

Bulletin No. 97

Law of the Sea



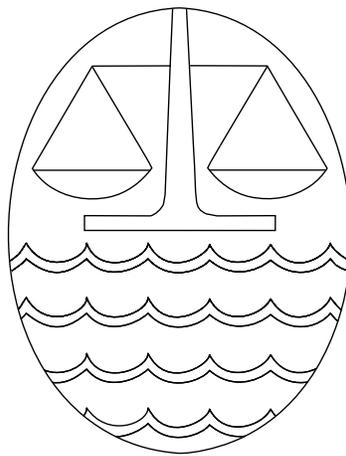
*Division for Ocean Affairs
and the Law of the Sea
Office of Legal Affairs*



United Nations

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Office of Legal Affairs

Law *of the Sea*



Bulletin No. 97



United Nations
New York, 2019

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United Nations Publication
ISBN 978-92-1-133874-4
eISBN 978-92-1-047359-0
ISSN 1015-1885
eISSN 2218-6018

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Printed at the United Nations, New York

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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, THE AGREEMENT RELATING TO THE IMPLEMENTATION OF PART XI OF THE CONVENTION AND 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, AS AT 31 JULY 2018¹

1. Table recapitulating the status of the Convention and of the related Agreements

This consolidated table, prepared by the Division for Ocean Affairs and the Law of the Sea, Office of the Legal Affairs, provides unofficial, quick reference information related to participation in the Convention and the two implementing Agreements. For official information on the status of these treaties, please refer to Multilateral Treaties Deposited with the Secretary-General (<https://treaties.un.org>).

The symbol indicates that (i) a declaration or statement was made at the time of signature, ratification or accession, or anytime thereafter; or (ii) declarations were confirmed upon succession. indicates that two declarations were made by the State. Abbreviations: (f) indicates formal confirmation; (a) accession; (s) succession; (ds) definitive signature; (p) consent to be bound; (sp) simplified procedure. The names of States in italics indicate non-members of the United Nations; shaded rows indicate landlocked States.

State or entity	United Nations Convention on the Law of the Sea (in force as from 16/11/1994)		Agreement relating to the Implementation of Part XI of the Convention (in force as from 28/07/1996)		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 11/12/2001)	
	Signature (dd/mm/yy)	Ratification/ accession (dd/mm/yy)	Signature (dd/mm/yy)	Ratification/ accession (dd/mm/yy)	Signature (dd/mm/yy)	Ratification/ accession (dd/mm/yy)
TOTALS	157	168	79	150	59	89
Afghanistan	18/03/83					
Albania		23/06/03(a)		23/06/03(p)		
Algeria	10/12/82 <input type="checkbox"/>	11/06/96	29/07/94	11/06/96(p)		

¹ Source: *Multilateral Treaties Deposited with the Secretary-General*, chap. XXI. Available from <https://treaties.un.org>, "Status of Treaties Deposited with the Secretary-General". In accordance with article 308, paragraphs 1 and 2, of the Convention:

1. This Convention shall enter into force 12 months after the date of deposit of the sixtieth instrument of ratification or accession.
2. For each State ratifying or acceding to this Convention after the deposit of the sixtieth instrument of ratification or accession, the Convention shall enter into force on the thirtieth day following the deposit of its instrument of ratification or accession, subject to paragraph 1.

State or entity	United Nations Convention on the Law of the Sea (in force as from 16/11/1994)			Agreement relating to the Implementation of Part XI of the Convention (in force as from 28/07/1996)			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 11/12/2001)		
	Signature (dd/mm/yy)	Ratification/ accession (dd/mm/yy)	Declaration	Signature (dd/mm/yy)	Ratification/ accession (dd/mm/yy)		Signature (dd/mm/yy)	Ratification/ accession (dd/mm/yy)	Declaration
Andorra									
Angola	10/12/82	05/12/90			07/09/10(a)				
Antigua and Barbuda	07/02/83	02/02/89			03/05/16(a)				
Argentina	05/10/84	01/12/95		29/07/94	01/12/95		04/12/95		
Armenia		09/12/02(a)			09/12/02(a)				
Australia	10/12/82	05/10/94		29/07/94	05/10/94		04/12/95		23/12/99
Austria	10/12/82	14/07/95		29/07/94	14/07/95		27/06/96		19/12/03
Azerbaijan		16/06/16(a)			16/06/16(a)				
Bahamas	10/12/82	29/07/83		29/07/94	28/07/95(sp)				16/01/97(a)
Bahrain	10/12/82	30/05/85							
Bangladesh	10/12/82	27/07/01			27/07/01(a)		04/12/95		05/11/12
Barbados	10/12/82	12/10/93		15/11/94	28/07/95(sp)				22/09/00(a)
Belarus	10/12/82	30/08/06			30/08/06(a)				
Belgium	05/12/84	13/11/98		29/07/94	13/11/98(p)		03/10/96		19/12/03
Belize	10/12/82	13/08/83			21/10/94(ds)		04/12/95		14/07/05
Benin	30/08/83	16/10/97			16/10/97(p)				02/11/17(a)
Bhutan	10/12/82								
Bolivia (Plurinational State of)	27/11/84	28/04/95			28/04/95(p)				
Bosnia and Herzegovina		12/01/94(s)							
Botswana	05/12/84	02/05/90			31/01/05(a)				
Brazil	10/12/82	22/12/88		29/07/94	25/10/07		04/12/95		08/03/00
Brunei Darussalam	05/12/84	05/11/96			05/11/96(p)				
Bulgaria	10/12/82	15/05/96			15/05/96(a)				13/12/06(a)
Burkina Faso	10/12/82	25/01/05		30/11/94	25/01/05(p)		15/10/96		
Burundi	10/12/82								

Cabo Verde	10/12/82	10/08/87		29/07/94	23/04/08
Cambodia	01/07/83				
Cameroon	10/12/82	19/11/85		24/05/95	28/08/02
Canada	10/12/82	07/11/03		29/07/94	07/11/03
				04/12/95	03/08/99
Central African Republic	04/12/84				
Chad	10/12/82	14/08/09		14/08/09(p)	
Chile	10/12/82	25/08/97		25/08/97(a)	11/02/16(a)
China	10/12/82	07/06/96		29/07/94	07/06/96(p)
					06/11/96
Colombia	10/12/82				
Comoros	06/12/84	21/06/94			
Congo	10/12/82	09/07/08		09/07/08(p)	
Cook Islands	10/12/82	15/02/95		15/02/95(a)	01/04/99(a)
Costa Rica	10/12/82	21/09/92		20/09/01(a)	18/06/01(a)
Côte d'Ivoire	10/12/82	26/03/84		25/11/94	28/07/95(sp)
					24/01/96
Croatia		05/04/95(s)		05/04/95(p)	10/09/13(a)
Cuba	10/12/82	15/08/84		17/10/02(a)	
Cyprus	10/12/82	12/12/88		01/11/94	27/07/95
Czech Republic	22/02/93	21/06/96		16/11/94	21/06/96
Democratic People's Republic of Korea	10/12/82				19/03/07(a)
Democratic Republic of the Congo	22/08/83	17/02/89			
Denmark	10/12/82	16/11/04		29/07/94	16/11/04
Djibouti	10/12/82	08/10/91			27/06/96
Dominica	28/03/83	24/10/91			
Dominican Republic	10/12/82	10/07/09		10/07/09(p)	
Ecuador		24/09/12(a)		24/09/12(p)	07/12/16(a)
Egypt	10/12/82	26/08/83		22/03/95	05/12/95
El Salvador	05/12/84				
Equatorial Guinea	30/01/84	21/07/97			21/07/97(p)
Eritrea					

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	Signature (dd/mm/yy)	Ratification/ accession (dd/mm/yy)	Declaration	Signature (dd/mm/yy)	Ratification/ accession (dd/mm/yy)		Signature (dd/mm/yy)	Ratification/ accession (dd/mm/yy)	Declaration
Estonia		26/08/05(a)	☐		26/08/05(a)			07/08/06(a)	☐
Eswatini	18/01/84	24/09/12		12/10/94	24/09/12(p)				
Ethiopia	10/12/82								
European Union	07/12/84☐	01/04/98(fc)	☐	29/07/94	01/04/98(fc)		27/06/96☐	19/12/03	☐
Fiji	10/12/82	10/12/82		29/07/94	28/07/95		04/12/95	12/12/96	
Finland	10/12/82☐	21/06/96	☐	29/07/94	21/06/96		27/06/96	19/12/03	☐
France	10/12/82☐	11/04/96	☐	29/07/94	11/04/96		04/12/96☐	19/12/03	☐
Gabon	10/12/82	11/03/98	☐	04/04/95	11/03/98(p)		07/10/96		
Gambia	10/12/82	22/05/84							
Georgia		21/03/96(a)			21/03/96(p)				
Germany		14/10/94(a)	☐	29/07/94	14/10/94		28/08/96	19/12/03	☐
Ghana	10/12/82	7/06/83	☐	16/11/94	23/09/16(a)			27/01/17(a)	
Greece	10/12/82☐	21/07/95	☐	29/07/94	21/07/95		27/06/96	19/12/03	☐
Grenada	10/12/82	25/04/91		14/11/94	28/07/95(sp)				
Guatemala	08/07/83	11/02/97	☐		11/02/97(p)				
Guinea	04/10/84☐	06/09/85	☐	26/08/94	28/07/95(sp)			16/09/05(a)	
Guinea Bissau	10/12/82	25/08/86	☐				04/12/95		
Guyana	10/12/82	16/11/93			25/09/08(a)				
Haiti	10/12/82	31/07/96			31/07/96(p)				
Holy See									
Honduras	10/12/82	05/10/93	☐		28/07/03(a)				
Hungary	10/12/82	05/02/02	☐		05/02/02(a)			16/05/08(a)	☐
Iceland	10/12/82	21/06/85	☐	29/07/94	28/07/95(sp)		04/12/95	14/02/97	
India	10/12/82	29/06/95	☐	29/07/94	29/06/95			19/08/03(a)	☐
Indonesia	10/12/82	03/02/86		29/07/94	02/06/00		04/12/95	28/09/09	

Iran (Islamic Republic of)	10/12/82								17/04/98(a)
Iraq	10/12/82	30/07/85							
Ireland	10/12/82	21/06/96		29/07/94	21/06/96	27/06/96	19/12/03		
Israel						04/12/95			
Italy	07/12/84	13/01/95		29/07/94	13/01/95	27/06/96	19/12/03		
Jamaica	10/12/82	21/03/83		29/07/94	28/07/95(sp)	04/12/95			
Japan	07/02/83	20/06/96		29/07/94	20/06/96	19/11/96	07/08/06		
Jordan		27/11/95(a)			27/11/95(p)				
Kazakhstan									
Kenya	10/12/82	02/03/89		29/07/94(ds)	29/07/94(ds)		13/07/04(a)		
Kiribati		24/02/03(a)			24/02/03(p)		15/09/05(a)		
Kuwait	10/12/82	02/05/86			02/08/02(a)				
Kyrgyzstan									
Lao People's Democratic Republic	10/12/82	05/06/98		27/10/94	05/06/98(p)				
Latvia		23/12/04(a)			23/12/04(a)		05/02/07(a)		
Lebanon	07/12/84	05/01/95			05/01/95(p)				
Lesotho	10/12/82	31/05/07			31/05/07(p)				
Liberia	10/12/82	25/09/08			25/09/08(p)		16/09/05(a)		
Libya	03/12/84								
Liechtenstein									
Lithuania	30/11/84								
Luxembourg	05/12/84	12/11/03(a)			12/11/03(a)		01/03/07(a)		
Madagascar	25/02/83	22/08/01		29/07/94	05/10/00	27/06/96	19/12/03		
Malawi	07/12/84	28/09/10			22/08/01(p)				
Malaysia	10/12/82	14/10/96		28/09/10(p)	28/09/10(p)				
Maldives	10/12/82	07/09/00		14/10/96	14/10/96(p)				
Mali	19/10/83	16/07/85		10/10/94	07/09/00(p)	08/10/96	30/12/98		
Malta	10/12/82	20/05/93		29/07/94	26/06/96		11/11/01(a)		
Marshall Islands		09/08/91(a)							
Mauritania	10/12/82	17/07/96		02/08/94	17/07/96(p)	04/12/95	19/03/03		
						21/12/95			

State or entity	United Nations Convention on the Law of the Sea (in force as from 16/11/1994)			Agreement relating to the Implementation of Part XI of the Convention (in force as from 28/07/1996)			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 11/12/2001)		
	Signature (dd/mm/yy)	Ratification/ accession (dd/mm/yy)	Declaration	Signature (dd/mm/yy)	Ratification/ accession (dd/mm/yy)		Signature (dd/mm/yy)	Ratification/ accession (dd/mm/yy)	Declaration
Mauritius	10/12/82	04/11/94			04/11/94(p)			25/03/97(a)	
Mexico	10/12/82	18/03/83			10/04/03(a)				
Micronesia (Federated States of)		29/04/91(a)		10/08/94	06/09/95		04/12/95	23/05/97	
Monaco	10/12/82	20/03/96		30/11/94	20/03/96(p)			09/06/99(a)	
Mongolia	10/12/82	13/08/96		17/08/94	13/08/96(p)				
Montenegro		23/10/06(ds)			23/10/06(ds)				
Morocco	10/12/82	31/05/07		19/10/94	31/05/07		04/12/95	19/09/12	
Mozambique	10/12/82	13/03/97			13/03/97(a)			10/12/08(a)	
Myanmar	10/12/82	21/05/96			21/05/96(a)				
Namibia	10/12/82	18/04/83		29/07/94	28/07/95(sp)		19/04/96	08/04/98	
Nauru	10/12/82	23/01/96			23/01/96(p)			10/01/97(a)	
Nepal	10/12/82	02/11/98			02/11/98(p)				
Netherlands	10/12/82	28/06/96		29/07/94	28/06/96		28/06/96	19/12/03	
New Zealand	10/12/82	19/07/96		29/07/94	19/07/96		04/12/95	18/04/01	
Nicaragua	09/12/84	03/05/00			03/05/00(p)				
Niger	10/12/82	07/08/13			07/08/13(p)			02/11/09(a)	
Nigeria	10/12/82	14/08/86		25/10/94	28/07/95(sp)		04/12/95	11/10/06	
Niue	05/12/84	11/10/06			11/10/06(p)		04/12/95	30/12/96	
Norway	10/12/82	24/06/96			24/06/96(a)		04/12/95		
Oman	01/07/83	17/08/89			26/02/97(a)			14/05/08(a)	
Pakistan	10/12/82	26/02/97		10/08/94	26/02/97(p)		15/02/96		
Palau		30/09/96(a)			30/09/96(p)			26/03/08(a)	
Panama	10/12/82	01/07/96			01/07/96(p)			16/12/08(a)	
Papua New Guinea	10/12/82	14/01/97			14/01/97(p)		04/12/95	04/06/99	
Paraguay	10/12/82	26/09/86		29/07/94	10/07/95				

State or entity	United Nations Convention on the Law of the Sea (in force as from 16/11/1994)			Agreement relating to the Implementation of Part XI of the Convention (in force as from 28/07/1996)			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 11/12/2001)		
	Signature (dd/mm/yy)	Ratification/ accession (dd/mm/yy)	Declaration	Signature (dd/mm/yy)	Ratification/ accession (dd/mm/yy)		Signature (dd/mm/yy)	Ratification/ accession (dd/mm/yy)	Declaration
South Africa	05/12/84	23/12/97	☐	03/10/94	23/12/97		14/08/03(a)		
South Sudan									
Spain	04/12/84☐	15/01/97	☐☐	29/07/94	15/01/97		03/12/96	19/12/03 ☐	
Sri Lanka	10/12/82	19/07/94		29/07/94	28/07/95(sp)		09/10/96	24/10/96	
State of Palestine		02/01/15(a)			02/01/15(p)				
Sudan	10/12/82☐	23/01/85		29/07/94					
Suriname	10/12/82	09/07/98			09/07/98(p)				
Sweden	10/12/82☐	25/06/96	☐	29/07/94	25/06/96		27/06/96	19/12/03 ☐	
Switzerland	17/10/84	01/05/09	☐	26/10/94	01/05/09				
Syrian Arab Republic									
Tajikistan									
Thailand	10/12/82	15/05/11	☐		15/05/11(a)		28/4/17 (a)		
The former Yugoslav Republic of Macedonia		19/08/94 (s)			19/08/94(p)				
Timor-Leste		08/01/13(a)	☐		08/01/13(p)				
Togo	10/12/82	16/04/85		03/08/94	28/07/95(sp)				
Tonga		02/08/95(a)			2/08/95(p)		04/12/95	31/07/96	
Trinidad and Tobago	10/12/82	25/04/86	☐☐	10/10/94	28/07/95(sp)			13/09/06(a)	
Tunisia	10/12/82	24/04/85	☐☐	15/05/95	24/05/02				
Turkey									
Turkmenistan									
Tuvalu	10/12/82	09/12/02			09/12/02(p)			02/02/09(a)	
Uganda	10/12/82	09/11/90		09/08/94	28/07/95(sp)		10/10/96		
Ukraine	10/12/82☐	26/07/99	☐	28/02/95	26/07/99		04/12/95	27/02/03	
United Arab Emirates	10/12/82								

United Kingdom of Great Britain and Northern Ireland		25/07/97(a)	□ □	29/07/94	25/07/97	04/12/95	10/12/01 19/12/03 ⁴	□ □
United Republic of Tanzania	10/12/82	30/09/85	□	07/10/94	25/06/98			
United States of America				29/07/94		04/12/95	21/08/96	□
Uruguay	10/12/82 □	10/12/92	□	29/07/94	07/08/07	16/01/96 □	10/09/99	□
Uzbekistan								
Vanuatu	10/12/82	10/08/99		29/07/94	10/08/99(p)	23/07/96	15/03/18	
Venezuela (Bolivarian Republic of)								
Viet Nam	10/12/82	25/07/94	□		27/04/06(a)			
Yemen	10/12/82 □	21/07/87	□		13/10/14(a)			
Zambia	10/12/82	07/03/83		13/10/94	28/07/95(sp)			
Zimbabwe	10/12/82	24/02/93		28/10/94	28/07/95(sp)			
TOTALS	157	168		79	150	59	89	

⁴ Ibid., chap. XXI, sect. 7.

