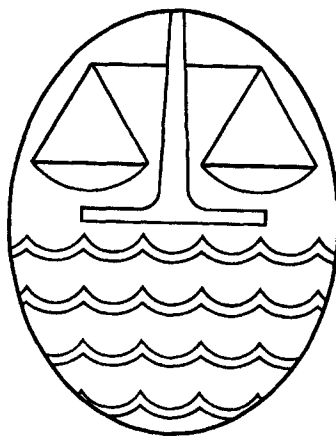


Division for Ocean Affairs and the Law of the Sea  
Office of Legal Affairs

# ***Law of the Sea***



*Bulletin No. 49*



United Nations  
New York, 2002

## NOTE

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

Status of the United Nations Convention on the Law of the Sea, of the Agreement relating to the implementation of Part XI of the Convention and 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


























































## 1. Table recapitulating the status of the Convention and of the related Agreements, as at 31 July 2002

State or entity <i>Italicized text</i> indicates non-members of the United Nations; Shaded row indicates landlocked States	United Nations Convention on the Law of the Sea (in force as from 16 November 1994)		Agreement relating to the implementation of Part XI of the Convention (in force as from 28 July 1996)		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 (in force as from 11 December 2001)	
	Signature  ( <input type="checkbox"/> - declaration)	Ratification; formal confirmation(fc); accession(a); succession(s); ( <input type="checkbox"/> - declaration)	Signature 	Ratification; formal confirmation(fc); accession(a); definitive signature(ds); participation(p); <sup>1</sup> simplified procedure (sp); <sup>2</sup>	Signature  ( <input type="checkbox"/> - declaration or statement)	Ratification; accession(a) <sup>3</sup> ( <input type="checkbox"/> - declaration)
TOTALS	157 ( <input checked="" type="checkbox"/> 35)	138 ( <input checked="" type="checkbox"/> 51)	79	105	59 ( <input checked="" type="checkbox"/> 5)	31 ( <input checked="" type="checkbox"/> 8)
Afghanistan						
Albania						
Algeria	<input type="checkbox"/>	<input checked="" type="checkbox"/> 11 June 1996		11 June 1996 (p)		
Andorra						
Angola	<input type="checkbox"/>	5 December 1990				
Antigua and Barbuda		2 February 1989				
Argentina	<input type="checkbox"/>	<input checked="" type="checkbox"/> 1 December 1995		1 December 1995		
Armenia						
Australia		5 October 1994		5 October 1994		23 December 1999
Austria		<input checked="" type="checkbox"/> 14 July 1995		14 July 1995		
Azerbaijan						
Bahamas		29 July 1983		28 July 1995		16 January 1997(a)
























































<sup>1</sup> States bound by the Agreement by having ratified, acceded or succeeded to the Convention under article 4, paragraph 1, of the Agreement.
























































<sup>2</sup> States bound by the Agreement under the simplified procedure set out in article 5 of the Agreement.

<sup>3</sup> 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.


































State or entity	United Nations Convention on the Law of the Sea (in force as from 16 November 1994)		Agreement relating to the implementation of Part XI of the Convention (in force as from 28 July 1996)		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 (in force as from 11 December 2001)	
	Signature  (  - declaration)	Ratification; formal confirmation(fc); accession(a); succession(s); (  - declaration)	Signature 	Ratification; formal confirmation(fc); accession(a); definitive signature(ds); participation(p); <sup>1</sup> simplified procedure (sp); <sup>2</sup>	Signature  (  - declaration or statement)	Ratification; accession(a) <sup>3</sup> (  - declaration)
<i>Italicized text indicates non-members of the United Nations;</i> <i>Shaded row indicates landlocked States</i>						
Bahrain		30 May 1985				
Bangladesh		 27 July 2001		27 July 2001 (a)		
Barbados		12 October 1993		28 July 1995 (sp)		22 September 2000(a)
Belarus						
Belgium		 13 November 1998		13 November 1998		
Belize		13 August 1983		21 October 1994 (ds)		
Benin		16 October 1997		16 October 1997 (p)		
Bhutan						
Bolivia		28 April 1995		28 April 1995 (p)		
Bosnia and Herzegovina		12 January 1994 (s)				
Botswana		2 May 1990				
Brazil		 22 December 1988				8 March 2000
Brunei Darussalam		5 November 1996		5 November 1996 (p)		
Bulgaria		15 May 1996		15 May 1996 (a)		
Burkina Faso						
Burundi						
Cambodia						
Cameroon		19 November 1985				
Canada						 3 August 1999
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)		
Colombia						
Comoros		21 June 1994				
Congo						
<i>Cook Islands</i>		15 February 1995		15 February 1995 (a)		1 April 1999 (a)
Costa Rica		21 September 1992		20 September 2001 (a)		18 June 2001 (a)



State or entity	United Nations Convention on the Law of the Sea (in force as from 16 November 1994)		Agreement relating to the implementation of Part XI of the Convention (in force as from 28 July 1996)		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 (in force as from 11 December 2001)	
	Signature  (  - declaration)	Ratification; formal confirmation(fc); accession(a); succession(s); (  - declaration)	Signature 	Ratification; formal confirmation(fc); accession(a); definitive signature(ds); participation(p); <sup>1</sup> simplified procedure (sp); <sup>2</sup>	Signature  (  - declaration or statement)	Ratification; accession(a) <sup>3</sup> (  - declaration)
<i>Italicized text</i> indicates non-members of the United Nations; Shaded row indicates landlocked States						
Côte d'Ivoire		26 March 1984		28 July 1995 (sp)		
Croatia		 5 April 1995 (s)		5 April 1995 (p)		
Cuba		 15 August 1984				
Cyprus		12 December 1988		27 July 1995		
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)		
East Timor						
Eritrea						
Estonia						
Ethiopia						
European Community		 1 April 1998 (fc)		1 April 1998(fc)		
Fiji		10 December 1982		28 July 1995		12 December 1996
Finland		 21 June 1996		21 June 1996		
France		 11 April 1996		11 April 1996		
Gabon		11 March 1998		11 March 1998 (p)		
Gambia		22 May 1984				
Georgia		21 March 1996 (a)		21 March 1996 (p)		
Germany		 14 October 1994 (a)		14 October 1994		

State or entity	United Nations Convention on the Law of the Sea (in force as from 16 November 1994)		Agreement relating to the implementation of Part XI of the Convention (in force as from 28 July 1996)		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 (in force as from 11 December 2001)	
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<i>Italicized text indicates non-members of the United Nations;</i> <i>Shaded row indicates landlocked States</i>						
Ghana		7 June 1983				
Greece		 21 July 1995		21 July 1995		
Grenada		25 April 1991		28 July 1995 (sp)		
Guatemala		 11 February 1997		11 February 1997 (p)		
Guinea		6 September 1985		28 July 1995 (sp)		
Guinea-Bissau		 25 August 1986				
Guyana		16 November 1993				
Haiti		31 July 1996		31 July 1996 (p)		
<i>Holy See</i>						
Honduras		5 October 1993				
Hungary		 5 February 2002		5 February 2002(a)		
Iceland		 21 June 1985		28 July 1995 (sp)		14 February 1997
India		 29 June 1995		29 June 1995		
Indonesia		3 February 1986		2 June 2000		
Iran (Islamic Republic of)						17 April 1998(a)
Iraq		30 July 1985				
Ireland		 21 June 1996		21 June 1996		
Israel						
Italy		 13 January 1995		13 January 1995		<sup>4</sup>
Jamaica		21 March 1983		28 July 1995 (sp)		
Japan		20 June 1996		20 June 1996		
Jordan		27 November 1995 (a)		27 November 1995 (p)		
Kazakhstan						
Kenya		2 March 1989		29 July 1994 (ds)		
Kiribati						


































































<sup>4</sup> On 4 June 1999, the Government of Italy informed the Secretary-General that "Italy intends to withdraw the instrument of ratification it deposited on 4 March 1999, in order to proceed subsequently to complete that formality in conjunction with all the States members of the European Union".






























































State or entity	United Nations Convention on the Law of the Sea (in force as from 16 November 1994)		Agreement relating to the implementation of Part XI of the Convention (in force as from 28 July 1996)		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 (in force as from 11 December 2001)	
	Signature  (  - declaration)	Ratification; formal confirmation(fc); accession(a); succession(s); (  - declaration)	Signature 	Ratification; formal confirmation(fc); accession(a); definitive signature(ds); participation(p); <sup>1</sup> simplified procedure (sp); <sup>2</sup>	Signature  (  - declaration or statement)	Ratification; accession(a) <sup>3</sup> (  - declaration)
<i>Italicized text</i> indicates non-members of the United Nations; <i>Shaded row</i> indicates landlocked States						
Kuwait		 2 May 1986				
Kyrgyzstan						
Lao People's Democratic Republic		5 June 1998		5 June 1998 (p)		
Latvia						
Lebanon		5 January 1995		5 January 1995 (p)		
Lesotho						
Liberia						
Libyan Arab Jamahiriya						
Liechtenstein						
Lithuania						
Luxembourg		5 October 2000		5 October 2000		<sup>5</sup>
Madagascar		22 August 2001		22 August 2001 (p)		
Malawi						
Malaysia		 14 October 1996		14 October 1996 (p)		
Maldives		7 September 2000		7 September 2000		30 December 1998
Mali		16 July 1985				
Malta		 20 May 1993		26 June 1996		 11 November 2001(a)
Marshall Islands		9 August 1991 (a)				




































<sup>5</sup> On 21 December 2000, the Government of Luxembourg informed the Secretary-General of the following:

“The Permanent Mission of the Grand Duchy of Luxembourg had indeed received instructions to deposit the instrument of ratification of the above-mentioned Agreement with the Secretary-General of the United Nations; this was done on 5 October 2000. It turned out, however, that deposit on that date was premature since, in accordance with decision 98-414-CE of the Council of the European Union, of 8 June 1998, the instrument was to be deposited simultaneously with the instruments of ratification of all States members of the European Union.

“Accordingly, I should be grateful if you would note that Luxembourg wishes to withdraw the instrument of ratification deposited on 5 October 2000. A simultaneous deposit of the instruments of the Community and of all member States is to take place subsequently.”

State or entity	United Nations Convention on the Law of the Sea (in force as from 16 November 1994)		Agreement relating to the implementation of Part XI of the Convention (in force as from 28 July 1996)		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 (in force as from 11 December 2001)	
	Signature  (  - declaration)	Ratification; formal confirmation(fc); accession(a); succession(s); (  - declaration)	Signature 	Ratification; formal confirmation(fc); accession(a); definitive signature(ds); participation(p); <sup>1</sup> simplified procedure (sp); <sup>2</sup>	Signature  (  - declaration or statement)	Ratification; accession(a) <sup>3</sup> (  - declaration)
<i>Italicized text indicates non-members of the United Nations;</i>						
<i>Shaded row indicates landlocked States</i>						
Mauritania		17 July 1996		17 July 1996 (p)		
Mauritius		4 November 1994		4 November 1994 (p)		 25 March 1997(a)
Mexico		18 March 1983				
Micronesia (Federated States of)		29 April 1991 (a)		6 September 1995		23 May 1997
Monaco		20 March 1996		20 March 1996 (p)		9 June 1999(a)
Mongolia		13 August 1996		13 August 1996 (p)		
Morocco						
Mozambique		13 March 1997		13 March 1997 (a)		
Myanmar		21 May 1996		21 May 1996 (a)		
Namibia		18 April 1983		28 July 1995 (sp)		8 April 1998
Nauru		23 January 1996		23 January 1996 (p)		10 January 1997(a)
Nepal		2 November 1998		2 November 1998 (p)		
Netherlands		 28 June 1996		28 June 1996		
New Zealand		19 July 1996		19 July 1996		18 April 2001
Nicaragua		 3 May 2000		3 May 2000 (p)		
Niger						
Nigeria		14 August 1986		28 July 1995 (sp)		
Niue						
Norway		 24 June 1996		24 June 1996 (a)		 30 December 1996
Oman		 17 August 1989		26 February 1997 (a)		
Pakistan		 26 February 1997		26 February 1997 (p)		
Palau		30 September 1996 (a)		30 September 1996 (p)		
Panama		 1 July 1996		1 July 1996 (p)		
Papua New Guinea		14 January 1997		14 January 1997 (p)		4 June 1999
Paraguay		26 September 1986		10 July 1995		
Peru						
Philippines		 8 May 1984		23 July 1997		
Poland		13 November 1998		13 November 1998		















State or entity	United Nations Convention on the Law of the Sea (in force as from 16 November 1994)		Agreement relating to the implementation of Part XI of the Convention (in force as from 28 July 1996)		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 (in force as from 11 December 2001)	
	Signature  (  - declaration)	Ratification; formal confirmation(fc); accession(a); succession(s); (  - declaration)	Signature 	Ratification; formal confirmation(fc); accession(a); definitive signature(ds); participation(p); <sup>1</sup> simplified procedure (sp); <sup>2</sup>	Signature  (  - declaration or statement)	Ratification; accession(a) <sup>3</sup> (  - declaration)
<i>Italicized text indicates non-members of the United Nations;</i> <i>Shaded row indicates landlocked States</i>						
Portugal		 3 November 1997		3 November 1997		
Qatar						
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)		 4 August 1997
Rwanda						
Saint Kitts and Nevis		7 January 1993				
Saint Lucia		27 March 1985				9 August 1996
Saint Vincent and the Grenadines		1 October 1993				
Samoa		14 August 1995		14 August 1995 (p)		25 October 1996
San Marino						
Sao Tome and Principe		3 November 1987				
Saudi Arabia		 24 April 1996		24 April 1996 (p)		
Senegal		25 October 1984		25 July 1995		30 January 1997
Seychelles		16 September 1991		15 December 1994		20 March 1998
Sierra Leone		12 December 1994		12 December 1994 (p)		
Singapore		17 November 1994		17 November 1994 (p)		
Slovakia		8 May 1996		8 May 1996		
Slovenia		 16 June 1995 (s)		16 June 1995		
Solomon Islands		23 June 1997		23 June 1997 (p)		13 February 1997(a)
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 (sp)		24 October 1996
Sudan		23 January 1985				
Suriname		9 July 1998		9 July 1998 (p)		
Swaziland						

State or entity	United Nations Convention on the Law of the Sea (in force as from 16 November 1994)		Agreement relating to the implementation of Part XI of the Convention (in force as from 28 July 1996)		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 (in force as from 11 December 2001)	
	Signature  (  - declaration)	Ratification; formal confirmation(fc); accession(a); succession(s); (  - declaration)	Signature 	Ratification; formal confirmation(fc); accession(a); definitive signature(ds); participation(p); <sup>1</sup> simplified procedure (sp); <sup>2</sup>	Signature  (  - declaration or statement)	Ratification; accession(a) <sup>3</sup> (  - declaration)
Sweden		 25 June 1996		25 June 1996		
<i>Switzerland</i>						
Syrian Arab Republic						
Tajikistan						
Thailand						
The former Yugoslav Republic of Macedonia		19 August 1994 (s)		19 August 1994 (p)		
Togo		16 April 1985		28 July 1995 (sp)		
Tonga		2 August 1995 (a)		2 August 1995 (p)		31 July 1996
Trinidad and Tobago		25 April 1986		28 July 1995 (sp)		
Tunisia		 24 April 1985		24 May 2002		
Turkey						
Turkmenistan						
Tuvalu						
Uganda		9 November 1990		28 July 1995 (sp)		
Ukraine		 26 July 1999		26 July 1999		
United Arab Emirates						
United Kingdom		 25 July 1997 (a)		25 July 1997		 10 December 2001 <sup>6</sup>

<sup>6</sup> On 4 December 1995, the Agreement was signed by the Government of the United Kingdom of Great Britain and Northern Ireland on behalf of Bermuda, British Indian Ocean Territory, British Virgin Islands, Falkland Islands, Pitcairn Islands, South Georgia and the South Sandwich Islands, St. Helena including Ascension Island, and Turks and Caicos Islands.

Subsequently, on 27 June 1996, the Agreement was signed by the United Kingdom for the United Kingdom of Great Britain and Northern Ireland.

On 3 December 1999, an instrument of ratification was lodged by the United Kingdom on behalf of Pitcairn, Henderson, Ducie and Oeno Islands, Falkland Islands, South Georgia and South Sandwich Islands, Bermuda, Turks and Caicos Islands, British Indian Ocean Territory, British Virgin Islands and Anguilla with the following declarations:

United Republic of Tanzania		 30 September 1985		25 June 1998		
United States of America						 21 August 1996
Uruguay		 10 December 1992				 10 September 1999
Uzbekistan						
Vanuatu		10 August 1999		10 August 1999(p)		
Venezuela						

"1. The United Kingdom understands that the terms 'geographical particularities', 'specific characteristics of the subregion or region', 'socio-economic, geographical and environmental factors', 'natural characteristics of that sea' or any other similar terms employed in reference to a geographical region do not prejudice the rights and duties of States under international law.

"2. The United Kingdom understands that no provision of this Agreement may be interpreted in such a way as to conflict with the principle of freedom of the high seas, recognized by international law."

3. The United Kingdom understands that the term 'States whose nationals fish on the high seas' shall not provide any new grounds for jurisdiction based on the nationality of persons involved in fishing on the high seas rather than on the principle of flag State jurisdiction.

4. The Agreement does not grant any State the right to maintain or apply unilateral measures during the transitional period as referred to in article 21(3). Thereafter, if no agreement has been reached, States shall act only in accordance with the provisions provided for in articles 21 and 22 of the Agreement."

Upon a request for clarification as to why the above ratification excluded the metropolitan territory of the United Kingdom of Great Britain and Northern Ireland, and subsequent consultations, the following additional declaration was provided by the United Kingdom of Great Britain and Northern Ireland on 10 December 2001:










"1. The United Kingdom is a keen supporter of the Straddling Fish Stocks Agreement. Legislation of the European Communities (Council decision 10176/97 of 8 June 1998) binds the United Kingdom as a matter of EC law to deposit its instrument of ratification in relation to the metropolitan territory simultaneously with the European Community and the other member States.

It is hoped that this event will take place later this year. The constraints imposed by that Council decision only apply in respect of the United Kingdom metropolitan territory and those overseas territories to which the EC treaties apply.

"2. In the light of its temporary inability to ratify the Agreement in relation to the metropolitan territory, and the strong desire of the United Kingdom to implement the Agreement in respect of those overseas territories to which the EC treaty does not apply, because of the advantages it will bring to them, the United Kingdom lodged its instrument of ratification to the Agreement, with declarations, in respect of those overseas territories on 3 December 1999.

"3. The United Kingdom is concerned that upon entry into force of the Agreement, the overseas territories covered by this ratification should enjoy the rights and obligations accruing under the Agreement. I would therefore be grateful if you would arrange for the above formal declaration to be circulated in order in order to make it clear to all concerned the nature of the United Kingdom's approach to ratification of this Convention ..."

Accordingly, the above action was accepted in deposit on 10 December 2001, the date on which the second declaration was lodged with the Secretary-General.

State or entity	United Nations Convention on the Law of the Sea (in force as from 16 November 1994)		Agreement relating to the implementation of Part XI of the Convention (in force as from 28 July 1996)		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 (in force as from 11 December 2001)	
	Signature  ( <input type="checkbox"/> - declaration)	Ratification; formal confirmation(fc); accession(a); succession(s); ( <input type="checkbox"/> - declaration)	Signature 	Ratification; formal confirmation(fc); accession(a); definitive signature(ds); participation(p); <sup>1</sup> simplified procedure (sp); <sup>2</sup>	Signature  ( <input type="checkbox"/> - declaration or statement)	Ratification; accession(a) <sup>3</sup> ( <input type="checkbox"/> - declaration)
<i>Viet Nam</i>		<input type="checkbox"/> 25 July 1994				
Yemen	<input type="checkbox"/>	<input type="checkbox"/> 21 July 1987				
Yugoslavia	<sup>1</sup>	<input type="checkbox"/> 12 March 2001 (s)		28 July 1995 (sp) <sup>8</sup>		
Zambia		7 March 1983		28 July 1995 (sp)		
Zimbabwe		24 February 1993		28 July 1995 (sp)		
TOTALS	157 ( <input type="checkbox"/> 35)	138 ( <input type="checkbox"/> 51)	79	105	59 ( <input type="checkbox"/> 5)	31 ( <input type="checkbox"/> 8)

<sup>1</sup> The former Yugoslavia had signed and ratified the Convention on 10 December 1982 and 5 May 1986, respectively.

<sup>8</sup> The former Yugoslavia had signed the Agreement and notified the Secretary-General that it had selected the application of the simplified procedure set out in articles 4 (3) (c) and 5 of the Agreement, on 12 May 1995 and 28 July 1995, respectively. On 12 March 2001, the Secretary-General received from the Government of Yugoslavia a notification confirming the signature and the notification of application of the simplified procedure under article 5.



