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Implementation  
of UNCLOS by  
Japan

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# Four stages of implementation efforts: overview

## Stage I : Response to emerging trends in UNCLOS III

- Quick-fix, temporary defensive measures
- Preparation for deep seabed mining

## Stage II: Preparation for entry into force of UNCLOS

- Registration of Japan as a Pioneer Investor
- “Fixing” Part XI of UNCLOS

## Stage III: Ratification of UNCLOS

- Minimum legislative measures

## Stage IV: Toward active and comprehensive implementation of UNCLOS and contribution to international community

- Basic Act on Ocean Policy and Basic Plan on Ocean Policy
- New legislation
- Active international cooperation

## STAGE I: Response to emerging trends in UNCLOS III

- 1977 Act on the Territorial Sea → Extension of TS to 12 nm
- 1977 Act on Provisional Measures Relating to the Fishing Zone → Establishment of *Fishing Zone* of 200 nm
- 1982 Act on Interim Measures for Deep Seabed Mining → Japan's consortium (DORD) to be registered as pioneer investor under Resolution II of UNCLOS III on preparatory investment protection.

## STAGE II: Preparation for entry into force of UNCLOS

Active participation in the Preparatory Commission for ISA and ITLOS

Registration of Japan's DORD as a pioneer Investor by the Preparatory Commission

- Application in 1984; registration in 1987

“Fixing” of Part XI of UNCLOS

- The “Review Policy” of US rejected by UNCLOS III

- New initiative by UNSG to revisit Part XI in informal consultations (1990-1994)

- 1994 Agreement for the Implementation of Part XI of UNCLOS

## STAGE III: Ratification of UNCLOS and minimum legislation in 1996

### Ratification of UNCLOS and Part XI Agreement

#### Act on the Territorial Sea and the Contiguous Zone

- right of hot pursuit
- straight baselines (to be established by Order)
- contiguous zone

#### Act on the EEZ and the Continental Shelf

- established EEZ and CS in accord. with UNCLOS
- provides for application of Japanese law with respect to various matters, including natural resource development, artificial islands, marine environment, MSR, etc.

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## STAGE III: Ratification of UNCLOS and minimum legislation in 1996 (*cont'd*)

### Act on the Exercise of Sovereign Rights with regard to Fisheries and Other Matters in the EEZ

- mainly for the regulation of fishing activities of foreign fishermen in the EEZ

### Act on the Conservation and Management of Marine Living Resources (TAC Act)

- detailed regulations relating to the conservation and management of living resources within EEZ, and introduces a TAC system

### Act on the Prevention of Marine Pollution and Marine Disaster, as amended

- introduces the prompt release procedures per art. 226 and 292

## STAGE IV: Toward active and comprehensive implementation of UNCLOS and contribution to international community

Initiative to establish 2004 ReCAAP

Contribution to the 2007 Cooperative Mechanism on safety of navigation and environmental protection in the Malacca and Singapore Straits

2007 Basic Act on Ocean Policy

2007 Act on the Establishment of Safety Zones around Maritime Structures

2008 Act on the Navigation of Foreign Vessels in the Territorial Sea

2008 Submission of data for extended continental shelf to CLCS

2009 (?) Proposed Act on the suppression of piracy and armed robbery at sea

## Future Prospects

### *Possible measures in near-future:*

- New law on the regulation of marine scientific research in EEZ (?)
- Establishment of MPAs (?)
- Cooperation with three S. Pacific countries in establishing a joint coast guard