2. Chronological lists of ratifications of, accessions and successions to the Convention and the related Agreements

(a) United Nations Convention on the Law of the Sea

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. Cabo Verde (10 August 1987)
34. Sao Tome and Principe (3 November 1987)
35. Cyprus (12 December 1988)
36. Brazil (22 December 1988)
37. Antigua and Barbuda (2 February 1989)
38. Democratic Republic of the Congo (17 February 1989)
39. Kenya (2 March 1989)
40. Somalia (24 July 1989)
41. Oman (17 August 1989)
42. Botswana (2 May 1990)
43. Uganda (9 November 1990)
44. Angola (5 December 1990)
45. Grenada (25 April 1991)
46. Micronesia (Federated States of) (29 April 1991)
47. Marshall Islands (9 August 1991)
48. Seychelles (16 September 1991)
49. Djibouti (8 October 1991)
50. Dominica (24 October 1991)
51. Costa Rica (21 September 1992)
52. Uruguay (10 December 1992)
53. Saint Kitts and Nevis (7 January 1993)
54. Zimbabwe (24 February 1993)
55. Malta (20 May 1993)
56. Saint Vincent and the Grenadines (1 October 1993)
57. Honduras (5 October 1993)
58. Barbados (12 October 1993)
59. Guyana (16 November 1993)
60. Bosnia and Herzegovina (12 January 1994)
61. Comoros (21 June 1994)
62. Sri Lanka (19 July 1994)
63. Viet Nam (25 July 1994)
64. The former Yugoslav Republic of Macedonia (19 August 1994)
65. Australia (5 October 1994)
66. Germany (14 October 1994)
67. Mauritius (4 November 1994)
68. Singapore (17 November 1994)
69. Sierra Leone (12 December 1994)
70. Lebanon (5 January 1995)
71. Italy (13 January 1995)
72. Cook Islands (15 February 1995)
73. Croatia (5 April 1995)
74. Bolivia (Plurinational State of) (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 Union (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 (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)
146. Denmark (16 November 2004)
147. Latvia (23 December 2004)
148. Burkina Faso (25 January 2005)
149. Estonia (26 August 2005)
150. Belarus (30 August 2006)
151. Niue (11 October 2006)
152. Montenegro (23 October 2006)
153. Republic of Moldova (6 February 2007)
154. Lesotho (31 May 2007)
155. Morocco (31 May 2007)
156. Congo (9 July 2008)
157. Liberia (25 September 2008)
158. Switzerland (1 May 2009)
159. Dominican Republic (10 July 2009)
160. Chad (14 August 2009)
161. Malawi (28 September 2010)
162. Thailand (15 May 2011)
163. Ecuador (24 September 2012)
164. Eswatini (24 September 2012)
165. Timor-Leste (8 January 2013)
166. Niger (7 August 2013)
167. State of Palestine (2 January 2015)
168. Azerbaijan (16 June 2016)

(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 (Plurinational State of) (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. Serbia (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 Union (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)
118. Denmark (16 November 2004)
119. Latvia (23 December 2004)
120. Botswana (31 January 2005)
121. Burkina Faso (25 January 2005)
122. Estonia (26 August 2005)
123. Viet Nam (27 April 2006)
124. Belarus (30 August 2006)
125. Niue (11 October 2006)
126. Montenegro (23 October 2006)
127. Republic of Moldova (6 February 2007)
128. Lesotho (31 May 2007)
129. Morocco (31 May 2007)
130. Uruguay (7 August 2007)
131. Brazil (25 October 2007)
132. Cabo Verde (23 April 2008)
133. Congo (9 July 2008)
134. Liberia (25 September 2008)
135. Guyana (25 September 2008)
136. Switzerland (1 May 2009)
137. Dominican Republic (10 July 2009)
138. Chad (14 August 2009)
139. Angola (7 September 2010)
140. Malawi (28 September 2010)
141. Thailand (15 May 2011)
142. Ecuador (24 September 2012)
143. Eswatini (24 September 2012)
144. Timor-Leste (8 January 2013)
145. Niger (7 August 2013)
146. Yemen (13 October 2014)
147. State of Palestine (2 January 2015)
148. Antigua and Barbuda (3 May 2016)
149. Azerbaijan (16 June 2016)
150. Ghana (23 September 2016)

(c) *Agreement for the Implementation of the Provisions of the Convention relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks*

1. Tonga (31 July 1996)
2. Saint Lucia (9 August 1996)
3. United States of America (21 August 1996)
4. Sri Lanka (24 October 1996)
5. Samoa (25 October 1996)
6. Fiji (12 December 1996)
7. Norway (30 December 1996)
8. Nauru (10 January 1997)
9. Bahamas (16 January 1997)
10. Senegal (30 January 1997)
11. Solomon Islands (13 February 1997)
12. Iceland (14 February 1997)
13. Mauritius (25 March 1997)
14. Micronesia (Federated States of) (23 May 1997)
15. Russian Federation (4 August 1997)
16. Seychelles (20 March 1998)
17. Namibia (8 April 1998)
18. Iran (Islamic Republic of) (17 April 1998)
19. Maldives (30 December 1998)
20. Cook Islands (1 April 1999)
21. Papua New Guinea (4 June 1999)
22. Monaco (9 June 1999)
23. Canada (3 August 1999)
24. Uruguay (10 September 1999)
25. Australia (23 December 1999)
26. Brazil (8 March 2000)
27. Barbados (22 September 2000)
28. New Zealand (18 April 2001)
29. Costa Rica (18 June 2001)
30. Malta (11 November 2001)
31. United Kingdom of Great Britain and Northern Ireland (10 December 2001), (19 December 2003)
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 Union (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)
53. Belize (14 July 2005)
54. Kiribati (15 September 2005)
55. Guinea (16 September 2005)
56. Liberia (16 September 2005)
57. Poland (14 March 2006)
58. Slovenia (15 June 2006)
59. Estonia (7 August 2006)
60. Japan (7 August 2006)
61. Trinidad and Tobago (13 September 2006)
62. Niue (11 October 2006)
63. Bulgaria (13 December 2006)
64. Latvia (5 February 2007)
65. Lithuania (1 March 2007)
66. Czech Republic (19 March 2007)
67. Romania (16 July 2007)
68. Republic of Korea (1 February 2008)
69. Palau (26 March 2008)
70. Oman (14 May 2008)
71. Hungary (16 May 2008)
72. Slovakia (6 November 2008)
73. Mozambique (10 December 2008)
74. Panama (16 December 2008)
75. Tuvalu (2 February 2009)
76. Indonesia (28 September 2009)
77. Nigeria (2 November 2009)
78. Saint Vincent and the Grenadines (29 October 2010)
79. Morocco (19 September 2012)
80. Bangladesh (5 November 2012)
81. Croatia (10 September 2013)
82. Philippines (24 September 2014)
83. Chile (11 February 2016)
84. Ecuador (7 December 2016)
85. Ghana (27 January 2017)
86. Thailand (28 April 2017)
87. Benin (2 November 2017)
88. Saint Kitts and Nevis (23 February 2018)
89. Vanuatu (15 March 2018)

3. *Declarations by States*

Algeria: Declarations under Articles 287 and 298 of the Convention, 22 May 2018⁵

Declaration under Article 287

[...] the Government of the People's Democratic Republic of Algeria hereby declares that it chooses the International Tribunal for the Law of the Sea as a means for the settlement of disputes concerning the interpretation or application of the Convention.

Declaration under Article 298

[...] the Government of the People's Democratic Republic of Algeria does not accept any of the procedures provided for in Part XV, section 2, with respect to the following disputes:

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

⁵ Refer to depository notifications C.N.197.1996.TREATIES-8/6 of 8 August 1996 (Ratification: Algeria) and C.N.264.2018.TREATIES-XXI.6 (Declarations under articles 287 and 298) of 22 May 2018. Available from <http://treaties.un.org>, "Depository Notifications".

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

A. NATIONAL LEGISLATION

1. *Bolivarian Republic of Venezuela*

Aquatic Areas Organic Act
(*Special Official Gazette No. 6,153 of 18 November 2014*)
*Decree No. 1,446, 17 November 2014*⁶

I, Nicolás Maduro Moros,
President of the Republic,

With the supreme commitment and will to achieve the highest degree of political efficacy and revolutionary quality in the construction of socialism and the greater glory of the country, on the basis of humanistic principles and Bolivarian moral and ethical standards, by mandate of the people, and in exercise of the powers conferred on me by article 236, paragraph 8, of the Constitution of the Bolivarian Republic of Venezuela and in accordance with the provisions of article 1, paragraph 2, subparagraphs (a) and (c) of the Act authorizing the President of the Republic to issue decrees with the rank, value and force of law in delegated matters, published in the *Special Official Gazette of the Bolivarian Republic of Venezuela No. 6,112*, of 19 November 2013, in Cabinet,

Hereby issue the following

DECREE WITH THE RANK, VALUE AND FORCE OF ORGANIC LAW ON AQUATIC AREAS

PART I GENERAL PROVISIONS

Article 1 *Object*

The object of this decree with the rank, value and force of organic law is to regulate the exercise of sovereignty, jurisdiction and control over aquatic areas in accordance with domestic and international law, and to regulate and control the administration of the aquatic, insular and port areas of the Bolivarian Republic of Venezuela.

Article 2 *Purpose*

The purpose of this decree with the rank, value and force of organic law is to preserve and guarantee the best use of aquatic, insular and port areas, taking into account their potential and the guidelines established through centralized planning.

Article 3 *Scope of application*

This decree with the rank, value and force of organic law is applicable to the aquatic areas comprising the maritime, river and lake areas of the Bolivarian Republic of Venezuela.

⁶ *Original*: Spanish. Transmitted by note verbale No. 206 dated 19 March 2018 and communication dated 17 April 2018 from the Permanent Mission of the Bolivarian Republic of Venezuela to the United Nations, addressed to the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the United Nations. Available from <https://www.un.org/Depts/los/LEGISLATIONANDTREATIES/STATEFILES/VEN.htm>.

Article 4
Aquatic interests

Aquatic interests are interests related to the sustainable use and development of the aquatic and insular areas of the nation. They derive from national interests.

Article 5
Aquatic policies

Aquatic policies concern the development of strategic guidelines on the basis of the potential, productive capacity and resources available in coastal and other aquatic areas to guarantee sustainable and endogenous social development, territorial integration and national sovereignty. They relate to such matters as:

1. The development of the navy.
2. The development, regulation, promotion, control and consolidation of the shipping industry.
3. The development, regulation, promotion and control of economic activities in aquatic, insular and port areas.
4. The development, regulation, promotion and control of the shipping and port affairs of the State.
5. Fair and equitable participation in strategic public services provided in aquatic, insular and port areas through directly socially-owned enterprises, mixed enterprises and social production units.
6. Social security for seafaring workers.
7. The safety of human life and the rendering of assistance in aquatic areas.
8. Surveillance and control to prevent and punish illicit activity.
9. Harmonious habitation of insular land territory and maritime coasts, and around waterways and lakes.
10. The preservation of aquatic and sub-aquatic archaeological and cultural heritage.
11. The development, regulation, promotion and control of the tourism industry.
12. The development, regulation, promotion and control of scientific and research activities.
13. The development, regulation, promotion and control of aquatic sports and recreational activities in aquatic areas.
14. The enjoyment of the freedoms of international communication, the deployment and use of installations, fishing and scientific research on the high seas.
15. Cooperation with the international community for the conservation of migratory species and their associated species in the high seas.
16. The sustainable exploration for and exploitation of natural resources in the wider Caribbean region and the oceans, in particular the Atlantic and the Pacific.
17. Participation, alongside the international community, in the exploration for and development of natural resources in the international seabed area and the high seas, the equitable sharing of benefits derived from such activities, and the control of production in those areas.
18. The protection, conservation and sustainable exploration for and exploitation of energy sources, natural resources, genetic resources, resources from migratory species and their derivatives.
19. Research into and the conservation and sustainable harnessing of biodiversity.
20. The development of high-seas and artisanal fishing fleets.
21. The security of goods transported by water.
22. The promotion of the transport of persons and goods, and the development of markets.
23. The preservation of sources of fresh water.
24. The protection of the marine environment from the risks of and harm from pollution.
25. The protection, conservation and sustainable use of bodies of water.
26. The enjoyment of the freedoms enshrined in international law.
27. Cooperation in peacekeeping and the upholding of the international legal order.
28. International cooperation under the statutory rules of the various organizations of which the Bolivarian Republic of Venezuela is a member.

29. A share of the benefits under agreements and conventions concerning development, technology transfer for exploration for and the exploitation, conservation and administration of resources, the protection and preservation of the marine environment, scientific research and other relevant activities.
30. The promotion of integration, in particular Latin American, Ibero-American and Caribbean integration.
31. The promotion of nuclear non-proliferation in the Caribbean.
32. Other areas covered by the national economic and social development plan.
33. Any other areas ordered by the National Executive in line with centralized planning.

Article 6
Public interest and utility

All matters related to aquatic, insular and port areas are declared to be of public interest and utility, in particular the domestic and international maritime transport of goods and persons; ports; the shipping industry; and, in general, all activities related to national maritime and shipping activities, work in hydrography, oceanography, meteorology, dredging and aquatic signalling, and other activities supporting nautical navigation and cartography.

Article 7
Sustainable use

The State shall ensure the sustainable management and use of the water resources and biodiversity of its aquatic, insular and port areas. The promotion, conduct and control of and scientific research into the classification of natural resources, navigation and other uses of resources, and all activities related to the sustainable management and development of resources shall be regulated by law.

The National Executive shall promote international cooperation on transboundary hydrographic basins, the development of the resources they contain and the protection of their ecosystems, while safeguarding the rights and legitimate interests of the State.

PART II
MARITIME AREAS

CHAPTER I
TERRITORIAL SEA

Article 8
Sovereignty

National sovereignty in the territorial sea shall be exercised over the air space, waters, bed and subsoil, and over the resources contained therein.

Article 9
Breadth of the territorial sea

The breadth of the territorial sea adjacent to all mainland and insular coasts of the Bolivarian Republic of Venezuela shall be 12 nautical miles, which shall ordinarily be measured from the low-water line as marked on large-scale charts officially published by the National Executive, or from the baselines established in this decree with the rank, value and force of organic law.

Article 10
Straight baselines

When a special regime is required as a result of the configuration of the coastline or the presence of islands, or justified on the basis of the interests of a certain region, the measurement shall be taken from straight baselines joining appropriate points defined by the State. The waters enclosed by straight baselines shall be internal waters.

The straight baselines shall be established by the National Executive and appear on official nautical charts.

Article 11
Mouths of rivers

If a river flows directly into the sea, the baseline shall be a straight line across the mouth of the river between points on the low-water line of its banks.

Where because of the presence of a delta and other natural conditions the coastline is highly unstable, the appropriate points may be selected along the furthest seaward extent of the low-water line and, notwithstanding subsequent regression of the low-water line, the straight baselines shall remain effective unless they are changed by the National Executive.

Article 12
Bays

In the case of bays, including historic bays and waters, the straight baseline shall be a closing line joining the appropriate entrance points of the bay.

Article 13
Structures off the coast

The outermost permanent harbour works that form an integral part of the harbour system shall be used as the baseline for measuring the breadth of the territorial sea.

Article 14
Low-tide elevations

Where a low-tide elevation is situated wholly or partly at a distance not exceeding the breadth of the territorial sea from national continental or insular land territory, the low-water line on that elevation shall be used as the baseline for measuring the breadth of the territorial sea.

CHAPTER II
INNOCENT PASSAGE

Article 15
Cases of innocent passage

Foreign ships shall enjoy the right of innocent passage through the territorial sea of the Bolivarian Republic of Venezuela. Innocent passage means:

1. Navigation through the territorial sea for the purpose of traversing that sea without entering internal waters or calling at any part of the port system.
2. Proceeding to or from the internal waters or ports of the Bolivarian Republic of Venezuela.

Article 16
Prohibited activities

Passage shall cease to be innocent if a foreign ship engages in any of the following activities:

1. Threat or use of force against the sovereignty, territorial integrity or political independence of the Bolivarian Republic of Venezuela, or any other violation of the principles of domestic and international law embodied in the Charter of the United Nations.
2. Exercise or practice with weapons of any kind.
3. Acts aimed at collecting information to the prejudice of the defence or security of the Bolivarian Republic of Venezuela.
4. Acts of propaganda aimed at affecting the defence or security of the Bolivarian Republic of Venezuela.
5. The launching, landing or taking on board of any aircraft.
6. The launching, landing or taking on board of any military device.

7. The loading or unloading of any commodity, money or person contrary to the law.
8. Acts or events that involve any sort of pollution.
9. Illegal fishing activities.
10. Research or survey activities.
11. Acts aimed at interfering with any systems of communication or any other facilities or installations of the Bolivarian Republic of Venezuela.
12. Any other activity not directly related to innocent passage.

Article 17
Measures for the admission of ships

The Bolivarian Republic of Venezuela will take steps in its territorial sea to prevent passage that is not innocent, as well as to prevent any breach of the conditions to which admission of ships is subject in the case of ships proceeding to internal waters or a call at a port facility.

Article 18
Conditions for innocent passage

Innocent passage shall be continuous and expeditious. Ships shall be allowed to stop or drop anchor only if such acts are incidental to ordinary navigation, or are rendered necessary by force majeure or distress, or for the purpose of rendering assistance to persons, ships or aircraft in danger. During their passage, foreign fishing ships shall stow or gather up all fishing gear, equipment and other tackle in a way that prevents it from being used. In the territorial sea, submarines and other underwater vehicles are required to navigate on the surface and to show their flag.

Article 19
Nuclear-powered and other ships

Foreign nuclear-powered ships and ships carrying nuclear or other inherently dangerous or noxious substances shall, when exercising the right of innocent passage through the territorial sea, carry documents and observe special precautionary measures established for such ships in accordance with international agreements.

Foreign nuclear-powered ships may enter port facilities with the prior approval of the National Executive, through the ministry of people's power responsible for security and defence, which must be sought at least 30 days before the date of entry. Such ships shall carry the documents established for them and their cargo by international agreements, and observe the special measures and precautions established in those agreements and in national regulations.

Article 20
Sea lanes

Where necessary for the safety of navigation, the National Executive shall designate and require the use of sea lanes, maritime traffic separation schemes and a position notification system in its territorial sea to regulate the passage of ships. It may also establish specific sea lanes and maritime traffic separation schemes for foreign warships, ships of a specific nature or ships carrying specific cargo navigating in the territorial sea or in internal waters. Sea lanes and traffic separation schemes shall be indicated on the respective nautical charts.

Article 21
Exclusive surveillance jurisdiction zones

The National Executive may establish exclusive surveillance jurisdiction zones in aquatic areas when so required by the interests of the Bolivarian Republic of Venezuela. In such zones, persons, ships, vessels and aircraft may be identified, visited or detained if there are reasonable grounds for suspecting that they might pose a threat to public order in aquatic areas. The right of innocent passage shall continue to be upheld, where applicable.

Article 22
Suspension of the right of innocent passage

The National Executive may suspend temporarily the right of innocent passage for foreign ships in specified areas of the territorial sea for security and defence reasons.

Article 23
Criminal jurisdiction

The criminal jurisdiction of the Bolivarian Republic of Venezuela shall not apply to offences committed on board foreign ships during their passage through the territorial sea, unless:

1. The consequences of the offence extend to the territory of the Bolivarian Republic of Venezuela.
2. The offence disturbs the peace of the nation or the good order of the territorial sea.
3. The master of the ship or a diplomatic or consular agent of the ship's flag State has requested the assistance of the relevant national authorities.
4. Such measures are necessary to counter illicit traffic in narcotic drugs or psychotropic substances.

These provisions shall not restrict the application of criminal jurisdiction if the foreign ship passes through the territorial sea after leaving internal waters.

Article 24
Offences committed prior to entering the territorial sea

If a foreign ship, in the exercise of the right of innocent passage, does not enter the internal waters of the Bolivarian Republic of Venezuela, it shall not be affected by any measure related to offences committed before it entered the territorial sea of the Bolivarian Republic of Venezuela.

That rule shall not apply in the event of violations of the rights of the Bolivarian Republic of Venezuela in the exclusive economic zone, in the contiguous zone or on the continental shelf, or in the event of the prosecution of individuals who are polluting the marine environment.

The authorities that take action in the area of criminal jurisdiction shall, if the master of the ship so requests, notify the relevant diplomatic mission or consular office of the flag State.

Article 25
Civil jurisdiction

A foreign ship passing through the territorial sea in the exercise of its right of innocent passage may not be stopped even if the State claims to exercise civil jurisdiction over a natural person on board the ship. The State may not levy execution against or arrest, for the purpose of any civil proceedings, a foreign ship passing through the territorial sea, save only with respect to obligations or liabilities assumed or incurred by the ship itself in the course of or for the purpose of its voyage through the internal waters or the territorial sea.

The provisions of the previous paragraph shall not apply to a foreign ship lying in the territorial sea or passing through the territorial sea after leaving internal waters.

Article 26
Regulations

The regulation of innocent passage shall relate primarily to the following:

1. The safety of navigation and maritime traffic.
2. The protection of navigational aids and facilities and other facilities or installations.
3. The protection of submarine cables and pipelines.
4. The conservation of biodiversity.
5. The prevention of offences related to fishing.
6. Marine scientific research and hydrographic surveys.
7. The prevention of offences related to taxation, immigration and sanitation.

8. Nuclear-powered ships.
9. The protection of the marine environment and the prevention, reduction and control of pollution.
10. Any other issues that are considered relevant.

The present decree with the rank, value and force of organic law shall develop the regulations mentioned in this article.

CHAPTER III WARSHIPS

Article 27 Warships

Foreign warships may navigate or lie in the internal waters and ports of the Bolivarian Republic of Venezuela with the prior authorization of the National Executive through the ministries responsible for foreign affairs and defence.

Article 28 Other ships

The provisions of this decree with the rank, value and force of organic law shall apply equally to foreign warships performing commercial functions, foreign naval auxiliary vessels and the aircraft of foreign armed forces that alight on the internal waters of the Bolivarian Republic of Venezuela.

Article 29 Length of stay

Foreign warships may not remain in the internal waters or ports of the Bolivarian Republic of Venezuela for more than 15 days, unless they are granted special authorization by the National Executive; in addition, they must depart within a maximum of six hours if required to do so by the national authorities, even if the period established for their stay has not yet expired.

Article 30 Ships on manoeuvres

No more than three warships of the same nationality may lie in the internal waters or ports of the Bolivarian Republic of Venezuela at the same time.

Warships of countries that are invited to participate in joint manoeuvres with the navy or are part of a multinational maritime operation in which Venezuelan units are participating may be admitted under different conditions, provided that authorization has been granted through diplomatic channels by the National Executive.

Article 31 Obligations of warships

Foreign warships that enter the internal waters or ports of the Bolivarian Republic of Venezuela are obliged to observe the laws relating to navigation, ports, the police, sanitation, taxation and environmental and maritime security, as well as other applicable rules.

Article 32 Prohibitions

Foreign warships lying in waters under the sovereignty of the Bolivarian Republic of Venezuela may not carry out topographic, hydrographic or oceanographic work, or studies related to defence or the naval and military capacities and positions of ports; produce drawings, take soundings or carry out underwater works, with or without divers; or conduct exercises involving disembarkation, gunfire or torpedoes, unless they are given express authorization to do so.

