisheries, including highly migratory species of tuna which are not subject to United States jurisdiction and require international agreements for effective management.

The United States will exercise these sovereign rights and jurisdiction in accordance with the rules of international law.

Without prejudice to the sovereign rights and jurisdiction of the United States, the Exclusive Economic Zone remains an area beyond the territory and territorial sea of the United States in which all States enjoy the high seas freedoms of navigation, overflight, the laying of submarine cables and pipelines, and other internationally lawful uses of the sea.

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of March, in the year of our Lord nineteen hundred and eighty-three, and of the Independence of the United States of America the two hundred and seventh.

RONALD REAGAN

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THE WHITE HOUSE
Office of the Press Secretary

March 10, 1983

STATEMENT BY THE PRESIDENT

The United States has long been a leader in developing customary and conventional law of the sea. Our objectives have consistently been to provide a legal order that will, among other things, facilitate peaceful, international uses of the oceans and provide for equitable and effective management and conservation of marine resources. The United States also recognizes that all nations have an interest in these issues.

Last July I announced that the United States will not sign the United Nations Law of the Sea Convention that was opened for signature on December 10. We have taken this step because several major problems in the Convention's deep seabed mining provisions are contrary to the interests and principles of industrialized nations and would not help attain the aspirations of developing countries.

The United States does not stand alone in those concerns. Some important allies and friends have not signed the Convention. Even some signatory States have raised concerns about these problems.

However, the Convention also contains provisions with respect to traditional uses of the oceans which generally confirm existing maritime law and practice and fairly balance the interests of all States.

Today I am announcing three decisions to promote and protect the oceans interests of the United States in a manner consistent with those fair and balanced results in the Convention and international law.

First, the United States is prepared to accept and act in accordance with the balance of interests relating to traditional uses of the oceans -- such as navigation and overflight. In this respect, the United States will recognize the rights of other States in the waters off their coasts, as reflected in the Convention, so long as the rights and freedoms of the United States and others under international law are recognized by such coastal States.

Second, the United States will exercise and assert its navigation and overflight rights and freedoms on a worldwide basis in a manner that is consistent with the balance of interests reflected in the Convention. The United States will not, however, acquiesce in unilateral acts of other States designed to restrict the rights and freedoms of the international community in navigation and overflight and other related high seas uses.

Third, I am proclaiming today an Exclusive Economic Zone in which the United States will exercise sovereign rights in living and non-living resources within 200 nautical miles of its coast. This will provide United States jurisdiction for mineral resources out to 200 nautical miles that are not on the continental shelf. Recently discovered deposits there could be an important future source of strategic minerals.

Within this Zone all nations will continue to enjoy the high seas rights and freedoms that are not resource-related, including the freedoms of navigation and overflight. My Proclamation does not change existing United States policies concerning the continental shelf, marine mammals and fisheries, including highly migratory species of tuna which are not subject to United States jurisdiction. The United States will continue efforts to achieve international agreements for the effective management of these species. The Proclamation also reinforces this government's policy of promoting the United States fishing industry.

While international law provides for a right of jurisdiction over marine scientific research within such a zone, the Proclamation does not assert this right. I have elected not to do so because of the United States interest in encouraging marine scientific research and avoiding any unnecessary burdens. The United States will nevertheless recognize the right of other coastal States to exercise jurisdiction over marine scientific research within 200 nautical miles of their coasts, if that jurisdiction is exercised reasonably in a manner consistent with international law.

The Exclusive Economic Zone established today will also enable the United States to take limited additional steps to protect the marine environment. In this connection, the United States will continue to work through the International Maritime Organization and other appropriate international organizations to develop uniform international measures for the protection of the marine environment while imposing no unreasonable burdens on commercial shipping.

The policy decisions I am announcing today will not affect the application of existing United States law concerning the high seas or existing authorities of any United States government agency.

In addition to the above policy steps, the United States will continue to work with other countries to develop a regime, free of unnecessary political and economic restraints, for mining deep seabed minerals beyond national jurisdiction. Deep seabed mining remains a lawful exercise of the freedom of the high seas open to all nations. The United States will continue to allow its firms to explore for and, when the market permits, exploit these resources.

The Administration looks forward to working with the Congress on legislation to implement these new policies.

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STATEMENT BY THE GROUP OF EASTERN EUROPEAN (SOCIALIST) COUNTRIES
IN CONNEXION WITH THE PROCLAMATION ISSUED ON 10 MARCH 1983 BY
THE PRESIDENT OF THE UNITED STATES OF AMERICA CONCERNING THE
ESTABLISHMENT OF THE EXCLUSIVE ECONOMIC ZONE OF THE UNITED STATES
OF AMERICA AND HIS STATEMENT OF THE SAME DATE CONCERNING UNITED
STATES OCEANS POLICY

DELIVERED ON 8 APRIL 1983 AT A PLENARY MEETING OF THE
PREPARATORY COMMISSION BY THE DELEGATION OF THE UNION
OF SOVIET SOCIALIST REPUBLICS AS CHAIRMAN OF THE GROUP

The Group of Eastern European (Socialist States) at the first session of the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea considers it necessary to make the following statement with regard to the aforementioned Proclamation and Statement issued by the President of the United States.

An analysis of these documents convincingly shows, first of all, that the United States is continuing to take a selective approach to the United Nations Convention on the Law of the Sea, despite the fact that such an approach was described as unlawful and was strongly condemned by an absolute majority of the States at the final session of the United Nations Conference on the Law of the Sea in December 1982. The United States is not only refusing to sign the Convention and to assume any obligations under it but is openly declaring that it does not recognize Part XI of the Convention, which relates to the régime of the exploration and exploitation of sea-bed resources. At the same time, it is attempting to utilize individual provisions of the Convention in order to obtain unilateral advantages for itself.

Moreover, it is evident from the Statement issued by the President of the United States that the United States intends, solely on the basis of its own unilateral actions and separate agreements with some of its allies, to continue its attempts to carry on in the International Sea-Bed Area, in circumvention and violation of the Convention, activities clearly designed to appropriate its resources, which have been declared by the United Nations to be "the common heritage of mankind".

All of this indicates that the United States is continuing to violate the United Nations Convention on the Law of the Sea, which, as emphasized in its preamble, is of "historic significance" and "will contribute to the strengthening of peace, security, co-operation and friendly relations among all nations".

Thus, the United States is continuing to ignore the opinion of the overwhelming majority of States signatories to the Convention that such actions are illegal, an opinion which was reflected in the relevant statements made at the final session of the Third United Nations Conference on the Law of the Sea by the "Group of 77", by the delegations of many countries and by the President of the Conference, who summed up the views of all the regional groups. The United States is also ignoring the resolution of the United Nations General Assembly at its thirty-seventh session, in which it appeals to all States to "refrain from taking any action directed at undermining the Convention or defeating its object and purpose."

What is more, the aforementioned United States documents indicate that the United States struggle against the Convention is entering a new stage: whereas earlier the United States attempted to strike at individual portions of the convention and thereby weaken it, today it is attacking the entire Convention. Obviously the United States Administration, in issuing its Proclamation and Statement, is pursuing certain far-reaching objectives, namely, to obliterate the Convention and to replace it with a series of its own unilateral acts on the most important questions relating to the oceans and with separate agreements concluded with individual countries on those questions.

These actions of the United States are in fact a constituent part of the general foreign-policy line of the present United States Administration, which is aimed at obtaining unilateral advantages to the detriment of other countries' interests and at promoting opposition between States, confrontation and an aggravation of the international situation.

Sharing the view of the "Group of 77", reaffirmed in that Group's Declaration of 24 March 1983, that States which do not recognize the Convention and refuse to assume obligations under it deprive themselves of the rights and privileges arising out of it, the Group of Eastern European (Socialist) States declares that it firmly condemns the unilateral actions of the United States which are reflected in the aforementioned Proclamation and Statement issued by the President of the United States.

