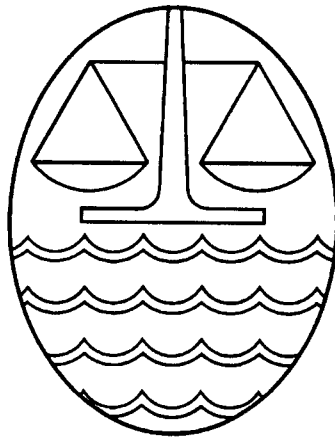


# ***Law of the Sea***



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#### NOTE

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# UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

## A. Status of the United Nations Convention on the Law of the Sea<sup>1/</sup>

### 1. Chronological list of ratifications, accessions and successions to the Convention and their regional groups, as at 1 April 1998

Number	Date of ratification/ accession/succession	State/Entity	Regional group
1	10 December 1982	Fiji	Asian
2	7 March 1983	Zambia	African
3	18 March 1983	Mexico	Latin America/Caribbean
4	21 March 1983	Jamaica	Latin America/Caribbean
5	18 April 1983	Namibia	African
6	7 June 1983	Ghana	African
7	29 July 1983	Bahamas	Latin America/Caribbean
8	13 August 1983	Belize	Latin America/Caribbean
9	26 August 1983	Egypt	African
10	26 March 1984	Côte d'Ivoire	African
11	8 May 1984	Philippines	Asian
12	22 May 1984	Gambia	African
13	15 August 1984	Cuba	Latin America/Caribbean
14	25 October 1984	Senegal	African
15	23 January 1985	Sudan	African
16	27 March 1985	Saint Lucia	Latin America/Caribbean
17	16 April 1985	Togo	African
18	24 April 1985	Tunisia	African
19	30 May 1985	Bahrain	Asian
20	21 June 1985	Iceland	Western European and Other
21	16 July 1985	Mali	African
22	30 July 1985	Iraq	Asian
23	6 September 1985	Guinea	African

<sup>1/</sup> The Convention entered into force on 16 November 1994, in accordance with its article 308.

Number	Date of ratification/ accession/succession	State/Entity	Regional group
24	30 September 1985	United Republic of Tanzania	African
25	19 November 1985	Cameroon	African
26	3 February 1986	Indonesia	Asian
27	25 April 1986	Trinidad and Tobago	Latin America/Caribbean
28	2 May 1986	Kuwait	Asian
29	5 May 1986	Yugoslavia	Eastern European
30	14 August 1986	Nigeria	African
31	25 August 1986	Guinea-Bissau	African
32	26 September 1986	Paraguay	Latin America/Caribbean
33	21 July 1987	Yemen	Asian
34	10 August 1987	Cape Verde	African
35	3 November 1987	Sao Tome and Principe	African
36	12 December 1988	Cyprus	Asian
37	22 December 1988	Brazil	Latin America/Caribbean
38	2 February 1989	Antigua and Barbuda	Latin America/Caribbean
39	17 February 1989	Democratic Republic of the Congo	African
40	2 March 1989	Kenya	African
41	24 July 1989	Somalia	African
42	17 August 1989	Oman	Asian
43	2 May 1990	Botswana	African
44	9 November 1990	Uganda	African
45	5 December 1990	Angola	African
46	25 April 1991	Grenada	Latin America/Caribbean
47	29 April 1991	Micronesia (Federated States of) <sup>2/</sup>	Asian
48	9 August 1991	Marshall Islands <sup>2/</sup>	Asian
49	16 September 1991	Seychelles	African
50	8 October 1991	Djibouti	African

<sup>2/</sup> Accession to the Convention.

Number	Date of ratification/ accession/succession	State/Entity	Regional group
51	24 October 1991	Dominica	Latin America/Caribbean
52	21 September 1992	Costa Rica	Latin America/Caribbean
53	10 December 1992	Uruguay	Latin America/Caribbean
54	7 January 1993	Saint Kitts and Nevis	Latin America/Caribbean
55	24 February 1993	Zimbabwe	African
56	20 May 1993	Malta	Western European and Other
57	1 October 1993	Saint Vincent and the Grenadines	Latin America/Caribbean
58	5 October 1993	Honduras	Latin America/Caribbean
59	12 October 1993	Barbados	Latin America/Caribbean
60	16 November 1993	Guyana	Latin America/Caribbean
61	12 January 1994	Bosnia and Herzegovina <sup>2/</sup>	Eastern European
62	21 June 1994	Comoros	African
63	19 July 1994	Sri Lanka	Asian
64	25 July 1994	Viet Nam	Asian
65	19 August 1994	The former Yugoslav Republic of Macedonia <sup>3/</sup>	Eastern European
66	5 October 1994	Australia	Western European and Other
67	14 October 1994	Germany <sup>2/</sup>	Western European and Other
68	4 November 1994	Mauritius	African
69	17 November 1994	Singapore	Asian
70	12 December 1994	Sierra Leone	African
71	5 January 1995	Lebanon	Asian
72	13 January 1995	Italy	Western European and Other
73	15 February 1995	Cook Islands	Asia
74	5 April 1995	Croatia <sup>3/</sup>	Eastern European
75	25 April 1995	Bolivia	Latin America/Caribbean
76	16 June 1995	Slovenia <sup>3/</sup>	Eastern European

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<sup>3/</sup> Succession.

Number	Date of ratification/ accession/succession	State/Entity	Regional group
77	29 June 1995	India	Asian
78	14 July 1995	Austria	Western European and Other
79	21 July 1995	Greece	Western European and Other
80	2 August 1995	Tonga <sup>2/</sup>	Asian
81	14 August 1995	Samoa	Asian
82	27 November 1995	Jordan <sup>2/</sup>	Asian
83	1 December 1995	Argentina	Latin America/Caribbean
84	23 January 1996	Nauru	Asian
85	29 January 1996	Republic of Korea	Asian
86	20 March 1996	Monaco	Western European and Other
87	21 March 1996	Georgia <sup>2/</sup>	Eastern European
88	11 April 1996	France	Western European and Other
89	24 April 1996	Saudi Arabia	Asian
90	8 May 1996	Slovakia	Eastern European
91	15 May 1996	Bulgaria	Eastern European
92	21 May 1996	Myanmar	Asian
93	7 June 1996	China	Asian
94	11 June 1996	Algeria	African
95	20 June 1996	Japan	Asian
96	21 June 1996	Ireland	Western European and Other
97	21 June 1996	Finland	Western European and Other
98	21 June 1996	Czech Republic	Eastern European
99	24 June 1996	Norway	Western European and Other
100	25 June 1996	Sweden	Western European and Other
101	28 June 1996	Netherlands	Western European and Other
102	1 July 1996	Panama	Latin America/Caribbean
103	17 July 1996	Mauritania	African
104	19 July 1996	New Zealand	Western European and Other
105	31 July 1996	Haiti	Latin America/Caribbean

Number	Date of ratification/ accession/succession	State/Entity	Regional group
106	13 August 1996	Mongolia	Asian
107	30 September 1996	Palau	Asian
108	14 October 1996	Malaysia	Asian
109	5 November 1996	Brunei Darussalam	Asian
110	17 December 1996	Romania	Eastern European
111	14 January 1997	Papua New Guinea	Asian
112	15 January 1997	Spain	Western European and Other
113	11 February 1997	Guatemala	Latin America/Caribbean
114	26 February 1997	Pakistan	Asian
115	12 March 1997	Russian Federation	Eastern European
116	13 March 1997	Mozambique	Africa
117	23 June 1997	Solomon Islands	Asian
118	21 July 1997	Equatorial Guinea	Africa
119	25 July 1997	United Kingdom <sup>2/</sup>	Western European and Other
120	25 August 1997	Chile	Latin America/Caribbean
121	16 October 1997	Benin	Africa
122	3 November 1997	Portugal	Western European and Other
123	23 December 1997	South Africa	Africa
124	11 March 1998	Gabon	Africa
125	1 April 1998	European Community	

125 ratifications/accessions/successions deposited with the Secretary-General.

2. Alphabetical list of States having ratified, acceded or succeeded to the Convention, as at 1 April 1998

Algeria	Grenada	Paraguay
Angola	Guatemala	Philippines
Antigua and Barbuda	Guinea	Portugal
Argentina	Guinea-Bissau	Republic of Korea
Australia	Guyana	Romania
Austria	Haiti	Russian Federation
Bahamas	Honduras	Saint Kitts and Nevis
Bahrain	Iceland	Saint Lucia
Barbados	India	Saint Vincent and the Grenadines
Belize	Indonesia	Samoa
Benin	Iraq	Sao Tome and Principe
Bolivia	Ireland	Saudi Arabia
Bosnia and Herzegovina	Italy	Senegal
Botswana	Jamaica	Seychelles
Brazil	Japan	Sierra Leone
Brunei Darussalam	Jordan	Singapore
Bulgaria	Kenya	Slovakia
Cameroon	Kuwait	Slovenia
Cape Verde	Lebanon	Solomon Islands
Chile	Malaysia	Somalia
China	Mali	South Africa
Comoros	Malta	Spain
Cook Islands	Marshall Islands	Sri Lanka
Costa Rica	Mauritania	Sudan
Côte d'Ivoire	Mauritius	Sweden
Croatia	Mexico	The former Yugoslav Republic of Macedonia
Cuba	Micronesia (Federated States of)	Togo
Cyprus	Monaco	Tonga
Czech Republic	Mongolia	Trinidad and Tobago
Djibouti	Mozambique	Tunisia
Dominica	Myanmar	Uganda
Egypt	Namibia	United Kingdom of Great Britain and Northern Ireland
Equatorial Guinea	Nauru	United Republic of Tanzania
European Community	Netherlands	Uruguay
Fiji	New Zealand	Viet Nam
Finland	Nigeria	Yemen
France	Norway	Yugoslavia
Gabon	Oman	Zaire
Gambia	Pakistan	Zambia
Germany	Palau	Zimbabwe
Georgia	Panama	
Ghana	Papua New Guinea	
Greece		

### 3. Portugal

#### Declaration made upon ratification

In accordance with article 310 of the United Nations Convention on the Law of the Sea, the Portuguese Government made the following declarations:

1. Portugal reaffirms, for the purpose of delimitation of the territorial sea, the continental shelf and the exclusive economic zone, its rights under domestic law in respect of the mainland and of the archipelagos and the islands incorporated therein;

2. Portugal declares that, within a 12 nautical mile zone contiguous to its territorial sea, it shall take such control measures as it deems to be necessary, in accordance with the provisions of article 33 of the Convention;

3. Pursuant to the provisions of the United Nations Convention on the Law of the Sea, Portugal enjoys sovereign rights and jurisdiction over an exclusive economic zone of 200 nautical miles from the baselines from which the breadth of the territorial sea is measured;

4. The maritime boundary lines between Portugal and the States whose coasts are opposite or adjacent to its own coasts are those which historically have been established on the basis of international law;

5. Portugal expresses its understanding that the resolution III of the United Nations Third Conference on the Law of the Sea shall fully apply to the non-self-governing Territory of East Timor, of which it remains the administering Power, under the Charter of the United Nations and the relevant resolutions of the General Assembly and of the Security Council. Accordingly, the application of the Convention, in particular a delimitation, if any, of the maritime areas of the Territory of East Timor, shall take into consideration the rights of its people under the Charter and the resolutions and, furthermore, the responsibilities incumbent upon Portugal as administering Power of the Territory of East Timor;

6. Portugal declares, without prejudice to the provisions of article 303 of the United Nations Convention on the Law of the Sea and to the application of other legal instruments of international law regarding the protection of the underwater archaeological heritage, that any objects of a historical or archaeological nature found in the maritime zones under its sovereignty or jurisdiction may be removed only after prior notice to and subject to the consent of the competent Portuguese authorities;

7. Ratification by Portugal of this Convention does not imply the automatic recognition of any maritime or land boundary;

8. Portugal does not consider itself bound by the declarations made by other States and it reserves its position as regards each declaration to be expressed in due time;

9. Bearing in mind the available scientific information and with a view to the protection of the environment and the sustained growth of economic activities based on the sea, Portugal will, preferably through international cooperation and taking into account the precautionary principle, carry out control activities beyond the areas under national jurisdiction;

10. For the purposes of article 287 of the Convention, Portugal declares that, in the absence of non-judicial means for the settlement of disputes arising out of the application of this Convention, it will choose one of the following means for the settlement of disputes:

- (a) The International Tribunal for the Law of the Sea, established in pursuance of 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;

11. In the absence of any other peaceful means for the settlement of disputes, Portugal will, in accordance with Annex VIII to the Convention, choose the recourse to a special arbitral tribunal in so far as the application of the provisions of this Convention, or the interpretation thereof, to the matters relating to fisheries, protection and preservation of marine living resources and marine environment, scientific research, navigation and marine pollution are concerned;

12. Portugal declares that, without prejudice to the provisions contained in Section 1, Part XV, of the Convention, it does not accept the compulsory procedures referred to in Section 2 of the said Part, with respect to one or more of the categories specified in article 298 (a) (b) (c) of the Convention;

13. Portugal notes that, as a State member of the European Community, it has transferred to the Community competence over a few matters governed by the Convention. A detailed declaration will be submitted in due time, specifying the nature and extent of the matters in respect of which it has transferred competence to the Community, in accordance with the provisions of Annex IX to the Convention.