Article 33
Ceremonial matters

The National Executive, through the ministry of people's power responsible for security and defence, shall lay down all provisions relating to the ceremonial procedures to be followed upon the arrival of foreign warships, except as provided for in international agreements.

Article 34
Authorization to disembark

Only the ship's officers, non-commissioned officers and police service personnel, with prior authorization from the ministry of people's power responsible for security and defence, may disembark carrying weapons, which must be small arms for self-defence. Sabres, swords and similar weapons shall be permitted for ceremonial purposes.

Article 35
Authorization for funerals

In the event of funerals or other solemn occasions, the ministry of people's power responsible for security and defence may allow an armed group to disembark, subject to the conditions set forth in the previous article.

Article 36
Departure order

In the event that the crew of a foreign warship does not abide by the rules set forth under the law, the competent authority shall first alert the commanding officer of the offence committed and formally request that the rules be complied with. If that step fails, the National Executive may stipulate that the commander of the ship should be invited to leave immediately the port and the waters under the sovereignty of the Bolivarian Republic of Venezuela.

Article 37
Special admission rules

The relevant provisions of international law are applicable to the admission and continued presence of warships belonging to belligerent States in waters under the sovereignty of the Bolivarian Republic of Venezuela; however, the National Executive has the power to subject such ships to special rules and to restrict or even prohibit their admission if it deems such admission to be contrary to the rights and duties of neutrality.

Article 38
Restrictions on submarines

In the event of armed conflict between two or more foreign States, the National Executive may prohibit submarines belonging to the belligerent States from entering, navigating or lying in waters under the sovereignty of the Bolivarian Republic of Venezuela. Submarines may be exempted from this prohibition if they are obliged to enter Venezuelan waters owing to a technical failure or sea conditions, or to save human lives. In such cases, the submarine in question must navigate on the surface and show its national flag and the international signal indicating the reason for its entry into waters under the sovereignty of the Bolivarian Republic of Venezuela, and it must leave those waters once the reason for its entry is no longer applicable or if it is ordered to leave by the National Executive through the ministry of people's power responsible for security and defence.

Article 39
Exceptions to the restrictions on length of stay

The rules on the length of time that foreign warships may stay in the internal waters and ports of the Bolivarian Republic of Venezuela shall not apply:

1. To foreign warships that have been authorized to enter in exceptional circumstances.

2. To ships that are forced to seek refuge in the waters or ports of the Bolivarian Republic of Venezuela owing to and for the duration of navigation risks, bad weather or other unforeseen events.
3. When such ships are carrying Heads of State or diplomatic officials on mission to the Government of the Bolivarian Republic of Venezuela.

Article 40
Boarding and searches

National or foreign-flagged vessels may be boarded and searched by personnel from Bolivarian National Armed Forces ships and aircraft in the aquatic areas of the Bolivarian Republic of Venezuela and on the high seas, where there are substantial grounds for believing that such vessels are violating or have violated national or international law. The commanders of Bolivarian National Armed Forces ships and aircraft may question, examine, search or detain individuals and vessels.

The ministry of people's power responsible for security and defence shall establish the procedure for boarding and searches in peacetime and in emergencies or armed conflicts; the procedure must conform to the customs and norms of international law.

Article 41
Hot pursuit

The hot pursuit of a foreign ship may be undertaken by Bolivarian National Armed Forces ships and aircraft in the aquatic areas of the Bolivarian Republic of Venezuela and on the high seas, in accordance with international norms, when there are substantial grounds for believing that the foreign ship is violating or has violated national or international law.

Article 42
Use of force

In peacetime, units of the Bolivarian National Armed Forces may use force:

1. In self-defence against a current or imminent threat to or attack against the unit or its crew.
2. In self-defence against a current or imminent threat to or attack against the life or property of Venezuelan citizens or foreigners.
3. To stop ships and aircraft that have not complied with an order to stop.
4. To protect the integrity of the national territory in the event of an incursion by foreign military units.

The President of the Bolivarian Republic of Venezuela shall set forth the rules of engagement for units of the Bolivarian National Armed Forces. The rules of engagement for each component shall be proposed through the ministry of people's power responsible for security and defence.

CHAPTER IV
CONTIGUOUS ZONE

Article 43
Extent

For the purposes of maritime surveillance and the protection of its interests, the Bolivarian Republic of Venezuela has, contiguous to its territorial sea, a zone that extends up to 24 nautical miles from the low-water lines or the baselines from which the breadth of the territorial sea is measured.

Article 44
Control measures

The Bolivarian Republic of Venezuela may exercise control in the contiguous zone to prevent and punish infringement of its fiscal, immigration or sanitary laws and regulations.

CHAPTER V
EXCLUSIVE ECONOMIC ZONE

Article 45
Breadth

The exclusive economic zone adjacent to the continental and insular coasts of the Bolivarian Republic of Venezuela shall extend 200 nautical miles from the baselines from which the breadth of the territorial sea is measured.

Article 46
Sovereignty and jurisdiction

In the exclusive economic zone, the Bolivarian Republic of Venezuela enjoys:

1. Sovereign rights for the purposes of exploring, exploiting, conserving and managing the natural resources of the superjacent waters, and with regard to other activities for the sustainable economic exploitation and exploration of the zone, such as the production of energy from the water, currents and winds.
2. Jurisdiction as provided in this decree with the rank, value and force of organic law, as it relates to:
 - a. The establishment and use of artificial islands, installations and structures;
 - b. Marine scientific research;
 - c. The protection and preservation of the marine environment.
3. The right to take measures that it considers appropriate for the conservation and sustainable use of biodiversity and other elements of the marine environment, beyond the limits of the exclusive economic zone, as set forth in international law.

Article 47
Outer limit lines

The National Executive shall show the outer limit lines of the exclusive economic zone on official geographical and nautical charts and shall give due publicity to such charts.

Article 48
Freedoms

All States, whether coastal or land-locked, enjoy the freedom of navigation, the freedom of overflight and the freedom to lay submarine cables and pipelines, and may make other legitimate uses of the sea related to those freedoms in the exclusive economic zone of the Bolivarian Republic of Venezuela, as recognized by international law.

Article 49
Artificial islands and installations

In the exclusive economic zone, the Bolivarian Republic of Venezuela has the exclusive right to construct and to authorize and regulate the construction, exploitation and use of: artificial islands, and installations and structures for the purposes provided in this part and other economic purposes, and to prevent the construction, exploitation and use of installations and structures which may interfere with the exercise of the rights of the Bolivarian Republic of Venezuela. It also has exclusive jurisdiction over such artificial islands, installations and structures, including jurisdiction with regard to health, fiscal, safety and immigration matters, among others. To that end:

1. It shall give due notice of the existence of artificial islands, installations and structures using permanent means for giving warning of their presence to ensure safety of navigation.
2. Any installations or structures that are abandoned or disused shall be removed, taking into consideration any generally accepted international standards established in this regard by the appropriate international organization. Such removal shall also have due regard to fishing, the protection of the marine environment and the rights and duties of other States. Appropriate publicity shall be given to the depth, position and dimensions of any installations or structures not entirely removed.

3. The Bolivarian Republic of Venezuela may, where necessary, establish safety zones around such artificial islands, installations and structures in which it may take appropriate measures to ensure the safety both of navigation and of the artificial islands, installations and structures.
4. The breadth of the safety zones shall be determined by the National Executive, taking into account relevant international standards. Such zones shall be established such that they are duly related to the nature and function of the artificial islands, installations and structures, and shall not exceed a distance of 500 metres, measured from each point of their outer edge, unless authorized by generally accepted international standards or as recommended by the appropriate international organization.
5. All ships must respect these safety zones and comply with generally accepted international standards regarding navigation in the vicinity of artificial islands, installations and structures.
6. Artificial islands, installations and structures, and the safety zones around them may not be established where they may hamper the use of recognized sea lanes essential to international navigation.
7. Artificial islands, installations and structures have no sea of their own, and their existence does not affect the delimitation of the territorial sea, the exclusive economic zone or the continental shelf.
8. The authorizations referred to in this article shall be granted in accordance with the provisions set out in environmental and other related laws.

Article 50
Development of resources

As regards the study, exploration, conservation, exploitation and sustainable development of natural resources in the exclusive economic zone, the Bolivarian Republic of Venezuela may take all measures necessary to ensure compliance with the law, including visits, inspections, seizures and administrative and legal procedures.

The Bolivarian Republic of Venezuela shall seek, either directly or through appropriate organizations, to agree on the measures necessary to coordinate and ensure the conservation and development of hydro-biological resources or associated species that exist in the Venezuelan exclusive economic zone and in the exclusive economic zones of neighbouring States.

In the event that the exclusive economic zone of the Bolivarian Republic of Venezuela and an area beyond and adjacent to it that is not within the exclusive economic zone of any other State contain fish stocks or stocks of associated species, the Bolivarian Republic of Venezuela shall seek, either directly or through appropriate organizations, to agree with the States fishing for such stocks in the adjacent area upon the measures necessary for the conservation of those stocks.

Article 51
Protection and conservation

The National Executive, taking into account the best scientific evidence available to it, shall ensure through proper conservation and management measures that the maintenance of the living resources in the exclusive economic zone is not endangered by over-exploitation. The Bolivarian Republic of Venezuela shall cooperate with the relevant organizations to that end.

Article 52
Associated species

The National Executive may dictate conservation and management measures in the exclusive economic zone, taking into consideration the effects on species associated with or dependent upon harvested species with a view to maintaining or restoring populations of such associated or dependent species above levels at which their reproduction may become seriously threatened.

Article 53
Conservation measures

The Bolivarian Republic of Venezuela may contribute and exchange available scientific information, catch and fishing effort statistics, and other data relevant to the conservation of fish stocks through compe-

tent international organizations, with participation by all States concerned, including States whose nationals are allowed to fish in the exclusive economic zone.

Article 54
Harvesting capacity

The ministry of people's power for fisheries and aquaculture shall periodically determine the allowable catch for the exploitation of the living resources of the exclusive economic zone. When the Bolivarian Republic of Venezuela does not have the capacity to harvest the entire allowable catch thus determined, it may grant foreign fishing vessels access to the exclusive economic zone for the exploitation of the surplus allowable catch, subject to the prior signature of a fisheries agreement with the Government of the State of nationality of such vessels and upon the fulfilment of the requirements set out in domestic law, taking into account economic and social benefits to the Bolivarian Republic of Venezuela.

Nationals of other States fishing within the exclusive economic zone of the Bolivarian Republic of Venezuela shall comply with the conservation measures and other terms and conditions established by the law.

Article 55
Preservation measures

The National Executive may, where necessary, take all the measures it considers necessary to preserve the environment and combat pollution beyond the outer limits of the exclusive economic zone.

CHAPTER VI
CONTINENTAL SHELF

Article 56
Extent

The continental shelf of the Bolivarian Republic of Venezuela comprises the seabed and subsoil of the submarine areas that extend beyond its territorial sea throughout the natural prolongation of its land territory to the outer edge of the continental margin, or to a distance of 200 nautical miles from the low-water line or from the baselines from which the breadth of the territorial sea is measured where the outer edge of the continental margin does not extend up to that distance.

Wherever the continental margin extends beyond 200 nautical miles, the Bolivarian Republic of Venezuela shall establish the outer edge of that margin, which shall establish the limit between the continental shelf and the international area of the seabed and ocean floor, in accordance with international law.

Article 57
Sovereign rights

The Bolivarian Republic of Venezuela exercises over the continental shelf sovereign rights for the purpose of exploring it and exploiting its natural resources in a sustainable manner. No one may undertake these activities without the express consent of the Bolivarian Republic of Venezuela.

The rights of the Bolivarian Republic of Venezuela over the continental shelf do not depend on occupation, effective or notional, or on any express proclamation.

The natural resources referred to herein consist of the mineral resources and the living resources belonging to sedentary species, that is to say, organisms that, at the harvestable stage, either are immobile on or under the seabed or are unable to move except in constant physical contact with the seabed or the subsoil.

Article 58
Superjacent waters and air space

The rights of the Bolivarian Republic of Venezuela over the continental shelf do not affect the legal status of the superjacent waters or of the air space above those waters.

Article 59
Conservation measures

The Bolivarian Republic of Venezuela shall take measures for the exploration of the continental shelf, the exploitation of its natural resources and the prevention, reduction and control of pollution from submarine pipelines.

Article 60
Cables or pipelines

The delineation of the course for the laying of cables or pipelines on the continental shelf and their entry onto the national territory is subject to the consent of the Bolivarian Republic of Venezuela, taking into account existing cables or pipelines.

Article 61
Drilling and tunnelling

The Bolivarian Republic of Venezuela shall have the exclusive right to authorize and regulate drilling and tunnelling on its continental shelf.

Artificial islands, installations and structures on the continental shelf shall be governed by the provisions of article 50 of this decree with the rank, value and force of organic law.

CHAPTER VII
AREAS BEYOND THE LIMITS OF NATIONAL JURISDICTION

Article 62
High seas

The Bolivarian Republic of Venezuela shall exercise, in accordance with international law, its rights on the high seas, which comprise all marine areas that are not included in the exclusive economic zone, in the territorial sea, in the internal waters or in any other marine or submarine areas that may be established.

Article 63
Seabed and ocean floor

The Bolivarian Republic of Venezuela shall exercise, in accordance with international law, its rights in the international area of the seabed and ocean floor, which is the common heritage of humankind and which extends beyond the outer edge of the continental margin and beyond the limits of the jurisdiction of the Bolivarian Republic of Venezuela.

PART III
INSULAR AREAS

Article 64
Insular areas

The insular areas of the Bolivarian Republic of Venezuela include the archipelagos, islands, islets, cays, banks and similar elevations that are located or, for any reason, emerge in the territorial sea, the sea that covers the continental shelf or the exclusive economic zone, in addition to marine or submarine areas that have been or may be established.

Article 65
Organization of the insular areas

The insular areas shall be organized on the basis of its own administrative regime, which may be established by special legislation for an island, a group of islands or the insular land territory in its entirety.

PART IV
UNDERWATER CULTURAL AND ARCHAEOLOGICAL HERITAGE

Article 66
Protection of heritage

Underwater cultural and archaeological heritage assets in the aquatic and insular areas of the Bolivarian Republic of Venezuela are publicly owned.

Article 67
Location, intervention and protection

The location, appropriate intervention and protection of underwater cultural and archaeological heritage by public and private bodies require a prior opinion from the ministries of people's power responsible for maritime transport and defence.

PART V
SCIENTIFIC RESEARCH

Article 68
Promotion and limitations

The promotion and conduct of scientific research in aquatic, insular and port areas should comply with the guidelines of the national plan for science, technology and innovation, and the national development plan for the aquatic sector.

The competent bodies may withhold their consent to the conduct, by natural or legal persons, of scientific research projects or activities that:

1. Relate directly to the sustainable exploration or exploitation of natural resources, or involve drilling, the use of explosives or the introduction of substances or technologies that could damage the marine environment.
2. Involve the construction, operation or use of artificial islands, installations, structures and devices, whatever their function.
3. Run counter to the national interest.
4. Unjustifiably interfere with economic activities undertaken by the Bolivarian Republic of Venezuela in the exercise of its jurisdiction and as provided by law.

Article 69
Authorization

Scientific research to be conducted in the aquatic areas of the Bolivarian Republic of Venezuela shall be subject to the corresponding authorization from the competent bodies, which, in the exercise of their powers, shall coordinate to ensure the legitimacy of the authorization in accordance with the law.

PART VI
ADMINISTRATION OF AQUATIC AREAS

CHAPTER I
GOVERNING BODY

Article 70
Aquatic authority

It is the responsibility of the National Executive, through its organs and bodies, to exercise the competences entrusted to it in aquatic and port areas in accordance with the law.

Article 71
Governing body

The ministry of people's power responsible for water transport shall be the governing body for maritime, river and lake navigation for the transport of people and goods, fishing, tourism, sport, recreation and scientific research; matters related to ports; and any other matter as prescribed by law. It shall have the following competences:

1. To formulate national water transport projects and plans in line with centralized planning.
2. To approve the water transport component to be included in the national development plan for the aquatic sector.
3. To supervise and control the exercise of aquatic authority.
4. To study, supervise and include in development plans for the aquatic sector plans and projects related to the construction of ports, navigation canals, piers, docks, ships, marinas, works and installations, and related services.
5. To control, supervise and oversee the navigation regime, public and private ports, and related activities in accordance with the law.
6. To control and supervise the transport of reserved cargo.
7. To set fees for public passenger transport services and activities related to the aquatic sector, in coordination with the ministry of people's power responsible for trade.
8. To supervise the Venezuelan shipping registry of vessels.
9. To coordinate, with the ministry of people's power responsible for fisheries and aquaculture, the promotion, development and protection of fishery and aquaculture production.
10. To participate in the specialized international bodies of the aquatic sector, in accordance with the policy set by the ministry of people's power responsible for foreign affairs.
11. To strengthen financing policies for the aquatic sector.
12. To promote scientific and technological research activities in the sector, in coordination with the other bodies and entities of the public administration.
13. To approve projects in the aquatic sector in accordance with national and international technical standards.
14. To supervise, oversee and control the application of standards for the security of national water transport.
15. To approve the internal regulations of the National Institute for Aquatic Areas.
16. To propose regulations related to the present decree with the rank, value and force of organic law.
17. To approve and exercise control over the staff policies of the National Institute for Aquatic Areas, in accordance with the relevant laws.
18. To request from the entity or body under its governance administrative and financial information regarding the management of the entity or body.
19. To assist in the education, development and training of human talent in the aquatic sector.
20. Other competencies established by law.

The governance functions and powers of the ministry of people's power responsible for water transport shall be subject to the guidelines, policies and plans issued by the National Executive in accordance with centralized planning.

Article 72
Management body

The National Institute for Aquatic Areas has legal personality and its own assets; it is the management body for the policies issued by the governing body and for the national development plan for the aquatic sector. The Institute is attached to the ministry of people's power responsible for water transport. The location of its headquarters shall be determined by the governing body and it may establish regional offices.

The National Institute for Aquatic Areas shall enjoy all the fiscal prerogatives, privileges and benefits of the Bolivarian Republic of Venezuela.

Article 73
Competences

It is the responsibility of the National Institute for Aquatic Areas to:

1. Exercise aquatic authority.
2. Carry out aquatic administration.
3. Produce the preliminary draft of the national development plan for the aquatic sector, comprising the plans and projects for the construction of ports and marinas, navigation channels, piers, and other works, installations and services associated with the operations of ships in ports and marinas.
4. Implement the governing body's shipping and port policy and control navigation and water transport.
5. Control and supervise the management of the Aquatic Development Fund.
6. Prepare the proposal for the setting of fees for services related to the aquatic sector.
7. Produce statistics specific to the aquatic sector, subject to the provisions of the Public Function of Statistics Act.
8. Provide the related services in accordance with the law.
9. With the prior approval of the Board, grant concessions for the related services established by law.
10. Authorize the transport of reserved cargos.
11. Manage the Venezuelan shipping registry of vessels and navigation aids.
12. Develop and implement, in coordination with the fishing and aquaculture entity or body, the consolidation of programmes for the construction of ships and fishing ports.
13. Provide representation in specialized international organizations in the aquatic sector, with the prior approval of the governing body.
14. Promote financing policies for the aquatic sector.
15. Promote scientific and technological research activities in the aquatic sector, in coordination with the ministry of people's power responsible for science and technology.
16. Promote the establishment of solidarity-based associations, community organizations, social production networks and citizen participation, for the purpose of ensuring the comprehensive development of water and port navigation and related activities.
17. Contribute to improving the quality of life of coastal and island communities and to the consolidation of endogenous development centres.
18. Exercise the other powers assigned to it in this decree with the rank, value and force of organic law and other applicable laws.

The management functions and powers of the Institute shall be subject to the guidelines, policies and plans issued by the National Executive, in accordance with centralized planning.

Article 74
Aquatic administration

The functions of aquatic administration shall include:

1. Supervising, controlling and overseeing the functioning of harbourmaster's offices and their delegations.
2. Contributing to and supervising the education and training of merchant navy personnel.
3. Overseeing and monitoring the implementation of national and international aquatic legislation.
4. Maintaining the register of merchant navy personnel.
5. Certifying merchant navy personnel, in accordance with international agreements and domestic legislation.
6. Ensuring compliance with the disciplinary regime of merchant navy personnel.
7. Managing the registration, certification and supervision of personnel of the piloting and shipping inspection service.