The Group of Eastern European (Socialist) States declares that responsibility for any arbitrary actions taken by the United States in circumvention of the United Nations Convention on the Law of the Sea and aimed at undermining it, at securing unilateral gains and advantages for the United States in matters relating to the oceans and at appropriating ocean resources rests entirely with the Government of the United States.

The Group of Eastern European (Socialist) Countries requests you, Mr. Chairman, to have this statement circulated as an official document of the Preparatory Commission.

DECLARATION OF THE GROUP OF 77

The States members of the Group of 77 participating in the first session of the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea, meeting in Kingston, Jamaica,

Recalling the Declaration of Principles contained in resolution 2749 (XXV) of 17 December 1970,

Recalling that the United Nations Convention on the Law of the Sea was adopted and signed by an overwhelming majority of States,

Conscious, as emphasized by the United Nations Convention on the Law of the Sea in its preamble, that the problems of ocean space are closely interrelated and need to be considered as a whole,

Recalling the well-known position of the Group of 77 on the illegality of any unilateral or joint action with respect to the exploration for, and exploitation of, the resources of the international sea-bed Area pursued outside the framework of and inconsistent with the United Nations Convention on the Law of the Sea,

Recalling also the well-established position of the Group of 77 with regard to the need to apply the United Nations Convention on the Law of the Sea universally and in its entirety as an integral and indivisible whole,

Recalling the statement of the President of the Third United Nations Conference on the Law of the Sea on 10 December 1982, in which he highlighted the general understanding that the provisions of the Convention are closely

interrelated and form an integral package and that it is not permissible to claim rights under the Convention without being willing to shoulder the corresponding obligations,

Observing that a State has adopted selectively some of the provisions of the Convention, while still rejecting the provisions relating to the international sea-bed Area and its resources which are the common heritage of mankind,

Noting the statement of the Rt. Hon. Hugh Shearer, Deputy Prime Minister and Minister for Foreign Affairs and Foreign Trade of Jamaica on this matter made at the first meeting of the Preparatory Commission on 15 March 1983,

Declare their opposition to any action by States which have not signed the Convention to apply selectively, whether unilaterally or jointly, the provisions of the United Nations Convention on the Law of the Sea while continuing to reject the provisions relating to the international sea-bed Area,

Appeal to all States which have not done so to expeditiously sign the United Nations Convention on the Law of the Sea which reflects the commonly shared expectations of the international community.

ANNEX

STATEMENT MADE BY THE SOVIET GOVERNMENT ON 23 APRIL 1983

The United States Administration has made a statement concerning its policy in matters relating to the use of the world's oceans and their resources.

In the statement the United States indicates that it still has no intention of signing the new United Nations Convention on the Law of the Sea and announces its intention of using its own discretion in matters relating to the resources of the world's oceans. In essence - and it is quite frank on this point - they would like to have a régime that would be free from any political and economic restrictions on the extraction of minerals from the sea-bed and ocean floor in areas not under the jurisdiction of any particular country.

Showing its disregard for the collective opinion of the overwhelming majority of States that participated in the elaboration of the Convention and have signed it, the present United States Administration openly proclaims that the United States monopolies will, in a wilful and uncontrolled fashion, appropriate the mineral and other resources of the world's oceans.

At the same time, the United States has proclaimed the establishment of an "exclusive economic zone", extending to a width of 200 nautical miles along the coast of the United States, within which it will exercise full ownership rights over the living and non-living resources of the sea.

The assertions in the statement to the effect that Washington will comply with individual articles of the Convention should not mislead anyone.

This is no more than an unseemly manoeuvre. While not signing the Convention and not assuming any of the obligations deriving from it, the United States nevertheless wishes, where this coincides with its own narrow interests, to take advantage of the rights and benefits conferred by the Convention on its signatories. It is thus disregarding the indisputable fact that the Convention is one and indivisible. It constitutes a carefully considered "package" of agreements on all the closely interrelated problems of the régime of the seas and the use of the living and mineral resources of the oceans. Any attempt arbitrarily to single out individual provisions of the Convention and reject others is incompatible with the legal order of the seas laid down in the Convention and is inimical to the legitimate interests of other States.

It is quite obvious that, having been one of the few States to refuse to sign the Convention, the United States is now doing everything it can to create a semblance of a legal justification for its unilateral acts and to attempt somehow or other to legitimize its totally unlawful claims on the world's oceans and their resources.

It is well known that during the many years of work of the United Nations Conference on the Law of the Sea, the United States of America made numerous

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attempts to obstruct the achievement of balanced compromises, and to bring about the establishment of a special régime for itself governing the world's oceans. Washington was guided by a single purpose - to grab as much as it could. These claims were rejected by the participants in the Conference.

The Convention, which has now been signed by more than 120 countries, takes account of the interests of all States and groups of States equally. It is also worth recalling that a number of its provisions are based on proposals originally put forward by the United States itself. But it is clear that for the present United States Administration it has become a general rule of conduct to cancel earlier agreements. For the benefit of the large United States monopolies which are seeking unlimited access to the resources of the sea, the United States Administration is trying to undermine the Convention and to impose its obstructionist approach on other States as well. It is certainly no accident that the decisions of the President of the United States were announced just as the Preparatory Commission whose task it is to consider practical questions relating to the implementation of the provisions of the Convention concerning the use of the resources of the sea-bed, was beginning its work.

The actions of the present United States Administration are nothing but an attempt to create confusion in matters pertaining to the use of the seas and undermine the foundations of mutually beneficial co-operation between countries in this vitally important field of human activity; this cannot but cause serious concern to the majority of States. The Soviet Union shares that concern and, together with other countries, firmly repudiates the policy of arbitrary action which the United States of America would like to pursue in this field as in others.

Attention must also be drawn to the fact that while seeking special unwarranted privileges for itself in the world's oceans, the United States is also trying to strengthen its unlawful claims to island Trust Territories and thus to the seas surrounding them, which the United States monopolies have coveted for a long time.

The people in Washington will have to realize that their policy of boycotting and undermining the new comprehensive United Nations Convention on the Law of the Sea and of taking arbitrary action in connection with the resources of the sea-bed is in conflict with the interests of the overwhelming majority of States and is resolutely condemned by them. The legal order laid down in the Convention concerning the régime of the seas applies to all States, and this cannot and must not be disregarded by any State, including the United States.

II. (c) Treaties:

- (1) Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region, 24 March 1983, and Protocol concerning Co-operation in Combating Oil Spills in the Wider Caribbean Region
- (2) Recent delimitation agreements

II. (c) (1) Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region,
and
Protocol concerning Co-operation in Combating Oil Spills in the Wider Caribbean Region

Adopted by the Conference of Plenipotentiaries on the Protection and Development of the Marine Environment of the Wider Caribbean Region, Cartagena de Indias, 21 to 24 March 1983, convened by the Executive Director of the United Nations Environment Programme in pursuance of a recommendation adopted by the Intergovernmental Meeting on the Action Plan for the Caribbean Environment Programme (Montego Bay, 6 to 8 April 1981).

Depositary:

Government of the Republic of Colombia. The Convention and Protocol are open for signature at Bogota until 23 March 1984.

Signatories:

Colombia, France, Grenada, Honduras, Jamaica, Mexico, Netherlands, Nicaragua, Panama, Saint Lucia, United Kingdom, United States of America, Venezuela and the European Economic Community.

UNEP Regional Seas Programme:

The Cartagena Convention and Protocol (texts follow on pages 92 to 111) represent the latest development in the provision of a legal framework for co-operative regional and national action under this Programme which now covers 10 areas involving more than 120 coastal States. Action Plans 1/ for 8 regions have been adopted together with related regional conventions, protocols and agreements. The 6 regional conventions - the Barcelona, Kuwait, Abidjan, Cartagena, Lima and Jeddah Conventions - are all comprehensive, umbrella agreements which foresee the development of additional protocols elaborating upon detailed obligations for the control of pollution according to the source.

The Cartagena Convention and the United Nations Convention on the Law of the Sea:

The following cross-referencing of the Cartagena Convention (and Protocol) to the provisions of Part XII of the Convention on the Law of the Sea is presented for the purposes of illustrating the role of the Cartagena Convention in the implementation of the Convention on the Law of the Sea.

