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LAW OF THE SEA
BULLETIN

No. 11

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OFFICE FOR OCEAN AFFAIRS AND THE LAW OF THE SEA



Publication in the Bulletin of information concerning developments relating to the law of the sea emanating from actions and decisions taken by States does not imply recognition by the United Nations of the validity of the actions and decisions in question.

IF ANY MATERIAL CONTAINED IN THE BULLETIN IS REPRODUCED IN
PART OR IN WHOLE, DUE ACKNOWLEDGEMENT SHOULD BE GIVEN

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

A. Table of signatures and ratifications as of 30 June 1988 a/

STATES	FINAL ACT SIGNATURE	CONVENTION SIGNATURE <u>b/</u>	CONVENTION RATIFICATION
Afghanistan		18/3/83	
Albania			
Algeria * <u>c/</u>	x	x	
Angola *	x	x	
Antigua and Barbuda		7/2/83	

Argentina *		5/10/84	
Australia	x	x	
Austria	x	x	
Bahamas	x	x	29/7/83
Bahrain	x	x	30/5/85

Bangladesh	x	x	
Barbados	x	x	
Belgium *	x	5/12/84	
Belize	x	x	13/8/83
Benin	x	30/8/83	

Bhutan	x	x	
Bolivia *		27/11/84	
Botswana	x	5/12/84	
Brazil *	x	x	
Brunei Darussalam		5/12/84	

Bulgaria	x	x	
Burkina Faso	x	x	
Burma	x	x	
Burundi	x	x	
Byelorussian SSR *	x	x	

Cameroon	x	x	19/11/85
Canada	x	x	
Cape Verde * ** <u>d/</u>	x	x	10/8/87
Central African Republic		4/12/84	
Chad	x	x	

Chile *	x	x	
China	x	x	
Colombia	x	x	
Comoros		6/12/84	
Congo	x	x	

STATES	FINAL ACT SIGNATURE	CONVENTION SIGNATURE	CONVENTION RATIFICATION
Costa Rica *	x	x	
Côte d'Ivoire	x	x	26/3/84
Cuba * **	x	x	15/8/84
Cyprus	x	x	
Czechoslovakia	x	x	

Democratic Kampuchea		1/7/83	
Democratic People's Rep. of Korea	x	x	
Democratic Yemen **	x	x	21/7/87
Denmark	x	x	
Djibouti	x	x	

Dominica		28/3/83	
Dominican Republic	x	x	
Ecuador	x		
Egypt **	x	x	26/8/83
El Salvador		5/12/84	

Equatorial Guinea	x	30/1/84	
Ethiopia	x	x	
Fiji	x	x	10/12/82
Finland *	x	x	
France *	x	x	

Gabon	x	x	
Gambia	x	x	22/5/84
German Democratic Republic *	x	x	
Germany, Federal Republic of	x		
Ghana	x	x	7/6/83

Greece *	x	x	
Grenada	x	x	
Guatemala		8/7/83	
Guinea *		4/10/84	6/9/85
Guinea-Bissau **	x	x	25/8/86

Guyana	x	x	
Haiti	x	x	
Holy See	x		
Honduras	x	x	
Hungary	x	x	

STATES	FINAL ACT SIGNATURE	CONVENTION SIGNATURE	CONVENTION RATIFICATION
Iceland **	x	x	21/6/85
India	x	x	
Indonesia	x	x	3/2/86
Iran (Islamic Republic of) *	x	x	
Iraq *	x	x	30/7/85

Ireland	x	x	
Israel	x		
Italy *	x	7/12/84	
Jamaica	x	x	21/3/83
Japan	x	7/2/83	

Jordan	x		
Kenya	x	x	
Kiribati			
Kuwait **	x	x	2/5/86
Lao People's Democratic Republic	x	x	

Lebanon		7/12/84	
Lesotho	x	x	
Liberia	x	x	
Libyan Arab Jamahiriya	x	3/12/84	
Liechtenstein		30/11/84	

Luxembourg *	x	5/12/84	
Madagascar		25/2/83	
Malawi		7/12/84	
Malaysia	x	x	
Maldives	x	x	

Mali *		19/10/83	16/7/85
Malta	x	x	
Mauritania	x	x	
Mauritius	x	x	
Mexico	x	x	18/3/83

Monaco	x	x	
Mongolia	x	x	
Morocco	x	x	
Mozambique	x	x	
Nauru	x	x	

STATES	FINAL ACT SIGNATURE	CONVENTION SIGNATURE	CONVENTION RATIFICATION
Nepal	x	x	
Netherlands	x	x	
New Zealand	x	x	
Nicaragua *		9/12/84	
Niger	x	x	

Nigeria	x	x	14/8/86
Norway	x	x	
Oman *	x	1/7/83	
Pakistan	x	x	
Panama	x	x	

Papua New Guinea	x	x	
Paraguay	x	x	26/9/86
Peru	x		
Philippines * **	x	x	8/5/84
Poland	x	x	

Portugal	x	x	
Qatar *		27/11/84	
Republic of Korea	x	14/3/83	
Romania *	x	x	
Rwanda	x	x	

Saint Kitts and Nevis		7/12/84	
Saint Lucia	x	x	27/3/85
Saint Vincent and the Grenadines	x	x	
Samoa	x	28/9/84	
San Marino			

Sao Tome and Principe *		13/7/83	3/11/87
Saudi Arabia		7/12/84	
Senegal	x	x	25/10/84
Seychelles	x	x	
Sierra Leone	x	x	

Singapore	x	x	
Solomon Islands	x	x	
Somalia	x	x	
South Africa *		5/12/84	
Spain *	x	4/12/84	

STATES	FINAL ACT SIGNATURE	CONVENTION SIGNATURE	CONVENTION RATIFICATION
Sri Lanka	x	x	
Sudan *	x	x	23/1/85
Suriname	x	x	
Swaziland		18/1/84	
Sweden *	x	x	

Switzerland	x	17/10/84	
Syrian Arab Republic			
Thailand	x	x	
Togo	x	x	16/4/85
Tonga			

Trinidad and Tobago	x	x	25/4/86
Tunisia **	x	x	24/4/85
Turkey			
Tuvalu	x	x	
Uganda	x	x	

Ukrainian SSR *	x	x	
Union of Soviet Socialist Republics *	x	x	
United Arab Emirates	x	x	
United Kingdom of Great Britain and Northern Ireland	x		
United Republic of Tanzania **	x	x	30/9/85

United States of America	x		
Uruguay *	x	x	
Vanuatu	x	x	
Venezuela	x		
Viet Nam	x	x	

Yemen *	x	x	
Yugoslavia **	x	x	5/5/86
Zaire	x	22/8/83	
Zambia	x	x	7/3/83
Zimbabwe	x	x	

TOTAL STATES	140	155	34

OTHERS (Art. 305(1)(b),(c),(d),(e) and (f))	FINAL ACT SIGNATURE	CONVENTION SIGNATURE	CONVENTION RATIFICATION
Cook Islands	x	x	
European Economic Community *	x	7/12/84	
Namibia (United Nations Council for Namibia)	x	x	18/4/83
Niue		5/12/84	
Trust Territory of the Pacific Islands	x		
West Indies Associated States			
TOTAL STATES AND OTHERS	144	159	35

OTHER ENTITIES WHICH SIGNED THE FINAL ACT OF THE CONFERENCE

African National Congress of South Africa
Netherlands Antilles
Palestine Liberation Organization
Pan Africanist Congress of Azania
South West Africa People's Organization

Notes

a/ There has been no change since Bulletin No. 10. No instrument of ratification has been deposited since that date.

b/ Those States which signed the Final Act and/or the Convention on 10 December 1982 are indicated by an "x". Those which signed at a later date are indicated by that date.

c/ Those States which made declarations at the time of signature of the Convention are indicated by an asterisk (*).

d/ Those States which made declarations at the time of ratification of the Convention are indicated by a double asterisk (**).

B. List of ratifications in chronological order and by regional groups

	<u>Date</u>	<u>State/Entity</u>	<u>Regional group</u>
1.	10 December 1982	Fiji	Asian
2.	7 March 1983	Zambia	African
3.	18 March 1983	Mexico	Latin American
4.	21 March 1983	Jamaica	Latin American
5.	18 April 1983	Namibia (United Nations Council for Namibia)	African
6.	7 June 1983	Ghana	African
7.	29 July 1983	Bahamas	Latin American
8.	13 August 1983	Belize	Latin American
9.	26 August 1983	Egypt	African
10.	26 March 1984	Côte d'Ivoire	African
11.	8 May 1984	Philippines	Asian
12.	22 May 1984	Gambia	African
13.	15 August 1984	Cuba	Latin American
14.	25 October 1984	Senegal	African
15.	23 January 1985	Sudan	African
16.	27 March 1985	Saint Lucia	Latin American
17.	16 April 1985	Togo	African
18.	24 April 1985	Tunisia	African
19.	30 May 1985	Bahrain	Asian
20.	21 June 1985	Iceland	West European and other States
21.	16 July 1985	Mali	African
22.	30 July 1985	Iraq	Asian
23.	6 September 1985	Guinea	African
24.	30 September 1985	United Republic of Tanzania	African
25.	19 November 1985	Cameroon	African
26.	3 February 1986	Indonesia	Asian
27.	25 April 1986	Trinidad and Tobago	Latin American
28.	2 May 1986	Kuwait	Asian
29.	5 May 1986	Yugoslavia	Eastern European
30.	14 August 1986	Nigeria	African
31.	25 August 1986	Guinea-Bissau	African
32.	26 September 1986	Paraguay	Latin American
33.	21 July 1987	Democratic Yemen	Asian
34.	10 August 1987	Cape Verde	African
35.	3 November 1987	Sao Tome and Principe	African

= 34 States and 1 entity (35)

C. Ratification of the United Nations Convention on the Law of the Sea in comparison with that of other treaties

Any attempt to compare the rate of ratifications of different international legal instruments is a difficult task owing to the specific nature of each of the conventions, in particular with respect to the diplomatic context in which they were negotiated and their substance. Nevertheless, some observations can be made as to how the 1982 United Nations Convention on the Law of the Sea is positioned compared with the four 1958 law of the sea conventions, dealing with some of the same subject matter, and the 1969 Law of Treaties, which was negotiated in a similar international context.

Some points should be borne in mind as far as the 1982 Convention is concerned:

(a) The Convention covers all the different aspects of the lex lata and introduces concepts of the lex ferenda related to marine affairs;

(b) The complexity of the various subjects involved makes a quick evaluation very difficult;

(c) With the exception of the Versailles Treaty, the Convention is the longest international legal instrument in history and, together with its nine annexes, is comprised of 445 articles;

(d) It bears important financial implications owing to the creation of two new organizations, the International Sea-Bed Authority and the International Tribunal for the Law of the Sea.

In spite of the specificity of the 1982 Convention as stated above, a comparison with the other legal instruments mentioned shows that the acceptance of the Convention and the readiness of States to ratify it can be regarded as falling within a normal range. Fifty-eight per cent of the ratifications necessary for the Convention to come into force were deposited with the Secretary-General of the United Nations within a period of five years (1982-1987). With the exception of the 1958 Geneva Convention on the High Seas, none of the other conventions examined entered into force within this period of time and none of them have yet reached 60 ratifications (see attachments).

The 1982 Convention has been ratified by 35 States and the United Nations Council for Namibia, as follows:

1982 - 1983	9 ratifications
1983 - 1984	5 ratifications
1984 - 1985	11 ratifications
1985 - 1986	7 ratifications
1986 - 1987	3 ratifications.

