

Bulletin No. 55

Law of the Sea



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



United Nations

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United Nations
New York, 2004

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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 2004

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); ¹ simplified procedure (sp); ²	Signature (☐ - declaration or statement)	Ratification; accession(a) ³ (☐ - declaration)
TOTALS	157 (☐35)	145 (☐54)	79	117	59 (☐5)	52 (☐24)
Afghanistan						
Albania		23 June 2003 (a)		23 June 2003 (p)		
Algeria	☐	☐11 June 1996		11 June 1996 (p)		
Andorra						
Angola	☐	5 December 1990				
Antigua and Barbuda		2 February 1989				
Argentina	☐	☐1 December 1995		1 December 1995		
Armenia		9 December 2002 (a)		9 December 2002 (a)		
Australia		5 October 1994		5 October 1994		23 December 1999
Austria		☐14 July 1995		14 July 1995		☐19 December 2003
Azerbaijan						
Bahamas		29 July 1983		28 July 1995		16 January 1997(a)
Bahrain		30 May 1985				

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







































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

³ In accordance with its article 40, the Agreement shall enter into force 30 days after the date of deposit of the thirtieth instrument of ratification or accession.

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); ¹ simplified procedure (sp); ²	Signature (☐ - declaration or statement)	Ratification; accession(a) ³ (☐ - declaration)
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		☐19 December 2003
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		28 August 2002		
Canada		☐7 November 2003		7 November 2003		☐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						
Cook Islands		15 February 1995		15 February 1995 (a)		1 April 1999 (a)
Costa Rica		21 September 1992		20 September 2001 (a)		18 June 2001 (a)
Côte d'Ivoire		26 March 1984		28 July 1995 (sp)		
Croatia		☐5 April 1995 (s)		5 April 1995 (p)		

Italicized text indicates non-members of the United Nations;
Shaded row indicates landlocked States

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); ¹ simplified procedure (sp); ²	Signature (☐ - declaration or statement)	Ratification; accession(a) ³ (☐ - declaration)
Cuba	☐	☐15 August 1984		17 October 2002 (a)		
Cyprus	✍	12 December 1988	✍	27 July 1995		25 September 2002 (a)
Czech Republic	✍	☐21 June 1996	✍	21 June 1996		
Democratic People's Republic of Korea	✍					
Democratic Republic of the Congo	✍	17 February 1989				
Denmark	✍		✍		✍	☐19 December 2003
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)		
Eritrea						
Estonia						
Ethiopia	✍					
<i>European Community</i>	☐	☐1 April 1998 (fc)	✍	1 April 1998(fc)	☐	☐19 December 2003
Fiji	✍	10 December 1982	✍	28 July 1995	✍	12 December 1996
Finland	☐	☐21 June 1996	✍	21 June 1996	✍	☐19 December 2003
France	☐	☐11 April 1996	✍	11 April 1996	☐	☐19 December 2003
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	✍	☐19 December 2003
Ghana	✍	7 June 1983				
Greece	☐	☐21 July 1995	✍	21 July 1995	✍	☐19 December 2003
Grenada	✍	25 April 1991	✍	28 July 1995 (sp)		
Guatemala	✍	☐11 February 1997		11 February 1997 (p)		
Guinea	☐	6 September 1985	✍	28 July 1995 (sp)		

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); ¹ simplified procedure (sp); ²	Signature  (☐ - declaration or statement)	Ratification; accession(a) ³ (☐ - declaration)
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		28 July 2003 (a)		
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		☐19 August 2003 (a)
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		☐19 December 2003
Israel						
Italy	☐	☐13 January 1995		13 January 1995		☐19 December 2003
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)		13 July 2004(a)
Kiribati		☐24 February 2003 (a)		24 February 2003 (p)		
Kuwait		☐2 May 1986		2 August 2002 (a)		
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						

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	Signature (☐ - declaration)	Ratification; formal confirmation(fc); accession(a); succession (s); (☐- declaration)	Signature	Ratification; formal confirmation(fc); accession(a); definitive signature(ds); participation(p); ¹ simplified procedure (sp); ²	Signature (☐ - declaration or statement)	Ratification; accession(a) ³ (☐ - declaration)
Lithuania		☐13 November 2003 (a)		13 November 2003 (a)		
Luxembourg	☐	5 October 2000	✍	5 October 2000	✍	☐19 December 2003
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)			✍	19 March 2003
Mauritania	✍	17 July 1996	✍	17 July 1996 (p)	✍	
Mauritius	✍	4 November 1994		4 November 1994 (p)		☐25 March 1997(a)
Mexico	✍	18 March 1983		10 April 2003 (a)		
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	☐	☐19 December 2003
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)		

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); ¹ simplified procedure (sp); ²	Signature (☐ - declaration or statement)	Ratification; accession(a) ³ (☐ - declaration)
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		
Portugal	✍	☐3 November 1997	✍	3 November 1997	✍	☐19 December 2003
Qatar	☐	9 December 2002		9 December 2002 (p)		
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

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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); ¹ simplified procedure (sp); ²	Signature (☐ - declaration or statement)	Ratification; accession(a) ³ (☐ - declaration)
Serbia and Montenegro	⁴	☐12 March 2001 (s)		28 July 1995 (sp) ⁵		
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		14 August 2003 (a)
Spain	☐	☐15 January 1997		15 January 1997		☐19 December 2003
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						
Sweden	☐	☐25 June 1996		25 June 1996		☐19 December 2003
Switzerland						
Syrian Arab Republic						
Tajikistan						
Thailand						
The former Yugoslav Republic of Macedonia		19 August 1994 (s)		19 August 1994 (p)		
Timor-Leste						
Togo		16 April 1985		28 July 1995 (sp)		
Tonga		2 August 1995 (a)		2 August 1995 (p)		31 July 1996

⁴ The former Yugoslavia had signed and ratified the Convention on 10 December 1982 and 5 May 1986, respectively.

⁵ 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. As of 4 February 2003, the country name changed to Serbia and Montenegro.

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); ¹ simplified procedure (sp); ²	Signature (☐ - declaration or statement)	Ratification; accession(a) ³ (☐ - declaration)
Trinidad and Tobago		25 April 1986		28 July 1995 (sp)		
Tunisia		☐24 April 1985		24 May 2002		
Turkey						
Turkmenistan						
Tuvalu		9 December 2002		9 December 2002 (p)		
Uganda		9 November 1990		28 July 1995 (sp)		
Ukraine		☐26 July 1999		26 July 1999		27 February 2003
United Arab Emirates						
United Kingdom		☐25 July 1997 (a)		25 July 1997		☐10 December 2001 ⁶

⁶ On 19 December 2003, an instrument of ratification was lodged by the United Kingdom of Great Britain and Northern Ireland (on behalf of the United Kingdom of Great Britain and Northern Ireland).

It will be recalled that 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 declarations.

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.

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); ¹ simplified procedure (sp); ²	Signature  (☐ - declaration or statement)	Ratification; accession(a) ³ (☐ - declaration)
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						
Viet Nam		☐25 July 1994				
Yemen	☐	☐21 July 1987				
Zambia		7 March 1983		28 July 1995 (sp)		
Zimbabwe		24 February 1993		28 July 1995 (sp)		
TOTALS	157 ( 35)	145 ( 54)	79	117	59 ( 5)	52 ( 24)

“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.

2. Chronological lists of ratifications of, accessions and successions to the Convention and the related Agreements, as at 31 July 2004

(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. São Tomé and Príncipe (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. Serbia and Montenegro (12 March 2001)
136. Bangladesh (27 July 2001)
137. Madagascar (22 August 2001)
138. Hungary (5 February 2002)
139. Armenia (9 December 2002)
140. Qatar (9 December 2002)
141. Tuvalu (9 December 2002)
142. Kiribati (24 February 2003)
143. Albania (23 June 2003)
144. Canada (7 November 2003)
145. Lithuania (12 November 2003)

(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)
106. Cameroon (28 August 2002)
107. Kuwait (2 August 2002)
108. Cuba (17 October 2002)
109. Armenia (9 December 2002)
110. Qatar (9 December 2002)
111. Tuvalu (9 December 2002)
112. Kiribati (24 February 2003)
113. Mexico (10 April 2003)
114. Albania (23 June 2003)
115. Honduras (28 July 2003)
116. Canada (7 November 2003)
117. Lithuania (12 November 2003)

(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 stock

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)⁷
32. Cyprus (25 September 2002)
33. Ukraine (27 February 2003)
34. Marshall Islands (19 March 2003)
35. South Africa (14 August 2003)
36. India (19 August 2003)
37. European Community (19 December 2003)
38. Austria (19 December 2003)
39. Belgium (19 December 2003)
40. Denmark (19 December 2003)
41. Finland (19 December 2003)
42. France (19 December 2003)
43. Germany (19 December 2003)
44. Greece (19 December 2003)
45. Ireland (19 December 2003)
46. Italy (19 December 2003)
47. Luxembourg (19 December 2003)
48. Netherlands (19 December 2003)
49. Portugal (19 December 2003)
50. Spain (19 December 2003)
51. Sweden (19 December 2003)
52. Kenya (13 July 2004)

⁷ United Kingdom of Great Britain and Northern Ireland (on behalf of the United Kingdom of Great Britain and Northern Ireland) (19 December 2003).

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

A. National legislation

1. Syria

Law No. 28⁸

The President of the Republic,

Pursuant to the provisions of the Constitution and the decision of the People's Assembly taken at its session held on 13 Ramadan 1424 A.H., corresponding to 8 November 2003 A.D.,

Promulgates the following:

Chapter I Definitions

Article 1. For the purposes of the present Law, the following expressions shall have the meanings indicated below:

- (a) Sea: the Mediterranean Sea;
- (b) Coast: the coast of the Syrian Arab Republic facing the sea, as delimited on approved maps in use in the Syrian Arab Republic;
- (c) Bay: a recess penetrating into the land, containing enclosed waters and constituting more than a curvature of the coast, whose area is as large as, or larger than, that of the semi-circle whose diameter is a line drawn across the mouth of that recess—the bay;
- (d) Island: land which is surrounded on all sides by the waters of the sea and is always, under normal conditions, above the high-water level;
- (e) Shoal: any area within the territorial sea which is covered with shallow water and part of which remains unsubmerged at the lowest level reached by the tide;
- (f) Roadstead: area used for the anchoring, loading and unloading of ships;
- (g) Port: for the purpose of delimiting the territorial sea, a part of the coast prepared for the receiving, anchoring or mooring of ships that is created or designated by a decision of the Council of Ministers based on a proposal by the Minister of Transport;
- (h) Oil terminal: a part of the coast prepared for the receiving, anchoring or mooring of oil tankers that is created and designated by a decision of the competent authorities;
- (i) Nautical mile: a minute of arc measured on a great circle of the globe, being equal to 1852 metres;
- (j) Baselines: the set of connected imaginary lines, either normal or straight, joining the furthest seaward points situated on the low-water line, which separate the internal waters from the territorial sea and from which the breadth of the territorial sea is measured;
- (k) High seas: all parts of the sea that are not considered as part of the internal waters, the territorial sea or the exclusive economic zone of a State or the archipelagic waters of an archipelagic State;
- (l) Marine natural resources: all resources of the sea, including both living and non-living resources, whose existence is essential to human beings;
- (m) Living resources: all plant or animal species that live all or part of their lives in marine waters or on the seabed;
- (n) Non-living resources: all solid, liquid or gaseous mineral resources located at or beneath the seabed;

⁸ Original: Arabic. Source: Official Gazette of the Syrian Arab Republic, no. 51/2003.

(o) Government ship: a ship owned or chartered by a State and operated or used for non-commercial purposes;

(p) Warship: a ship belonging to the armed forces of a State, bearing its distinctive external insignia, placed under the command of an officer appointed by the Government of that State and operated by a crew subject to the rules of military discipline of that State.

Chapter II **Internal waters**

Article 2. The internal waters of the Syrian Arab Republic include the following:

(a) The waters of bays situated along the coast of the Syrian Arab Republic and delimited between the coastline and the straight line joining the low-water mark of their natural entrance points;

(b) Any shoal not more than 12 miles from the land or from any island of the Syrian Arab Republic, the waters being delimited between the coastline and the line reaching from the shoal on the outside;

(c) Waters situated between the land and any island of the Syrian Arab Republic that is not more than 12 nautical miles from the land, its outermost line being reckoned at low water;

(d) Waters between islands of the Syrian Arab Republic none of which is more than 12 nautical miles from the next at low water.

Article 3. Entry to internal waters shall take place solely via the lanes designated for that purpose.

Chapter III **The territorial sea**

Article 4. The territorial sea of the Syrian Arab Republic extends seaward 12 nautical miles, measured from the baseline defined in this Law.

Article 5. Syrian sovereignty extends to the territorial sea of the Syrian Arab Republic, the airspace above it, the seabed and the subsoil thereof, subject to the provisions of international law governing innocent passage.

Article 6.

(a) Innocent passage means navigation through the territorial sea which does not threaten the peace and security of the Syrian Arab Republic or order therein and is carried out in accordance with the provisions of international law.

(b) Innocent passage shall be expeditious and continuous and shall not include any stopping or anchoring except insofar as they are incidental to ordinary navigation or are rendered necessary by force majeure or grave danger or for the purpose of rendering assistance to persons, ships or aircraft in danger or distress.

Article 7. The passage of a foreign ship through the territorial sea shall be considered a threat to peace, security or order in the Syrian Arab Republic if the ship, while in the territorial sea, engages in any of the following activities:

(a) Any threat or use of force against the sovereignty, political independence or territorial integrity of the Syrian Arab Republic;

(b) Any exercise or practice with weapons of any kind;

(c) Propaganda affecting the defence capacity or security of the Syrian Arab Republic;

(d) The loading of any aircraft or the enabling of any aircraft to take off from or land on the ship;

(e) The launching, landing or taking on board of any military device;

(f) The gathering of any information prejudicial to the defence or security of the Syrian Arab Republic;

(g) The loading or unloading of any person, currency or commodity in violation of the customs, fiscal, immigration or sanitary laws and regulations of the Syrian Arab Republic;

(h) Marine fishing in violation of Syrian laws and regulations;

(i) Any research or survey activity;

- (j) Any act or acts of wilful pollution of the marine environment;
- (k) Interference with the operation of any communications network or other installation of the Syrian Arab Republic;
- (l) Roaming or circling about;
- (m) Any other activity not having a direct bearing on passage.

Article 8. Vessels of all States recognized by the Syrian Arab Republic shall enjoy the right of innocent passage in times of peace.

Article 9.

(a) Foreign warships, ships of a dangerous nature, submarines and other diving vessels shall enjoy the right of innocent passage only upon obtaining the approval of the Ministry of Defence and provided that they satisfy all the conditions, standards and reservations in force internationally.

(b) All submarines and other diving vessels shall, when passing through the territorial sea, float on the surface of the water and raise their flags.

(c) "Ships of a dangerous nature", referred to in paragraph (a) above, means nuclear-powered ships or ships carrying materials dangerous for the environment or prejudicial to national security.

Article 10. Foreign vessels exercising the right of passage in the territorial sea must abide by the laws and regulations in force in the Syrian Arab Republic and the provisions of international law, in particular those pertaining to transport and navigation.

Article 11. The entry of ships into, and their departure from, the territorial sea shall take place in accordance with the rules defined by the competent Syrian authorities.

Article 12. The competent authorities in the Syrian Arab Republic shall have the right to take the necessary steps in the territorial sea to prevent any passage which is not innocent.

Article 13. The authorities of the Syrian Arab Republic may, in cases in which they have the power of discretion, suspend the exercise of the right of innocent passage in accordance with the dictates of the public interest within areas in the territorial sea defined by those authorities, an announcement to that effect being made in advance.

Article 14.

(a) No charge shall be levied in respect of innocent passage.

(b) Charges shall be levied on foreign ships for specific services provided to them, such as rescue, salvage, piloting, etc., in accordance with the laws and regulations in force.

Article 15. In the following cases only, the competent authorities in the Syrian Arab Republic shall exercise criminal jurisdiction aboard a ship passing through the territorial sea for the arrest of persons and the conduct of investigations in respect of any crime committed aboard the ship during its passage:

(a) If the consequences of the crime extend to the Syrian Arab Republic;

(b) If the intervention of the Syrian authorities has been requested by the master of the ship or by a diplomatic agent or consular officer of the flag State;

(c) If the crime is of a kind prejudicial to the peace or security of the Syrian Arab Republic or to order in the territorial sea;

(d) If such measures are necessary for the suppression of illicit traffic in narcotic drugs or psychotropic substances or any other illicit traffic.