1/ Summary details for the 10 areas covered by the UNEP Regional Seas Programme are as follows:

1. Action Plan for the Mediterranean Region (adopted in 1975) and five related regional agreements: (i) Convention for the Protection of the Mediterranean Sea against Pollution (adopted in 1976 in Barcelona; in force 1978); (ii) Protocol for the Prevention of Pollution of the Mediterranean Sea by Dumping from Ships and Aircraft (adopted in 1976 in Barcelona; in force 1978); (iii) Protocol concerning Co-operation in Combating Pollution of the Mediterranean Sea by Oil and other Harmful Substances (adopted in 1976 in Barcelona; in force 1978); (iv) Protocol for the Protection of the Mediterranean Sea against Pollution from Land-Based Sources (adopted in 1980 in Athens); (v) Protocol concerning Mediterranean Specially Protected Areas (adopted in 1982 in Geneva).

1/ (cont)

2. Kuwait Action Plan (adopted in Kuwait in 1978) and two related regional agreements (adopted in 1978; in force 1979): (i) Kuwait Regional Convention for Co-operation in the Protection of the Marine Environment from Pollution; (ii) Protocol concerning Regional Co-operation in Combating Pollution by Oil and other Harmful Substances in Cases of Emergency.

3. Action Plan for the West and Central African Region (adopted in Abidjan, 1981) and two legal agreements (adopted in 1981): (i) Convention for Co-operation in the Protection and Development of the Marine and Coastal Environment of the West and Central African Region; (ii) Protocol concerning Co-operation in Combating Pollution in Cases of Emergency.

4. Action Plan for the Wider Caribbean Region (adopted in Jamaica in 1981) and two legal instruments (adopted in Cartagena in 1983): (i) Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region; (ii) Protocol concerning Co-operation in Combating Oil Spills in the Wider Caribbean Region.

5. Action Plan for the East Asian Seas (adopted in Manila in 1981). No related regional agreements.

6. Action Plan for the South-East Pacific Region (adopted in Lima in 1981) and two regional agreements (adopted also in 1981): (i) Convention for the Protection of the Marine Environment and Coastal Areas of the South-East Pacific; (ii) Agreement on Regional Co-operation in Combating Pollution of the South-East Pacific by Hydrocarbons and other Harmful Substances in Cases of Emergency.

7. Action Plan for the Red Sea and Gulf Area (adopted in Jeddah in 1982) and two agreements (adopted also in 1982): (i) Regional Convention for the Conservation of the Marine Environment of the Red Sea and Gulf of Aden; (ii) Protocol concerning Regional Co-operation in Combating Marine Pollution by Oil and other Harmful Substances in Cases of Emergency.

8. Action Plan for the South-West Pacific (adopted in Rarotonga in 1982) with a Declaration on Natural Resources and the Environment. A regional framework convention and two protocols are under development.

9. Draft Action Plan for the East African Region (prepared 1982). A regional framework convention and two protocols are being developed.

10. Consultations are underway regarding an action plan for the South-West Atlantic region.

Since the Wider Caribbean Region, as is the case with the other areas of the UNEP Regional Seas Programme, encompasses semi-enclosed seas, reference should be made also to Article 123 (b) of the Convention on the Law of the Sea, as regards protection and preservation of the marine environment.

Notification and Contingency Plans

- Articles 198 and 199 (LOSC); Article 11 (CC) and the Protocol.

Studies, Research Programmes and Information and Data Exchange

- Articles 200 and 201 (LOSC); Article 13 (CC) and Articles 4, 9 and 10 of the Protocol.

Technical Assistance

- Articles 202 and 203 (LOSC); Article 13 (CC)

Monitoring

- Articles 204 and 205 (LOSC); Article 13 (CC)

Environmental Assessment

- Article 206 (LOSC); Article 12 (CC)

Pollution from land-based sources

- Article 207 (LOSC); Article 7 (CC), and the Resolution adopted by the Cartagena Conference calling for development of a protocol on land-based sources of pollution which "Requests that the Organization designated pursuant to Article 13 of the Convention, in co-operation with the international bodies referred to in paragraph 1 (f) of Article 15 of the Convention, convene, if called upon to do so by a meeting of the Contracting Parties, as soon as practicable after entry into force of the Convention, a working group of experts nominated by the Contracting Parties and Signatories to prepare a draft protocol on land-based sources of marine pollution".

Pollution from sea-bed activities (under national jurisdiction)

- Article 208 (LOSC); Article 8 (CC)

Pollution by dumping

- Article 210 (LOSC); Article 66 (CC)

Pollution from vessels

- Article 211 (LOSC); Article 5 (CC)

Pollution from or through the atmosphere

- Article 212 (LOSC); Article 9 (CC)

Responsibility and Liability

- Article 235 (LOSC); Article 14 (CC)

Settlement of Disputes

- Part XV and Annexes VII and VIII (LOSC); Article 23 (CC) and Annex on Arbitration.

CONVENTION FOR THE PROTECTION AND DEVELOPMENT OF THE
MARINE ENVIRONMENT OF THE WIDER CARIBBEAN REGION *

The Contracting Parties

Fully aware of the economic and social value of the marine environment, including coastal areas, of the wider Caribbean region,

Conscious of their responsibility to protect the marine environment of the wider Caribbean region for the benefit and enjoyment of present and future generations,

Recognizing the special hydrographic and ecological characteristics of the region and its vulnerability to pollution,

Recognizing further the threat to the marine environment, its ecological equilibrium, resources and legitimate uses posed by pollution and by the absence of sufficient integration of an environmental dimension into the development process,

Considering the protection of the ecosystems of the marine environment of the wider Caribbean region to be one of their principal objectives,

Realizing fully the need for co-operation amongst themselves and with competent international organizations in order to ensure co-ordinated and comprehensive development without environmental damage,

Recognizing the desirability of securing the wider acceptance of international marine pollution agreements already in existence,

Noting however, that, in spite of the progress already achieved, these agreements do not cover all aspects of environmental deterioration and do not entirely meet the special requirements of the wider Caribbean region,

Have agreed as follows:

Article 1

Convention Area

1. This Convention shall apply to the wider Caribbean region, hereinafter referred to as "the Convention area" as defined in paragraph 1 of article 2.
2. Except as may be otherwise provided in any protocol to this Convention, the Convention area shall not include internal waters of the Contracting Parties.

* The Convention and the Protocol concerning Co-operation in Combating Oil Spills in the Wider Caribbean Region have been reproduced from the texts provided by the United Nations Environment Programme.

Article 2

Definitions

For the purposes of this Convention:

1. The "Convention area" means the marine environment of the Gulf of Mexico, the Caribbean Sea and the areas of the Atlantic Ocean adjacent thereto, south of 30° north latitude and within 200 nautical miles of the Atlantic coasts of the States referred to in article 25 of the Convention.
2. "Organization" means the institution designated to carry out the functions enumerated in paragraph 1 of article 15.

Article 3

General Provisions

1. The Contracting Parties shall endeavour to conclude bilateral or multilateral agreements, including regional or subregional agreements, for the protection of the marine environment of the Convention area. Such agreements shall be consistent with this Convention and in accordance with international law. Copies of such agreements shall be communicated to the Organization and, through the Organization, to all signatories and Contracting Parties to this Convention.
2. This Convention and its protocols shall be construed in accordance with international law relating to their subject-matter. Nothing in this Convention or its protocols shall be deemed to affect obligations assumed by the Contracting Parties under agreements previously concluded.
3. Nothing in this Convention or its protocols shall prejudice the present or future claims or the legal views of any Contracting Party concerning the nature and extent of maritime jurisdiction.