2. Chronological lists of ratifications of, accessions and successions to the Convention and the related Agreements, as at 31 July 2002

(a) The Convention

1. Fiji (10 December 1982)
2. Zambia (7 March 1983)
3. Mexico (18 March 1983)
4. Jamaica (21 March 1983)
5. Namibia (18 April 1983)
6. Ghana (7 June 1983)
7. Bahamas (29 July 1983)
8. Belize (13 August 1983)
9. Egypt (26 August 1983)
10. Côte d'Ivoire (26 March 1984)
11. Philippines (8 May 1984)
12. Gambia (22 May 1984)
13. Cuba (15 August 1984)
14. Senegal (25 October 1984)
15. Sudan (23 January 1985)
16. Saint Lucia (27 March 1985)
17. Togo (16 April 1985)
18. Tunisia (24 April 1985)
19. Bahrain (30 May 1985)
20. Iceland (21 June 1985)
21. Mali (16 July 1985)
22. Iraq (30 July 1985)
23. Guinea (6 September 1985)
24. United Republic of Tanzania (30 September 1985)
25. Cameroon (19 November 1985)
26. Indonesia (3 February 1986)
27. Trinidad and Tobago (25 April 1986)
28. Kuwait (2 May 1986)
29. Nigeria (14 August 1986)
30. Guinea-Bissau (25 August 1986)
31. Paraguay (26 September 1986)
32. Yemen (21 July 1987)
33. Cape Verde (10 August 1987)
34. Sao Tome and Principe (3 November 1987)
35. Cyprus (12 December 1988)
36. Brazil (22 December 1988)
37. Antigua and Barbuda (2 February 1989)
38. Democratic Republic of the Congo (17 February 1989)
39. Kenya (2 March 1989)
40. Somalia (24 July 1989)
41. Oman (17 August 1989)
42. Botswana (2 May 1990)
43. Uganda (9 November 1990)
44. Angola (5 December 1990)
45. Grenada (25 April 1991)
46. Micronesia (Federated States of) (29 April 1991)
47. Marshall Islands (9 August 1991)
48. Seychelles (16 September 1991)
49. Djibouti (8 October 1991)
50. Dominica (24 October 1991)
51. Costa Rica (21 September 1992)
52. Uruguay (10 December 1992)
53. Saint Kitts and Nevis (7 January 1993)
54. Zimbabwe (24 February 1993)
55. Malta (20 May 1993)
56. Saint Vincent and the Grenadines (1 October 1993)
57. Honduras (5 October 1993)
58. Barbados (12 October 1993)
59. Guyana (16 November 1993)
60. Bosnia and Herzegovina (12 January 1994)
61. Comoros (21 June 1994)
62. Sri Lanka (19 July 1994)
63. Viet Nam (25 July 1994)
64. The former Yugoslav Republic of Macedonia (19 August 1994)
65. Australia (5 October 1994)
66. Germany (14 October 1994)
67. Mauritius (4 November 1994)
68. Singapore (17 November 1994)
69. Sierra Leone (12 December 1994)
70. Lebanon (5 January 1995)
71. Italy (13 January 1995)
72. Cook Islands (15 February 1995)
73. Croatia (5 April 1995)
74. Bolivia (28 April 1995)
75. Slovenia (16 June 1995)
76. India (29 June 1995)
77. Austria (14 July 1995)
78. Greece (21 July 1995)
79. Tonga (2 August 1995)
80. Samoa (14 August 1995)
81. Jordan (27 November 1995)
82. Argentina (1 December 1995)
83. Nauru (23 January 1996)
84. Republic of Korea (29 January 1996)
85. Monaco (20 March 1996)

86. Georgia (21 March 1996)
87. France (11 April 1996)
88. Saudi Arabia (24 April 1996)
89. Slovakia (8 May 1996)
90. Bulgaria (15 May 1996)
91. Myanmar (21 May 1996)
92. China (7 June 1996)
93. Algeria (11 June 1996)
94. Japan (20 June 1996)
95. Czech Republic (21 June 1996)
96. Finland (21 June 1996)
97. Ireland (21 June 1996)
98. Norway (24 June 1996)
99. Sweden (25 June 1996)
100. Netherlands (28 June 1996)
101. Panama (1 July 1996)
102. Mauritania (17 July 1996)
103. New Zealand (19 July 1996)
104. Haiti (31 July 1996)
105. Mongolia (13 August 1996)
106. Palau (30 September 1996)
107. Malaysia (14 October 1996)
108. Brunei Darussalam (5 November 1996)
109. Romania (17 December 1996)
110. Papua New Guinea (14 January 1997)
111. Spain (15 January 1997)
112. Guatemala (11 February 1997)
113. Pakistan (26 February 1997)
114. Russian Federation (12 March 1997)
115. Mozambique (13 March 1997)
116. Solomon Islands (23 June 1997)
117. Equatorial Guinea (21 July 1997)
118. United Kingdom of Great Britain and Northern Ireland (25 July 1997)
119. Chile (25 August 1997)
120. Benin (16 October 1997)
121. Portugal (3 November 1997)
122. South Africa (23 December 1997)
123. Gabon (11 March 1998)
124. European Community (1 April 1998)
125. Lao People's Democratic Republic (5 June 1998)
126. Suriname (9 July 1998)
127. Nepal (2 November 1998)
128. Belgium (13 November 1998)
129. Poland (13 November 1998)
130. Ukraine (26 July 1999)
131. Vanuatu (10 August 1999)
132. Nicaragua (3 May 2000)
133. Maldives (7 September 2000)
134. Luxembourg (5 October 2000)
135. Yugoslavia (12 March 2001)
136. Bangladesh (27 July 2001)
137. Madagascar (22 August 2001)
138. Hungary (5 February 2002)

(b) Agreement relating to the implementation of Part XI of the Convention

1. Kenya (29 July 1994)
2. The former Yugoslav Republic of Macedonia (19 August 1994)
3. Australia (5 October 1994)
4. Germany (14 October 1994)
5. Belize (21 October 1994)
6. Mauritius (4 November 1994)
7. Singapore (17 November 1994)
8. Sierra Leone (12 December 1994)
9. Seychelles (15 December 1994)
10. Lebanon (5 January 1995)
11. Italy (13 January 1995)
12. Cook Islands (15 February 1995)
13. Croatia (5 April 1995)
14. Bolivia (28 April 1995)
15. Slovenia (16 June 1995)
16. India (29 June 1995)
17. Paraguay (10 July 1995)
18. Austria (14 July 1995)
19. Greece (21 July 1995)
20. Senegal (25 July 1995)
21. Cyprus (27 July 1995)
22. Bahamas (28 July 1995)
23. Barbados (28 July 1995)
24. Côte d'Ivoire (28 July 1995)
25. Fiji (28 July 1995)
26. Grenada (28 July 1995)
27. Guinea (28 July 1995)
28. Iceland (28 July 1995)
29. Jamaica (28 July 1995)
30. Namibia (28 July 1995)
31. Nigeria (28 July 1995)
32. Sri Lanka (28 July 1995)
33. Togo (28 July 1995)
34. Trinidad and Tobago (28 July 1995)
35. Uganda (28 July 1995)
36. Yugoslavia (28 July 1995)
37. Zambia (28 July 1995)
38. Zimbabwe (28 July 1995)
39. Tonga (2 August 1995)
40. Samoa (14 August 1995)
41. Micronesia (Federated States of) (6 September 1995)
42. Jordan (27 November 1995)

43. Argentina (1 December 1995)
44. Nauru (23 January 1996)
45. Republic of Korea (29 January 1996)
46. Monaco (20 March 1996)
47. Georgia (21 March 1996)
48. France (11 April 1996)
49. Saudi Arabia (24 April 1996)
50. Slovakia (8 May 1996)
51. Bulgaria (15 May 1996)
52. Myanmar (21 May 1996)
53. China (7 June 1996)
54. Algeria (11 June 1996)
55. Japan (20 June 1996)
56. Czech Republic (21 June 1996)
57. Finland (21 June 1996)
58. Ireland (21 June 1996)
59. Norway (24 June 1996)
60. Sweden (25 June 1996)
61. Malta (26 June 1996)
62. Netherlands (28 June 1996)
63. Panama (1 July 1996)
64. Mauritania (17 July 1996)
65. New Zealand (19 July 1996)
66. Haiti (31 July 1996)
67. Mongolia (13 August 1996)
68. Palau (30 September 1996)
69. Malaysia (14 October 1996)
70. Brunei Darussalam (5 November 1996)
71. Romania (17 December 1996)
72. Papua New Guinea (14 January 1997)
73. Spain (15 January 1997)
74. Guatemala (11 February 1997)
75. Oman (26 February 1997)
76. Pakistan (26 February 1997)
77. Russian Federation (12 March 1997)
78. Mozambique (13 March 1997)
79. Solomon Islands (23 June 1997)
80. Equatorial Guinea (21 July 1997)
81. Philippines (23 July 1997)
82. United Kingdom of Great Britain and Northern Ireland (25 July 1997)
83. Chile (25 August 1997)
84. Benin (16 October 1997)
85. Portugal (3 November 1997)
86. South Africa (23 December 1997)
87. Gabon (11 March 1998)
88. European Community (1 April 1998)
89. Lao People's Democratic Republic (5 June 1998)
90. United Republic of Tanzania (25 June 1998)
91. Suriname (9 July 1998)
92. Nepal (2 November 1998)
93. Belgium (13 November 1998)
94. Poland (13 November 1998)
95. Ukraine (26 July 1999)
96. Vanuatu (10 August 1999)
97. Nicaragua (3 May 2000)
98. Indonesia (2 June 2000)
99. Maldives (7 September 2000)
100. Luxembourg (5 October 2000)
101. Bangladesh (27 July 2001)
102. Madagascar (22 August 2001)
103. Costa Rica (20 September 2001)
104. Hungary (5 February 2002)
105. Tunisia (24 May 2002)

(c) 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

1. Tonga (31 July 1996)
2. Saint Lucia (9 August 1996)
3. United States of America (21 August 1996)
4. Sri Lanka (24 October 1996)
5. Samoa (25 October 1996)
6. Fiji (12 December 1996)
7. Norway (30 December 1996)
8. Nauru (10 January 1997)
9. Bahamas (16 January 1997)
10. Senegal (30 January 1997)
11. Solomon Islands (13 February 1997)
12. Iceland (14 February 1997)
13. Mauritius (25 March 1997)
14. Micronesia (Federated States of) (23 May 1997)
15. Russian Federation (4 August 1997)
16. Seychelles (20 March 1998)
17. Namibia (8 April 1998)
18. Iran (Islamic Republic of) (17 April 1998)
19. Maldives (30 December 1998)
20. Cook Islands (1 April 1999)
21. Papua New Guinea (4 June 1999)
22. Monaco (9 June 1999)
23. Canada (3 August 1999)
24. Uruguay (10 September 1999)
25. Australia (23 December 1999)
26. Brazil (8 March 2000)
27. Barbados (22 September 2000)
28. New Zealand (18 April 2001)
29. Costa Rica (18 June 2001)
30. Malta (11 November 2001)

31. United Kingdom on behalf of Pitcairn,  
Henderson, Ducie and Oeno Islands, Falkland  
Islands, South Georgia and South Sandwich

Islands, Bermuda, Turks and Caicos Islands,  
British Indian Ocean Territory, British Virgin  
Islands and Anguilla (10 December 2001)

3. Declarations by States

(a) Equatorial Guinea

*Declaration of 20 February 2002 pursuant to article 298 of the United Nations Convention on the Law of the Sea*

The Government of the Republic of Equatorial Guinea hereby enters a reservation and declares that, under article 298, paragraph 1, of the United Nations Convention on the Law of the Sea of 1982, it does not recognize as mandatory ipso facto with respect to any other State any of the procedures provided for in part XV, section 2, of the Convention as regards the categories of disputes set forth in article 298, paragraph 1 (a).

(b) Honduras

*Declaration of 18 June 2002 pursuant to article 287 of the United Nations Convention on the Law of the Sea*

In accordance with article 287, paragraph 1, of the United Nations Convention on the Law of the Sea, the State of Honduras chooses the International Court of Justice as the means for the settlement of disputes of any kind concerning the interpretation or application of the said Convention.

Notwithstanding the foregoing, the State of Honduras reserves the possibility of considering any other means of peaceful settlement, including the International Tribunal for the Law of the Sea, as agreed on a case-by-case basis.

(c) Spain

*Declaration of 19 July 2002 under articles 287 and 298  
of the United Nations Convention on the Law of the Sea*

Pursuant to article 287, paragraph 1, the Government of Spain declares that it chooses the International Tribunal for the Law of the Sea and the International Court of Justice as means for the settlement of disputes concerning the interpretation or application of the Convention.

The Government of Spain declares, pursuant to the provisions of article 298, paragraph 1(a), of the Convention, that it does not accept the procedures provided for in part XV, section 2, with respect to the settlement of disputes concerning the interpretation or application of articles 15, 74 and 83 relating to sea boundary delimitations, or those involving historic bays or titles.

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

### A. National legislation

#### 1. Honduras

##### Act on Honduran Maritime Areas<sup>1</sup>

REPUBLIC OF HONDURAS

*La Gaceta*

DECREE NO. 172-99

THE NATIONAL CONGRESS,

CONSIDERING: that on 5 October 1993, the State of Honduras ratified the United Nations Convention on the Law of the Sea, an instrument that brings together the basic principles guaranteeing the right of States to marine species,

CONSIDERING: that the 1982 Political Constitution of Honduras embodies the principles of sovereignty and jurisdiction with regard to the airspace and subsoil of its continental and island territory, territorial sea, contiguous zone, exclusive economic zone and continental shelf which delimit the national territory,

CONSIDERING: that the State of Honduras is a bi-oceanic country, and for that reason it is necessary to adopt laws regulating maritime areas and harmonizing the legal, political, economic and environmental spheres, giving priority to the conservation and exploitation of the natural resources of the marine environment, which constitute an important economic and environmental area,

HAS THEREFORE DECREED THE FOLLOWING:

##### Act on Honduran Maritime Areas

#### Article 1 Internal waters

1. All waters lying within the baseline from which the territorial sea is measured, and the waters of ports, bays, roadsteads and inlets, shall be considered internal waters;

2. The sovereignty of the State extends to the water column, the seabed, the subsoil and the air column superjacent to the internal waters; and

3. Where the establishment of a straight baseline, in accordance with the method set forth in article 3, has the effect of enclosing as internal waters areas which had not previously been considered as such, a right of innocent passage for international maritime navigation shall exist in those waters.

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<sup>1</sup> Text communicated by the Government of Honduras.

Article 2  
Territorial sea

The sovereignty of the Honduran State extends beyond its land territory and internal waters to the territorial sea adjacent to its coasts, that is to say, to the belt of sea situated between the baseline from which all Honduran maritime areas are measured and an outer line whose points are at a distance of 12 nautical miles from the points of the baseline.

Article 3  
Internal delimitation of the territorial sea and other Honduran maritime areas

1. The normal baseline for measuring the breadth of the Honduran territorial sea and other maritime areas is the low-water line along the coast;

2. Notwithstanding the above, in localities where the coastline is irregular, with deep openings and indentations, or if there is a fringe of islands along the coast in its immediate vicinity, the method of straight baselines joining appropriate points may be employed, provided that their drawing does not depart to any appreciable extent from the general direction of the coast. The drawing of such lines shall take into account the principles laid down in the 1982 United Nations Convention on the Law of Sea; and

3. The baselines shall be shown on charts of a scale or in lists of geographical coordinates of points, specifying the geodesical datum for each one. Honduras shall give publicity to such charts or lists in accordance with international law.

In relation to the Gulf of Fonseca, the baseline shall be the straight line joining Punta Amapala and Punta Cosigüina, as defined in the Judgment of 11 September 1992 of the International Court of Justice.

Article 4  
Legal regime of the territorial sea

In accordance with international law, Honduras shall exercise its sovereignty over its territorial sea, which is understood as comprising the water column, its seabed, its subsoil and its natural resources, together with its superjacent airspace.

Consequently, unless a more permissive regime is agreed to by means of a treaty, vessels of other States shall enjoy the right of innocent passage, as regulated by the 1982 United Nations Convention on the Law of the Sea.

Article 5  
Contiguous zone

1. In the zone contiguous to its territorial sea, Honduras may exercise the control necessary to:

(a) Prevent infringement of its customs, fiscal, sanitary or immigration laws and regulations within its territory or territorial sea; and

(b) Punish infringement of the above laws and regulations committed within its territory or territorial sea.

2. The contiguous zone extends to 24 nautical miles from the baseline from which the territorial sea is measured, that is to say, it comprises the area from the outer edge of the territorial sea, situated 12 nautical miles from the baseline, to a distance situated 24 nautical miles from the baseline.

Article 6  
Exclusive economic zone

Honduras establishes an exclusive economic zone along its coasts which extends from the outer edge of the territorial sea to a distance of 200 nautical miles from the baseline from which the breadth of the territorial sea is measured.

Article 7  
Regime of the exclusive economic zone

1. In its exclusive economic zone, Honduras has sovereign rights for the purpose of exploring and exploiting, conserving and managing all the natural resources, whether living or non-living, of the water column and of the seabed and its subsoil, and with regard to other possible activities in this part of the marine environment;

2. Foreign vessels are expressly prohibited from fishing and extracting any other marine resource except as otherwise provided in an international treaty or with the irrefutable express consent of Honduras; and

3. In addition to the foregoing, Honduras has jurisdiction with regard to:

(a) The establishment and use of artificial islands, installations and structures for the purpose of exploring and exploiting the resources of the seabed and its subsoil;

(b) Marine scientific research;

(c) The protection and preservation of the marine environment from pollution; and

(d) Punishing infringements of Honduran laws and regulations pertaining to the above matters, chiefly with regard to fishing and extraction of any other natural resource, marine scientific research and pollution prevention and control.

Article 8  
Regime of fishing and the exercise of other freedoms in the exclusive economic zone

1. The right to fish in the Honduran exclusive economic zone shall be reserved for Hondurans and, subject to an international agreement with the respective Governments, for the nationals of those countries whose fishing vessels have customarily exercised that right;

2. In the exercise of the right to freedom of navigation within this zone, foreign fishing vessels shall comply with Honduran laws designed to prevent such vessels from engaging in fishing, including those relating to the stowage of fishing gear; and

3. The establishment of this zone shall not affect other rights, such as freedom of navigation and overflight and the right to lay submarine cables and pipelines, together with the legitimate rights of the vessels of third States in accordance with the 1982 United Nations Convention on the Law of the Sea.

Article 9  
Continental shelf

The Honduran continental shelf comprises the seabed and subsoil of the submarine areas adjacent to its territorial sea to a distance of 200 nautical miles from the baselines or to the outer edge of its continental shelf.

Article 10  
Resources of the continental shelf

“Natural resources of the Honduran continental shelf” means the mineral and other non-living resources of the seabed and subsoil together with living organisms belonging to sedentary species, that is to say, organisms which, at the harvestable stage, either are immobile on or under the seabed or are unable to move except in constant physical contact with the seabed or the subsoil.

Article 11  
Regime of the continental shelf

1. Honduras has sovereign rights for the purpose of exploring and exploiting the natural resources of its continental shelf, which shall be prohibited to any foreigner without the express consent of Honduras;
2. Honduras has jurisdiction with regard to the establishment of artificial islands, installations and structures for the purpose of exploring and exploiting the resources, with regard to any uses that may involve such artificial islands, installations and structures, and with regard to punishing infringements of its laws and regulations concerning them; and
3. The Honduran sovereignty and jurisdiction affirmed above shall not affect the rights and freedoms of other States, especially those related to the laying of submarine cables and pipelines, as provided in the 1982 United Nations Convention on the Law of the Sea.

Article 12  
Delimitation of the territorial sea, the exclusive economic zone and  
the continental shelf between States with opposite or adjacent coasts

1. The delimitation of the above-mentioned maritime areas between Honduras and its neighbouring countries shall be effected through an agreement between them on the basis of international law;
2. Such agreements shall arrive at an equitable solution, taking into account, in order to apply the principle of equity, not only equidistance but also proportionality as a concrete manifestation of equity, together with other relevant special circumstances, such as the existence of islands; and
3. In the specific case of the Gulf of Fonseca, Honduras shall abide by the declaration made in accordance with international law in the Judgment of 11 September 1992 of the International Court of Justice with regard to the delimitation of the respective maritime areas with its neighbouring countries, to which it is bound by many historic ties of friendship.

Article 13  
Regional maritime cooperation

In the maritime areas where Honduras has interests in common with its neighbouring countries with regard to protection of the environment and the ecosystem, the sustainable production of certain species or resources, or shared use for purposes of scientific research, tourism or economic development, the provisions of this Act may be amended by means of an international agreement among the countries concerned with a view to enhanced protection or more rational use of the environment.

Article 14

In the semi-enclosed areas where Honduras has coasts, its policy shall be to establish adequate mechanisms for cooperation with other coastal States in order to:



1. Coordinate activities with a view to systematic and effective conservation and exploitation of the living resources of the sea;
2. Enhance the protection and preservation of the marine environment from pollution caused by users; and
3. Coordinate national scientific research policies.

#### Article 15

##### Control of pollution

In its maritime areas, Honduras shall take the necessary measures in accordance with international law to prevent, reduce and control pollution of the marine environment from any source, using for this purpose the most viable means at its disposal, both domestic means and those deriving from international cooperation in the framework of a treaty.

In this context, the executive branch shall pay special attention to the protection of the Honduran marine environment, as our country's contribution to protecting the interests of the international community as a whole.

#### Article 16

##### Provision conferring regulatory powers on the executive branch

The executive branch is empowered to implement, by means of decrees, the following aspects of this Act:

1. The establishment of appropriate straight baselines along the Honduran coasts. Once straight baselines have been defined along the Honduran coasts, the Ministry of Foreign Affairs shall so inform the Congress at a special private meeting;
2. The specific regulation of the contiguous zone, especially with regard to penalties;
3. The establishment of administrative penalties for fishing; and
4. The adoption of regulatory measures with regard to scientific research and preventing pollution of the marine environment, together with administrative penalties for infringement.

#### Article 17

##### Final repeal provision

Any Honduran laws and regulations that conflict with the provisions of this Act (specifically, the Decree of 12 April 1950 and the Decree of 1980) are hereby repealed.