#### 4. South Africa

##### Declaration made upon ratification

1. The Government of the Republic of South Africa withdraws the declaration made on behalf of South Africa upon signature of the Convention on 5 December 1984.

2. The Government of the Republic of South Africa shall, at an appropriate time, make declarations provided for in articles 287 and 298 of the Convention relating to the settlement of disputes.



**5. United Kingdom of Great Britain and Northern Ireland**

**Declaration on the choice of procedure under article 287**

I have the honour to refer to the United Nations Convention on the Law of the Sea and to make the following declaration:

"In accordance with article 287, paragraph 1, of the United Nations Convention on the Law of the Sea, the United Kingdom of Great Britain and Northern Ireland chooses the International Court of Justice for the settlement of disputes concerning the interpretation or application of the Convention.

"The International Tribunal for the Law of the Sea is a new institution, which the United Kingdom hopes will make an important contribution to the peaceful settlement of disputes concerning the law of the sea. In addition to those cases where the Convention itself provides for the compulsory jurisdiction of the Tribunal, the United Kingdom remains ready to consider the submission of disputes to the Tribunal as may be agreed on a case-by-case basis."


**B. Status of the Agreement relating to the implementation of Part XI of the Convention, adopted by the General Assembly of the United Nations on 28 July 1994**


**1. Alphabetical list of States having consented to be bound by the Agreement, as at 1 April 1998**


Algeria	Greece	New Zealand
Argentina	Grenada	Nigeria
Australia	Guatemala	Norway
Austria	Guinea	Oman
Bahamas	Haiti	Pakistan
Barbados	Iceland	Palau
Belize	India	Panama
Benin	Ireland	Papua New Guinea
Bolivia	Italy	Paraguay
Brunei Darussalam	Jamaica	Philippines
Bulgaria	Japan	Portugal
Chile	Jordan	Republic of Korea
China	Kenya	Romania
Cook Islands	Lebanon	Russian Federation
Côte d'Ivoire	Malaysia	Samoa
Croatia	Malta	Saudi Arabia
Cyprus	Mauritania	Senegal
Czech Republic	Mauritius	Seychelles
Equatorial Guinea	Micronesia (Federated States of)	Sierra Leone
European Community	Monaco	Singapore
Fiji	Mongolia	Slovakia
Finland	Mozambique	Slovenia
France	Myanmar	Solomon Islands
Gabon	Namibia	South Africa
Georgia	Nauru	Spain
Germany	Netherlands	Sri Lanka


Sweden	Uganda	Zambia
Togo	United Kingdom	Zimbabwe
Tonga	Yugoslavia	
Trinidad and Tobago	The former Yugoslav Republic of Macedonia	


2. Table recapitulating the status of the Convention and of the Agreement, as at 1 April 1998

 DOALOS/OLA United Nations	United Nations Convention on the Law of the Sea		Agreement relating to the implementation of Part XI of the Convention		
	Signature (with ♦ / without ◇ declaration)	Date of ratification; formal confirmation (fc); accession (a); succession (s); (♦ declaration)	Signature	Ratification; formal confirmation (fc); accession (a); definitive signature(ds); participation (p)	Provisional membership 1/ in the International Seabed Authority until
State or entity					
Afghanistan	◇				
Albania					
Algeria	♦	11 June 1996	✓	11 June 1996 (p)2/	
Andorra					
Angola	♦	5 December 1990			
Antigua and Barbuda	◇	2 February 1989			
Argentina	♦	1 December 1995	✓	1 December 1995	
Armenia					
Australia	◇	5 October 1994	✓	5 October 1994	
Austria	◇	14 July 1995	✓	14 July 1995	
Azerbaijan					
Bahamas	◇	29 July 1983	✓	28 July 1995 3/	
Bahrain	◇	30 May 1985			
Bangladesh	◇				16 November 1998 4/
Barbados	◇	12 October 1993	✓	28 July 1995 3/	
Belarus	♦				16 November 1998 5/
Belgium	♦		✓		16 November 1998 4/
Belize	◇	13 August 1983		21 October 1994 (ds)	
Benin	◇	16 October 1997		16 October 1997 (p)2/	
Bhutan	◇				
Bolivia	♦	28 April 1995		28 April 1995 (p)2/	
Bosnia and Herzegovina		12 January 1994 (s)			


 <b>DOALOS/OLA</b> <b>United Nations</b>	<b>United Nations Convention on the Law of the Sea</b>		<b>Agreement relating to the implementation of Part XI of the Convention</b>		
	Signature (with ♦ / without ◇ declaration)	Date of ratification; formal confirmation (fc); accession (a); succession (s); (¶ declaration)	Signature	Ratification: formal confirmation (fc); accession (a); definitive signature(ds); participation (p)	Provisional membership 1/ in the International Seabed Authority until
<b>State or entity</b>					
Botswana	◇	2 May 1990			
Brazil	♦	22 December 1988	✓		
Brunei Darussalam	◇	5 November 1996		5 November 1996 (p)2/	
Bulgaria	◇	15 May 1996		15 May 1996 (a)	
Burkina Faso	◇		✓		
Burundi	◇				
Cambodia	◇				
Cameroon	◇	19 November 1985	✓		
Canada	◇		✓		16 November 1998 4/
Cape Verde	♦	10 August 1987	✓		
Central African Republic	◇				
Chad	◇				
Chile	♦	25 August 1997		25 August 1997 (a)	
China	◇	7 June 1996	✓	7 June 1996 (p)2/	
Colombia	◇				
Comoros	◇	21 June 1994			
Congo	◇				
<i>Cook Islands</i> 6/	◇	15 February 1995		15 February 1995 (a)	
Costa Rica	♦	21 September 1992			
Côte d'Ivoire	◇	26 March 1984	✓	28 July 1995 3/	
Croatia		5 April 1995 (s)		5 April 1995 (p)2/	
Cuba	♦	15 August 1984			
Cyprus	◇	12 December 1988	✓	27 July 1995	


 <b>DOALOS/OLA</b> <b>United Nations</b>	<b>United Nations Convention on the Law of the Sea</b>		<b>Agreement relating to the implementation of Part XI of the Convention</b>		
	➡	Signature (with ♦ / without ◇ declaration)	➡	Signature	Provisional membership 1/ in the International Seabed Authority until
<b>State or entity</b>		Date of ratification; formal confirmation (fc); accession (a); succession (s); ( declaration)		Ratification; formal confirmation (fc); accession (a); definitive signature(ds); participation (p)	
Czech Republic	◇	21 June 1996	✓	21 June 1996	
Democratic People's Republic of Korea	◇				
Democratic Republic of the Congo	◇	17 February 1989			
Denmark	◇		✓		
Djibouti	◇	8 October 1991			
Dominica	◇	24 October 1991			
Dominican Republic	◇				
Ecuador					
Egypt	◇	26 August 1983	✓		
El Salvador	◇				
Equatorial Guinea	◇	21 July 1997		21 July 1997 (p)2/	
Eritrea					
Estonia					
Ethiopia	◇				
<i>European Community</i>	♦	1 April 1998 (fc)	✓	1 April 1998 (fc)	
Fiji	◇	10 December 1982	✓	28 July 1995	
Finland	♦	21 June 1996	✓	21 June 1996	
France	♦	11 April 1996	✓	11 April 1996	
Gabon	◇	11 March 1998	✓	11 March 1998 (p)2/	
Gambia	◇	22 May 1984			
Georgia		21 March 1996 (a)		21 March 1996 (p)2/	
Germany		14 October 1994 (a)	✓	14 October 1994	




 <b>DOALOS/OLA</b> <b>United Nations</b>	<b>United Nations Convention on the Law of the Sea</b>		<b>Agreement relating to the implementation of Part XI of the Convention</b>		
	→	Signature (with ♦ / without ◇ declaration)	→	Signature	Provisional membership 1/ in the International Seabed Authority until
<b>State or entity</b>		Date of ratification; formal confirmation (fc); accession (a); succession (s); (♦ declaration)		Ratification; formal confirmation (fc); accession (a); definitive signature(ds); participation (p)	
Ghana	◇	7 June 1983			
Greece	♦	21 July 1995	✓	21 July 1995	
Grenada	◇	25 April 1991	✓	28 July 1995 3/	
Guatemala	◇	11 February 1997		11 February 1997 (p)2/	
Guinea	♦	6 September 1985	✓	28 July 1995 3/	
Guinea-Bissau	◇	25 August 1986			
Guyana	◇	16 November 1993			
Haiti	◇	31 July 1996		31 July 1996 (p)2/	
<i>Holy See</i> 6/					
Honduras	◇	5 October 1993			
Hungary	◇				
Iceland	◇	21 June 1985	✓	28 July 1995 3/	
India	◇	29 June 1995	✓	29 June 1995	
Indonesia	◇	3 February 1986	✓		
Iran (Islamic Republic of)	♦				
Iraq	♦	30 July 1985			
Ireland	◇	21 June 1996	✓	21 June 1996	
Israel					
Italy	♦	13 January 1995	✓	13 January 1995	
Jamaica	◇	21 March 1983	✓	28 July 1995 3/	
Japan	◇	20 June 1996	✓	20 June 1996	
Jordan		27 November 1995 (a)		27 November 1995 (p)2/	
Kazakhstan					