According to article 308, an additional number of 25 ratifications is necessary for the entry into force of the United Nations Convention on the Law of the Sea.

COMPARATIVE RATES OF RATIFICATIONS ^{a/}

T i t l e	No. of ratifications necessary for entry into force	No. of ratifications ^{b/}				Total as of 31 Dec. 1987
		1st yr.	2nd yr.	3rd yr.	4th yr.	
United Nations Convention on the Law of the Sea (Done on 10 December 1982; not yet in force)	60	9 (15%)	5 (23%)	11 (42%)	7 (53%)	3 (58%)
1958 Geneva Convention on the Territorial Sea and Contiguous Zone (Done on 29 April 1958; Entry into force: 10 September 1964)	22	0	3 (14%)	6 (41%)	7 (73%)	4 (91%)
1958 Geneva Convention on the High Seas (Done on 29 April 1958; Entry into force: 30 September 1962)	22	1 (4%)	3 (18%)	8 (59%)	7 (86%)	7 (>100%)
1958 Geneva Convention on Fishing and Conservation of the Living Resources of the High Seas (Done on 29 April 1958; Entry into force: 20 March 1966)	22	0	3 (14%)	3 (27%)	2 (36%)	4 (55%)
1958 Geneva Convention on the Continental Shelf (Done on 29 April 1958; Entry into force: 10 June 1964)	22	0	2 (9%)	6 (36%)	6 (64%)	5 (86%)
1969 Vienna Convention on the Law of Treaties (Done on 23 May 1969; Entry into force: 27 January 1980)	35	1 (3%)	4 (14%)	9 (40%)	4 (51%)	0 (51%)

^{a/} This table compares the rate of ratification of the United Nations Convention on the Law of the Sea with the rate of ratification of other relevant international instruments.

^{b/} The number in parentheses indicates the cumulative percentage of the total number of ratifications necessary for entry into force.

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

A. Recent national legislation received from Governments

BELGIUM*

[Original: French]

Act establishing the breadth of the territorial sea of Belgium,
6 October 1987

Article 1. The breadth of the territorial sea of Belgium shall be established at 12 marine miles, or twenty-two thousand two hundred and twenty-four metres, measured from the coastal low-water mark, or from low-tide elevations on condition that they lie less than 12 marine miles from the low-water mark, or from the outer ends of permanent harbour works extending beyond the said low-water mark, as shown on the large-scale official Belgian charts.

Article 2. Any reference in Belgian legislation or regulations to the territorial sea of Belgium shall be taken to refer to a territorial sea whose breadth is in conformity with that established by the present Act.

* The text of this Act was communicated by the Permanent Mission of Belgium to the United Nations in a note verbale dated 4 November 1987.

B. Notes by Governments

HAITI

[Original: French]

Note verbale dated 18 February 1988 from the Ministry of the Interior, Decentralization, the General Police Force and the Civil Service, communicated to the United Nations by a letter dated 29 February 1988

Shipping lines, owners and operators of vessels of any tonnage are hereby notified that entry into the ports, territorial waters and exclusive economic zone of Haiti is strictly prohibited to any vessel transporting wastes, refuse, residues or any other materials likely to endanger the health of the country's population and to pollute the marine, air and land environment.

This notice irrevocably annuls all other authorizations of any kind which may have been issued previously.

In total accord with the Head of State, the Government, whose task is to ensure the well-being of Haitians throughout the territory, will use all means within its power to prevent or block any attempt to dispose of toxic or non-toxic wastes at any location whatsoever in the country.

Local authorities must step up their vigilance regarding this matter. International authorities will be alerted, and this notice will be disseminated within the country and abroad.

Yves AUGUSTE
Minister of the Interior,
Decentralization,
the General Police Force
and the Civil Service

C. Treaties

1. CONVENTION FOR THE SUPPRESSION OF UNLAWFUL ACTS AGAINST
THE SAFETY OF MARITIME NAVIGATION, 10 MARCH 1988 1/

The States Parties to this Convention,

HAVING IN MIND the purposes and principles of the Charter of the United Nations concerning the maintenance of international peace and security and the promotion of friendly relations and co-operation among States,

RECOGNIZING in particular that everyone has the right to life, liberty and security of person, as set out in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights,

DEEPLY CONCERNED about the world-wide escalation of acts of terrorism in all its forms, which endanger or take innocent human lives, jeopardize fundamental freedoms and seriously impair the dignity of human beings,

CONSIDERING that unlawful acts against the safety of maritime navigation jeopardize the safety of persons and property, seriously affect the operation of maritime services, and undermine the confidence of the peoples of the world in the safety of maritime navigation,

CONSIDERING that the occurrence of such acts is a matter of grave concern to the international community as a whole,

BEING CONVINCED of the urgent need to develop international co-operation between States in devising and adopting effective and practical measures for the prevention of all unlawful acts against the safety of maritime navigation, and the prosecution and punishment of their perpetrators,

RECALLING resolution 40/61 of the General Assembly of the United Nations of 9 December 1985 which, inter alia, "urges all States unilaterally and in co-operation with other States, as well as relevant United Nations organs, to contribute to the progressive elimination of the causes underlying international terrorism and to pay special attention to all situations, including colonialism, racism and situations involving mass and flagrant violations of human rights and fundamental freedoms and those involving alien occupation, that may give rise to international terrorism and may endanger international peace and security",

RECALLING FURTHER that resolution 40/61 "unequivocally condemns, as criminal, all acts, methods and practices of terrorism wherever and by whomever committed, including those which jeopardize friendly relations among States and their security",

RECALLING ALSO that by resolution 40/61, the International Maritime Organization was invited to "study the problem of terrorism aboard or against ships with a view to making recommendations on appropriate measures",

1/ IMO document SUA/CONF/15/Rev.1 dated 10 March 1988.

HAVING IN MIND resolution A.584(14) of 20 November 1985, of the Assembly of the International Maritime Organization, which called for development of measures to prevent unlawful acts which threaten the safety of ships and the security of their passengers and crews,

NOTING that acts of the crew which are subject to normal shipboard discipline are outside the purview of this Convention,

AFFIRMING the desirability of monitoring rules and standards relating to the prevention and control of unlawful acts against ships and persons on board ships, with a view to updating them as necessary, and, to this effect, taking note with satisfaction of the Measures to Prevent Unlawful Acts against Passengers and Crews on Board Ships, recommended by the Maritime Safety Committee of the International Maritime Organization,

AFFIRMING FURTHER that matters not regulated by this Convention continue to be governed by the rules and principles of general international law,

RECOGNIZING the need for all States, in combating unlawful acts against the safety of maritime navigation, strictly to comply with rules and principles of general international law,

HAVE AGREED as follows:

ARTICLE 1

For the purposes of this Convention, "ship" means a vessel of any type whatsoever not permanently attached to the sea-bed, including dynamically supported craft, submersibles, or any other floating craft.

ARTICLE 2

1. This Convention does not apply to:

- (a) A warship; or
- (b) A ship owned or operated by a State when being used as a naval auxiliary or for customs or police purposes; or
- (c) A ship which has been withdrawn from navigation or laid up.

2. Nothing in this Convention affects the immunities of warships and other government ships operated for non-commercial purposes.

ARTICLE 3

1. Any person commits an offence if that person unlawfully and intentionally:

(a) Seizes or exercises control over a ship by force or threat thereof or any other form of intimidation; or

(b) Performs an act of violence against a person on board a ship if that act is likely to endanger the safe navigation of that ship; or

(c) Destroys a ship or causes damage to a ship or to its cargo which is likely to endanger the safe navigation of that ship; or

(d) Places or causes to be placed on a ship, by any means whatsoever, a device or substance which is likely to destroy that ship, or cause damage to that ship or its cargo which endangers or is likely to endanger the safe navigation of that ship; or

(e) Destroys or seriously damages maritime navigational facilities or seriously interferes with their operation, if any such act is likely to endanger the safe navigation of a ship; or

(f) Communicates information which he knows to be false, thereby endangering the safe navigation of a ship; or

(g) Injures or kills any person, in connection with the commission or the attempted commission of any of the offences set forth in subparagraphs (a) to (f).

2. Any person also commits an offence if that person:

(a) Attempts to commit any of the offences set forth in paragraph 1; or

(b) Abets the commission of any of the offences set forth in paragraph 1 perpetrated by any person or is otherwise an accomplice of a person who commits such an offence; or

(c) Threatens, with or without a condition, as is provided for under national law, aimed at compelling a physical or juridical person to do or refrain from doing any act, to commit any of the offences set forth in paragraph 1, subparagraphs (b), (c) and (e), if that threat is likely to endanger the safe navigation of the ship in question.

ARTICLE 4 1/

1. This Convention applies if the ship is navigating or is scheduled to navigate into, through or from waters beyond the outer limit of the territorial sea of a single State, or the lateral limits of its territorial sea with adjacent States.

2. In cases where the Convention does not apply pursuant to paragraph 1, it nevertheless applies when the offender or the alleged offender is found in the territory of a State Party other than the State referred to in paragraph 1.

1/ This article is to be understood in conjunction with paragraph 23 of the Final Act of the International Conference on the Suppression of Unlawful Acts against the Safety of Maritime Navigation, which reads as follows:

"23. In relation to article 4 of the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, some delegations were in favour of the inclusion in article 4, paragraph 1, of straits used for international navigation. Other delegations pointed out that it was unnecessary to include them since navigation in such straits was one of the situations envisaged in article 4, paragraph 1. Therefore, the Convention will apply in straits used for international navigation, without prejudice to the legal status of the waters forming such straits in accordance with relevant conventions and other rules of international law."

ARTICLE 5

Each State Party shall make the offences set forth in article 3 punishable by appropriate penalties which take into account the grave nature of those offences.

ARTICLE 6

1. Each State Party shall take such measures as may be necessary to establish its jurisdiction over the offences set forth in article 3 when the offence is committed:

(a) Against or on board a ship flying the flag of the State at the time the offence is committed; or

(b) In the territory of that State, including its territorial sea; or

(c) By a national of that State.

2. A State Party may also establish its jurisdiction over any such offence when:

(a) It is committed by a stateless person whose habitual residence is in that State; or

(b) During its commission a national of that State is seized, threatened, injured or killed; or

(c) It is committed in an attempt to compel that State to do or abstain from doing any act.

3. Any State Party which has established jurisdiction mentioned in paragraph 2 shall notify the Secretary-General of the International Maritime Organization (hereinafter referred to as "the Secretary-General"). If such State Party subsequently rescinds that jurisdiction, it shall notify the Secretary-General.

4. Each State Party shall take such measures as may be necessary to establish its jurisdiction over the offences set forth in article 3 in cases where the alleged offender is present in its territory and it does not extradite him to any of the States Parties which have established their jurisdiction in accordance with paragraphs 1 and 2 of this article.

5. This Convention does not exclude any criminal jurisdiction exercised in accordance with national law.

ARTICLE 7

1. Upon being satisfied that the circumstances so warrant, any State Party in the territory of which the offender or the alleged offender is present shall, in accordance with its law, take him into custody or take other measures to ensure his presence for such time as is necessary to enable any criminal or extradition proceedings to be instituted.

2. Such State shall immediately make a preliminary inquiry into the facts, in accordance with its own legislation.

3. Any person regarding whom the measures referred to in paragraph 1 are being taken shall be entitled to:

(a) Communicate without delay with the nearest appropriate representative of the State of which he is a national or which is otherwise entitled to establish such communication or, if he is a stateless person, the State in the territory of which he has his habitual residence;

(b) Be visited by a representative of that State.