Article 4

General Obligations

1. The Contracting Parties shall, individually or jointly, take all appropriate measures in conformity with international law and in accordance with this Convention and those of its protocols in force to which they are parties to prevent, reduce and control pollution of the Convention area and to ensure sound environmental management, using for this purpose the best practicable means at their disposal and in accordance with their capabilities.
2. The Contracting Parties shall, in taking the measures referred to in paragraph 1, ensure that the implementation of those measures does not cause pollution of the marine environment outside the Convention area.
3. The Contracting Parties shall co-operate in the formulation and adoption of protocols or other agreements to facilitate the effective implementation of this Convention.

(Article 4 cont):

4. The Contracting Parties shall take appropriate measures, in conformity with international law, for the effective discharge of the obligations prescribed in this Convention and its protocols and shall endeavour to harmonize their policies in this regard.

5. The Contracting Parties shall co-operate with the competent international, regional and subregional organizations for the effective implementation of this Convention and its protocols. They shall assist each other in fulfilling their obligations under this Convention and its protocols.

Article 5

Pollution from Ships

The Contracting Parties shall take all appropriate measures to prevent, reduce and control pollution of the Convention area caused by discharges from ships and, for this purpose, to ensure the effective implementation of the applicable international rules and standards established by the competent international organization.

Article 6

Pollution caused by Dumping

The Contracting Parties shall take all appropriate measures to prevent, reduce and control pollution of the Convention area caused by dumping of wastes and other matter at sea from ships, aircraft or man-made structures at sea, and to ensure the effective implementation of the applicable international rules and standards.

Article 7

Pollution from Land-based Sources

The Contracting Parties shall take all appropriate measures to prevent, reduce and control pollution of the Convention area caused by coastal disposal or by discharges emanating from rivers, estuaries, coastal establishments, outfall structures, or any other sources on their territories.

Article 8

Pollution from Sea-bed Activities

The Contracting Parties shall take all appropriate measures to prevent, reduce and control pollution of the Convention area resulting directly or indirectly from exploration and exploitation of the sea-bed and its subsoil.

Article 9

Airborne Pollution

The Contracting Parties shall take all appropriate measures to prevent, reduce and control pollution of the Convention area resulting from discharges into the atmosphere from activities under their jurisdiction.

Article 10

Specially Protected Areas

The Contracting Parties shall, individually or jointly, take all appropriate measures to protect and preserve rare or fragile ecosystems, as well as the habitat of depleted, threatened or endangered species, in the Convention area. To this end, the Contracting Parties shall endeavour to establish protected areas. The establishment of such areas shall not affect the rights of other Contracting Parties and third States. In addition, the Contracting Parties shall exchange information concerning the administration and management of such areas.

Article 11

Co-operation in Cases of Emergency

1. The Contracting Parties shall co-operate in taking all necessary measures to respond to pollution emergencies in the Convention area, whatever the cause of such emergencies, and to control, reduce or eliminate pollution or the threat of pollution resulting therefrom. To this end, the Contracting Parties shall, individually and jointly, develop and promote contingency plans for responding to incidents involving pollution or the threat thereof in the Convention area.

2. When a Contracting Party becomes aware of cases in which the Convention area is in imminent danger of being polluted or has been polluted, it shall immediately notify other States likely to be affected by such pollution, as well as the competent international organizations. Furthermore, it shall inform, as soon as feasible, such other States and competent international organizations of measures it has taken to minimize or reduce pollution or the threat thereof

Article 12

Environmental Impact Assessment

1. As part of their environmental management policies the Contracting Parties undertake to develop technical and other guidelines to assist the planning of their major development projects in such a way as to prevent or minimize harmful impacts on the Convention area.

2. Each Contracting Party shall assess within its capabilities, or ensure the assessment of, the potential effects of such projects on the marine environment, particularly in coastal areas, so that appropriate measures may be taken to prevent any substantial pollution of, or significant and harmful changes to, the Convention area.

3. With respect to the assessments referred to in paragraph 2, each Contracting Party shall, with the assistance of the Organization when requested, develop procedures for the dissemination of information and may, where appropriate, invite other Contracting Parties which may be affected to consult with it and to submit comments.

Article 13

Scientific and Technical Co-operation

1. The Contracting Parties undertake to co-operate, directly and, when appropriate, through the competent international and regional organizations, in scientific research, monitoring and the exchange of data and other scientific information relating to the purposes of this Convention.
2. To this end, the Contracting Parties undertake to develop and co-ordinate their research and monitoring programmes relating to the Convention area and to ensure, in co-operation with the competent international and regional organizations, the necessary links between their research centres and institutes with a view to producing compatible results. With the aim of further protecting the Convention area, the Contracting Parties shall endeavour to participate in international arrangements for pollution research and monitoring.
3. The Contracting Parties undertake to co-operate, directly and, when appropriate, through the competent international and regional organizations, in the provision to other Contracting Parties of technical and other assistance in fields relating to pollution and sound environmental management of the Convention area, taking into account the special needs of the smaller island developing countries and territories.

Article 14

Liability and Compensation

The Contracting Parties shall co-operate with a view to adopting appropriate rules and procedures, which are in conformity with international law, in the field of liability and compensation for damage resulting from pollution of the Convention area.

Article 15

Institutional Arrangements

1. The Contracting Parties designate the United Nations Environment Programme to carry out the following secretariat functions:
 - (a) to prepare and convene the meetings of Contracting Parties and conferences provided for in articles 16, 17 and 18;
 - (b) to transmit the information received in accordance with articles 3, 11 and 22;
 - (c) to perform the functions assigned to it by protocols to this Convention;
 - (d) to consider enquiries by, and information from, the Contracting Parties and to consult with them on questions relating to this Convention, its protocols and annexes thereto;
 - (e) to co-ordinate the implementation of co-operative activities agreed upon by the meetings of Contracting Parties and conferences provided for in articles 16, 17 and 18;

(Article 15, paragraph 1 cont):

- (f) to ensure the necessary co-ordination with other international bodies which the Contracting Parties consider competent.

2. Each Contracting Party shall designate an appropriate authority to serve as the channel of communication with the Organization for the purposes of this Convention and its protocols.

Article 16

Meetings of the Contracting Parties

1. The Contracting Parties shall hold ordinary meetings once every two years and extraordinary meetings at any other time deemed necessary, upon the request of the Organization or at the request of any Contracting Party, provided that such requests are supported by the majority of the Contracting Parties.

2. It shall be the function of the meetings of the Contracting Parties to keep under review the implementation of this Convention and its protocols and, in particular:

- (a) to assess periodically the state of the environment in the Convention area;
- (b) to consider the information submitted by the Contracting Parties under article 22;
- (c) to adopt, review and amend annexes to this Convention and to its protocols, in accordance with article 19;
- (d) to make recommendations regarding the adoption of any additional protocols or any amendments to this Convention or its protocols in accordance with articles 17 and 18;
- (e) to establish working groups as required to consider any matters concerning this Convention and its protocols, and annexes thereto;
- (f) to consider co-operative activities to be undertaken within the framework of this Convention and its protocols, including their financial and institutional implications and to adopt decisions relating thereto;
- (g) to consider and undertake any other action that may be required for the achievement of the purposes of this Convention and its protocols.

Article 17

Adoption of Protocols

1. The Contracting Parties, at a conference of plenipotentiaries, may adopt additional protocols to this Convention pursuant to paragraph 3 of article 4.

2. If so requested by a majority of the Contracting Parties, the Organization shall convene a conference of plenipotentiaries for the purpose of adopting additional protocols to this Convention.