 DOALOS/OLA United Nations	United Nations Convention on the Law of the Sea		Agreement relating to the implementation of Part XI of the Convention		
	→ Signature (with ♦ / without ◇ declaration)	Date of ratification; formal confirmation (fc); accession (a); succession (s); (♦ declaration)	→ Signature	Ratification; formal confirmation (fc); accession (a); definitive signature(ds); participation (p)	Provisional membership 1/ in the International Seabed Authority until
State or entity					
Kenya	◇	2 March 1989		29 July 1994 (ds)	
<i>Kiribati 6/</i>					
Kuwait	◇	22 May 1986			
Kyrgyzstan					
Lao People's Democratic Republic	◇		✓		16 November 1998 4/
Latvia					
Lebanon	◇	5 January 1995		5 January 1995 (p)2/	
Lesotho	◇				
Liberia	◇				
Libyan Arab Jamahiriya	◇				
Liechtenstein	◇				
Lithuania					
Luxembourg	♦		✓		
Madagascar	◇				
Malawi	◇				
Malaysia	◇	14 October 1996	✓	14 October 1996 (p)2/	
Maldives	◇		✓		
Mali	♦	16 July 1985			
Malta	◇	20 May 1993	✓	26 June 1996	
Marshall Islands		9 August 1991 (a)			
Mauritania	◇	17 July 1996	✓	17 July 1996 (p)2/	
Mauritius	◇	4 November 1994		4 November 1994 (p)2/	
Mexico	◇	18 March 1983			



 <b>DQALOS/OLA</b> <b>United Nations</b>	<b>United Nations Convention on the Law of the Sea</b>		<b>Agreement relating to the implementation of Part XI of the Convention</b>		
		Signature (with ♦ / without ◇ declaration)		Signature	Provisional membership 1/ in the International Seabed Authority until
<b>State or entity</b>		Date of ratification; formal confirmation (fc); accession (a); succession (s); (♦ declaration)		Ratification; formal confirmation (fc); accession (a); definitive signature(ds); participation (p)	
Micronesia (Federated States of)		29 April 1991 (a)	✓	6 September 1995	
Monaco	◇	20 March 1996	✓	20 March 1996 (p)2/	
Mongolia	◇	13 August 1996	✓	13 August 1996 (p)2/	
Morocco	◇		✓		
Mozambique	◇	13 March 1997		13 March 1997 (a)	
Myanmar	◇	21 May 1996		21 May 1996 (a)	
Namibia	◇	18 April 1983	✓	28 July 1995 3/	
Nauru 5/	◇	23 January 1996		23 January 1996 (p)2/	
Nepal	◇				16 November 1998 4/
Netherlands	◇	28 June 1996	✓	28 June 1996	
New Zealand	◇	19 July 1996	✓	19 July 1996	
Nicaragua	♦				
Niger	◇				
Nigeria	◇	14 August 1986	✓	28 July 1995 3/	
Niue 5/	◇				
Norway	◇	24 June 1996		24 June 1996 (a)	
Oman	♦	17 August 1989		26 February 1997 (a)	
Pakistan	◇	26 February 1997	✓	26 February 1997 (p)2/	
Palau		30 September 1996 (a)		30 September 1996 (p)2/	
Panama	◇	1 July 1996		1 July 1996 (p)2/	
Papua New Guinea	◇	14 January 1997		14 January 1997 (p)2/	
Paraguay	◇	26 September 1986	✓	10 July 1995	
Peru					

 DQALOS/OLA United Nations	United Nations Convention on the Law of the Sea		Agreement relating to the implementation of Part XI of the Convention		
	Signature (with ♦ / without ◇ declaration)	Date of ratification; formal confirmation (fc); accession (a); succession (s); (♦ declaration)	Signature	Ratification; formal confirmation (fc); accession (a); definitive signature(ds); participation (p)	Provisional membership 1/ in the International Seabed Authority until
State or entity					
Philippines	♦	8 May 1984	✓	23 July 1997	
Poland	◇		✓		16 November 1998 4/
Portugal	◇	3 November 1997	✓	3 November 1997	
Qatar	♦				16 November 1998 5/
Republic of Korea	◇	29 January 1996	✓	29 January 1996	
Republic of Moldova					
Romania	♦	17 December 1996		17 December 1996 (a)	
Russian Federation	♦	12 March 1997		12 March 1997 (a)	
Rwanda	◇				
Saint Kitts and Nevis	◇	7 January 1993			
Saint Lucia	◇	27 March 1985			
Saint Vincent and the Grenadines	◇	1 October 1993			
Samoa	◇	14 August 1995	✓	14 August 1995 (p)2/	
San Marino					
Sao Tome and Principe	♦	3 November 1987			
Saudi Arabia	◇	24 April 1996		24 April 1996 (p)2/	
Senegal	◇	25 October 1984	✓	25 July 1995	
Seychelles	◇	16 September 1991	✓	15 December 1994	
Sierra Leone	◇	12 December 1994		12 December 1994 (p)2/	
Singapore	◇	17 November 1994		17 November 1994 (p)2/	
Slovakia	◇	8 May 1996	✓	8 May 1996	
Slovenia		16 June 1995 (s)	✓	16 June 1995	
Solomon Islands	◇	23 June 1997		23 June 1997 (p)2/	

 <b>DOALOS/OLA</b> <b>United Nations</b>	<b>United Nations Convention on the Law of the Sea</b>		<b>Agreement relating to the implementation of Part XI of the Convention</b>		
	 Signature (with ♦ / without ◇ declaration)	 Date of ratification; formal confirmation (fc); accession (a); succession (s); (♦ declaration)	 Signature	 Ratification; formal confirmation (fc); accession (a); definitive signature(ds); participation (p)	 Provisional membership 1/ in the International Seabed Authority until
<b>State or entity</b>					
Somalia	◇	24 July 1989			
South Africa	♦	23 December 1997	✓	23 December 1997	
Spain	♦	15 January 1997	✓	15 January 1997	
Sri Lanka	◇	19 July 1994	✓	28 July 1995 3/	
Sudan	♦	23 January 1985	✓		
Suriname	◇				
Swaziland	◇		✓		
Sweden	♦	25 June 1996	✓	25 June 1996	
Switzerland 6/	◇		✓		16 November 1998 4/
Syrian Arab Republic					
Tajikistan					
Thailand	◇				
The former Yugoslav Republic of Macedonia		19 August 1994 (s)		19 August 1994 (p)2/	
Togo	◇	16 April 1985	✓	28 July 1995 3/	
Tonga 6/		2 August 1995 (a)		2 August 1995 (p)2/	
Trinidad and Tobago	◇	25 April 1986	✓	28 July 1995 3/	
Tunisia	◇	24 April 1985	✓		
Turkey					
Turkmenistan					
Tuvalu 6/	◇				
Uganda	◇	9 November 1990	✓	28 July 1995 3/	
Ukraine	♦		✓		16 November 1998 4/
United Arab Emirates	◇				16 November 1998 4/

 <b>DOALOS/OLA</b> <b>United Nations</b>	<b>United Nations Convention on the Law of the Sea</b>		<b>Agreement relating to the implementation of Part XI of the Convention</b>		
		Signature (with ♦ / without ◇ declaration)		Signature	
<b>State or entity</b>		Date of ratification; formal confirmation (fc); accession (a); succession (s); (☉ declaration)		Ratification; formal confirmation (fc); accession (a); definitive signature(ds); participation (p)	Provisional membership 1/ in the International Seabed Authority until
United Kingdom		☉25 July 1997 (a)	✓	25 July 1997	
United Republic of Tanzania	◇	☉30 September 1985	✓		
United States of America			✓		16 November 1998 4/
Uruguay	♦	☉10 December 1992	✓		
Uzbekistan					
Vanuatu	◇		✓		
Venezuela					
Viet Nam	◇	☉25 July 1994			
Yemen	♦	☉21 July 1987			
Yugoslavia	◇	☉5 May 1986	✓	28 July 1995 3/	
Zambia	◇	7 March 1983	✓	28 July 1995 3/	
Zimbabwe	◇	24 February 1993	✓	28 July 1995 3/	
<b>TOTALS</b>	<b>158</b>	<b>125</b>	<b>79</b>	<b>88</b>	<b>12</b>

## NOTES

- 1/ In accordance with article 6, paragraph 1, the Agreement entered into force on 28 July 1996. On the same date, in accordance with its article 7, paragraph 3, the provisional application of the Agreement terminated. In accordance with the provisions of section 1, paragraph 12 (a), of the Annex to the Agreement, States and entities referred to in article 3 of the Agreement which had been applying it provisionally and for which it was not in force were able to continue to be members of the Authority on a provisional basis, pending its entry into force for such States and entities, by sending a written notification to the depositary to that effect. The following States and entity made such notification: Bangladesh, Belgium, Cambodia, Canada, Chile, Congo, *European Community*, Gabon, Lao People's Democratic Republic, Luxembourg, Malaysia, Nepal, New Zealand, Papua New Guinea, Poland, Russian Federation, South Africa, Suriname, Switzerland, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland and the United States of America.

Paragraph 12(a) also provides that such membership shall terminate either on 16 November 1996 or upon the entry into force of the Agreement and the Convention for such member, whichever is earlier. Furthermore, it has empowered the Council to extend, upon the request of the State or entity concerned, such membership beyond 16 November 1996 for a further period or periods not exceeding a total of two years provided that the Council is satisfied that the State or entity concerned has been making efforts in good faith to become a party to the Agreement and the Convention.

At the second (resumed), third and fourth sessions of the International Seabed Authority, held at Kingston, Jamaica, in August 1996, March 1997 and March 1998, respectively, the Council of the Authority approved requests for the extension of membership on a provisional basis of the following States: Bangladesh, Belarus, Belgium, Canada, Chile, *European Community*, Gabon, Lao People's Democratic Republic, Mozambique, Nepal, Poland, Qatar, Russian Federation, Solomon Islands, South Africa, Switzerland, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland and United States of America (see documents ISBA/C/9; ISBA/3/C/3; ISBA/3/C/11; and Press-Release SEA/1574). The following States and entities became or are in the process of becoming States Parties and, consequently, full members of the Authority: Chile, Gabon (10 April 1998), *European Community* (1 May 1998), Mozambique, Russian Federation, Solomon Islands, South Africa and the United Kingdom of Great Britain and Northern Ireland.

- 2/ State bound by the Agreement by having ratified, acceded or succeeded to the Convention under article 4, paragraph 1, of the Agreement.
- 3/ State bound by the Agreement under the simplified procedure set out in article 5 of the Agreement.
- 4/ States and entities which continue to be members of the Authority on a provisional basis after 16 November 1996, as decided by the Council of the Authority, in accordance with section 1, paragraph 12(a), of the Annex to the Agreement (see note 1).
- 5/ States which have not notified the depositary in accordance with section 1, paragraph 12(a), of the Annex to the Agreement (see note 1) but are considered to be members of the Authority on a provisional basis after 16 November 1996, as decided by the Council of the Authority on 18 March 1997.
- 6/ Non-member State of the United Nations.