4. The rights referred to in paragraph 3 shall be exercised in conformity with the laws and regulations of the State in the territory of which the offender or the alleged offender is present, subject to the proviso that the said laws and regulations must enable full effect to be given to the purposes for which the rights accorded under paragraph 3 are intended.

5. When a State Party, pursuant to this article, has taken a person into custody, it shall immediately notify the States which have established jurisdiction in accordance with article 6, paragraph 1, and if it considers it advisable, any other interested States, of the fact that such person is in custody and of the circumstances which warrant his detention. The State which makes the preliminary inquiry contemplated in paragraph 2 of this article shall promptly report its findings to the said States and shall indicate whether it intends to exercise jurisdiction.

ARTICLE 8

1. The master of a ship of a State Party (the "flag State") may deliver to the authorities of any other State Party (the "receiving State") any person who he has reasonable grounds to believe has committed one of the offences set forth in article 3.

2. The flag State shall ensure that the master of its ship is obliged, whenever practicable, and if possible before entering the territorial sea of the receiving State carrying on board any person whom the master intends to deliver in accordance with paragraph 1, to give notification to the authorities of the receiving State of his intention to deliver such person and the reasons therefor.

3. The receiving State shall accept the delivery, except where it has grounds to consider that the Convention is not applicable to the acts giving rise to the delivery, and shall proceed in accordance with the provisions of article 7. Any refusal to accept a delivery shall be accompanied by a statement of the reasons for refusal.

4. The flag State shall ensure that the master of its ship is obliged to furnish the authorities of the receiving State with the evidence in the master's possession which pertains to the alleged offence.

5. A receiving State which has accepted the delivery of a person in accordance with paragraph 3 may, in turn, request the flag State to accept delivery of that person. The flag State shall consider any such request, and if it accedes to the request it shall proceed in accordance with article 7. If the flag State declines a request, it shall furnish the receiving State with a statement of the reasons therefor.

ARTICLE 9

Nothing in this Convention shall affect in any way the rules of international law pertaining to the competence of States to exercise investigative or enforcement jurisdiction on board ships not flying their flag.

ARTICLE 10

1. The State Party in the territory of which the offender or the alleged offender is found shall, in cases to which article 6 applies, if it does not extradite him, be obliged, without exception whatsoever and whether or not the offence was committed in its territory, to submit the case without delay to its competent authorities for the purpose of prosecution, through proceedings in accordance with the laws of that State. Those authorities shall take their decision in the same manner as in the case of any other offence of a grave nature under the law of that State.

2. Any person regarding whom proceedings are being carried out in connection with any of the offences set forth in article 3 shall be guaranteed fair treatment at all stages of the proceedings, including enjoyment of all the rights and guarantees provided for such proceedings by the law of the State in the territory of which he is present.

ARTICLE 11

1. The offences set forth in article 3 shall be deemed to be included as extraditable offences in any extradition treaty existing between any of the States Parties. States Parties undertake to include such offences as extraditable offences in every extradition treaty to be concluded between them.

2. If a State Party which makes extradition conditional on the existence of a treaty receives a request for extradition from another State Party with which it has no extradition treaty, the requested State Party may, at its option, consider this Convention as a legal basis for extradition in respect of the offences set forth in article 3. Extradition shall be subject to the other conditions provided by the law of the requested State Party.

3. States Parties which do not make extradition conditional on the existence of a treaty shall recognize the offences set forth in article 3 as extraditable offences between themselves, subject to the conditions provided by the law of the requested State.

4. If necessary, the offences set forth in article 3 shall be treated, for the purposes of extradition between States Parties, as if they had been committed not only in the place in which they occurred but also in a place within the jurisdiction of the State Party requesting extradition.

5. A State Party which receives more than one request for extradition from States which have established jurisdiction in accordance with article 7 and which decides not to prosecute shall, in selecting the State to which the offender or alleged offender is to be extradited, pay due regard to the interests and responsibilities of the State Party whose flag the ship was flying at the time of the commission of the offence.

6. In considering a request for the extradition of an alleged offender pursuant to this Convention, the requested State shall pay due regard to whether his rights as set forth in article 7, paragraph 3, can be effected in the requesting State.

7. With respect to the offences as defined in this Convention, the provisions of all extradition treaties and arrangements applicable between States Parties are modified as between States Parties to the extent that they are incompatible with this Convention.

ARTICLE 12

1. States Parties shall afford one another the greatest measure of assistance in connection with criminal proceedings brought in respect of the offences set forth in article 3, including assistance in obtaining evidence at their disposal necessary for the proceedings.

2. States Parties shall carry out their obligations under paragraph 1 in conformity with any treaties on mutual assistance that may exist between them. In the absence of such treaties, States Parties shall afford each other assistance in accordance with their national law.

ARTICLE 13

1. States Parties shall co-operate in the prevention of the offences set forth in article 3, particularly by:

(a) Taking all practicable measures to prevent preparations in their respective territories for the commission of those offences within or outside their territories;

(b) Exchanging information in accordance with their national law, and co-ordinating administrative and other measures taken as appropriate to prevent the commission of offences set forth in article 3.

2. When, due to the commission of an offence set forth in article 3, the passage of a ship has been delayed or interrupted, any State Party in whose territory the ship or passengers or crew are present shall be bound to exercise all possible efforts to avoid a ship, its passengers, crew or cargo being unduly detained or delayed.

ARTICLE 14

Any State Party having reason to believe that an offence set forth in article 3 will be committed shall, in accordance with its national law, furnish as promptly as possible any relevant information in its possession to those States which it believes would be the States having established jurisdiction in accordance with article 6.

ARTICLE 15

1. Each State Party shall, in accordance with its national law, provide to the Secretary-General, as promptly as possible, any relevant information in its possession concerning:

(a) The circumstances of the offence;

(b) The action taken pursuant to article 13, paragraph 2;

(c) The measures taken in relation to the offender or the alleged offender and, in particular, the results of any extradition proceedings or other legal proceedings.

2. The State Party where the alleged offender is prosecuted shall, in accordance with its national law, communicate the final outcome of the proceedings to the Secretary-General.

3. The information transmitted in accordance with paragraphs 1 and 2 shall be communicated by the Secretary-General to all States Parties, to Members of the International Maritime Organization (hereinafter referred to as "the Organization"), to the other States concerned, and to the appropriate international intergovernmental organizations.

ARTICLE 16

1. Any dispute between two or more States Parties concerning the interpretation or application of this Convention which cannot be settled through negotiation within a reasonable time shall, at the request of one of them, be submitted to arbitration. If, within six months from the date of the request for arbitration, the parties are unable to agree on the organization of the arbitration any one of those parties may refer the dispute to the International Court of Justice by request in conformity with the Statute of the Court.

2. Each State may at the time of signature or ratification, acceptance or approval of this Convention or accession thereto, declare that it does not consider itself bound by any or all of the provisions of paragraph 1. The other States Parties shall not be bound by those provisions with respect to any State Party which has made such a reservation.

3. Any State which has made a reservation in accordance with paragraph 2 may, at any time, withdraw that reservation by notification to the Secretary-General.

ARTICLE 17

1. This Convention shall be open for signature at Rome on 10 March 1988 by States participating in the International Conference on the Suppression of Unlawful Acts against the Safety of Maritime Navigation and at the Headquarters of the Organization by all States from 14 March 1988 to 9 March 1989. It shall thereafter remain open for accession.

2. States may express their consent to be bound by this Convention by:

(a) Signature without reservation as to ratification, acceptance or approval; or

(b) Signature subject to ratification, acceptance or approval, followed by ratification, acceptance or approval; or

(c) Accession.

3. Ratification, acceptance, approval or accession shall be effected by the deposit of an instrument to that effect with the Secretary-General.

ARTICLE 18

1. This Convention shall enter into force ninety days following the date on which fifteen States have either signed it without reservation as to ratification, acceptance or approval, or have deposited an instrument of ratification, acceptance, approval or accession in respect thereof.

2. For a State which deposits an instrument of ratification, acceptance, approval or accession in respect of this Convention after the conditions for entry into force thereof have been met, the ratification, acceptance, approval or accession shall take effect ninety days after the date of such deposit.

ARTICLE 19

1. This Convention may be denounced by any State Party at any time after the expiry of one year from the date on which this Convention enters into force for that State.

2. Denunciation shall be effected by the deposit of an instrument of denunciation with the Secretary-General.

3. A denunciation shall take effect one year, or such longer period as may be specified in the instrument of denunciation, after the receipt of the instrument of denunciation by the Secretary-General.

ARTICLE 20

1. A conference for the purpose of revising or amending this Convention may be convened by the Organization.

2. The Secretary-General shall convene a conference of the States Parties to this Convention for revising or amending the Convention, at the request of one third of the States Parties, or ten States Parties, whichever is the higher figure.

3. Any instrument of ratification, acceptance, approval or accession deposited after the date of entry into force of an amendment to this Convention shall be deemed to apply to the Convention as amended.

ARTICLE 21

1. This Convention shall be deposited with the Secretary-General.
2. The Secretary-General shall:
 - (a) Inform all States which have signed this Convention or acceded thereto, and all Members of the Organization, of:
 - (i) Each new signature or deposit of an instrument of ratification, acceptance, approval or accession together with the date thereof;
 - (ii) The date of the entry into force of this Convention;
 - (iii) The deposit of any instrument of denunciation of this Convention together with the date on which it is received and the date on which the denunciation takes effect;
 - (iv) The receipt of any declaration or notification made under this Convention;
 - (b) Transmit certified true copies of this Convention to all States which have signed this Convention or acceded thereto.
3. As soon as this Convention enters into force, a certified true copy thereof shall be transmitted by the Depositary to the Secretary-General of the United Nations for registration and publication in accordance with Article 102 of the Charter of the United Nations.

ARTICLE 22

This Convention is established in a single original in the Arabic, Chinese, English, French, Russian and Spanish languages, each text being equally authentic.

IN WITNESS WHEREOF the undersigned, being duly authorized by their respective Governments for that purpose, have signed this Convention.

DONE AT ROME this tenth day of March one thousand nine hundred and eighty-eight.

2. PROTOCOL FOR THE SUPPRESSION OF UNLAWFUL ACTS AGAINST THE SAFETY OF FIXED PLATFORMS LOCATED ON THE CONTINENTAL SHELF 1/

The States Parties to this Protocol,

BEING PARTIES to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation,

RECOGNIZING that the reasons for which the Convention was elaborated also apply to fixed platforms located on the continental shelf,

TAKING INTO ACCOUNT of the provisions of that Convention,

AFFIRMING that matters not regulated by this Protocol continue to be governed by the rules and principles of general international law,

HAVE AGREED as follows:

ARTICLE 1

1. The provisions of articles 5 and 7 and of articles 10 to 16 of the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (hereinafter referred to as "the Convention") shall also apply mutatis mutandis to the offences set forth in article 2 of this Protocol where such offences are committed on board or against fixed platforms located on the continental shelf.

2. In cases where the Protocol does not apply pursuant to paragraph 1, it nevertheless applies when the offender or the alleged offender is found in the territory of a State Party other than the State in whose internal waters or territorial sea the fixed platform is located.

3. For the purposes of this Protocol, "fixed platform" means an artificial island, installation or structure permanently attached to the sea-bed for the purpose of exploration or exploitation of resources or for other economic purposes.