Article 18

Amendment of the Convention and its Protocols

1. Any Contracting Party may propose amendments to this Convention. Amendments shall be adopted by a conference of plenipotentiaries which shall be convened by the Organization at the request of a majority of the Contracting Parties.
2. Any Contracting Party to this Convention may propose amendments to any protocol. Such amendments shall be adopted by a conference of plenipotentiaries which shall be convened by the Organization at the request of a majority of the Contracting Parties to the protocol concerned.
3. The text of any proposed amendment shall be communicated by the Organization to all Contracting Parties at least 90 days before the opening of the conference of plenipotentiaries.
4. Any amendment to this Convention shall be adopted by a three-fourths majority vote of the Contracting Parties to the Convention which are represented at the conference of plenipotentiaries and shall be submitted by the Depositary for acceptance by all Contracting Parties to the Convention. Amendments to any protocol shall be adopted by a three-fourths majority vote of the Contracting Parties to the protocol which are represented at the conference of plenipotentiaries and shall be submitted by the Depositary for acceptance by all Contracting Parties to the protocol.
5. Instruments of ratification, acceptance or approval of amendments shall be deposited with the Depositary. Amendments adopted in accordance with paragraph 3 shall enter into force between Contracting Parties having accepted such amendments on the thirtieth day following the date of receipt by the Depositary of the instruments of at least three fourths of the Contracting Parties to this Convention or to the protocol concerned, as the case may be. Thereafter the amendments shall enter into force for any other Contracting Party on the thirtieth day after the date on which that Party deposits its instrument.
6. After entry into force of an amendment to this Convention or to a protocol, any new Contracting Party to the Convention or such protocol shall become a Contracting Party to the Convention or protocol as amended.

Article 19

Annexes and Amendments to Annexes

1. Annexes to this Convention or to a protocol shall form an integral part of the Convention or, as the case may be, such protocol.
2. Except as may be otherwise provided in any protocol with respect to its annexes, the following procedure shall apply to the adoption and entry into force of amendments to annexes to this Convention or to annexes to a protocol:
 - (a) any Contracting Party may propose amendments to annexes to this Convention or to annexes to any protocol at a meeting convened pursuant to article 16;

(Article 19, paragraph 2 cont):

- (b) such amendments shall be adopted by a three-fourths majority vote of the Contracting Parties to the instrument in question present at the meeting referred to in article 16;
 - (c) the Depositary shall without delay communicate the amendments so adopted to all Contracting Parties to the Convention;
 - (d) any Contracting Party that is unable to accept an amendment to annexes to this Convention or to annexes to any protocol shall so notify the Depositary in writing within 90 days from the date on which the amendment was adopted;
 - (e) the Depositary shall without delay notify all Contracting Parties of notifications received pursuant to the preceding subparagraph;
 - (f) on expiry of the period referred to in subparagraph (d), the amendment to the annex shall become effective for all Contracting Parties to this Convention or to the protocol concerned which have not submitted a notification in accordance with the provisions of that subparagraph;
 - (g) a Contracting Party may at any time substitute an acceptance for a previous declaration of objection, and the amendment shall thereupon enter into force for that Party.
3. The adoption and entry into force of a new annex shall be subject to the same procedure as that for the adoption and entry into force of an amendment to an annex, provided that, if it entails an amendment to the Convention or to one of its protocols, the new annex shall not enter into force until such time as that amendment enters into force.
4. Any amendment to the Annex on Arbitration shall be proposed and adopted, and shall enter into force, in accordance with the procedures set out in article 18.

Article 20

Rules of Procedure and Financial Rules

1. The Contracting Parties shall unanimously adopt rules of procedure for their meetings.
2. The Contracting Parties shall unanimously adopt financial rules, prepared in consultation with the Organization, to determine, in particular, their financial participation under this Convention and under protocols to which they are parties.

Article 21

Special Exercise of the Right to Vote

In their fields of competence, the regional economic integration organizations referred to in article 25 shall exercise their right to vote with a number of votes equal to the number of their member States which are Contracting Parties to this Convention and to one or more protocols. Such organizations shall not exercise their right to vote if the member States concerned exercise theirs, and vice versa.

Article 22

Transmission of Information

The Contracting Parties shall transmit to the Organization information on the measures adopted by them in the implementation of this Convention and of protocols to which they are parties, in such form and at such intervals as the meetings of Contracting Parties may determine.

Article 23

Settlement of Disputes

1. In case of a dispute between Contracting Parties as to the interpretation or application of this Convention or its protocols, they shall seek a settlement of the dispute through negotiation or any other peaceful means of their own choice.
2. If the Contracting Parties concerned cannot settle their dispute through the means mentioned in the preceding paragraph, the dispute shall upon common agreement, except as may be otherwise provided in any protocol to this Convention, be submitted to arbitration under the conditions set out in the Annex on Arbitration. However, failure to reach common agreement on submission of the dispute to arbitration shall not absolve the Contracting Parties from the responsibility of continuing to seek to resolve it by the means referred to in paragraph 1.
3. A Contracting Party may at any time declare that it recognizes as compulsory ipso facto and without special agreement, in relation to any other Contracting Party accepting the same obligation, the application of the arbitration procedure set out in the Annex on Arbitration. Such declaration shall be notified in writing to the Depositary, who shall communicate it to the other Contracting Parties.

Article 24

Relationship between the Convention and its Protocols

1. No State or regional economic integration organization may become a Contracting Party to this Convention unless it becomes at the same time a Contracting Party to at least one protocol to the Convention. No State or regional economic integration organization may become a Contracting Party to a protocol unless it is, or becomes at the same time, a Contracting Party to the Convention.
2. Decisions concerning any protocol shall be taken only by the Contracting Parties to the protocol concerned.

- 101 -
Article 25

Signature

This Convention and the Protocol concerning Co-operation in Combating Oil Spills in the Wider Caribbean Region shall be open for signature at Cartagena de Indias on 24 March 1983 and at Bogotá from 25 March 1983 to 23 March 1984 by States invited to participate in the Conference of Plenipotentiaries on the Protection and Development of the Marine Environment of the Wider Caribbean Region, held at Cartagena de Indias from 21 to 24 March 1983. They shall also be open for signature between the same dates by any regional economic integration organization exercising competence in fields covered by the Convention and that Protocol and having at least one member State which belongs to the wider Caribbean region, provided that such regional organization has been invited to participate in the Conference of Plenipotentiaries.

Article 26

Ratification, Acceptance and Approval

1. This Convention and its protocols shall be subject to ratification, acceptance or approval by States. Instruments of ratification, acceptance or approval shall be deposited with the Government of the Republic of Colombia, which will assume the functions of Depositary.
2. This Convention and its protocols shall also be subject to ratification, acceptance or approval by the organizations referred to in article 25 having at least one member State a party to the Convention. In their instruments of ratification, acceptance or approval, such organizations shall declare the extent of their competence with respect to the matters governed by the Convention and the relevant protocol. Subsequently these organizations shall inform the Depositary of any substantial modification in the extent of their competence.

Article 27

Accession

1. This Convention and its protocols shall be open for accession by the States and organizations referred to in article 25 as from the day following the date on which the Convention or the protocol concerned is closed for signature.
2. After entry into force of this Convention and of any protocol, any State or regional economic integration organization not referred to in article 25 may accede to the Convention and to any protocol subject to prior approval by three fourths of the Contracting Parties to the Convention or the protocol concerned, provided that any such regional economic integration organization exercises competence in fields covered by the Convention and the relevant protocol and has at least one member State, belonging to the wider Caribbean region, that is a party to the Convention and the relevant protocol.
3. In their instruments of accession, the organizations referred to in paragraphs 1 and 2 shall declare the extent of their competence with respect to the matters governed by the Convention and the relevant protocol. These organizations shall also inform the Depositary of any substantial modification in the extent of their competence.
4. Instruments of accession shall be deposited with the Depositary.

Article 28

Entry into force

1. This Convention and the Protocol concerning Co-operation in Combating Oil Spills in the Wider Caribbean Region shall enter into force on the thirtieth day following the date of deposit of the ninth instrument of ratification, acceptance or approval of, or accession to, those agreements by the States referred to in article 25.
2. Any additional protocol to this Convention, except as otherwise provided in such protocol, shall enter into force on the thirtieth day following the date of deposit of the ninth instrument of ratification, acceptance, or approval of such protocol, or of accession thereto.
3. For the purposes of paragraphs 1 and 2, any instrument deposited by an organization referred to in article 25 shall not be counted as additional to that deposited by any member State of such organization.
4. Thereafter, this Convention and any protocol shall enter into force with respect to any State or organization referred to in article 25 or article 27 on the thirtieth day following the date of deposit of its instruments of ratification, acceptance, approval or accession.

