

LAW OF THE SEA BULLETIN

No. 63

2007

DIVISION FOR OCEAN AFFAIRS AND THE LAW OF THE SEA
OFFICE OF LEGAL AFFAIRS

NOTE

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Furthermore, 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.

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I. UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

Status of the United Nations Convention on the Law of the Sea, of the Agreement relating to the Implementation of Part XI of the Convention and of the Agreement for the Implementation of the Provisions of the Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks

1. Table recapitulating the status of the Convention and of the related Agreements, as at 31 March 2007¹

State or entity	United Nations Convention on the Law of the Sea (in force as from 16 November 1994)	Agreement relating to the Implementation of Part XI of the Convention (in force as from 28 July 1996)	Agreement for the Implementation of the Provisions of the Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (in force as from 11 December 2001)
<i>Italicized text indicates non-members of the United Nations;</i>			
<i>Shaded row indicates landlocked States</i>	Signature (☐ - declaration)	Signature (☐ - declaration or statement)	Signature (☐ - declaration or statement)
TOTALS	157 (☐35)	79	59 (☐5)
Afghanistan	Ratification; formal confirmation(fc); accession(a); succession(s); (☐ - declaration)	Ratification; formal confirmation (fc); accession(a); definitive signature (ds); consent to be bound (p); ² simplified procedure (sp); ³	Ratification; accession(a) ⁴ (☐ - declaration)
Albania	23 June 2003 (a)	23 June 2003 (p)	66 (☐28)
Algeria	☐11 June 1996	11 June 1996 (p)	
Andorra			
Angola	☐ 5 December 1990		
Antigua and Barbuda	☐ 2 February 1989		
Argentina	☐1 December 1995	1 December 1995	
Armenia	9 December 2002 (a)	9 December 2002 (a)	
Australia	☐ 5 October 1994	5 October 1994	23 December 1999
Austria	☐14 July 1995	14 July 1995	☐19 December 2003

¹ “This consolidated table, which provides unofficial, quick reference information related to the participation in UNCLOS and the two implementing Agreements, was prepared by the Division for Ocean Affairs and the Law of the Sea, Office of the Legal Affairs. For official information on the status of these treaties, please refer to the publication entitled “*Multilateral Treaties deposited with the Secretary-General*” (<http://untreaty.un.org/>).”

² States bound by the Agreement by having ratified, acceded or succeeded to the Convention under article 4, paragraph 1, of the Agreement.

³ States bound by the Agreement under the simplified procedure set out in article 5 of the Agreement.

⁴ In accordance with its article 40, the Agreement shall enter into force 30 days after the date of deposit of the thirtieth instrument of ratification or accession.

State or entity	United Nations Convention on the Law of the Sea (in force as from 16 November 1994)	Agreement relating to the Implementation of Part XI of the Convention (in force as from 28 July 1996)	Agreement for the Implementation of the Provisions of the Convention relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (in force as from 11 December 2001)
<i>Italicized text</i> indicates non- members of the United Nations; <i>Shaded row</i> indicates landlocked States	Signature (☐ - declaration)	Signature	Signature (☐ - declaration or statement)
Azerbaijan			
Bahamas	☐ 29 July 1983	☐ 28 July 1995	☐ 16 January 1997(a)
Bahrain	☐ 30 May 1985		
Bangladesh	☐ 27 July 2001	☐ 27 July 2001 (a)	☐
Barbados	☐ 12 October 1993	☐ 28 July 1995 (sp)	☐ 22 September 2000(a)
Belarus	☐ 30 August 2006	☐ 30 August 2006 (a)	
Belgium	☐ 13 November 1998	☐ 13 November 1998	☐ 19 December 2003
Belize	☐ 13 August 1983	☐ 21 October 1994 (ds)	☐ 14 July 2005
Benin	☐ 16 October 1997	☐ 16 October 1997 (p)	
Bhutan			
Bolivia	☐ 28 April 1995	☐ 28 April 1995 (p)	
Bosnia and Herzegovina	☐ 12 January 1994 (s)		
Botswana	☐ 2 May 1990	☐ 31 January 2005 (a)	☐ 8 March 2000
Brazil	☐ 22 December 1988	☐	
Brunei Darussalam	☐ 5 November 1996	☐ 5 November 1996 (p)	
Bulgaria	☐ 15 May 1996	☐ 15 May 1996 (a)	☐ 13 December 2006
Burkina Faso	☐ 25 January 2005	☐ 25 January 2005 (p)	
Burundi			
Cambodia			
Cameroon	☐ 19 November 1985	☐ 28 August 2002	
Canada	☐ 7 November 2003	☐ 7 November 2003	☐ 3 August 1999
Cape Verde	☐ 10 August 1987		
Central African Republic			
Chad			
Chile	☐ 25 August 1997	☐ 25 August 1997 (a)	
China	☐ 7 June 1996	☐ 7 June 1996 (p)	☐
Colombia			