ARTICLE 2

1. Any person commits an offence if that person unlawfully and intentionally:

(a) Seizes or exercises control over a fixed platform by force or threat thereof or any other form of intimidation; or

(b) Performs an act of violence against a person on board a fixed platform if that act is likely to endanger its safety; or

(c) Destroys a fixed platform or causes damage to it which is likely to endanger its safety; or

(d) Places or causes to be placed on a fixed platform, by any means whatsoever, a device or substance which is likely to destroy that fixed platform or likely to endanger its safety; or

(e) Injures or kills any person in connection with the commission or the attempted commission of any of the offences set forth in subparagraphs (a) to (d).

1/ IMO document SUA/CONF/16/Rev.2 dated 10 March 1988.

2. Any person also commits an offence if that person:

(a) Attempts to commit any of the offences set forth in paragraph 1; or

(b) Abets the commission of any such offences perpetrated by any person or is otherwise an accomplice of a person who commits such an offence; or

(c) Threatens, with or without a condition, as is provided for under national law, aimed at compelling a physical or juridical person to do or refrain from doing any act, to commit any of the offences set forth in paragraph 1, subparagraphs (b) and (c), if that threat is likely to endanger the safety of the fixed platforms.

ARTICLE 3

1. Each State Party shall take such measures as may be necessary to establish its jurisdiction over the offences set forth in article 2 when the offence is committed:

(a) Against or on board a fixed platform while it is located on the continental shelf of that State; or

(b) By a national of that State.

2. A State Party may also establish its jurisdiction over any such offence when:

(a) It is committed by a stateless person whose habitual residence is in that State;

(b) During its commission a national of that State is seized, threatened, injured or killed; or

(c) It is committed in an attempt to compel that State to do or abstain from doing any act.

3. Any State Party which has established jurisdiction mentioned in paragraph 2 shall notify the Secretary-General of the International Maritime Organization (hereinafter referred to as "the Secretary-General"). If such State Party subsequently rescinds that jurisdiction, it shall notify the Secretary-General.

4. Each State Party shall take such measures as may be necessary to establish its jurisdiction over the offences set forth in article 2 in cases where the alleged offender is present in its territory and it does not extradite him to any of the States Parties which have established their jurisdiction in accordance with paragraphs 1 and 2 of this article.

5. This Protocol does not exclude any criminal jurisdiction exercised in accordance with national law.

ARTICLE 4

Nothing in this Protocol shall affect in any way the rules of international law pertaining to fixed platforms located on the continental shelf.

ARTICLE 5

1. This Protocol shall be open for signature at Rome on 10 March 1988 and at the Headquarters of the International Maritime Organization (hereinafter referred to as "the Organization") from 14 March 1988 to 9 March 1989 by any State which has signed the Convention. It shall thereafter remain open for accession.
2. States may express their consent to be bound by this Protocol by:
 - (a) Signature without reservation as to ratification, acceptance or approval; or
 - (b) Signature subject to ratification, acceptance or approval, followed by ratification, acceptance or approval; or
 - (c) Accession.
3. Ratification, acceptance, approval or accession shall be effected by the deposit of an instrument to that effect with the Secretary-General.
4. Only a State which has signed the Convention without reservation as to ratification, acceptance or approval, or has ratified, accepted, approved or acceded to the Convention may become a Party to this Protocol.

ARTICLE 6

1. This Protocol shall enter into force ninety days following the date on which three States have either signed it without reservation as to ratification, acceptance or approval, or have deposited an instrument of ratification, acceptance, approval or accession in respect thereof. However, this Protocol shall not enter into force before the Convention has entered into force.
2. For a State which deposits an instrument of ratification, acceptance, approval or accession in respect of this Protocol after the conditions for entry into force thereof have been met, the ratification, acceptance, approval or accession shall take effect ninety days after the date of such deposit.

ARTICLE 7

1. This Protocol may be denounced by any State Party at any time after the expiry of one year from the date on which this Protocol enters into force for that State.
2. Denunciation shall be effected by the deposit of an instrument of denunciation with the Secretary-General.
3. A denunciation shall take effect one year, or such longer period as may be specified in the instrument of denunciation, after the receipt of the instrument of denunciation by the Secretary-General.
4. A denunciation of the Convention by a State Party shall be deemed to be a denunciation of this Protocol by that Party.

ARTICLE 8

1. A conference for the purpose of revising or amending this Protocol may be convened by the Organization.
2. The Secretary-General shall convene a conference of the States Parties to this Protocol for revising or amending the Protocol, at the request of one third of the States Parties, or five States Parties, whichever is the higher figure.
3. Any instrument of ratification, acceptance, approval or accession deposited after the date of entry into force of an amendment to this Protocol shall be deemed to apply to the Protocol as amended.

ARTICLE 9

1. This Protocol shall be deposited with the Secretary-General.
2. The Secretary-General shall:
 - (a) Inform all States which have signed this Protocol or acceded thereto, and all Members of the Organization, of:
 - (i) Each new signature or deposit of an instrument of ratification, acceptance, approval or accession, together with the date thereof;
 - (ii) The date of entry into force of this Protocol;
 - (iii) The deposit of any instrument of denunciation of this Protocol together with the date on which it is received and the date on which the denunciation takes effect;
 - (iv) The receipt of any declaration or notification made under this Protocol or under the Convention, concerning this Protocol;
 - (b) Transmit certified true copies of this Protocol to all States which have signed this Protocol or acceded thereto.
3. As soon as this Protocol enters into force, a certified true copy thereof shall be transmitted by the Depositary to the Secretary-General of the United Nations for registration and publication in accordance with Article 102 of the Charter of the United Nations.

ARTICLE 10

This Protocol is established in a single original in the Arabic, Chinese, English, French, Russian and Spanish languages, each text being equally authentic.

IN WITNESS WHEREOF the undersigned, being duly authorized by their respective Governments for that purpose, have signed this Protocol.

DONE AT ROME this tenth day of March one thousand nine hundred and eighty-eight.

3. Exchange of notes between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Union of Soviet Socialist Republics concerning deep sea-bed mining areas



Treaty Series No. 34 (1988)

Exchange of Notes

between the Government of the
United Kingdom of Great Britain and Northern Ireland
and the Government of the Union of Soviet Socialist Republics
concerning Deep Seabed Mining Areas

Moscow, 14 August 1987

together with an Agreement

between the Governments of Canada, the Kingdom of Belgium,
the Republic of Italy, the Kingdom of the Netherlands
and the Union of Soviet Socialist Republics

on the Resolution of Practical Problems with
Respect to Deep Seabed Mining Areas
signed at New York on 14 August 1987
and related Exchanges of Notes

[The Exchanges of Notes and the Agreement entered into force on 14 August 1987 except that, as concerns the Netherlands, the Agreement and the related Exchanges of Notes have not yet entered into force]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
May 1988*

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PART I
EXCHANGE OF NOTES
BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT
BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF
THE UNION OF SOVIET SOCIALIST REPUBLICS CONCERNING DEEP
SEABED MINING AREAS, DATED 14 AUGUST 1987¹

No. 1

*Her Majesty's Embassy at Moscow to the Ministry of Foreign Affairs of the
Union of Soviet Socialist Republics*

Note No 145

Her Britannic Majesty's Embassy of the United Kingdom of Great Britain and Northern Ireland present their compliments to the Ministry of Foreign Affairs of the Union of Soviet Socialist Republics and have the honour to refer to the understanding reached among representatives of the United Kingdom of Great Britain and Northern Ireland, the Federal Republic of Germany, the USSR and the United States of America in New York on 3 September 1986.

In this connection the Embassy have the honour to state, on behalf of the Government of the United Kingdom, that, on the understanding that the Soviet side shall be bound by the provisions of the Agreement on the Resolution of Practical Problems with Respect to Deep Seabed Mining Areas signed at New York on 14 August 1987 by representatives of Belgium, Canada, Italy, the Netherlands and the Union of Soviet Socialist Republics, the United Kingdom side also shall be bound by the provisions of that Agreement in the same manner as other parties to that Agreement are bound by its provisions to the Soviet party.

Nothing in the above referenced Agreement, this Note, or in the Note of the Ministry in reply, nor acts or activities taking place pursuant thereto, shall prejudice the position of either side with respect to the United Nations Convention on the Law of The Sea of 1982.

If it is acceptable to the Soviet side, this Note and the Note in reply from the Ministry shall constitute an agreement between the two Governments which shall enter into force upon the date of the Note in reply from the Ministry, and which shall remain in force for the duration of the Agreement on the Resolution of Practical Problems with Respect to Deep Seabed Mining Areas or until otherwise agreed by the two sides, whichever is the later.

Her Britannic Majesty's Embassy avail themselves of this opportunity to renew to the Ministry of Foreign Affairs of the Union of Soviet Socialist Republics the assurances of their highest consideration.

BRITISH EMBASSY
MOSCOW

14 August 1987

¹ Similar Exchanges took place at Moscow on 14 August 1987 between the Embassies of the United States of America and the Federal Republic of Germany and the Soviet Ministry of Foreign Affairs.

No. 2

*The Ministry of Foreign Affairs of the Union of Soviet Socialist Republics to
Her Majesty's Embassy at Moscow*

No 228/2 eo

Министерство Иностранных Дел Союза Советских Социалистических Республик свидетельствует свое уважение Посольству Великобритании в Москве и подтверждает получение ноты Посольства No 145 от 14 августа 1987 года следующего содержания:

«Посольство Ее Британского Величества свидетельствует свое уважение Министерству Иностранных Дел Союза Советских Социалистических Республик и имеет честь сослаться на договоренность, достигнутую между представителями Соединенного Королевства Великобритании и Северной Ирландии, Федеративной Республики Германии, СССР и Соединенных Штатов Америки в Нью-Йорке 3 сентября 1986 года.

В этой связи Посольство имеет честь заявить от имени Правительства Соединенного Королевства, что при том понимании, что советская сторона будет соблюдать положения Соглашения о решении практических проблем, связанных с глубоководными добычными районами морского дна, подписанного в Нью-Йорке 14 августа 1987 года представителями Бельгии, Канады, Италии, Нидерландов и Союза Советских Социалистических Республик, сторона Соединенного Королевства также будет соблюдать положения этого Соглашения таким же образом, как другие Стороны этого Соглашения будут соблюдать его положения по отношению к Советской Стороне.

Ничто в вышеупомянутом Соглашении, настоящей ноте или в ответной ноте Министерства, а также в действиях или деятельности, предпринимаемых в соответствии с ними, не наносит ущерба позиции каждой из сторон в отношении Конвенции Организации Объединенных Наций по морскому праву 1982 года.

В случае согласия с этим советской стороны настоящая нота и ответная нота Министерства будут рассматриваться как соглашение между двумя Правительствами, которое вступает в силу с даты ответной ноты Министерства и которое будет оставаться в силе на период действия Соглашения о решении практических проблем, связанных с глубоководными добычными районами морского дна, или до тех пор, пока обе стороны не договорятся об ином, в зависимости от того, что произойдет позже.

Посольство Ее Британского Величества пользуется этим случаем, чтобы возобновить Министерству уверения в своем весьма высоком уважении.

Москва, 14 августа 1987 года».

От имени Правительства Союза Советских Социалистических Республик Министерство имеет честь сообщить Посольству, что советская сторона готова рассматривать вышеуказанную ноту Посольства и данный ответ как соглашение между двумя Правительствами, которое вступает в силу с даты настоящей ноты Министерства и которое будет оставаться в силе на период действия Соглашения о решении практических проблем, связанных с глубоководными добычными районами морского дна, или до тех пор, пока обе стороны не договорятся об ином, в зависимости от того, что произойдет позже.

Министерство пользуется случаем, чтобы возобновить Посольству уверения в своем высоком уважении.

Москва, «14» августа 1987 года.