Article 16. The competent Syrian authorities may request a foreign warship passing through the territorial sea to comply with Syrian laws and regulations, on pain of adoption of appropriate measures in respect of the ship.

Article 17. The flag State of a foreign warship or other government ship shall bear the full responsibility incurred as a result of non-compliance with Syrian laws and regulations concerning territorial waters.

Article 18. Subject to the provisions of articles 16 and 17 above, foreign warships or other foreign government ships shall enjoy the immunities recognized as international rights on condition of reciprocity.

Chapter IV **The contiguous zone**

Article 19. The contiguous zone, which lies beyond and is contiguous to the territorial sea, extends in the direction of the high seas for a distance of not more than 24 nautical miles, measured from the baselines.

Article 20. In the contiguous zone, the authorities of the Syrian Arab Republic shall exercise the powers necessary to:

- (a) Prevent infringement of its sanitary, fiscal, security, customs, immigration and environmental laws and regulations within its territory or territorial sea;
- (b) Enforce the penalties for infringement of the above laws and regulations committed within its territory or territorial sea.

Chapter V **The exclusive economic zone**

Article 21. The exclusive economic zone lies beyond the territorial sea and includes the entire contiguous zone, extending in the direction of the high seas for a distance of not more than 200 nautical miles measured from the baselines, subject to the provisions of international law.

Article 22. In its exclusive economic zone, the Syrian Arab Republic has:

- (a) Sovereign rights for the purpose of exploring and exploiting, conserving and managing marine natural resources, whether living or non-living, of the seabed, the subsoil thereof and the superjacent waters or for carrying out other activities for the economic exploration and exploitation of that zone, such as the production of energy from the water, currents and winds;
- (b) Jurisdiction with regard to the establishment and use of artificial islands, installations and structures, the conduct of marine scientific research and the adoption of measures for the protection and preservation of the marine environment.

Article 23.

- (a) No ships or aircraft other than those of the Syrian Arab Republic shall have the right to carry on exploration and exploitation of living or non-living resources in the economic zone except with the approval of the authorities concerned, in accordance with the laws and regulations in force.
- (b) The competent Syrian authorities shall have the right to inspect, search, arrest and initiate legal action against foreign ships in case of violation of Syrian laws and regulations relating to the economic zone.
- (c) The Ministry of Defence, in coordination with the authorities concerned, shall determine the rules and practices which must be followed for the exercise of the rights laid down in the preceding paragraph in accordance with the rules and principles of international law.

Article 24.

- (a) The Council of Ministers shall, on the basis of a proposal by the authorities concerned in the Syrian Arab Republic, define the conditions for the laying of cables and pipelines through Syria's internal waters, territorial sea or exclusive economic zone.
- (b) The laying, by any foreign State or agency, of submerged cables and pipelines which are to pass through the exclusive economic zone shall be subject to the prior obtainment of a permit from the authorities concerned in the Syrian Arab Republic.
- (c) The foreign State or agency shall be required, when laying submerged cables or pipelines, to take account of and not to damage previously laid cables and pipelines. Approval of the laying of cables or pipes shall not relieve such State or agency of liability for damage caused by it.

Article 25.

- (a) The establishment and use by any authority or agency of artificial islands, installations and structures in the exclusive economic zone shall require the prior obtainment of the approval of the Council of Ministers for the grant of a permit based on a proposal by the authorities concerned.
- (b) The Ministry of Transport shall take the following steps regarding the artificial islands, installations and structures referred to in paragraph (a) above:

- (i) Notice thereof to all international authorities concerned;
 - (ii) Establishment of special systems provided with navigational warning means, on condition that safety zones having a breadth not exceeding 500 metres are established around them;
 - (iii) Whatever is required to ensure their safety and the safety of maritime navigation.
- (c) The Syrian Arab Republic shall have jurisdiction over the artificial islands, installations and structures referred to in paragraph (a) above as well as jurisdiction with regard to fiscal, immigration, safety, customs, health and environmental laws and regulations.

Chapter VI

The continental shelf

Article 26. The continental shelf comprises the natural prolongation of Syrian maritime territory beneath the surface of the sea to the outer edge of the continental margin.

Article 27. The Syrian Arab Republic exercises sovereign rights over the continental shelf for the purpose of exploring it and exploiting its natural resources, both living and non-living.

Article 28. The rights of the Syrian Arab Republic over the continental shelf do not depend on occupation, effective or notional, or on any express proclamation.

Article 29. The provisions of article 26 of the present Law shall apply mutatis mutandis to artificial islands, installations and structures on the continental shelf and all ships must respect the safety zones referred to in article 25, paragraph (b), and apply international standards regarding navigation in the vicinity of artificial islands, installations, structures and safety zones.

Chapter VII

Marine scientific research

Article 30.

(a) No foreign natural or artificial person shall have the right to carry on scientific research work in the territorial sea or the exclusive economic zone or on the continental shelf except by permit granted upon the approval of the Council of Ministers on the basis of a proposal by the authorities concerned.

(b) Applicants for permits must provide the Syrian authorities with detailed information on the research project.

(c) Grantees of permits shall undertake to carry out the marine scientific research in compliance with the Syrian laws and regulations applicable in the zones where the scientific research is being done and in keeping with the rules and principles of international law.

(d) The grantee of a permit shall undertake to ensure the participation of Syrian experts designated by the competent Syrian authorities and to deliver to the Syrian authorities concerned an original copy of the results obtained by him at the end of the research.

Article 31.

(a) Marine scientific research work may be suspended in either of the following cases:

(i) When the research work conducted does not conform to the data which were provided to the competent Syrian authorities and served as a basis for the grant of the permit to carry out that research;

(ii) If the grantee of the research permit fails to comply with the terms specified in the permit granted to him.

(b) A grantee of a permit must, upon receiving notice of an order of suspension or discontinuance, finish the research work which is the object of that notice.

(c) A suspension order issued pursuant to paragraph (b) above shall be lifted, and permission to continue the marine scientific research work granted, immediately upon compliance, by the grantee of the permit, with the required conditions.

(d) Orders for the suspension or discontinuance of marine scientific research and for the lifting thereof shall be issued by decision of the Council of Ministers on the basis of a proposal by the authorities concerned.

Article 32. Removal of scientific research installations and equipment:

(a) Unless otherwise agreed, grantees of permits shall be required to remove marine scientific research installations and equipment immediately upon the termination of the related work;

(b) If the grantee of the permit does not remove the research installations and equipment, the Syrian authorities shall have the right to remove them at his expense.

Chapter VIII The high seas

Article 33. The Syrian Arab Republic enjoys the rights provided for in the rules of international law relating to the high seas.

Chapter IX Activities prohibited in the sea

Article 34.

(a) The transport of slaves on ships flying the flag of the Syrian Arab Republic and the use of such ships for that purpose are prohibited.

(b) Any slave taking refuge on board a ship flying the flag of the Syrian Arab Republic shall be free.

Article 35. Acts of piracy are prohibited on ships flying the flag of the Syrian Arab Republic. The following are considered acts of piracy:

(a) Any illegal act of violence or detention, or any act of depredation, committed for private ends by the crew or the passengers of a private ship or a private aircraft in the territorial sea or the exclusive economic zone or on the high seas and directed against another ship or aircraft or against persons or property;

(b) Any act of voluntary participation in the operation of a ship or aircraft with knowledge of facts making it a pirate ship or aircraft;

(c) Any act of incitement to or intervention in the perpetration of any act described in paragraph (a) or (b) above.

Article 36. A ship or aircraft is considered a pirate ship or aircraft if it is intended by the persons in dominant control to be used for the purpose of committing one of the acts referred to in the preceding article or if the ship or aircraft has been used to commit any such act, so long as it remains under the control of the persons who committed the crime.

Article 37. A Syrian ship or aircraft may retain its nationality, although it has become a pirate ship or aircraft, so long as the competent authorities have not decided otherwise.

Article 38. The authorities of the Syrian Arab Republic may seize a pirate ship or aircraft, or a ship or aircraft taken by piracy and under the control of pirates, and arrest the persons and seize the property on board. The Syrian courts shall be competent to impose penalties on the perpetrators.

Article 39.

(a) The competent authorities in the Syrian Arab Republic shall cooperate with other States in repressing:

(i) Illicit traffic in narcotic drugs or psychotropic substances on the high seas;

(ii) Unauthorized broadcasting on the high seas.

(b) The criminal courts of the Syrian Arab Republic shall be competent to try persons who engage in unauthorized broadcasting on the high seas in the following cases:

(i) If the broadcasting vessel is flying the flag of the Syrian Arab Republic;

(ii) If the broadcasting vessel is registered in the Syrian Arab Republic;

(iii) If the person engaged in such broadcasting is a national of the Syrian Arab Republic;

(iv) If the broadcast can be received in the territory of the Syrian Arab Republic, causes interference in its communications of any nature or affects its national security.

Article 40.

(a) The hot pursuit of any foreign ship may be undertaken by the competent Syrian authorities when they have good reason to believe that the ship has violated Syrian laws and regulations. Such pursuit must be commenced when the foreign ship or one of its boats or skiffs is within the internal waters, the territorial sea or the contiguous zone of the Syrian Arab Republic and may be continued outside the territorial sea or the contiguous zone if the pursuit has not been interrupted. It is not necessary that, at the time when the foreign ship within the territorial sea or the contiguous zone receives the order to stop, the ship giving the order should likewise be within the territorial sea or the contiguous zone. The pursuit may be undertaken starting from the contiguous zone if there has been a violation of the rights for the protection of which the zone was established.

(b) The right of hot pursuit shall apply to violations, in the exclusive economic zone or on the continental shelf, of the Syrian laws and regulations in force in respect of those areas;

(c) The right of hot pursuit ceases as soon as the ship pursued enters the territorial sea of its own State or of a third State.

**Chapter X
Penalties**

Article 41. The perpetration of any act of piracy, as defined in the present Law, shall be punishable by detention for a term of 5 to 15 years.

Article 42. Violations of article 34, paragraph (a), shall be punishable by detention for a term of 3 to 10 years.

Article 43. Unauthorized broadcasting in the territorial sea shall be punishable by imprisonment for a period of six months to one year.

**Chapter XI
Final provisions**

Article 44. Legislative decree No. 304 of 1963 and Law No. 37 of 1981 is no longer in force.

Article 45. The present Law shall be published in the Official Gazette.

Damascus, 19 November 2003.

Bashar Al-Asad
President of the Republic

2. Cyprus

- (a) A Law to Provide for the Proclamation of the Contiguous Zone by the Republic of Cyprus
(2 April 2004)²

The House of Representatives enacts as follows:

1. This Law may be cited as the Contiguous Zone Law of 2004.
2. (1) In this Law, unless the context otherwise requires-
"Republic" means the Republic of Cyprus;
"Nautical mile" means a distance of one thousand eight hundred and fifty two meters;
"Convention" means the United Nations Convention on the Law of the Sea, which was ratified by the United Nations Convention on the Law of the Sea (Ratification) Law of 1988;
"Contiguous Zone" means the zone contiguous to the territorial sea of the Republic, the limits of which are determined by Article 3.
 3. (1) By this Law, the Contiguous Zone is proclaimed, the inner limit of which is identical with the outer limit of the territorial sea and the outer limit of which shall not extend beyond the 24 nautical miles from the baselines from which the breadth of the territorial sea is measured.
 - (2) In cases where part of the Contiguous Zone overlaps with part of the Contiguous Zone of any other State, proclaimed in accordance with the relevant provisions of the Convention, with opposite coasts to those of the Republic, the delimitation between the Contiguous Zone of the Republic and the Contiguous Zone of the other State, shall be effected by agreement; in the absence of an agreement, the delimitation of this zone shall not extend beyond the median line or the equidistance line, measured from the respective baselines from which the breadth of the territorial sea is measured.
 - (3) The exact limits of the Contiguous Zone, as defined by sub-section (2), shall be made public by Notification issued by the Minister of Foreign Affairs, to be published in the official Gazette of the Republic.
 4. In the Contiguous Zone the Republic may exercise the control necessary to:
 - (a) prevent infringement of its customs, fiscal, immigration or sanitary laws and regulations within its territory or territorial sea;
 - (b) punish infringement of the laws and regulations referred in sub-section (a) committed within its territory or territorial sea;
 - (c) control traffic of objects of an archaeological and historical nature found in this zone;It is presumed that their removal from the sea-bed in this zone without the approval of the Republic would result in an infringement within its territory or territorial sea of the laws and regulations in accordance with Article 303 of the Convention.
 5. (1) The Council of Ministers may make regulations for the better carrying out of the provisions of this Law.
 - (2) Without prejudice to the generality of sub-section (1), these regulations may serve all or some of the following purposes, that is:
 - (a) preventive measures aiming to the avoidance or prevention of the infringement of the Republic's customs, fiscal, immigration or sanitary laws and regulations; and
 - (b) preventive measures aiming to the control, the avoidance or prevention of traffic of objects of an archaeological and historical nature found in this zone and to the licensing procedures for their removal.

This Law enters into force on the 21.3.2003.

² Original: English. Text communicated by the Permanent Mission of the Republic of Cyprus through note verbale No. 06.15.007.004, dated 19 April 2004.

(b) A Law to Provide for the Proclamation of the Exclusive Economic Zone by the Republic of Cyprus
(2 April 2004)¹⁰

The House of Representatives enacts as follows:

1. This Law may be cited as the Exclusive Economic Zone Law of 2004.

2. (1) In this Law, unless the context otherwise requires-

"Exclusive Economic Zone" means the zone beyond and adjacent to the territorial sea of the Republic, the limits of which are determined by Article 3;

"Republic" means the Republic of Cyprus;

"Director" means the Director of the Department of Fisheries and Marine Research of the Ministry of Agriculture, Natural Resources and Environment;

"Court" means the Court as provided for in Article 10;

"Living resources" include fishes and any other living organisms, except for the sedentary species, as determined by Article 77 of the Convention";

"Non-living resources" means the mineral and other non-living resources normally lying on the sea-bed and its subsoil;

"Nautical mile" means a distance of one thousand eight hundred and fifty two meters;

"Convention" means the United Nations Convention on the Law of the Sea, which was ratified by the United Nations Convention on the Law of the Sea (Ratification) Law of 1988;

"Minister" means the Minister of Agriculture, Natural Resources and Environment and any other person generally or specifically authorized in this regard.

(2) Definitions, unless otherwise interpreted in this Article, shall have the meaning given to them by the Convention and in case of conflict between this Law and the Convention, the interpretation of the Convention prevails.

3. (1) By this Law, the Exclusive Economic Zone is proclaimed, the outer limit of which shall not extend beyond the 200 nautical miles from the baselines from which the breadth of the territorial sea is measured.

(2) In cases where part of the Exclusive Economic Zone overlaps with part of the Exclusive Economic Zone of any other State, with opposite coasts to those of the Republic, the delimitation between the Exclusive Economic Zone of the Republic and the Exclusive Economic Zone of the other State, shall be effected by agreement; in the absence of an agreement, the delimitation of this zone shall not extend beyond the median line or the equidistance line measured from the respective baselines from which the breadth of the territorial sea is measured.

(3) The exact limits of the Exclusive Economic Zone at any given time, shall be made public by Notification issued by the Minister of Foreign Affairs, to be published in the official Gazette of the Republic, as these limits will be shaped according to the specific areas and the possible delimitation agreements to be reached in accordance with the provisions of subsections (1) and (2).

4. (1) In the Exclusive Economic Zone the Republic has:

(a) sovereign rights for the purposes of exploring and exploiting, conserving and managing the natural resources, whether living or non-living, of the waters superjacent to the sea-bed and of the sea-bed and its subsoil, and with regard to other activities for the economic exploitation and exploration of the zone, such as the production of energy from the water, currents and winds;

(b) jurisdiction with regard to:

(i) the establishment and use of artificial islands, installations and structures;

(ii) marine scientific research;

(iii) the protection and preservation of the marine environment;

(2) The rights set out in this article with respect to the sea-bed and subsoil shall be exercised in accordance with Part VI of the Convention- Provisions on the Continental Shelf.