Article 18

This Decree shall enter into force on the date of its publication in the official journal *La Gaceta*.

DONE at Tegucigalpa, Central District, in the Congressional Chamber, on 30 October 1999.

RAFAEL PINEDA PONCE  
PRESIDENT

JOSE ALFONSO HERNANDEZ CORDOVA  
SECRETARY

JOSE ANGEL SAAVEDRA POSADAS  
SECRETARY

To the Executive Branch

For implementation

Tegucigalpa, Central District, 12 November 1999

CARLOS ROBERTO FLORES FACUSSE  
PRESIDENT OF HONDURAS

ROBERTO FLORES BERMUDEZ  
SECRETARY OF STATE FOR FOREIGN AFFAIRS

2. Bulgaria

The Republic of Bulgaria  
Maritime Space, Inland Waterways and Ports  
Act of the Republic of Bulgaria<sup>2</sup>

*Adopted by the National Assembly on 28 January 2000,  
published in State Gazette, issue No. 12, 11 February 2000*

CHAPTER ONE  
GENERAL PROVISIONS

Article 1

(1) The present Act establishes the legal regime of the maritime space, inland waterways and ports of the Republic of Bulgaria.

(2) In the maritime space and inland waterways and in the ports, the Republic of Bulgaria shall exercise sovereignty, certain sovereign rights, jurisdiction and control in conformity with the generally agreed principles and standards of international law and the international agreements to which the Republic of Bulgaria is a party.

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<sup>2</sup> Unofficial translation published in *Bulgarian Shipping Directory '2001*. Editorial changes by the United Nations.

## Article 2

The present Act aims at ensuring the use of the Black Sea and the river Danube in the interests of cooperation of countries of the Black Sea, the Danube and other countries, facilitating the sea and river connections, providing for the safety of navigation, protection of the marine and river environment during navigation and maintaining the ecological balance.

## Article 3

The control over the observance of the legal regime in the maritime space, the inland waterways and the country's ports shall be performed in accordance with the provisions of the present Act.

## Article 4

- (1) The ports and roadsteads closed to visits by foreign vessels shall be established by a decision of the Council of Ministers and shall be announced in a "Notice to Mariners".
- (2) The ports and roadsteads not included in paragraph 1 are open.

# CHAPTER TWO MARITIME SPACE OF THE REPUBLIC OF BULGARIA

## Part I General provisions

## Article 5

- (1) The maritime space of the Republic of Bulgaria shall comprise the internal waters, the territorial sea, the contiguous zone, the continental shelf and the exclusive economic zone.
- (2) The internal waters and the territorial sea, as well as the airspace above them, their seabed and the subsoil shall be part of the territory of the Republic of Bulgaria, over which it exercises its sovereignty.
- (3) The Republic of Bulgaria shall exercise sovereign rights, jurisdiction and control, as defined by the present Act, over the contiguous zone, the continental shelf and the exclusive economic zone.
- (4) The navigation and the frontier regime for Bulgarian and foreign yachts, boats and other sports, tourist and pleasure craft in the internal waters and in the territorial sea shall be determined by the Council of Ministers.
- (5) Assistance to vessels and persons in distress in the maritime spaces of the Republic of Bulgaria shall be rendered in accordance with the conditions and procedures established by the Ministry of Transport and Communications.
- (6) Where there is a danger to human life or a threat of obstruction to navigation, the Harbour Master may require all nearby vessels to provide assistance.

## Part II Internal waters

## Article 6

The internal waters of the Republic of Bulgaria shall comprise:

1. The waters between the coast line and the baselines from which the breadth of the territorial sea is measured;
2. The waters of the ports, bounded on the seaward side by the line joining the outermost points in the sea of anchorages, hydro-technical installations and other permanent harbour works;
3. The waters of:
  - (a) Varna Bay between the coastline and the straight line joining Cape St. Konstantine and Cape Ilandjik;
  - (b) Bourgas Bay between the coastline and the straight line joining Cape Emine and Cape Maslen Nos;
4. The waters between the coastline and the straight baselines joining Cape Kaliakra and Cape Touzlata, Cape Touzlata and Cape Ekrene and Cape Maslen Nos and Cape Rohi.

#### Article 7

A foreign vessel operated for commercial or humanitarian purposes may freely enter the internal waters and visit the open ports and roadsteads.

#### Article 8

- (1) A foreign warship or submarine may enter the internal waters and may visit with a peaceful (non-military) purpose the open ports and roadsteads upon authorization by the Council of Ministers, unless otherwise agreed between the Republic of Bulgaria and the flag State.
- (2) The authorization shall be requested at least 30 days in advance in the case of vessels of the Black Sea coastal States and 45 days in advance in the case of vessels of other States, unless otherwise agreed between the Republic of Bulgaria and the flag State.

#### Article 9

A foreign government vessel operated for non-commercial purposes may enter the internal waters and may visit the open ports and roadsteads upon authorization by the Council of Ministers; such authorization shall be requested at least 30 days in advance, unless otherwise agreed between the Republic of Bulgaria and the flag State.

#### Article 10

- (1) A foreign vessel fitted by nuclear-powered equipment may enter the internal waters and may visit the open ports and roadsteads in accordance with the provisions of article 8.
- (2) Before the vessel proceeds for the port area, the competent authorities shall carry out an inspection of its safety records, a dosimeter inspection and other inspections relating to the protection of the environment. The place of the inspections shall be determined by the marine administration with the Minister of Transportation and Communications.
- (3) Additional inspections may be performed while the ship is lying in port or in the roadstead.
- (4) In case the inspection reveals that the presence of the ship may have dangerous consequences, the marine administration, with the Minister of Transportation and Communications, shall order the vessel to leave the internal waters or the territorial sea within a specified period. The Republic of Bulgaria shall not be liable for any damages resulting from the ship's early departure.
- (5) Paragraphs 2 to 4 shall also apply to vessels carrying nuclear and radioactive hazardous substances.
- (6) Paragraphs 2 to 4 shall also apply to vessels carrying toxic or other hazardous substances.

#### Article 11

- (1) A foreign warship powered by nuclear engines or carrying nuclear armament may enter the internal waters and may visit the open ports and roadsteads in accordance with the order and provisions of article 8. The inspection of the vessel's safety records, the dosimeter control and other inspections relating to the protection of the environment shall be carried out by the authorities of the Ministry of Defence at a place determined by them.
- (2) The provisions of article 10, paragraphs 3 and 4, shall also apply to a foreign warship powered by nuclear engines or carrying nuclear armament. In such a case the inspections shall be conducted, and the order to leave shall be issued, by the authorities of the Ministry of Defence.

#### Article 12

The Council of Ministers shall determine the order for visiting and remaining in port of foreign warships or submarines, foreign government vessels operated for non-commercial purposes, foreign non-military vessels fitted with nuclear-powered equipment, vessels carrying radioactive substances and also of warships fitted with nuclear-powered equipment.

#### Article 13

Prior authorization for entry into the internal waters or the ports is not required in the following cases:

1. For an official visit, when a head of State or Government or an official of the Ministry of Foreign Affairs is on board the vessel as well as the ships escorting it;
2. When the vessel is damaged, for sheltering from a storm or because of other instances of force majeure, in which case the Master of the ship shall report immediately and by all possible means to the Harbour Master, whose instructions he shall follow.

#### Article 14

Foreign warships and vessels, referred to in article 13, shall be exempted from taxes while visiting ports, except for services rendered.

#### Article 15

- (1) Foreign vessels lying in the internal waters, in ports and roadsteads shall be prohibited from using radio navigational aids, hydro-acoustic and radio communication equipment, electronic and optical surveillance systems, except for the purpose of ensuring the safety of navigation and when riding an anchor. They may use their VHF radio stations only for communication with the port authorities or with an authorized long-distance operator.
- (2) Vessels equipped with mobile earth stations of the satellite telecommunications systems may use them on the basis of the principle of reciprocity during their stay in the internal waters and in the territorial sea.

### Part III Territorial sea

#### Article 16

- (1) The territorial sea of the Republic of Bulgaria comprises the belt of sea adjacent to the coast and the internal waters having a breadth of 12 nautical miles measured from the baselines.

(2) The baselines are the lowest low-water line along the coast or the straight baselines joining the two outermost points of the bays and the spaces referred to in article 6.

#### Article 17

The territorial sea of the Republic of Bulgaria shall be delimited from the territorial sea of the neighbouring States by the geographic parallel of the point where the land frontier reaches the sea coast.

#### Article 18

The outer and lateral limits of the territorial sea shall constitute the State boundary of the Republic of Bulgaria.

#### Article 19

- (1) Vessels of all States shall enjoy the right of innocent passage through the territorial sea in accordance with the provisions of the present Act and of international law.
- (2) The right of innocent passage shall be exercised for the purpose of traversing the territorial sea without entering internal waters, for the purpose of proceeding to internal waters or for the purpose of proceeding therefrom. The vessel shall sail without stopping through the zones open for navigation at a speed not less than the speed normal for the type of vessel in question and shall use the established sea lanes, traffic separation schemes, fairways and recommended waterways without disturbing the peace and good order or breaching the security of the country.
- (3) During the innocent passage, stopping or anchoring shall not be authorized, save in case of navigational needs, damage, distress, force majeure or for the purpose of rendering assistance to people, vessels or aircraft.
- (4) When entering, leaving or navigating in the territorial sea, vessels shall observe the reporting and traffic control system.

#### Article 20

- (1) The passage of a foreign vessel through the territorial sea shall be prejudicial to the peace, good order and security of the country when the foreign vessel commits one of the following actions:
  1. Any threat of force or use of force against the sovereignty, territorial integrity or political independence of the Republic of Bulgaria in violation of the principles of international law embodied in the Charter of the United Nations;
  2. Any exercises or practices with weapons of any kind;
  3. Any act aimed at collecting information to the prejudice of the defence or security of this country;
  4. Any act of propaganda to the prejudice of the interests of this country's defence or security;
  5. The launching, landing or taking on board of any aircraft;
  6. The launching in the air, landing or taking on board or unloading of any military equipment;
  7. The loading or unloading of any commodity, currency or persons contrary to the customs, fiscal, immigration or sanitary regulations;
  8. Any pollution of the marine environment in violation of international standards;
  9. Any fishing activities;
  10. Any scientific research or hydrographic survey activities;

11. Any act which may interfere with the operation of systems of communication or of radio-electronic or other facilities or installations of this country;
  12. Any other activity not having a direct bearing on passage of the vessel.
- (2) Acts falling under paragraph 1, subparagraphs 2, 5, 6, 9, 10 and 12, shall not be deemed as prejudicial to the peace, good order or security, if due permission has been obtained.

#### Article 21

A foreign vessel shall be exempted from charges relating to passage through the territorial sea except charges as payment for services rendered to the vessel.

#### Article 22

In the interest of the security of this country, including the conduct of weapons exercises, the Minister of Defence in coordination with the Minister of Transport and Communications and the Minister of Internal Affairs may temporarily suspend innocent passage in certain areas of the territorial sea and prohibit navigation in certain areas of the internal waters. These measures shall be published in a "Notice to Mariners".

#### Article 23

- (1) A foreign vessel during its innocent passage through the territorial sea and during its stay in the internal waters, ports and roadsteads shall respect the navigational requirements, the immigration, customs, financial, sanitary, phytosanitary, veterinary and port regulations, as well as any regulations relating to the protection of the environment.
- (2) During its innocent passage through the territorial sea and during its stay in the internal waters, a foreign vessel shall fly the flag of its State; vessels other than warships shall also fly the flag of the Republic of Bulgaria.
- (3) In the territorial sea and in the internal waters, a foreign vessel is forbidden to:
  1. Use its boats, save in the case of distress for the purpose of searching for and rescuing people;
  2. Carry out scuba-diving and underwater activities;
  3. Keep its fishing gear in working position;
  4. Transmit sound or light signals other than those established by the international rules for the prevention of collisions at sea;
  5. Intentionally beach or scuttle;
  6. Carry out activities which might cause damage to cables, pipelines or any kind of installations and structures related to navigation and the exploitation of marine resources.

#### Article 24

Foreign vessels fitted by nuclear-powered equipment and vessels carrying nuclear, radioactive, toxic or other dangerous substances shall, when passing through the territorial sea, carry documents and observe precautionary measures established for such vessels by the relevant international agreements.

#### Article 25

- (1) In the territorial sea and in the internal waters, foreign submarines shall navigate on the surface only.

(2) A foreign submarine navigating in a submerged position shall be forced to surface. In the case of damage preventing it from navigating on the surface, the submarine shall singal that by all possible means.

#### Article 26

A foreign ship passing through the territorial sea may use only those means for radio communication which ensure radio contact with the Bulgarian coastal stations, and shall use radio-navigational, hydro-acoustic, optical, electronic and other equipment solely for navigational purposes.

#### Article 27

Diving and any other underwater activity in the territorial sea and in the internal waters shall be carried out in accordance with the procedures established by the Minister of Defence, the Minister of Internal Affairs and the Minister of Transport and Communications.

#### Article 28

A foreign ship which had to stop or anchor due to distress or force majeure shall immediately and by all possible means report this to the Harbour Master of the nearest port.

#### Article 29

- (1) Protection of the maritime boundary of the State and the control of compliance with the border regime in the territorial sea and the internal waters shall be carried out by the authorities of the Ministry of Internal Affairs.
- (2) The regime governing navigation in the internal waters and the territorial sea shall be established by the Minister of Transport and Communications and shall be consistent with the requirements of national security of the country.

#### Article 30

(1) Within their competences, the authorities of the Ministry of Internal Affairs, the Ministry of Defence and the Ministry of Transport and Communications shall, in respect of a foreign non-military ship within the internal waters or the territorial sea, have the right to:

1. Require it to fly the flag of its State;
  2. Request appropriate information if a violation of the rules of innocent passage is suspected;
  3. Recommend to the ship a change of its course, if it is heading to a zone closed to navigation;
  4. Stop the ship and inspect it or detain it if the ship fails to acknowledge a request or violates the provisions of article 19, paragraph 2, articles 23 and 24 or if provision is made for such measures in an international agreement to which the Republic of Bulgaria is a party;
  5. Stop the ship and detain it in the cases provided for in article 31, paragraphs 3 and 4;
  6. Disembark and detain the persons guilty of a crime specified in article 32, and hand them over to the investigating authorities, notifying the public prosecutor within 24 hours.
- (2) If a foreign non-military ship refuses to stop or resists detention, or resorts to violent actions, the authorities of the Ministry of Internal Affairs and of the Ministry of Defence may take appropriate coercive measures, including the use of arms and weapons.



#### Article 31

- (1) The Bulgarian legislation shall be applicable and the Bulgarian courts shall have competence over disputes in cases of damage caused by unlawful acts occurring in the internal waters and the territorial sea, as well as in the case of damage resulting from violation of the rights and jurisdiction of the Republic of Bulgaria in the contiguous zone, in the continental shelf and in the exclusive economic zone.
- (2) A foreign non-military ship passing through the territorial sea should not be stopped or diverted from its course for the purpose of exercising civil jurisdiction in respect to a person on board the ship.
- (3) In respect to a foreign non-military ship which is in the internal waters, rides anchor in the territorial sea or is passing through it after leaving the internal waters, actions can be undertaken for satisfying a claim or an execution levied against it.
- (4) Actions can be undertaken for satisfying a claim or an execution against a foreign non-military ship passing through the territorial sea only in respect to the ship's liabilities incurred during its passage through the territorial sea, as well as for damages under paragraph 1.

#### Article 32

- (1) The criminal jurisdiction of the Republic of Bulgaria shall not extend to crimes committed on board a foreign non-military ship passing through the territorial sea, save in case of:
  1. A crime committed by a Bulgarian citizen;
  2. A crime disturbing the peace of this country or the good order in the territorial sea;
  3. An offence of general nature which is prejudicial to the interests of the Republic of Bulgaria or of a Bulgarian citizen;
  4. Smuggling of narcotics, psychotropic or radioactive substances;
  5. Unlawful detention;
  6. A crime against peace and mankind.
- (2) The criminal jurisdiction of the Republic of Bulgaria shall extend to any crime, committed on board a foreign non-military ship during its stay in Bulgarian ports or in the internal waters. This jurisdiction shall extend to the ship even after it leaves the internal waters and enters the territorial sea.

#### Article 33

The competent Bulgarian authorities may, at the request of the Master of the ship, a diplomatic agent or a consular officer of the flag State, carry out a preliminary investigation and take coercive measures in connection with crimes other than those set out in article 32, paragraph 1, committed on board a foreign non-military ship during its passage through the territorial sea.

#### Article 34

When criminal proceedings are initiated in the cases under article 32, paragraph 1, as well as when an investigation is opened under the terms of article 33, the diplomatic agent or the consular officer of the flag State shall be notified, upon the request of the Master of the ship.

#### Article 35

A foreign warship or a foreign government ship operated for non-commercial purposes which during its stay in the internal waters or in the territorial sea violates the present Act or another normative instrument and disregards any request for compliance which is made to it, shall be required to leave the internal waters and the territorial sea immediately.

#### Article 36

The flag State shall be liable for compensation for damages caused by a foreign warship or a foreign government ship operated for non-commercial purposes during its passage through the territorial sea or during its stay in the internal waters.

#### Part IV

#### Contiguous zone

#### Article 37

The contiguous zone of the Republic of Bulgaria is the belt of sea adjacent to the territorial sea and extending to a distance of 24 nautical miles from the baselines from which the breadth of the territorial sea is measured.

#### Article 38

In the contiguous zone, the Republic of Bulgaria shall exercise the control necessary to prevent the infringement of its customs, financial, immigration and sanitary regulations within its territory, including the territorial sea, and shall have jurisdiction to punish any person who infringes these regulations.

#### Article 39

In case there is information that a foreign non-military ship which is in the contiguous zone has violated or intends to violate the provisions of article 38, the authorities of the Ministry of Internal Affairs and the Ministry of Defence shall have the right to stop the ship, carry out an inspection and take the necessary measures for preventing the violation or detain the ship with a view to prosecuting the guilty persons.

#### Part V

#### Continental shelf

#### Article 40

The continental shelf of the Republic of Bulgaria comprises the seabed and the subsoil of the submarine area that constitutes a natural extension of the land territory and extends beyond the territorial sea up to the lines of delimitation of the continental shelf with States with adjacent and opposite coasts.

#### Article 41

The outer limits of the continental shelf shall be established by agreement with the neighbouring States with adjacent and opposite coasts in the Black Sea on the basis of international law, in order to achieve an equitable solution.

Article 42

(1) The Republic of Bulgaria shall exercise over the continental shelf sovereign rights for the purposes of prospecting, exploration, development, exploitation, protection and management of its natural resources, which include: the energy resources, mineral and other non-living resources of the seabed and subsoil as well as the living organisms belonging to sedentary species.

(2) The Republic of Bulgaria shall have exclusive rights over the continental shelf to:

1. Execute, authorize and regulate drilling works irrespective of their purpose;
2. Construct, authorize the construction and regulate the operation and use of artificial islands, installations and structures which are under its jurisdiction.

Article 43

(1) The laying of cables and pipelines on the continental shelf by other States can be carried out provided this does not cause prejudice to the Bulgarian interests related to the exploration, development and exploitation of the natural resources of the shelf and to the protection of the marine environment.

(2) The delineation of the course of the cables and pipelines shall be determined by an agreement between the Republic of Bulgaria and the State concerned.

Article 44

(1) In case there is information that a foreign non-military ship, within the limits of the continental shelf, has violated or intends to violate the sovereign rights and jurisdiction of the Republic of Bulgaria, the authorities of the Ministry of the Internal Affairs, the Ministry of Defence and of the Ministry of Transport shall take the necessary measures to prevent or stop the violation. They may carry out an inspection on board and detain the ship in order to prosecute the guilty persons.

(2) When measures are being taken under paragraph 1, the diplomatic agent or the consular officer of the flag State shall be duly notified thereof.

Part VI  
Exclusive economic zone

Article 45

The exclusive economic zone of the Republic of Bulgaria extends beyond the limits of the territorial sea to a distance of up to 200 nautical miles from the baselines from which the breadth of the territorial sea is measured.

Article 46

The outer limits of the exclusive economic zone shall be established by agreement with the neighbouring States with adjacent and opposite coasts on the basis of international law, in order to achieve an equitable solution.

Article 47

Within the exclusive economic zone the Republic of Bulgaria shall exercise:

1. Sovereign rights for the purpose of exploring, developing, exploiting, protecting and managing the living, mineral and energy resources of the seabed, its subsoil and the superjacent waters, as well as with regard to other activities relating to the exploration and exploitation of the zone;
2. Exclusive rights and its jurisdiction with regard to:
  - (a) The establishment and use of artificial islands, installations and structures;
  - (b) The conduct of marine scientific research;
  - (c) The protection of the marine environment;
3. Other rights, provided for in international agreements, to which the Republic of Bulgaria is a party, and in the generally agreed principles and rules of international law.

#### Article 48

In the exclusive economic zone, all States shall enjoy the freedom of navigation, overflight, laying of cables and pipelines and other internationally lawful uses of the sea related to these freedoms.

#### Article 49

- (1) In the exclusive economic zone, a foreign ship shall not engage in commercial fishing save on the basis of an agreement between the Republic of Bulgaria and the flag State.
- (2) While passing through the exclusive economic zone, a foreign fishing ship shall not maintain its fishing gear in working position.

#### Article 50

In case there is information that, within the limits of the exclusive economic zone, a foreign non-military ship has violated or intends to violate the sovereign rights and jurisdiction of the Republic of Bulgaria, the provisions of article 44 shall be applied accordingly.