Article 29

Denunciation

1. At any time after two years from the date of entry into force of this Convention with respect to a Contracting Party, that Contracting Party may denounce the Convention by giving written notification to the Depositary.
2. Except as may be otherwise provided in any protocol to this Convention, any Contracting Party may, at any time after two years from the date of entry into force of such protocol with respect to that Contracting Party, denounce the protocol by giving written notification to the Depositary.
3. Denunciation shall take effect on the ninetieth day after the date on which notification is received by the Depositary.
4. Any Contracting Party which denounces this Convention shall be considered as also having denounced any protocol to which it was a Contracting Party.
5. Any Contracting Party which, upon its denunciation of a protocol, is no longer a Contracting Party to any protocol to this Convention, shall be considered as also having denounced the Convention itself.

Article 30

Depositary

1. The Depositary shall inform the Signatories and the Contracting Parties, as well as the Organization, of:

- (a) the signature of this Convention and of its protocols, and the deposit of instruments of ratification, acceptance, approval or accession;
- (b) the date on which the Convention or any protocol will come into force for each Contracting Party;
- (c) notification of any denunciation and the date on which it will take effect;
- (d) the amendments adopted with respect to the Convention or to any protocol, their acceptance by the Contracting Parties and the date of their entry into force;
- (e) all matters relating to new annexes and to the amendment of any annex;
- (f) notifications by regional economic integration organizations of the extent of their competence with respect to matters governed by this Convention and the relevant protocols, and of any modifications thereto.

2. The original of this Convention and of any protocol shall be deposited with the Depositary, the Government of the Republic of Colombia, which shall send certified copies thereof to the Signatories, the Contracting Parties, and the Organization.

3. As soon as the Convention and its protocols enter into force, the Depositary shall transmit a certified copy of the instrument concerned to the Secretary-General of the United Nations for registration and publication in accordance with Article 102 of the Charter of the United Nations.

IN WITNESS WHEREOF the undersigned, being duly authorized by their respective Governments, have signed this Convention.

DONE AT CARTAGENA DE INDIAS this twenty-fourth day of March one thousand nine hundred and eighty-three in a single copy in the English, French and Spanish languages, the three texts being equally authentic.

ANNEX

Arbitration

Article 1

Unless the agreement referred to in article 23 of the Convention provides otherwise, the arbitration procedure shall be conducted in accordance with articles 2 to 10 below.

Article 2

The claimant party shall notify the Organization that the parties have agreed to submit the dispute to arbitration pursuant to paragraph 2 or paragraph 3 of article 23 of the Convention. The notification shall state the subject-matter of arbitration and include, in particular, the articles of the Convention or the protocol, the interpretation or application of which are at issue. The Organization shall forward the information thus received to all Contracting Parties to the Convention or to the protocol concerned.

Article 3

The arbitral tribunal shall consist of three members. Each of the parties to the dispute shall appoint an arbitrator and the two arbitrators so appointed shall designate by common agreement the third arbitrator who shall be the chairman of the tribunal. The latter shall not be a national of one of the parties to the dispute, nor have his usual place of residence in the territory of one of these parties, nor be employed by any of them, nor have dealt with the case in any other capacity.

Article 4

1. If the chairman of the arbitral tribunal has not been designated within two months of the appointment of the second arbitrator, the Secretary-General of the United Nations shall, at the request of either party, designate him within a further two months' period.

2. If one of the parties to the dispute does not appoint an arbitrator within two months of receipt of the request, the other party may inform the Secretary-General of the United Nations who shall designate the chairman of the arbitral tribunal within a further two months' period. Upon designation, the chairman of the arbitral tribunal shall request the party which has not appointed an arbitrator to do so within two months. After such period, he shall inform the Secretary-General of the United Nations, who shall make this appointment within a further two months' period.

Article 5

1. The arbitral tribunal shall render its decision in accordance with international law and in accordance with the provisions of this Convention and the protocol or protocols concerned.

2. Any arbitral tribunal constituted under the provisions of this annex shall draw up its own rules of procedure.

Article 6

1. The decisions of the arbitral tribunal, both on procedure and on substance, shall be taken by majority vote of its members.
2. The tribunal may take all appropriate measures in order to establish the facts. It may, at the request of one of the parties, recommend essential interim measures of protection.
3. The parties to the dispute shall provide all facilities necessary for the effective conduct of the proceedings.
4. The absence or default of a party to the dispute shall not constitute an impediment to the proceedings.

Article 7

The tribunal may hear and determine counterclaims arising directly out of the subject-matter of the dispute.

Article 8

Unless the arbitral tribunal determines otherwise because of the particular circumstances of the case, the expenses of the tribunal, including the remuneration of its members, shall be borne by the parties to the dispute in equal shares. The tribunal shall keep a record of all its expenses, and shall furnish a final statement thereof to the parties.

Article 9

Any Contracting Party that has an interest of a legal nature in the subject-matter of the dispute which may be affected by the decision in the case, may intervene in the proceedings with the consent of the tribunal.

Article 10

1. The tribunal shall render its award within five months of the date on which it is established unless it finds it necessary to extend the time-limit for a period which should not exceed five months.
2. The award of the arbitral tribunal shall be accompanied by a statement of reasons. It shall be final and binding upon the parties to the dispute.
3. Any dispute which may arise between the parties concerning the interpretation or execution of the award may be submitted by either party to the arbitral tribunal which made the award or, if the latter cannot be seized thereof, to another arbitral tribunal constituted for this purpose in the same manner as the first.

PROTOCOL CONCERNING CO-OPERATION IN COMBATING
OIL SPILLS IN THE WIDER CARIBBEAN REGION

The Contracting Parties to this Protocol,

Being Contracting Parties to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region, done at Cartagena de Indias on 24 March 1983,

Conscious that oil exploration, production and refining activities, as well as related marine transport, pose a threat of significant oil spills in the wider Caribbean region,

Aware that the islands of the region are particularly vulnerable, owing to the fragility of their ecosystems and the economic reliance of certain of them on the continuous utilization of their coastal areas, to damage resulting from significant oil pollution,

Recognizing that, in the event of an oil spill or the threat thereof, prompt and effective action should be taken, initially at the national level, to organize and co-ordinate prevention, mitigation and clean-up activities,

Recognizing further the importance of sound preparation, co-operation and mutual assistance in responding effectively to oil spills or the threat thereof,

Determined to avert, through the adoption of measures to prevent and combat pollution resulting from oil spills, damage to the marine environment, including coastal areas, of the wider Caribbean region,

Have agreed as follows:

Article 1

Definitions

For the purposes of this Protocol:

1. "Wider Caribbean region" means the Convention area as defined in article 2 of the Convention and adjacent coastal areas.
2. "Convention" means the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region.
3. "Related interests" means the interests of a Contracting Party directly affected or threatened and concerning, among others:
 - (a) maritime, coastal, port or estuarine activities;
 - (b) the historical and tourist appeal of the area in question, including water sports and recreation;
 - (c) the health of the coastal population; and
 - (d) fishing activities and the conservation of natural resources.

(Article 1 cont):

4. "Oil spill incident" means a discharge, or a significant threat of a discharge, of oil, however caused, of a magnitude that requires emergency action or other immediate response for the purpose of minimizing its effects or eliminating the threat.

5. "Organization" means the institution referred to in paragraph 3 of article 2 of the Convention.

6. "Regional Co-ordinating Unit" means the unit referred to in the Action Plan for the Caribbean Environment Programme.

Article 2

Application

This protocol applies to oil spill incidents which have resulted in, or which pose a significant threat of, pollution to the marine and coastal environment of the wider Caribbean region or which adversely affect the related interests of one or more of the Contracting Parties.

Article 3

General Provisions

1. The Contracting Parties shall, within their capabilities, co-operate in taking all necessary measures, both preventive and remedial, for the protection of the marine and coastal environment of the wider Caribbean region, particularly the coastal areas of the islands of the region, from oil spill incidents.