¹⁰ Original: English. Text communicated by the Permanent Mission of the Republic of Cyprus through note verbale No. 06.15.007.004, dated 19 April 2004.

5. (1) In exercising its rights and performing its duties under this Law in the Exclusive Economic Zone, the Republic shall have due regard to the rights and duties of other States and shall act in a manner compatible with the provisions of the Convention.

(2) In the Exclusive Economic Zone of the Republic, the other States enjoy the rights and perform the duties provided under the Convention. In exercising their rights and performing their duties, States shall have due regard to the rights and duties of the Republic and shall comply with the laws and regulations adopted by the Republic in accordance with the provisions of the Convention and other rules of international law in so far as they are not incompatible with the relevant Part of the Convention.

6. The Minister may by order published in the official Gazette of the Republic, to determine the allowable catch and the species of the living resources which may be caught in the Exclusive Economic Zone.

7. (1) Nobody is allowed to undertake in the Exclusive Economic Zone any exploitation or exploitation of the living resources, except in the cases where a permission is given by the Minister, in accordance with this Law or any other Law or Regulations, or by the Director in accordance with the Law on Fisheries.

(2) (a) Any person violating the provisions of sub-section (1) of this Article commits an offence and, in case of conviction, he is subject to pecuniary penalty not exceeding one hundred thousand Cyprus Pounds (£Cyp. 100.00) or imprisonment for a period not exceeding three years or to both of these penalties. In case of a second or subsequent conviction, this person is subject to pecuniary penalty not exceeding two hundred thousand Cyprus Pounds (£Cyp.200.00) or imprisonment for a period not exceeding five years or to both of these penalties.

(b) In addition to any penalty imposed under the provisions of paragraph (a) of this sub-section, the Court may order the confiscation of any vessel, object, equipment or material, including catch, which was used or caught during the commitment of the offence.

8. (1) Nobody is allowed to undertake in the Exclusive Economic Zone, any exploration or exploitation of the non-living resources, except for in the cases where a permission is given by the Council of Ministers, in accordance with this Law or any other Law, or by any other competent authority under any other Law or Regulations.

(2) (a) Any person violating the provisions of sub-section (1) of this Article, commits an offence and, in case of conviction, he is subject to pecuniary penalty not exceeding two hundred fifty thousand Cyprus Pounds (£Cyp.250.000) or imprisonment for a period not exceeding five years or to both of these penalties. In case of a second or subsequent conviction, this person is subject to pecuniary penalty not exceeding five hundred thousand Cyprus Pounds (£Cyp.500.00) or imprisonment for a period not exceeding ten years or to both of these penalties.

(b) In addition to any penalty imposed under the provisions of paragraph (a) of this sub-section, the Court may order the confiscation of any vessel, object, equipment, or material, including the non-living resources catch, which was used or caught during the commitment of the offence.

9. When an offence is committed by a legal person in violation of the provisions of this Law and it is proven that this offence is committed with the assent or consent or it is attributed to any negligence of any managing counselor, director, secretary or other officer of the legal entity, this person as well as the legal entity is guilty for the commitment of such an offence.

10. The District Court of Nicosia or the Criminal Court, according to the seriousness of the offence, holding its sessions in Nicosia, shall have exclusive jurisdiction to try all offences under this Law and shall have power to impose any penalty provided under this Law or any regulations made thereunder.

11. (1) The Council of Ministers may make regulations for the better carrying out of the provisions of this Law.

(2) Without prejudice to the generality of sub-section (1), these regulations may serve all or some of the following purposes, that is:

- (a) the preservation of the living resources of the Exclusive Economic Zone;
- (b) the protection of the environment in this zone;
- (c) with reference to foreign vessels, the regulation of fishing areas, the types, sizes and amount of gear, and the types, sizes and number of fishing vessels that may be used;
- (d) the regulation of matters pertaining to marine scientific research;

(e) the authority of boarding on foreign vessels, inspecting, arresting and confiscating, as may be necessary to ensure compliance with the laws and regulations adopted in order to safeguard the relevant sovereign rights of the Republic; and

(f) licensing procedures for rights to be enjoyed in the Exclusive Economic Zone.

12. This Law enters into force on the 21.3.2003.

3. Brazil

List of geographical coordinates of points defining the straight baselines along the coast of Brazil¹¹

The straight baselines along the Brazilian coast, drawn by the segments that join the following geographic co-ordinates of points, to be deposited with the Secretary-General of the United Nations are:

I- For the Oiapoque Bay:

Point n.1 -

LAT. 04°30'30" N

LONG. 051°38'14" W

Point n.2 -

LAT. 04°27'28" N

LONG. 051°30'53" W

II- For the mouth of the Amazon River, for the mouth of the Pará River and for the coast of the States of Pará and Maranhão:

Point n.3

LAT. 02°47'10" N

LONG. 050°53'13" W

Point n.8

LAT. 00°53'28" S

LONG. 046°12'33" W

Point n.4

LAT. 02°11'11" N

LONG. 050°26'03" W

Point n.9

LAT. 01°16'24" S

LONG. 044°54'04" W

Point n.5

LAT. 01°41'42" N

LONG. 049°54'56" W

Point n.10

LAT. 01°18'21" S

LONG. 044°50'53" W

Point n.6

LAT. 00°15'21" S

LONG. 048°20'51" W

Point n.11

LAT. 02°14'52" S

LONG. 043°37'06" W

Point n.7

LAT. 00°35'09" S

LONG. 047°17'50" W

Point n.12

LAT. 02°19'00" S

LONG. 043°21'34" W

III- For the coast of the State of Maranhão and Piauí:

Point n.13

LAT. 02°33'17" S

LONG. 042°43'16" W

Point n.14

LAT. 02°43'12" S

LONG. 041°49'43" W

IV - For Todos os Santos Bay:

Point n.15

LAT. 13°00'42" S

LONG. 038°31'57" W

Point n.17

LAT. 13°38'50" S

LONG. 038°52'30" W

Point n.16

LAT. 13°08'52" S

LONG. 038°47'39" W

Point n.18

LAT. 13°54'16" S

LONG. 038°55'25" W

V - For the Southern coast of the State of Bahia:

Point n.19

LAT. 16°53'46" S

LONG. 039°07'00" W

Point n.20

LAT. 17°58'25" S

LONG. 038°41'40" W

¹¹ Original: English. Deposited by Brazil with the Secretary-General under article 16, paragraph 2, of the United Nations Convention on the Law of the Sea through note no. 142 dated 11 May 2004.

Point n.21
LAT. 17°58'52" S
LONG. 038°41'53" W

Point n.22
LAT. 17°58'03" S
LONG. 039°12'28" W

VI - For the coast of the State of Espírito Santo:

Point n.24
LAT. 19°55'15" S
LONG. 040°06'05" W

Point n.25
LAT. 20°40'44" S
LONG. 040°21'53" W

VII - For the coast of the States of Rio de Janeiro, São Paulo and Santa Catarina:

Point n.27
LAT. 22°06'46" S
LONG. 041°10'48" W

Point n.28
LAT. 22°23'59" S
LONG. 041°41'07" W

Point n.29
LAT. 22°46'10" S
LONG. 041°47'12" W

Point n.30
LAT. 22°59'50" S
LONG. 041°58'39" W

Point n.31
LAT. 23°01'04" S
LONG. 042°00'00" W

Point n.32
LAT. 23°04'46" S
LONG. 043°12'28" W

Point n.33
LAT. 23°13'39" S
LONG. 044°09'36" W

Point n.34
LAT. 23°57'49" S
LONG. 045°14'31" W

Point n.35
LAT. 24°06'38" S
LONG. 045°41'37" W

Point n.23
LAT. 17°53'46" S
LONG. 039°20'00" W

Point n.26
LAT. 21°36'57" S
LONG. 041°00'32" W

Point n.36
LAT. 24°19'49" S
LONG. 046°09'46" W

Point n.37
LAT. 24°29'28" S
LONG. 046°40'37" W

Point n.38
LAT. 25°21'25" S
LONG. 048°02'14" W

Point n.39
LAT. 26°10'35" S
LONG. 048°29'05" W

Point n.40
LAT. 26°46'47" S
LONG. 048°34'20" W

Point n.41
LAT. 27°16'10" S
LONG. 048°19'37" W

Point n.42
LAT. 27°26'36" S
LONG. 048°20'50" W

Point n.43
LAT. 27°29'14" S
LONG. 048°21'17" W

Point n.44
LAT. 27°50'40" S
LONG. 048°25'47" W

Point n.45
LAT. 28°21'01" S
LONG. 048°36'01" W

Point n.46
LAT. 28°36'13" S
LONG. 048°48'37" W

VIII - For the Arroio Chuí:

Point n.47
LAT. 33°44'33" S
LONG. 053°22'29" W

The normal baselines, as indicated in the large scale nautical charts published by the Directorate of Hydrography and Navigation of the Brazilian Navy, are adopted for all the other parts of the Brazilian continental coast as well as for the coasts of Brazilian islands.

The geodesic system of the geographic coordinates used as reference for the straight baselines points is WGS 84.



4. Trinidad and Tobago
Geographical Coordinates of Points Used
for Determining the Archipelagic Baselines of Trinidad and Tobago
Transformed to WGS84 Datum¹²

Point No.	Name	Naparima Datum – International Spheroid						WGS84 Datum					
		Latitude			Longitude			Latitude			Longitude		
		°	'	''	°	'	''	°	'	''	°	'	''
1	East Rock	10	8	12	60	59	2	10	8	18.4	60	58	56.1
2	Casa Cruz Rock	10	4	22	61	9	45	10	4	28.4	61	9	39.1
3	Alcatras Rock	10	4	19	61	13	28	10	4	25.4	61	13	22.1
4	Icacos Rock	10	2	28	61	54	30	10	2	34.4	61	54	24.3
5	Black Rock	10	3	27	62	1	33	10	3	33.4	62	1	27.3
6	Cabresse Point	10	41	47	61	45	36	10	41	53.4	61	45	30.2
7	Cabresse Island	10	41	58	61	45	25	10	42	4.4	61	45	19.2
8	Sisters Island	11	19	57	60	38	42	11	20	3.5	60	38	36.0
9	Marble Island	11	21	39	60	31	37	11	21	45.5	60	31	31.0
10	St. Giles Island	11	21	28	60	30	52	11	21	34.5	60	30	46.0
11	Little Tobago	11	17	39	60	29	40	11	17	45.5	60	29	34.0

Next page: [Illustrative] Map Showing Archipelagic Baselines and Territorial Sea of Trinidad and Tobago.¹³

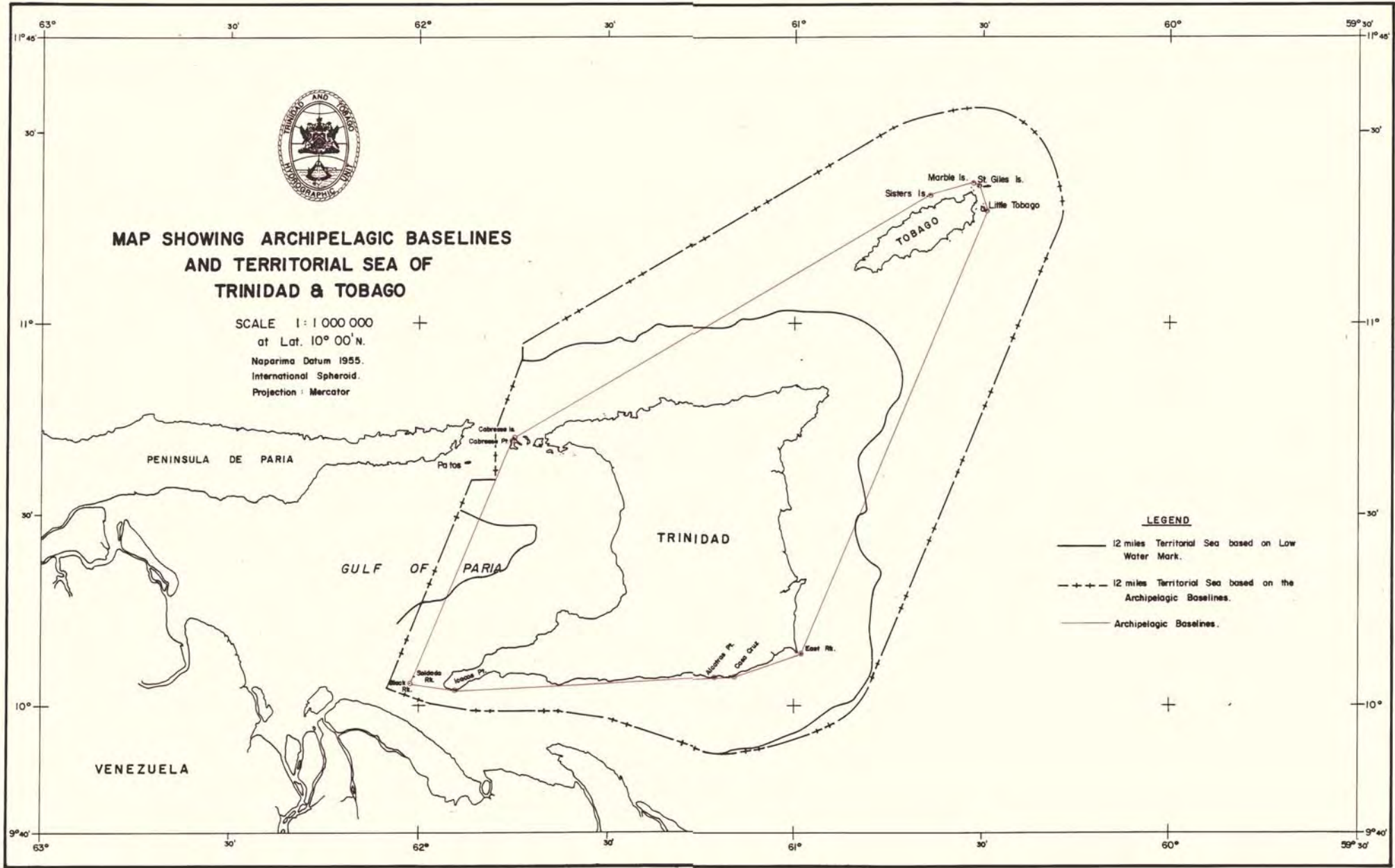
¹² Deposited by Trinidad and Tobago with the Secretary-General under article 47, paragraph 9, of the United Nations Convention on the Law of the Sea through note no. 85 of 13 may 2004.

¹³ The Map has been reduced from its original size to fit the letter page format.



MAP SHOWING ARCHIPELAGIC BASELINES AND TERRITORIAL SEA OF TRINIDAD & TOBAGO

SCALE 1:1 000 000
at Lat. 10° 00' N.
Naparima Datum 1955.
International Spheroid.
Projection: Mercator



5. Croatia

Decision on Amending the Decision on the Extension of the Jurisdiction of the Republic of Croatia in the Adriatic Sea of 3 October 2003¹⁴

Pursuant to Article 1042 of the Maritime Code (Official Gazette of the Republic of Croatia "Narodne novine" no. 157/03), and on the basis of Article 55 of the United Nations Convention on the Law of the Sea, the Croatian Parliament, at its session of 3 June 2004 has adopted the

DECISION ON AMENDING THE DECISION ON THE EXTENSION OF THE JURISDICTION OF THE REPUBLIC OF CROATIA IN THE ADRIATIC SEA OF 3 OCTOBER 2003

1. In the Decision on the extension of the jurisdiction of the Republic of Croatia in the Adriatic Sea. (Official Gazette of the Republic of Croatia "Narodne novine" no. 157/03), paragraph 2 is added to point 3., reading as follows:

“With regard to the member states of the European Union, the implementation of the legal regime of the Ecological and Fisheries Protection zone of the Republic of Croatia shall commence after the conclusion of the fisheries partnership agreement between the European Community and the Republic of Croatia.”

2. This Decision shall become effective forthwith.

File No: 302-01/04-01/01 Zagreb, 3 June 2004

CROATIAN PARLIAMENT

PRESIDENT OF THE CROATIAN PARLIAMENT

Vladimir Šeks (signed)

¹⁴ Original: English. Text communicated by the Permanent Mission of the Republic of Croatia to the United Nations through note verbale No. 280/04, dated 2 July 2004.