#### Article 51

The control of the compliance with the regime of the exclusive economic zone shall be carried out in accordance with the regulations and following the procedures established by the Council of Ministers.

### Part VII

#### Use of the maritime space and protection of the marine environment

#### Article 52

- (1) Special rights for use of the continental shelf and the exclusive economic zone for the purposes of exploring, developing, exploiting, protecting and managing the living, mineral and power resources shall be granted under the provisions of the Concessions Law and the Mineral Resources Act.

(2) Scientific research on the continental shelf and in the exclusive economic zone is conducted under a permit issued by the Council of Ministers in conformity with the provisions of and under the conditions set forth in the United Nations Convention on the Law of the Sea. The permit is to be granted if the research is to be carried out exclusively for peaceful purposes and in order to increase scientific knowledge of the marine environment, conducted with safe methods and without interfering with the exercise by the country of its sovereign rights and jurisdiction.

(3) Applicants for a science research permit shall provide, through official channels, a full description of the character, objectives and geographical area in which the project is to be conducted, the method and means to be used as well as any other necessary information.

(4) The Council of Minister may deny the permit if:

1. The scientific research is of direct significance for the exploration and exploitation of the natural resources of the continental shelf and the exclusive economic zone;
2. The scientific research involves drilling into the continental shelf, the use of explosives or the introduction of harmful substances into the marine environment;
3. The scientific research involves the construction, operation or use of artificial islands, installations and structures;
4. The communicated information is inaccurate or if there are outstanding obligations from prior permits.

#### Article 53

(1) Any discharge, disposal and dumping of solid or liquid wastes and of other substances, harmful to human health or to the marine living resources, as well as any other pollution of the marine environment in the internal waters and in the territorial sea from ships, aircraft, platforms and other artificial facilities and from land-based sources of any kind shall be prohibited, except in compliance with rules contained in international conventions ratified by the Republic of Bulgaria and in its national legislation.

(2) Any pollution of the marine environment in the exclusive economic zone which may cause prejudice to the interests of the country, as well as the disposal and the discharge of the wastes and substances, referred to in paragraph 1, in amounts exceeding the admissible international limits and standards recognized by the Republic of Bulgaria shall be prohibited.

(3) The discharge of sewage water from land-based sources shall be regulated by the Waters Act.

#### Article 54

(1) In case there are serious grounds for believing that a non-military ship, passing through the internal waters, the territorial sea or the exclusive economic zone has violated the provisions of the present Act, of another normative act or the provisions of an international agreement concerning the prevention of pollution of the marine environment, the Marine Administration of the Ministry of Transport and Communications and the regional offices of the Ministry of Environment and Waters shall have the right to take appropriate measures, including:

1. Requesting the Master of the ship to provide the necessary information in order to find out whether a violation has been committed;
2. Inspecting the ship, if they consider the information to be inadequate;
3. Taking samples from the vessel and the cargo;
4. Detaining the ship to determine appropriate responsibility.

(2) When necessary, the authorities referred to in paragraph 1 may request the collaboration of the Ministry of Internal Affairs, the Ministry of Defence or of another competent State authority.

#### Article 55

(1) In the event of pollution of the marine environment in the internal waters, the territorial sea or the exclusive economic zone of another State, the Republic of Bulgaria shall provide, upon the request of that State, legal assistance involving interrogation of persons, inspection of the documents or the technical condition of the ship, as well as taking samples from the ship responsible for the pollution and from its cargo, when the ship is lying in a port or in the internal waters of the country. Such assistance shall also be provided at the request of the flag State.

(2) The legal assistance referred to in paragraph 1 shall be provided on the condition of reciprocity.

#### Article 56

In the event of a breakdown, damage or other maritime accident in the maritime space of the country which constitutes a danger of pollution of the marine environment or of the coastline, or which may cause prejudice to any interests related thereto, the Ministry of Transport and Communications in collaboration with the authorities and organizations concerned shall take all necessary measures to prevent, reduce and eliminate the danger.

#### Article 57

The Marine Administration shall prohibit the departure of a vessel lying in the internal waters, in a port or a roadstead if the technical condition of the vessel or the crew activities do not ensure compliance with the regulations and standards adopted by the Republic of Bulgaria for the prevention and reduction of the pollution of the marine environment, or its technical condition and documents do not satisfy the requirements.

#### Article 58

(1) In the event of the carrying out of exploration work, drilling and other activities relating to the development and exploitation of the natural resources in the maritime space of the Republic of Bulgaria, the Ministry of Transport and Communications together with the Ministry of Environment and Waters shall control the compliance with the required measures for the prevention of accidents, discharge of oil and other pollutants, as well as of the timely elimination of their effects.

(2) The Ministry of Environment and Waters, through its specialized authorities, shall control the land-based sources of pollution.

#### Article 59

When there exists a real danger that the pollution in the maritime space of the country might spread into the waters of another Black Sea State, the latter shall be notified thereof through diplomatic channels.

Part VIII  
Safety of navigation

Article 60

With a view to ensuring the safety of navigation in accordance with the requirements of national security and with generally recognized international rules, in accordance with the procedures determined by the Council of Ministers, the following shall be established, altered or cancelled: traffic separation schemes, sea lanes, fairways and recommended routes, and a reporting and control system for navigation in the territorial sea, for transit passage and for calling at open ports, which shall be mandatory for ships and published in a "Notice to Mariners".

Article 61

- (1) Safety of navigation in the internal waters and in the territorial sea, in ports and channels shall be ensured by the Ministry of Defence in coordination with the Ministry of Transport and Communications.
- (2) The measurements of the depth in the territorial sea and internal waters for cartographic purposes shall be performed only by the Hydrographic Service of the Navy.
- (3) Hydro-technical and navigational facilities may be built by other administrations with the authorization of the Ministry of Defence and the Ministry of Transport and Communications.

Article 62

Dumping of earth masses and sediments in the maritime space of this country shall be authorized solely in areas designated by the Ministry of Environment and Waters in coordination with the Ministry of Transport.

Article 63

- (1) Artificial islands, installations and facilities in the continental shelf and in the exclusive economic zone shall be built outside the established sea lanes of essential importance to international navigation. These shall be marked by light and other signals.
- (2) Safety zones shall be established around artificial islands, installations and facilities at a distance of up to 500 metres from their outer edge. These zones shall also include the water column from the sea surface to the seabed. They may extend further if their dimensions are in conformity with generally accepted international standards.
- (3) Natural or juridical persons operating installations which are no longer in use shall dismantle them and remove them from the area, as required to ensure the safety of navigation, within the time limit established by the port administration.
- (4) If facilities referred to in the paragraph above are not removed within the prescribed time limit, they shall be dismantled and removed by the port administration. The port administration has the right to seek compensation for its expenses from the persons who are responsible, according to general rules of law.

Article 64

Any changes in the navigational conditions in the internal waters and the territorial sea as well as in the exclusive economic zone in the cases provided for in article 63 shall be published in a "Notice to Mariners".

#### Article 65

- (1) In the search and rescue zone for which the Republic of Bulgaria is responsible, the Ministry of Transport and Communications shall maintain an organization for rendering assistance to individuals, vessels or aircraft in need or in distress.
- (2) The region referred to in paragraph 1 is to be estimated in accordance with the agreements signed with States with opposite or adjacent coasts.
- (3) The Marine Administration shall organize the activities of search and rescue, interactions with the forces and means of the neighbouring countries and jointly with the Ministry of Defence carry out the search and rescue.

#### Part IX Right of pursuit

#### Article 66

A foreign non-military ship may be pursued and detained to determine appropriate responsibility if there is sufficient reason to consider that the vessel:

1. Has violated Bulgarian laws during its stay in the internal waters or the territorial sea;
2. Has committed or intends to commit a violation of the financial, customs, immigration and sanitary regulations in the contiguous zone;
3. Has violated the regulations regarding the protection of the marine environment from pollution and the regime governing the continental shelf and the exclusive economic zone, including the safety zones around artificial islands and other facilities.

#### Article 67

- (1) The pursuit may be undertaken when the foreign ship or one of its boats is: within the internal waters or the territorial sea in violation of article 66, paragraph 1; within the contiguous zone in violation of article 66, paragraph 2; within the exclusive economic zone or in the continental shelf in violation of article 66, paragraph 3.
- (2) The pursuit shall be undertaken when the foreign ship does not obey the signal given to it to stop.
- (3) The right of pursuit shall be exercised by vessels or aircraft of the Ministry of Internal Affairs and of the Ministry of Defence or by other government vessels and aircraft authorized for the purpose and bearing the appropriate insignia. The pursuit shall continue until the ship pursued enters the territorial sea of its own or of another State.

#### Article 68

In accordance with the provisions of the present chapter, the detained ship may be escorted to the nearest Bulgarian port for the purposes of investigation and determination of responsibility.

#### Article 69

In case of unjustified detention of a foreign non-military ship outside the territorial sea, compensation shall be due for the damages incurred.



CHAPTER THREE  
INLAND WATERWAYS OF THE REPUBLIC OF BULGARIA

Part I  
General provisions

Article 70

The inland waterways are the waters of the Republic of Bulgaria comprising the water area of the Danube, in the stretch between its right bank and the demarcation borderline between the Republic of Bulgaria and the Republic of Romania from kilometre 845,650 to kilometre 374,100.

Article 71

The protection of the river State boundary and the control over the observance of the boundary regime in the inland waterways shall be carried out by the authorities of the Ministry of Internal Affairs.

Article 72

- (1) A foreign vessel operated for a commercial or humanitarian purpose may freely pass along the inland waterways and call at the open ports and roadsteads.
- (2) No foreign warships of non-Danube countries shall be permitted to pass along the inland waterways.
- (3) A foreign warship of a Danube country may pass along the inland waterways and visit for a peaceful (non-military) purpose the open ports and roadsteads on the Danube with the permission of the Council of Ministers unless otherwise provided by an agreement between the Republic of Bulgaria and the flag State.
- (4) The permission under paragraph 3 shall be requested for at least 30 days before the visit for the vessels of Danube countries unless otherwise provided by an agreement between the Republic of Bulgaria and the flag State.
- (5) A foreign government vessel operated for a non-commercial purpose may pass along the inland waterways and call at the open ports and roadsteads on the Danube with the permission of the Council of Ministers, requested at least 30 days before the visit unless otherwise provided by an agreement between the Republic of Bulgaria and the flag State.
- (6) Any acts under article 20 shall be considered a violation of peaceful passage along the inland waterways.

Article 73

- (1) Foreign vessels passing along the inland waterways of the Republic of Bulgaria or lying in the ports and roadsteads are forbidden to use radio-navigational, hydro-acoustic and communication devices, or electronic and optical surveillance systems, except those ensuring the safety of navigation.
- (2) The use of VHF radio stations shall be permitted only for ensuring the safety of navigation and for communicating with the authorities supervising shipping and with the port authorities.
- (3) Vessels equipped with mobile land stations of the satellite sea communication systems may use them under the principle of reciprocity.
- (4) Ships passing along the inland waterways of the Republic of Bulgaria shall not pay any taxes for passage.

#### Article 74

(1) The rivers, lakes, dams and canals which do not directly communicate with the Black Sea and the Danube shall not be considered inland waterways.

(2) The carriage of passengers and cargoes on the rivers, lakes, dams and canals, which do not directly communicate with the Black Sea and the Danube on board vessels for industrial, commercial, touristic, sports, scientific, fishing, pleasure and other purposes shall be performed under conditions and following the procedures established by the Minister of Transport and Communications.

#### Part II

#### Rights of the Republic of Bulgaria in the inland waterways

#### Article 75

Within the inland waterway areas the Republic of Bulgaria shall exercise:

1. Sovereignty when exploring, developing, exploiting, protecting and managing the living, mineral and energy resources lying on the river bed, the subsoil and the superjacent waters, as well as other activities connected with the exploration and exploitation of the said area;
2. Exclusive rights and jurisdiction related to:
  - (a) The construction and use of artificial islands, installations and hydro-technical facilities;
  - (b) Carrying out scientific research;
  - (c) Laying cables and pipelines;
  - (d) Protecting the river environment;
  - (e) Other rights granted by international agreements to which the Republic of Bulgaria is a party and by the generally accepted principles and standards of international law.

#### Article 76

- (1) The carriage of passengers and cargo between Bulgarian ports shall be performed by vessels sailing under a Bulgarian flag only.
- (2) The carriage of passengers and cargo between Bulgarian ports on board vessels sailing under a foreign flag shall be performed under conditions and following the procedures established by the Council of Ministers.

#### Part III

#### Conditions for the safety of navigation

#### Article 77

- (1) The Ministry of Transport and Communications shall organize the investigation and the observance of the conditions of navigation in the inland waterways of the Republic of Bulgaria in compliance with the standards adopted by the Danube Committee and with the European Agreement on Main Inland Waterways of International Importance (AGN).
- (2) The Ministry of Transport and Communications shall publish and transmit notices about the state of the navigational routes and the hydro-meteorological situation within the inland waterways.

(3) Construction of hydro-technical facilities, dredging, extraction of inert materials and dumping of earth masses and sediment shall be carried out only upon coordination with the competent authorities of the Ministry of Transport and Communications, the Ministry of Regional Development and Urban Planning and the Ministry of Environment and Waters.

#### Article 78

(1) Vessels passing along the inland waterways of the Republic of Bulgaria and carrying dangerous cargo shall be obliged to observe the standards prescribed by the Rules for the Carriage of Dangerous Cargo along Inland Waterways adopted by the Danube Commission and the European Economic Commission.

(2) When entering the inland waterways of the Republic of Bulgaria, vessels carrying dangerous cargo shall be obliged to inform the Master of the nearest harbour about the quantity, stowage and type of dangerous cargo and about the port of discharge.

(3) The ban under article 53 shall not apply to the discharge or disposal of wastes when the content of noxious substances is within the national standards for land-based sources and for the vessels envisaged in the Rules for Sailing in the Bulgarian Stretch of the Danube.

#### Article 79

Scuba-diving and any other underwater activities within the inland waterways shall be carried out according to the procedures established by the Minister of Defence, the Minister of Internal Affairs and the Minister of Transport and Communications.

#### Article 80

(1) The laying of submarine or aerial cables and pipelines between the Republic of Bulgaria and the Republic of Romania shall be carried out on the basis of an agreement between the two countries.

(2) Hydro-technical facilities connecting the two banks of the river shall be constructed on the basis of an agreement between the Government of the Republic of Bulgaria and the Government of the Republic of Romania.

#### Article 81

(1) Rendering assistance to vessels and people in distress in the inland waterways of the Republic of Bulgaria shall be carried out under conditions and according to the procedures established by the Minister of Transport and Communications.

(2) In case there exists a risk for the people or a threat of obstructing navigation along the inland waterways, the Harbour Master may include in the search and rescue operation any vessel in the vicinity.

#### Part IV

#### Conditions for the safety of vessels

#### Article 82

(1) Every vessel shall have a certificate for the right to sail under the flag of the State of registry.

(2) The Minister of Transport and Communications shall issue regulations for the conditions and procedures for registration of Bulgarian vessels.

#### Article 83

Vessels sailing along the inland waterways of the Republic of Bulgaria shall satisfy the technical requirements for vessels of inland shipping, which shall be certified with the appropriate document.

#### Article 84

- (1) All vessels, irrespective of the flag they are flying, shall have the documents required by the Regulations for Sailing along the Danube, adopted by the Danube Commission and the European Economic Commission as well as other documents required by virtue of international agreements to which the Republic of Bulgaria is a party.
- (2) The ship's documents shall be carried on board and presented for inspection when requested by official representatives of the competent authorities.
- (3) The Minister of Transport and Communications shall issue regulations for the conditions and procedures for issuing documents to vessels flying the Bulgarian flag.

#### Article 85

- (1) Every vessel shall be manned with a crew which is sufficient in number and appropriately qualified who can ensure the safety of people, cargo and the voyage at any time.
- (2) The manning of non-military ships flying the Bulgarian flag and the number and qualifications of the crew shall be established by the Minister of Transport and Communications.

### Part V Supervision of navigation

#### Article 86

- (1) Supervision of navigation shall be carried out for the purpose of complying with the rules for sailing along the Danube, protection of the hydro-technical and port facilities and prevention of pollution of the Danube waters from ships sailing along the inland waterways of the Republic of Bulgaria.
- (2) Supervision shall be carried out without any prejudice to the flag the vessel is flying.

#### Article 87

- (1) Supervision of navigation shall be carried out by the Marine Administration with the Minister of Transport and Communications.
- (2) When performing their responsibilities the employees of the Marine Administration shall be governed by the Rules for River Surveillance on the Danube.

#### Article 88

In case of damage, average or any other accident within the inland waterways of the country which threatens to pollute the environment, the coast or impairs the interests related thereto, the Ministry of Transport and Communications in cooperation with the authorities and organizations concerned shall take all due measures for preventing, limiting and eliminating the danger.

#### Article 89

The Marine Administration shall prohibit the departure of a vessel on the Danube from a Danube port or roadstead if the technical condition of the vessel does not ensure the observance of the regulations and standards adopted by the Republic of Bulgaria for preventing and limiting the pollution of the marine environment, or if its technical condition and documents do not satisfy the requirements of the Rules for Sailing on the Danube and the Recommendations for the Technical Requirements for Inland Shipping.

#### Article 90

(1) In the event of the carrying out of exploration work, drilling and other activities relating to the development and exploitation of the natural resources in the maritime space of the Republic of Bulgaria, the Ministry of Transport and Communications together with the Ministry of the Environment and Waters shall monitor the compliance with the necessary measures for the prevention of accidents and the discharge of oil and other pollutants, as well as for the timely elimination of their effects.

(2) The Ministry of Environment and Waters shall monitor the land-based sources of pollution.

#### Article 91

(1) When there exists a real danger that the pollution in the maritime space of the country might spread into the waters of another Black Sea State, the latter shall be notified thereof through diplomatic channels.

(2) Every Master of a vessel sailing within the inland waterways of the Republic of Bulgaria shall immediately inform by all possible means the Master of the nearest harbour about the pollution caused by the vessel, about deliberate discharge in order to save the lives of the people on board or about pollution discovered by him.

### CHAPTER FOUR PORTS

#### Part I General provisions

#### Article 92

(1) Ports are areas of the Black Sea and the Danube coast and the islands therein, channels and the lakes naturally or artificially connected to them with water and land areas, water and land facilities, including facilities relating to marine, river and coastal environmental protection, which comprise natural and artificial structures for safe berthing, stay, handling of vessels and the carrying out of the activities envisaged in the present Act, under the control of Port Administrations. Ports connect the water spaces of the Republic of Bulgaria with land roads and railway transport.

(2) A port may comprise adjacent water areas and territories of one or more municipalities.

#### Article 93

Ports are for the following purposes:

1. Public transport, whether internal or international;
2. Fishery;
3. Yachting;

4. Technological;
5. Naval, including frontier and police (border patrol).

#### Article 94

(1) Natural and juridical persons that operate or own ports or port facilities shall provide the Ministry of Transport and Communications with statistical information about their activities under the conditions and following the procedures established by the Minister of Transport and Communications and the Chairperson of the National Statistics Institute.

(2) The information under paragraph 1 shall be for official use only.

#### Article 95

(1) The limits of the territory of the public transport ports shall be coordinated with the Minister of Regional Development and Urban Planning in the established way.

(2) The limits of the territory of the naval ports shall be coordinated with the Minister of Defence.

(3) The coordinates and the navigational charts of the water area shall be officially published.

#### Article 96

Ports and port facilities in the open ports shall be generally accessible and shall provide equal conditions to all vessels according to their purpose.

#### Article 97

(1) No vessels shall sail in ports and roadsteads without flying the national ensign or a naval flag, and without a name or a number.

(2) Manoeuvring in ports and roadsteads shall be carried out in compliance with the provisions of the International Rules for the Prevention of Collisions at Sea.

#### Article 98

The immigration, customs and sanitary regime, as well as the protection of ports, shall be established by the legislation in force.

#### Article 99

The procedures for visiting and staying of vessels in ports and roadsteads with a view to loading and discharging, and to the boarding and disembarking of the ship by the crew, passengers and other persons, as well as to providing communication between the ship and the shore, shall be established by the Minister of Transport and Communications.

#### Article 100

The allocation of land and water areas for carrying out construction works along the Black Sea and Danube coasts, as well as in the internal and territorial waters and in the areas of operation of the aids to navigation shall be carried out on the basis of the town plan or a building permit after coordination with the Minister of Defence, the Minister of Transport and Communications, the Minister of Regional Development and Urban Planning and the Minister of Agriculture, Forestry and Agrarian Reform.

#### Article 101

The general plan for building, reconstruction and expansion of ports and navigational facilities shall be coordinated by the town council of the municipality in whose territory the facility is situated, upon coordination with the Minister of Regional Development and Urban Planning, the Minister of Defence and the Minister of Internal Affairs and shall be approved by the Minister of Transport and Communications.

#### Article 102

The jurisdiction of the Port Administration shall extend over all ports irrespective of the type and form of ownership, with the exception of the naval ports.