C. Status of the Agreement for the implementation of the provisions of the Convention relating to the conservation and management of straddling fish stocks and highly migratory fish stocks, adopted by the United Nations Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks on 4 August 1995

Status of the Agreement as at 1 April 1998

State or entity <sup>1</sup>	Signature of the Agreement <sup>2</sup>	Provisional application as of	Ratification; <sup>3</sup> accession <sup>(a)</sup>
Afghanistan			
Albania			
Algeria ♦			
Andorra			
Angola ♦			
Antigua and Barbuda ♦			
Argentina ♦	4 December 1995		
Armenia			
Australia ♦	4 December 1995		
Austria ♦	27 June 1996		
Azerbaijan			
Bahamas ♦			16 January 1997 <sup>(a)</sup>
Bahrain ♦			
Bangladesh	4 December 1995		
Barbados ♦			
Belarus			
Belgium	3 October 1996		
Belize ♦	4 December 1995		
Benin			
Bhutan			
Bolivia ♦			
Bosnia and Herzegovina ♦			
Botswana ♦			
Brazil ♦	4 December 1995		

State or entity <sup>1</sup>	Signature of the Agreement <sup>2</sup>	Provisional application as of	Ratification; <sup>3</sup> accession <sup>(a)</sup>
Brunei Darussalam ♦			
Bulgaria ♦			
Burkina Faso	15 October 1996		
Burundi			
Cambodia			
Cameroon ♦			
Canada	4 December 1995		
Cape Verde ♦			
Central African Republic			
Chad			
Chile			
China ♦	6 November 1996		
Colombia			
Comoros ♦			
Congo			
Cook Islands <sup>4</sup> ♦			
Costa Rica ♦			
Côte d'Ivoire ♦	24 January 1996		
Croatia ♦			
Cuba ♦			
Cyprus ♦			
Czech Republic ♦			
Democratic People's Republic of Korea			
Denmark	27 June 1996		
Djibouti ♦			
Dominica ♦			
Dominican Republic			
Ecuador			

State or entity <sup>1</sup>	Signature of the Agreement <sup>2</sup>	Provisional application as of	Ratification; <sup>3</sup> accession <sup>(a)</sup>
Egypt ♦	5 December 1995		
El Salvador			
Equatorial Guinea			
Eritrea			
Estonia			
Ethiopia			
European Community	27 June 1996		
Fiji ♦	4 December 1995		12 December 1996
Finland ♦	27 June 1996		
France ♦	4 December 1996		
Gabon	7 October 1996		
Gambia ♦			
Georgia ♦			
Germany ♦	28 August 1996		
Ghana ♦			
Greece ♦	27 June 1996		
Grenada ♦			
Guatemala ♦			
Guinea ♦			
Guinea-Bissau ♦	4 December 1995		
Guyana ♦			
Haiti ♦			
Holy See <sup>4</sup>			
Honduras ♦			
Hungary			
Iceland ♦	4 December 1995		14 February 1997
India ♦			
Indonesia ♦	4 December 1995		



State or entity <sup>1</sup>	Signature of the Agreement <sup>2</sup>	Provisional application as of	Ratification; <sup>3</sup> accession <sup>(a)</sup>
Iran (Islamic Republic of)			17 April 1998 <sup>(a)</sup>
Iraq ♦			
Ireland ♦	27 June 1996		
Israel	4 December 1995		
Italy ♦	27 June 1996		
Jamaica ♦	4 December 1995		
Japan ♦	19 November 1996		
Jordan ♦			
Kazakhstan			
Kenya ♦			
Kiribati <sup>4/</sup>			
Kuwait ♦			
Kyrgyzstan			
Lao People's Democratic Republic			
Latvia			
Lebanon ♦			
Lesotho			
Liberia			
Libyan Arab Jamahiriya			
Liechtenstein			
Lithuania			
Luxembourg	27 June 1996		
Madagascar			
Malawi			
Malaysia ♦			
Maldives	8 October 1996		
Mali ♦			
Malta ♦			

State or entity <sup>1</sup>	Signature of the Agreement <sup>2</sup>	Provisional application as of	Ratification; <sup>3</sup> accession <sup>(a)</sup>
Marshall Islands ♦	4 December 1995		
Mauritania ♦	21 December 1995		
Mauritius ♦			25 March 1997 <sup>(a)</sup>
Mexico ♦			
Micronesia (Federated States of) ♦	4 December 1995		23 May 1997
Monaco ♦			
Mongolia ♦			
Morocco	4 December 1995		
Mozambique ♦			
Myanmar ♦			
Namibia ♦	19 April 1996		8 April 1998
Nauru <sup>4/</sup> ♦			10 January 1997 <sup>(a)</sup>
Nepal			
Netherlands ♦	28 June 1996		
New Zealand ♦	4 December 1995		
Nicaragua			
Niger			
Nigeria ♦			
Niue <sup>4/</sup>	4 December 1995		
Norway ♦	4 December 1995		30 December 1996
Oman ♦			
Pakistan ♦	15 February 1996		
Palau ♦			
Panama ♦			
Papua New Guinea	4 December 1995		
Paraguay ♦			
Peru			
Philippines ♦	30 August 1996		

State or entity <sup>1</sup>	Signature of the Agreement <sup>2</sup>	Provisional application as of	Ratification; <sup>3</sup> accession <sup>(a)</sup>
Poland			
Portugal	27 June 1996		
Qatar			
Republic of Korea ♦	26 November 1996		
Republic of Moldova			
Romania ♦			
Russian Federation ♦	4 December 1995		4 August 1997
Rwanda			
Saint Kitts and Nevis ♦			
Saint Lucia ♦	12 December 1995		9 August 1996
Saint Vincent and the Grenadines ♦			
Samoa ♦	4 December 1995		25 October 1996
San Marino			
Sao Tome and Principe ♦			
Saudi Arabia ♦			
Senegal ♦	4 December 1995		30 January 1997
Seychelles ♦	4 December 1996		20 March 1998
Sierra Leone ♦			
Singapore ♦			
Slovakia ♦			
Slovenia ♦			
Solomon Islands			13 February 1997 <sup>(a)</sup>
Somalia ♦			
South Africa			
Spain ♦	3 December 1996		
Sri Lanka ♦	9 October 1996		24 October 1996
Sudan ♦			
Suriname			

State or entity <sup>1</sup>	Signature of the Agreement <sup>2</sup>	Provisional application as of	Ratification; <sup>3</sup> accession <sup>(a)</sup>
Swaziland			
Sweden ♦	27 June 1996		
Switzerland <sup>4/</sup>			
Syrian Arab Republic			
Tajikistan			
Thailand			
The former Yugoslav Republic of Macedonia ♦			
Togo ♦			
Tonga <sup>4/</sup> ♦	4 December 1995		31 July 1996
Trinidad and Tobago ♦			
Tunisia ♦			
Turkey			
Turkmenistan			
Tuvalu <sup>4/</sup>			
Uganda ♦	10 October 1996		
Ukraine	4 December 1995		
United Arab Emirates			
United Kingdom	27 June 1996		
United Republic of Tanzania ♦			
United States of America	4 December 1995		21 August 1996
Uruguay ♦	16 January 1996		
Uzbekistan			
Vanuatu	23 July 1996		
Venezuela			
Viet Nam ♦			
Yemen ♦			
Yugoslavia ♦			
Zaire ♦			

State or entity <sup>1</sup>	Signature of the Agreement <sup>2</sup>	Provisional application as of	Ratification; <sup>3</sup> accession <sup>(4)</sup>
Zambia ♦			
Zimbabwe ♦			
TOTALS:	59		18

#### NOTES

1. ♦ States or *entities* which are Parties to the United Nations Convention on the Law of the Sea of 10 December 1982.  
  
 ☒ Land-locked States.
2. In accordance with its article 37, the Agreement was opened for signature at United Nations Headquarters from 4 December 1995 until 4 December 1996 by all States and the other entities referred to in article 305 (1) (a), (c), (d), (e) and (f) of the United Nations Convention on the Law of the Sea of 10 December 1982.
3. In accordance with its article 40, the Agreement shall enter into force 30 days after the date of deposit of the thirtieth instrument of ratification or accession.
4. Non-member State of the United Nations.

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

### A. United Nations General Assembly resolutions of interest

#### 1. General Assembly resolution 52/26 of 26 November 1997: "Oceans and the law of the sea"

#### **RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY**

*The General Assembly,*

*Recalling* its resolutions 49/28 of 6 December 1994, 50/23 of 5 December 1995 and 51/34 of 9 December 1996 adopted subsequent to the entry into force of the United Nations Convention on the Law of the Sea <sup>1/</sup> on 16 November 1994,

*Emphasizing* the universal character of the Convention and its fundamental importance for the maintenance and strengthening of international peace and security, as well as for the sustainable use and development of the seas and oceans and their resources,

*Conscious* that the problems of ocean space are closely interrelated and need to be considered as a whole,

*Conscious also* of the strategic importance of the Convention as a framework for national, regional and global action in the marine sector, as recognized also by the United Nations Conference on Environment and Development in chapter 17 of Agenda 21,<sup>2/</sup>

*Recalling* its resolution S-19/2 of 28 June 1997, to which is annexed the Programme for the Further Implementation of Agenda 21, in particular paragraph 36 thereof dealing with oceans and seas, as well as its decision that oceans and seas will be the sectoral theme discussed at the seventh session of the Commission on Sustainable Development in 1999,

*Recalling also* its resolution 49/131 of 19 December 1994 on the International Year of the Ocean,

*Considering* that, in its resolution 2749 (XXV) of 17 December 1970, it proclaimed that the seabed and ocean floor, and the subsoil thereof, beyond the limits of national jurisdiction ("the Area"), as well as the resources of the Area, are the common heritage of mankind, and considering also that the Convention, together with the Agreement relating to the implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 ("the Agreement"),<sup>3/</sup> provides the regime to be applied to the Area and its resources,

*Noting with satisfaction* the increase in the number of States parties to the Convention and the Agreement,

*Aware* of the importance of the effective implementation of the Convention and its uniform and consistent application, as well as of the growing need to promote and facilitate international cooperation on the law of the sea and ocean affairs at the global, regional and subregional levels,

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<sup>1/</sup> *Official Records of the Third United Nations Conference on the Law of the Sea*, vol. XVII (United Nations publication, Sales No. E.84.V.3), document A/CONF.62/122.

<sup>2/</sup> *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992* (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: *Resolutions Adopted by the Conference*, resolution 1, annex II.

<sup>3/</sup> Resolution 48/263, annex.

*Recognizing* the impact on States of the entry into force of the Convention and the increasing need, particularly of developing States, for advice and assistance in its implementation in order to benefit thereunder,

*Recalling* the provisions of Part XV of the Convention establishing a comprehensive dispute settlement system and article 287 regarding the choice of means for the settlement of disputes,

*Recalling also* the establishment of the International Tribunal for the Law of the Sea ("the Tribunal")<sup>4/</sup> in accordance with Annex VI to the Convention as a new means for the settlement of disputes concerning the interpretation or application of the Convention and the Agreement,

*Welcoming* the establishment of the Commission on the Limits of the Continental Shelf ("the Commission") during the sixth Meeting of States Parties to the Convention,<sup>5/</sup>

*Noting* the progress in the work of the Commission during its first<sup>6/</sup> and second<sup>7/</sup> sessions, held in June and September 1997, on developing its rules of procedure and its modus operandi,

*Recalling* that the institutions established by the Convention shall be cost-effective,

*Expressing its appreciation once again* to the Secretary-General for his efforts in support of the Convention and in its effective implementation, including providing assistance in the functioning of the institutions created by the Convention,

*Noting* the responsibilities of the Secretary-General under the Convention and related resolutions of the General Assembly, in particular resolution 49/28, and emphasizing the importance of the performance of such responsibilities for the effective and consistent implementation of the Convention,

*Recalling* its resolution 50/214 of 23 December 1995, in which it decided that savings in the programme budget would not affect the full implementation of mandated programmes and activities,

*Noting with appreciation* the continued efforts of the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the Secretariat to provide timely information on the oceans, marine affairs and the law of the sea through its Web site on the Internet,

*Conscious* of the need to promote and facilitate international cooperation, especially at the subregional and regional levels, in order to ensure the orderly and sustainable development of the uses and resources of the seas and oceans,

*Taking note* of the report of the Secretary-General,<sup>8/</sup> and reaffirming the importance of the annual consideration and review by the General Assembly of the overall developments pertaining to the implementation of the Convention, as well as of other developments relating to the law of the sea and ocean affairs,

1. *Calls upon* all States that have not done so, in order to achieve the goal of universal participation, to become parties to the Convention and the Agreement;

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<sup>4/</sup> SPLOS/14, chap. III.

<sup>5/</sup> SPLOS/20, chap. III.

<sup>6/</sup> CLCS/1.

<sup>7/</sup> CLCS/4.