B. Treaties

1. Treaty on the Delimitation of the Maritime Frontier between the Islamic Republic of Mauritania and the Republic of Cape Verde, 19 September 2003¹⁵

The Government of the Islamic Republic of Mauritania and the Government of the Republic of Cape Verde,

Guided by the spirit of friendship and cooperation existing between their two peoples,

Desiring to develop and strengthen the good neighbourly relations between their two countries,

Desiring to establish, through negotiations, the common maritime frontier separating the exclusive economic zone and the continental shelf of the two countries,

Taking into account the work of the meeting of the Joint Technical Commission to delimit the maritime frontier between the two countries in particular the minutes, signed between the two Parties in Nouakchott on 23 March 2003 and in Praia on 7 May and 17 September 2003,

Taking into account the provisions of the United Nations Convention on the Law of the Sea of 1982, to which the two States are Parties,

Have agreed as follows:

Article 1

The two Parties shall establish, as the frontier in the overlapping maritime area separating the exclusive economic zone and the continental shelf of the two States, a median line the points of which are equidistant from the nearest points on the baselines of the two countries.

Article 2

The baselines referred to in the preceding article are the archipelagic baselines of the Republic of Cape Verde and the normal baselines of the Islamic Republic of Mauritania from which the breadth of the territorial sea of each Party is measured in conformity with the United Nations Convention on the Law of the Sea of 1982.

Article 3

1. The line embodying the common maritime frontier between the two countries, and its geographical coordinates as defined in conformity with article 1, are indicated in annex I to this Treaty.

2. The two Parties have agreed to use, in their work, the United States map "Operational Navigation Chart", series ONC J-1, Lambert conformal conic projection, scale 1/1,000,000, prepared and published by the Defense Mapping Agency Aerospace Center, St. Louis, Missouri, revised edition of December 1979. They have used this map for drawing the line delimiting their common maritime frontier.

3. The map mentioned in the preceding paragraph has been authenticated by the signatories to this Treaty and appears in Annex I.¹⁶

Article 4

The archipelagic lines of the Republic of Cape Verde and their geographical coordinates as defined in conformity with article 2 are indicated in annex II to this Treaty.

Article 5

The normal baselines of the Islamic Republic of Mauritania are defined by the low-water mark, as stated in annex III to this Treaty.

¹⁵ Original: French. Source: United States Department of State.

¹⁶ Map not reproduced for technical reasons.

Article 6

The Parties shall agree to adopt as the common starting point of their common frontier line the southernmost point, designated as point H, the coordinates of which appear in annex I to this Treaty, which constitutes a tripartite frontier point for the Republic of Cape Verde, the Islamic Republic of Mauritania and the Republic of Senegal.

Article 7

1. Any dispute regarding the interpretation or application of this Treaty shall be settled by negotiation.

2. If, within a reasonable period of time and in conformity with the preceding paragraph, these negotiations fail to produce a settlement, the two Parties may have recourse to any other mutually agreed means of peaceful settlement, without prejudice to article 287 of the United Nations Convention on the Law of the Sea of 1982.

Article 8

The three annexes to this Treaty shall have the same force and legal value as the Treaty and form an integral part thereof.

Article 9

This Treaty shall enter into force on the date of receipt by the other Party of the later of the two instruments of ratification.

Article 10

This Treaty is drawn up in two originals, in Portuguese, French and Arabic, each text being equally authentic.

DONE at Praia on 19 September 2003.

For the Government of the Islamic Republic of Mauritania:
Mohamed Ould Tolba
Minister for Foreign Affairs and Cooperation
Minister of Communication and Parliamentary Relations

For the Government of the Republic of Cape Verde:
Maria de Fátima Veiga
Minister for Foreign Affairs, Cooperation and Communities

ANNEX I
LINE DELIMITING THE COMMON MARITIME FRONTIER BETWEEN THE ISLAMIC REPUBLIC
OF MAURITANIA AND THE REPUBLIC OF CAPE VERDE

Article 1

The line delimiting the common maritime frontier separating the exclusive economic zone and the continental shelf of the two countries, referred to in article 3 of the Treaty on the Delimitation of the Maritime Frontier between the two Parties, is that defined by the following coordinates:

<i>Points</i>	<i>Latitude north</i>	<i>Longitude west</i>
H	16° 04.0'	019° 33.5'
I	16° 17.0'	019° 32.5'
J	16° 28.5'	019° 32.5'
K	16° 38.0'	019° 33.2'
L	17° 00.0'	019° 32.1'
M	17° 06.0'	019° 36.8'
N	17° 26.8'	019° 37.9'
O	17° 31.9'	019° 38.0'
P	17° 44.1'	019° 38.0'
Q	17° 53.3'	019° 38.0'
R	18° 02.5'	019° 42.1'
S	18° 07.8'	019° 44.2'
T	18° 13.4'	019° 47.0'
U	18° 18.8'	019° 49.0'
V	18° 24.0'	019° 51.5'
X	18° 28.8'	019° 53.8'
Y	18° 34.9'	019° 56.0'
Z	18° 44.2'	020° 00.0'

Article 2

The geometric configuration of the overlapping maritime area between the two countries and the projection of the baseline of the maritime frontier mentioned above appear on the map included herewith.

ANNEX II
BASELINES OF THE REPUBLIC OF CAPE VERDE

Article 1

The archipelagic baselines of the Republic of Cape Verde used as reference points for the delimitation of the maritime frontier between the two countries have been defined in accordance with the following coordinates, which were published in Law No. 60/IV/92 of 21 December 1992 of the Republic of Cape Verde.

<i>Points</i>	<i>Latitude north</i>	<i>Longitude west</i>	<i>Island</i>
O-Pta Cassaca	16° 50' 01.69"	22° 53' 50.14"	Sal
P-Ilheu Cascalho	16° 11' 31.04"	22° 40' 52.44"	Boa Vista
P1-Ilheu Baluarte	16° 09' 05.00"	22° 39' 45.00"	Boa Vista
Q-Pta Roque	16° 05' 09.83"	22° 40' 26.06"	Boa Vista
R-Pta Flamengas	15° 10' 03.89"	23° 05' 47.90"	Maio
S-	15° 09' 02.21"	23° 06' 24.98"	Maio

Article 2

The baselines mentioned above appear on the map in annex I.

ANNEX III
BASELINES OF THE ISLAMIC REPUBLIC OF MAURITANIA

Article 1

The baselines of the Islamic Republic of Mauritania used as a reference for the delimitation of the common maritime frontier with the Republic of Cape Verde are normal baselines defined in accordance with Ordinance No. 88.120 of 31 August 1988 of the Islamic Republic of Mauritania.

Article 2

The baselines indicated above appear on the map in annex I.

2. Barbados and Guyana

Exclusive Economic Zone Co-Operation Treaty between the Republic of Guyana and the State of Barbados concerning the Exercise of Jurisdiction in their Exclusive Economic Zones in the Area of Bilateral Overlap within Each of their Outer Limits and beyond the Outer Limits of the Exclusive Economic Zones of Other States, 2 December 2003¹⁷

The Republic of Guyana and the State of Barbados (hereinafter referred to as the Parties);

Reaffirming the friendly relations between them;

Mindful of their long-standing spirit of bilateral co-operation and good-neighbourliness;

Emphasizing the universal and unified character of the United Nations Convention on the Law of the Sea (hereinafter referred to as the Convention) and its fundamental importance for the maintenance and strengthening of international peace and security, as well as for the sustainable development of the oceans and seas;

Recognizing that the delimitation of the exclusive economic zone between States with opposite or adjacent coasts shall be effected by agreement on the basis of international law, as referred to in Article 38 of the Statute of the International Court of Justice, in order to achieve an equitable solution;

Recognizing the relevance and applicability of paragraph 3 of Article 74 of the Convention, which establishes that, pending such delimitation, States, in a spirit of understanding and co-operation, shall make every effort to enter into provisional arrangements of a practical nature and, during this transitional period, not to jeopardize or hamper the reaching of the final agreement;

Recognizing that such provisional arrangements shall be without prejudice to the final delimitation;

Confirming their intention to act in accordance with generally accepted principles of international law and the Convention;

Mindful of the legitimate interests of other States and the need to respect the rights and duties of other States in conformity with generally accepted principles of international law and the Convention;

Acknowledging the existence of an area of bilateral overlap within the outer limits of their exclusive economic zones and beyond the outer limits of the exclusive economic zones of other States;

Desirous of establishing a precise and equitable regime for the orderly and co-operative exercise of jurisdiction in the area of bilateral overlap of their exclusive economic zones, whilst taking into account the legitimate interests of other States;

Conscious of the need to agree upon the environmentally responsible management and the sustainable development of living and non-living natural resources in this area; and

Acting in accordance with the spirit of friendship and solidarity in the Caribbean Community and the Organization of American States;

Have agreed as follows:

Article 1. Co-operation Zone

1. This Treaty establishes and regulates, in accordance with generally accepted principles of international law and the Convention, a co-operation zone (hereinafter referred to as the Co-operation Zone) for the exercise of joint jurisdiction, control, management, development, and exploration and exploitation of living and non-living natural resources, as well as all other rights and duties established in the Convention, within the area over which a bilateral overlap occurs between their exclusive economic zones and beyond the outer limits of the exclusive economic zones of other States.

2. This Treaty and the Co-operation Zone established thereunder are without prejudice to the eventual delimitation of the Parties' respective maritime zones in accordance with generally accepted principles of international law and the Convention.

3. The Parties agree that nothing contained in the Treaty nor any act done by either Party under the provisions of the Treaty will represent a derogation from or diminution or renunciation of the rights of either Party within the Co-operation Zone or throughout the full breadth of their respective exclusive economic zones.

¹⁷ Original: English.

Article 2. The Geographical Extent of the Co-operation Zone

1. The Parties agree that the Co-operation Zone is the area of bilateral overlap between the exclusive economic zones encompassed within each of their outer limits measured to a distance of 200 nautical miles from the baselines from which the breadth of the territorial sea is measured, and beyond the outer limits of the exclusive economic zones of other States at a distance of 200 nautical miles measured from the baselines from which their territorial sea is measured. For the purposes of this Treaty, the term "exclusive economic zone" and its legal regime shall have the meaning ascribed to them in Part V of the Convention.
2. The precise geographical extent of the Co-operation Zone is defined in Annex 1 to this Treaty.
3. The Parties contemplate that they may, by agreement at a later date, delimit an international maritime boundary between them.

Article 3. Exercise of Civil and Administrative Jurisdiction in the Co-operation Zone

1. The Parties shall exercise joint civil and administrative jurisdiction within and in relation to the Co-operation Zone. In exercising their jurisdiction the Parties shall act at all times in accordance with generally accepted principles of international law and the Convention.
2. The exercise of joint jurisdiction by the Parties in any particular instance shall be evidenced by their agreement in writing, including by way of an exchange of diplomatic notes.
3. For further clarity, the failure of the Parties to reach agreement in writing in relation to the exercise of their joint jurisdiction in the Co-operation Zone in any particular instance means that neither Party can exercise its jurisdiction in that instance.

Article 4. Rights and Duties of Other States in the Co-operation Zone

1. The Parties shall have due regard to the rights and duties of other States in the Co-operation Zone in accordance with generally accepted principles of international law and the Convention, and in particular the provisions of Article 58 of the Convention.

Article 5. Jurisdiction over Living Natural Resources

1. The Parties shall exercise joint jurisdiction over living natural resources within the Co-operation Zone. In exercising their joint jurisdiction, the Parties shall act at all times in accordance with generally accepted principles of international law and the Convention, including 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.
2. In order to exercise environmentally responsible management and to ensure sustainable development in the Co-operation Zone, the exercise of joint jurisdiction over living resources by the Parties in any particular instance shall be governed by a Joint Fisheries Licensing Agreement and evidenced by their agreement in writing, including by way of an exchange of diplomatic notes as provided in Article 3.
3. Within three months of the date on which this Treaty enters into force, the Parties shall in good faith commence the negotiation of a Joint Fisheries Licensing Agreement within the Co-operation Zone.
4. Either Party shall be entitled to enforce the provisions of the Joint Fisheries Licensing Agreement against any persons through the application of its relevant national law. Each Party undertakes to inform the other in writing of such enforcement.
5. For further clarity, the failure of the Parties to reach agreement in writing in relation to the exercise of their joint jurisdiction over living resources in the Co-operation Zone in any particular instance means that neither Party can exercise its jurisdiction in that instance.
6. The Parties shall take steps to co-ordinate between them the management of the living natural resources within the Co-operation Zone subject to their obligations under any relevant agreement to which they are both parties.

Article 6. Jurisdiction over Non-Living Natural Resources

1. The Parties shall exercise joint jurisdiction over non-living natural resources within the Co-operation Zone. In exercising their joint jurisdiction, the Parties shall act at all times in accordance with generally accepted principles of international law and the Convention.

2. The exercise of joint jurisdiction over non-living resources by the Parties in any particular instance shall be managed by a Joint Non-Living Resources Commission and evidenced by their agreement in writing, including by way of an exchange of diplomatic notes as provided in Article

3. The Joint Non-Living Resources Commission shall be established at such time as agreed by the Parties.

4. For further clarity, the failure of the Parties to reach agreement in writing in relation to the exercise of their joint jurisdiction over non-living resources in the Co-operation Zone in any particular instance means that neither Party can exercise its jurisdiction in that instance.

5. Any single geological structure or field of non-living natural resources that lies wholly within the Co-operation Zone shall be shared equally between the Parties.

6. For the purpose of this Article 6, any single geological structure or field of non-living natural resources that lies in whole or in part across the outer limit of the Co-operation Zone shall be considered to straddle the Co-operation Zone.

7. Any single geological structure or field of non-living natural resources that straddles the outer limit of the Co-operation Zone from the exclusive economic zone of either Party shall be apportioned between them based on unitisation arrangements, as specifically provided by the Joint Non-Living Resources Commission.

8. Marine scientific research, exploration and exploitation or development of non-living natural resources that lie wholly within the Co-operation Zone shall only take place with the agreement of both Parties as provided in Article 3. If no such agreement is reached, no scientific research, exploration, exploitation or development can take place.

9. Each Party shall provide the other with the results of any scientific research or exploration as soon as possible after the conclusion of any survey.

Article 7. Jurisdiction over Security Matters

1. The Parties acting in good faith shall establish the procedures for the conduct of activities to police the Co-operation Zone.

2. Within three months of the date on which this Treaty enters into force, the Parties shall in good faith commence the negotiation of a security agreement in relation to activities to be undertaken within the Co-operation Zone, which may address among others:

- (a) Enforcement of regulations over natural resources;
- (b) Terrorism;
- (c) Prevention of illicit narcotics trafficking;
- (d) Trafficking in firearms, ammunition, explosives and other related materials;
- (e) Smuggling;
- (f) Piracy;
- (g) Trafficking in persons; and
- (h) Maritime policing and search and rescue.

3. Until a security agreement as contemplated in Article 7 (2) is in force, and unless otherwise provided for in this Treaty, each Party shall unilaterally exercise defence and criminal jurisdiction within and in relation to the Co-operation Zone to the same extent that it may do so within and in relation to that part of its exclusive economic zone that lies outside the Co-operation Zone.

Article 8. Protection of the Marine Environment of the Co-operation Zone

1. The Parties shall, consistent with their international obligations, endeavour to co-ordinate their activities so as to adopt all measures necessary for the preservation and protection of the marine environment in the Co-operation Zone.

2. The Parties shall provide each other as soon as possible with information about actual or potential threats to the marine environment in the Co-operation Zone.

Article 9. Consultation and Communications

1. Either Party may request consultations with the other Party in relation to any matter arising out of this Treaty or otherwise concerning the Co-operation Zone.

2. The Parties shall designate their respective Ministers of Foreign Affairs to be responsible for all communications required under this Treaty, including under this Article 9, and Articles 3, 5,6 and 10. Either Party can change its designation upon written notice to the other Party.

Article 10. Dispute Resolution

1. Any dispute concerning the interpretation or application of the provisions of this Treaty shall be resolved by direct diplomatic negotiations between the two Parties.