### Part II

#### Public transport ports

#### Article 103

- (1) A public transport port shall be considered any port, equipped for and enabling the carrying out of any activities related to cargo handling by and on vessels and means of land transport.
- (2) The public transport ports are: Port Balchic, Port Varna, Port Lesport-Varna, Port Ferryboat Varna, Port Petrol Varna, Port Burgas, Burgas Fishery Port, Port Sozopol, Port Pomorie, Port Tsarevo, Port Nessebar, Port Ahtopol, Port Vidin, Port Lom, Port Oriahovo, Russe, Port Somovit, Port Svishtov, Port Tutrakan, Port Silistra.
- (3) Public transport ports shall provide free access to vessels and means of land transport, bearing cargo, passengers and mail, for carrying out commercial activities and for ensuring the communication between the coast and the land.
- (4) In public transport ports, channel, tonnage and loadline quay charges shall be levied as determined by the Council of Ministers on the basis of a proposal by the Minister of Transport and Communications.
- (5) In public transport ports, light duties shall be levied to the extent and under an order established by the Council of Ministers on the basis of a proposal by the Minister of Transport and Communications and the Minister of Defence.

#### Article 104

- (1) The Minister of Transport and Communications shall establish the requirements for the operational fitness of ports.
- (2) The Port Administration shall have the right to suspend or restrict the operation of ports which do not satisfy the requirements and the order established by the regulation under paragraph 1.
- (3) The Port Administration shall issue mandatory conditions for setting up public transport ports in conformity with the requirements of the regulation under paragraph 1.

#### Article 105

Cargo loading, unloading and transfer operations and carriage of passengers on liners, of cargo and mail shall be performed only within the designated areas and by the designated facilities in public transport ports, save in cases of distress in the territorial sea or in other emergencies and cases of force majeure.

#### Article 106

The construction of cargo transfer facilities in the water at a distance offshore shall be allowed only if they are part of a public transport port at a location and in line with the requirements established by the Marine Administration.

#### Article 107

- (1) Port facilities, the land on which they are situated, the land under open and closed warehouses as well as the adjacent water areas in public transport ports are public State property.
- (2) An existing port that is not listed in article 103, paragraph 2, may obtain the statute of a public transport port in accordance with that law by decision of the Council of Ministers on application by the entities having property rights over it, following a change of article 103, paragraph 2.
- (3) Public transport ports other than those referred to in article 103 may be built only on land which is public State property.

#### Article 108

Concessions on land, buildings and port facilities which are public State property shall be granted under the provisions of the Concessions Law.

#### Article 109

- (1) By a decision of the Council of Ministers, a concession may be granted for an entire public transport port or for parts of it (terminals) with the facilities necessary for carrying out the complete technological process of cargo handling.
- (2) The concession contract must contain clauses regulating the concessionaire's rights to use the terminal alone and the possibility for rendering services to other parties.

### Part III Other ports

#### Article 110

- (1) A fishery port shall be considered any home port or berthing port, used by coastal fishing vessels, which does not handle cargo and deep-sea vessels carrying passengers and mail.
- (2) A yachting port shall be considered any home or berthing port used by coastal and foreign-going yachts, intended for sports and pleasure programmes, not carrying passengers.
- (3) A special-purpose port shall be considered any port or port facility which is technologically connected with the production process of the shipbuilding and ship repair yards and also of the specialized coastal enterprises for hydro-technical construction and protection of the environment, and which does not handle cargo, passengers and mail.



(4) Water bases may be built at locations designated by the established order, with the purpose of berthing and keeping fishing boats and sports and pleasure craft.

#### Article 111

A naval port, as well as a frontier and police port, or quay shall be considered any home or berthing port or quay used by warships or government ships and other vessels of the Ministry of Internal Affairs.

#### Article 112

- (1) The type and purpose, as well as any changes in the type and purpose, of the ports shall be registered by the Port Administration.
- (2) No activities and services other than those contained in the port's registration shall be allowed to be carried out.
- (3) The regime applied to warships shall also be applied to government ships and other vessels used by the Ministry of Internal Affairs.

### Part IV Port Administration

#### Article 113

- (1) The Minister of Transport and Communications shall manage and control the operation of the ports in the Republic of Bulgaria.
- (2) The Minister of Transport and Communications shall exercise his authority through the Port Administration, established according to the State Administration Act as a legal entity funded by the budget, through the secondary redistributor of budget credits, based in Sofia and regional offices .

#### Article 114

- (1) The Port Administration shall:
  1. Provide for the security and safety of ports and maintain the level of the registered categories of ports and the standards of their performance of the functions stipulated by the State in compliance with international agreements, as well as resolve all problems of immediate public concern;
  2. Coordinate the management and maintenance of public transport ports;
  3. Keep a registry book of all ports in the Republic of Bulgaria;
  4. Open, maintain and keep a registry book containing data on the sites, buildings, port facilities, road and railway approaches, as well as underwater, underground and ground communications of the port infrastructure and substructure;
  5. Organize the maintenance of the existing approach channels and the building of new ones, port water areas, sea and river spoil grounds, protective structures, etc.;
  6. Assist the Minister of Transport and Communications in monitoring the performance of concession contracts;
  7. Keep a register of port operators;
  8. Give permissions for entry into ports;

9. Monitor the observance of the safety requirements for port facilities, the safety of labour and the safe handling of cargo by staff qualified therefor;
  10. Provide conditions for implementing the regulations for wartime reserve preparation and civil defence in ports and for maintaining the border patrol;
  11. Monitor the observance of the requirements for free access and the application of equal competitive conditions for the operators of port activities;
  12. Collect, process and provide statistical information on ports;
  13. Collect canal duties, ship tonnage duties, load line quay duties and light duties;
  14. Develop mandatory requirements under article 104, paragraph 3;
  15. Publish mandatory requirements for the cargo handling facilities used therein and monitor the observance of the technological rules for handling ships and cargo alongside and in roadsteads;
  16. Supervise the observance of the regulations and prescribed order for carrying out port activities and other services;
  17. Carry out other activities established by a law or an act of the Council of Ministers.
- (2) The Port Administration shall transfer to the Ministry of Defence the sums collected as light duties under paragraph 1, subparagraph 13.

#### Article 115

- (1) The financing of the activities to ensure the safety of navigation and the maintenance and development of public transport ports shall be provided through the budget of the Ministry of Transport and Communications.
- (2) The activities as per paragraph 1 are secured financially by:
  1. Duties under article 114, paragraph 13, excluding light duties;
  2. The interest on deposits of individual fund accounts and on overdue payments;
  3. The sums from concessions granted pursuant to article 25, par. 2 1, of the Concessions Law.
- (3) The sums collected under paragraph 2 shall be used for funding the expenditures for:
  1. Safety of navigation in channels and public port areas;
  2. The design, construction, development and maintenance of public transport ports as well as the infrastructure in the adjusting aquatory ;
  3. Dismantling and removal in accordance with article 63, paragraph 4;
  4. Financial maintenance of the Port Administration.
- (4) The Port Administration shall annually work out a programme, approved by the Minister of Transport and Communications, for substantiating the expenses for developing the port infrastructure and for paying off any credits received.
- (5) All funds granted from the budget of the Ministry of Transportation and Communications under the regulation of the article for financing activities for the security and maintenance of safety of navigation, as well as dues collected, shall not be taxed.
- (6) The funds from revenues exceeding expenses remaining at the end of the calendar year may be used during the next financial year and shall be used for funding activities in line with their original purpose.

Part V  
Port activities and services

Article 116

Port activities related to cargo operations, transport of passengers and mail and other concomitant activities from/to vessels and land transport devices shall be performed by operators– port enterprises or concessionaires.

Article 117

- (1) The port activities related to handling liquid, bulk and general cargoes, containers, ro-ro, ferries and other cargoes shall be performed by specialized port operators having or employing qualified personnel in the respective area.
- (2) The training, qualifications and changing of qualifications of port employees and the provision of qualified labour shall be carried out by specialized associations in compliance with the procedures established by the legislation in force.
- (3) The Port Administration shall provide conditions for denying permission for the performance of port activities by persons without the necessary qualification.

CHAPTER FIVE  
ADMINISTRATIVE AND PENAL PROVISIONS

Article 118

- (1) The Master of a foreign non-military ship who scuttles his ship in the territorial sea, internal waters or inland waterways, or beaches it, shall be fined between 50,000 and 200,000 leva if not subject to a heavier penalty.
- (2) The fine referred to in paragraph 1 shall also apply to a shipowner who orders or permits the scuttling or the beaching of such a vessel.

Article 119

- (1) A fine of between 500 and 500,000 leva, if not subject to a heavier penalty, shall be imposed on:
  1. Any person having committed or permitted a violation of the bans of article 53, paragraph 2;
  2. The Master of a foreign non-military ship who orders or permits commercial fishing in the exclusive economic zone, internal waters, territorial sea or inland waterways.
- (2) The fine provided for in paragraph 1 shall also be imposed on the Master of a foreign non-military nuclear-powered ship or ship armed by nuclear weapons, as well as on the Master of a foreign non-military ship carrying nuclear, radioactive or other dangerous or toxic substances, who enters the internal waters and the inland waterways without authorization or does not submit to inspection of documents, to dosimetric inspection or any other inspection on board the ship relating to the protection of the environment.

Article 120

- (1) A fine of between 50,000 and 200,000 leva, if not subject to a heavier penalty, shall be imposed on the Master of a foreign non-military ship who:

1. Enters a closed port or roadstead;
  2. Keeps a submarine submerged in the internal waters and the territorial sea;
  3. Orders or permits a violation of the provisions of article 15 and article 20, paragraphs 5, 6 and 11;
  4. Commits a violation of the provisions of article 19, paragraph 2, article 23, paragraph 3, subparagraphs 1 to 4 and 6, articles 24, 26 and article 53, paragraph 1.
- (2) The penalty provided for in paragraph 1 shall be imposed on any person conducting scientific research and exploration activities in the maritime space of the Republic of Bulgaria in violation of the authorization granted.

#### Article 121

Anyone who violates other provisions of the present Act shall be fined between 100 and 1000 leva, if not subject to a heavier penalty.

#### Article 122

- (1) Violations of the provisions of the present chapter shall be determined by statements drawn up by officials of the respective ministries and other agencies to whom the exercise of control in the maritime space and the inland waterways of the country is entrusted.
- (2) The statement so drawn up shall be handed to the offender, who may submit his objections at the moment of its signing, or later in front of the administrative and penal authority within 48 hours after the handing over of the statement. The statement together with the written objections and the evidence collected shall be submitted to the administrative and penal authority, which must pronounce its decision on the case within 24 hours after the expiration of the time limit set for entering objections, unless the case is factually or legally complicated.
- (3) The ordinances imposing penalties for violations with respect to the protection of the marine environment and the inland waterways shall be issued by the Minister of Environment and Waters or by officials authorized by him in case of land-based sources of pollution, or by the Minister of Transport and Communications or by officials authorized by him if the pollution has been caused by ships.
- (4) The ordinance may also stipulate a monetary compensation covering the entire amount of the damage caused.
- (5) The part of the ordinance relating to the compensation of the damage caused may also be appealed by the shipowner. The date on which the ordinance is delivered to the Master of the ship shall be considered to be the date of its delivery to the shipowner.

#### Article 123

The drawing up of statements, the issuing of ordinances and the appealing of ordinances as well as the enforcement of penalties shall be performed in accordance with the Administrative Violations and Penalties Act.

#### Article 124

- (1) With the purpose of ensuring the collection of fines and compensations imposed under this chapter, the foreign non-military ship, regardless of its legal ownership, shall be arrested at the time of the drawing up of the statement on the violation.

(2) A foreign non-military ship may be also arrested in order to guarantee the recovery of the sum due by reason of an act quasi-deliict under article 31, paragraph 1. The arrest shall be made by the Marine Administration and shall be discontinued in 72 hours if a compensation for the claim has not been enacted by the local court within the said period.

(3) In the cases referred to in paragraphs 1 and 2, the ship shall be released after the lodging in a Bulgarian bank of a monetary or bank guarantee to the amount of the sums determined by the ordinance imposing penalties and corresponding to the amount of the claim giving rise to the interim precautionary measures.

#### ADDITIONAL PROVISIONS

§ 1. The provisions of article 10, paragraphs 2 to 5, article 23, paragraph 3, subparagraphs 4 to 6, articles 24, 26, 28, 30, 39 and 54 shall also apply to Bulgarian ships.

§ 2. For the purposes of the present Act:

1. A “warship” shall mean any vessel which belongs to the armed forces of a State, bears its national insignia, is under the command of a commissioned officer whose name appears in the service list of officers of the navy of the respective State or in another equivalent document and is manned by a crew which is under regular armed forces discipline;
2. A “frontier and police” (border patrol) ship shall mean any ship operated for the purpose of protecting the State frontier and flying a naval flag;
3. A “government vessel operated for non-commercial purposes” shall mean a vessel belonging to the State whose flag it flies and intended for carrying out scientific research or other non-economic activities;
4. A “non-military ship” shall mean any vessel other than those referred to in subparagraphs 1 and 2;
5. A “submarine” shall mean any vessel intended to sail under water;
6. A “State of the flag” is the State under which flag the ship sails;
7. “Underwater activities” shall mean any diving of a man under the water surface using breathing devices, which lasts more than one breath;
8. “Sedentary species” shall mean the organisms which at a harvestable stage are attached to the sea bottom or under its surface or can move only if in continuous contact with the surface or the subsoil of the sea bottom;
9. “Pollution of the marine or river environment” shall mean the direct or indirect introduction by man of substances or energy into the marine environment, including the river mouths, which causes or might cause harm to the living marine or river resources, risk to human health, or impede the lawful exploitation of the sea by also deteriorating the quality of the sea water and the conditions for tourism and recreation, in accordance with the norms and standards of admissible pollution in force;
10. A “nautical mile” is equal to 1852 m;
11. “Adjacent water area” shall mean the optimum necessary water area for safe and secure passage and berthing of vessels;
12. A “roadstead” shall mean a certain area of the sea space outside a port where vessels may ride an anchor for the purpose of waiting, entering port, sheltering from the weather or cargo handling;
13. A “water base” shall mean any guarded coastal zone with the adjacent water area provided with facilities and equipment for berthing and protecting the vessels;
14. A “terminal” shall mean a specified zone of a public transport port providing a complete technological process of receiving, handling and shipping a particular type of cargo;

15. “Port substructure” shall mean all engineering facilities situated on the port territory above the “pavement” level;
16. “Port infrastructure” shall mean all engineering facilities situated on the territory of the respective port according to the general plan up to and including the “pavement” level;
17. “Port facilities” shall mean elements of the infrastructure or the substructure permanently attached to the site and intended for or related to the performance of the activities or services in the ports, namely quaysides, railway and road approaches, tracks under cranes, etc.;
18. A “Harbour Master” shall mean an official of the Marine Administration authorized to issue mandatory instructions and bear responsibilities for protecting the environment from pollution from ships and ensuring safety and human life;
19. “Notice to Mariners” shall mean a bulletin containing information about the safety of navigation;
20. “Safety of shipping” shall mean a combination of measures providing for the safety of shipping;
21. “Rules for Supervision on the River Danube” shall mean the rules adopted by the Danube Commission, approved by Ordinance No. 658 of the Council of Ministers of 1954 (published in the State Gazette, issue 99 of 1954; modified and amended by Decision No. 42 of the Council of Ministers of 1978, issue 31 of 1978);
22. “Recommendations for Technical Prescriptions for Inland Shipping” shall mean prescriptions adopted by an Ordinance of the 50<sup>th</sup> session of the Danube Commission on 14 April 1992;
23. A “port enterprise” shall mean a public property sole proprietor company performing activities and services in ports;
24. An “operator” shall mean a businessman who performs a port activity or provides port services under the conditions of and in accordance with the present Act;
25. A “dangerous cargo” shall mean a cargo included in the United Nations dangerous cargoes list;
26. A “yacht” shall mean a vessel (sailing or powered by engine) used for tourism, sport, sport fishing or pleasure.

#### TRANSITORY AND CONCLUDING PROVISIONS

§3. VAT, taxes and customs duties are not owed when projects are executed related to merchant shipping, financed directly by grants and/or loans from international financial institutions guaranteed by the Republic of Bulgaria and when the amount of the taxes, VAT or customs duties on imported equipment for executing projects related to merchant shipping has been accepted by the relevant financial institution for co-financing by the Republic of Bulgaria.

§ 4 (1) Upon the entry into force of the present Act the objects as per article 107 which are public State property shall be excluded from the property of the State trading companies within a period of nine months.

(2) The Minister of Transport and Communications, exercising the right of the State’s ownership in the companies under paragraph 1, shall undertake actions for reducing their assets by the value of the property under paragraph 1.

(3) The objects under paragraph 1 shall be used by the trading companies in compliance with the Concessions Law.

(4) The persons having rightfully obtained or exercised rights over ports that have obtained the status of public transport ports under the provisions of article 107 (2) may request, within three months of the decision of the Council of Ministers under article 107 (2), the Council of Ministers to transfer the concession through the Minister of Transport and Communications. Unclaimed rights should be considered expired once the term is over.

(5) The Council of Ministers shall decide upon the rights claimed under the previous paragraph in accordance with the Concessions Law within six months of the application.

§ 5. The present Act shall repeal The Republic of Bulgaria Sea Spaces Act (published in the State Gazette, issue 55 of 1987; amended, issues 11 and 59 of 1998 and issues 23 and 67 of 1999).

§ 6. A new paragraph 4 is added to article 16 of the State Property Act (published in the State Gazette, issue 44 of 1996; modified and amended, issues 104 of 1996, issues 55, 61 and 117 of 1997, issues 93 and 124 of 1998 and issue 67 of 1999), reading:

“(4) Public property sole proprietor companies and natural and juridical persons who have been granted a concession according to the respective procedures for the objects under article 4, paragraph 1, subparagraph 6, of the Concessions Law may let properties or part of properties, as well as use them jointly by a contract with third parties under the provisions of paragraph 2, without hampering the performance of the activities for which they have been let.”

§ 7. The Concessions Law (published in the State Gazette, issue 92 of 1995; Constitutional Court Decision No. 42 of 1996, issue 16 of 1996; modified and amended, issue 44 of 1996, issues 61 and 123 of 1997, issue 93 of 1998 and issues 23, 56, 64 and 67 of 1999) shall be modified and amended as follows:

1. In article 4, paragraph 1, subparagraph 6 shall be modified as follows:

“6. The State roads, whole or technologically detached parts of public transport ports and public civil airports existing and/or to be built with the concessionaire’s funds, public State property.”

2. Article 25 shall be modified and amended as follows:

(a) The former text of article 25 shall become paragraph 1;

(b) A new paragraph 2 is added, reading:

“(2) The monetary returns from the granting and the realization of a concession on the objects under article 4, paragraph 1, subparagraph 6, and the permits for the activities under article 5, subparagraph 4, shall be distributed as follows:

“1. 85 per cent for developing and building State road and transport infrastructure;

“2. 15 per cent for replenishing the fund to cover the expenses on concessions.”

§ 8. The Civil Aviation Act (published in the State Gazette, issue 94 of 1972, amended, issues 30 of 1990, 16 of 1997 and 95 of 1998) shall be modified and amended as follows:

1. In Article 122c:

(a) In paragraph 3, subparagraph 2, after the words “safety of flights”, insert the words “inclusive. For flight training of pilots pursuing a higher course of education—State errand”.

(b) A new paragraph 4 is added, reading:

“(4) The funds remaining from revenues exceeding expenses at the end of the calendar year are to be used during the next financial year and shall be used for funding activities by that part.”

2. A new article 122e is added, reading:

“*Article 122e.* All funds granted from the budget of the Ministry of Transport and Communications under the provisions of this article for financing activities for securing and maintaining the safety of flights, as well as duties collected pursuant to article 120, paragraph 4, shall not be taxed.”

3. In §4 of the additional provisions, following the words “when the Republic of Bulgaria guarantees the loans” the words “as also” are added.

§ 9. In §4a of the Bulgarian State Railways Act (published in the State Gazette, issue 53 of 1995, amended, issues 85 of 1998 and 124 of 1998), following the words “when the Republic of Bulgaria guarantees the loan” the words “as also” are added.

§10 In the Merchant Shipping Code (published in the State Gazette, issues 55 and 56 of 1970, amended, issues 58 of 1970, 55 of 1975, 10 of 1987, 30 of 1990 and 85 of 1998), in the additional provisions, following the words “when the loan is guaranteed by the Republic of Bulgaria” the words “as also” are added.

The present Act is hereby promulgated by the XXXVIIIth National Assembly on 28 January 2000 and sealed with the official stamp of the National Assembly.



### 3. Norway

#### Regulations relating to the baselines for determining the extent of the territorial sea around mainland Norway<sup>3</sup>

Laid down by Royal Decree of 14 June 2002 pursuant to the Act of 17 May 1814 relating to the Constitution of the Kingdom of Norway and Royal Decree of 22 February 1812 (reproduced in Government Decree (Cancelli-Promemoria) of 25 February 1812). Submitted by the Ministry of Foreign Affairs.

1. The limits of the territorial sea around mainland Norway are to be drawn outside and parallel to a straight line drawn between the following points:

<b>Number of the point</b>	<b>Position of the point North latitude</b>	<b>Position of the point East longitude</b>	<b>Name of the point</b>
NM01 <sup>4</sup>	69 47 41.42	30 49 03.55	Border between Norway and Russia Border marker 415
NM02	70 17 20.96	31 03 51.55	Kibergneset
NM03	70 23 12.64	31 10 06.94	Hornøya E-1
NM04	70 23 15.35	31 10 06.48	Hornøya E-2
NM05	70 23 26.34	31 09 49.28	Hornøya N
NM06	70 23 53.36	31 08 50.45	Kålneset on Reinøya
NM07	70 40 34.37	30 12 48.39	Korsnes
NM08	70 42 24.96	30 05 43.19	Molvikskjeret
NM09	70 51 14.49	29 14 34.16	Kjølneset
NM10	71 06 00.46	28 11 50.55	Rock E of Tørrbååken
NM11	71 06 05.24	28 10 46.13	Rock N of Tørrbååken
NM12	71 08 02.56	27 39 27.58	Rock off Avløysinga, Kinnarodden
NM13	71 11 08.57	25 40 30.80	Rock off Knivskjelodden
NM14	71 06 58.73	24 43 09.21	Avløysinga N of Hjelmsøya
NM15	71 06 07.74	24 03 38.97	Stabben
NM16	71 05 51.61	23 58 34.49	Northernmost point on Skagholmen
NM17	71 05 46.73	23 58 04.53	Dry rock off Skagholmen
NM18	70 51 34.01	22 48 20.76	Rundskjeret
NM19	70 40 27.34	21 58 47.04	Darupskjeret

<sup>3</sup> Text communicated by the Permanent Mission of Norway to the United Nations.