<sup>8/</sup> A/52/487.

2. *Calls upon* States to harmonize their national legislation with the provisions of the Convention, to ensure the consistent application of those provisions and to ensure also that any declarations or statements that they have made or make when signing, ratifying or acceding are in conformity with the Convention and to withdraw any of their declarations or statements that are not in conformity;

3. *Reaffirms* the unified character of the Convention;

4. *Requests* the Secretary-General to convene the Meeting of States Parties to the Convention from 18 to 22 May 1998;

5. *Approves* the convening by the Secretary-General of the third and fourth sessions of the Commission, to be held from 4 to 15 May and 31 August to 4 September 1998 respectively;

6. *Notes with satisfaction* the progress in the work of the International Seabed Authority, in particular the approval, during the third session of the Authority in 1997, of seven plans of work for exploration in the Area, and the progress being made by the Legal and Technical Commission towards the formulation of a draft mining code;

7. *Notes with appreciation* the adoption of the Agreement on the Privileges and Immunities of the Tribunal, the progress made towards the conclusion of a headquarters agreement between the Tribunal and Germany and the adoption by the Tribunal of the Rules of the Tribunal, the resolution on internal judicial practice and the guidelines for the preparation and presentation of cases before the tribunal;

8. *Encourages* States parties to the Convention to consider making a written declaration choosing from the means set out in article 287 of the Convention for the settlement of disputes concerning the interpretation or application of the Convention and the Agreement, and invites States to note the provisions of Annexes V, VI, VII and VIII to the Convention concerning, respectively, conciliation, the Tribunal, arbitration and special arbitration;

9. *Expresses its appreciation* to the Secretary-General for the annual comprehensive report on the law of the sea<sup>8</sup> and the activities of the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the Secretariat, in accordance with the provisions of the Convention and the mandate set forth in resolution 49/28;

10. *Requests* the Secretary-General to ensure that the institutional capacity of the Organization adequately responds to the needs of States, the newly established institutions (including the International Seabed Authority and the Tribunal) and other competent international organizations by providing advice and assistance, taking into account the special needs of developing countries;

11. *Also requests* the Secretary-General to continue to carry out the responsibilities entrusted to him in the Convention and related resolutions of the General Assembly and to ensure that the performance of such activities is not adversely affected by savings as may be realized under the approved budget for the Organization; these activities include, *inter alia*:

(a) Preparing annually a comprehensive report for the consideration of the General Assembly on developments relating to ocean affairs and the law of the sea;

(b) Preparing periodically special reports on specific topics such as fisheries, transit problems of the landlocked developing States or other topics of current interest, including those requested by intergovernmental conferences and bodies, taking into account the provisions of the Convention;

(c) Developing and maintaining the appropriate facilities for the deposit by States of charts and geographical coordinates concerning maritime zones, including lines of delimitation, and to give due publicity thereto, as required by article 16, paragraph 2, article 47, paragraph 9, article 75, paragraph 2, article 76, paragraph 9 and article 84, paragraph 2, of the Convention;



(d) **Strengthening the existing system for the collection, compilation and dissemination of information on ocean affairs and the law of the sea and, in cooperation with the relevant international organizations, furthering the development of a centralized system for providing coordinated information and advice;**

(e) **Undertaking efforts to promote better understanding of the Convention and the Agreement in order to ensure their effective implementation;**

(f) **Ensuring appropriate responses to requests of States, in particular developing States, for advice and assistance in implementing the provisions of the Convention and the Agreement;**

(g) **Preparing for and convening the Meetings of States Parties to the Convention and providing the necessary services for such meetings, in accordance with the Convention;**

(h) **Preparing for and convening the meetings of the Commission and providing it with the necessary services in accordance with the Convention;**

(i) **Strengthening training activities in ocean and coastal area management and development;**

12. ***Reaffirms* the importance of ensuring the uniform and consistent application of the Convention and a coordinated approach to its overall implementation, and of strengthening technical cooperation and financial assistance for this purpose, stresses once again the continuing importance of the efforts of the Secretary-General to these ends, and reiterates its invitation to the competent international organizations and other international bodies to support these objectives;**

13. ***Invites* Member States and others in a position to do so to contribute to the further development of the Hamilton Shirley Amerasinghe Memorial Fellowship Programme on the Law of the Sea and of the training and educational activities on the law of the sea and ocean affairs established by the General Assembly in resolution 35/116 of 10 December 1980, as well as advisory services and assistance in support of effective implementation of the Convention;**

14. ***Calls upon* States to implement its resolution 51/189 of 16 December 1996 and to strengthen the implementation of existing international and regional agreements on marine pollution;**

15. ***Also calls upon* States to take actions, individually or collectively and through their participation in competent global, regional, and subregional forums, to improve the quality and quantity of scientific data as a basis for effective decisions related to protection of the marine environment and the conservation of living marine resources;**

16. ***Notes* that it proclaimed the year 1998 as the International Year of the Ocean;**

17. ***Reaffirms* its decision to undertake an annual review and evaluation of the implementation of the Convention and other developments relating to ocean affairs and the law of the sea;**

18. ***Requests* the Secretary-General to report to the General Assembly at its fifty-third session on the implementation of the present resolution, including other developments and issues relating to ocean affairs and the law of the sea, in connection with his annual comprehensive report on oceans and the law of the sea, and to circulate the report sufficiently in advance of consideration by the General Assembly of the item concerning oceans and the law of the sea;**

19. ***Decides* to include in the provisional agenda of its fifty-third session the item entitled "Oceans and the law of the sea".**

2. General Assembly resolution 52/27 of 26 November 1997: "Agreement concerning the Relationship between the United Nations and the International Seabed Authority"

**RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY**

*The General Assembly,*

*Recalling* its resolution 51/34 of 9 December 1996, in which, *inter alia*, it invited the Secretary-General to take steps to conclude a relationship agreement with the International Seabed Authority, to be applied provisionally pending its approval by the General Assembly and the Assembly of the Authority,

*Noting* the decision of the Assembly of the International Seabed Authority at its third session<sup>9/</sup> to approve the Agreement concerning the Relationship between the United Nations and the International Seabed Authority signed on 14 March 1997 by the Secretary-General of the United Nations and the Secretary-General of the International Seabed Authority,

*Having considered* the Agreement concerning the Relationship between the United Nations and the International Seabed Authority,<sup>10/</sup>

*Approves* the Agreement, which is annexed to the present resolution.

**ANNEX**

**Agreement concerning the Relationship between the United Nations and the International Seabed Authority**

*The United Nations and the International Seabed Authority,*

*Bearing in mind* that the General Assembly of the United Nations in its resolution 3067 (XXVIII) of 16 November 1973 decided to convene the Third United Nations Conference on the Law of the Sea for the adoption of a convention dealing with all matters relating to the law of the sea and that the Conference adopted the United Nations Convention on the Law of the Sea, which, *inter alia*, establishes the International Seabed Authority,

*Recalling* that the General Assembly of the United Nations in its resolution 48/263 of 28 July 1994 adopted the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982,

*Mindful* of the entry into force of the United Nations Convention on the Law of the Sea on 16 November 1994 and the entry into force of the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 on 28 July 1996,

*Noting* General Assembly resolution 51/6 of 24 October 1996 inviting the International Seabed Authority to participate in the deliberations of the General Assembly in the capacity of observer,

*Noting also* article 162, paragraph 2 (f), of the United Nations Convention on the Law of the Sea of 10 December 1982, General Assembly resolution 51/34 of 9 December 1996 and decision ISBA/C/10 of

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<sup>9/</sup> ISBA/3/A/3.

<sup>10/</sup> A/52/260, annex.

12 August 1996 of the Council of the International Seabed Authority calling for the conclusion of a relationship agreement between the United Nations and the International Seabed Authority,

*Desiring* to make provision for an effective system of mutually beneficial relationships whereby the discharge of their respective responsibilities may be facilitated,

*Taking into account* for this purpose the provisions of the Charter of the United Nations, the provisions of the United Nations Convention on the Law of the Sea and the provisions of the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982,

*Have agreed* as follows:

#### *Article 1*

##### *Purpose of the Agreement*

This Agreement, which is entered into by the United Nations and the International Seabed Authority (hereinafter referred to as "the Authority"), pursuant to the provisions of the Charter of the United Nations (hereinafter referred to as "the Charter") and the provisions of the United Nations Convention on the Law of the Sea (hereinafter referred to as "the Convention") and the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 (hereinafter referred to as "the Agreement") respectively, is intended to define the terms on which the United Nations and the Authority shall be brought into relationship.

#### *Article 2*

##### *Principles*

1. The United Nations recognizes the Authority as the organization through which States parties to the Convention shall, in accordance with Part XI of the Convention and the Agreement, organize and control activities in the seabed and ocean floor and subsoil thereof, beyond the limits of national jurisdiction (hereinafter referred to as "the Area"), in particular with a view to administering the resources of the Area. The United Nations undertakes to conduct its activities in such a manner as to promote the legal order for the seas and oceans established by the Convention and the Agreement.
2. The United Nations recognizes that the Authority, by virtue of the Convention and the Agreement, shall function as an autonomous international organization in the working relationship with the United Nations established by this Agreement.
3. The Authority recognizes the responsibilities of the United Nations under the Charter and other international instruments, in particular in the fields of international peace and security and economic, social, cultural and humanitarian development and protection and preservation of the environment.
4. The Authority undertakes to conduct its activities in accordance with the purposes and principles of the Charter to promote peace and international cooperation and in conformity with the policies of the United Nations furthering these purposes and principles.

*Article 3*

*Cooperation and coordination*

1. The United Nations and the Authority recognize the desirability of achieving effective coordination of the activities of the Authority with those of the United Nations and the specialized agencies, and of avoiding unnecessary duplication of activities.
2. The United Nations and the Authority agree that, with a view to facilitating the effective discharge of their respective responsibilities, they will cooperate closely with each other and consult each other on matters of mutual interest.

*Article 4*

*Assistance to the Security Council*

1. The Authority shall cooperate with the Security Council by providing to it at its request such information and assistance as may be required in the exercise of its responsibility for the maintenance or restoration of international peace and security. In case confidential information is provided, the Security Council shall preserve its confidential character.
2. At the invitation of the Security Council, the Secretary-General of the Authority may attend its meetings to supply it with information or give it other assistance with regard to matters within the competence of the Authority.

*Article 5*

*International Court of Justice*

The Authority agrees, subject to the provisions of this Agreement relating to the safeguarding of confidential material, data and information, to provide any information that may be requested by the International Court of Justice in accordance with the Statute of that Court.

*Article 6*

*Reciprocal representation*

1. Without prejudice to the decision of the General Assembly in its resolution 51/6 of 24 October 1996 granting observer status to the Authority, and subject to such decisions as may be taken concerning the attendance of their meetings by observers, the United Nations shall, subject to the rules of procedure and practice of the bodies concerned, invite the Authority to send representatives to meetings and conferences of other competent bodies, whenever matters of interest to the Authority are discussed.
2. Subject to such decisions as may be taken by its competent bodies concerning the attendance of their meetings by observers, the Authority shall, subject to the rules of procedure and practice of the bodies concerned, invite the United Nations to send representatives to all its meetings and conferences, whenever matters of interest to the United Nations are discussed.

3. Written statements submitted by the United Nations to the Authority for distribution shall be distributed by the secretariat of the Authority to all members of the appropriate organ or organs of the Authority in accordance with the relevant rules of procedure. Written statements presented by the Authority to the United Nations for distribution shall be distributed by the Secretariat of the United Nations to all members of the appropriate organ or organs of the United Nations in accordance with the relevant rules of procedure. Such written statements will be circulated in the quantities and languages in which they are made available to the respective secretariat.