2. If no agreement can be reached within a reasonable period of time, either Party may have recourse to the dispute resolution provisions contemplated under the Convention.

3. Any decision or interim order of any court or tribunal constituted pursuant to Article 10 (2) shall be final and binding on the Parties. The Parties shall carry out in good faith all such orders and decisions.

Article 11. Registration

Upon entry into force, this Treaty shall be registered with the Secretary-General of the United Nations in accordance with article 102 of the Charter of the United Nations and the Secretary-General of the Caribbean Community.

Article 12. Entry into Force and Duration

1. This Treaty shall enter into force 30 days after the date on which the Parties have notified each other in writing that their respective requirements for the entry into force of this Treaty have been met.

2. This Treaty shall remain in force until an international maritime boundary delimitation agreement is concluded between the Parties.

3. This Treaty shall be subject to review at the request of either Party.

4. Any amendment to this Treaty shall be by mutual agreement through the exchange of diplomatic notes.

DONE at London on 2nd December, 2003, in two duplicate copies.

For the Republic of Guyana His Excellency Bharrat Jagdeo President

For the State of Barbados The Rt. Honourable Owen S. Arthur Prime Minister

3. Treaty between the Government of Australia and the Government of New Zealand Establishing Certain Exclusive Economic Zone Boundaries and Continental Shelf Boundaries¹⁸

THE GOVERNMENT OF AUSTRALIA AND THE GOVERNMENT OF NEW ZEALAND (the Parties)

CONSCIOUS of their geographic proximity, long-standing friendship, and close historic, political and economic relationship;

BELIEVING that the establishment of boundaries in the maritime areas between the two countries will encourage and promote the sustainable development of the marine resources of those areas and enhance the protection and preservation of the marine environment adjacent to the two countries; and

TAKING INTO ACCOUNT the United Nations Convention on the Law of the Sea done at Montego Bay on 10 December 1982 to which both Australia and New Zealand are party, and, in particular, Articles 74 and 83 which provide that the delimitation of the exclusive economic zone and continental shelf between States with opposite or adjacent coasts shall be effected by agreement on the basis of international law in order to achieve an equitable solution;

AGREE as follows:

Article 1
Definitions

1. In this treaty, "nautical mile" means the International Nautical Mile, equivalent to 1852 metres.
2. The coordinates in this treaty are defined in terms of the International Terrestrial Reference Frame 2000 as defined by the International Earth Rotation Service at epoch 1 January 2000.

Article 2
Exclusive Economic Zone and Continental Shelf between Australia in respect of Lord Howe Island and Norfolk Island and New Zealand

1. In the area between Lord Howe Island and the North Island of New Zealand, and between Norfolk Island and the Three Kings Islands, the boundary between the exclusive economic zone and continental shelf that appertain to Australia and the exclusive economic zone and continental shelf that appertain to New Zealand is the line commencing at the point of latitude 25° 41' 58.77" south, longitude 173° 59' 27.48" east ("Point ANZ 1") and running:

- (a) thence south-westerly along the geodesic to the point of latitude 27° 05' 37.98" south, longitude 171° 54' 30.61" east ("Point ANZ 2");
- (b) thence southerly along the geodesic to the point of latitude 27° 29' 53.98" south, longitude 171° 58' 42.98" east ("Point ANZ 3");
- (c) thence southerly along the geodesic to the point of latitude 27° 52' 50.38" south, longitude 171° 58' 51.31" east ("Point ANZ 4");
- (d) thence southerly along the geodesic to the point of latitude 28° 13' 20.83" south, longitude 171° 56' 10.22" east ("Point ANZ 5");
- (e) thence southerly along the geodesic to the point of latitude 28° 52' 49.54" south, longitude 171° 56' 16.16" east ("Point ANZ 6");
- (f) thence southerly along the geodesic to the point of latitude 30° 25' 42.70" south, longitude 171° 56' 30.44" east ("Point ANZ 7");
- (g) thence south-westerly along the geodesic to the point of latitude 30° 43' 29.25" south, longitude 171° 28' 45.57" east ("Point ANZ 8");
- (h) thence south-westerly along the geodesic to the point of latitude 30° 53' 11.23" south, longitude 171° 13' 28.85" east ("Point ANZ 9");
- (i) thence south-westerly along the geodesic to the point of latitude 31° 16' 01.68" south, longitude 170° 37' 06.34" east ("Point ANZ 10");

¹⁸ Text provided by the Australian Department of Foreign Affairs and Trade. The Treaty has not yet entered into force.

- (j) thence south-westerly along the geodesic to the point of latitude 31° 19' 31.67" south, longitude 170° 31' 15.10" east ("Point ANZ 11");
- (k) thence south-westerly along the geodesic to the point of latitude 31° 40' 26.30" south, longitude 169° 56' 12.27" east ("Point ANZ 12");
- (l) thence south-westerly along the geodesic to the point of latitude 31° 47' 23.99" south, longitude 169° 44' 25.06" east ("Point ANZ 13");
- (m) thence south-westerly along the geodesic to the point of latitude 32° 04' 50.57" south, longitude 169° 14' 37.00" east ("Point ANZ 14");
- (n) thence south-westerly along the geodesic to the point of latitude 32° 06' 52.74" south, longitude 169° 11' 06.79" east ("Point ANZ 15");
- (o) thence south-westerly along the geodesic to the point of latitude 32° 25' 18.55" south, longitude 168° 39' 03.72" east ("Point ANZ 16");
- (p) thence clockwise westerly along the geodesic arc of radius 200 nautical miles concave to Norfolk Island to the point of latitude 32° 22' 18.95" south, longitude 166° 58' 54.37" east ("Point ANZ 17");
- (q) thence clockwise westerly along the geodesic arc of radius 200 nautical miles concave to Norfolk Island to the point of latitude 32° 09' 22.23" south, longitude 166° 17' 34.30" east ("Point ANZ 18");
- (r) thence clockwise north-westerly along the geodesic arc of radius 200 nautical miles concave to Norfolk Island to the point of latitude 31° 53' 49.17" south, longitude 165° 46' 20.73" east ("Point ANZ 19");
- (s) thence clockwise north-westerly along the geodesic arc of radius 200 nautical miles concave to Norfolk Island to the point of latitude 31° 30' south, longitude 165° 13' 27.08" east ("Point ANZ 20");
- (t) thence south-westerly along the geodesic to the point of latitude 32° 30' south, longitude 163° 06' 58.81" east ("Point ANZ 21");
- (u) thence clockwise southerly along the geodesic arc of radius 200 nautical miles concave to Lord Howe Island to the point of latitude 33° 52' 40.25" south, longitude 162° 21' 59.44" east ("Point ANZ 22");
- (v) thence south-easterly along the geodesic to the point of latitude 36° 36' 25.68" south, longitude 163° 15' 37.64" east ("Point ANZ 23");
- (w) thence clockwise south-westerly along the geodesic arc of radius 350 nautical miles concave to Lord Howe Island to the point of latitude 37° 26' 21.31" south, longitude 161° 04' 38.06" east ("Point ANZ 24");
- (x) thence south-westerly along the geodesic to the point of latitude 37° 30' 11.12" south, longitude 161° 00' 14.00" east ("Point ANZ 25");
- (y) thence south-westerly along the geodesic to the point of latitude 37° 43' 11.18" south, longitude 160° 49' 46.53" east ("Point ANZ 26");
- (z) thence south-westerly along the geodesic to the point of latitude 37° 52' 48.02" south, longitude 160° 41' 59.88" east ("Point ANZ 27");
- (za) thence south-westerly along the geodesic to the point of latitude 38° 03' 21.95" south, longitude 160° 33' 24.99" east ("Point ANZ 28");
- (zb) thence south-westerly along the geodesic to the point of latitude 38° 19' 36.19" south, longitude 160° 23' 49.32" east ("Point ANZ 29"), where it terminates.
2. Illustrative maps depicting the line described in paragraph 1 of this Article form Annexes 1 and 2 to this Treaty.

Article 3

Exclusive Economic Zone and Continental Shelf between Australia in respect of Macquarie Island and New Zealand in respect of Auckland and Campbell Islands

1. In the area between Macquarie Island and Auckland and Campbell Islands, the boundary between the exclusive economic zone and continental shelf that appertain to Australia and the exclusive economic zone and continental shelf that appertain to New Zealand is the line commencing at the point of latitude 51° 04' 48.96" south, longitude 158° 01' 25.98" east ("Point ANZ 30") and running:

(a) thence clockwise easterly along the geodesic arc of radius 200 nautical miles concave to Macquarie Island to the point of latitude 51° 01' 38.44" south, longitude 158° 59' 53.57" east ("Point ANZ 31");

(b) thence clockwise easterly along the geodesic arc of radius 200 nautical miles concave to Macquarie Island to point of the latitude 51° 10' 36.30" south, longitude 160° 37' 30.11" east ("Point ANZ 32");

(c) thence south-easterly along the geodesic to the point of latitude 51° 26' 17.80" south, longitude 160° 57' 46.87" east ("Point ANZ 33");

(d) thence south-easterly along the geodesic to the point of latitude 52° 11' 26.54" south, longitude 161° 57' 11.15" east ("Point ANZ 34");

(e) thence south-easterly along the geodesic to the point of latitude 52° 15' 53.24" south, longitude 162° 03' 07.43" east ("Point ANZ 35");

(f) thence south-easterly along the geodesic to the point of latitude 52° 27' 43.12" south, longitude 162° 18' 59.49" east ("Point ANZ 36");

(g) thence south-easterly along the geodesic to the point of latitude 52° 40' 46.86" south, longitude 162° 36' 30.28" east ("Point ANZ 37");

(h) thence south-easterly along the geodesic to the point of latitude 52° 46' 49.32" south, longitude 162° 44' 40.99" east ("Point ANZ 38");

(i) thence south-easterly along the geodesic to the point of latitude 52° 47' 40.79" south, longitude 162° 45' 50.93" east ("Point ANZ 39");

(j) thence south-easterly along the geodesic to the point of latitude 53° 42' 58.16" south, longitude 164° 03' 13.39" east ("Point ANZ 40");

(k) thence south-easterly along the geodesic to the point of latitude 53° 50' 59.84" south, longitude 164° 14' 42.04" east ("Point ANZ 41");

(l) thence south-easterly along the geodesic to the point of latitude 54° 13' 58.99" south, longitude 164° 26' 41.46" east ("Point ANZ 42");

(m) thence south-easterly along the geodesic to the point of latitude 54° 40' 13.78" south, longitude 164° 40' 40.29" east ("Point ANZ 43");

(n) thence south-easterly along the geodesic to the point of latitude 54° 41' 43.03" south, longitude 164° 41' 28.44" east ("Point ANZ 44");

(o) thence clockwise south-westerly along the geodesic arc of radius 200 nautical miles concave to Macquarie Island to the point of latitude 54° 56' 14.18" south, longitude 164° 39' 00.39" east ("Point ANZ 45");

(p) thence clockwise south-westerly along the geodesic arc of radius 200 nautical miles concave to Macquarie Island to the point of latitude 55° 00' 11.93" south, longitude 164° 38' 17.35" east ("Point ANZ 46");

(q) thence clockwise south-westerly along the geodesic arc of radius 200 nautical miles concave to Macquarie Island to the point of latitude 55° 10' 06.12" south, longitude 164° 36' 21.25" east ("Point ANZ 47");

(r) thence clockwise south-westerly along the geodesic arc of radius 200 nautical miles concave to Macquarie Island to the point of latitude 55° 14' 12.61" south, longitude 164° 35' 21.12" east ("Point ANZ 48");

(s) thence clockwise south-westerly along the geodesic arcs of radius 200 nautical miles concave to Macquarie Island to the point of latitude 55° 42' 50.10" south, longitude 164° 26' 46.41" east ("Point ANZ 49");

(t) thence clockwise south-westerly along the geodesic arc of radius 200 nautical miles concave to Macquarie Island to the point of latitude 55° 52' 23.70" south, longitude 164° 23' 57.71" east ("Point ANZ 50");

(u) thence clockwise south-westerly along the geodesic arc of radius 200 nautical miles concave to Macquarie Island to the point of latitude 56° 38' 56.15" south, longitude 163° 56' 44.86" east ("Point ANZ 51");

(v) thence clockwise south-westerly along the geodesic arc of radius 200 nautical miles concave to Macquarie Island to the point of latitude 56° 52' 19.72" south, longitude 163° 44' 04.71" east ("Point ANZ 52");

(w) thence clockwise south-westerly along the geodesic arc of radius 200 nautical miles concave to Macquarie Island to the point of latitude 57° 09' 53.30" south, longitude 163° 23' 17.53" east ("Point ANZ 53");

(x) thence southerly along the geodesic to the point of latitude 57° 48' 21.07" south, longitude 163° 24' 47.01" east ("Point ANZ 54"), where it terminates.

2. Illustrative maps depicting the line described in paragraph 1 of this Article form Annexes 1 and 3 to this Treaty.

Article 4

Exploitation of certain seabed deposits

If any single accumulation of petroleum, whether in a gaseous, liquid or solid state, or if any other mineral deposit beneath the seabed, extends across the lines described in Articles 2 or 3 of this Treaty, and the part of such accumulation or deposit that is situated on one side of the line is recoverable wholly or in part from the other side of the line, the two Parties will seek to reach agreement on the manner in which the accumulation or deposit shall be most effectively exploited and on the equitable sharing of the benefits arising from such exploitation.

Article 5

Entry into force

This Treaty shall enter into force upon the day on which the Government of Australia and the Government of New Zealand have notified each other in writing that their respective requirements for entry into force of this Treaty have been fulfilled.

DONE at Adelaide on the 25th day of July, two thousand and four.