8. Managing registration, authorization and monitoring related to the shipping industry.
9. Managing the registration, authorization and monitoring of shipping companies, cargo certification companies, cargo operators and agencies, cargo consolidation companies, multimodal transport companies and maritime brokering companies.
10. Maintaining the registration and certification of nautical training institutes in coordination with the ministry of people's power responsible for higher education.
11. Maintaining the registration, control, monitoring and certification of organizations dedicated to underwater activities.
12. Supervising, controlling and overseeing the activities of public and private ports as well as port structures, facilities, related services and other works.
13. Safeguarding, through supervision and control, maritime security and life within the aquatic districts, in coordination with the competent authorities.
14. Establishing sea lanes, traffic separation schemes, and ship notification and reporting systems.
15. Supervising and controlling, in collaboration with the ministries of people's power responsible for ecosocialism, defence and security, dumping and other forms of pollution that may affect the aquatic and port areas within the aquatic jurisdictions.
16. Supervision and control of search and rescue activities.
17. Assisting the relevant bodies and entities in the signage, nautical charting, hydrography, meteorology, oceanography, hydrography, canalization and maintenance of waterways.
18. Controlling and supervising activities related to marine sports, recreation and tourism.
19. Controlling and supervising fishing ships, in coordination with the body or entity responsible for fishing and aquaculture.
20. Cooperating with the Public Prosecutor's Office in the exercise of criminal investigations, as required.
21. Controlling and supervising piloting, lighterage, tugboat and shipping inspection services.
22. Exercising the functions of the port State.
23. Exercising the functions that result from the Convention on Facilitation of International Maritime Traffic.
24. Participating in the development of coastal, riparian and island communities.
25. Providing assistance in the event of natural disasters, in coordination with the competent authorities.
26. Approving, supervising and controlling environmental contingency plans in aquatic and port areas, in coordination with the competent bodies and entities.
27. Keeping national and international environmental contingency plans, in particular the national contingency plan against oil spills, updated; coordination mechanisms shall be established in those plans.
28. Coordinating all matters relating to the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage.
29. Exercising other powers conferred by this decree with the rank, value and force of organic law and other applicable laws.

Article 75
Board of the Institute

The Board of the National Institute for Aquatic Areas exercises the highest authority and is composed of the President of the Institute and four directors appointed by the governing body, each of whom has an alternate who will, with the same rights and powers, replace him or her in the event of his or her temporary absence.

The Board shall be considered validly constituted, and its decisions fully effective when the session is attended by the President or his or her alternate and two directors or their alternates.

The organization and functioning of the Board shall be governed by the provisions of the present decree with the rank, value and force of organic law and the internal regulations issued for that purpose by the Institute.

The members of the Board shall be jointly responsible, civilly and administratively, for the decisions taken at Board meetings.

Article 76
Functions of the Board

The Board of the National Institute for Aquatic Areas shall have the following functions:

1. To approve the draft component of the national development plan for the aquatic sector, to be submitted to the governing body for consideration.
2. To approve the proposal on the setting of fees for services related to the aquatic sector, to be submitted to the governing body for consideration.
3. To approve the Institute's annual operating plan and budget, to be submitted to the governing body for consideration.
4. To approve the Institute's draft annual report and accounts.
5. To approve the processes for equipping and authorizing ports and port structures, in accordance with the law.
6. To approve licences or authorizations for tugboats and lighterage.
7. To approve studies, projects and other matters within the Institute's sphere of competence, submitted by the President of the Institute or any of its members for consideration.
8. To remain informed regarding proposals and periodic reports on the implementation of the national development plan for the aquatic sector.
9. To decide on appeals against acts of the National Institute for Aquatic Areas, within its sphere of competence.
10. To exercise the other functions set forth in this decree with the rank, value and force of organic law and related regulations.

Article 77
Appointment

The National Institute for Aquatic Areas shall have a President and a Vice-President, to be appointed and removed at will by the minister for people's power responsible for water transport.

Article 78
Powers of the President

The President shall have the following powers:

1. To lead, manage and legally represent the National Institute for Aquatic Areas.
2. To represent the Aquatic Development Fund.
3. To conclude contracts and agreements on works, services and the acquisition of goods.
4. To accept donations, bequests, contributions, subsidies and other gifts from domestic natural or legal persons, public or private.
5. To convene and preside over meetings of the Board.
6. To draw up proposals for elements of the national development plan for the aquatic sector, and to prepare the Institute's budget, annual report and accounts, to be submitted to the Board for consideration.
7. To submit to the Board, for its approval, draft internal regulations and manuals setting forth organizational guidelines, standards and other normative instruments required by law to organize the Institute and guide its operation, and to submit proposals to reform those instruments.
8. To inform the Board of actions, approval and revocation of contracts, financing programmes, negotiations and agreements that need to be submitted to the governing body for consideration.
9. To implement Board decisions pertaining to the processes of equipping and authorizing ports and port-related infrastructure, in accordance with the law.
10. To grant authorizations, waivers, patents, special permits, titles and licences, in accordance with the law.

11. To appoint, transfer and dismiss Institute staff, in exercise of the authority and powers set forth in the relevant legislation.
12. To delegate to other Institute officials the signing of certain documents in accordance with the law.
13. To issue the internal regulations of the Institute.
14. To exercise all other powers conferred by law.

Article 79
Powers of the Vice-President

The Vice-President shall have the following powers:

1. To collaborate with the President of the Institute in the exercise of his or her powers.
2. To coordinate with public and private bodies and entities, as instructed by the President of the Institute.
3. To serve as President of the Institute on a temporary basis in the absence of the President of the Institute.
4. To exercise the powers delegated to him or her by the President of the Institute.

Article 80
Assets

The assets of the National Institute for Aquatic Areas shall consist of:

1. Property, entitlements and stocks of any kind that may be transferred, assigned or allocated to the Institute by the National Executive.
2. The movable and immovable property owned by the Institute.
3. Revenue from taxes and fees established by law.
4. Contributions made under the Budget Act and extraordinary contributions allocated by the National Executive.
5. The proceeds from the collection of payment of any duties that may be established in the concession, equipping and authorization contracts for ports.
6. The proceeds from the collection of taxes, fees and other contributions for services related to the aquatic sector, waivers, patents, special permits, titles and licences, in accordance with the law.
7. The proceeds from the fines provided for by law.
8. Donations, bequests, contributions, subsidies and other gifts from domestic natural or legal persons, public or private.
9. Other property, rights and obligations of any nature that the Institute has acquired or will acquire in the conduct of its activities or that are added to its assets.
10. Ten per cent of gross revenue from lighterage and tugboat services provided by private entities under concession. If the service is provided directly by the Institute, 100 per cent of the revenue shall go to the Institute.

CHAPTER II
NATIONAL COUNCIL FOR AQUATIC AREAS

Article 81
Advisory body

The National Council for Aquatic Areas shall be the advisory body of the National Executive on the promotion and development of the merchant navy, ports, the shipping industry, the development of navigation channels in rivers and lakes, scientific and technological research in the aquatic sector; and the education, training, upgrading of skills of and certification of workers in that sector.

It shall also serve as a body that will enable organized communities to participate in advising on the formulation and monitoring of aquatic sector policies, plans and programmes.

Article 82
Board of the Council

The National Council for Aquatic Areas shall be composed of the Vice-Minister for Water Transport of the ministry of people's power responsible for water transport, who shall serve as its President; one Vice-Minister representing each of the ministries of people's power responsible for defence; foreign affairs, internal affairs, justice and peace; economic affairs, finance and public banking; higher education, science and technology; youth and sport; tourism; petroleum and mining; agriculture and fisheries; ecosocialism, habitat and housing; and planning; one representative of the Venezuelan Chamber of the Shipping Industry; one representative of the Venezuelan Chamber of Shipowners; one representative of the Association of Merchant Navy Officials; one representative of the Venezuelan Association of Maritime Law; one representative of the fisheries associations; one representative from the universities active in the field; and their alternates.

Article 83
Advisory Committees

The National Council for Aquatic Areas shall establish committees to advise on and participate in specific and specialized activities on an ad honorem basis, in order to address matters related to aquatic, insular and port activities, as it deems appropriate. These advisory and participatory committees for specific and specialized activities shall be composed of representatives of the various sectors linked to maritime activity.

Article 84
Permanent Secretariat

The National Council for Aquatic Areas shall have a permanent secretariat, headed by the President of the National Institute for Aquatic Areas, whose functions shall include:

1. Deciding when meetings of the National Council for Aquatic Areas and of its advisory committees are to be held.
2. Attending meetings, preparing meeting records and submitting said records to the head of the ministry of people's power that oversees the aquatic sector.
3. Updating files, collecting and distributing information on the aquatic sector.
4. Assessing preliminary drafts to be submitted to the Council for consideration.
5. Any other functions established by the regulations of this decree with the rank, value and force of organic law.

Article 85
Operational guidelines

The Regulations of the National Council for Aquatic Areas shall establish the guidelines for the Council's operation, including the composition of advisory and participatory committees for specific and specialized activities.

PART VII
AQUATIC DEVELOPMENT FUND

Article 86
Fund

The National Institute for Aquatic Areas shall have a special fund for educating and training seafarers and aquatic sector workers and upgrading their skills; and financing studies and projects aimed at promoting the development of the navy, ports and port infrastructure. The fund shall cover the following:

1. The shipping industry.
2. Pilotage, tugboat and lighterage services.
3. Search and rescue services.
4. National aquatic navigation support system.

5. Hydrographic, meteorological, oceanographic and nautical cartography work.
6. Aquatic scientific research and exploration.
7. Channelling and maintenance services for navigable waterways.

The Aquatic Development Fund shall allocate a portion of its resources for investment projects undertaken by the National Institute for Aquatic Areas.

Article 87
Financing Programmes

Programmes to fund studies, projects and the purchase of equipment, shall be guided by the overarching policies and plans for the development of the aquatic sector and shall primarily concern:

1. The construction, alteration, maintenance and repair of ships in national shipyards.
2. Channelling and maintenance work for navigable waterways.
3. Hydrography, meteorology, oceanography and nautical charting.
4. Aquatic security systems, search and rescue systems; and systems to monitor and control maritime, river and lake traffic.
5. Aquatic scientific research and exploration.
6. The improvement, development and construction of ports and port infrastructure.
7. Education, training and upgrading of skills for aquatic sector workers.
8. The acquisition of tugboat and lighterage equipment and machinery, and the improvement and development of tugboat and lighterage services.
9. The acquisition of shipping industry equipment, machinery and infrastructure.
10. All other activities related to the aquatic sector.

Article 88
Technical and Administrative Unit

The Aquatic Development Fund shall be operated by a Technical and Administrative Unit. The head of the Unit shall be freely appointed and dismissed by the Board of Directors of the National Institute for Aquatic Areas, to which the Unit shall report.

Article 89
Qualifications

The head of the Technical and Administrative Unit must:

1. Be a Venezuelan national.
2. Be over 30 years of age.
3. Have a professional background in economics and finance.

Article 90
Competence

The Aquatic Development Fund shall be responsible for:

1. Allocating non-reimbursable financial resources for services that contribute to the development of the aquatic sector, comprising up to 10 per cent of Fund resources, by concluding contracts or agreements on technical assistance, training, technology transfer, research, the provision of funds, trusts, donations and subsidies.
2. Overseeing and monitoring said contracts or agreements in order to verify that the resources are used for their intended purpose.
3. Managing the resources allocated to the Fund by the National Executive and by national and international agencies.

4. Performing financial transactions with eligible national or international institutions. A majority vote of the members of the Board of the National Institute for Aquatic Areas, following a preliminary profitability assessment, shall be required for such transactions.
5. Assessing the feasibility of projects in the context of the programmes or policies adopted by the Board of the National Institute for Aquatic Areas.
6. Submitting activity reports and financial statements to be consolidated to the Board of the National Institute for Aquatic Areas for its consideration.
7. Submitting quarterly reports on the Fund's activities to the Board of the National Institute of Aquatic Areas for its consideration.

Article 91
Reserve

In order to meet the objectives set forth in article 86 of this decree with the rank, value and force of organic law, the National Institute for Aquatic Areas may not commit more than 75 per cent of the resources of the Aquatic Development Fund.

Article 92
Resources of the Fund

The resources of the Aquatic Development Fund shall include:

1. Contributions from the National Institute for Aquatic Areas.
2. The income generated from the proceeds of its management.
3. Payments of the fee calculated on the basis of the gross tonnage of national and foreign ships travelling on international transit and foreign-flagged ships that in exceptional cases perform cabotage.
4. Payments of a portion of the fees, taxes and duties payable for use of canals, aquatic signalling, pilotage, tugboats and lighterage, concessions, authorizations and the equipping of public ports in public and private use.
5. Payments from port management bodies.
6. Revenue from donations, bequests and transfers of resources performed by natural or legal persons, public or private.
7. Any other income to which it is entitled by law.

Article 93
Calculation of the fee

The fee referred to in article 92, paragraph 3, of this decree with the rank, value and force of organic law shall be calculated on the basis of the gross tonnage of ships, national or foreign, in international traffic.

This fee shall be paid directly by the owner, operator or agent of a ship, whenever it reaches port, according to the following non-cumulative scale:

1. Ships of or under 500 gross tons shall pay 1 tax unit.
2. Ships of between 501 and 5,000 gross tons shall pay 0.0045 tax units per gross ton.
3. Ships of between 5,001 and 20,000 gross tons shall pay 0.0040 tax units per gross ton.
4. Ships of between 20,001 and 40,000 gross tons shall pay 0.0035 tax units per gross ton.
5. Ships of more than 40,001 gross tons shall pay 0.0030 tax units per gross ton.

Payment of the fee provided for in this article shall be a prerequisite for authorization of the departure of the ship. Ships registered in the Venezuelan shipping registry shall pay 50 per cent of the corresponding fee when in international traffic. This discount shall be applied up to the same percentage to those foreign-flagged ships under the principle of reciprocity in accordance with law.

Those foreign-flagged ships that by way of exception undertake cabotage shall pay in only one port the fee referred to in this article, whenever they leave their home port, and shall also pay that fee when undertaking the international carriage of goods for import and export.

The owners of foreign ships shall be required to pay the National Institute for Aquatic Areas the equivalent of the fee established in this article, in foreign currency, applying the exchange rate set in the respective exchange rate agreement in force on the date the fee falls due, in accordance with the regulations issued for that purpose.

The foreign exchange obtained through these payments must be sold by the National Institute for Aquatic Areas to the Central Bank of Venezuela, at the exchange rate set in the exchange regulation that is in effect on the date of the respective operation and by the deadline set for that purpose, unless the Institute agrees to hold such sums in foreign currency accounts, for which they must obtain the authorization of the Central Bank of Venezuela, as stipulated in the applicable exchange rate agreements.

Article 94

Verification of gross tonnage

For the purposes of this decree with the rank, value and force of organic law, gross tonnage shall be verified through the International Tonnage Certificate.

Article 95

Contribution parameters

The contributions set out in article 92, paragraph 4, of the present decree with the rank, value and force of organic law by the corresponding bodies shall be calculated on the basis of the following parameters:

1. Two per cent of the amount collected through the canal use service.
2. Two per cent of the amount collected through the aquatic signalling service.
3. Ten per cent of revenues collected through the tugboat service.
4. Ten per cent of revenues collected through the lighterage service.
5. Twenty per cent of revenues collected through the piloting service.
6. Ten per cent of revenues collected through the concessions, permissions and authorizations corresponding to the rights established in the concession, permission and authorization contracts of public ports for public and private use.
7. One per cent of the gross revenue of the port management bodies.

Article 96

Payment deadline

The contributions referred to in the article above shall be paid on a quarterly basis by the collecting bodies.

Article 97

Placement of resources

The resources of the Aquatic Development Fund mentioned in the present decree with the rank, value and force of organic law shall be placed in a financial institution governed by the Act governing the banking sector institutions, in a special account under the name of the Aquatic Development Fund; movements of those resources shall be effected by the President of the National Institute for Aquatic Areas, in conjunction with one of the signatures authorized for such purpose by the Board, with the authorization of the Board of the Institute.

Article 98

Financing period

The financing provided for under this decree with the rank, value and force of organic law may be granted for a period of up to 10 years.

Article 99
Resources

The resources of the Aquatic Development Fund shall not be part of the assets of the National Institute for Aquatic Areas.

Article 100
Operating expenses

In exchange for the corresponding payment, the National Institute for Aquatic Areas shall provide the services, goods, personnel and other facilities necessary for the functioning of the Aquatic Development Fund.

Article 101
Accounting

The accounts of the Aquatic Development Fund shall be recorded in its ledgers and financial statements in accordance with generally accepted accounting principles and shall be kept entirely separate from the accounts of the National Institute for Aquatic Areas.

The financial statements of the Fund shall be audited annually by an independent firm of auditors which shall issue the corresponding opinion.

PART VIII
RELATED ACTIVITIES

Article 102
Classification

For the purposes of this decree with the rank, value and force of organic law, the following are related activities:

1. The Venezuelan shipping registry.
2. The shipping industry.
3. Piloting, tugboat and lighterage services.
4. Search and rescue services and activities to prevent and combat environmental pollution in aquatic areas.
5. The national aquatic navigation support system.
6. Nautical education.
7. Activities involving shipping, certification, shipping agencies, cargo operations and agencies, multimodal transport and maritime brokering.
8. Shipping inspection, audit, consultancy and advisory services.
9. Hydrographic, meteorological, oceanographic and nautical cartography work.
10. Channelling and maintenance services for navigable waterways.
11. The management of security, inspections and audits.
12. Companies providing water transport services.
13. Other activities as determined by law.

Article 103
Venezuelan shipping registry.

The Venezuelan shipping registry shall be maintained by the Aquatic Authority; the relevant law shall regulate all matters relating to this registry.

Article 104
Shipping industry

The shipping industry consists of principal and auxiliary shipping production centres. The relevant law shall regulate all matters relating to the shipping industry.

Principal shipping production centres are shipyards, slipways and shipbuilders.

Auxiliary shipping production centres are shipping workshops; shipping consultancy firms; inspection, testing and trials companies or laboratories; ship and navigation aid classification societies; manufacturers and vendors of shipping machines, equipment and systems, as well as their parts and spare parts; and manufacturers and vendors of materials and inputs used in the activities of the shipping industry.

The principal and auxiliary shipping production centres that comprise the shipping industry must comply with the registration, authorization and control requirements established under the relevant law.

Article 105

Piloting, tugboats and lighterage

Piloting, tugboat and lighterage services are public services and shall be provided by the National Institute for Aquatic Areas, in accordance with law.

Article 106

Search and rescue

Aquatic search and rescue services shall be provided by the Aquatic Authority, in coordination with the competent bodies. To that end, it shall coordinate participation in the national search and rescue plan and other national and regional authorities and organizations certified for that purpose, in accordance with the regulations governing the matter.

The law shall determine the cases in which the National Executive may demand compensation for the provision of the property salvage service, in the terms and conditions set forth in international conventions.

Article 107

Other related services

Aquatic signalling services and hydrographic, meteorological, oceanographic and nautical cartography work shall be provided by the ministry of people's power responsible for defence.

Channelling and maintenance services for navigable waterways, shipping security and inspection management and companies providing water transport services shall be regulated by the relevant law and supervised, policed and controlled by the ministry of people's power for petroleum and mining.

PART IX

CABOTAGE AND DOMESTIC NAVIGATION

Article 108

Cabotage

Cabotage means navigation between points and ports over which the Bolivarian Republic of Venezuela exercises sovereignty and jurisdiction. Cabotage shall only be conducted by ships in the Venezuelan shipping registry, without prejudice to the provisions of international agreements or treaties adopted by the Bolivarian Republic of Venezuela.

Article 109

Shipping of goods by cabotage

Shipping by cabotage of domestic or foreign goods between Venezuelan ports or by foreign-flagged ships requires prior certification establishing that foreign-registered ships comply with the requirements of national and international legislation on maritime security, and domestic tonnage must not be available.

Article 110
Certification

The National Institute for Aquatic Areas may grant, at the request of an interested party and by way of exception, a special permit for foreign-registered ships to carry out cabotage or domestic navigation, subject to payment of the fee established for this purpose.

Article 111
Domestic navigation

Domestic navigation means any activity other than cabotage carried out within the scope of the jurisdiction of a particular harbour master or in jurisdictional waters of the Bolivarian Republic of Venezuela, such as fishing, dredging, sporting and recreational navigation and scientific research activities.

PART X
SEAFARERS

Article 112
Crew

Without prejudice to the provisions of the decree with the rank, value and force of organic law on labour and workers, the captain, 50 per cent of the officers and 50 per cent of the remainder of the crew of every ship on the Venezuelan shipping registry must be of Venezuelan nationality.

Article 113
Interns

Foreign ships engaged in cabotage by way of exception are obliged to enlist as crew members interns who are Venezuelan students of higher nautical education for such time as they conduct cabotage in Venezuelan waters.