#### *Article 7*

##### *Cooperation between the two secretariats*

The Secretary-General of the United Nations and the Secretary-General of the Authority shall consult from time to time regarding the implementation of their respective responsibilities under the Convention and the Agreement. They shall consult, in particular, regarding such administrative arrangements as may be necessary to enable the two organizations effectively to carry out their functions and to ensure effective cooperation and liaison between their secretariats.

#### *Article 8*

##### *Exchange of information, data and documents*

1. The United Nations and the Authority shall arrange for the exchange of information, publications and reports of mutual interest.
2. In fulfilment of the responsibilities entrusted to him under article 319, subparagraphs 2 (a) and (b) of the Convention and assumed by him pursuant to General Assembly resolution 37/66 of 3 December 1982, the Secretary-General of the United Nations shall report to the Authority from time to time on issues of a general nature that have arisen with respect to the Convention and shall regularly notify the Authority of ratifications and formal confirmations of and accessions to the Convention and amendments thereto, as well as of denunciations of the Convention.
3. The United Nations and the Authority shall cooperate in obtaining from States parties to the Convention copies of charts or lists of geographical coordinates of the outer limit lines of their continental shelf as referred to in article 84 of the Convention. They will exchange copies of such lists of coordinates or, to the extent practicable, charts.
4. Where the outer limits of the national jurisdiction of a State party are defined by the outer limit of the exclusive economic zone, the United Nations shall provide to the Authority copies of such lists of geographical coordinates or, to the extent practicable, charts, indicating the outer limit lines of the exclusive economic zone of such State party as may be deposited with the Secretary-General of the United Nations pursuant to article 75, paragraph 2, of the Convention.
5. The Authority, to the extent practicable, shall furnish special studies or information requested by the United Nations. The submission of such reports, studies and information shall be subject to conditions set forth in article 14.
6. The United Nations and the Authority are subject to necessary limitations for the safeguarding of confidential material, data and information furnished to them by their members or others. Subject to article 4, paragraph 1, nothing in this Agreement shall be construed to require either the United Nations or the Authority to furnish any material, data and information the furnishing of which could, in its judgement, constitute a violation of the confidence of any of its members or anyone from whom it shall have received such information, or which would otherwise interfere with the orderly conduct of its operation.

*Article 9*

*Statistical services*

The United Nations and the Authority, recognizing the desirability of maximum cooperation in the statistical field and of minimizing the burdens placed on Governments and other organizations from which information may be collected, undertake to avoid undesirable duplication between them with respect to the collection, analysis and publication of statistics, and agree to consult with each other on the most efficient use of resources and of technical personnel in the field of statistics.

*Article 10*

*Technical assistance*

The United Nations and the Authority undertake to work together in the provision of technical assistance in the fields of marine scientific research in the Area, transfer of technology and the prevention, reduction and control of pollution of the marine environment from activities in the Area. In particular, they agree to take such measures as may be necessary to achieve effective coordination of their technical assistance activities within the framework of existing coordinating machinery in the field of technical assistance, taking into account the respective roles and responsibilities of the United Nations and the Authority under their constitutive instruments, as well as those of other organizations participating in technical assistance activities.

*Article 11*

*Personnel arrangements*

1. The United Nations and the Authority agree to apply, in the interests of uniform standards of international employment and to the extent feasible, common personnel standards, methods and arrangements designed to avoid unjustified differences in terms and conditions of employment and to facilitate interchange of personnel in order to obtain the maximum benefit from their services.
2. To this end, the United Nations and the Authority agree:
  - (a) To consult together from time to time concerning matters of common interest relating to the terms and conditions of employment of the officers and staff, with a view to securing as much uniformity in these matters as may be feasible;
  - (b) To cooperate in the interchange of personnel when desirable, on a temporary or a permanent basis, making due provision for the retention of seniority and pension rights;
  - (c) To cooperate in the establishment and operation of suitable machinery for the settlement of disputes arising in connection with the employment of personnel and related matters.
3. Pursuant to decision ISBA/A/15 of 15 August 1996 of the Assembly of the International Seabed Authority, and upon the approval of the General Assembly of the United Nations, the Authority shall participate in the United Nations Joint Staff Pension Fund in accordance with the Regulations of the Fund and shall accept the jurisdiction of the United Nations Administrative Tribunal in matters involving applications alleging non-observance of those Regulations.
4. The terms and conditions on which any facilities or services of the Authority or the United Nations in connection with the matters referred to in this article are to be extended to the other shall, where necessary, be the subject of supplementary arrangements concluded for this purpose.

## *Article 12*

### *Conference services*

1. Unless the General Assembly of the United Nations, after giving reasonable notice to the Authority, decides otherwise, the United Nations will make available to the Authority, on a reimbursable basis, such facilities and services as may be required for the meetings of the Authority, including translation and interpretation services, documentation and conference services.
2. The terms and conditions on which any facilities or services of the United Nations in connection with the matters referred to in this article may be extended to the Authority shall, where necessary, be the subject of separate arrangements concluded for this purpose.

## *Article 13*

### *Budgetary and financial matters*

The Authority recognizes the desirability of establishing close budgetary and financial cooperation with the United Nations aimed at benefiting from the experience of the United Nations in this field.

## *Article 14*

### *Financing of services*

The costs and expenses resulting from the provision of services pursuant to this Agreement shall be the subject of separate arrangements between the Authority and the United Nations.

## *Article 15*

### *United Nations laissez-passer*

Without prejudice to the right of the Authority to issue its own travel documents, officials of the Authority shall be entitled, in accordance with such special arrangements as may be concluded between the Secretary-General of the United Nations and the Secretary-General of the Authority, to use the laissez-passer of the United Nations as a valid travel document where such use is recognized under the Protocol on the Privileges and Immunities of the International Seabed Authority or other agreements defining the privileges and immunities of the Authority.

## *Article 16*

### *Implementation of the Agreement*

The Secretary-General of the United Nations and the Secretary-General of the Authority may enter into such supplementary arrangements for the implementation of this Agreement as may be found desirable.

## *Article 17*

### *Amendments*

This Agreement may be amended by agreement between the United Nations and the Authority. Any such amendment agreed upon shall enter into force on its approval by the General Assembly of the United Nations and the Assembly of the Authority.

*Article 18*

*Entry into force*

1. This Agreement shall enter into force on its approval by the General Assembly of the United Nations and the Assembly of the Authority.
2. This Agreement shall be applied provisionally by the United Nations and the Authority upon signature by the Secretary-General of the United Nations and the Secretary-General of the Authority.

IN WITNESS THEREOF the undersigned, being duly authorized representatives of the United Nations and the International Seabed Authority, have signed the present agreement.

SIGNED this 14th day of March 1997 at New York in two originals in the English language.

For the United Nations:

(Signed) Kofi A. ANNAN  
*Secretary-General*

For the International Seabed Authority:

(Signed) Satya N. NANDAN  
*Secretary-General*



3. General Assembly resolution 52/28 of 26 November 1997: Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks

**RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY**

*The General Assembly,*

*Recalling* its resolution 47/192 of 22 December 1992, concerning the United Nations Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks, and resolutions 50/24 of 5 December 1995 and 51/35 of 9 December 1996, concerning the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks,<sup>11/</sup>

*Recalling also* resolutions I and II adopted by the Conference,<sup>12/</sup>

*Recognizing* the importance of the Agreement for the conservation and management of straddling fish stocks and highly migratory fish stocks and the need for the regular consideration and review of developments relating thereto,

*Recognizing also* the importance of artisanal and subsistence fishers,

*Noting with appreciation* the information provided by States, relevant specialized agencies, international organizations, intergovernmental bodies and non-governmental organizations in accordance with resolution 51/35,

*Taking note* of the report of the Secretary-General,<sup>13/</sup>

1. *Recognizes* the significance of the Agreement for the Implementation of the Provisions the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks<sup>1</sup> as an important contribution to ensuring the conservation and management of straddling fish stocks and highly migratory fish stocks;

2. *Emphasizes* the importance of the early entry into force and effective implementation of the Agreement;

3. *Calls upon* all States and other entities referred to in article 1, paragraph 2 (b), of the Agreement that have not done so to ratify or accede to it and to consider applying it provisionally;

4. *Also calls upon* States to ensure that any declarations or statements that they have made or make when signing, ratifying or acceding to the Agreement are consistent with articles 42 and 43 of the Agreement;

5. *Takes note with concern* that many commercially important straddling fish stocks and highly migratory fish stocks have been subject to heavy and little-regulated fishing efforts and that some stocks continue to be overfished;

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<sup>11/</sup> A/CONF.164/37; see also A/50/550, annex I.

<sup>12/</sup> A/CONF.164/38, annex; see also A/50/550, annex II.

<sup>13/</sup> A/52/555.

6. *Welcomes* the fact that a growing number of States and other entities, as well as regional and subregional fishery management organizations and arrangements, have adopted legislation, established regulations or taken other measures to implement the provisions in the Agreement, and urges them to enforce those measures fully,

7. *Calls upon* States and other entities and regional and subregional fishery management organizations and arrangements that have not done so to consider taking measures to implement the provisions of the Agreement;

8. *Urges* States, relevant specialized agencies, international organizations, intergovernmental bodies and non-governmental organizations that have not yet done so to provide information to the Secretary-General to ensure as comprehensive a report as possible;

9. *Requests* the Secretary-General to report to the General Assembly at its fifty-fourth session and biennially thereafter on further developments relating to the conservation and management of straddling fish stocks and highly migratory fish stocks, including the status and implementation of the Agreement, taking into account information provided by States, relevant specialized agencies, in particular the Food and Agriculture Organization of the United Nations, and other appropriate organs, organizations and programmes of the United Nations system, regional and subregional organizations and arrangements for the conservation and management of straddling fish stocks and highly migratory fish stocks, as well as other relevant intergovernmental bodies and non-governmental organizations;

10. *Also requests* the Secretary-General to ensure that reporting on all major fishery-related activities and instruments is effectively coordinated and duplication of activities and reporting minimized, and that relevant scientific and technical studies are disseminated to the international community, and invites the relevant specialized agencies, including the Food and Agriculture Organization of the United Nations, as well as regional and subregional fishery organizations and arrangements, to cooperate with the Secretary-General to that end;

11. *Decides* to include in the provisional agenda of its fifty-fourth session, under an item entitled "Oceans and law of the sea", the sub-item entitled "Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks".