FOR THE GOVERNMENT OF FOR THE GOVERNMENT OF

AUSTRALIA

NEW ZEALAND

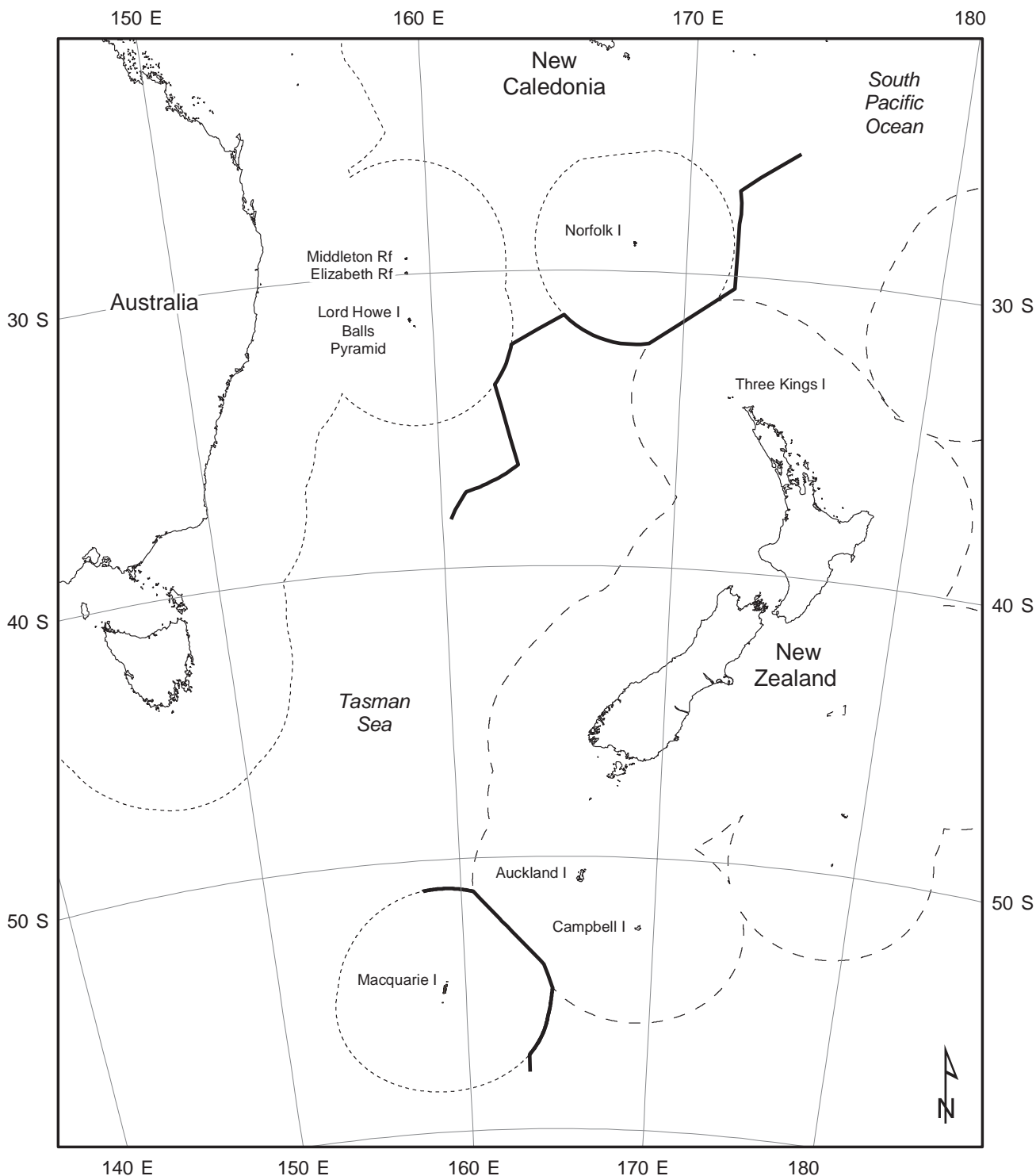
Alexander Downer

Phil Goff



Annex 1

Australia - New Zealand Maritime Boundary



Legend

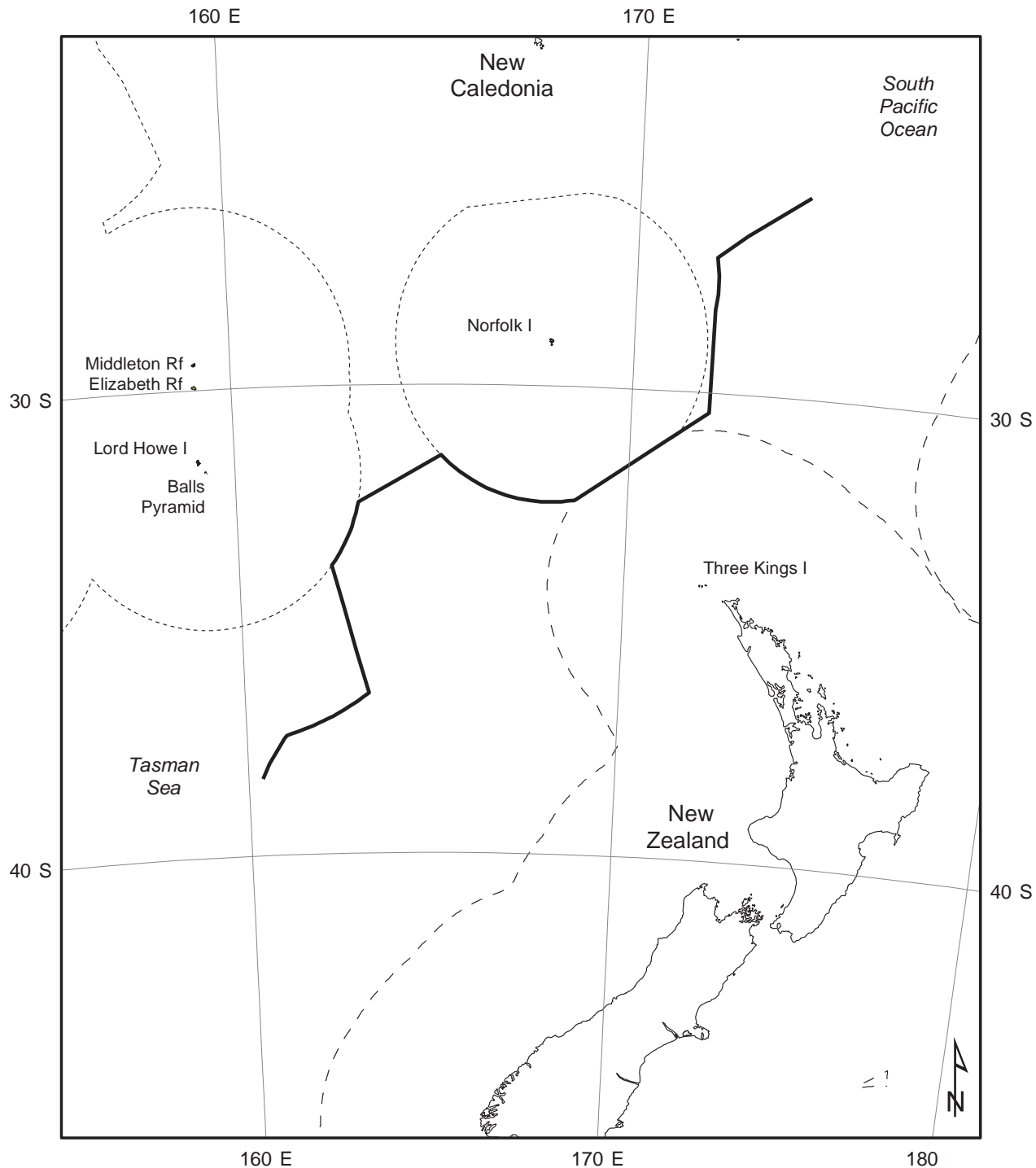
- Treaty boundary
- Australian Exclusive Economic Zone
- New Zealand Exclusive Economic Zone



Projection: Albers equal-area
 Central Meridian: 165 E
 Standard Parallel 1: 40 S
 Standard Parallel 2: 30 S
 Datum: ITRF2000 @ 1 Jan 2000
 Map produced by Geoscience Australia
 MP 02/693.31.ann1

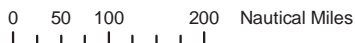


Annex 2 Australia - New Zealand Maritime Boundary



Legend

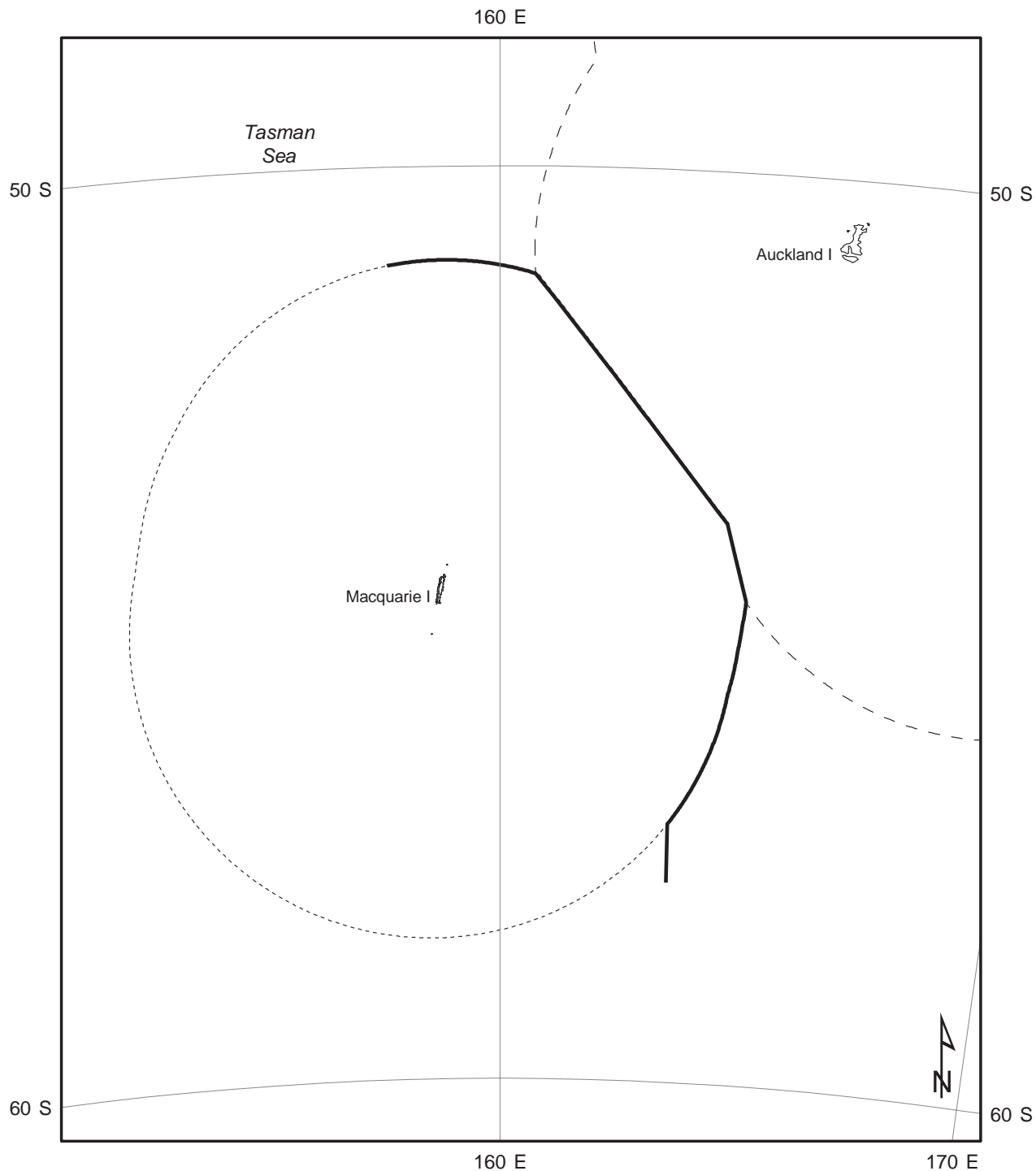
- Treaty boundary
- Australian Exclusive Economic Zone
- New Zealand Exclusive Economic Zone



Projection: Albers equal-area
 Central Meridian: 165 E
 Standard Parallel 1: 40 S
 Standard Parallel 2: 25 S
 Datum: ITRF 2000 @ 1 Jan 2000
 Map produced by Geoscience Australia
 MP 02/693.31.ann2

Annex 3

Australia - New Zealand Maritime Boundary



Legend

- Treaty boundary
- - - Australian Exclusive Economic Zone
- . - New Zealand Exclusive Economic Zone

0 25 50 100 Nautical Miles

Projection: Albers equal-area
 Central Meridian: 160 E
 Standard Parallel 1: 48 S
 Standard Parallel 2: 58 S
 Datum: ITRF2000 @ 1 Jan 2000
 Map produced by Geoscience Australia
 MP 02/693.31.ann3

C. Communications by States

Communication by the Republic of Croatia dated 8 July 2004¹⁹

No. 288/04

The Permanent Mission of the Republic of Croatia to the United Nations presents its compliments to the Secretary General of the United Nations in his capacity as the depositary of the United Nations Convention on the Law of the Sea and with reference to the note of the Permanent Mission of the Republic of Slovenia to the United Nations No. N-359/03 of 7 November 2003,²⁰ which was circulated to the States Parties to the Convention, has the honor to communicate the following:

The Republic of Croatia has, in accordance with the United Nations Convention on the Law of the Sea as well as international practice, proclaimed an ecological and fisheries protection zone and notified on 29 October 2003 the aforementioned to the Secretary-General of the United Nations. The Croatian Parliament, by its Decision on Amending the Decision on the Extension of the Jurisdiction of the Republic of Croatia in the Adriatic Sea of 3 June 2004, decided that the implementation of the legal regime of the Ecological and Fisheries Protection Zone of the Republic of Croatia with regard to the member States of the European Union shall commence after the conclusion of the fisheries partnership agreement with the European Community. With regard to all other States the implementation of the said regime shall commence on 3 October 2004. The aforementioned decision is notified to the Secretary-General of the United Nations on 2 July 2004.

Taking into consideration the provisions contained in the United Nations Convention on the Law of the Sea, the Republic of Croatia can only regard the arguments presented in the note of the Permanent Mission of the Republic of Slovenia No. N-359/03 as being legally unfounded and rejects the assertions contained therein.

The Ecological and Fisheries Protection Zone of the Republic of Croatia comprises the maritime area in front of the Croatian coast. It is the column of water above the continental shelf of the Republic of Croatia from the outer limit of its territorial sea seaward up to the outer limit allowed under general international law. The outer limit of the Ecological and Fisheries Protection Zone of the Republic of Croatia shall be determined through delimitation agreements with those States whose coasts are opposite or adjacent to the Croatian coast, once they extend their jurisdiction in accordance with the international law, as well. Pending the conclusion of the delimitation agreements, the limits of the Ecological and Fisheries Protection Zone of the Republic of Croatia temporarily follow the delimitation line of the continental shelf between the Republic of Croatia and the Italian Republic, and, in adjacent delimitation, the line following the direction of and continuing on the provisional delimitation line of the territorial seas between the Republic of Croatia and Serbia and Montenegro.

The Republic of Croatia emphasizes that the said proclamation is without prejudice to the yet to be delimited sea border between the Republic of Croatia and the Republic of Slovenia. The maritime area in question is beyond the area where the border at the sea between the two States should be determined. For ease of reference a map of the area is hereby enclosed.

The Republic of Croatia avails itself of this opportunity to stress that the Republic of Slovenia, neither as a part of the former SFRY nor as a sovereign State, has never had a direct territorial exit to the high seas nor has it acquired one since the dissolution of the former SFRY. Consequently, the Republic of Slovenia has never had its own continental shelf nor has acquired the right to declare its own exclusive economic zone.

The borders between the republics of the former SFRY existed only on land. They were administrative borders, which after the dissolution of the former SFRY, in accordance with the fundamental principles of international law, have become the international borders between the new States protected by international law, as confirmed in the Opinion No. 3 of the Badinter Arbitration Commission of the Conference on the former Yugoslavia.

¹⁹ Original: English.

²⁰ See *Law of the Sea Bulletin* No. 53, p. 70.

As borders on the sea between the republics of the former SFRY did not exist, they should be defined in accordance with international law, as codified in the United Nations Convention on the Law of the Sea, to which the Republics of Croatia and Slovenia are both parties. Negotiations on the delimitation of the sea border have been conducted for several years. No mutually accepted agreement has been reached, and no treaty has been signed.

The Republic of Slovenia has on numerous occasions clearly stated that it considers itself as a State in a geographically disadvantaged position with reference to its inability to proclaim an exclusive economic zone. In its Memorandum on the Piran Bay of 1993, when considering the delimitation issue with the Republic of Croatia, the Slovenian Parliament confirmed the fact that the Republic of Slovenia belongs to those States which, because of their geographical position, are not entitled to proclaim an exclusive economic zone. In conformity with this position, the Slovenian Maritime Code regulated the legal regime of the internal waters and the territorial sea of the Republic of Slovenia only, while its final provisions stipulated that the Law on the Continental Shelf which had been in force in the former SFRY, ceased to have effect with the entry into force of this Code.