Article 114
Special working conditions

Special working conditions for seafarers shall be established in law, in accordance with the relevant conventions, agreements and treaties adopted by the Bolivarian Republic of Venezuela.

PART XI
TAX BENEFITS

Article 115
Exemptions

The following are exempt from import tax: ships; navigation aids; drilling rigs; goods related to the shipping and port industry that are intended exclusively for the construction, modification, repair and recycling of ships; and equipment, machinery repairs, and parts and components for the shipping and port industry.

Article 116
Exclusion

Ships and navigation aids for sporting and recreational use are expressly excluded from the tax benefit provided for in the preceding article.

Article 117
Requirements and conditions for exemption

In order to enjoy the tax benefit provided for in this part, the interested party must submit to the Customs and Tax Administration a favourable opinion issued by the Aquatic Authority indicating that the goods described in article 115 of this decree with the rank, value and force of organic law comply with na-

tional and international engineering and industry standards, in accordance with their purpose and allocation, and without prejudice to the requirements and conditions laid down in the legal framework governing customs matters or in other sublegal regulations.

Article 118
Registration

Natural and legal persons requesting the exemption provided for in this Part must be registered and authorized to carry out the relevant activity, in the register which the Aquatic Authority shall establish for this purpose.

Article 119
Issuance of opinions and granting of exemptions

The Aquatic Authority, having considered a request, shall issue its opinion within 20 working days.

The Customs and Tax Administration, having reviewed the documentation submitted and found it to comply with requirements, shall grant an exemption within 20 working days.

Article 120
Rebates for investment

Those receiving income from activity in the merchant navy sector or shipping industry shall be granted an income tax rebate equivalent to 75 per cent of the amount of their new investments consisting of the purchase or hire of new ships or existing navigation aids; the acquisition of new maritime security equipment or technologies; the expansion, improvement or equipping of existing ships and navigation aids; the establishment of commercial companies or the acquisition of shares in commercial companies which receive such income as described above; or the training and capacity-building of their employees.

The rebates established in this article shall be granted only in those tax years in which the new investments are made and may be transferred to subsequent tax years for the time period stipulated in the Income Tax Act. These rebates shall also apply to debt converted into investment.

Article 121
Obligation to use Venezuelan shipyards

National ships, dredges, drilling rigs and navigation aids, and those chartered or leased by national shipowners or State companies who invoke the benefits of this decree with the rank, value and force of organic law are obliged to have normal maintenance work carried out in Venezuelan shipyards, except in cases of force majeure, when shipowners must request authorization from the National Institute for Aquatic Areas for the work to be carried out elsewhere.

An exception to this obligation exists for emergencies that might require a ship to enter a shipyard due to force majeure or a risk of damage to its hull and machinery, when the ship is located in international waters.

PART XII
COMMUNAL PARTICIPATION

Article 122
Community promotion and participation

The Aquatic Authority shall promote and institutionalize just and equitable participation in services related to aquatic areas, in particular in connection with the national and international maritime transport of goods and persons, ports, the shipping industry and, in general, all activities related to national maritime and shipping activities, through local community organizations, social production networks and cooperatives.

Article 123
Incentives to voluntary work

The Aquatic Authority shall develop systems and mechanisms to encourage and recognize the voluntary work of individuals in their communities and of employees of the National Institute for Aquatic Areas.

Article 124
Social monitoring and oversight

The community, organized through the community councils or other forms of community organization and participation, shall monitor and ensure the fulfilment of the duties of solidarity and social responsibility established by the present decree with the rank, value and force of organic law.

PART XIII
MARITIME COURTS

Article 125
Senior judges

Senior maritime judges have jurisdiction over the entire national aquatic area and the ships registered in the Venezuelan shipping registry, irrespective of the jurisdiction over the waters where these ships are located.

In the superior maritime courts, decisions are made by a single judge. To be appointed as a senior judge, it is necessary to be a lawyer, a Venezuelan national, over 30 years of age, and of recognized good standing and competence in the field. It is preferable for candidates to specialize in the law of the sea, shipping and foreign trade law or an equivalent, be senior professors in that field or have practised in that area of law for more than 10 years.

Article 126
Jurisdiction of the superior courts

The superior maritime courts are competent to adjudicate on:

1. Appeals of decisions handed down in the first instance by the maritime courts.
2. Conflicts relating to jurisdiction that arise between courts whose decisions can be appealed before the superior maritime courts, and between these and other courts when the conflict concerns matters heard by the maritime courts.
3. Proceedings for review of leave to appeal against decisions regarding the admissibility of appeals in cases that are referred to them at the appeal stage.
4. Any other appeal or legal action assigned to them under the applicable law.

Decisions handed down by the superior maritime courts may be appealed in cassation within a period of five working days before the Supreme Court of Justice.

Article 127
Courts of first instance

The maritime courts of first instance are single-judge courts. To be appointed as a first instance judge, it is necessary to be a lawyer, a Venezuelan national, over 30 years of age, and of recognized good standing and competence in the field. It is preferable for candidates to specialize in the law of the sea, shipping and foreign trade law or an equivalent, be senior professors in that field or have practised in that area of law for more than five years.

Article 128
Jurisdiction of the courts of first instance

The maritime courts of first instance are competent to adjudicate on:

1. Disputes arising from civil and commercial acts which concern maritime, river and lake trade and traffic, as well as disputes related to port activity or to the use of multimodal transport in connection with maritime trade.
2. Legal action taken against a ship, its captain or the shipowner, or his or her representative, when the ship has been the subject of a precautionary measure or asset freezing.

3. Cases involving more than one ship when one is nationally registered, or when national legislation is applicable under the contract or the law, and cases involving foreign ships located in waters that are under the jurisdiction of the Bolivarian Republic of Venezuela.
4. Ship mortgage enforcement procedures, and legal actions to claim maritime liens.
5. The enforcement of foreign judgments, following the receipt of the relevant enforcement order.
6. The enforcement of arbitral awards and resolutions related to maritime cases.
7. Bankruptcy trials concerning the limitation of liability of shipowners or ship operators.
8. Legal actions relating to the law of general average.
9. Legal actions related to pilotage, towing and lightering services; aquatic signalling; hydrographic, meteorological or oceanographic work; nautical charting; and the dredging and maintenance of waterways.
10. Legal actions arising in connection with the handling of containers, goods, materials, supplies, fuel and equipment that are supplied, or services that are rendered, to the ship, for its use, management, conservation or maintenance.
11. Legal actions arising in relation to the construction, maintenance, repair, alteration and recycling of ships.
12. Legal actions arising in connection with insurance premiums, including mutual insurance contributions payable by the owner of the ship or the bareboat charterer, or on his or her behalf, in relation to the ship.
13. Legal actions related to shipping agency commissions, brokerage fees or other fees payable by the owner of the ship or the bareboat charterer, on his or her own behalf, in relation to the ship.
14. Disputes relating to ownership or possession of the ship, its use or the proceeds of its use.
15. Legal actions related to the use of the various means of transport used in connection with maritime trade.
16. Mortgages or charges applicable to the ship.
17. Legal actions arising from a wrongful act in connection with national and international maritime, river and lake transport of goods and persons, and environmental crimes perpetrated in the aquatic areas, as defined by the legislation in force, according to the procedure established in the Code of Criminal Procedure.
18. Any other legal action, measure or dispute relating to matters regulated by the law.

Sole article
Repealing provision

The following are repealed:

1. Articles 1, 2, 3, 4, 5 and 6 of the Territorial Sea, Continental Shelf, Fisheries Protection and Airspace Act of 27 July 1956, published in the *Special Official Gazette of the Republic of Venezuela No. 496*, of 17 August 1956.
2. Shipping Act of 1 September 1998, published in the *Special Official Gazette of the Republic of Venezuela No. 5,263*, of 17 September 1998.
3. Reactivation of the National Shipping Industry Act, published in the *Official Gazette of the Bolivarian Republic of Venezuela No. 36,980*, of 26 June 2000.
4. Aquatic and Insular Areas Organic Act, published in the *Official Gazette of the Bolivarian Republic of Venezuela No. 37,596*, of 20 December 2002.

Sole article
Transitional provisions

Definitions and regulations not established in the present decree with the rank, value and force of organic law shall be set out in its implementing regulations.

Sole article
Final provision

This decree with the rank, value and force of organic law shall enter into force upon its publication in the *Official Gazette of the Bolivarian Republic of Venezuela*.

DONE at Caracas on 17 November 2014. 204 years since independence, 155 years since federation and 15 years since the Bolivarian revolution.

To be executed,

(Seal)

NICOLÁS MADURO MOROS

Endorsed by:

Executive Vice President of the Republic, JORGE ALBERTO ARREAZA MONTSERRAT
Minister of People's Power for the Office of the President and Monitoring of Government Management,
CARLOS ALBERTO OSORIO ZAMBRANO
Minister of People's Power for Internal Affairs, Justice and Peace, CARMEN TERESA MELÉNDEZ RIVAS
Minister of People's Power for Foreign Affairs, RAFAEL DARÍO RAMÍREZ CARREÑO
Minister of People's Power for Planning, RICARDO JOSÉ MENÉNDEZ PRIETO
Minister of People's Power for Economic Affairs, Finance and Public Banking,
RODOLFO CLEMENTE MARCO TORRES
Minister of People's Power for Defence, VLADIMIR PADRINO LÓPEZ
Minister of People's Power for Trade, ISABEL CRISTINA DELGADO ARRIA
Officer in charge of the Ministry of People's Power for Industry, JOSÉ DAVID CABELLO RONDÓN
Minister of People's Power for Tourism, ANDRÉS GUILLERMO IZARRA GARCÍA
Minister of People's Power for Agricultural Production and Lands, JOSÉ LUIS BERROTERÁN NÚÑEZ
Minister of People's Power for Higher Education, Science and Technology,
MANUEL ÁNGEL FERNÁNDEZ MELÉNDEZ
Minister of People's Power for Education, HÉCTOR VICENTE RODRÍGUEZ CASTRO
Minister of People's Power for Health, NANCY EVARISTA PÉREZ SIERRA
Minister for People's Power for the Social Process of Work, JESÚS RAFAEL MARTÍNEZ BARRIOS
Minister of People's Power for Ground Transport and Public Works, HAIMAN EL TROUDI DOUWARA
Minister of People's Power for Water and Air Transport, GIUSEPPE ÁNGELO CARMELO YOFFREDA YORIO
Minister of People's Power for Ecosocialism, Habitat and Housing, RICARDO ANTONIO MOLINA PEÑALOZA
Minister of People's Power for Petroleum and Mining, ASDRÚBAL JOSÉ CHÁVEZ JIMÉNEZ
Minister of People's Power for Communication and Information, JACQUELINE COROMOTO FARÍA PINEDA
Minister of People's Power for Communes and Social Movements, ELÍAS JOSÉ JAUA MILANO
Minister of People's Power for Food, YVÁN JOSÉ BELLO ROJAS
Minister of People's Power for Culture, REINALDO ANTONIO ITURRIZA LÓPEZ
Minister of People's Power for Youth and Sport, ANTONIO ENRIQUE ÁLVAREZ CISNEROS
Minister of People's Power for Indigenous People, ALOHA JOSELYN NÚÑEZ GUTIÉRREZ
Minister of People's Power for Women and Gender Equality, ANDREÍNA TARAZÓN BOLÍVAR
Minister of People's Power for Electricity, JESSE ALONSO CHACÓN ESCAMILLO
Minister of People's Power for Penitentiary Services, MARÍA IRIS VARELA RANGEL

2. Samoa

Maritime Zones Order 2017, 14 December 2017

[...]

PURSUANT to Section 10 of the Maritime Zones Act 1999, (“Act”), I, TUIMALEALI’IFANO VA’ALE-TOA SUALAUVI II, head of State of the Independent State of Samoa, acting on the advice of Cabinet, MAKE this ORDER.

DATED at Apia this 14th day of December 2017.

[Signed]

(Tuimaleali’ifano Va’aletoa Sualauvi II)

HEAD OF STATE

ORDER

1. **Citation and commencement**—(1) This Order may be cited as the Maritime Zones Order 2017 and commences on the date it is signed by the Head of State.
2. **Official geographic coordinates**—(1) The official list of geographical coordinates is set out as follows:
 - (a) in Schedule 1, the territorial sea baseline from which the breadth of the territorial sea, the outer limits of the contiguous zone, exclusive economic zone and continental shelf of Samoa are to be measured;
 - (b) in Schedule 2, the points to be used for determining the outer limits of the territorial sea which are 12 nautical miles from the baseline;
 - (c) in Schedule 3, the points to be used for determining the outer limits of the contiguous zone which are 24 nautical miles from the baseline.(2) The point identifier for the official geographic coordinates listed in Schedule 1, 2 and 3, is specified in Column 1.
(3) The official geographic coordinates for each point are specified in Columns 2 and Columns 3 of Schedules 1, 2 and 3 as determined by reference to the World Geodetic System 1984
(4) A chart illustration of the points specified in Schedules 1, 2 and 3 is set out in Schedule 4.
3. **Publicity by Notice**—The official geographical coordinates in Schedules 1, 2 and 3 must be published by notice in the Savali.
4. **Revocation**—The Maritime Zones Order which commenced on 21 April 2014 is revoked

SCHEDULE 1 (ORDER 2 (A))

Samoa Territorial Seas Baseline Geographic Coordinates

(Horizontal Datum: World Geodetic System 1984)

Savaii Island Territorial Seas Baseline

The Territorial Seas Baseline shall comprise of a series of successive geographical coordinates located on the outermost reef edge points around and classified as normal baseline.

[...] ⁸

⁷ Transmitted by note verbale No. SM/03/18/017 dated 13 March 2018 from the Permanent Mission of the Independent State of Samoa to the United Nations, addressed to the Secretary-General. A list of geographical coordinates of points was deposited with the Secretary-General under article 16(2) of the Convention (see Maritime Zone Notification M.Z.N.134.2018.LOS of 26 April 2018).

⁸ Table of coordinates available from www.un.org/Depts/los/LEGISLATIONANDTREATIES/STATEFILES/WSM.htm.

SCHEDULE 2
(ORDER 2 (B))

Samoa Territorial Seas Limits Geographic Coordinates

(Horizontal Datum: World Geodetic System 1984)

Samoa Territorial Seas Maritime Limits

The Territorial Seas (12M) shall comprise of a series of successive geographical coordinates as per Article 3 of UNCLOS.

[...] ⁹

SCHEDULE 3
(ORDER 2 (C))

Samoa Contiguous Zone Limits Geographic Coordinates

(Horizontal Datum: World Geodetic System 1984)

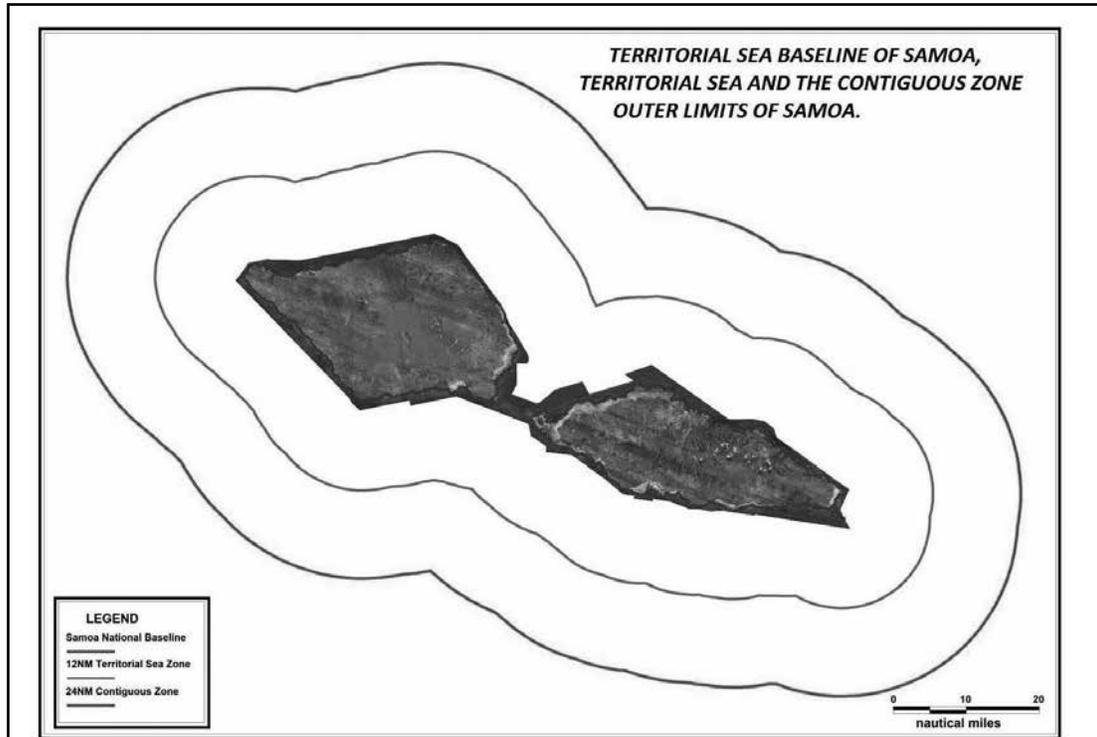
Samoa Contiguous Zone Maritime Limits

The Contiguous Zone (24M) shall comprise of a series of successive geographical coordinates as per Article 33 of UNCLOS.

[...] ¹⁰

SCHEDULE 4
(ORDER 2 (4))

CHART ILLUSTRATION



⁹ Ibid.

¹⁰ Ibid.

3. Algeria

Presidential Decree No. 18-96 establishing an Exclusive Economic Zone off the Coast of Algeria, 20 March 2018¹¹

The President of the Republic,

On the basis of the report of the Minister for Foreign Affairs,

Having regard to the Constitution, in particular articles 13, 18, 91 (6) and 143 (first paragraph) thereof,

Having regard to the United Nations Convention on the Law of the Sea, in particular part V thereof, which was ratified pursuant to Presidential Decree No. 96-53 of 2 Ramadan A.H. 1416, corresponding to 22 January A.D. 1996,

Having regard to the Agreement on the delimitation of maritime boundaries between the People's Democratic Republic of Algeria and the Republic of Tunisia, signed at Algiers on 11 July 2011 and ratified pursuant to Presidential Decree No. 13-316 of 10 Dhu'lqa'dah A.H. 1434, corresponding to 16 September A.D. 2013,

Having regard to Order No. 76-80 of 23 October 1976 on the maritime code, as amended and supplemented,

Having regard to Act No. 79-07 of 21 July 1979 on the customs code, as amended and supplemented,

Having regard to Act No. 90-30 of 1 December 1990 on the law on state property, as amended and supplemented,

Having regard to Act No. 01-11 of 11 Rabi' II A.H. 1422, corresponding to 3 July A.D. 2001, on fisheries and aquaculture, as amended and supplemented,

Having regard to Act No. 02-02 of 22 Dhu'lqa'dah A.H. 1422, corresponding to 5 February A.D. 2002, on coastal protection and development,

Having regard to Act No. 03-10 of 19 Jumada I A.H. 1424, corresponding to 19 July A.D. 2003, on the protection of the environment in the context of sustainable development,

Having regard to Act No. 05-07 of 19 Rabi' I A.H. 1426, corresponding to 28 April A.D. 2005, on hydrocarbons, as amended and supplemented,

Having regard to Act No. 14-05 of 24 Rabi' II A.H. 1435, corresponding to 24 February A.D. 2014, on the law on mining,

Having regard to Act No. 15-21 of 18 Rabi' I A.H. 1437, corresponding to 30 December A.D. 2015, on the framework law on scientific research and technological development,

Having regard to Decree No. 63-403 of 12 October 1963 establishing the extent of the territorial waters,

Having regard to Decree No. 84-181 of 7 Dhu'lqa'dah A.H. 1404, corresponding to 4 August A.D. 1984, determining the baselines from which the breadth of the maritime zones under national jurisdiction is measured,

Having regard to Presidential Decree No. 04-344 of 23 Ramadan A.H. 1425, corresponding to 6 November A.D. 2004, establishing a zone contiguous to the territorial sea,

Having regard to Presidential Decree No. 17-01 of 3 Rabi' II A.H. 1438, corresponding to 2 January A.D. 2017, on the responsibilities and organization of the national coastguard service,

Hereby decrees:

¹¹ *Original*: French. Transmitted by note verbale No. 72/MR/18 dated 4 April 2018 from the Permanent Mission of Algeria to the United Nations, addressed to the Secretary-General. A list of geographical coordinates of points was deposited with the Secretary-General under article 75(2) of the Convention (see Maritime Zone Notification M.Z.N.135.2018.LOS of 17 April 2018).

Article 1

An exclusive economic zone off the coast of Algeria is hereby established.

The outer limits of the exclusive economic zone, calculated from the baselines determined pursuant to the aforementioned Decree No. 84-181 of 4 August 1984, are hereby specified using World Geodetic System 1984 (WGS 84) coordinates, set out in the table annexed to the present Decree.