4. General Assembly resolution 52/29 of 26 November 1997: Large-scale pelagic drift-net fishing: unauthorized fishing in zones of national jurisdiction and on the high seas: fisheries by-catch and discards; and other developments

#### RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

*The General Assembly,*

*Reaffirming* its resolutions 46/215 of 20 December 1991, 49/116 and 49/118 of 19 December 1994 as well as other relevant resolutions,

*Reaffirming also* its resolution 51/36 of 9 December 1996 on large-scale pelagic drift-net fishing and its impact on the living marine resources of the world's oceans and seas, unauthorized fishing in zones of national jurisdiction and its impact on the living marine resources of the world's oceans and seas, and fisheries by-catch and discards and their impact on the sustainable use of the world's living marine resources,

*Conscious* of the need to promote and facilitate international cooperation, especially at the regional and subregional levels, in order to ensure the sustainable development and use of the living marine resources of the world's oceans and seas, consistent with the present resolution,

*Mindful* that the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks<sup>14/</sup> provides in its general principles that States shall minimize pollution, waste, discards, catch by lost or abandoned gear, catch of non-target species, both fish and non-fish species, and impacts on associated or dependent species, in particular endangered species, through measures including, to the extent practicable, the development and use of selective, environmentally safe and cost-effective fishing gear and techniques, and further provides that States shall take measures, including the establishment of regulations, to ensure that vessels flying their flags do not conduct unauthorized fishing within areas under the national jurisdiction of other States,

*Recalling* the provisions of article 5 of the Agreement, which sets out the general principles to which States are committed in order to conserve and manage such stocks,

*Noting* that the Code of Conduct for Responsible Fisheries, adopted by the Conference of the Food and Agriculture Organization of the United Nations on 31 October 1995, sets out principles and global standards of behaviour for responsible practices to conserve, manage and develop fisheries, including guidelines for fishing on the high seas and in areas under the national jurisdiction of other States, and on fishing gear selectivity and practices, with the aim of reducing by-catch and discards,

*Expressing deep concern* at the detrimental impact of unauthorized fishing in areas under national jurisdiction, where the overwhelming proportion of the global fish catch is harvested, on the sustainable development of the world's fishery resources and on the food security and economies of many States, particularly developing States,

*Reaffirming once again* the rights and duties of coastal States to ensure proper conservation and management measures with respect to the living resources in areas under their national jurisdiction, in accordance with international law as reflected in the United Nations Convention on the Law of the Sea,<sup>15/</sup>

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<sup>14/</sup> A/CONF.164/37; see also A/50/550, annex I.

<sup>15/</sup> *Official Records of the Third United Nations Conference on the Law of the Sea*, vol. XVII (United Nations publication, Sales No. E.84.V.3), document A/CONF.62/122.

*Recalling* that Agenda 21,<sup>16/</sup> adopted by the United Nations Conference on Environment and Development, calls upon States to take effective action, consistent with international law, to deter reflagging of vessels by their nationals as a means of avoiding compliance with applicable conservation and management rules for fishing vessels on the high seas,

*Recognizing* the importance of the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas, adopted by the Conference of the Food and Agriculture Organization of the United Nations in November 1993, to the conservation and management of fisheries resources on the high seas,

*Taking note* of the report of the Secretary-General on large-scale pelagic drift-net fishing and its impact on the living marine resources of the world's oceans and seas, unauthorized fishing in zones of national jurisdiction and its impact on the living marine resources of the world's oceans and seas, and fisheries by-catch and discards and their impact on the sustainable use of the world's living marine resources,<sup>17/</sup>

*Taking note also* of the initiatives undertaken in the Food and Agriculture Organization of the United Nations relating to the incidental catch of seabirds, the conservation and management of sharks and the management of fishing capacity,

*Acknowledging with appreciation* the measures taken and the progress made by members of the international community, international organizations and regional economic integration organizations to implement and support the objectives of resolution 46/215,

*Recognizing* the efforts that international organizations and members of the international community have made to reduce by-catch and discards in fishing operations,

*Once again expressing deep concern* that there are continuing reports of activities inconsistent with the terms of resolution 46/215 and unauthorized fishing inconsistent with the terms of resolution 49/116,

1. *Reaffirms* the importance it attaches to compliance with its resolution 46/215, in particular to those provisions of the resolution calling for full implementation of a global moratorium on all large-scale pelagic drift-net fishing on the high seas of the world's oceans and seas, including enclosed seas and semi-enclosed seas;
2. *Notes* that a growing number of States and other entities as well as relevant regional and subregional fisheries management organizations and arrangements have adopted legislation, established regulations or applied other measures to ensure compliance with resolutions 46/215, 49/116 and 51/36, and urges them to enforce fully such measures;
3. *Urges* all authorities of members of the international community that have not done so to take greater enforcement responsibility to ensure full compliance with resolution 46/215 and to impose appropriate sanctions, consistent with their obligations under international law, against acts contrary to the terms of that resolution;
4. *Calls upon* States to take the responsibility, consistent with their obligations under international law as reflected in the United Nations Convention on the Law of the Sea<sup>2</sup> and resolution 49/116, to take measures to ensure that no fishing vessels entitled to fly their national flags fish in areas under the national jurisdiction of other States

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<sup>16/</sup> *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992* (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: *Resolutions Adopted by the Conference*, resolution 1, annex II.

<sup>17/</sup> A/52/555.

unless duly authorized by the competent authorities of the coastal State or States concerned, and that such authorized fishing operations should be carried out in accordance with the conditions set out in the authorization;

5. *Notes* the obligations of States outlined in Parts IV and V of the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks<sup>1</sup> regarding non-members and non-participants and duties of flag States respectively;

6. *Calls upon* States and other entities referred to in article 10, paragraph 1, of the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas that have not done so to accept the Agreement;

7. *Notes* that no party to the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas shall allow any fishing vessel entitled to fly its flag to be used for fishing on the high seas unless it has been authorized to do so by the appropriate authority or authorities of that party, and that a fishing vessel so authorized shall fish in accordance with the conditions set out in the authorization;

8. *Welcomes* initiatives undertaken in the Food and Agricultural Organization of the United Nations to organize an expert consultation to develop and propose guidelines leading to a plan of action aiming at a reduction in the incidental catch of sea birds, to organize an expert consultation to develop and propose guidelines leading to a plan of action for the conservation and effective management of shark populations and to hold a technical consultation on the management of fishing capacity to draft guidelines for the control and management of fishing capacities;

9. *Urges* States, relevant international organizations and regional and subregional fisheries management organizations and arrangements to take action to adopt policies, apply measures, including through assistance to developing countries, collect and exchange data and develop techniques to reduce by-catches, fish discards and post-harvest losses consistent with international law and relevant international instruments, including the Code of Conduct for Responsible Fisheries;

10. *Reiterates its call* on development assistance organizations to make it a high priority to support, including through financial and/or technical assistance, efforts of developing coastal States, in particular the least developed countries and the small island developing States, to improve the monitoring and control of fishing activities and the enforcement of fishing regulations, including through financial and technical support for regional and subregional meetings for this purpose;

11. *Requests* the Secretary-General to bring the present resolution to the attention of all members of the international community, relevant intergovernmental organizations, the organizations and bodies of the United Nations system, regional and subregional fisheries management organizations and relevant non-governmental organizations, and invites them to provide the Secretary-General with information relevant to the implementation of the present resolution;

12. *Also requests* the Secretary-General to ensure that reporting on all major fisheries-related activities and instruments is effectively coordinated and duplication of activities and reporting minimized and that relevant scientific and technical studies are disseminated to the international community, and invites the relevant specialized agencies, including the Food and Agriculture Organization of the United Nations, as well as regional and subregional fisheries organizations and arrangements, to cooperate with the Secretary-General to that end;

13. *Further requests* the Secretary-General to submit to the General Assembly at its fifty-third session and biennially thereafter a report on further developments relating to the implementation of resolutions 46/215, 49/116, 49/118, the status and implementation of the Agreement to Promote Compliance with International Conservation

and Management Measures by Fishing Vessels on the High Seas and efforts undertaken in the Food and Agriculture Organization of the United Nations referred to in paragraph 8 of the present resolution, taking into account the information provided by States, relevant specialized agencies, in particular the Food and Agriculture Organization, and other appropriate organs, organizations and programmes of the United Nations system, regional and subregional organizations and arrangements and other relevant intergovernmental and non-governmental organizations;

14. *Decides* to include in the provisional agenda of its fifty-third session, under the item entitled "Oceans and law of the sea", a sub-item entitled "Large-scale pelagic drift-net fishing; unauthorized fishing in zones of national jurisdiction and on the high seas; fisheries by-catch and discards; and other developments".

**B. Recent national legislation received from Governments**

**1. Spain**

**Royal Decree No. 1315/1997, of 1 August 1997, establishing a Fisheries Protection Zone in the Mediterranean Sea**

**General provisions**

Act 15/1978, of 20 February, on the exclusive economic zone, provides in its first final provision that the extension of the Spanish Exclusive Economic Zone to 200 miles shall apply only to the Spanish coasts, both peninsular and insular, on the Atlantic Ocean, including the Bay of Biscay. Nevertheless, that final provision authorizes the Government to approve its extension to other Spanish coasts.

As the Government had not exercised the authority accorded to it by that final provision, Act 15/1978 was not applicable to the Mediterranean Sea, and accordingly Spain, in conformity with the United Nations Convention on the Law of the Sea, opened for signature at Montego Bay on 10 December 1982 and ratified by Spain on 15 January 1997, exercises sovereign jurisdiction in that sea only over the 12 nautical miles of the territorial sea, and specialized jurisdiction in the other 12 miles corresponding to the contiguous zone.

The Mediterranean Sea possesses some very specific characteristics in terms of the living marine resources that are found in its waters. For example, it is one of the few breeding grounds in the world for the red tuna, whose uncontrolled exploitation by countries in disregard of the Recommendations of the International Commission for the Conservation of Atlantic Tunas (ICCAT), which cover the adjacent seas, including the Mediterranean, may lead to a truly critical situation for this species.

In the course of recent years there has been a marked increase in the fishing effort by industrial vessels from countries not belonging to the Mediterranean basin, operating in many cases without any kind of control barely 12 miles from the coastal zones.

Community conservation and control measures are not applicable beyond 12 miles measured from the baselines of the coastal States to vessels flying other flags, with the consequent frustration to which this gives rise both for the fisheries sector and for the resource management policy Spain is seeking to pursue in the Mediterranean.

On the other hand, it is in Spain's interest, in order not to increase the regional imbalances at the national level, to maintain a labour-intensive small-scale fleet in the Mediterranean engaging in high-quality fishing.

The over-exploitation of the fishery resources of the Mediterranean necessitates the taking of measures to prevent the fish populations being exhausted in the near future. To this end, an appropriate resource conservation policy needs to be pursued, and this is impossible to implement when these measures are restricted to the 12 miles of the territorial sea.

Accordingly, and in exercise of the authority given by the first final provision of Act 15/1978, of 20 February, on the economic zone, it is deemed necessary to establish in the Mediterranean Sea a fisheries protection zone between Cabo de Gata and the French border. This zone is the one in greatest need of protection, in that it is the optimum one of the main fish species.

In drawing it up, the sector concerned was consulted.

Wherefore, on the proposal of the Minister of Agriculture, Fisheries and Food in agreement with the Council of State, and after deliberation by the Council of Ministers at its meeting of 1 August 1997,

I order:

Article I

A fisheries protection zone is hereby established in the Mediterranean Sea, delimited by an imaginary line starting from Punta Negra-Cabo de Gata (latitude 36° 43' 35" North; longitude 002° 9' 95" West), proceeding in the direction 181° (S001 W) to the point (latitude 35° 54' 5 " North; longitude 002° 12' 0" West) at a distance of 49 nautical miles from the above-mentioned starting point, and continuing eastward to the equidistant line with neighbouring countries, drawn in conformity with international law, up to the maritime boundary with France.

Article II

In the said zone, the Kingdom of Spain shall have sovereign rights for purposes of conservation of living marine resources, as well as for the management and control of fishery activity, without prejudice to the measures for protection and conservation of resources that have been or may be enacted by the European Union.

Final Provision: Entry into Force

The present Royal Decree shall enter into force on the day following its publication in the Official Gazette of the State.

DONE at Palma de Mallorca on 1 August 1997.