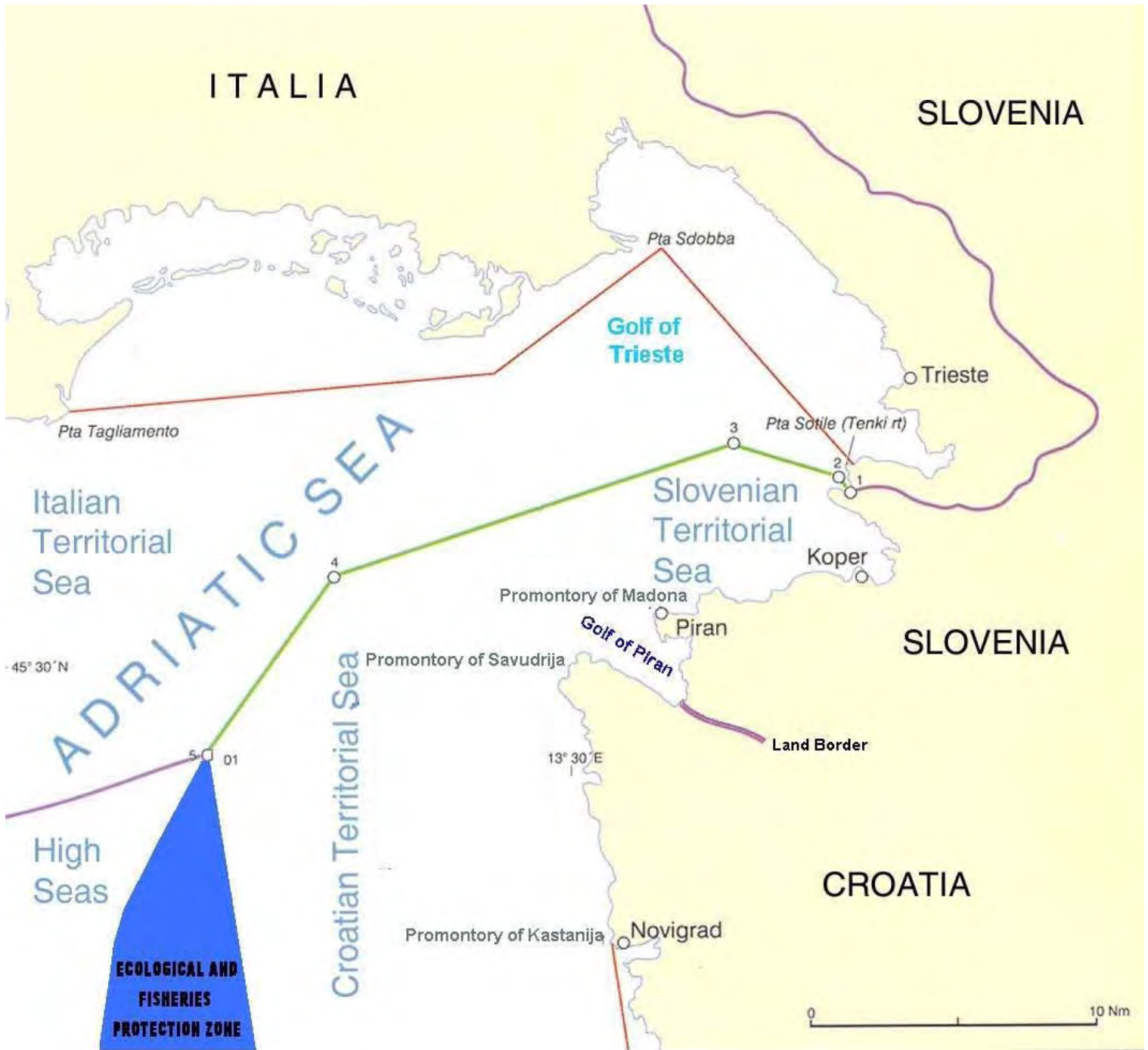
Contrary to this long standing position, although the relevant geographical circumstances remained the same, the Government of the Republic of Slovenia has recently changed its position concerning its right to extend jurisdiction and exercise the sovereign rights beyond the outer limit of its territorial sea. At the beginning of this year, it even amended the aforementioned Maritime Code, now stating that the Republic of Slovenia has the right to proclaim its own exclusive economic or ecological and fisheries protection zone.

Thirteen years after becoming a sovereign State the Republic of Slovenia has decided to change its position and on that bases has protested against the proclamation of the Ecological and Fisheries Protection Zone of the Republic of Croatia. The actions of the Republic of Slovenia can only be understood as Slovenian pretensions to the areas under the sovereignty or sovereign rights of the Republic of Croatia and are as such contrary to international law and totally unacceptable for the Republic of Croatia. As can be clearly seen from the map enclosed to this note, the only way in which the Republic of Slovenia can gain territorial access to the high seas is by crossing the territorial sea of the Republic Croatia in front of the Croatian coast.

The United Nations Convention on the Law of the Sea provides adequate remedies to situation where states are at disadvantage, but was not negotiated to correct geographical circumstances. In this respect, the Republic of Croatia has always been and is ready to cooperate with its neighbors in particular accordance with the Article 123 of the United Nations Convention on the Law of the Sea.

Concerning the question of the delimitation at sea and failing to reach an agreement on this issue, the Republic of Croatia has on numerous occasions invited the Republic of Slovenia to submit the question of delimitation at sea between the two states to an international judicial body so as to come to a binding decision with regard to this issue. Till now the Republic of Slovenia has not accepted the aforementioned Croatian proposal.

The Permanent Mission of the Republic of Croatia to the United Nations would highly appreciate it if the Secretary General of the United Nations as the Depositary of the United Nation Convention on the Law of the Sea would circulate this note and its attachment to the States Parties of the Convention as well as publish them in the next edition of the "Law of the Sea Bulletin".



III. OTHER INFORMATION

Spain
National Plan of Action to Prevent, Deter and Eliminate
Illegal, Unreported and Unregulated Fishing
November 2002²¹

Preamble

The National Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing derives from the International Plan of Action adopted by the international community through the Food and Agriculture Organization of the United Nations (FAO) in 2001. Spain supported the International Plan of Action from the start.

Spain aims to consolidate the following objectives through its National Plan of Action:

1. Managing fishing as a responsible economic activity in all its aspects and its national and international dimensions on the basis of the sustainable conservation and exploitation of resources and the responsible marketing of fishery products.
2. Maintaining the marine ecosystem perspective, which leads to approaching and regulating fishing operations in such a way as to reduce the by-catch of other species.
3. Strengthening and providing security to the whole of the fishing sector in the face of unfair competition arising from illegal practices.
4. Expressing concern for the social dimension of the problem arising from the risks faced by crews who work aboard vessels flying a flag of convenience which do not respect international conventions that protect human life at sea.

Spain's membership of the European Community (EC), which has a single market and trade area, means that the National Plan of Action has two components: one derived from Community competencies relating to fishing, which should be reflected in the Community's plan of action, and a national component relating to matters over which States members have exclusive competency or shared competency with the EC.

Spain's National Plan of Action will therefore be an effective response, in keeping with the objectives of the FAO International Plan of Action, when all States members of the EC become involved in adopting their respective national plans of action and coordinating with one another at a Community level on the basis of the EC International Plan of Action.

During the first half of 2002, the Spanish Presidency of the European Union succeeded in having the Fisheries Council, on 11 June, adopt a set of Conclusions on illegal, unreported and unregulated fishing. In these Conclusions, the European Commission is urged to actively exercise its competencies among States members and the international community, in particular, regional fisheries management organizations, in order to achieve the following objectives:

- Compiling registers of licensed vessels and lists of unauthorized or illegal vessels by regional fisheries management organizations;
- Drawing up lists of countries or territories not cooperating with regional fisheries management organizations which could be subject to transparent and non-discriminatory trade measures;
- Measures to control Community nationals and residents who use flags of convenience to evade established regulation and conservation measures;
- Establishing control and inspection programmes in each regional fisheries management organization;
- Identifying and quantifying illegal catches and determining the origin of these catches in order to take action against flag States;

²¹ Original: Spanish. Text communicated by the Permanent Mission of Spain to the United Nations through note verbale no. 196, dated 1 June 2004.

- Establishing certification or documentation regimes for all fish species for which this is necessary, as an additional international control measure;
- Defining the rights and obligations of port States in relation to access by fishing vessels to port installations;
- Assisting developing countries so that they can meet their commitments under the International Plan of Action.

The approach taken in Spain's National Plan of Action

- To take as a starting point the objectives and measures that should be applied, under the terms of the FAO International Plan of Action, in order to prevent, deter and eliminate illegal, unreported and unregulated fishing in the various areas in which fishing takes place: resources, structures and markets.
- To identify the available legal and administrative instruments, of both national and Community origin, by area of activity, and to determine the measures needed to mitigate the problems under the heading "Actions by Spain".

Application of measures to prevent, deter and eliminate illegal, unreported and unregulated fishing

Responsibilities of all States

International Plan of Action

The responsibilities are founded on three pillars: compliance with existing international legal norms, ratification of internationally agreed legislation and application of fishery instruments deriving therefrom.

Actions by Spain

Combating illegal, unreported and unregulated fishing is the joint responsibility of all fishing sectors. This approach has led Spain to take measures that are in keeping with the international and Community legal frameworks currently in force and to adopt legal instruments applicable at the national level that allow it to act responsibly as a flag State, a port State and a market State.

These State measures consist in the signing, ratification and development of all regulations agreed in international forums in relation to fisheries, including those dealing with their social and environmental impact.

(A) At the international level

Firstly, in 1997 Spain ratified the *United Nations Convention on the Law of the Sea of 1982*.

Secondly, Spain has signed and/or ratified a set of international regulations since the 1990s:

- *FAO Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas, of 1993*;
- *FAO Code of Conduct for Responsible Fisheries, of 1995*;
- *United Nations Agreement on Straddling Fish Stocks and Highly Migratory Fish Stocks, of 1995*;
- *Regional Agreement on the Conservation of Albatrosses and Petrels, of 2000*;
- *International Convention for the Safety of Life at Sea, of the International Maritime Organization*;
- *Torremolinos International Convention for the Safety of Fishing Vessels*.

(B) At the national level

Ministerial decree of 12 November 1988 regulating satellite-based vessel location systems in Spain

Establishment of a satellite-based vessel monitoring system that is permanently applied to Spanish fishing vessels (more than 1,700 in 2002), which operate in all of the world's oceans. The most modern technology is used, including a sophisticated computerized databank that allows for the effective control of vessel activity and, where necessary, for the punishment of illegal practices.

Framework Agreement establishing the Annual Programme on Comprehensive Control of Fisheries (1997)

In relation to actions taken on land, controls of non-regulation catch sizes transported by road are coordinated under this programme. These controls are carried out by means of a partnership agreement between the Ministry of Agriculture, Fisheries and Food and the Ministry of the Interior, which are involved in controlling, inspecting and monitoring fisheries.

Royal Decree No. 2287/1998, of 23 October 1998, establishing criteria and conditions for structural interventions in the fishing sector

This Royal Decree and the ones mentioned below prevent vessels from being exported to countries that fly flags of convenience and to those countries that do not cooperate in the conservation of resources or that undermine the working conditions of fishermen. These regulatory frameworks prevent companies from changing the flags of their vessels as a means of evading compliance with conservation and regulatory measures that have been agreed at the international level.

Royal Decree No. 2287/98 provides that the final authorization of exports of vessels from the deep-sea fleet is contingent upon the exports not being to countries that are listed in *Royal Decree No. 1080/1991*, which classifies certain countries and territories as tax havens. Many of the countries that allow flags of convenience for fishing appear on this list of 48 countries or territories.

Royal Decree No. 601/1999, of 16 April 1999, regulating the Official Register of Fisheries in Third Countries

The creation and maintenance of this register assume that there is an instrument for monitoring the activities of fisheries in third countries in which there are shares of Spanish capital.

In this provision, registration is contingent upon fisheries operating in countries that cooperate with the conservation of fishery resources either directly or through the competent regional fisheries management organizations, and upon the State in question having an exclusive economic zone (EEZ) with economically exploitable fishery resources.

Royal Decree No. 3448/2000, of 22 December 2000, establishing basic regulations for structural aid in the fishing sector

Authorization for the establishment of joint ventures is contingent upon the “existence of sufficient guarantees that they will not contravene international law, particularly with regard to norms for the conservation and management of ocean resources and the working conditions of fishermen”.

Programme of new measures in Spain

Legislative development of Act No. 2/2001 of 26 March 2001 on marine fishing

This Act grants exclusive competency to the State in relation to regulating marine fishing and empowers it to establish the foundations of the fishing sector code, in accordance with the Spanish Constitution. Its aims include ensuring a balanced and responsible exploitation of fishery resources that encourages sustainable development, and adopting the necessary measures to protect, conserve and develop such resources. The following regulations are expected to be adopted in the framework of the Act:

(a) Control of clearance, unloading and marketing of fishery products of third countries in Spanish territory

The law makes it obligatory for captains of third-country vessels who transport fishery products and wish to unload at Spanish ports to obtain prior authorization from the Ministry of Agriculture, Fisheries and Food. It also provides that operations within the competency of the customs services may only be carried out after such authorization has been submitted to them.

In order to strengthen the control mechanism and extend it to all unloading operations in Spanish territory, not only at ports but also for air and land transport, the Customs Department has adopted specific regulations that provide for the compulsory authorization of the Ministry of Agriculture, Fisheries and Food in order to initiate the customs clearance of fishery products.

Spain will exercise full control over all imports under chapter 3 of the Customs Code lists (Fishery Products). It will be prepared to reject any attempt to import fishery products that have been caught in contravention of conservation and management measures adopted by the regional fishery management organizations.

(b) Royal Decree No. 1134/2002, of 31 October 2002, applying sanctions in relation to marine fishing to Spanish crew members of vessels flying a flag of convenience

The 1982 United Nations Convention on the Law of the Sea establishes that all States have a duty to exercise jurisdiction and control effectively in relation to fishing activities by vessels flying their flag.

The responsibility of flag States to conserve and manage marine living resources should be exercised in such a way as to respect the sovereign rights of the coastal State for the purposes of exploring, exploiting, conserving and managing the natural resources of its exclusive economic zone. In relation to deep-sea fishing, the flag State should comply with its commitments under this Convention and other instruments of international law, especially the founding agreements of regional fishery management organizations.

It is therefore necessary to deal with the problem of States which do not comply with their responsibilities as flag States and to provide legal instruments permitting action to be taken on the grounds of nationality against natural and legal persons responsible for violating obligations established under international treaties.

The purpose of this draft royal decree is to establish a mechanism for applying the regime of infractions and sanctions to the natural and legal persons envisaged in article 90 of Act No. 3/2001 for illicit acts in relation to fishing aboard third-country vessels. Another purpose is to establish criteria for classifying countries or territories deemed to fly flags of convenience in order to determine factors aggravating non-compliance by Spanish nationals who captain vessels flying the flags of these countries and territories.

This Royal Decree also establishes the necessary guarantees to prevent imports of catches from those vessels that have been identified as responsible for carrying out illegal fishing activities or activities that conflict with the conservation and management measures of regional fishery management organizations in their area of control.

This type of action at the national level is positive but is not fully effective in combating illegal fishing without corresponding action by the international community as a whole.

Consequently, Spain has also submitted proposals to the European Community so that regional fishery management organizations can set the criteria and draw up lists of countries and territories that do not cooperate with regional fishery management organizations in relation to the conservation and management measures they have adopted.

(c) Draft royal decree establishing control and regulations for all operations related to fishing

This decree would establish control and regulations for all operations related to fishing, from the first sale to the marketing process that culminates in the product reaching the consumer, and for all imports via all sea, land and air routes. To date such control has been focused on unloading. It should be a very important element when it comes to determining the traceability of products, a feature of the latest trends in suppressing fraud.

Responsibilities of flag States

International Plan of Action

Registration and registers. Regulation and control of the registration of fishing vessels in the national register of each State.

Authorization to fish. Fishing activities outside jurisdictional waters by vessels registered in a State should be subject to an authorization to fish.

Actions by Spain

(a) Registration and registers

The legal framework in Spain is currently governed by the application of international legislation on maritime navigation, to which all commercial and fishing vessels are subject.

Royal Decree No. 1027/89 on flagging and registration of vessels and maritime registers

There are two maritime registers in Spain, one within the country and the other in the Canary Islands. However, only the national register is for fishing vessels.

Spain therefore has a single register of fishing vessels that covers all of the national territory.

Furthermore, at the Community level there is a census of all EC fishing vessels, and this was created with the aim of controlling fishing activities from various perspectives. Each of the vessels mentioned in the census is in possession of a Community licence which contains three types of information: information on the vessel (identification data), information on the vessel's owner (name and address of the owner), and information on the technical characteristics and equipment of the vessel.

(b) Authorization to fish

In order to carry out fishing activities, Spanish vessels need to be in possession of a specific authorization issued by the National Fisheries Administration, which specifies the vessel's authorized fishing ground, the fishing period and the requirements it has to fulfil, including in relation to fishing tackle, target and non-target species, and the periodic communications regarding catches and unloading that have to be made.

Information on the lists of fishing vessels that are authorized to operate in Community and international waters is transmitted to the European Community.

Applicable law:

Royal Decree No. 681/1980 on management of national fishing activities, which makes fishing activities by vessels outside Spanish jurisdictional waters conditional upon obtaining a temporary fishing permit issued by the General Secretariat of Maritime Fisheries;

Order of 2 March 1982 establishing the conditions for obtaining a temporary fishing permit in waters under Spanish jurisdiction

Measures relating to coastal States

International Plan of Action

Adoption of measures to eradicate illegal, unreported and unregulated fishing in the exclusive economic zone of third States by regulating the granting of authorizations to fish and, in the case of bilateral agreements, through monitoring, control and surveillance of fishing activities in that zone.