Article 2

The outer limits of the exclusive economic zone may, where necessary, be modified under bilateral agreements with States whose coasts are adjacent or opposite to the coast of Algeria, in accordance with article 74 of the United Nations Convention on the Law of the Sea of 1982.

Article 3

In its exclusive economic zone, the People's Democratic Republic of Algeria shall exercise its sovereign rights and its jurisdiction in accordance with the United Nations Convention on the Law of the Sea of 1982, in particular part V thereof.

Article 4

The present Decree shall be published in the Official Gazette of the People's Democratic Republic of Algeria.

Done at Algiers on 2 Rajab A.H. 1439, corresponding to 20 March A.D. 2018.

Abdelaziz Bouteflika

ANNEX

Coordinates of the Algerian exclusive economic zone (in degrees and minutes).

[...]¹²

¹² Table of coordinates available from www.un.org/Depts/los/LEGISLATIONANDTREATIES/STATEFILES/DZA.htm.

4. *Suriname*

Maritime Zones Act

Act regulating the Maritime Zones of the Republic of Suriname and amending the Offshore Fisheries Act 1980 and the Mining Decree, 7 April 2017¹³

THE PRESIDENT OF THE REPUBLIC OF SURINAME,

Having considered that for the purposes of Article 2 paragraph 3 of the Constitution of the Republic of Suriname (S.B. 1987 No. 116) as last amended by S.B. 1992 No. 38 it is necessary to lay down new rules relating to the maritime zones of the Republic of Suriname;

Having heard the State Council, following approval of the National Assembly, has ratified the following act:

CHAPTER 1 DEFINITIONS

Article 1

For the purposes of this act and the pertaining provisions the following terms shall have the meanings thereto assigned hereunder:

- a. State: the Republic of Suriname.
- b. Contiguous zone: the maritime zone which is situated directly seaward of the territorial sea and may extend up to a maximum of 24 nautical miles from the baseline. The coastal state has limited powers in the contiguous zone.
- c. Baseline: the line from which the breadth of most maritime zones is measured.
The normal baseline is the low-water line along the coast as marked on large-scale maps officially recognized by the coastal state. In certain cases the coastal state is allowed to draw straight lines joining points and use those as baseline.
- d. Continental shelf: the maritime zone which is directly seaward of the territorial sea and which may extend up to 200 nautical miles from the baseline or up to the outer edge of the continental margin. The coastal state specifically has economic rights over the seabed and the subsoil, as referred to in Article 76 of the Maritime Law Convention.
- e. Equidistant line: the line which is always at the same distance from the baseline of two States.
- f. Exclusive economic zone: the maritime zone which is directly seaward of the territorial sea and which may extend up to 200 nautical miles from the baseline. The coastal state specifically has economic rights over the water column, the seabed and the subsoil, as referred to in Article 55 of the Maritime Law Convention.
- g. Jurisdiction: the competence of a judge or court.
- h. Closing line: the line indicating the boundary between the inland waters and the territorial sea of a state. The closing line may be used to determine the breadth of the territorial sea and other maritime zones of the coastal state.

¹³ Transmitted by note verbale No. DN 020/18 dated 24 April 2018 from the Permanent Mission of the Republic of Suriname to the United Nations, addressed to the Secretariat of the United Nations, transmitting note verbale No. PMSE/DGO/2589/2018 dated 28 March 2018 from the Republic of Suriname Ministry of Foreign Affairs, addressed to the Secretary-General. A list of geographical coordinates of points was deposited with the Secretary-General under articles 16(2), 76(9) and 84(2) of the Convention (see Maritime Zone Notification M.Z.N.131.2017.LOS of 6 June 2018).

- i. Territorial sea: the maritime zone not exceeding 12 nautical miles measured from the baseline. The territorial sea in principle has the same status as the land territory of a state. The coastal state shall have full sovereignty over these areas. However, a right of passage for ships of other countries shall exist in the territorial sea.
- j. Coastguard: the Suriname Coastguard, as referred to in Article 1 of the Coastguard Act.
- k. Low-water line: the zero isobath as marked on the sea charts officially recognized by the Surinamese Government.
- l. International law: also referred to as international public law. Law comprising specifically the rights and duties of states.
- m. High seas: the maritime zone which in general extends beyond the Exclusive Economic Zone, as referred to in Article 86 of the Maritime Law Convention.
- n. Nautical mile: the unit of measurement generally used to express distances at sea. One nautical mile equals 1852 metres.
- o. Maritime Law Convention: the United Nations Convention on the Law of the Sea concluded on 10 December 1982 at Montego Bay.

CHAPTER 2
TERRITORIAL SEA

Article 2

1. The sovereignty of the State extends beyond its land territory and internal waters to an adjacent belt of sea, described as in Article 1 under (i).
2. This sovereignty extends to the air space over the territorial sea as well as to its bed and subsoil.
3. This sovereignty is exercised subject to international law.
4. Subject to international law, ships of all States enjoy the right of innocent passage through the territorial sea.

Article 3

The outer limit of the territorial sea is marked by a line every point of which is at a distance of 12 nautical miles from the nearest point of the baseline, as determined in accordance with Article 4.

CHAPTER 3
BASELINES

Article 4

1. The baseline for measuring the breadth of the territorial sea is:
 - a. the low-water line along the coast;
 - b. the low-water line along low-tide elevations which are submerged at high tide and which are wholly or partly situated within 12 nautical miles from the low-water line along the coast; and,
 - c. the straight baselines as determined in accordance with Article 6.

Article 5

The baseline constitutes the boundary between the inland waters and the territorial sea of the State.

Article 6

1. Geodetic lines are drawn between the below-mentioned points:

- a. Between the western and eastern banks of the Corantijn River: the starting point of the lateral limit of the territorial sea of Suriname on the low-water line along the western bank of the Corantijn River and the point situated at 6° 1' 00" N; 56° 58' 30" W.
 - b. Between the western and eastern banks of the Coppename River: the point situated at 5° 50' 27" N; 56° 06' 24" W and the point situated at 5° 54' 00" N; 55° 57' 00" W.
 - c. Between the western and eastern banks of the Suriname River: the point situated at 5° 58' 32" N; 55° 20' 57" W and the point situated at 5° 57' 11" N; 55° 9' 28" W.
 - d. Between the western bank of the Marowijne River and the end-point of the land frontier between the Republic of Suriname and the French Republic in the Marowijne River: the point situated at 5° 49' 43" N; 54° 01' 01" W and the end-point of the frontier between the Republic of Suriname and the French Republic in the Marowijne River.
2. The straight lines determined in paragraph 1 of this Article also form part of the baseline insofar as these lines are seaward of the low-water line along the coast.
 3. The position of the points mentioned in paragraph 1 above is specified in the WGS 84 (World Geodetic System 1984).
 4. If a shift of the zero isobath as shown on the nautical charts officially recognized by the Surinamese Government results in any point determined under paragraph 1 of this Article to be seaward of the low-water line, a corresponding point which is on or landward of the low-water line may be determined by State Decree.

CHAPTER 4
CONTIGUOUS ZONE

Article 7

The area adjacent to and extending from the outer limit of the territorial sea of the State to a distance of 24 nautical miles measured from the baseline, from which the breadth of the territorial sea is measured, is designated as the contiguous zone.

Article 8

1. In the contiguous zone, the State shall exercise control in order to:
 - a. prevent infringement of its customs, tax, immigration and health laws and regulations which are applicable within its territory or territorial sea;
 - b. punish infringement of the above laws and regulations committed within its territory or territorial sea.
2. By State Decree further rules may be laid down for the purposes of the provisions of the above paragraph 1.
3. It is forbidden for everyone to remove objects of archaeological or historical value from the seabed within the contiguous zone without prior authorization granted by State Decree. Article 11 paragraphs 2 and 3 are applicable to such an authorization.

CHAPTER 5
EXCLUSIVE ECONOMIC ZONE

Article 9

The area adjacent to and extending from the outer limit of the State's territorial sea to a distance of 200 nautical miles measured from the baseline, from which the breadth of the territorial sea is measured, is designated as the exclusive economic zone.

Article 10

1. In the exclusive economic zone the State has:

- a. sovereign rights for the purpose of exploring and exploiting, conserving and managing the natural resources, whether living and non-living, of the seabed and its subsoil as well as the waters super adjacent thereto, and with regard to other activities for the economic exploitation and exploration of the exclusive economic zone, such as the production of energy from the water, currents and winds;
 - b. jurisdiction with regard to:
 - (1) the establishment and use of artificial islands, installations and structures;
 - (2) marine scientific research;
 - (3) the protection and preservation of the marine environment;
 - c. other rights and duties provided for in international law.
2. The State shall exercise its rights and jurisdiction with due regard for international law.

Article 11

1. It is forbidden for everyone, without prior authorization granted by State Decree, to perform in the exclusive economic zone any acts which infringe the sovereign rights as referred to in Article 10 or the jurisdiction relating to the subjects mentioned in Article 10 paragraph 1 under b sub 1 and 2.
2. By State Decree general conditions may be issued which must be met by any concession holder in relation to among other things the protection of the environment, the protection of the freedom of conducting scientific research on the seabed. When granting authorization, specific conditions may be laid down in addition or obligations attached thereto.
3. Any authorization may be revoked at all times on account of acting in contravention of one or more of the conditions or obligations under which the same has been granted and furthermore, at the exclusive discretion of the competent authority, for reasons of public interest or the interests of the State. Any corresponding decision shall mention the reasons on which it is based. Derogation from the foregoing is allowed in special cases.

Article 12

1. It is forbidden for everyone to effect any deliberate disposal of wastes and other matter within the exclusive economic zone, without prior authorization granted by State Decree. Article 11, paragraphs 2 and 3, is applicable to such authorization.
2. Deliberate disposal of wastes and other matter means:
 - a. any deliberate disposal of wastes and other matter from vessels, aircraft, platforms or other man-made structures at sea;
 - b. any deliberate disposal of vessels, aircraft, platforms or other man-made structures at sea;
 - c. storage on the seabed and its subsoil of waste or other matter from vessels, aircraft, platforms or other man-made structures at sea; and,
 - d. abandonment or on-site tilting of platforms or other man-made structures at sea.
3. Deliberate disposal of wastes and other matter does not include:
 - a. the disposal of wastes or other matter incidental to, or derived from the operations of vessels, aircraft, platforms or other man-made structures at sea and their equipment, other than wastes or other matter transported by or to vessels, aircraft, platforms or other man-made structures at sea, operating for the purpose of disposal of such matter or derived from the treatment of such wastes or other matter on such vessels, aircraft, platforms or other man-made structures;
 - b. placement of matter for a purpose other than the mere disposal thereof, provided that such placement is not contrary to the aims of this act or other acts or State Decrees based thereon;
 - c. the disposal of storage of wastes or other matter, directly or indirectly derived from the exploration, the development and the processing at sea of minerals which are found in the seabed;
 - d. irrespective of the provisions under Article 12, paragraph 2 under (d), the abandonment at sea of matter placed for a purpose other than the mere disposal thereof.

Article 13

In the exclusive economic zone, having due regard to international law, all States shall have:

- a. freedom of navigation;
- b. freedom of overflight;
- c. freedom to lay submarine cables and pipelines;
- d. the right to exercise other internationally legitimate uses of the sea incidental to the freedoms mentioned under a, b and c, such as those relating to the normal operations of vessels, aircraft and submarine cables and pipelines.

CHAPTER 6 CONTINENTAL SHELF

Article 14

1. The seabed and the subsoil of the area adjacent to and extending from the outer limit of the territorial sea of the State up to the outer limit indicated in paragraph 2, are designated as the continental shelf.
2. The outer limit of the continental shelf is formed by the geodetic lines between the following fixed points defined by coordinates of latitude and longitude expressed in the WGS 84 (World Geodetic System 1984):
[...]¹⁴
3. If the delineation of the seaward limit of the continental shelf with neighbouring States requires a change of the outer limit of the continental shelf, such change shall be laid down by State Decree with due regard of international law.

Article 15

1. Over the continental shelf the State shall have:
 - a. sovereign rights for the purpose of exploring and exploiting the natural resources of the shelf, including living organisms belonging to the sedentary species, that is to say, organisms which, at the harvestable stage, either are immobile on or under the seabed or are unable to move except in constant physical contact with the seabed or the subsoil;
 - b. jurisdiction with regard to:
 - (1) the establishment and use of artificial islands, installations and structures;
 - (2) marine scientific research;
 - (3) the protection and preservation of the marine environment;
 - c. other rights and duties provided for in international law.
2. The State shall exercise its rights and jurisdiction with due regard for international law.

Article 16

It is forbidden for everyone, without prior authorization granted by State Decree, to perform on the continental shelf any acts which infringe the sovereign rights as referred to in Article 15 or the jurisdiction relating to the subjects mentioned in Article 15 paragraph 1 under b sub 1 and 2. Article 11, paragraphs 2 and 3, is applicable to such authorization.

Article 17

1. It is forbidden for everyone to effect any deliberate disposal of wastes and other matter on the continental shelf, without prior authorization granted by State Decree. Article 11, paragraphs 2 and 3, is applicable to such authorization
2. Article 12, paragraphs 2 and 3, is applicable to the above paragraph.

¹⁴ Table of coordinates available from www.un.org/depts/los/LEGISLATIONANDTREATIES/PDFFILES/DEPOSIT/sur_mzn131_2018.pdf.

Article 18

All States, with due regard to international law, have the freedom to lay submarine cables and pipelines, and the right to exercise other internationally legitimate uses of the sea incidental to this freedom.

Article 19

By State Decree, rules may be laid down for the purposes of the obligations of the State under Article 82 of the Maritime Law Convention.

CHAPTER 7
DELIMITATION AND PUBLICATION

Article 20

If the territorial sea, the contiguous zone, the exclusive economic zone or the continental shelf of the State overlaps with the territorial sea, the contiguous zone, the exclusive economic zone or the continental shelf of a neighbouring State, the sideward limit of these zones shall be established by means of agreement with the State concerned on the basis of international law.

Article 21

The Minister of Foreign Affairs shall publish the baseline, the outer limits of the territorial sea, the contiguous zone, the exclusive economic zone and the continental shelf of the State and the boundaries of these zones as established in accordance with Article 20.

CHAPTER 8
PENAL PROVISIONS

Article 22

Any deliberate infringement of regulations given by or in virtue of this act shall be punishable with imprisonment not exceeding six years and a fine of the sixth category.

Article 23

Non-deliberate infringement of the regulations given by or in virtue of this act shall be punishable with imprisonment not exceeding one year and a fine of the third category, or with either one of these penalties.

Article 24

He who does not, or does not timely or wholly meet one or more of the conditions attached to the authorization as referred to in Articles 8, 11, 12, 16 and 17 or acts in contravention of such conditions, shall be liable to punishment with imprisonment not exceeding six months and a fine of the third category, or with either one of these penalties.

Article 25

The acts made punishable under Article 22 are considered as crimes and those made punishable under Articles 23 and 24 are considered as offences.

Article 26

The objects used to commit the punishable acts described in Articles 22, 23 and 24, as well as the proceeds from the punishable act, may be confiscated in accordance with the Criminal Code.

Article 27

1. If the perpetrator is unknown, or has died before the start of the prosecution, confiscation may be effected by judicial order at request of the Public Prosecutions Department.
2. The order shall be publicized by the Court Clerk in the Official Gazette of the Republic of Suriname and/or in one or more newspapers to be designated by the Court.

3. The order shall take effect, unless any interested party files an objection with the Court Registry within 30 days from its publication and further investigation does not offer proof that any punishable act has been committed with regard to the items concerned.

4. The Procurator General may bring an appeal to the Court of Justice against the orders given by virtue of paragraph 1, within fourteen days. The same applies to orders given in relation to any objection filed by virtue of paragraph 3.

Article 28

1. In addition to the persons designated by Article 134 of the Code of Criminal Procedure, also charged with detecting acts made punishable under or by virtue of this act are the authorized investigating officers of the Suriname Coast Guard and the persons designated by the Ministers of Foreign Affairs, of Agriculture, Animal Husbandry and Fisheries and of Natural Resources, in consultation with the Minister responsible for judicial affairs and the Procurator General.

2. The investigating officers are authorized at all times to confiscate, or demand delivery for the purposes of confiscation, all objects which may serve to detect the truth or which may be ordered confiscated, destroyed or rendered inoperable.

Article 29

1. If the items confiscated pursuant to Article 28 comprise perishable goods or objects, the Procurator General may grant permission to sell such goods or objects.

2. Such sale shall be effected in public by investigating officers in accordance with the relevant provisions in the Criminal Code.

CHAPTER 9

AMENDMENT OF THE 1980 SEA FISHERIES ACT AND THE MINING DECREE

Article 30

The following amendments shall be effected in the 1980 Sea Fisheries Act:

A. Article 1 sub a shall read as follows:

“the act: the Maritime Zones Act of the State.

B. Article 1 sub d shall read as follows:

“fishing zone: a zone which includes both the territorial sea, referred to and described in Articles 1, 2 and 3 of the Maritime Zones Act, and the exclusive economic zone, referred to and described in Articles 1, 9 and 10 of the Maritime Zones Act, as well as the continental shelf, referred to and described in Articles 1, 14 and 15 of the Maritime Zones Act.

Article 31

The following amendments shall be effected in the Mining Decree:

A. In Article 2 paragraph 2 the phrase “the Act of 14 April 1978 (S.B. 1978 No. 26)” shall be replaced by: “the Maritime Zones Act”.

B. In Article 2 paragraph 3 the sentence ‘In the economic zone, i.e. the maritime area adjacent to the territorial sea of the Republic of Suriname, which zones is described in Article 3 of the Act of Act of 14 April 1978 (S.B. 1978 No. 26)’ shall be replaced by: ‘the exclusive economic zone, which is described and determined in Article 1 sub f and Article 9 of the Maritime Zones Act’.

C. Article 2 paragraph 4 shall read:

On the continental shelf. i.e. the seabed and its subsoil of the zone beyond the territorial sea, referred to and described in Articles 14 and 15 of this act, the State shall exercise also exclusive sovereign rights in relation to the exploration and exploitation of minerals.

CHAPTER 10
GENERAL, TRANSITIONAL AND FINAL PROVISIONS

Article 32

1. If the matters provided for in this act require further regulation in the interest of an appropriate implementation of this act, this may be arranged by State Decree.
2. On the entry into force of this act, the Act of 14 April 1978 providing for the extension of the territorial sea of the Republic of Suriname and the establishment of the adjacent economic zone (S.B. 1978 No. 26) shall be repealed.

Article 33

The following annexes pertaining to this act shall be an integral part of this Act:

1. Chart of the outer limit of the Maritime Zones of the State.
2. List of geographical coordinates of the outer limit of the continental shelf of the State.

Article 34

1. Without prejudice to the provisions of this act, the State exercises its supervisory and protective functions in the territorial sea, the exclusive economic zone and the continental shelf, in accordance with or pursuant to:
 - 1°. the Act Establishing the Coast Guard;
 - 2°. the Sea Fisheries Act 1980;
 - 3°. the Fisheries Resources Protection Act 1961;
 - 4°. the Shipping Act;
 - 5°. the Mining Decree;
 - 6°. the Criminal Code;
2. The list of acts as referred to under paragraph 1 may be amended by State Decree.

Article 35

1. This act may be cited as: Maritime Zones Act.
2. It shall be published in the Bulletin of Acts and Decrees of the Republic of Suriname.
3. It shall become effective as of the day following the day of its promulgation.
4. The Ministers of Natural Resources, of Agriculture, Animal Husbandry and Fisheries, and of Foreign Affairs shall be in charge of the implementation of this Act.

Done in Paramaribo, on 7 April 2017

DESIRÉ D. BOUTERSE

Issued in Paramaribo, 5 May 2017

The Minister of Home Affairs,

M.M.F. NOERSALIM.

EXPLANATORY MEMORANDUM¹⁵

¹⁵ See www.un.org/depts/los/LEGISLATIONANDTREATIES/PDFFILES/DEPOSIT/sur_mzn131_2018.pdf.

5. Spain

*Royal Decree No. 236/2013 establishing the Exclusive Economic Zone of Spain in the Northwest Mediterranean, 5 April 2013*¹⁶

The United Nations Convention on the Law of the Sea (UNCLOS), of 10 December 1982, defines the Exclusive Economic Zone (EEZ), establishes the rights and duties of the coastal State and of third States regarding the Zone, and specifies how it is to be delimited.

Articles 55 and 57 state that “The exclusive economic zone is an area beyond and adjacent to the territorial sea”, which “shall not extend beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured”. In the case of countries with opposite or adjacent coasts, article 74.1, states that the delimitation of the zone “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”.