[Translation of No. 2]

The Ministry of Foreign Affairs of the Union of Soviet Socialist Republics presents its compliments to Her Britannic Majesty's Embassy in Moscow and confirms the receipt of the following Embassy Note No. 145 of August 14, 1987:

[As in No. 1]

On behalf of the Government of the Union of Soviet Socialist Republics the Ministry has the honour to inform the Embassy that the Soviet side is prepared to consider the above mentioned Note of the Embassy and the present reply as an agreement between the two Governments which shall enter into force upon the date of this Ministry's Note in reply, and which shall remain in force for the duration of that Agreement or until otherwise agreed by the two sides, whichever is the later.

The Ministry avails itself of this opportunity to renew to Her Britannic Majesty's Embassy in Moscow the assurances of their highest consideration.

MOSCOW
14 August 1987

PART II

**AGREEMENT
ON THE RESOLUTION OF PRACTICAL PROBLEMS WITH RESPECT TO
DEEP SEABED MINING AREAS**

The Government of Canada, the Government of the Kingdom of Belgium, the Government of the Republic of Italy, the Government of the Kingdom of the Netherlands and the Government of the Union of Soviet Socialist Republics, hereinafter referred to as the "Parties":

Desirous of removing impediments to the universal adherence to the United Nations Convention on the Law of the Sea of 1982;

Intending to resolve practical problems over deep seabed mining areas to which this Agreement relates; and

Having held discussions for this purpose between December 1986 and August 1987;

Have agreed as follows:

ARTICLE 1

(1) The Parties have agreed on lines the co-ordinates of which are shown in Annexes II, III and IV to this Agreement for the purpose of resolving practical problems with respect to deep seabed mining areas, the co-ordinates of which were exchanged by the Parties in Moscow on December 6, 1986, and are shown in Annex I.

(2) In this Agreement, "deep seabed mining areas" means areas of the deep seabed intended for the conduct of exploration and exploitation of hard mineral resources.

ARTICLE 2

Each Party shall respect the agreed resolution of practical problems as shown in Annexes II, III and IV to this Agreement.

ARTICLE 3

The Parties shall not act, themselves or in association with third parties, in a manner that could prevent registration of an application which is submitted by a Party to the Preparatory Commission for the International Seabed Authority and for the International Tribunal for the Law of the Sea, hereinafter referred to as "the Preparatory Commission", for an area referred to in the Annexes to this Agreement, and which is consistent with respect for the areas specified in the Annexes to this Agreement.

ARTICLE 4

(1) The Parties shall not act, themselves or in association with third parties, in a manner which could lead to the creation of additional practical problems with respect to the deep seabed mining areas referred to in the Annexes to this Agreement.

(2) Accordingly, the Parties shall not engage in or support deep seabed mining in, or seek or support registration in the Preparatory Commission of, a deep seabed mining area in a manner incompatible with respect for the areas specified in the Annexes to this Agreement.

ARTICLE 5

The Parties shall take all measures in conformity with international law and existing legislation to ensure that there is no physical interference with the activities of each other related to exploration and exploitation of hard mineral resources in the deep seabed mining areas referred to in the Annexes to this Agreement.

ARTICLE 6

When necessary, the Parties will consult on the questions connected with the implementation of this Agreement.

ARTICLE 7

- (1) This Agreement shall enter into force on the date of its signature and shall remain in force until otherwise agreed by the Parties. The Annexes to this Agreement are an integral part thereof.
- (2) Any Party may declare, upon signature, that this Agreement shall enter into force for that Party only after notification to all other Parties that all legal requirements have been met. The Agreement shall enter into force for that Party upon receipt of such notification by all other Parties.

Done at New York this 14th day of August 1987 in five originals, each in the English, French, Dutch, Italian and Russian languages, all texts being equally authentic.

[Here follow the signatures on behalf of the Governments of:

Canada
the Kingdom of Belgium
the Republic of Italy
the Kingdom of the Netherlands
the Union of Soviet Socialist Republics]

DECLARATIONS

BELGIUM

On signing the Agreement the Government of the Kingdom of Belgium made the following declaration¹:

Declaration under article 7 (2)

"I have the honour to state the following on behalf of the Government of the Kingdom of Belgium:

1. As far as the Government of the Kingdom of Belgium is concerned, the Agreement on the Resolution of Practical Problems with respect to Deep Seabed Mining Areas, signed in New York on August 14, 1987 will be in force as of the date of signature.
2. The said Agreement will come fully into effect for physical and juridical persons acting under Belgian law as soon as notification will have been received by all other Parties that the relevant national legislation has been passed.
3. The Government of the Kingdom of Belgium will take steps to introduce such legislation immediately after the signing of the said Agreement, with a view to allow its early adoption by Parliament, if possible within several months after the date of introduction of such legislation."

NETHERLANDS

On signing the Agreement the Government of the Kingdom of the Netherlands made the following declaration:

"On the occasion of the signing today of the Agreement on the Resolution of Practical Problems with Respect to Deep Seabed Mining Areas, and with reference to Article 7, paragraph 2, of the said Agreement, I have the honour to declare on behalf of the Government of the Kingdom of the Netherlands that the above-mentioned Agreement shall enter into force for the Kingdom of the Netherlands only after a notification of the Netherlands Government to all other Parties to the said Agreement that all legal requirements in the Kingdom of the Netherlands have been met."

¹ This declaration was also made in French.

THE CO-ORDINATES OF THE DEEP SEABED MINING AREAS
EXCHANGED BY THE PARTIES IN MOSCOW ON DECEMBER 6, 1986.

A. [This Part of this Annex is regarded as confidential by the Parties and is therefore not printed]

B. The co-ordinates communicated by the other Parties¹ are as follows:

AREA A

<i>Turning Points</i>	<i>Latitude (N)</i>	<i>Longitude (W)</i>
1	15°20'	128°35'
2	15°20'	127°50'
3	15°15'	127°50'
4	15°15'	127°46'
5	15°44'	127°46'
6	15°44'	125°20'
7	16°14'	125°20'
8	16°14'	124°20'
9	16°04'	124°20'
10	16°04'	123°25'
11	15°44'	123°25'
12	15°44'	122°20'
13	14°10'	122°20'
14	14°10'	122°45'
15	13°21'	122°45'
16	13°21'	123°00'
17	12°56'	123°00'
18	12°56'	123°35'
19	14°05'	123°35'
20	14°05'	125°00'
21	13°45'	125°00'
22	13°45'	126°15'
23	14°20'	126°15'
24	14°20'	128°00'
25	12°00'	128°00'
26	12°00'	127°43'
27	11°40'	127°43'
28	11°40'	128°35'
1	15°20'	128°35'

AREA B—FIRST SITE

<i>Turning Points</i>	<i>Latitude (N)</i>	<i>Longitude (W)</i>
1	15°25'	134°00'
2	14°00'	134°00'
3	14°00'	133°50'
4	11°30'	133°50'
5	11°30'	136°00'
6	10°50'	136°00'
7	10°50'	137°50'
8	12°30'	137°50'
9	12°30'	136°00'
10	15°25'	136°00'
1	15°25'	134°00'

¹ Parties other than the Soviet Union.

AREA B—SECOND SITE

<i>Turning Points</i>	<i>Latitude (N)</i>	<i>Longitude (W)</i>
<i>First Segment:</i>		
1	14°15'	139°30'
2	14°15'	136°00'
3	12°30'	136°00'
4	12°30'	137°50'
5	10°50'	137°50'
6	10°50'	139°30'
1	14°15'	139°30'
<i>Second Segment:</i>		
1	13°26'	119°25'
2	13°26'	118°00'
3	12°00'	118°00'
4	12°00'	116°04'
5	09°45'	116°04'
6	09°45'	119°25'
1	13°26'	119°25'

AREA C

<i>Turning Points</i>	<i>Latitude (N)</i>	<i>Longitude (W)</i>
<i>First Segment:</i>		
1	13°40'	128°35'
2	11°40'	128°35'
3	11°40'	131°15'
4	11°30'	131°15'
5	11°30'	132°00'
6	11°40'	132°20'
7	11°40'	133°50'
8	12°50'	133°50'
9	12°50'	132°15'
10	13°20'	132°15'
11	13°20'	130°00'
12	13°40'	130°00'
1	13°40'	128°35'
<i>Second Segment:</i>		
1	11°50'	145°00'
2	11°50'	143°15'
3	10°45'	143°15'
4	10°45'	142°15'
5	09°45'	142°15'
6	09°45'	142°45'
7	09°15'	142°45'
8	09°15'	143°45'
9	10°00'	143°45'
10	10°00'	144°00'
11	09°45'	144°00'
12	09°45'	144°45'
13	09°30'	144°45'
14	09°30'	145°00'
1	11°50'	145°00'

AREA D—FIRST SITE

<i>Turning Points</i>	<i>Latitude (N)</i>	<i>Longitude (W)</i>
1	14°20'	128°00'
2	14°20'	126°15'
3	13°45'	126°15'
4	13°45'	125°20'
5	12°15'	125°20'
6	12°15'	127°00'
7	11°40'	127°00'
8	11°40'	127°43'
9	12°00'	127°43'
10	12°00'	128°00'
1	14°20'	128°00'

AREA D—SECOND SITE

<i>Turning Point</i>	<i>Latitude (N)</i>	<i>Longitude (W)</i>
1	11°00'	116°04'
2	12°00'	116°04'
3	12°00'	118°00'
4	13°26'	118°00'
5	13°26'	118°40'
6	13°30'	118°40'
7	13°30'	119°15'
8	13°45'	119°15'
9	13°45'	119°30'
10	14°30'	119°30'
11	14°30'	118°15'
12	14°45'	118°15'
13	14°45'	117°15'
14	14°58'	117°15'
15	14°58'	116°00'
16	14°00'	116°00'
17	14°00'	115°00'
18	13°00'	115°00'
19	13°00'	115°20'
20	11°00'	115°20'
1	11°00'	116°04'

ANNEX II

A. The co-ordinates of the deep seabed mining area which shall be included by the Soviet Party in its revised application and shall be relinquished by it are as follows:

<i>Turning Points</i>	<i>Latitude (N)</i>	<i>Longitude (W)</i>
1	14°45'	128°12.5'
2	14°37.5'	128°12.5'
3	14°37.5'	128°09.13'
4	14°15'	128°09.13'
5	14°15'	128°05'
6	14°00'	128°05'
7	14°00'	128°10'
8	13°55'	128°10'
9	13°55'	128°15'
10	13°34.56'	128°15'
11	13°34.56'	128°35'
12	13°00'	128°35'
13	13°00'	128°02'
14	14°45'	128°02'
1	14°45'	128°12.5'

B. The co-ordinates of the deep seabed mining area which shall be included by the Soviet Party in its revised application and shall not be relinquished by it are as follows:

<i>Turning Points</i>	<i>Latitude (N)</i>	<i>Longitude (W)</i>
1	14°45'	128°12.5'
2	14°37.5'	128°12.5'
3	14°37.5'	128°09.13'
4	14°15'	128°09.13'
5	14°15'	128°05'
6	14°00'	128°05'
7	14°00'	128°10'
8	13°55'	128°10'
9	13°55'	128°15'
10	13°34.56'	128°15'
11	13°34.56'	128°35'
12	14°45'	128°35'
1	14°45'	128°12.5'

ANNEX III

A. The co-ordinates of the deep seabed mining areas which either shall be included by the Soviet Party in its revised application and shall be relinquished by it, or which shall not be included by the Soviet Party in its revised application, are as follows:

<i>Turning Points</i>	<i>Latitude (N)</i>	<i>Longitude (W)</i>
1	13°02'	138°22.412'
2	13°02'	137°30'
3	13°48'	137°30'
4	13°48'	136°49'
5	13°11'	136°49'
6	13°11'	136°10'
7	14°03'	136°10'
8	14°03'	134°31'
9	14°21'	134°31'
10	14°21'	134°00'
11	14°00'	134°00'
12	14°00'	133°50'
13	13°30'	133°50'
14	13°30'	134°45'
15	11°30'	134°45'
16	11°30'	137°08'
17	10°50'	137°08'
18	10°50'	137°59'
19	11°00'	137°59'
20	11°00'	138°22.412'
1	13°02'	138°22.412'

B. The co-ordinates of the deep seabed mining areas which shall be included by the Soviet Party in its revised application and shall not be relinquished by it are as follows:

<i>Turning Points</i>	<i>Latitude (N)</i>	<i>Longitude (W)</i>
(a) 1	12°58'	134°04'
2	12°58'	133°50'
3	11°30'	133°50'
4	11°30'	134°04'
1	12°58'	134°04'
(b) 1	13°30'	134°45'
2	13°30'	133°50'
3	12°58'	133°50'
4	12°58'	134°04'
5	11°30'	134°04'
6	11°30'	134°45'
1	13°30'	134°45'
(c) 1	14°15'	139°30'
2	14°15'	138°22.412'
3	13°02'	138°22.412'
4	13°02'	139°00'
5	12°00'	139°00'
6	12°00'	138°33'
7	11°00'	138°33'
8	11°00'	138°22.412'
9	10°50'	138°22.412'
10	10°50'	139°30'
1	14°15'	139°30'
(d) 1	13°02'	139°00'
2	13°02'	138°22.412'
3	11°00'	138°22.412'
4	11°00'	138°33'
5	12°00'	138°33'
6	12°00'	139°00'
1	13°02'	139°00'

Note: From the areas indicated in paragraph B of this Annex the area with the following co-ordinates is mentioned in paragraph A of Annex IV because it will be included by the Soviet Party in its revised application and shall be relinquished by it:

<i>Turning Points</i>	<i>Latitude (N)</i>	<i>Longitude (W)</i>
1	13°00'	134°00'
2	12°50'	134°00'
3	12°50'	133°50'
4	12°11.6'	133°50'
5	12°11.6'	134°04'
6	12°30'	134°04'
7	12°30'	134°15'
8	13°00'	134°15'
1	13°00'	134°00'

ANNEX IV

A. The co-ordinates of the deep seabed mining areas which shall be included by the Soviet Party in its revised application and shall be relinquished by it are as follows:

<i>Turning Points</i>	<i>Latitude (N)</i>	<i>Longitude (W)</i>
(a) 1	13°20.2'	130°00'
2	13°20.2'	128°35'
3	13°00'	128°35'
4	13°00'	129°29'
5	12°00'	129°29'
6	12°00'	130°39'
7	13°20'	130°39'
8	13°20'	130°00'
1	13°20.2'	130°00'
(b) 1	13°29'	131°00'
2	13°20'	131°00'
3	13°20'	132°15'
4	13°29'	132°15'
1	13°29'	131°00'
(c) 1	13°20'	131°43'
2	12°32'	131°43'
3	12°32'	132°15'
4	13°20'	132°15'
1	13°20'	131°43'
(d) 1	12°50'	133°30.6'
2	12°32'	133°30.6'
3	12°32'	133°32'
4	12°50'	133°32'
1	12°50'	133°30.6'
(e) 1	13°00'	134°00'
2	12°50'	134°00'
3	12°50'	133°50'
4	12°11.6'	133°50'
5	12°11.6'	134°04'
6	12°30'	134°04'
7	12°30'	134°15'
8	13°00'	134°15'
1	13°00'	134°00'

B. The co-ordinates of the deep seabed mining areas which shall be included by the Soviet Party in its revised application and shall not be relinquished by it are as follows:

<i>Turning Points</i>	<i>Latitude (N)</i>	<i>Longitude (W)</i>
(a) 1	13°40'	128°35'
2	13°20.2'	128°35'
3	13°20.2'	130°00'
4	13°40'	130°00'
1	13°40'	128°35'
(b) 1	12°50'	132°15'
2	12°31.1'	132°15'
3	12°31.1'	133°30.6'
4	12°50'	133°30.6'
1	12°50'	132°15'
(c) 1	11°50'	143°37.9'
2	11°00'	143°37.9'
3	11°00'	145°00'
4	11°50'	145°00'
1	11°50'	143°37.9'

C. The co-ordinates of the deep seabed mining areas which were additionally communicated by the other Parties in New York in August 1987 and which shall not be included by the Soviet Party in its revised application are as follows:

<i>Turning Points</i>	<i>Latitude (N)</i>	<i>Longitude (W)</i>
1	11°30'	131°30'
2	11°00'	131°30'
3	11°00'	132°30'
4	10°30'	132°30'
5	10°30'	133°30'
6	11°00'	133°30'
7	11°00'	133°40'
8	11°40'	133°40'
9	11°40'	132°20'
10	11°30'	132°00'
1	11°30'	131°30'

PART III

EXCHANGE OF NOTES
BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF
GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF
THE REPUBLIC OF ITALY CONCERNING TERMINATION OF THE
EXCHANGE OF NOTES AND AGREEMENT DATED 14 AUGUST 1987, AND
SIMILAR EXCHANGES OF NOTES WITH THE GOVERNMENTS OF
CANADA, THE KINGDOM OF BELGIUM AND THE KINGDOM OF THE
NETHERLANDS¹

No. 1

Her Majesty's Embassy at Rome to the Ministry of Foreign Affairs of the Republic of Italy

NOTE VERBALE NO. 232

Her Britannic Majesty's Embassy present their compliments to the Ministry of Foreign Affairs of the Republic of Italy and have the honour to refer to the Agreement of the Resolution of Practical Problems with Respect to Deep Seabed Mining Areas concluded at New York on 14 August, 1987, between the Governments of the Kingdom of Belgium, Canada, the Republic of Italy, the Kingdom of the Netherlands and the Union of Soviet Socialist Republics and the Exchange of Notes relating to that Agreement dated 14 August, 1987, between the United Kingdom and the Union of Soviet Socialist Republics. In this connection the Embassy have the honour to propose that the Government of the Republic of Italy shall not take steps to terminate that Agreement and the Government of the United Kingdom shall not take steps to terminate the agreement concluded by that Exchange of Notes, except by common accord of the Government of the United Kingdom and the Government of the Republic of Italy.

If it is acceptable to the Government of the Republic of Italy this Note and the Note in reply shall constitute an agreement between the two Governments which shall enter into force on the date of the Note in reply from the Ministry of Foreign Affairs.

Her Britannic Majesty's Embassy avail themselves of this opportunity to renew to the Ministry of Foreign Affairs of the Republic of Italy the expression of their highest consideration.

BRITISH EMBASSY, ROME

14 August 1987

¹ Similar Notes were exchanged on 14 August 1987 between the British High Commission at Ottawa and the Department of External Affairs of Canada and also between HM Embassies at Brussels and The Hague and the Ministries of Foreign Affairs of Belgium and the Netherlands respectively.

These Exchanges were the same in content except that the last paragraph of the Note of HM Embassy at The Hague was as follows:

"If it is acceptable to the Government of the Kingdom of the Netherlands, this Note and the Note in reply shall constitute an agreement between the two Governments which shall enter into force on the date on which the Government of the United Kingdom will receive from the Government of the Kingdom of the Netherlands a notification of the completion of the constitutional requirements in the Kingdom of the Netherlands."

and the Note from the Ministry in reply was in similar terms.

Similar Notes were exchanged between the Governments of the United States of America and the Federal Republic of Germany and the Governments of Canada, the Kingdom of Belgium, the Republic of Italy and the Kingdom of the Netherlands.

No. 2

The Ministry of Foreign Affairs of the Republic of Italy to Her Majesty's Embassy at Rome

No. 055 bis/86

The Ministry of Foreign Affairs of the Republic of Italy presents its compliments to Her Britannic Majesty's Embassy and acknowledges receipt of the Note dated 14 August, 1987, which reads as follows:

[As in No. 1]

The Ministry of Foreign Affairs of the Republic of Italy is in agreement with what is stated in the Note reproduced above and confirms that such Note and the present Note in reply shall constitute an agreement between the Government of the Republic of Italy and the Government of the United Kingdom which shall enter into force on the date of the present Note.

The Ministry of Foreign Affairs of the Republic of Italy avails itself of this opportunity to renew to Her Britannic Majesty's Embassy the expression of its highest consideration.

ROME

14 August 1987

D. Extent of national claims over maritime zones

1. EXTENT OF THE TERRITORIAL SEA

(a) 12-mile limit

Algeria	12
Antigua and Barbuda	12
Bangladesh	12
Barbados	12
Brunei Darussalam	12
Bulgaria	12
Burma	12
Canada	12
Cape Verde	12
Chile	12
China	12
Colombia	12
Comoros	12
Cook Islands	12
Costa Rica	12
Côte d'Ivoire	12
Cuba	12
Cyprus	12
Democratic Kampuchea	12
Democratic People's Republic of Korea	12
Democratic Yemen	12
Djibouti	12
Dominica	12
Egypt	12
Equatorial Guinea	12
Ethiopia	12
Fiji	12
France	12
Gabon	12
Gambia	12
German Democratic Republic	12
Ghana	12
Grenada	12
Guatemala	12
Guinea	12
Guinea-Bissau	12
Guyana	12
Haiti	12
Honduras	12
Iceland	12

India	12
Indonesia	12
Iran (Islamic Republic of)	12
Iraq	12
Italy	12
Jamaica	12
Japan	12
Kenya	12
Kiribati	12
Kuwait	12
Lebanon	12
Libyan Arab Jamahiriya	12
Madagascar	12
Malaysia	12
Maldives	12
Malta	12
Mauritania	12
Mauritius	12
Mexico	12
Monaco	12
Morocco	12
Mozambique	12
Nauru	12
Netherlands	12
New Zealand	12
Niue	12
Oman	12
Pakistan	12
Papua New Guinea	12
Poland	12
Portugal	12
Republic of Korea	12
Romania	12
Samoa	12
Sao Tome and Principe	12
Saudi Arabia	12
Senegal	12
Seychelles	12
Solomon Islands	12
South Africa	12
Spain	12
Sri Lanka	12
Saint Kitts and Nevis	12
Saint Lucia	12
Saint Vincent and the Grenadines	12
Sudan	12

Suriname	12
Sweden	12
Thailand	12
Tonga	12
Trinidad and Tobago	12
Tunisia	12
Turkey <u>1/</u>	12
Tuvalu	12
Ukrainian SSR	12
United Arab Emirates <u>2/</u>	12
United Kingdom	12
USSR	12
Vanuatu	12
Venezuela	12
Viet Nam	12
Yemen	12
Yugoslavia	12
Zaire	12

Total of 105 with 12-mile limit

(b) Limit less than 12 miles

Australia	3
Bahamas	3
Bahrain	3
Belize	3
Denmark	3
Germany, Federal Republic of <u>3/</u>	3
Ireland	3
Jordan	3
Qatar	3
Singapore	3
United Arab Emirates <u>2/</u>	3
United States	3

Total of 12 with 3-mile limit

1/ Applies to the Mediterranean and Black Seas. Turkey also has a 6-mile limit in the Aegean Sea.

2/ The 12-mile limit applies only to Sharga.