<sup>4</sup> NM: Norway mainland.

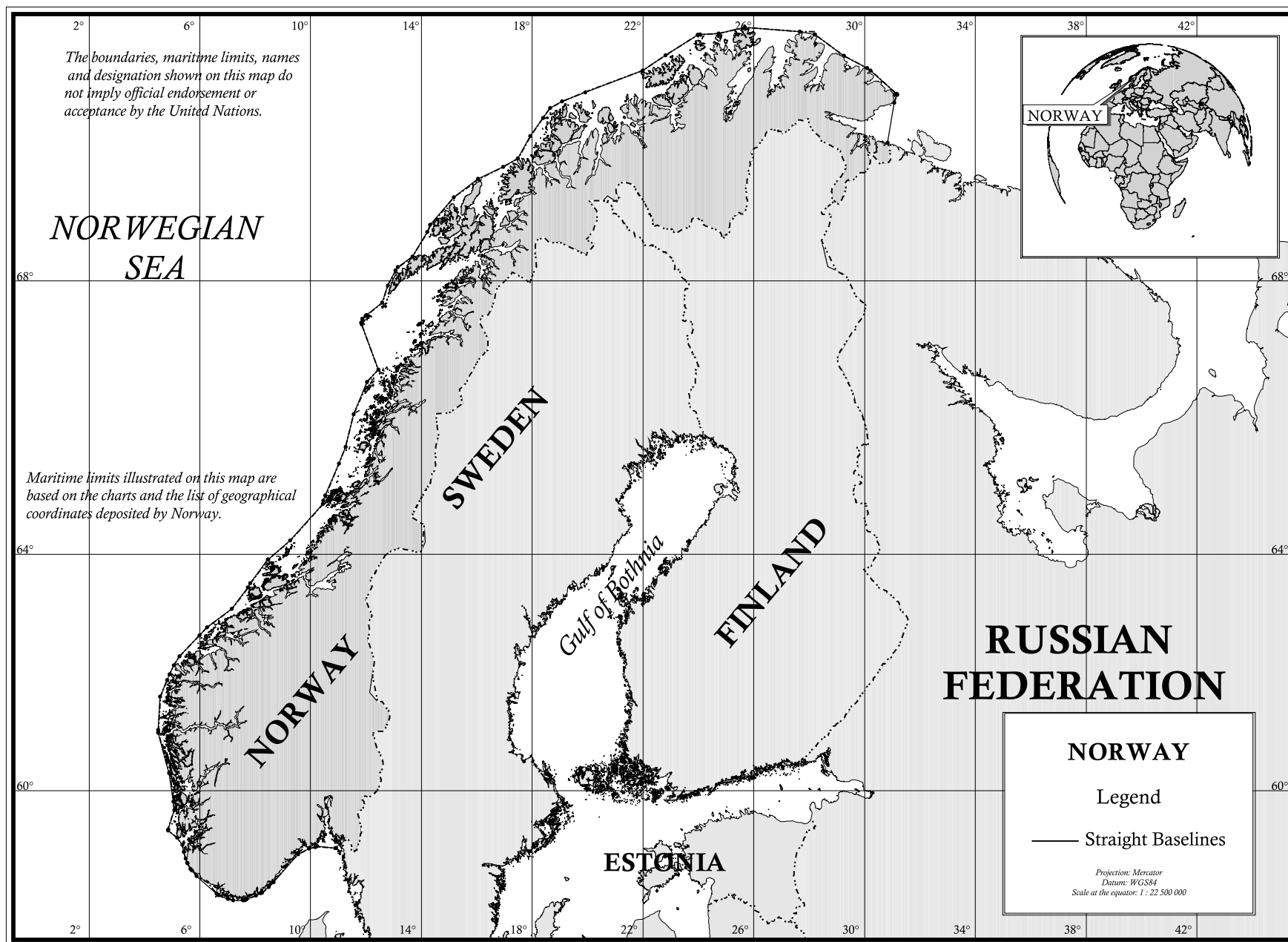
<b>Number of the point</b>	<b>Position of the point North latitude</b>	<b>Position of the point East longitude</b>	<b>Name of the point</b>
NM20	70 24 59.34	19 54 41.18	Vesterfallet in Gåsan
NM21	70 18 14.02	19 04 45.82	Sannifallet
NM22	70 13 27.95	18 38 33.48	Ytre Fiskebåen
NM23	70 06 05.67	18 22 56.83	Jubåen
NM24	69 52 51.42	17 55 53.81	Saltbåen
NM25	69 36 03.49	17 28 55.00	Headland NW of Kjølva
NM26	69 29 27.18	16 56 41.96	Tokkebåen
NM27	69 20 19.42	16 02 19.38	Northernmost point of Svebåan
NM28	69 06 06.43	15 09 31.14	Northernmost point of Flesan
NM29	68 44 42.11	14 18 53.59	North-westernmost point of Floholman
NM30	68 39 22.41	14 12 44.20	Utflesa
NM31	68 19 35.91	13 40 20.82	Kverna
NM32	68 11 10.11	13 09 06.56	Rock N of Skarvholman
NM33	68 08 40.11	13 03 37.71	Rock W of Strandflesa
NM34	67 56 27.08	12 46 44.77	Westernmost rock off Nordbåen
NM35	67 42 10.99	12 34 53.34	Ytreflesa
NM36	67 32 19.44	12 01 00.80	Hombåen
NM37	67 31 29.56	11 58 32.17	Tørrbåen
NM38	67 29 04.72	11 51 40.59	North-westernmost rock on Nordskjortbaken
NM39	67 25 50.82	11 49 18.63	Havbåen NW
NM40	67 25 49.85	11 49 18.10	Havbåen SW
NM41	67 24 05.44	11 50 34.96	Flesjan S
NM42	66 46 18.21	12 26 16.36	Brimholman W
NM43	66 35 29.84	12 01 47.41	Floholman SW
NM44	66 07 30.21	11 32 59.92	Lundbåen
NM45	65 38 28.83	11 15 37.91	Svinglebåen WNW
NM46	65 23 40.11	11 01 16.21	Høgbraken
NM47	64 54 50.99	10 31 17.70	Svartflesa
NM48	64 49 54.30	10 27 24.54	Rock ca 2.5 km NW of Skringen
NM49	64 46 51.32	10 26 22.25	Rock SW of Ertenbraken

<b>Number of the point</b>	<b>Position of the point North latitude</b>	<b>Position of the point East longitude</b>	<b>Name of the point</b>
NM50	64 12 54.81	09 15 47.63	Utgrunnskjer
NM51	63 54 56.97	08 27 44.73	Springaran
NM52	63 54 41.03	08 27 10.87	Springaren S
NM53	63 32 15.45	07 49 22.37	Flesa
NM54	63 28 10.64	07 43 45.44	Smoksbåen
NM55	63 07 03.55	07 09 22.18	Fogna
NM56	62 48 54.41	06 15 34.54	Kjellskjera W
NM57	62 41 11.69	05 58 52.57	Skreia
NM58	62 20 09.74	05 15 49.14	Rock N of Skjerkalven
NM59	62 11 13.18	05 03 17.76	Bukketjuvane W
NM60	62 01 45.50	04 53 54.98	Steinen
NM61	61 56 13.60	04 48 59.45	Vetrungane S
NM62	61 39 03.97	04 33 59.36	Sendingane W
NM63	61 04 24.07	04 29 57.02	Holmebåen
NM64	61 02 03.43	04 29 59.37	Steinsøyna NW
NM65	61 01 42.79	04 30 01.60	Mulen W
NM66	60 18 47.38	04 53 16.06	Hærbåeskjeret
NM67	59 48 00.14	05 02 30.80	Ternesker
NM68	59 38 34.77	05 04 21.76	Båaskjeret
NM69	59 17 04.35	04 50 38.94	Rock NW of Spanholmane
NM70	59 16 18.34	04 50 49.77	Lausingen
NM71	59 08 29.32	05 10 29.75	Svelgjesker
NM72	59 00 28.96	05 21 51.81	Rock SW of Imsen
NM73	58 52 38.06	05 25 19.66	Ytre Faksen
NM74	58 45 01.14	05 29 02.23	Jæren Reef
NM75	58 40 08.20	05 32 18.06	Øyrestenen
NM76	58 39 26.21	05 32 56.40	Rock W of Obrestadodden
NM77	58 33 12.95	05 39 35.60	Rock W of Horrodden
NM78	58 31 34.28	05 42 06.04	Rock SW of Raunen
NM79	58 25 24.78	05 52 25.19	Nordra Råsholmane
NM80	58 05 02.81	06 35 42.85	Rock SW of Tjørveneset

<b>Number of the point</b>	<b>Position of the point North latitude</b>	<b>Position of the point East longitude</b>	<b>Name of the point</b>
NM81	58 04 10.86	06 37 36.80	Outermost rock off Lille Døsen
NM82	58 03 31.04	06 39 42.08	Rock SW of Listerauna
NM83	58 03 23.90	06 40 14.36	Rock S of Listerauna
NM84	57 59 02.00	07 00 14.90	Bispen
NM85	57 57 41.97	07 12 08.97	Southernmost rock in Gjesslingane
NM86	57 57 30.64	07 33 52.30	Pysen
NM87	57 57 41.20	07 36 51.98	Ytstesker
NM88	57 57 59.83	07 38 44.53	Southeasternmost point of Gåseskjera
NM89	57 58 30.24	07 41 06.57	Ballastskjera E
NM90	58 02 55.46	08 01 01.82	Lille Svarten
NM91	58 05 34.06	08 11 31.23	Meholmsker
NM92	58 06 28.24	08 15 04.35	Langbåen
NM93	58 13 03.51	08 28 37.16	Outermost rock in Gjeslingen
NM94	58 18 27.10	08 39 29.68	Hesnesbregen
NM95	58 49 58.87	09 33 01.19	Outermost rock E of the southern tip of Jomfruland
NM96	58 56 07.26	09 56 08.90	Steinbrotta
NM97	58 57 55.16	10 09 17.77	Rock S of Bidevindsholmen
NM98	58 58 36.67	10 13 51.44	Rock S of Ertholmen
NM99	58 56 53.04	10 53 04.51	Heifluene S
NM100	58 56 32.18	10 55 04.47	Border between Norway and Sweden Border point XX (G.B.2. buoy)

The coordinates in the list are referenced to the geodetic datum EUREF 89. A straight line means the shortest distance between two points (the geodetic line).

2. These regulations enter into force as of 1 July 2002. As from the same date the Regulations relating to the fishery limit north of Træna, laid down by Royal Decree of 12 July 1935, and the Regulations relating to the fishery limit south of Træna, laid down by Royal Decree of 18 July 1952, are repealed.



B. Bilateral treaties

1. Agreement between the Government of the United Republic of Tanzania and the Government of the Republic of Seychelles on the Delimitation of the Maritime Boundary of the Exclusive Economic Zone and the Continental Shelf

The Government of the United Republic of Tanzania and the Government of the Republic of Seychelles,  
*Desirous* of strengthening the bonds of neighbourliness, friendship and solidarity between the two States,  
*Mindful* of the principles of international law and in particular the principles of sovereign equality of States,  
*Mindful further* of the aims and principles of the Constitutive Act of the African Union,  
*Recognizing* the need to effect a precise and equitable delimitation of the respective maritime areas in which the two States exercise sovereign rights,  
*Cognizant* of the United Nations Convention on the Law of the Sea of 10 December 1982, which entered into force on 16 November 1994,  
*Referring* to negotiations which took place between the two States between June 1989 and January 2002,  
*Desiring* to conclude an agreement for the purpose of delimiting the maritime boundary between the two States,  
*Have agreed* as follows:

Article 1  
Maritime boundary

The delimitation line between the exclusive economic zone and the continental shelf of the United Republic of Tanzania (Mafia Island) and the exclusive economic zone and the continental shelf of the Republic of Seychelles (Aldabra Atoll -Picard Island) shall be based on equidistance considered, in this particular case, as an equitable solution, in conformity with international law. This line has been determined by using the baseline from which the territorial sea of each State is measured.

Article 2  
Description of the maritime boundary

2. 1 The delimitation line between the exclusive economic zone and the continental shelf of the United Republic of Tanzania (Mafia Island) and the exclusive economic zone and the continental shelf of the Republic of Seychelles (Aldabra Atoll -Picard Island) shall be formed by the geodesics joining the geographical coordinates listed in paragraph 2.2 of this article.

2.2 The line referred to in paragraph 2.1 of this article is formed by a series of geodesics connecting in the order stated in the points below, as defined by their geographical coordinates:

	<u>Latitudes</u>	<u>Longitudes</u>
a	7°44' 39".1003 S	43°16'13".8933 E
1	7°46'26".6364 S	43°15'43".8788 E
2	7°48'14".1717 S	43°15'13".8601 E
3	7°50'01".7063 S	43°14'43".8372 E
4	7°51'49".2402 S	43°14'13".8099 E
5	7°53'36".7733 S	43°13'43".7784 E
6	7°55'24".3056 S	43°13'13".7426 E
7	7°57'11".8372 S	43°12'43".7024 E
8	7°58'59".3681 S	43°12'13".6578 E
9	8°00'46".8981 S	43°11'43".6089 E

Article 3  
Methodology

3.1 The geographical coordinates referred to in paragraph 2.2 of article 2 are based on the World Geodetic System 1984 (WGS84).

3.2 The line referred to in paragraph 2.1 of article 2 is drawn for illustrative purposes on the chart<sup>5</sup> annexed to this Agreement.

Article 4  
Exclusive economic zone and continental shelf

The line referred to in paragraph 2. 1 of article 2 shall be the maritime boundary between the areas referred to in article 1 in which the States exercise, in accordance with international law, their respective sovereign rights and jurisdiction.

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<sup>5</sup> Not reproduced for technical reasons.

Article 5  
Cooperation

5.1 The two States shall cooperate with each other on the protection, exploitation of resources, surveillance, monitoring and enforcement of laws in accordance with the provisions of the United Nations Convention on the Law of the Sea.

5.2 The two States shall cooperate with each other whenever necessary in order to maintain the existing points of reference, including other points of reference as may from time to time be established.

Article 6  
Settlement of disputes

Any dispute arising between the two States, with respect to the interpretation or the application of this Agreement shall be resolved by peaceful means, in accordance with international law.

Article 7  
Amendment

An amendment to this Agreement shall be adopted by mutual agreement of the two States. A proposal for amendment to this Agreement may be made by either State to the other in writing.

Article 8  
Entry into force

This Agreement shall enter into force on the date of signature.

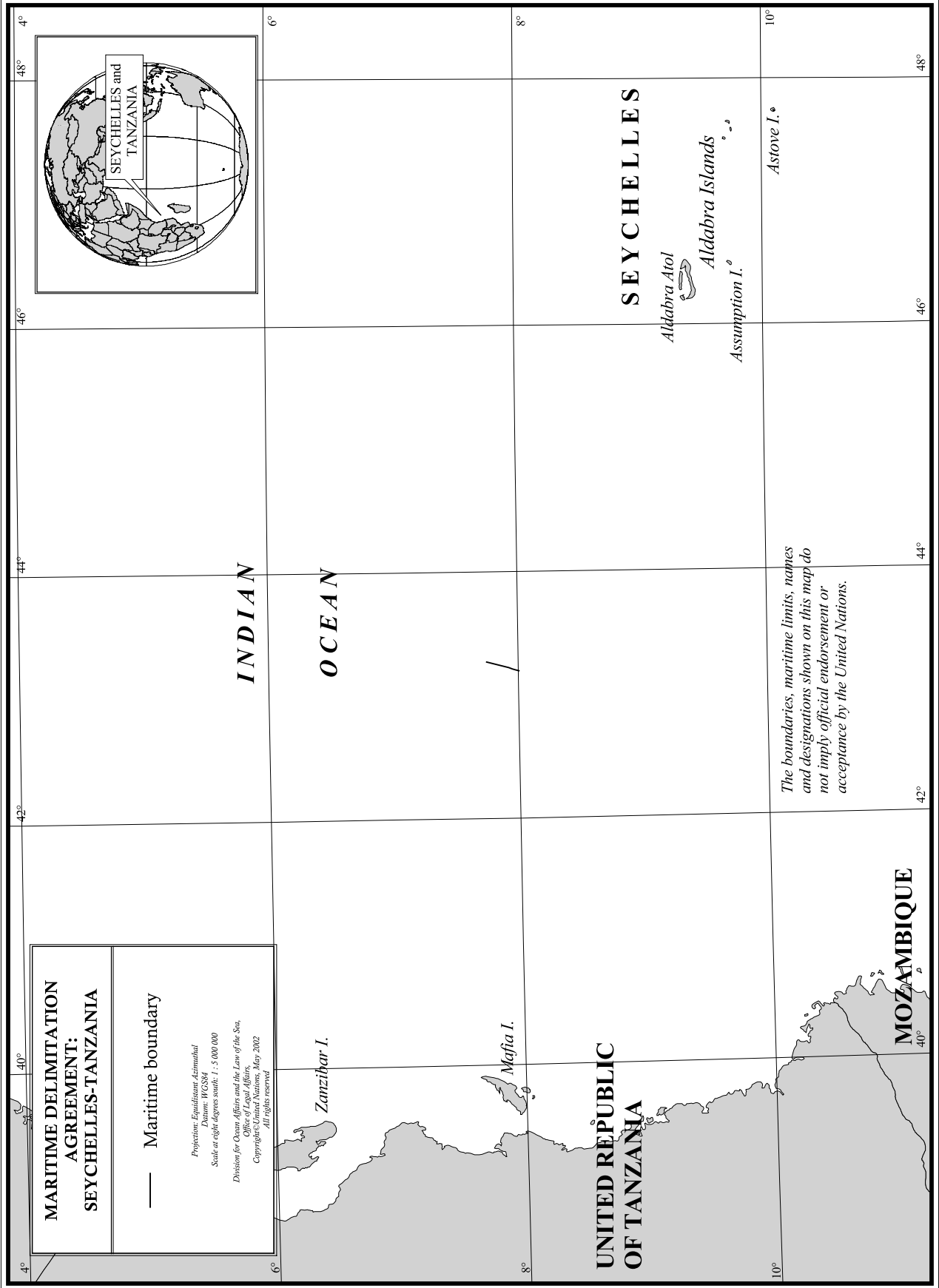
IN WITNESS WHEREOF, the representatives of the two Governments, being duly authorized for this purpose, have signed this Agreement.

DONE in duplicate at Victoria, Mahe, Seychelles, on this 23rd day of January, the year two thousand and two.

Andrew J.Chenge (MP)  
Attorney General

Anthony T. F. Fernando  
Attorney General





2. Treaty between the Government of the Republic of Honduras and the Government of the United Kingdom of Great Britain and Northern Ireland concerning the Delimitation of the Maritime Areas between the Cayman Islands and the Republic of Honduras<sup>6</sup>

*The Government of the Republic of Honduras and the Government of the United Kingdom of Great Britain and Northern Ireland*, in respect of the Cayman Islands,

Wishing to delimit the maritime areas between the Cayman Islands and the Republic of Honduras,

Wishing also in this context to take account of the traditional interests of the Cayman Islands in certain fisheries in areas appertaining under this Treaty to the Republic of Honduras, and of relevant circumstances of an historical character regarding Honduran oil concessions in the Caribbean Sea,

Have agreed as follows:

Article 1

(1) The maritime boundary between the Cayman Islands and the Republic of Honduras shall be formed by geodesic lines joining, in the order in which they are given, the following points identified by their geographical coordinates:

Point	Latitude N	Longitude W
A	19°27'57"	83°35'50"
B	17°35'03"	82°21'00"
C	17°35'03"	80°49'59"

(2) The geographical coordinates given in this article are expressed in the geodetic reference system WGS 84 (World Geodetic System 1984).

(3) The boundary line has been drawn by way of illustration on the chart at annex A<sup>7</sup> to this Treaty, which forms an integral part thereof, and is to be understood as an all-purpose maritime delimitation, that is to say, covering the water column, seabed and subsoil.

Article 2

It has not been possible, for the time being, to complete the maritime delimitation beyond point C. It is, however, agreed between the Parties that the delimitation from point C shall, at the appropriate time, be continued in an easterly direction until it meets the tripoint between the limits of the maritime areas under the respective jurisdiction of the Parties and another State's jurisdiction.

Article 3

Provisions concerning fishing by vessels of the Cayman Islands in the area of Misteriosa and Rosario Banks are set out in annex B to this Treaty, which forms an integral part thereof.

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<sup>6</sup> Text communicated by the Government of Honduras.

<sup>7</sup> Not reproduced for technical reasons.