As regards the rights of the coastal State, article 56.1 of the Convention establishes that it has “(a) sovereign rights for the purpose of exploring and exploiting, conserving and managing the natural resources, whether living or non-living, of the waters superjacent to the seabed and of the seabed 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 as provided for in the relevant provisions of this Convention 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; (c) other rights and duties provided for in this Convention”.

Although it predates Spain’s accession to the UNCLOS, Act 15/1978, of 20 February, regulating the Economic Zone of the Sea and its Beaches, regulates said zone in terms that are fully consistent with the Convention because it reflects the customary international law existing at the time of its promulgation. Its sphere of application is in principle limited, as noted in Final Provision One, to “the Atlantic coasts of Spain, both of the mainland and of the islands, including the coasts on the Cantabrian Sea”. However, the Act “empowers the Government to extend these provisions to other coasts of Spain”.

Accordingly, in exercise of the option allowed to the Government by Act 15/1978, of 20 February, in view of the growing importance of exploitation of the resources existing in the EEZ in the Mediterranean, and for the purposes set forth in the UNCLOS, namely to allow the coastal State to exercise its sovereign rights, Spain is establishing its own EEZ in the Northwest Mediterranean, without prejudice to its extension in future to other Spanish coasts.

Wherefore, on the joint proposal of the Ministries of Foreign Affairs and Cooperation; of Defence; of Industry, Energy and Tourism; of Agriculture, Food and the Environment; and of the Economy and Competitiveness; and following deliberation by the Council of Ministers at its meeting of 5 April 2013,

I HEREBY DECREE:

Article 1

Establishment of an Exclusive Economic Zone of Spain in the Northwest Mediterranean Sea

An Exclusive Economic Zone of Spain is hereby established in the Northwest Mediterranean, starting from the outer limit of the territorial sea, up to coordinate point Lat. 35° 57.46' North; Long. 2° 5.31' West (WGS 84 datum), bearing 173° (S007 E) from Cabo de Gata, at a distance of 46 nautical miles from the above-mentioned coordinate point, and continuing eastward to the equidistant line between the coastal States, drawn in conformity with international law, up to the maritime boundary with France, as detailed in the table below.

[...]¹⁷

¹⁶ *Original:* Spanish. Transmitted by note verbale No. 176 FP/ot dated 25 June 2013 from the Permanent Mission of Spain to the United Nations, addressed to the Secretariat of the United Nations.

Note from the editor: This legislation was not published earlier due to a technical oversight.

¹⁷ Table of coordinates available from www.un.org/depts/los/LEGISLATIONANDTREATIES/PDFFILES/ESP_2013_Decree_eng.pdf.

Article 2
Modification of the Zone established in the preceding Article

The limits specified in the preceding Article may, if necessary, be modified in the light of any delimitation agreements to be concluded with the affected coastal State, under article 74 of the United Nations Convention on the Law of the Sea, of 10 December 1982.

Final Provision
Entry into force

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

Done in Madrid, on 5 April 2013.
JUAN CARLOS R.

SORAYA SÁENZ DE SANTAMARÍA ANTÓN
Vice-President of the Government, Minister of the Presidency

B. BILATERAL TREATIES

*Treaty between the Solomon Islands and the Republic of Vanuatu concerning their Maritime Boundaries, 7 October 2016*¹⁸

THE SOVEREIGN STATE OF THE SOLOMON ISLANDS AND THE REPUBLIC OF VANUATU;
DESIRING to strengthen the bonds of friendship and cultural ties between the two States, based upon historical linkage that is founded in the spirit of Melanesia whilst respecting international norms;

AGREED to the Memorandum of Settlement signed in Honiara, Solomon Island on the 12th day of November 2015;

RECOGNIZING the need to effect a precise and equitable delimitation of their respective exclusive economic zone, where the two states, each exercise sovereign rights;

CONSISTENT with the rules and principles of international law as reflected in the United Nations Convention on the Law of the Sea, done at Montego Bay on 10 December 1982, to which both the Solomon Islands and the Republic of Vanuatu are State parties, and, in particular, Article 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;

HAVE AGREED AS FOLLOWS:

Article 1

Maritime Boundary between the Solomon Islands and the Republic of Vanuatu

1. The line of delimitation between the exclusive economic zones and continental shelves over which each State respectively exercises sovereign rights and jurisdiction in accordance with international law lies seaward of Rennell-Bellona-Indispensable Reef Archipelago, Main Group Archipelago, Santa Cruz Archipelago, Tikopia and Fatutaka in the Solomon Islands and Vanuatu Archipelago in the Republic of Vanuatu respectively, along geodesics connecting the following points, defined by their coordinates (expressed in WGS 84) in the order stated below:

[...]¹⁹

2. The line of delimitation referred to in paragraph 1 of this article is partially diverted from the equidistance between the Republic of Vanuatu and the Solomon Islands.

3. The points defined by geographic coordinates in paragraph 1 of this Article are determined by reference to the World Geodetic System 1984 ("WGS 84").

4. The lines described in paragraph 1 of this Article is drawn for illustrative purposes only on the chart forming Annex 1 to this Agreement.

Article 2

Extended Continental Shelf

If it becomes necessary to extend the delimitation referred to in article 1 for the purpose of furthering delimiting the continental shelf adjacent to Solomon Islands and the Republic of Vanuatu, which are beyond their respective exclusive economic zones, that line shall be extended by agreement in accordance with international law.

¹⁸ Transmitted by notes verbales No. 04.7/18 dated 18 April 2018 from the Permanent Mission of the Republic of Vanuatu to the United Nations, and No. 08/18 dated 19 April 2018 from the Permanent Mission of Solomon Islands to the United Nations, respectively, addressed to the Secretary-General. Lists of geographical coordinates of points were deposited with the Secretary-General under Articles 75(2) and 84(2) of the Convention (see Maritime Zone Notifications M.Z.N.136.2018.LOS of 26 April 2018 and M.Z.N.137.2018.LOS of 26 April 2018).

¹⁹ Table of coordinates available from www.un.org/depts/los/LEGISLATIONANDTREATIES/PDFFILES/TREATIES/slb_vut_wsm_2016.pdf.

Article 3
Sovereign Rights

The line described above in article 1 of this Agreement shall define the maritime boundary between the exclusive zones and continental shelves over which the Parties exercise, or will exercise, sovereign rights and jurisdiction under international law.

Article 4
Dispute Resolution

Any dispute arising between the parties concerning the interpretation or the application of this Agreement shall be resolved peacefully by consultation and negotiation in the spirit of our common cultural norms and in accordance with international law and best practice.

Article 5
Adjustment to Maritime Boundary

In the event that new surveys reveal significant adjustments to the location of base point coordinates that require adjustments of the maritime boundary, the Parties shall consult with the view to agreeing upon any necessary adjustment to the line described in Article 1, applying the same principles as those used in determining the maritime boundary, and such adjustments shall be provided for in a Protocol to this Agreement.

Article 6
Agreed GIS Software for Determination of Median Line

The parties agree to use the most appropriate and current GIS software for determination of median line and adjustments to the maritime boundary.

Article 7
Non-living Marine Resources Straddling the Boundary

If any single accumulation or deposit of non-living marine resources extends across the maritime boundary line described in Article 1, and if one Party by exploiting that accumulation or deposit would withdraw, deplete, or draw down the portion of the accumulation or deposit that is on the other Party's side of the boundary line, then before the accumulation or deposit is exploited, the Parties shall consult with a view toward reaching an agreement on the manner in which the accumulation or deposit may be most effectively exploited and on the equitable sharing of the benefits from such exploitation.

Article 8
Notification

Each Party to this Agreement shall notify the other of the completion of its national process to bring this Agreement into force.

Article 9
Agreement Deposit

Upon the completion of all national process bringing this Agreement into force, each party shall take all the necessary steps to lodge this Agreement, including the Coordinates in Article 1, with the appropriate International Bodies.

Article 10
Entry into Force

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

IN WITNESS WHEREOF, the representatives of the two States, being duly authorized for this purpose, have signed this Agreement and have affixed thereto their seals.

DONE in duplicate at Motalava, Torba Province, Republic of Vanuatu on this Friday October Seventh 2016 in the English and French language.

FOR THE SOLOMON ISLANDS

[Signed]

Hon. Maneseh Damukana Sogovare

Prime Minister of the Solomon Islands

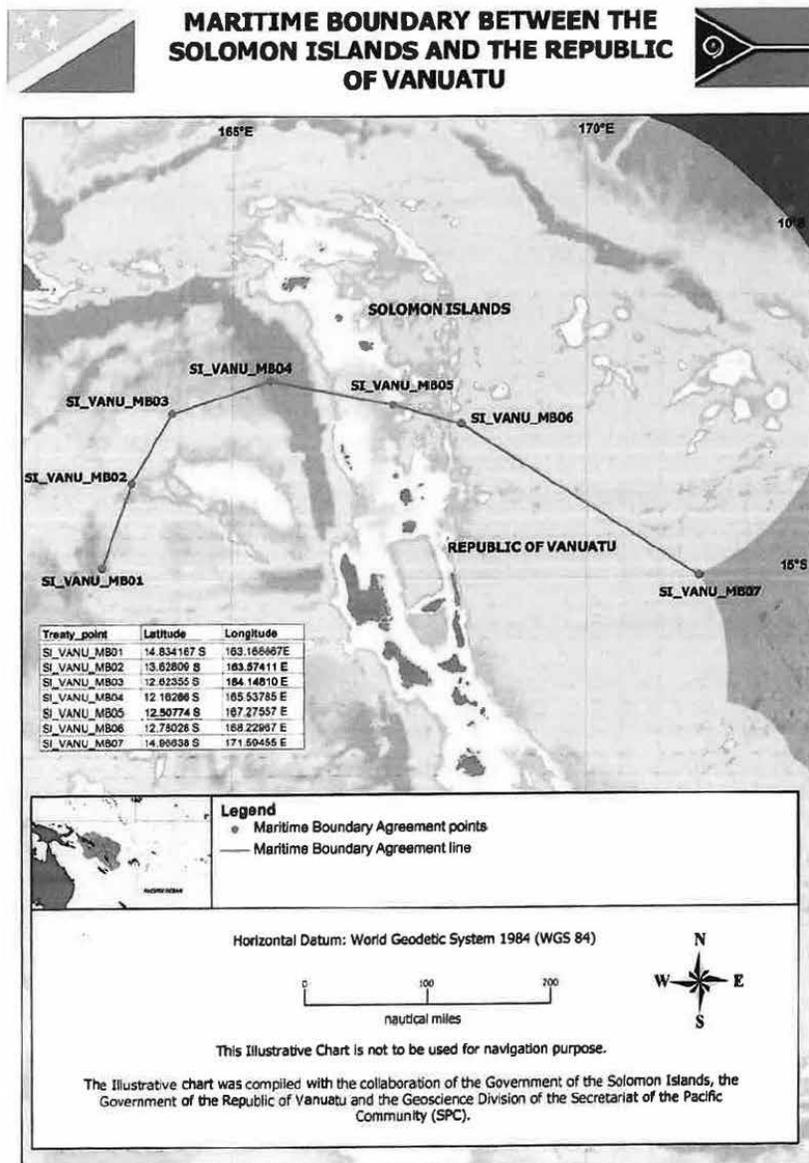
FOR THE REPUBLIC OF VANUATU

[Signed]

Hon. Charlot Saiwai Tabimasmas

Prime Minister of the Republic of Vanuatu

ANNEX I



III. COMMUNICATIONS BY STATES

CYPRUS

Letter from the Chargé d’Affaires of the Permanent Mission of the Republic of Cyprus to the United Nations, addressed to the Secretary-General of the United Nations, 9 August 2017²⁰

Your Excellency,

Upon instructions from my Government, and further to my letter dated 3 May 2017, I regret to inform you that Turkey continues its provocative and unlawful actions in the Eastern Mediterranean against the Republic of Cyprus through new illegal seismic survey operations in Cyprus’ continental shelf and exclusive economic zone.

The Turkish survey vessel *Barbaros Hayreddin Paşa*, owned by TPAO, the state-owned petroleum company of the Republic of Turkey, supported by the vessels *Apollo Moon* and *Bravo Supporter*, has commenced seismic surveys, on 17 July 2017, in the south-west maritime areas of Cyprus, and more specifically in an area that borders the outer limit of the territorial sea of the Republic of Cyprus and covers part of the Republic’s continental shelf and exclusive economic zone, particularly parts of Blocks 6, 7 and 1 (please see attached map). I would like to add that Block 6 has been assigned by the Government of the Republic of Cyprus to the Eni / TOTAL consortium for exploration and exploitation of possible hydrocarbon reserves in the seabed subsoil.

For that purpose, Turkey had already issued, on 17 July 2017, a navigational telex NR711/17(NAVTEX), purporting to reserve the above marine area for a period between 17 July until 16 December 2017, for the purpose of carrying out illegal seismic surveys.

I need to stress that this new NAVTEX has also been issued in violation of the rules and regulations of the International Maritime Organization, and emphasize that this practice by Turkey in relation to activities within the Search and Rescue Region of Cyprus, most importantly, endangers the safety of navigation in the Eastern Mediterranean.

The aforementioned seismic surveys, that follow those illegally carried out during the period April–June 2017 off the coast of Famagusta, constitute an additional new blatant violation by Turkey of sovereign rights of the Republic of Cyprus under international law and, in particular, the 1982 United Nations Convention on the Law of the Sea (UNCLOS), whose relevant provisions have long been crystallized into customary international law and, therefore, are binding upon Turkey, albeit it is not a party to the UNCLOS.

The Republic of Cyprus exercises sovereignty, sovereign rights and jurisdiction in accordance with international law over the maritime zones adjacent to the island of Cyprus, including those to be covered by the illegal seismic surveys of *Barbaros*. Turkey has no legal standing whatsoever to conduct exploration and/or exploitation activities therein, with respect to the natural resources of the island without the consent of the legitimate and internationally recognized Government of the Republic of Cyprus.

Unfortunately, Turkey’s provocative policy of interfering with the Republic of Cyprus’ sovereignty and sovereign rights is also reflected in its recently increased military presence in the Eastern Mediterranean and the conduct of military exercises using live ammunition within the territorial sea and the continental shelf/exclusive economic zone of Cyprus, as well as within the national airspace and Nicosia FIR, in the vicinity of the coasts of Cyprus.

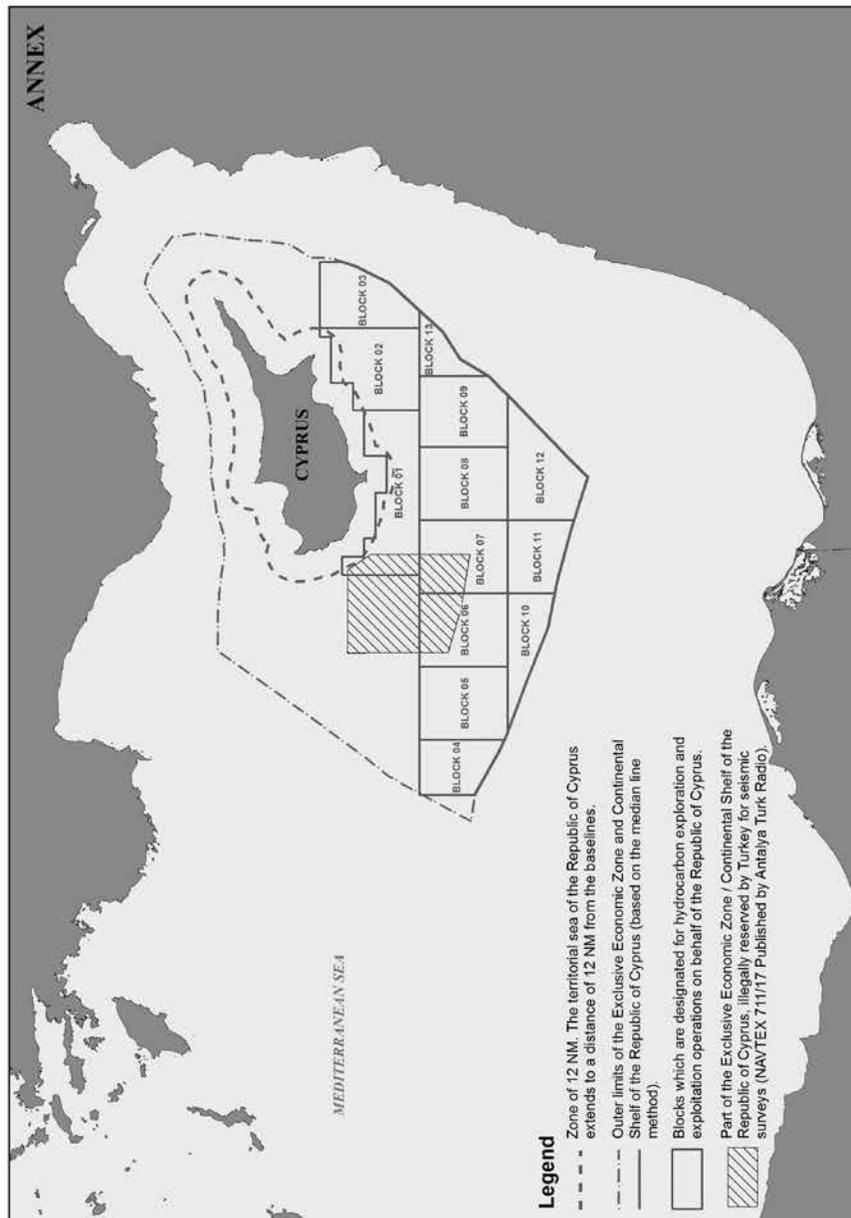
What is more, Turkey continues to threaten the Republic of Cyprus through public statements, urging the latter to cease its hydrocarbon-related activities and calling on international oil and gas companies to suspend their cooperation with the Government of the Republic, threatening them with sanctions such as their exclusion from the Turkish market. Ankara, for some time now, applies “gun-boat” diplomacy with the harassment of vessels conducting surveys and marine scientific research on behalf of or with the permission of the Republic of Cyprus in its maritime zones and attempts to interrupt the energy planning of the Government through intimidation and threats.

²⁰ *Note from the editor:* Publication of this letter was requested by the Permanent Mission of the Republic of Cyprus to the United Nations on 5 June 2018.

The abovementioned Turkish actions, as well as their timing, give rise to grave concerns. These developments instigated by Turkey, following its intransigent positions that led the Crans Montana negotiations at an impasse, clearly result in sustaining a climate of mistrust and further complicate any future prospects of a settlement based on the UN parameters. Moreover, they enhance our questioning as to Turkey's sincerity and political will towards reaching a comprehensive settlement of the Cyprus question.

Therefore, my Government kindly requests your assistance in conveying a strong message to the Government of Turkey, to the effect that the Republic of Turkey must comply with international law, respect the sovereignty, sovereign rights and jurisdiction of the Republic of Cyprus, cease its illegal seismic survey operations in Cyprus' marine areas and refrain from actions which jeopardize the future peace process on the island, as well as the maintenance of international peace and security in the Eastern Mediterranean.

[...]



IV. OTHER INFORMATION RELEVANT TO THE LAW OF THE SEA

A. LIST OF CONCILIATORS AND ARBITRATORS NOMINATED UNDER ARTICLE 2 OF ANNEXES V AND VII TO THE CONVENTION AS AT 31 JULY 2018²¹

<i>State Party</i>	<i>Nominations</i>	<i>Date of deposit of notification with the Secretary-General</i>
Algeria	Mr. Boualem Bouguetaia, Judge and Vice-President, International Tribunal for the Law of the Sea	23 November 2016
Argentina	Dr. Frida María Armas Pfrirer, Conciliator and Arbitrator	28 September 2009
	Prof. Marcelo Gustavo Kohen, Conciliator and Arbitrator	4 September 2013
	Minister Holger Federico Martinsen, Conciliator and Arbitrator	4 September 2013
	Minister Mario Oyarzábal, Legal Adviser, Ministry of Foreign Relations and Worship, Argentine Republic; Law Professor, University of La Plata; Conciliator and Arbitrator	19 March 2018
Australia	Mr. Henry Burmester QC, former Chief General Counsel, Australian Government Solicitor; former head, Attorney-General's Department, Office of International Law; Conciliator and Arbitrator	19 August 1999, 10 April 2017
	Prof. Ivan Shearer AM, Emeritus Professor of Law, University of Sydney; Adjunct Professor of Law, University of South Australia; Australian nominated Member, Permanent Court of Arbitration; Judge ad hoc, International Tribunal for the Law of the Sea; Arbitrator	19 August 1999, 10 April 2017
	Dr. Rosalie Balkin, former Director of Legal Affairs and External Relations; former Secretary of the Legal Committee; former Assistant Secretary-General, International Maritime Organization; Conciliator	10 April 2017
	Mr. Bill Campbell PSM QC, General Counsel of International Law, Attorney-General's Department, Office of International Law; Conciliator and Arbitrator	10 April 2017
Austria	Prof. Dr. Gerhard Hafner, Department of International Law and International Relations, University of Vienna; Member, Permanent Court of Arbitration, The Hague; Conciliator, OSCE Court of Conciliation and Arbitration; former Member, International Law Commission; Conciliator and Arbitrator	9 January 2008
	Prof. Dr. Gerhard Loibl, Professor, Diplomatic Academy of Vienna; Conciliator and Arbitrator	9 January 2008
	Ambassador Dr. Helmut Tichy, Deputy Head of the Office of the Legal Adviser, Austrian Federal Ministry for European and International Affairs; Conciliator and Arbitrator	9 January 2008
	Ambassador Dr. Helmut Türk, Judge, International Tribunal for the Law of the Sea; Member, Permanent Court of Arbitration, The Hague; Conciliator and Arbitrator	9 January 2008
Belgium	Prof. Erik Franckx, President, Department of International and European Law, Vrije University Brussels; Arbitrator	1 May 2014
	Mr. Philippe Gautier, Registrar, International Tribunal for the Law of the Sea; Arbitrator	1 May 2014
Brazil	Walter de Sá Leitão, Conciliator and Arbitrator	10 September 2001
	Dr. Rodrigo Fernandes More, Conciliator and Arbitrator	9 February 2018

²¹ See *Multilateral Treaties Deposited with the Secretary-General*, chap. XXI, sect. 6.