3/ A decree was promulgated on 12 November 1984 on the Extension of the Territorial sea of the Federal Republic of Germany in the North Sea for Preventing Tanker Casualties in the German Bight. See Law of the Sea Bulletin No. 7, of April 1986.

Finland	4
Norway	4

Total of 2 with 4-mile limit

Dominican Republic	6
Greece	6
Israel	6
Turkey <u>1/</u>	6

Total of 4 with 6-mile limit

(c) Limit exceeding 12 miles

Albania	15
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Angola	20
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Nigeria	30
Togo	30

Syrian Arab Republic	35
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Cameroon	50
United Republic of Tanzania	50

Argentina	200
Benin	200
Brazil	200
Congo	200
Ecuador	200
El Salvador	200
Liberia	200
Nicaragua	200
Panama	200
Peru	200
Sierra Leone	200
Somalia	200
Uruguay	200

Total of 13 with 200-mile limit

1/ Applies to the Aegean Sea. Turkey also has a 12-mile limit in the Mediterranean and Black Seas.

2. EXTENT OF THE CONTIGUOUS ZONE

(a) 24-mile limit

Antigua and Barbuda	24
Burma	24
Chile	24
Democratic Kampuchea	24
Democratic Yemen	24
Dominica	24
Dominican Republic	24
Gabon	24
Ghana	24
India	24
Madagascar	24
Malta	24
Morocco	24
Pakistan	24
Saint Lucia	24
Senegal	24
Sri Lanka	24
Vanuatu	24
Viet Nam	24

Total of 19 with 24-mile limit

(b) Limit less than 24 miles

Venezuela	3
Finland	6
United States	12
Bangladesh	18
Egypt	18
Gambia	18
Saudi Arabia	18
Sudan	18

Total of 8 less than 24-mile limit

3. EXTENT OF THE EXCLUSIVE ECONOMIC ZONE

200-mile limit

Antigua and Barbuda	200
Bangladesh	200
Barbados	200
Bulgaria	200
Burma	200
Cape Verde	200
Chile	200
Colombia	200
Comoros	200
Cook Islands	200
Costa Rica	200
Côte d'Ivoire	200
Cuba	200
Democratic Kampuchea	200
Democratic People's Republic of Korea	200
Democratic Yemen	200
Djibouti	200
Dominica	200
Dominican Republic	200
Equatorial Guinea	200
Fiji	200
France	200
Gabon	200
Ghana	200
Grenada	200
Guatemala	200
Guinea	200
Guinea-Bissau	200
Haiti	200
Honduras	200
Iceland	200
India	200
Indonesia	200
Kenya	200
Kiribati	200

Madagascar	200
Malaysia	200
Mauritania	200
Mauritius	200
Mexico	200
Morocco	200
Mozambique	200
New Zealand	200
Nigeria	200
Niue	200
Norway	200
Oman	200
Pakistan	200
Philippines	200
Portugal	200
Romania	200
Samoa	200
Sao Tome and Principe	200
Senegal	200
Seychelles	200
Solomon Islands	200
Spain	200
Sri Lanka	200
Saint Kitts and Nevis	200
Saint Lucia	200
Saint Vincent and the Grenadines	200
Suriname	200
Thailand	200
Togo	200
Trinidad and Tobago	200
Tonga	200
Tuvalu	200
Ukrainian SSR	200
United States	200
USSR	200
Vanuatu	200
Venezuela	200
Viet Nam	200

Total of 74

4. EXTENT OF THE FISHERY ZONE

(a) 200-mile limit

Angola	200
Antigua and Barbuda	200
Australia	200
Bahamas	200
Canada	200
Denmark	200
Dominica	200
Gambia	200
Germany, Federal Republic of	200
Guyana	200
Ireland	200
Japan	200
Nauru	200
Netherlands	200
Papua New Guinea	200
South Africa	200
Sweden	200
United Kingdom	200

Total of 18 with 200-mile limit

(b) Limit less than 200-mile

Finland	12
Turkey	12
Malta	25
Iran (Islamic Republic of)	50

Total of 4 with less than 200-mile limit

5. EXTENT OF THE CONTINENTAL SHELF

(a) Exploitability criteria

Philippines EXP

(b) Continental margin criteria

Bangladesh CM

(c) 200 nautical miles criteria

Côte d'Ivoire 200 nm
Ghana 200 nm
Peru 200 nm
Chile 1/ 200/350 nm

(d) 200 nautical miles or 100 nautical miles from the 2,500 metre isobath criteria

Ecuador 2/ 200 nm/100 nm from 2,500 m isobath
Madagascar 200 nm/100 nm from 2,500 m isobath

(e) 200 metres depth plus exploitability criteria

Albania 200 m/EXP
Argentina 200 m/EXP
Australia 200 m/EXP
Bahamas 200 m/EXP
Bulgaria 200 m/EXP

Canada 200 m/EXP
Colombia 200 m/EXP
Costa Rica 200 m/EXP
Cyprus 200 m/EXP
Democratic Kampuchea 200 m/EXP

1/ 350 nautical miles applies to Sala y Gomez and Easter Island.

2/ 100 nautical mile from the 2,500 metre isobath applies to the Galapagos Islands.

Denmark	200 m/EXP
Egypt	200 m/EXP
Fiji	200 m/EXP
Finland	200 m/EXP
France	200 m/EXP
German Democratic Republic	200 m/EXP
Germany, Federal Republic of	200 m/EXP
Greece	200 m/EXP
Guatemala	200 m/EXP
Haiti	200 m/EXP
Honduras	200 m/EXP
Israel	200 m/EXP
Italy	200 m/EXP
Jamaica	200 m/EXP
Kenya	200 m/EXP
Malaysia	200 m/EXP
Malta	200 m/EXP
Mexico	200 m/EXP
Netherlands	200 m/EXP
Nigeria	200 m/EXP
Norway	200 m/EXP
Papua New Guinea	200 m/EXP
Poland	200 m/EXP
Portugal	200 m/EXP
Romania	200 m/EXP
Sierra Leone	200 m/EXP
South Africa	200 m/EXP
Spain	200 m/EXP
Sudan	200 m/EXP
Sweden	200 m/EXP
Thailand	200 m/EXP
Tonga	200 m/EXP
Trinidad and Tobago	200 m/EXP
Ukrainian SSR	200 m/EXP
United Kingdom	200 m/EXP
United States	200 m/EXP
Uruguay	200 m/EXP
USSR	200 m/EXP
Venezuela	200 m/EXP
Yugoslavia	200 m/EXP

Total of 50 with 200 metres depth
plus exploitability criteria

(f) Breadth (200 nautical miles) or outer edge
of the continental margin criteria

Burma	200 nm/CM
Cook Islands	200 nm/CM
Democratic Yemen	200 nm/CM
Dominican Republic	200 nm/CM
Guyana	200 nm/CM
Iceland	200 nm/CM
India	200 nm/CM
Mauritania	200 nm/CM
Mauritius	200 nm/CM
New Zealand	200 nm/CM
Pakistan	200 nm/CM
Senegal	200 nm/CM
Seychelles	200 nm/CM
Sri Lanka	200 nm/CM
Saint Lucia	200 nm/CM
Vanuatu	200 nm/CM
Viet Nam	200 nm/CM

Total of 17 with breadth (200 nm)
or outer edge of the continental
margin criteria

E. National legislation in relation to the Area

1. FEDERAL REPUBLIC OF GERMANY

The Government of the Federal Republic of Germany wishes to inform the United Nations of the co-ordinates of the licence issued by the Federal Minister of Economics on 30 November 1985 pursuant to the Gesetz zur vorläufigen Regelung des Tiefseebergbaus (Act on the Interim Regulation of Deep Seabed Mining) dated 16 August 1980 (BGBl. I p. 1457) as amended by the Act of 12 February 1982 (BGBl I p. 136) to the Arbeitsgemeinschaft meeresstechnisch gewinnbare Rohstoffe (AMR) as trustee for Ocean Management Corporation Inc. (OMI) authorizing exploration of hard mineral resources of the deep seabed.

After modification with effect from 14 August 1987 the licence applies to two areas delimited by a line with the following turning points:

Segment A

Starting point	1	:	N 14°15' / W 138°22,412'
to	2	:	N 14°15' / W 136°00'
to	3	:	N 12°30' / W 136°00'
to	4	:	N 12°30' / W 137°50'
to	5	:	N 10°50' / W 137°50'
to	6	:	N 10°50' / W 138°22,412' return
to starting point	1	:	N 14°15' / W 138°22,412'

Segment B

Starting point	1	:	N 13°26' / W 119°25'
to	2	:	N 13°26' / W 118°00'
to	3	:	N 12°00' / W 118°00'
to	4	:	N 12°00' / W 116°04'
to	5	:	N 09°45' / W 116°04'
to	6	:	N 09°45' / W 119°25' return
to starting point	1	:	N 13°26' / W 119°25'

These co-ordinates have been published in the Bundesanzeiger (Federal Journal) of 9 March 1988.

I would be grateful, if this information could be published by the United Nations as part of the Law of the Sea Bulletin.

2. UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

The Permanent Mission of the United Kingdom of Great Britain and Northern Ireland to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honour to transmit herewith, in the annex to this note, the co-ordinates defining the site (known as "Frigate Bird") for which the Secretary of State for Trade and Industry issued a licence on 21 December 1984, pursuant to the United Kingdom Deep Sea Mining (Exploration Licences) Regulations 1984. The licence was issued to BP Petroleum Developments Ltd, RTZ Deep Sea Mining Enterprises Ltd, Consolidated Goldfields PLC, the Kennecott Corporation, the Mitsubishi Corporation and the Noranda Exploration Inc (the Kennecott Consortium). It was assigned to the Sohio Electro-Minerals Company (UK) Ltd on 6 February 1985, and subsequently to the Carborundum Company Ltd on 10 April 1987, which now holds the licence on behalf of the licencees.

The Permanent Mission would be grateful if the information in this note and its annex could be published in the next issue of United Nations Law of the Sea Bulletin.

Annex

DESCRIPTION OF "FRIGATE BIRD" SITE AREA

The area of the application is encompassed by and extends to geodesics drawn between the geodetic co-ordinates numbered in series below:

From:

- | | | |
|------|--|------------------------|
| (1) | North Latitude 11°00'
A geodesic line drawn northerly to: | West Longitude 116°04' |
| (2) | North Latitude 12°00'
A geodesic line drawn westerly to: | West Longitude 116°04' |
| (3) | North Latitude 12°00'
A geodesic line drawn northerly to: | West Longitude 118°00' |
| (4) | North Latitude 13°26'
A geodesic line drawn westerly to: | West Longitude 118°00' |
| (5) | North Latitude 13°26'
A geodesic line drawn northerly to: | West Longitude 118°40' |
| (6) | North Latitude 13°30'
A geodesic line drawn westerly to: | West Longitude 118°40' |
| (7) | North Latitude 13°30'
A geodesic line drawn northerly to: | West Longitude 119°15' |
| (8) | North Latitude 13°45'
A geodesic line drawn westerly to: | West Longitude 119°15' |
| (9) | North Latitude 13°45'
A geodesic line drawn northerly to: | West Longitude 119°30' |
| (10) | North Latitude 14°30'
A geodesic line drawn easterly to: | West Longitude 119°30' |
| (11) | North Latitude 14°30'
A geodesic line drawn northerly to: | West Longitude 118°15' |
| (12) | North Latitude 14°45'
A geodesic line drawn easterly to: | West Longitude 118°15' |
| (13) | North Latitude 14°45'
A geodesic line drawn northerly to: | West Longitude 117°15' |
| (14) | North Latitude 14°58'
A geodesic line drawn easterly to: | West Longitude 117°15' |
| (15) | North Latitude 14°58'
A geodesic line drawn southerly to: | West Longitude 116°00' |

- | | | |
|------|--|------------------------|
| (16) | North Latitude 14°00'
A geodesic line drawn easterly to: | West Longitude 116°00' |
| (17) | North Latitude 14°00'
A geodesic line drawn southerly to: | West Longitude 115°00' |
| (18) | North Latitude 13°00'
A geodesic line drawn westerly to: | West Longitude 115°00' |
| (19) | North Latitude 13°00'
A geodesic line drawn southerly to: | West Longitude 115°20' |
| (20) | North Latitude 11°00'
A geodesic line drawn westerly to: | West Longitude 115°20' |
| (1) | The point of beginning. | |

3. UNITED STATES OF AMERICA

The Acting Permanent Representative of the United States to the United Nations presents his compliments to the Secretary-General of the United Nations and has the honour to transmit the attached note referring to four licences authorizing deep sea-bed hard mineral resources exploration in specified areas of the east-central Pacific Ocean.