2. The Contracting Parties shall, within their capabilities, establish and maintain, or ensure the establishment and maintenance of, the means of responding to oil spill incidents and shall endeavour to reduce the risk thereof. Such means shall include the enactment, as necessary, of relevant legislation, the preparation of contingency plans, the identification and development of the capability to respond to an oil spill incident and the designation of an authority responsible for the implementation of this Protocol.

Article 4

Exchange of Information

Each Contracting Party shall periodically exchange with the other Contracting Parties up-to-date information relating to its implementation of this Protocol, including the identity of the authorities responsible for such implementation, and information on their laws, regulations, institutions and operational procedures relating to the prevention of oil spill incidents and to the means of reducing and combating the harmful effects of oil spills.

Communication of information concerning,
and Reporting of, Oil Spill Incidents

1. Each Contracting Party shall establish appropriate procedures to ensure that information regarding oil spill incidents is reported as rapidly as possible, and shall, inter alia:
 - (a) require its appropriate officials, masters of ships flying its flag and persons in charge of offshore facilities operating under its jurisdiction to report to it any oil spill incident involving their ships or facilities;
 - (b) request masters of all ships and pilots of all aircraft operating in the vicinity of its coasts to report to it any oil spill incident of which they are aware.
2. In the event of receiving a report regarding an oil spill incident, a Contracting Party shall immediately notify all other Contracting Parties whose interests are likely to be affected by such incident, as well as the flag State of any ship involved in it. The Contracting Party shall also inform the competent international organizations. Furthermore, as soon as feasible, it shall inform such Contracting Parties and competent international organizations of measures it has taken to minimize or reduce pollution or the threat thereof.

Article 6

Mutual Assistance

1. Each Contracting Party shall render assistance, within its capabilities, to other Contracting Parties which request assistance in responding to an oil spill incident within the framework of joint response action agreed between or among the requesting and assisting Contracting Parties.
2. Each Contracting Party shall, subject to its laws and regulations, facilitate the movement into, through and out of its territory of technical personnel, equipment and material necessary for responding to an oil spill incident.

Article 7

Operational Measures

Each Contracting Party shall, within its capabilities, take steps including those outlined below in responding to an oil spill incident:

- (a) make a preliminary assessment of the incident, including the type and extent of existing or likely pollution effects;
- (b) promptly communicate information concerning the incident pursuant to article 5;
- (c) promptly determine its ability to take effective measures to respond to the incident and the assistance that might be required;
- (d) consult as appropriate with other Contracting Parties concerned in the process of determining the necessary response to the incident;
- (e) take the measures necessary to prevent, reduce or eliminate the effects of the incident, including monitoring of the situation.

Article 8

Subregional Arrangements

1. With a view to facilitating the implementation of the provisions of this Protocol, and in particular articles 6 and 7, the Contracting Parties should conclude appropriate bilateral or multilateral subregional arrangements.
2. Contracting Parties to this Protocol which enter into such subregional arrangements shall notify the other Contracting Parties, as well as the Organization, of the conclusion and the content of such arrangements.

Article 9

Institutional Arrangements

The Contracting Parties designate the Organization to carry out, through the Regional Co-ordinating Unit when established and in close co-operation with the International Maritime Organization, the following functions:

- (a) assisting Contracting Parties, upon request, in the following areas:
 - (i) the preparation, periodic review and updating of the contingency plans referred to in paragraph 2 of article 3, with a view, inter alia, to promoting the compatibility of the plans of the Contracting Parties, and
 - (ii) publicizing training courses and programmes;
- (b) assisting the Contracting Parties upon request, on a regional basis, in the following areas:
 - (i) the co-ordination of regional emergency response activities, and
 - (ii) the provision of a forum for discussion of such activities and related topics;
- (c) establishing and maintaining liaison with:
 - (i) competent regional and international organizations, and
 - (ii) appropriate private entities conducting activities in the wider Caribbean region, including major oil producers, refiners, oil spill clean-up contractors and co-operatives, and oil transporters;
- (d) maintaining a current inventory of emergency response equipment, materials and expertise available in the wider Caribbean region;
- (e) disseminating information on the prevention and combating of oil spills;
- (f) identifying or maintaining means for emergency response communications;

(Article 9 cont):

- (g) encouraging research by the Contracting Parties, competent international organizations and appropriate private entities on oil spill-related matters, including the environmental impacts of oil spills and of oil spill control materials and techniques;
- (h) assisting the Contracting Parties in the exchange of information pursuant to article 4; and
- (i) preparing reports and carrying out other duties assigned to it by the Contracting Parties.

Article 10

Meetings of the Contracting Parties

1. Ordinary meetings of the Contracting Parties to this Protocol shall be held in conjunction with ordinary meetings of the Contracting Parties to the Convention held pursuant to article 16 of the Convention. The Contracting Parties to this Protocol may also hold extraordinary meetings as provided for in article 16 of the Convention.
2. It shall be the function of the meetings of the Contracting Parties:
 - (a) to review the operation of this Protocol and to consider special technical arrangements and other measures to improve its effectiveness;
 - (b) to consider means whereby regional co-operation could be extended to incidents involving hazardous substances other than oil; and
 - (c) to consider measures to improve co-operation under this Protocol including, in accordance with paragraph 2 (d) of article 16 of the Convention, possible amendments to this Protocol.

Article 11

Relationship between this Protocol and the Convention

1. The provisions of the Convention relating to its protocols shall apply to this Protocol.
2. The rules of procedure and the financial rules adopted pursuant to article 20 of the Convention shall apply to this Protocol, unless the Contracting Parties to this Protocol agree otherwise.

IN WITNESS WHEREOF the undersigned, being duly authorized by their respective Governments, have signed this Protocol.

DONE AT CARTAGENA DE INDIAS this twenty-fourth day of March one thousand nine hundred and eighty-three in a single copy in the English, French and Spanish languages, the three texts being equally authentic.

Annex to the Protocol

On the basis of paragraph 2 (b) of Article 10 of this Protocol, the Contracting Parties at their first meeting are committed to preparing, through an annex, the changes necessary to extend this Protocol to regional co-operation to combat spills of hazardous substances other than oil. Pending the preparation and entry into force of such annex, the Protocol shall be provisionally applied upon its entry into force to hazardous substances other than oil.

II. (c) (2) Recent delimitation agreements:

BURMA/THAILAND Agreement between the Government of the Socialist Republic of the Union of Burma and the Government of the Kingdom of Thailand on the delimitation of the Maritime Boundary between the two countries in the Andaman Sea

Date of signature: 25 July 1980

Date of ratification: 12 April 1982

Source: Government of Thailand

COSTA RICA/PANAMA Maritime boundary agreement between the Republic of Costa Rica and the Republic of Panama (Caribbean Sea and Pacific Ocean)

Date of signature: 2 February 1980

Date of ratification: 11 February 1982

Source: Limits in the Sea, No. 97 (Office of the Geographer, U.S. Department of State)

**DOMINICAN REPUBLIC/
VENEZUELA** Treaty on the delimitation of Marine and Submarine Areas between the Dominican Republic and the Republic of Venezuela

Date of signature: 3 March 1979

Date of ratification: 15 January 1982

Source: Government of Venezuela (Spanish text)
New Directions in the Law of the Sea, Vol. VIII, p.80-83
(English text)

FRANCE/AUSTRALIA Maritime boundary agreement between the Republic of France and the Commonwealth of Australia (Coral Sea and Indian Ocean)

Date of signature: 2 October 1980

Date of ratification: (not yet ratified)

Source: Government of Australia

FRANCE/SAINT LUCIA Agreement on maritime boundary delimitation between the Republic of France and the Government of Saint Lucia

Date of signature: 4 March 1981

Date of ratification: 4 March 1981

Source: Government of St. Lucia (English text)
Revue Générale de droit International Public Tome 85/1981/3
p.654-656 (French text)