Article 4

- (1) Each Party shall notify the other of the completion of the constitutional procedures required for the entry into force of this Treaty. The Treaty shall enter into force on the date of receipt of the last notification.
- (2) Without prejudice to the foregoing, this Treaty shall be provisionally applied from the date on which the Parties inform each other that they have commenced the fulfilment of their internal legal requirements.

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

DONE in duplicate at Tegucigalpa on 4 December 2001 in the Spanish and English languages, both texts being equally authentic.

For the Government of the Republic of Honduras  
Roberto Florez Bermudez  
Secretary of State for Foreign Affairs

For the Government of the United Kingdom  
of Great Britain and Northern Ireland  
David Allan Osborne  
Ambassador Extraordinary and Plenipotentiary

Annex B

to the Treaty between the Government of the Republic of Honduras and the Government of the United Kingdom of Great Britain and Northern Ireland concerning the delimitation of the maritime areas between the Cayman Islands and the Republic of Honduras

Provisions concerning fishing by vessels of the Cayman Islands in the area of Misteriosa and Rosario Banks

1. Commercial fishing for red snapper (family *Lutjanidae*) and grouper (family *Serranidae*) by vessels of the Cayman Islands may continue in the area of Misteriosa and Rosario Banks located in the exclusive economic zone of the Republic of Honduras and defined in paragraph 2 below, in accordance with existing patterns and levels. The Government of the Republic of Honduras extends access, free of charge, to the said area for up to ten vessels of the Cayman Islands, duly notified in advance by the competent authorities of the Cayman Islands, for the purpose of conducting such fishing.

2. The area of Misteriosa and Rosario Banks referred to in this annex is defined by geographical coordinates, expressed in the geodetic reference system WGS 84, joined in sequence by geodesic lines as follows:

Point	Latitude N	Longitude W
1	18°57'00"	84°02'00"
2	18°57'00"	83°38'00"
3	18°25'00"	83°56'00"
4	18°25'00"	84°12'00"

The area has been drawn by way of illustration on the chart at annex A\* to this Treaty, which forms an integral part thereof.

3. The following conditions shall apply:

- (a) The length of each fishing vessel shall not exceed 100 feet;
- (b) Taken together, the fishing vessels are authorized to fish a maximum of 25 metric tonnes per annum;
- (c) The taking of crustaceans (lobster, shrimp, etc.) and molluscs (conch, etc.) is not permitted;

(d) The catch is authorized for local consumption in the Cayman Islands, not for export.

4. The Government of the Republic of Honduras shall have exclusive authority to enforce the provisions of this annex and applicable national fishery regulations with respect to fishing by vessels of the Cayman Islands within the said area. Such national regulations as may be applied shall not disturb existing patterns and levels of fishing, except to the extent that such measures are essential for conservation purposes and sustainable exploitation of the species and are applied on a non-discriminatory basis. Nevertheless, the competent authorities of the Cayman Islands shall take appropriate measures to maintain a list of vessels which they have authorized to conduct fishing in accordance with this annex and to ensure that such vessels comply with the provisions of this annex. The competent authorities of the Cayman Islands shall provide the competent authorities of Honduras with annual statistical information regarding fishing activities carried out in accordance with this annex.

5. Vessels fishing in accordance with this annex shall cooperate with scientific investigations in the said area, at the request of the competent authorities of Honduras.

6. Without prejudice to routine meetings between the competent fishing authorities, consultations shall be held at the request of either Party when:

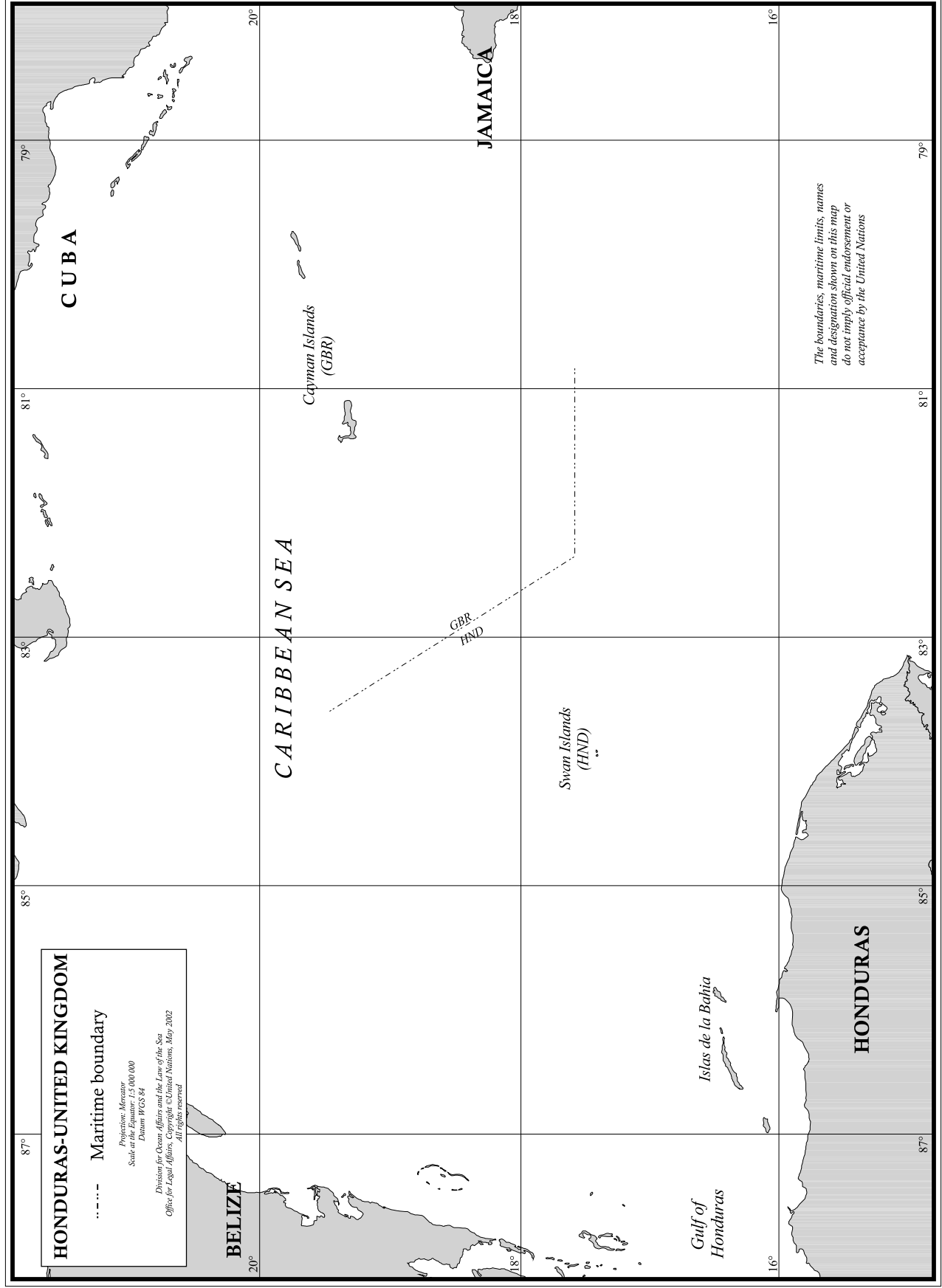
(a) There is reason to believe that vessels of the Cayman Islands are fishing in excess of or in a manner inconsistent with existing patterns or levels of fishing;

(b) The United Kingdom, on behalf of the Cayman Islands, seeks a change in existing patterns or levels of fishing;

(c) The Republic of Honduras intends to introduce conservation measures or apply fishery regulations which may affect existing patterns or levels of fishing;

d) There is a need to discuss implementation of any provision of this annex.

7. If such consultations result in agreement to amend the terms of this annex, such amendment shall enter into force by a subsequent exchange of diplomatic notes.



### 3. International Boundary Treaty between the Republic of Yemen and the Kingdom of Saudi Arabia

With a view to cementing the ties of brotherhood and friendship and the links of kinship that bind the two fraternal peoples of the Republic of Yemen and the Kingdom of Saudi Arabia,

Invoking the norms and principles of the Islamic faith they share and whose foundation is cooperation for the sake of piety and godliness,

Proceeding from the bonds woven by a common history based on cooperation and solidarity and on the promotion of security, peace and tranquillity,

Building on the distinctive character of the brotherly relations obtaining between the leaders of the two fraternal countries, namely His Excellency President Ali Abdullah Saleh of the Republic of Yemen and his fellow leader the Custodian of the Two Holy Mosques, King Fahd Bin Abdul-Aziz Al Saud of Saudi Arabia (may God preserve them), in terms of regard, candour and commitment to every means of further enhancing and strengthening the intimate relations between the two fraternal peoples, and given their concern to devise a permanent solution to the question of the land and maritime boundaries between their two countries that will be found to be satisfactory and will be preserved by succeeding generations, present and future, with respect to both the boundaries determined by the Treaty of Taif signed by the two kingdoms in A.H. 1353, corresponding to A.D. 1934, and delimited by joint commissions in the manner set forth in the boundary reports annexed to that Treaty and to those that have yet to be delimited,

Agreement has been reached as follows:

#### Article 1

The two Contracting Parties affirm that the Treaty of Taif and its annexes, including the boundary reports appended thereto, are binding and valid. They also affirm their commitment to the Memorandum of Understanding signed by the two countries on 27 Ramadan A.H. 1415 [26 February A.D. 1995].

#### Article 2

The definitive and permanent boundary line between the Republic of Yemen and the Kingdom of Saudi Arabia shall be established as follows:

(a) First section: This section begins at the coastal marker on the Red Sea (precisely at the sea wall, Ra's al-Mu'wajj Shami, Radif Qarad outlet) at latitude 16° 24' 14.8" north and longitude 42° 46' 19.7" east, and it ends at the Jabal al-Tha'r marker at coordinates 44° 21' 58.0" east and 17° 26' 00.0" north. The coordinates [of the intermediate markers] are given in detail in annex I. The identity of the villages located along the path of the line in this section, including their tribal affiliation, shall be determined in accordance with the provisions of the Treaty of Taif and its annexes. In the event that any of the coordinates should coincide with the location of a village, the frame of reference for establishing its possession shall be its association with one of the parties and the path of the line shall be modified accordingly when boundary markers are put in place.

(b) Second section: This is the section of the boundary line which has not been delimited. The two Contracting Parties have agreed to delimit this section in an amicable manner. This section begins at Jabal al-Tha'r, the coordinates of which are given above, and it ends at the intersection of latitude 19° north and longitude 52° east. Detailed coordinates [of the intermediate markers] are given in annex II.

(c) Third section: This is the maritime section of the boundary. It begins at the onshore marker on the sea coast (precisely at the sea wall, Ra's al-Mu'wajj Shami, Radif Qarad outlet), the coordinates of which are specified above, and it terminates at the extremity of the maritime boundaries between the two countries. Detailed coordinates [of the intermediate points] are given in annex III.

### Article 3

1. For the purpose of placing markers (pillars) along the boundary line beginning at the tripoint of the two countries with the Sultanate of Oman at the intersection of latitude 19° north and longitude 52° east and ending precisely at the sea wall, Ra's Al-Mu'wajj Shami, Radif Qarad outlet, the coordinates of which are given in annex I and annex II, the two Contracting Parties shall engage an international company to conduct a field survey of the full length of the land and maritime boundaries. The company concerned and the joint team of the two Contracting Parties shall adhere strictly to the distances and bearings from one point to the next and to the other specifications set forth in the boundary reports annexed to the Treaty of Taif, these provisions being binding on both parties.

2. The company concerned shall prepare detailed maps of the land boundary between the two countries, and these maps, once signed by representatives of the Republic of Yemen and the Kingdom of Saudi Arabia, shall be recognized as official maps indicating the boundary between the two countries and shall be an integral part of this Treaty. The two Contracting Parties shall conclude an agreement on meeting the costs of work undertaken by the company engaged to erect the markers along the land boundary between the two countries.

### Article 4

The two Contracting Parties undertake to abide by the terms of article 5 of the Treaty of Taif as they relate to the removal of any military position located less than 5 kilometres from the boundary line delimited on the basis of the boundary reports annexed to the same Treaty of Taif. The boundary line that has yet to be delimited, from Jabal al-Tha'r to the point of intersection of latitude 19° north and longitude 52° east, shall be governed by the terms of annex IV to this Treaty.

### Article 5

This Treaty shall enter into force following its ratification in accordance with the procedures in effect in each of the contracting countries and the exchange of instruments of ratification by them.

For the Republic of Yemen  
(*Signed*) Abdul-Qader Abdul-Rahman Ba-Jammal  
Deputy Prime Minister and Minister for Foreign Affairs

For the Kingdom of Saudi Arabia  
(*Signed*) Saud Al-Faisal  
Minister for Foreign Affairs

Jeddah, 10 Rabi' I A.H. 1421, corresponding to 12 June A.D. 2000

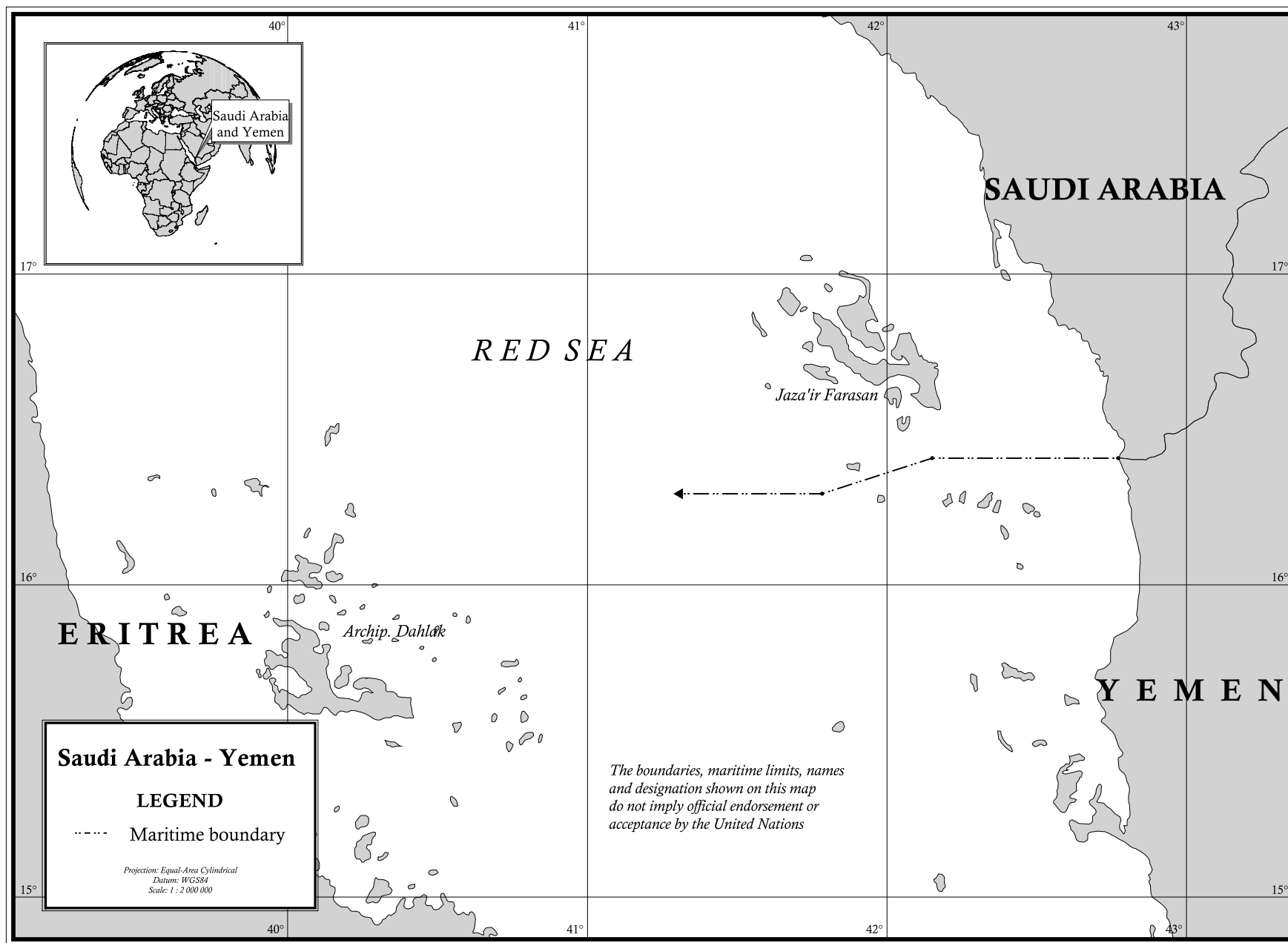
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Annex III

Maritime boundary between the Republic of Yemen and the Kingdom of Saudi Arabia

1. The line begins at the onshore point along the sea coast “precisely at the sea wall, Ra's al-Mu'wajj Shami, Radif Qarad outlet” at coordinates 16° 24' 14.8” north and 42° 46' 19.7” east.
2. It proceeds in a straight line parallel to the lines of latitude until it reaches the point at coordinates 16° 24' 14.8" north and 42° 09' 00.0" east.
3. It then turns to the south-west as far as the point at coordinates 16° 17' 24.0" north and 41° 47' 00.0" east.
4. From there it proceeds in a straight line parallel to the lines of latitude in a westerly direction to the extremity of the maritime boundary between the two countries.





C. Communications by States

Note verbale dated 8 May 2002 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General

The Permanent Representative of the Islamic Republic of Iran to the United Nations presents his compliments to the Secretary-General of the United Nations and, with reference to the Agreement between Saudi Arabia and Kuwait concerning the submerged zone adjacent to the divided zone concluded in Kuwait on 2 July 2000, which has been registered with the Secretariat of the United Nations, has the honour to state the following:

The above-mentioned bilateral Agreement affects the sovereign rights of the Islamic Republic of Iran pertaining to the continental shelf in the Persian Gulf, and prejudices the future negotiations on the delimitation of the continental shelf between the parties concerned, i.e. the Islamic Republic of Iran, the Kingdom of Saudi Arabia and the State of Kuwait.

Article 7 of the Agreement, contrary to a well-recognized principle of customary international law, establishes certain obligations for the Islamic Republic of Iran without its consent.

The Islamic Republic of Iran has submitted separate notes verbales to the parties to the Agreement, objecting to the provisions which affect its rights and prescribe obligations without its consent. Copies of the notes verbales are being transmitted herewith to be placed on record in the United Nations (see annexes I and II).

Annex I

Note verbale dated 23 January 2002 from the Ministry of Foreign Affairs of the Islamic Republic of Iran addressed to the Embassy of Saudi Arabia at Tehran

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to the Embassy of the Saudi Arabia and, with regard to the Agreement between Saudi Arabia and the State of Kuwait concerning the submerged zone adjacent to the divided zone concluded in Kuwait on 2 July 2000, and published in United Nations document ST/LEG/SER.A/649 (Statement of Treaties and International Agreements), has the honour to state the following:

1-Article 1(1) of the Agreement, which specifies the geographical coordinates of the line delimiting the continental shelf of the two countries, grossly and unjustly extends that line towards point 4 and, as a consequence, encroaches the natural prolongation of the continental shelf of the Islamic Republic of Iran in the respective area. It also prejudices the future negotiations on the delimitation of the continental shelf in that area between the parties concerned, i.e. the Islamic Republic of Iran, the Kingdom of Saudi Arabia and the State of Kuwait.

2- Article 7 of the Agreement prescribes certain obligations for the Islamic Republic of Iran without its consent, thus undermining a well-recognized principle of customary international law. Evidently, the delimitation of the continental shelf commonly shared between three countries should be negotiated and determined by the parties concerned, each acting as an independent and sovereign State.

For the reasons stated above, the Islamic Republic of Iran hereby rejects the content of the aforesaid Agreement and considers any effects of that Agreement on its continental shelf in the area concerned, to be null and void.

Annex II

Note verbale dated 23 January 2002 from the Ministry of Foreign Affairs of the Islamic Republic of Iran addressed to the Embassy of the State of Kuwait at Tehran

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to the Embassy of the State of Kuwait and, with regard to the Agreement between Saudi Arabia and the State of Kuwait concerning the submerged zone adjacent to the divided zone concluded in Kuwait on 2 July 2000, and published in United Nations document ST/LEG/SER.A/649 (Statement of Treaties and International Agreements), has the honour to state the following:

1-Article 1(1) of the Agreement, which specifies the geographical coordinates of the line delimiting the continental shelf of the two countries, grossly and unjustly extends that line towards point 4 which, as a consequence, encroaches the natural prolongation of the continental shelf of the Islamic Republic of Iran in the respective area. It also prejudices the future negotiations on the delimitation of the continental shelf in that area between the parties concerned, i.e. the Islamic Republic of Iran, the Kingdom of Saudi Arabia and the State of Kuwait.

2-Article 7 of the Agreement prescribes certain obligations for the Islamic Republic of Iran without its consent, thus undermining a well-recognized principle of customary international law. Evidently, the delimitation of the continental shelf commonly shared between three countries should be negotiated and determined by the parties concerned, each acting as an independent and sovereign State.

For the reasons stated above, the Islamic Republic of Iran hereby rejects the content of the aforesaid Agreement and considers any effects of that Agreement on its continental shelf in the area concerned, to be null and void.

### III. OTHER INFORMATION

Conference on Maritime Delimitation in the Caribbean  
First Plenary Session  
Mexico City, 6-9 May 2002<sup>1</sup>

#### 1. Final Act of the Plenary

The First Plenary Meeting of the Conference on Maritime Delimitation in the Caribbean took place in the Sala Magna of the Ministry of Foreign Relations of Mexico in Tlatelolco, Mexico City, at 9.30 a.m. on 6 May 2002, with the participation of delegations from 24 States and four international organizations.