By note dated 13 January 1986, the Government of the United States conveyed to the United Nations notices published in the Federal Register of the United States, which provided public notice of the issuance in 1984 by the National Oceanic and Atmospheric Administration (NOAA), United States Department of Commerce, of four licences authorizing deep sea-bed hard mineral resources exploration in specified areas of the east-central Pacific Ocean. Included in the Federal Register notices were the geographical co-ordinates of the deep sea-bed areas within which deep sea-bed hard mineral exploration has been authorized. That note and the related licence notices were printed in the United Nations Law of the Sea Bulletin, No. 7, April 1986.

As a result of negotiations which in July 1987 produced the successful resolution of mine site overlaps, three of the above licences have been modified to incorporate changes in site co-ordinates. These licence amendments are set forth in the attached Federal Register notices.

The Acting Permanent Representative of the United States requests that this note, and the attached Federal Register notices, be circulated by the United Nations as part of the next Law of the Sea Bulletin prepared by the Office of the Special Representative of the Secretary-General for the Law of the Sea.

Annex

National Oceanic and Atmospheric Administration

Deep Sea-bed Mining; Approval of Revision to Mine Site Area and Publication of Revised Co-ordinates

AGENCY: National Oceanic and Atmospheric Administration, Commerce

ACTION: Notice of approval of amendment to Deep Sea-bed Mining Exploration Licence area and publication of revised co-ordinates.

SUMMARY: Pursuant to the Deep Sea-bed Hard Mineral Resources Act and 15 CFR Part 970, and at the request of the licensee, the National Oceanic and Atmospheric Administration (NOAA) on 5 April 1988, approved Revision No. 2 to exploration licence USA-1, issued to Ocean Minerals Company (OMCO). On 7 and 16 October 1987, at 52 FR 37490 and 52 FR 38504, NOAA published notice of proposed licence area changes to USA-1, USA-2 and USA-3, issued to OMCO, Ocean Management, Inc., and Ocean Mining Associates, respectively, and a brief explanation of how these area revisions would be accomplished. No comments were received in opposition to approval of the requested revisions. NOAA noticed approval of revisions to USA-2 and USA-3 on 3 March 1988, at 53 FR 6858.

In accordance with the provisions of 15 CFR 970.512 through 970.514, NOAA has approved additional new exploration areas and has modified the licence terms, conditions and restrictions (TCR (5)) of licence USA-1, to restrict exploration activities so as to reflect the resolution of site overlaps. All other licence TCRs will remain in effect.

1	11° 30.0'	131° 30.0'
2	11° 00.0'	131° 30.0'
3	11° 00.0'	132° 30.0'
4	10° 30.0'	132° 30.0'
5	10° 30.0'	133° 30.0'
6	11° 00.0'	133° 30.0'
7	11° 00.0'	133° 40.0'
8	11° 40.0'	133° 40.0'
9	11° 40.0'	132° 20.0'
10	11° 30.0'	132° 00.0'
1	11° 30.0'	131° 30.0'

(2) The operating area within the original licence area is reduced by adding new paragraphs (b) and (c) to TCR (5) of the licence terms, conditions and restrictions. TCR (5) now provides as follows:

(5) Freedom of the high seas requirements

(a) The licensee shall conduct its exploration activities in a manner which will not unreasonably interfere with the interests of other nations in their exercise of the freedoms of the high seas, as recognized under general principles of international law, such as fishing, navigation, submarine pipeline and cable laying, and scientific research (15 CFR 970.520).

(b) In particular, pursuant to the resolution of the deep sea-bed mining site overlap between Ocean Minerals Company and Yuzhmorgeologia, which is to be implemented as set forth in the agreement of 14 August 1987, between the United States and the Union of Soviet Socialist Republics, Ocean Minerals Company shall not engage in exploration, and shall not physically interfere with the exploration or commercial recovery activities of other operators, in the following areas:

<u>Turning points</u>	<u>Latitude (North)</u>	<u>Longitude (West)</u>
(a) 1	13° 40.0'	128° 35.0'
2	13° 20.2'	128° 35.0'
3	13° 20.2'	130° 00.0'
4	13° 40.0'	130° 00.0'
1	13° 40.0'	128° 35.0'
(b) 1	12° 50.0'	132° 15.0'
2	12° 31.1'	132° 15.0'
3	12° 31.1'	133° 30.6'
4	12° 50.0'	133° 30.6'
1	12° 50.0'	132° 15.0'
(c) 1	11° 50.0'	143° 37.9'
2	11° 00.0'	143° 37.9'
3	11° 00.0'	145° 00.0'
4	11° 50.0'	145° 00.0'
1	11° 50.0'	143° 37.9'

(c) In the event of actions which may constitute a breach of the above agreement of 14 August 1987, including the understandings related thereto, the State Department, on its own initiative or at the request of NOAA or any affected licensee will determine 60 days after such initiative or request, and in consultation with NOAA and any affected licensee, if such a breach has occurred. If this is determined to be the case, the Department of State and NOAA, in consultation with any affected licensee, will take appropriate action to seek to remedy the breach. If such breach cannot be remedied within 90 days after it is determined a breach has occurred, NOAA shall, in accordance with NOAA regulations, remove or modify restrictions set forth in TCR (5) (b), or take promptly such other action as is appropriate and effective.

Dated 13 April 1988.

III. OTHER INFORMATION

Exchange of letters between the Permanent Representative of Guinea Bissau to the United Nations and the Special Representative of the Secretary-General for the Law of the Sea

A. Letter dated 13 April 1988 from the Permanent Representative of Guinea-Bissau to the United Nations addressed to the Special Representative of the Secretary-General for the Law of the Sea

As you are aware, the Permanent Representative of Guinea-Bissau, in a letter dated 3 April 1979 and sent to the then Special Representative of the Secretary-General to the Third United Nations Conference on the Law of the Sea, Mr. Bernardo Zuleta, protested against the mentioning in NG7/Working paper I dated 12 September 1978, of an alleged agreement between Portugal and France entitled "Guinea-Bissau - Senegal: Exchange of Notes on Territorial Sea and Continental Shelf Boundaries; Lisbon, 26 April, 1960 (signed between France and Portugal) (U.S. Geographer No. 68, 15 March 1976)".

In the above-mentioned letter, the Government of Guinea Bissau stated, in clear terms, the reasons for its strong rejection of such a mentioning, as can be gathered from the attached copy of that letter.

In response to the prompt action thus undertaken by the Government of Guinea-Bissau, the Under-Secretary-General, Mr. Zuleta, in a letter dated 27 April 1979 and sent to "His Excellency, Ambassador Gil Fernandes, Delegation of Guinea-Bissau to the Third United Nations Conference on the Law of the Sea", stressed, amongst others, the following elements:

- (a) "As you state in your letter, the document referred to above does not have an official character and is simply a reference tool designed to facilitate the negotiations in Negotiating Group 7. Moreover, it is clearly understood that it cannot be viewed as a document of the Secretariat. The letter does not assume any responsibility with regard to its content and will under no condition be prepared to pass judgement thereupon.
- (b) "... the Secretariat wishes to assure your Excellency that it is taking due note of the preoccupations expressed by your Government."

In view of the above, the Government of Guinea-Bissau, deeply regretting the mentioning of the alleged agreement, this time in the United Nations publication entitled "The Law of the Sea - Maritime Boundary Agreements (1970-1984) of the United Nations Office for Ocean Affairs and the Law of the Sea of February 1987," promptly instructed me to inquire from you about the steps taken by our office in connection with this matter.

By my letter addressed to you on the date of 20 April 1987, I raised this issue with you. In response, you confirmed your predecessor's answer with respect to the character, purpose and status of that mentioning in your letter sent to me on the date of 24 April 1987.

The Government of Guinea Bissau once again draws your attention to the fact that it remains firmly against any reference to the alleged agreement by any papers or documents issued by any office, department or organ of the United Nations, whatever the status granted to such papers or documents and for whatever purpose.

In this connection, I would like once again to inform you that the alleged agreement has always been considered by my Government null and void, with no legal effect whatsoever.

Therefore, in recognition of the existing legal dispute, the Governments of Guinea-Bissau and Senegal have set up an Arbitral Tribunal, which began its work in June 1986, to find a solution to the delimitation of their mutual maritime boundaries.

Against this background, the Government of Guinea-Bissau expects that the Secretariat in no circumstance should take action or make reference to controversial documents, such as the alleged agreement that can only impair the work being done by the Arbitral Tribunal in bringing about a peaceful and lasting solution for the delimitation of maritime boundaries between the two sisterly African countries of Guinea-Bissau and Senegal.

I therefore request you to take prompt and effective steps to delete the mentioning of the alleged agreement from the said publication of the United Nations Office for Ocean Affairs and the Law of the Sea and expressly underline your predecessor's position of April 1979 that the mentioning of the alleged agreement in the 1987 United Nations publication "has no official character" and that the Secretariat will "under no condition be prepared to pass judgement thereupon."

I further request that this letter be published in the Bulletin of the Law of the Sea and in any relevant United Nations publication.

(Signed) Alfredo Lopes CABRAL
Ambassador
Permanent Representative

B. Letter dated 14 April 1988 from the Special Representative of the Secretary-General for the Law of the Sea addressed to the Permanent Representative of Guinea-Bissau to the United Nations

Thank you for your letter of 13 April 1988 in which you draw my attention to the reference to an agreement between Portugal and France entitled "Guinea-Bissau - Senegal: Exchange of Notes on Territorial Sea and Continental Shelf Boundaries; Lisbon, 26 April 1960" in the annex to a publication of this Office entitled "Law of the Sea - Maritime Boundary Agreements (1970-1984)" (Sales No. E.87.V.12).

The publications of this Office on State practice relating to the law of the sea are intended solely to provide available information, current and historical, to Member States. The inclusion in these publications of material which is obtained from various sources does not constitute any recognition of the validity or otherwise of its content and should not be construed as such. In this context, I reiterate the position expressed by my predecessor, Mr. Bernardo Zuleta, in his letter dated 27 April 1979 to Ambassador Gil Fernandes of the Delegation of Guinea-Bissau to the Third United Nations Conference on the Law of the Sea, that "the Secretariat will under no circumstances be prepared to pass judgement thereupon".

As requested, your letter under reference will be published in a future issue of the Bulletin together with this response.

(Signed) Satya N. NANDAN
Special Representative of the Secretary-General
for the Law of the Sea
Office for Ocean Affairs and the Law of the Sea