- FRANCE/TONGA** Maritime boundary agreement between the Republic of France and the Kingdom of Tonga (Wallis & Futuna Islands)
- Date of signature: 11 January 1980
- Date of ratification: (not yet ratified)
- Source: Government of France (English text)
-
- FRANCE/BRAZIL** Maritime boundary agreement between the Republic of France (Guyana) and the Federal Republic of Brazil
- Date of signature: 30 January 1981
- Date of ratification: (not yet ratified)
- Source: Government of Brazil (English text)
-
- FRANCE (REUNION)/MAURITIUS** Maritime boundary agreement between the Republic of France (Reunion) and the Government of Mauritius
- Date of signature: 2 April 1980
- Date of ratification: 2 April 1980
- Source: Government of France (French text)
Limits in the Sea, No. 95 (Office of the Geographer, U.S. Department of State) (English text)
-
- ICELAND/NORWAY** Agreement between the Governments of Iceland and Norway concerning fishery and continental shelf questions
- Date of signature: 28 May 1980
- Date of ratification: (not yet ratified)
- Source: Report and Recommendations to the Governments of Iceland and Norway of the Conciliation Commission on the Continental Shelf area between Iceland and Jan Mayen. Washington, D.C., 1981, p.60
-
- MALAYSIA/THAILAND** Continental shelf boundary agreement between Malaysia and the Kingdom of Thailand (Gulf of Thailand)
- Date of signature: 24 October 1979
- Date of ratification: 15 July 1982
- Source: Government of Malaysia

NEW ZEALAND/UNITED STATES OF AMERICA (TOKELAU-AMERICAN SAMOA) Treaty between New Zealand and the United States of America on the delimitation of the maritime boundary between Tokelau (New Zealand) and American Samoa (United States of America)

Date of signature: 2 December 1980

Date of ratification: (not yet ratified)

Source: U.S. Government Printing Office, Washington, 1981, 97th Congress, 1st Session, Senate, Treaty Document No. 97-5

NORWAY/ICELAND Agreement between Norway and Iceland on the Continental Shelf in the area between Iceland and Jan Mayen

Date of signature: 22 October 1981

Date of ratification: 2 June 1982

Source: Government of Norway

VENEZUELA/FRANCE Maritime boundary agreement between the Republic of Venezuela and the Republic of France

Date of signature: 17 July 1980

Date of ratification: (not yet ratified)

Source: Government of Venezuela (French text)

UNITED STATES OF AMERICA/COOK ISLANDS Maritime boundary agreement between the United States of America and the Cook Islands

Date of signature: 11 June 1980

Date of ratification: (not yet ratified)

Source: U.S. Government Printing Office, Washington, D.C., 1980, 96th Congress, 2nd Session, Executive page

UNITED STATES OF AMERICA/VENEZUELA Maritime Boundary Treaty between the United States of America and the Republic of Venezuela

Date of signature: 28 March 1978

Date of ratification: 26 November 1980

Source: Limits in the Sea, No. 91 (Office of the Geographer, U.S. Department of State) (English text)

II. (d) Recent United Nations resolutions of interest: ✓

Resolution 1983/4 of the Economic and Social Council on
"Measures to improve international co-operation in the
maritime interdiction of illicit drug traffic"

"The Economic and Social Council,

Noting the observations made by the expert group to study the functioning, adequacy and enhancement of the Single Convention on Narcotic Drugs, 1961, 9/ at its 1982 meeting, particularly with regard to the need for bilateral regional arrangements concerning the boarding of sea-going vessels involved in drug trafficking,

Bearing in mind article 4 of the Single Convention on Narcotic Drugs, 1961, applicable international conventions and the concern of the international community to suppress illegal traffic in narcotic drugs and psychotropic substances,

Noting with concern the alarming number of private vessels transporting illicit drugs on the high seas,

Noting also with concern the large proportion of recidivists among smugglers of illicit drugs by sea,

Recognizing that in many instances illicit drugs traffickers also engage in fraudulent practices with respect to the flag State registration of their vessels,

Firmly believing that, in order to be effective in combating illicit maritime traffic, registry information must be readily accessible to and verifiable by law enforcement personnel aboard the vessel and within the claimed flag State,

Convinced that legitimate shipping interests will not be unreasonably hampered by adoption of effective steps by all States to provide, in accordance with relevant domestic constitutional safeguards and legislations, for prompt, positive and unmistakable identification of private vessels registered under their flag,

1. Appeals to Governments to inspect closely all requests for registration of private sea-going vessels to ensure that the vessels are those which the applicants are appropriately entitled to register;

2. Urges Governments to require their flag vessels to carry on board documents attesting to their registry;

9/ United Nations, Treaty Series, vol. 520. No. 7515, p. 151.

3. Requests Governments to explore methods of strengthening international co-operation in combating illicit maritime drug trafficking, and to respond promptly to enquiries made for law enforcement purposes by other States regarding the registry of vessels;

4. Recommends that Governments should consider establishing a national centralized vessel registry system for their private flag vessels, to facilitate the international co-ordination needed to implement the present resolution;

5. Encourages all States to take prompt action, with due regard to their constitutional, legal and administrative systems, to curtail employment of their flag vessels in the illicit drug trade and to impose significant sanctions on persons convicted of such activity;

6. Requests the Secretary-General to transmit the text of the present resolution to all Governments and to invite them to bring it to the attention of their competent authorities for consideration.

11th plenary meeting
24 May 1983

III. OTHER INFORMATION RELEVANT TO THE CONVENTION AND TO
THE LAW OF THE SEA

(a) Publication of the index to the United Nations Convention on the Law of the Sea:

In order to facilitate the usage of the Convention, the Office of the Special Representative has prepared an index produced from computer generated occurrences of key words and phrases.

The computer was used to search through the Convention, its annexes and the four resolutions, word by word, and to identify where the word or term appeared and provide a list of citations. Those citations were then carefully analyzed and divided on the basis of the content of each of them into substantive subheadings.

The index will be published together with the Convention and the four resolutions, first in English and then in French and Spanish by the Department of Public Information of the United Nations.

(b) Entry into force of the International Convention for the Prevention of Pollution from Ships:

The International Convention for the Prevention of Pollution from Ships of 1973, including the modifications contained in the Protocol of 1978 ^{1/}, will enter into force on 2 October 1983.

(c) International Court of Justice:

Delimitation of the Maritime Boundary in the Gulf of Maine Area (Canada/United States of America): Information made available to the press by the Registry of the International Court of Justice: By an Order of 27 July 1983, the submission of replies by Canada and the United States in the present case has been authorized and the time-limit for their filing fixed at 12 December 1983.

Canada and the United States have submitted to a specially formed Chamber of the International Court of Justice a dispute over the boundary separating the fisheries zones and continental shelves of the two countries off the Atlantic coast in the Gulf of Maine area. The proceedings were instituted on 25 November 1981 by the filing of a Special Agreement.

^{1/} The Protocol of 1978 relating to the International Convention for the Prevention of Pollution from Ships, 1973, incorporates, with modifications, the provisions of the International Convention for the Prevention of Pollution from Ships, 1973. Accordingly, as of 2 October 1983, the régime to be applied by the States Parties to it will be the régime contained in the 1973 Convention as modified by the Protocol of 1978 relating to the International Convention for the Prevention of Pollution from Ships, 1973 (the 1973/78 MARPOL instrument).

The Chamber was constituted by an Order of the Court on 20 January 1982. It is composed as follows: Judge Ago, President of the Chamber; Judges Gros, Mosler and Schwebel; Judge ad hoc Cohen. This was the first time in the history of the Court that the parties to a dispute made use of the possibilities, embodied in the Statute and Rules of the Court, of sending their case to a special chamber instead of the full Court.

The Parties have already submitted two pleadings. The first pleadings (the Memorials) had been filed on 27 September 1982 and the second pleadings (the Counter-Memorials) had been filed on 28 June 1983. Provision is made for the possibility of another round of pleadings (the Replies) in the Special Agreement by which Canada and the United States brought their dispute before the Chamber constituted by the Court. It is the submission of these replies which the Order of 27 July 1983 made by the President of the Chamber has authorized.