<i>State Party</i>	<i>Nominations</i>	<i>Date of deposit of notification with the Secretary-General</i>
Chile	Helmut Brunner Nöer, Conciliator	18 November 1998
	Rodrigo Díaz Albónico, Conciliator	18 November 1998
	Carlos Martínez Sotomayor, Conciliator	18 November 1998
	Eduardo Vío Grossi, Conciliator	18 November 1998
	José Miguel Barros Franco, Arbitrator	18 November 1998
	María Teresa Infante Caffi, Arbitrator	18 November 1998
	Edmundo Vargas Carreño, Arbitrator	18 November 1998
	Fernando Zegers Santa Cruz, Arbitrator	18 November 1998
Costa Rica	Carlos Fernando Alvarado Valverde, Conciliator and Arbitrator	15 March 2000
Cyprus	Ambassador Andrew Jacovides, Conciliator and Arbitrator	23 February 2007
	Ms. Christine G. Hioureas, Conciliator and Arbitrator	15 January 2016
Czech Republic	Dr. Václav Mikulka, Conciliator and Arbitrator	27 March 2014
Estonia	Mrs. Ene Lillipuu, Head, Legal Department, Estonian Maritime Administration; Conciliator and Arbitrator	18 December 2006
	Mr. Heiki Lindpere, Director, Institute of Law, University of Tartu; Conciliator and Arbitrator	18 December 2006
Finland	Prof. Kari Hakapää, Conciliator and Arbitrator	25 May 2001
	Prof. Martti Koskenniemi, Conciliator and Arbitrator	25 May 2001
	Justice Gutav Möller, Conciliator and Arbitrator	25 May 2001
	Justice Pekka Vihervuori, Conciliator and Arbitrator	25 May 2001
France	Allan Pellet, Arbitrator	16 December 2015
	Pierre-Marie Dupuy, Arbitrator	4 February 1998
	Jean-Pierre Queneudec, Arbitrator	4 February 1998
	Laurent Lucchini, Arbitrator	4 February 1998
Germany	Dr. (Ms.) Renate Platzoeder, Arbitrator	25 March 1996
Ghana	H.E. Judge Dr. Thomas A. Mensah, former Judge and First President, International Tribunal of the Law of the Sea; Conciliator and Arbitrator	30 May 2013
	Prof. Martin Tsamenyi, Professor of Law, University of Wollongong, Australia; Director, Australian National Center for Ocean Resources and Security (ANCORS); Conciliator and Arbitrator	30 May 2013
Guatemala	Minister Counsellor Lesther Antonio Ortega Lemus, Conciliator and Arbitrator	26 March 2014
Iceland	Ambassador Gudmundur Eiriksson, Conciliator and Arbitrator	13 September 2013
	Tomas H. Heidar, Legal Adviser, Ministry for Foreign Affairs; Conciliator and Arbitrator	13 September 2013
Indonesia	Prof. Dr. Hasjim Djalal, M.A., Conciliator and Arbitrator	3 August 2001
	Dr. Etty Roesmaryati Agoes, SH, LLM, Conciliator and Arbitrator	3 August 2001
	Dr. Sudirman Saad, D.H., M.Hum, Conciliator and Arbitrator	3 August 2001
	Lieutenant Commander Kresno Bruntoro, SH, LLM, Conciliator and Arbitrator	3 August 2001
Italy	Prof. Umberto Leanza, Conciliator and Arbitrator	21 September 1999
	Ambassador Luigi Vittorio Ferraris, Conciliator	21 September 1999
	Ambassador Giuseppe Jacoangeli, Conciliator	21 September 1999
	Prof. Tullio Scovazzi, Arbitrator	21 September 1999
	Paolo Guido Spinelli, former Chief, Service for Legal Affairs, Diplomatic Disputes and international Agreements, Ministry of Foreign Affairs; Conciliator	28 June 2011
	Maurizio Maresca, Arbitrator	28 June 2011
	Tullio Treves, Arbitrator	28 June 2011

<i>State Party</i>	<i>Nominations</i>	<i>Date of deposit of notification with the Secretary-General</i>
Japan	Judge Hisashi Owada, Judge, International Court of Justice; Arbitrator	28 September 2000
	Dr. Nisuke Ando, Professor Emeritus, Kyoto University; Arbitrator	28 September 2000
	Judge Shunji Yanai, President, International Tribunal for the Law of the Sea; Conciliator and Arbitrator	4 October 2013
	Dr. Masaharu Yanagihara, Professor, Open University of Japan; Conciliator and Arbitrator	25 September 2017
	Dr. Shigeki Sakamoto, Professor, Doshisha University; Arbitrator	25 September 2017
Lebanon	H.E. Dr. Joseph Akl, Judge, International Tribunal of the Law of the Sea; Arbitrator	31 January 2014
Madagascar	Dr. Francis Zafindrandremitambahoaka Marson, Arbitrator	6 April 2018
	Dr. Leonide Ylenia Randrianarisoa, Conciliator and Arbitrator	6 April 2018
	Dr. Pablo Ferrara, Arbitrator	6 April 2018
	Dr. Ioannis Konstantinidis, Arbitrator	6 April 2018
	Mr. Jean Baptiste Beresaka, Conciliator	6 April 2018
	Mr. Charles Sylvain Rabotoarison, Conciliator	6 April 2018
	Mr. Dominique Jean Olivier Rakotozafy, Conciliator	6 April 2018
Mauritius	Mr. Dheerendra Kumar Dabee, G.O.S.K., SC, Solicitor-General, Arbitrator	5 November 2014
	Ambassador Milan J.N. Meetarbhan, G.O.S.K., Permanent Representative, Mauritius; Arbitrator	5 November 2014
	Ms. Aruna Devi Narain, Parliamentary Counsel, Arbitrator	5 November 2014
	Mr. Philippe Sands, QC, Professor, Arbitrator	5 November 2014
Mexico	Ambassador Alberto Székely Sánchez, Special Adviser to the Secretary for International Waters Affairs, Arbitrator	9 December 2002
	Dr. Alonso Gómez Robledo Verduzco, Researcher, Institute of Legal Research, National Autonomous University of Mexico; Member, Inter-American Legal Committee of the Organization of American States; Arbitrator	9 December 2002
	Frigate Captain JN. LD. DEM. Agustín Rodríguez Malpica Esquivel, Chief, Legal Unit, Secretariat of the Navy; Arbitrator	9 December 2002
	Frigate Lieutenant SJN.LD. Juan Jorge Quiroz Richards, Secretariat of the Navy; Arbitrator	9 December 2002
	Ambassador José Luis Vallarta Marrón, former Permanent Representative of Mexico to the International Seabed Authority; Conciliator	9 December 2002
	Dr. Alejandro Sobarzo, Member of the national delegation to the Permanent Court of Arbitration; Conciliator	9 December 2002
	Joel Hernández García, Deputy Legal Adviser, Ministry of Foreign Affairs; Conciliator	9 December 2002
	Dr. Erasmo Lara Cabrera, Director of International Law III, Legal Adviser, Ministry of Foreign Affairs; Conciliator	9 December 2002
	Prof. Rüdiger Wolfrum, Arbitrator	22 February 2005
Prof. Jean-Pierre Cot, Arbitrator	22 February 2005	
Netherlands	E. Hey, Arbitrator	9 February 1998
	Prof. A. Soons, Arbitrator	9 February 1998
	Prof. Dr. Liesbeth Lijnzaad, Legal Adviser, Ministry of Foreign Affairs; Conciliator and Arbitrator	14 February 2017
	Prof. Dr. Alex Oude Elferink, Director, Netherlands Institute for the Law of the Sea; Arbitrator	14 February 2017
	Prof. Dr. René Lefeber, Deputy Legal Adviser, Ministry of Foreign Affairs; Conciliator	14 February 2017

<i>State Party</i>	<i>Nominations</i>	<i>Date of deposit of notification with the Secretary-General</i>
Norway	Supreme Court Judge Hilde Indreberg, Conciliator and Arbitrator	10 August 2017
	Supreme Court Judge Henrik Bull, Conciliator and Arbitrator	10 August 2017
	H.E. Rolf Einar Fife, Ambassador, Norway to France; Conciliator and Arbitrator	10 August 2017
	H.E. Margit Tveiten, Director General, Norwegian Ministry of Foreign Affairs; Conciliator and Arbitrator	10 August 2017
Poland	Mr. Janusz Symonides, Conciliator and Arbitrator	14 May 2004
	Mr. Stanislaw Pawlak, Conciliator and Arbitrator	14 May 2004
	Mrs. Maria Dragun-Gertner, Conciliator and Arbitrator	14 May 2004
Portugal	Prof. José Manuela Pureza, Conciliator	5 October 2011
	Dr. João Madureira, Conciliator	5 October 2011
	Dr. Mateus Kowalski, Conciliator	5 October 2011
	Dr. Tiago Pitta e Cunha, Conciliator	5 October 2011
Republic of Korea	Prof. Nuno Sérgio Marques Antunes, Arbitrator	5 October 2011
	Prof. Jin-Hyun Paik, Conciliator and Arbitrator	14 February 2013
Romania	Mr. Bogdan Aurescu, Secretary of State, Ministry of Foreign Affairs; Member of the Permanent Court of Arbitration; Arbitrator	2 October 2009
	Mr. Cosmin Dinescu, Director General for Legal Affairs, Ministry of Foreign Affairs; Arbitrator	2 October 2009
Russian Federation	Vladimir S. Kotliar, Arbitrator	26 May 1997
	Prof. Kamil A. Bekyashev, Arbitrator	4 March 1998
	Mr. Alexander N. Vylegjanin, Director, Legal Department, Council for the Study of Productive Forces, Russian Academy of Science; Arbitrator	17 January 2003
Singapore	Prof. S. Jayakumar, Professor of Law, National University of Singapore; Conciliator and Arbitrator	5 April 2016
	Prof. Tommy Koh, Professor of Law, National University of Singapore; Ambassador-at-large; Conciliator and Arbitrator	5 April 2016
	Mr. Chan Sek Keong, retired Chief Justice, former Attorney-General; Conciliator and Arbitrator	5 April 2016
	Mr. Lionel Yee Woon Chin S.C., Solicitor-General; Conciliator and Arbitrator	5 April 2016
Slovakia	Dr. Marek Smid, International Law Department, Ministry of Foreign Affairs; Conciliator	9 July 2004
	Dr. Peter Tomka, Judge, International Court of Justice; Arbitrator	9 July 2004
South Africa	Judge Albertus Jacobus Hoffmann, Vice-President, International Tribunal for the Law of the Sea; Arbitrator	25 April 2014
Spain	José Antonio de Yturriaga Barberán, Ambassador-at-large; Conciliator and Arbitrator	23 June 1999
	Juan Antonio Yáñez-Barnuevo García, Ambassador-at-large; Conciliator	23 June 1999
	Aurelio Pérez Giralda, Chief, International Legal Advisory Assistance, Ministry of Foreign Affairs; Conciliator	23 June 1999
	José Antonio Pastor Ridruejo, Judge, European Court of Human Rights; Arbitrator	23 June 1999
	D. Juan Antonio Yáñez-Barnuevo García, Arbitrator	26 March 2012
	Da Concepción Escobar Hernández, Conciliator and Arbitrator	26 March 2012
Sri Lanka	Hon. M.S. Aziz, P.C., Conciliator and Arbitrator	17 January 1996
	C. W. Pinto, Secretary-General, Iran–US Tribunal in the Hague; Conciliator and Arbitrator	17 September 2002

<i>State Party</i>	<i>Nominations</i>	<i>Date of deposit of notification with the Secretary-General</i>
Sudan	Sayed/Shawgi Hussain, Arbitrator	8 September 1995
	Dr. Ahmed Elmufiti, Arbitrator	8 September 1995
	Dr. Abd Elrahman Elkhalifa, Conciliator	8 September 1995
	Sayed/Eltahir Hamadalla, Conciliator	8 September 1995
Sweden	Dr. Marie Jacobsson, Principal Legal Advisor on International Law, Ministry for Foreign Affairs; Arbitrator	2 June 2006
	Dr. Said Mahmoudi, Professor of International Law, University of Stockholm; Arbitrator	2 June 2006
Switzerland	Ms. Laurence Boisson de Chazournes, Professor; Arbitrator	14 October 2014
	Mr. Andrew Clapham, Professor; Arbitrator	14 October 2014
	Mr. Lucius Cafilisch, Professor; Arbitrator	14 October 2014
	Mr. Robert Kolb, Professor; Arbitrator	14 October 2014
Thailand	H.E. Mr. Kriangsak Kittichaisaree, Ambassador, Kingdom of Thailand to the Russian Federation; Conciliator and Arbitrator	24 July 2017
Trinidad and Tobago	Mr. Justice Cecil Bernard, Judge, Industrial Court of the Republic of Trinidad and Tobago; Arbitrator	17 November 2004
	Sir Michael Wood, Conciliator and Arbitrator	2 November 2010
United Kingdom of Great Britain and Northern Ireland	Sir Elihu Lauterpacht QC, Conciliator and Arbitrator	19 February 1998 2 November 2010
	Prof. Vaughan Lowe QC, Conciliator and Arbitrator	2 November 2010
	Mr. David Anderson, Conciliator and Arbitrator	14 September 2005 2 November 2010
United Republic of Tanzania	Ambassador James Kateka, Judge, International Tribunal of the Law of the Sea; Conciliator and Arbitrator	18 September 2013

B. RECENT DEVELOPMENTS IN DISPUTE SETTLEMENT

Permanent Court of Arbitration: Conciliation between the Democratic Republic of Timor-Leste and the Commonwealth of Australia, 9 May 2018²²

Conciliation Commission Issues Report and Recommendations

On 9 May 2018, the Conciliation Commission issued its *Report and Recommendations* in the compulsory conciliation initiated between the Democratic Republic of Timor-Leste (“Timor-Leste”) and the Commonwealth of Australia (“Australia”) under Annex V of the United Nations Convention on the Law of the Sea (the “Convention”).

These compulsory conciliation proceedings concerned the maritime boundary between Timor-Leste and Australia and were initiated by Timor-Leste by way of a Notice addressed to Australia pursuant to Article 298 and Annex V of the Convention. The conciliation has been conducted under the auspices of the Permanent Court of Arbitration (the “PCA”).

In its *Report and Recommendations*, the Commission records the agreement reached between the two governments regarding their maritime boundary in the Timor Sea and recalls the context of the proceedings through which this agreement was reached. The Parties’ agreement was reached in Copenhagen on 30 August 2017 and was formalized earlier this year in the Maritime Boundaries Treaty signed on 6 March 2018 at United Nations Headquarters in New York in the presence of the Secretary-General of the United Nations, H.E. António Guterres, and the Conciliation Commission.

In accordance with Article 7(1) of Annex V to the Convention, the Commission’s *Report and Recommendations* were deposited with the Secretary-General of the United Nations. A copy of the Commission’s *Report and Recommendations* has also been made public on the website of the PCA at www.pca-cpa.org/en/cases/132.

Background on the Conciliation Process

The Commission was constituted on 25 June 2016 pursuant to the procedure set out in Annex V of the Convention. The five-member Commission is chaired by H.E. Ambassador Peter Taksøe-Jensen (Denmark). The other members of the Commission are Dr. Rosalie Balkin (Australia), Judge Abdul G. Koroma (Sierra Leone), Professor Donald McRae (Canada and New Zealand), and Judge Rüdiger Wolfrum (Germany). With the agreement of the Parties, the Permanent Court of Arbitration acts as Registry in the proceedings.

These conciliation proceedings were initiated by Timor-Leste on 11 April 2016 by way of a “Notification Instituting Conciliation under Section 2 of Annex V of UNCLOS” addressed to Australia.

On 2 May 2016, Australia submitted “Australia’s Response to the Notice of Conciliation”.

On 28 July 2016, the Conciliation Commission held a procedural meeting with the Parties at the Peace Palace in The Hague, the Netherlands.

On 29, 30, and 31 August, the Commission convened the Opening Session of the Conciliation and a Hearing on Competence at the Peace Palace in The Hague, the Netherlands.

On 19 September 2016, the Commission rendered its Decision on Competence, finding that the Conciliation would continue.

From 10 to 13 October 2016, the Commission met with the Parties in Singapore.

On 9 January 2017, the Foreign Ministers of Timor-Leste and Australia, together with the Commission, issued a Trilateral Joint Statement on the termination of the Treaty on Certain Maritime Arrangements in the Timor Sea.

From 16 to 20 January 2017, the Commission met with the Parties in Singapore.

From 27 to 31 March 2017, the Commission met with the Parties in Washington, D.C.

²² Source: PCA/Press Release No. 15, 9 May 2018, available from <http://pcacases.com/web/sendAttach/2358>.

From 5 to 9 June 2017, the Commission met with the Parties in Copenhagen.

From 24 to 28 July 2017, the Commission met with the Parties in Singapore.

From 28 August to 1 September 2017, the Commission met with the Parties in Copenhagen.

On 30 August 2017, the Parties reached a Comprehensive Package Agreement on the central elements of a maritime boundary delimitation between them in the Timor Sea (the “30 August Agreement”). In addition to boundaries, the Comprehensive Package Agreement addresses the legal status of the Greater Sunrise gas field, the establishment of a Special Regime for Greater Sunrise, a pathway to the development of the resource, and the sharing of the resulting revenue.

On 13 October 2017, following meetings in The Hague, the Parties reached agreement on the complete text of a draft treaty as anticipated in the 30 August Agreement. This draft treaty delimits the maritime boundary between them in the Timor Sea and addresses the legal status of the Greater Sunrise gas field, the establishment of a Special Regime for Greater Sunrise, a pathway to the development of the resource, and the sharing of the resulting revenue.

On 18 November 2017, the Commission met with the Parties and the Greater Sunrise Joint Venture in Singapore.

From 12 to 14 December 2017, the Commission met with the Parties and the Joint Venture in Singapore.

From 29 January to 2 February 2018, the Commission met with the Parties and the Joint Venture in Sydney.

From 19 to 23 February 2018, the Commission held its final negotiating session with the Parties and the Joint Venture in Kuala Lumpur.

On 6 March 2018, the new Maritime Boundaries Treaty between Timor-Leste and Australia was signed in New York in the presence of the Secretary-General of the United Nations, H.E. António Guterres, and the Conciliation Commission.

[..]

**C. SELECTED DOCUMENTS OF THE GENERAL ASSEMBLY
AND THE SECURITY COUNCIL OF THE UNITED NATIONS**

1. A/72/818: Letter dated 2 April 2018 from the Permanent Representative of China to the United Nations, addressed to the Secretary-General.
2. S/2018/376: Letter dated 19 April 2018 from the Permanent Representative of the United Arab Emirates to the United Nations, addressed to the President of the Security Council.
3. A/72/871: Note verbale dated 9 May 2018 from the Permanent Mission of Kuwait to the United Nations, addressed to the Secretary-General.
4. A/72/880: Note verbale dated 23 May 2018 from the Permanent Mission of Kuwait to the United Nations, addressed to the Secretary-General.
5. A/73/212: Note verbale dated 5 July 2018 from the Permanent Mission of the Kingdom of Saudi Arabia to the United Nations, addressed to the Secretary-General.
6. Resolution 2428 (2018) of 13 July 2018, adopted by the Security Council at its 8310th meeting.

18-22660

ISBN 978-92-1-133874-4