## 2. Ukraine

(a) List of the geographical coordinates of the points defining the position of the baselines for measuring the width of the territorial waters, economic zone and continental shelf of the Black Sea <sup>18/</sup>

Description	Latitude north	Longitude east
Intersection of the line of the State sea border between the Russian Federation and the Socialist Republic of Romania connecting the eastern tip of the north entrance of the pier of the Sulina canal with the east islet of Tsyganka island	45°10'51"	29°45'56"
Kubansky island	45°19'31"	29°45'58"
Dalnyaya spit, east coast	45°27'02"	29°48'04"
To the south of Shagany lake continuing along the low-water line to point 5	45°40'15"	29°52'59"
Cape Lanzheron	46°28'30"	30°46'00"
Promontory to the east of Cape Severny Odessky continuing along the low-water line to point 7	46°33'00"	30°50'00"
Cape Adzhiyask	46°36'00"	31°21'04"
Tendra spit, northern tip continuing along the low-water line to point 9	46°22'06"	31°31'36"
Dzharylgach island, south-west coast	46°01'40"	32°47'00"
Tarkhankut peninsula, north coast continuing along the low-water line to point 11	45°38'16"	32°54'33"
Cape Cherny	45°35'09"	32°49'21"
Uzkaya bay, west entrance promontory continuing along the low-water line to point 13	45°31'24"	32°41'39"
Cape Priboiny	45°23'25"	32°28'52"
Cape Tarkhankut continuing along the low-water line to point 15	45°20'50"	32°29'43"
Cape Uret	45°19'00"	32°39'24"
To the north-west of Cape Evpatoriisky continuing along the low-water line to point 17	45°12'12"	33°08'48"
Cape Evpatoriisky	45°08'49"	33°15'42"
Cape Lukull	44°50'23"	33°33'16"

<sup>18/</sup> Communicated by the Permanent Mission of Ukraine to the United Nations in a note verbale dated 11 November 1992.

Description	Latitude north	Longitude east
Cape Khersones continuing along the low-water line to point 20	44°35'04"	33°22'48"
Cape Fiolent	44°29'52"	33°29'24"
Cape Aiya	44°25'05"	33°40'18"
Above-water rock off Cape Sarych	44°23'07"	33°44'28"
Cape Nikolai	44°23'09"	33°46'39"
Cape Troitsa continuing along the low-water line to point 25	44°23'31"	33°56'37"
Cape Opasny	44°24'20"	34°02'01"
Cape Aitodor	44°25'40"	34°07'34"
Cape Ayudag continuing along the low-water line to point 28	44°32'55"	34°20'58"
Cape Chiken	44°48'58"	34°53'50"
Cape Meganom continuing along the low-water line line to point 30	44°47'32"	35°04'53"
Cape Tolsty	44°49'23"	35°07'51"
Cape Kiik-Atlama	44°56'50"	35°23'07"
Cape Chauda continuing along the low-water line to point 33	44°59'58"	35°50'33"
Promontory to the south of Cape Chauda	45°00'46"	35°57'19"
Korabl-Kamen rocks	45°00'28"	36°10'26"
Cape Kyz-Aul	45°03'32"	36°22'33"
Cape Zhelezny Rog	45°06'36"	36°44'42"

(b) List of the geographical coordinates of the points defining the position of the baselines for measuring the width of the territorial waters, economic zone and the continental shelf of the Sea of Azov <sup>19/</sup>

No.	Description	Geographical coordinates	Distance between the points in metres
1	North coast of Cape Khroni	45°26'28" N 36°34'42" E	8 699
2	Cape Kochetkovye Kruchi	45°27'27" N 36°28'11" E	1 666
3	Above-water rock off Cape Tarkhan	45°27'32" N 36°26'54" E	8 512
4	Northern tip of Cape Zyuk	45°29'01" N 36°20'43" E	4 678
5	Promontory to the west of Cape Bogatube	45°28'53" N 36°17'08" E	15 678
6	Promontory to the north-east of the village of Zolotoe	45°27'03" N 36°05'24" E	18 823
7	Northern tip of the west coast of Shirokaya bay on Cape Kazantip	45°28'24" N 35°51'05" E	42 707
8	North-east coast of Arbatskaya Strelka spit opposite geodetic point "seventh sector" from from point 8 to point 9 along the low-water line	45°24'11" N 35°18'53" E	51 821
9	North-east coast of Arabatskaya Strelka spit near Valok area	45°47'42" N 34°57'18" E	42 888
10	South-east coast of Biryuchy island near the settlement of Priboiny	46°08'49" N 35°10'54" E	43 416
11	Foundation of the pier to the south-west of the village of Stepanovka I	46°27'34" N 35°31'10" E	3 191
12	South-east coast on the south-eastern outskirts of the village of Stepanovka I	46°28'20" N 35°33'24" E	42 780
13	South coast of Obitochnaya spit to the south of Cape Dzendzik	46°29'20" N 36°06'48" E	4 550
14	South coast of Obitochnaya spit to the east of Tsentralny fish farm	46°30'01" N 36°10'13" E	6 512
15	South-east coast of Obitochnaya spit at the south corner of the Gyrenko recreation area	46°32'46" N 36°13'23" E	42 494
16	Southern tip of Berdyansk spit to the south of Nizhneberdyansky lighthouse	46°37'51" N 36°45'44" E	48 125

<sup>19/</sup> Communicated by the Permanent Mission of Ukraine to the United Nations in a note verbale dated 11 November 1992.

No.	Description	Geographical coordinates	Distance between the points in metres
17	South coast of an unnamed island off the south-western tip of Belosaraiskaya spit	46°52'00" N 37°17'26" E	38 077
18	Southern tip of Lyapin island	47°04'36" N 37°41'09" E	31 166
19	South coast of the south-western tip of Krivaya spit from 16 to point 17 along the low-water line	47°01'27" N 38°05'20" E	15 371
20	Intersection of the State border of Ukraine and the Russian Federation at the village of Kholodnoe	47°07'11" N 38°13'54" E	

C. Treaties

Bilateral treaty

Joint statement on the Agreement between the Republic of Turkey and the Republic of Bulgaria on the determination of the boundary in the mouth of the Rezovska/Mutludere River and delimitation of the maritime areas between the two States in the Black Sea <sup>20/</sup>

The issue regarding the determination of the boundary in the mouth of the Rezovska/Mutludere River and delimitation of maritime areas in the Rezovo/Begendik Bay, of territorial waters, as well as the continental shelf and exclusive economic zones between Bulgaria and Turkey had been pending for over 40 years. It had been discussed during many bilateral meetings since 1964.

The Agreement between the Republic of Turkey and the Republic of Bulgaria on the determination of the boundary in the mouth of the Rezovska/Mutludere River and delimitation of the maritime areas between the two States in the Black Sea was signed by Prime Ministers Mesut Yilmaz and Ivan Kostov at Sofia on 4 December 1997.

With the signing of the Agreement, this long-standing issue between Bulgaria and Turkey has been resolved. This provides new impetus to the development of Turkish-Bulgarian relations, which are already at a very positive stage.

This has been achieved as a result of the Bulgarian and Turkish authorities displaying the necessary political will. The Agreement, signed at the level of Prime Ministers, was concluded after meaningful and comprehensive negotiations conducted with goodwill within the above-mentioned framework. The provisions of the Agreement pertaining to delimitation of areas where the two countries exercise sovereignty, sovereign rights or jurisdiction encompass just and mutually acceptable solutions satisfying the legitimate interests of both sides.

In fact, the willingness of Turkey and Bulgaria to achieve just and mutually acceptable solutions to existing bilateral issues through constructive negotiations and in the spirit of good-neighbourly relations has been emphasized in the preamble to the Agreement.

The signing of this Agreement between Bulgaria and Turkey is ample proof that long-standing bilateral problems can be resolved by utilizing the negotiation process envisaged, among other things, as the initial means of peaceful settlement in the Charter of the United Nations.

It is hoped that the spirit of political resolve and goodwill manifested at Sofia will inspire constructive and meaningful discussions between the Balkan countries in order to solve the existing problems in the Balkans.

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<sup>20/</sup> Document A/52/774, annex.

### III. OTHER INFORMATION

#### A. Settlement of disputes mechanisms

##### Choice of procedure by States Parties under article 287 of the Convention<sup>1/</sup>

The following choices are expressed in declarations made at the time of ratification, accession or succession to the Convention, in accordance with article 310, in the order presented by each State mentioned:

**1. Algeria**

Accepts the jurisdiction of the International Court of Justice only with a prior agreement between the parties concerned in each case.

**2. Argentina**

- (a) International Tribunal for the Law of the Sea
- (b) Special arbitral tribunal under Annex VIII

**3. Austria**

- (a) International Tribunal for the Law of the Sea
- (b) Special arbitral tribunal under Annex VIII
- (c) International Court of Justice

**4. Cape Verde**

- (a) International Tribunal for the Law of the Sea
- (b) International Court of Justice

**5. Chile**

- (a) International Tribunal for the Law of the Sea in accordance with annex VI
- (b) Special arbitral tribunal under Annex VIII

**6. Cuba**

Rejects the jurisdiction of the International Court of Justice for any types of disputes.

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<sup>1/</sup> As of 1 April 1998, there were 125 States Parties to the United Nations Convention on the Law of the Sea, 46 of which had made written declarations at the time when they expressed their consent to be bound by the Convention.

7. **Egypt**

Arbitral tribunal under Annex VII

8. **Finland**

International Court of Justice and the International Tribunal for the Law of the Sea

9. **Germany**

- (a) International Tribunal for the Law of the Sea
- (b) Special arbitral tribunal under Annex VIII
- (c) International Court of Justice

10. **Greece**

International Tribunal for the Law of the Sea

11. **Guinea-Bissau**

Rejects the jurisdiction of the International Court of Justice for any types of disputes.

12. **Italy**

International Court of Justice and the International Tribunal for the Law of the Sea

13. **Netherlands**

International Court of Justice

14. **Norway**

International Court of Justice

15. **Oman**

- (a) International Tribunal for the Law of the Sea
- (b) International Court of Justice

16. **Portugal** Shall choose one of the following:

- (a) International Tribunal for the Law of the Sea established in accordance with Annex VI;
- (b) 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;

17. **Spain**

International Court of Justice

18. **Sweden**

International Court of Justice

19. **United Kingdom of Great Britain and Northern Ireland**

International Court of Justice

20. **United Republic of Tanzania**

International Tribunal for the Law of the Sea

21. **Uruguay**

International Tribunal for the Law of the Sea



**B. List of conciliators and arbitrators nominated under article 2 of Annexes V and VII of the United Nations Convention on the Law of the Sea**

<b><u>Participant</u></b>	<b><u>Nominations</u></b>
Czech Republic	Dr. Vladimir Kopal, Conciliator and Arbitrator
France	Professor Daniel Bardonnet, Arbitrator Professor Pierre-Marie Dupuy, Arbitrator Professor Jean-Pierre Queneudec, Arbitrator Professor Laurent Lucchini, Arbitrator
Germany	Dr. (Ms.) Renate Platzoeder, Arbitrator
Netherlands	Mr. A. Bos, Arbitrator Mrs. E. Hey, Arbitrator Professor A. Soons, Arbitrator
Russian Federation	Mr. Vladimir S. Kotliar, Arbitrator Mr. Vladimir N. Trofimov, Arbitrator
Sri Lanka	Hon. M.S. Aziz, P.C., Conciliator and Arbitrator S. Sivarasan, P.C., Conciliator and Arbitrator (Prof.) Dr. C.F. Amerasinghe, Conciliator and Arbitrator A.R. Perera, Conciliator and Arbitrator
Sudan	Sayed/Shawgi Hussain, Arbitrator Dr. Ahmed Elmuft, Arbitrator Dr. Abd Elrahman Elkhalfi, Conciliator Sayed/Eltahir Hamadalla, Conciliator
United Kingdom of Great Britain and Northern Ireland	Professor Christopher Greenwood, Arbitrator Professor Elihu Lauterpacht CBE QC, Arbitrator Sir Arthur Watts KCMG QC, Arbitrator

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