Actions by Spain

Since the implementation of international policies aimed at establishing jurisdictional waters for fishing, Spain has recognized the need to determine these zones in an effective way. In accordance with the exclusive economic zone regime provided for in Part V of the 1982 United Nations Convention on the Law of the Sea, *Spain established an exclusive economic zone in the Atlantic Ocean by means of Act No. 15/78 of 20 February 1978*, which stipulates that the Spanish State has sovereign rights to exploit its fishery resources.

Royal Decree No. 1315/1997 of 26 August 1997 established a fishing protection zone in the Mediterranean Sea to monitor the activities of vessels flying other flags beyond 12 nautical miles. This zone complies with the Convention on the Law of the Sea and is enforceable "erga omnes". Spain therefore exercises its jurisdiction over the fishing protection zone in the Mediterranean and exercises its competencies in relation to monitoring and inspection in accordance with Community and Spanish legislation. As a result of the establishment of the fishing protection zone, Spain supervises and may deny the right to fish in this zone to non-Community third countries, and this has already contributed to an improvement in stocks of red tuna and other tuna species.

In the exclusive economic zone and the fishing protection zone Spain applies, among other regulations, *Royal Decree No. 1797/99 on control of fishing operations by third-country vessels in Spanish sovereign or jurisdictional waters*. As provided for in article 3, in order to carry out fishing in these waters, third-country fishing vessels must be in possession of a fishing licence and a special fishing permit as provided for in article 9 of EC Regulation No. 1627/94, which establishes general provisions on special fishing permits.

In the framework of bilateral agreements or agreements on fishing activities by vessels flying the Spanish flag in international waters, the Satellite-Based Vessel Monitoring Centre (established by the *Ministerial Order of 12 November 1988, which regulates satellite-based vessel locating systems in Spain*), is permanently applied to Spanish fishing vessels and ensures respect for the boundaries of jurisdictional waters.

Measures relating to port States

International Plan of Action

Adoption of measures relating to monitoring of fishing vessels and related activities by regulating entry to ports.

Within the framework of regional fishery management organizations, promoting the adoption of procedures to prohibit the unloading and trans-shipment of catches from countries not cooperating with the regional fishery management organizations.

Actions by Spain

In relation to measures that could be applied by port States, it is necessary to strengthen their role in such a way as to allow them to prohibit entry to or departure from the port, access to port services or the unloading or trans-shipment of catches where there are signs that illegal fishing is taking place. Furthermore, it would be necessary to have a rapid response system in order to authorize or refuse unloading, as well as simple mechanisms to authorize unloading, adequate and efficient inspection systems and procedures to prohibit unloading or trans-shipment where necessary.

Granting other competencies to port States would increase monitoring and the possibility of boarding and detaining a vessel where the conditions on board are clearly dangerous to human safety and health, a situation that occurs all too frequently on vessels flying a flag of convenience. The establishment of some common procedures and mechanisms between States would avoid unfair competition between ports.

The adoption of Royal Decree No. 1797/1999 of 26 November 1999 on monitoring fishing operations by third-country vessels assumed the creation of a regulatory instrument to strengthen monitoring by the port State.

On the basis of this provision, it became obligatory to obtain authorization in order to carry out unloading or trans-shipment in Spanish territory, and to check the origin of catches with the aim of ensuring that conservation and management measures adopted by regional fishery management organizations are respected.

An administrative system of systematic monitoring and follow-up was established for fishing operations carried out by third-country vessels to which inspection measures apply.

This instrument has created a new dimension in the use of monitoring to combat illegal fishing.

- It allowed for the establishment in Spain in May 2000 of the system for monitoring catches of *Dissostichus* (Patagonian toothfish), introduced by the Commission for the Conservation of Antarctic Marine Living Resources. This measure has meant the closure of the Spanish market to illegal fish of this species.
- Combined with the draft royal decree on measures to be applied in case of non-compliance with international treaties, it will allow Spanish ports to deny access to those vessels that have been identified by regional fishery management organizations as being responsible for illegal, unreported and unregulated fishing.
- Application of annual resolutions on “Instructions for the eradication of illegal fishing of tuna and swordfish in Spanish ports”. On the basis of the list of countries that have an Atlantic quota, calculations of these quotas and documents that confirm the catch zone, the unloading or trans-shipment of fishery products in Spain is authorized or denied.
- Inspecting the catch of all vessels of Contracting Parties to the International Commission for the Conservation of Atlantic Tunas and of non-contracting Parties.

This measure complements the application of the International Commission’s recommendation prohibiting imports of swordfish, red tuna and bigeye tuna from Equatorial Guinea, Honduras and Belize.

However, this Spanish port control instrument cannot ensure that illegal fish does not reach the Spanish market. As a result of free movement within the Community market, illegal fish arrive at market from States members that have not adopted adequate port control instruments. Spain aims to give impetus to the application of similar measures throughout Community territory.

Programme of new measures in Spain

1. Creation of a register of third-country vessels that unload at Spanish ports. The purpose of this register will be to provide a monitoring tool by identifying third-country vessels and periodically monitoring their activities. The register would be equivalent to a catalogue of vessels and would include their technical specifications and their Lloyd's registration number.
2. Promoting the coordination of actions by States members of the European Community in the exercise of their responsibilities as port States in relation to monitoring and inspection of imports from fishing and merchant vessels in order to exclude illegal, unreported and unregulated fishing products from the European Union market.
3. Identifying and coordinating the elements on which the monitoring of unloading and trans-shipment not only by fishing vessels, but also by merchant vessels, at the ports of all States members should be based.

In particular, the use of lists of vessels throughout the Community in order to monitor unloading by non-contracting Parties not cooperating with regional fishery management organizations would represent a substantial step forward in avoiding the entry of illegal fish into the Community market.

Such an approach is only possible by developing and intensifying control of the fishing activities of fishing and merchant vessels, whether Spanish or third-country vessels, along with marketing activities irrespective of the origin of the fishery products.

Royal Decree No. 1134/2002 of 31 October 2002 applying sanctions relating to marine fishery to Spanish crew members of vessels flying a flag of convenience

Article 5 of this Royal Decree establishes the necessary guarantees to prevent the marketing of fishery products unloaded or imported into the national territory by whatever means and catches from fishing vessels identified as responsible for illegal fishing activities or activities contrary to the conservation and management measures of regional fishery management organizations in their area of control.

Internationally agreed trade measures

International Plan of Action

In exceptional circumstances, the adoption of multilateral trade measures through regional fishery management organizations is envisaged as a tool for combating illegal, unreported and unregulated fishing:

- At the international or multilateral level, standardization of the certification requirements for fishery products identified using the Harmonized Commodity Description and Coding System;
- Publicity targeted to all agents in the various fishing sectors and to consumers warning them to avoid financial transactions or trade in fish derived from illegal, unreported and unregulated fishing.

Actions by Spain

Marketing and commercial measures are especially important in combating illegal, unreported and unregulated fishing. From this perspective, the supply chain should be covered in a coherent manner, by means of comprehensive systems that provide for follow-up, monitoring and surveillance of fish from starting point to final destination, including controls following the unloading of catches. It would be advisable to establish an exhaustive tracing system that can identify fishery products at all stages, including catch, transport, storage, import, processing, distribution, sale and delivery to the end-user. Furthermore, where uncertainty persists, the precautionary principle should be applied.

These measures are aimed at identifying species and determining the origin of fishery products and are key elements in improving controls and increasing market transparency.

- Promotion at the Community level of tariff identification codes for sensitive fishery products: red tuna, tuna steaks, swordfish, various species of hake, *Dissostichus*.
- Implementation in Spain of Royal Decree No. 331/1999 on standardizing and classifying fresh fishery products, which includes making it obligatory to have a label that specifies the origin of the fish, the species and the shipper throughout the marketing chain, from the market to the consumer.

Identifying species and determining the origin of fishery products are undoubtedly two key elements when it comes to improving controls and increasing market transparency.

Research

International Plan of Action

Promotion of scientific research aimed at obtaining genetic markers for identifying fish species and for tracing fishery products.

Actions by Spain

The five-year National Research Programme provides for actions in the fishing sector to be developed mainly by the Spanish Oceanography Institute in collaboration with universities and overseas organizations.

As part of the plan in force during 2001-2004, research was undertaken in the following areas:

- Project on genetic identification of hake stocks;
- Project on identifying the origin of tuna species by means of blood types;
- Project on identifying blue jack mackerel and horse mackerel by means of mitochondrial DNA;
- Project on genetic identification of the canned tuna species.

Regional fisheries management organizations

International Plan of Action

Collaboration in the establishment of regional fishery management organizations in regions where they do not exist; building the capacity of regional fishery management organizations; ensuring compliance with conservation and management measures approved by the organizations; collaboration in the upkeep of registers of fishing vessels operating in zones within their jurisdiction, and in the developing of unloading and inspection systems and the compilation of trade information.

Actions by Spain

Several regional fishery management organizations with which either Spain or the EC is a Contracting Party or cooperating partner, such as the Northwest Atlantic Fisheries Organization, the International Commission for the Conservation of Atlantic Tunas, the Inter-American Tropical Tuna Commission, the North-East Atlantic Fisheries Commission, the Commission for the Conservation of Antarctic Marine Living Resources, have taken an interest in the practice of illegal, unreported and unregulated fishing. They have developed codes of conduct, international plans of action and conservation and management measures to combat these activities, which are carried out largely by vessels of non-cooperating countries flying a flag of convenience.

The Spanish concern about illegal fishing activity carried out by fishing vessels flying a flag of convenience, where the flags are those of States not cooperating in the conservation of fishery resources, can be seen in several legislative precedents, such as Royal Decree No. 798/1995 of 19 May 1995. This Decree establishes the criteria and conditions for structural intervention in the fishing sector which excludes from the possibility of benefiting from the 50 per cent reduction in the provision for losses that has been established for tuna vessels, freezer vessels and surface longliners intended for export so that they can fish in the Indian and Pacific Oceans, those exported to the countries and territories referred to in Royal Decree No. 1080/1991, of 5 July 1991, that have been classified as tax havens.

Royal Decree No. 601/1999, of 16 April 1999, which regulates the Official Register of Fisheries in Third Countries, prohibits registration for fisheries based in a State which does not cooperate in the conservation of fishery resources, either directly or through the competent regional fishery management organizations, and whose attitude is detrimental to the effectiveness of the international conservation and management measures approved by those organizations. The prohibition also applies to vessels flying the flag of such a State.

Programme of new measures

In relation to the measures that could be adopted by the international community or by regional fisheries management organizations, the benefit of determining which vessels carry out illegal, unreported and unregulated fishing and which countries facilitate or promote such fishing practices should be emphasized. In this regard, it would be *particularly useful to elaborate lists* of both vessels and countries involved in this type of fishing and to supplement these lists with an information system that allows for the lists to be updated continually. Spain therefore intends to adopt the following additional measures:

- Instigate the establishment of a regional fishery management organization open to countries with a genuine interest in fisheries, particularly in the eastern and western Pacific Ocean and the western Atlantic Ocean;
- Promote within regional fishery management organizations the definition of criteria for drawing up lists of fishing flags of convenience or non-cooperating States, with the aim of adopting transparent, proportional and non-discriminatory trade measures against such countries.

Special needs of developing countries

International Plan of Action

With the support of FAO and international financial mechanisms, cooperate in the provision of training and financial and technical assistance to developing countries so that they can meet their commitments under the International Plan of Action.

Actions by Spain

With regard to measures that can be taken by developing countries as coastal States in relation to fishing in their jurisdictional waters, it is necessary to be aware that the illegal, unreported and unregulated fishing taking place in this marine area *is not due to a lack of regulation but to the absence of means of monitoring and applying these regulations*. International cooperation therefore plays a fundamental role in this area. Therefore, there is a pressing need to establish methods and mechanisms to facilitate such cooperation.

A total of 10 cooperation projects with African countries and one with an Asian country are being implemented. Actions are focused on the following areas: installation of satellite-based monitoring and control centres; provision of fishing inspection means; support for science and technology institutes and fishing/nautical training schools; development of traditional fishing; development of fishing industries and of fish distribution microenterprises.

In the catalogue of Spanish technical cooperation projects, priority has been given to actions in the following fishing areas: fishery policy and administrative management; fishery development; fishery resources; and fishery services.

November 2002.

**General Secretariat of Maritime Fisheries
Ministry of Agriculture, Fisheries and Food**

IV. LAW OF THE SEA BULLETIN SURVEY

1. About the Law of the Sea Bulletin

The Law of the Sea Bulletin is a periodic publication issued by the Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs. The Law of the Sea Bulletin provides cogent and timely information on important issues related to the United Nations Convention on the Law of the Sea. It also provides legal material relevant to the Law of the Sea including national legislation, bilateral agreements and multilateral treaties, as well as information on decisions of the International Court of Justice, arbitral tribunals and other dispute settlement procedures.

The first issue of the Bulletin appeared 21 years ago, in September 1983. Fifty-five Bulletins have been published since. Currently, the Bulletin is issued three times a year and submitted for editing and printing at the end of March, July and November. Over the years, the Law of the Sea Bulletin has become a respected source of information and the Division continues to receive many requests for past issues. In 2002, to facilitate access to them, the Division began posting on its web site past issues of the Bulletin in English, French and Spanish, together with a repertory²² of their contents:

http://www.un.org/Depts/los/doalos_publications/los_bult.htm

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2. Law of the Sea Bulletin Survey

The Division pays great attention to the overall quality of the Law of the Sea Bulletin, in particular to the accuracy of its content. Nonetheless, the Division is intent on further improving its products, including the Bulletin. Consequently, it was decided to conduct a Law-of-the-Sea-Bulletin readers' survey for the first time in the Bulletin's history.

The goal of this survey is to seek feedback and comments from the Bulletin's readers on a number of aspects relating to both its content and presentation. The Division considers those comments and suggestions extremely important to identify ways to further enhance the value of the publication.

The Division greatly appreciates any input which the reader may wish to make, and which may help shape the future of the Bulletin. All readers are encouraged to respond to the survey using the attached form. All answers are anonymous. However, should any participant wish to receive a response from the Division, he/she should indicate the name and address in the place provided for that purpose and mark the form accordingly.

Additional comments may be provided on a separate sheet of paper and attached to the form, which contains the address to which all responses should be mailed. Alternatively, the form and any additional feedback may also be faxed to 1 (212) 963-5847.

²² In English only.

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Relevance of the Bulletin	Essential for my work or studies (5) – Just interested (1)			5 <input type="checkbox"/>	4 <input type="checkbox"/>	3 <input type="checkbox"/>	2 <input type="checkbox"/>	1 <input type="checkbox"/>
Content – Rating	Excellent (5) – Needs improvement (1)			5 <input type="checkbox"/>	4 <input type="checkbox"/>	3 <input type="checkbox"/>	2 <input type="checkbox"/>	1 <input type="checkbox"/>
Comments / suggestions regarding the content								
In your view, what other information should appear in the Law of the Sea Bulletin?								
Table of contents layout – Rating	Very good <input type="checkbox"/>	Good <input type="checkbox"/>	Acceptable <input type="checkbox"/>		Needs improvement <input type="checkbox"/>			
Occasionally, the Bulletin contains illustrative maps prepared by DOALOS, which show maritime limits and boundaries								
How do you rate these maps:	Excellent (5) – Needs improvement (1)			5 <input type="checkbox"/>	4 <input type="checkbox"/>	3 <input type="checkbox"/>	2 <input type="checkbox"/>	1 <input type="checkbox"/>
Comments / suggestions regarding illustrative maps								
Table showing the status of the Convention and related Agreements								
Ease of reference / Layout – Rating	Extremely useful (5) – Very difficult to understand (1)			5 <input type="checkbox"/>	4 <input type="checkbox"/>	3 <input type="checkbox"/>	2 <input type="checkbox"/>	1 <input type="checkbox"/>
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Chronological lists of ratifications, accessions –Rating of usefulness	Very useful (5) – Not necessary or repetitive (1)			5 <input type="checkbox"/>	4 <input type="checkbox"/>	3 <input type="checkbox"/>	2 <input type="checkbox"/>	1 <input type="checkbox"/>
What else would you suggest to render the Law of the Sea Bulletin more attractive and useful?								
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