Following the inauguration of the Meeting by Ambassador Gustavo Iruegas, Under-Secretary for Foreign Affairs of Mexico, the Meeting proceeded, under the chairmanship of the President of the Preparatory Committee, to elect the provisional authorities of the Conference. At the suggestion of the President, it was agreed that, upon approval of the draft Rules, the Plenary would then proceed to elect its permanent officers. In the light of the involuntary absence, attributable to reasons of force majeure, of the elected Vice-Presidents, Dr. Kenneth Rattray (Jamaica) and Arnulfo Franco (Panama), their places were taken temporarily by representatives of their respective delegations. The Provisional Committee was composed as follows:

<i>President:</i>	Alberto Székely (Mexico)
<i>Vice-Presidents:</i>	Norma Taylor Roberts (Jamaica)
	Yadisel Vaña (Panama)
<i>Rapporteur:</i>	Rolando Palomo (Guatemala)
<i>Executive Secretary:</i>	Erasmus Lara Cabrera (Mexico)

Once the officers of the Provisional Committee assumed their posts, the Plenary invited officially the countries included in annex II to the draft Rules to participate in the Conference and proceeded to the accreditation of their delegations in the manner they deemed appropriate.

As agreed by the Preparatory Committee, the delegation from the Republic of El Salvador was accredited as an observer. Of the Caribbean coastal States that participated in the Meeting, the following decided to register their delegations as observers: Colombia, Cuba, Dominican Republic, France, Netherlands, United Kingdom of Great Britain and Northern Ireland, United States of America and Venezuela.

Also registered as observers were the delegations from the United Nations, represented by the Division for Ocean Affairs and the Law of the Sea of its Office of Legal Affairs; the Organization of American States; the Caribbean Community; and the Association of Caribbean States.

Following a presentation on technical assistance made by the Division for Ocean Affairs and the Law of the Sea, the Plenary proceeded to discuss the draft Rules adopted and presented by the Preparatory Committee, with a view to their approval.

Over the two days in which the draft Rules were considered, the Plenary reached agreement by consensus on the 18 articles of the Rules, including amendments, as they appear in the approved text.

Following the approval of the draft Rules on 8 May 2002, the Plenary proceeded to elect its officers (Conference authorities), as provided for in the Rules. The Committee of the Conference was thus composed as follows:

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<sup>1</sup> Document CONFCARIBE/P/A.1. Edited by the United Nations.

*President:* Alberto Székely (Mexico)  
*Vice-Presidents:* Kenneth Rattray (Jamaica)  
Arnulfo Franco (Panama)  
*Rapporteur:* Rolando Palomo (Guatemala)  
*Executive Secretary:* Erasmo Lara Cabrera (Mexico)

Pursuant to article 16 of the Rules, following the election of the Conference authorities, the Division for Ocean Affairs and the Law of the Sea presented the List of Independent Technical Experts to the Plenary, which took note of the list. Similarly, the Plenary officially established the Assistance Fund provided for in article 17 of the Rules. In that regard, the host Government announced its delivery of an initial contribution of U.S.\$50,000, which would make the Fund operational. The Plenary requested the Division for Ocean Affairs and the Law of the Sea to notify the Conference, through the Executive Secretary, once the Terms of Reference of the Fund were established. Representatives from other delegations requested information about the terms under which contributions to the fund were to be made, with a view to encouraging their own Governments to participate financially.

Similarly, the Plenary proceeded to establish the Registry of Delimitation Negotiations, pursuant to article 14 of the Rules, inviting interested States to register their maritime zone delimitation negotiations. The Mexican delegation, through Ambassador Juan Manuel Gómez-Robledo, read out the letter announcing the intention of the Government of Mexico to register in the Registry a maritime zone delimitation negotiation with Belize. For his part, the Ambassador of Belize in Mexico, Salvador Figueroa, stated that, as agreed by his Government, Belize also wished to register in the Registry the forthcoming negotiations with Mexico. Ambassador López Contreras of Honduras stated with regard to maritime zone delimitation negotiations, that his country would establish contact with neighbouring countries in the hope of officially registering its applicable negotiations in the Registry in the near future.

The Plenary likewise recommended that the participating delegations who so desired should consider the possibility of registering their delimitation negotiations in the Conference Registry, in the manner freely agreed upon by them.

Once the necessary formalities provided for in the Rules for initiating the activities of the Conference had been completed, the Plenary

DECIDED

to approve the Rules attached hereto.

1. To consider the Assistance Fund established and to instruct the Executive Secretary to send an official communiqué to the Secretary-General of the United Nations informing him of this decision so that the Fund might be set up. The Plenary requested the Division for Ocean Affairs and the Law of the Sea to notify the Conference, through the Executive Secretary, once the Terms of Reference of the Fund had been established and to provide information regarding the form in which contributions should be made.
2. To consider the Delimitation Negotiation Registry established, wherein the negotiation between Mexico and Belize was the first to be registered.
3. To instruct the Executive Secretary to convene the next regular Plenary Meeting, if possible in May 2003, and to attach to said notification the background documents for the work of that Meeting.

Tlatelolco, Mexico City, 8 May 2002

## 2. Rules of the Conference

### Article 1 Mandate of the Conference

1. The Participating States hereby establish the Conference on Maritime Delimitation in the Caribbean with the mandate of facilitating, mainly through technical assistance, the voluntary undertaking of maritime delimitation negotiations between the Caribbean coastal States, based on the principle that said negotiations shall take place at the time and in the manner freely agreed upon by the parties, under the terms agreed to by them and without any external intervention whatsoever.

The Conference may disseminate information on the progress made in negotiations between Participating States, with their consent, and shall promote the standards of cooperation established by international law.

### Article 2 Participating States

Participation in the Conference shall be open to:

- (a) The States listed in annex I;
- (b) The States listed in annex II.

### Article 3 Observers

1. Any of the States entitled to participate in the Conference in accordance with the previous article may freely decide to accredit an observer delegation with the Credentials Committee and may participate as such in the Meetings of the Plenary with the right to speak.
2. Any of the States referred to in the previous paragraph may, whenever they so decide, accredit a Participating delegation with the Credentials Committee in accordance with article 2.
3. An observer delegation to the Conference may be accredited with the Credentials Committee by:
  - (a) The United Nations, through the Division for Ocean Affairs and the Law of the Sea, of its Office of Legal Affairs, mainly for the purposes referred to in these Rules;
  - (b) The Organization of American States;
  - (c) The Caribbean Community;
  - (d) The Association of Caribbean States;
  - (e) The Central American Integration System;
  - (f) The Pan American Institute of Geography and History.
4. The Plenary may decide to invite as Observers other States not listed in annexes I and II, as well as other intergovernmental organizations not mentioned in paragraph 3 of this article and interested nongovernmental organizations, for which purpose they shall accredit an observer delegation with the Credentials Committee.

### Article 4 Credentials Committee

1. At the beginning of the Conference, a Credentials Committee shall be named, consisting of the Vice-Presidents and the Executive Secretary, as coordinator.
2. The Committee shall receive and verify the credentials of the Participating States and observers and shall inform the Plenary through the Executive Secretary.
3. The Participating States shall submit their credentials to the Credentials Committee.

Article 5  
The Plenary

1. The Plenary is the main body of the Conference and shall consist of the Participating States.
2. Each participating State shall have one vote in the Plenary.
3. The Plenary shall make every effort possible to adopt its decisions by consensus, and it shall proceed to a vote only after all such efforts have been exhausted. In such an event, a minimum of two thirds of the Participating States present shall be required to vote in favour, provided that these represent the majority of the Conference's Participating States.
4. The Plenary shall be presided over by the President of the Conference, with the secretariat services provided by the Executive Secretary.
5. The working languages of the Plenary shall be English, French and Spanish.
6. The Plenary shall have the powers conferred on it by the provisions of these Rules.

Article 6  
Meetings of the Plenary

1. The Plenary of the Conference, following its First Meeting, shall hold regular Annual Meetings, for the purpose of:
  - (a) Electing the Conference authorities;
  - (b) Analysing the progress in the development of the mandate of the Conference, mainly by reviewing the Registry of Delimitation Negotiations and the Assistance Fund available to the Participating States, as well as evaluating the technical assistance, and taking note of the List of Independent Technical Experts;
  - (c) Promoting the broadest possible participation in the Conference by the States referred to in article 2;
  - (d) Inviting Observers to the Conference;
  - (e) Receiving the progress reports that the States negotiating a registered delimitation freely agree to share with the Plenary, attaching said reports to the corresponding negotiation record in the Registry;
  - (f) Facilitating the progress of the negotiations, solely to the extent requested by mutual agreement of the negotiating parties involved;
  - (g) Seeking out and, where possible, securing additional sources of revenue for the Assistance Fund;
  - (h) Deleting from the Registry of Delimitation Negotiations any delimitation negotiations listed therein when the States involved in the negotiation report jointly and in writing that the negotiations have been successfully concluded with the completion of the corresponding delimitation agreement, whether it be provisional or definitive. The text of the agreement reached shall be attached to the aforementioned written communication;
  - (i) Recording, in the Registry, any decision to discontinue negotiations notified by a Participating State in a delimitation negotiation registered therein;
  - (j) Setting the date for the next Regular Annual Meeting of the Plenary of the Conference;
  - (k) Deciding that a Meeting of the Plenary shall be held in a venue other than the seat of the Conference;
  - (l) Discussing any other matter provided for in these Rules or that the Conference decides to address within its mandate pursuant to article 1.
2. Any Participating State may request that the Executive Secretary convene a Special Meeting of the Plenary, for the purpose of addressing any of the matters referred to in the above paragraph and which, in its opinion, requires urgent attention. The Executive Secretary shall immediately inform the other Participating States of this request and shall inquire if they are in agreement. If, in a period not exceeding 30 days from the date of notification by the Executive Secretary, a majority of the Participating States of the Conference has not raised any objection to the request, the Executive Secretary shall give notice of a Special Meeting, which should commence no later than 30 days after said notification has been given.

At every Meeting of the Plenary, the Executive Secretary shall submit for approval, as soon as possible after the Meeting has commenced, the provisional agenda of the Meeting. The items on the approved agenda may be amended or deleted by the Conference.

The Meetings of the Plenary shall be public, unless otherwise decided by the Plenary.

The Meetings of the Plenary shall require a quorum consisting of a majority of the Conference's Participating States.

#### Article 7 Debate procedures

1. No representative may take the floor in the Meetings of the Plenary without the prior authorization of the President.
2. The President shall give the floor to the speakers in the order in which they make their requests.
3. The President may call to order a speaker whose remarks are not relevant to the subject at hand.
4. Any representative of a Participating State may make a point of order at any time during discussion of a matter, and the President shall immediately make a determination on the point of order based on these Rules. The representative of a Participating State may appeal the decision of the President. The appeal shall immediately be submitted to the Conference and the decision of the President shall prevail, unless it is overturned by the majority of the representatives of the Participating States present. The representative making the point of order may not, during the same intervention, refer to the substance of the matter under discussion.
5. The Plenary may limit the duration of the comments of each speaker, as well as the number of interventions of each representative of a Participating State on the same matter. When time limits have been placed on the discussion and the speaker exceeds the allotted time, the President shall immediately call him/her to order. Prior to adopting a decision, two representatives of the Participating States in favour of and two opposed to the proposal in this regard may take the floor.
6. During the course of a discussion, the President may read the list of speakers and, with the consent of the Conference, may close the list. However, the President may grant any representative the right to reply if so merited by any intervention made after the list has been closed.
7. During debate of an issue, any representative of a Participating State may propose that it be postponed. In addition to the representative proposing the motion, two representatives of the Participating States in favour and two opposed may take the floor, after which the motion shall be submitted to an immediate vote by majority. The President may limit the time allotted to the speakers under the provisions of this paragraph.
8. Any representative of a Participating State may propose at any time to close a discussion on a subject being discussed, even when another representative has expressed a wish to take the floor. Authorization to take the floor regarding ending the discussion shall only be granted to two representatives of the Participating States that are opposed to the motion, after which the motion shall immediately be submitted to a vote by the majority. If the Conference approves the motion, the President shall declare the discussion closed. The President may limit the duration of the interventions allowed under the provisions of this paragraph.
9. In the course of the discussion of any matter, any representative of a Participating State may propose that the session be suspended or adjourned. These motions shall be immediately submitted to a vote by the majority, without discussion. The President shall limit the duration of the intervention of the speaker proposing the suspension or adjournment of the session.
10. Normally, proposals and amendments shall be presented in writing to the Executive Secretary, who shall distribute copies to the delegations. As a general rule, no proposal shall be discussed or submitted to the Conference unless the text has been distributed to all the delegations in all the languages of the Conference, the day before the session at the latest. Nevertheless, the President may allow the discussion and review of amendments or procedural motions without prior distribution or when they have been distributed on the same day.



Article 8  
Voting by the Plenary

1. Voting shall be by a show of hands, but any representative of a Participating State may request a roll-call vote. Roll-call voting shall be carried out in alphabetical order of the Participating States in Spanish, beginning with the Participating State whose name is drawn at random by the President. In roll-call voting, the name of each Participating State shall be announced and one of its representatives will answer “yea”, “nay” or “abstained”. The result of the vote shall be recorded by the Rapporteur in the minutes in alphabetical order based on the names of the Participating States in Spanish.
2. After the President has announced that the voting has begun, no representative of a Participating State may interrupt, other than for the purpose of raising a point of order pertaining to the manner in which the voting is taking place.
3. Representatives of the Participating States may make brief comments, consisting exclusively of explanations regarding their votes, prior to the commencement of voting or once it has finished. The President may limit the duration of these comments. The representative of the Participating State putting forward a proposal or motion may not take the floor to explain his vote on the proposal or motion, unless it has been amended.
4. When two or more proposals refer to the same matter, the Plenary, unless it has been otherwise decided, shall consider them in the order in which they were presented. After this, the Plenary may decide whether or not to consider the next proposal.
5. Should any vote end in a tie, the proposal shall be considered rejected.

Article 9  
Election of the Conference authorities

1. At its First Meeting, the Plenary shall elect the President of the Conference from among the representatives of the Participating States.
2. At the same Meeting, the island States of the Caribbean plus Guyana and Suriname shall elect, by common agreement, a Vice-President of the Conference, and the continental States of the Caribbean shall elect, by common agreement, the other Vice-President of the Conference.
3. Similarly, at that Meeting, the Plenary shall elect an Executive Secretary and a Rapporteur of the Conference.

Article 10  
The President

1. The President shall be responsible for chairing the Conference and the discussions of the Meeting of the Plenary and shall supervise the performance of the Executive Secretary; when absent from a given debate, the President may be substituted by the Vice-Presidents on a rotating basis.
2. The President shall hold office for a period of two years.
3. The President may be replaced by the Participating State from among whose representatives he was elected.
4. The President shall perform the duties indicated in these Rules.

Article 11  
The Vice-Presidents

1. The Vice-Presidents shall chair, on a rotating basis, the discussions of the Meetings of the Plenary in the absence of the President.
2. The Vice-Presidents shall hold office for a period of two years.
3. A Vice-President may be replaced by the Participating State from among whose representatives he was elected.
4. The Vice-Presidents shall perform the duties indicated in these Rules.

Article 12  
The Executive Secretary

1. The Executive Secretary of the Conference shall perform the following duties:
  - (a) Coordinate the Credentials Committee;
  - (b) Provide the Meetings of the Plenary with the secretariat services required;
  - (c) Maintain the Registry of the Conference and record therein each delimitation negotiation that the States participating in the negotiations jointly request in writing. The Executive Secretary shall provide proper circulation of the Registry among the Participating States and Observers of the Conference, and the public in general;
  - (d) Convene the Participating States and the Observers to the Annual Regular Meetings of the Plenary four months prior to the date of the Meeting and attach to the notice of the Meeting the background documents and any other necessary documents;
  - (e) Convene the Participating States and Observers to the Special Meetings of the Plenary, at least 30 days prior to the date of the Meeting, attaching to the notice of the Meeting background documents and any other necessary documents;
  - (f) Prepare and notify the participating States and Observers, upon convening them, of the provisional agenda of each Meeting of the Plenary, which shall include, among other things:
    - i) The items listed in paragraph 1 of article 6;
    - ii) The other items whose inclusion has been decided at a previous Meeting, and
    - iii) In the case of Special Meetings, the issues that are to be debated;
  - (g) Receive, translate, print and distribute the Conference documents;
  - (h) Interpret into other languages the speeches made at the Meetings of the Plenary, and translate them if so requested by the Plenary;
  - (i) Distribute the minutes of the Meetings of the Plenary prepared by the Rapporteur;
  - (j) Safeguard and archive the documents of the Conference; and
  - (k) All other duties indicated in these Rules or conferred by the Plenary.
2. The Executive Secretary may be replaced by the Participating State from among whose representatives he was elected.

Article 13  
Rapporteur of the Conference

1. The Rapporteur shall record the work and decisions of the Plenary in the corresponding minutes.
2. The Rapporteur shall hold office for a period of two years.
3. The Rapporteur may be replaced by the Participating State from among whose representatives he was elected.

Article 14  
Registry of Delimitation Negotiations

1. The Conference hereby establishes a Registry of Delimitation Negotiations.
2. Participating States with opposite or adjacent coasts may mutually agree to register in the Registry of Delimitation Negotiations, through the Executive Secretary, the delimitation negotiation of one or more of their respective maritime zones subject to their corresponding national jurisdictions which is proposed within the context of the Conference or, if applicable, whose negotiation has been undertaken previously and where the parties wish to continue it within the context of the Conference.
3. The delimitation negotiations referred to in the above paragraph shall be carried out by the Participating States that have agreed to register them in the Registry of the Conference.

4. Upon registering a delimitation negotiation in the Registry of the Conference, the negotiation shall be deemed established in the context of the Conference.

5. The delimitation negotiations referred to in this article shall be carried out exclusively by and between the States that registered them, without the intervention of any third parties whatsoever and in accordance with the terms agreed to by the States involved; thus, neither the Plenary nor the authorities of the Conference, other Participating States or Observers of the Conference may, in the context of the activities of the Conference, make any statements regarding or in any way interfere with said negotiations.

#### Article 15 Technical assistance

1. At its First Meeting, the Plenary shall invite the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the United Nations (hereinafter “the Division”) to make a presentation on the technical assistance that it can offer and make available to the Participating States of the Conference, specifying the nature of said assistance and the terms and conditions for access. The Division shall act within the mandate given to it by the relevant organs of the United Nations. The Division shall render the technical assistance which may be requested, through the Executive Secretary, by the common agreement of the parties involved in the corresponding negotiations, or which may be requested preliminarily by the Participating States that are interested in the possibility of registering a negotiation between them in the context of the Conference.

2. The technical assistance referred to in the above paragraph shall pertain to the delimitation of maritime zones subject to the national jurisdiction of the States in accordance with international law.

3. The technical assistance referred to in these Rules shall be rendered by the Division on an impartial basis.

#### Article 16 List of Independent Technical Experts

1. The Division shall draw up a List of Independent Technical Experts renowned in the delimitation of maritime zones subject to the national jurisdiction of States in accordance with international law. The Division shall communicate the list to the Conference, through the Executive Secretary. The Conference shall take note of the list for the purposes of these Rules.

2. Any State participating in a negotiation shall be free to consult the list referred to in this article, for the purpose of selecting an expert to provide assistance in said negotiations.

3. Once the selection referred to in the paragraph above has been made, the State in question may request access to the Assistance Fund, through the Division, for the purpose of financing the assistance of the expert selected.

#### Article 17 Assistance Fund

1. An Assistance Fund of the Conference is established with the contributions voluntarily provided by the Participating States, the Observers and other sources of funding secured by the Conference or, through the Executive Secretary, by the Division.

2. The Division shall manage the Assistance Fund in accordance with the terms of reference adopted on the basis of the financial rules of the United Nations, and it shall provide the Conference with a detailed annual report.

3. The Participating States requiring financing to ensure their participation in the Plenary of the Conference or in delimitation negotiations may, through the Executive Secretary, request that the Division consider providing assistance, to the extent possible, with the corresponding travel and per diem expenses, from the Assistance Fund made available for these purposes.

4. The Division shall receive requests regarding the Assistance Fund made by mutual agreement of the parties involved in a negotiation and shall make every effort to attend to them for the purpose of financing the attainment of its objectives.

5. The Division shall receive requests submitted by parties involved in a negotiation and shall make every effort to attend to them in order to secure, by means of the Fund, the assistance of members of the List of Independent Technical Experts as requested by a State party to a negotiation.

Article 18

Amendments to the Rules

1. The Plenary may amend these Rules.
2. The mandate of the Conference provided for in article 1 of these Rules may not be amended, nor may any of its provisions be amended in any way which might have the effect of modifying said mandate.

Annex I\*

1. Antigua and Barbuda
2. Bahamas
3. Barbados
4. Belize
5. Colombia
6. Costa Rica
7. Cuba
8. Dominica
9. Grenada
10. Guatemala
11. Guyana
12. Haiti
13. Honduras
14. Jamaica
15. Mexico
16. Nicaragua
17. Panama
18. Dominican Republic
19. Saint Kitts and Nevis
20. Saint Vincent and the Grenadines
21. Saint Lucia
22. Suriname
23. Trinidad and Tobago
24. Venezuela

\* The Republic of El Salvador was accredited as an observer.

Annex II

1. United States of America
  2. The Netherlands
  3. United Kingdom of Great Britain and Northern Ireland
  4. France
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