State or entity	United Nations Convention on the Law of the Sea (in force as from 16 November 1994)	Agreement relating to the Implementation of Part XI of the Convention (in force as from 28 July 1996)	Agreement for the Implementation of the Provisions of the Convention relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (in force as from 11 December 2001)
<i>Italicized text</i> indicates non- members of the United Nations; <i>Shaded row</i> indicates landlocked States			
Comoros	Signature (☐ - declaration)	Signature	Signature (☐ - declaration or statement)
Congo	☐ 21 June 1994		
Cook Islands	☐ 15 February 1995		☐ 1 April 1999 (a)
Costa Rica	☐ 21 September 1992	☐ 20 September 2001 (a)	☐ 18 June 2001 (a)
Côte d'Ivoire	☐ 26 March 1984	☐ 28 July 1995 (sp)	☐
Croatia	☐ 5 April 1995 (s)	☐ 5 April 1995 (p)	
Cuba	☐ 15 August 1984	☐ 17 October 2002 (a)	
Cyprus	☐ 12 December 1988	☐ 27 July 1995	☐ 25 September 2002 (a)
Czech Republic	☐ 21 June 1996	☐ 21 June 1996	☐ 19 Mar 2007 (a)
Democratic People's Republic of Korea			
Democratic Republic of the Congo	☐ 17 February 1989		
Denmark	☐ 16 November 2004	☐ 16 November 2004	☐ 19 December 2003
Djibouti	☐ 8 October 1991		
Dominica	☐ 24 October 1991		
Dominican Republic			
Ecuador			
Egypt	☐ 26 August 1983	☐	☐
El Salvador			
Equatorial Guinea	☐ 21 July 1997	☐ 21 July 1997 (p)	
Eritrea			
Estonia	☐ 26 August 2005 (a)	☐ 26 August 2005 (a)	☐ 7 August 2006 (a)
Ethiopia			
European Community	☐ 1 April 1998 (fc)	☐ 1 April 1998(fc)	☐ 19 December 2003
Fiji	☐ 10 December 1982	☐ 28 July 1995	☐ 12 December 1996
Finland	☐ 21 June 1996	☐ 21 June 1996	☐ 19 December 2003
France	☐ 11 April 1996	☐ 11 April 1996	☐ 19 December 2003

State or entity	United Nations Convention on the Law of the Sea (in force as from 16 November 1994)	Agreement relating to the Implementation of Part XI of the Convention (in force as from 28 July 1996)	Agreement for the Implementation of the Provisions of the Convention relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (in force as from 11 December 2001)
<i>Italicized text</i> indicates non-members of the United Nations; Shaded row indicates landlocked States	Signature (☐ - declaration)	Signature	Signature (☐ - declaration or statement)
Gabon	Ratification; formal confirmation(fc); accession(a); succession(s); (☐ - declaration) 11 March 1998	Ratification; formal confirmation (fc); accession(a); definitive signature (ds); consent to be bound (p); ² simplified procedure (sp); ³ 11 March 1998 (p)	Ratification; accession(a) ⁴ (☐ - declaration)
Gambia	22 May 1984		
Georgia	21 March 1996 (a)	21 March 1996 (p)	
Germany	☐14 October 1994 (a)	14 October 1994	☐19 December 2003
Ghana	7 June 1983		
Greece	☐21 July 1995	21 July 1995	☐19 December 2003
Grenada	25 April 1991	28 July 1995 (sp)	
Guatemala	☐11 February 1997	11 February 1997 (p)	
Guinea	6 September 1985	28 July 1995 (sp)	16 September 2005 (a)
Guinea-Bissau	☐25 August 1986		
Guyana	16 November 1993		
Haiti	31 July 1996	31 July 1996 (p)	
<i>Holy See</i>			
Honduras	5 October 1993	28 July 2003 (a)	
Hungary	☐5 February 2002	5 February 2002 (a)	
Iceland	☐21 June 1985	28 July 1995 (sp)	14 February 1997
India	☐29 June 1995	29 June 1995	☐19 August 2003 (a)
Indonesia	3 February 1986	2 June 2000	
Iran (Islamic Republic of)	☐		17 April 1998(a)
Iraq	☐		
Ireland	30 July 1985		
Israel	☐21 June 1996	21 June 1996	☐19 December 2003
Italy	☐13 January 1995	13 January 1995	☐19 December 2003
Jamaica	21 March 1983	28 July 1995 (sp)	
Japan	20 June 1996	20 June 1996	7 August 2006
Jordan	27 November 1995 (a)	27 November 1995 (p)	
Kazakhstan			







State or entity	United Nations Convention on the Law of the Sea (in force as from 16 November 1994)	Agreement relating to the Implementation of Part XI of the Convention (in force as from 28 July 1996)	Agreement for the Implementation of the Provisions of the Convention relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (in force as from 11 December 2001)
<i>Italicized text</i> indicates non-members of the United Nations; <i>Shaded row</i> indicates landlocked States	Signature (☐ - declaration)	Signature	Signature (☐ - declaration or statement)
Kenya	Ratification; formal confirmation(fc); accession(a); succession(s); (☐ - declaration) 2 March 1989	Ratification; formal confirmation (fc); accession(a); definitive signature (ds); consent to be bound (p); ² simplified procedure (sp); ³ 29 July 1994 (ds)	Ratification; accession(a) ⁴ (☐ - declaration) 13 July 2004(a)
Kiribati	☐24 February 2003 (a)	24 February 2003 (p)	15 September 2005 (a)
Kuwait	☐2 May 1986	2 August 2002 (a)	
Kyrgyzstan			
Lao People's Democratic Republic	5 June 1998	5 June 1998 (p)	
Latvia	23 December 2004 (a)	23 December 2004 (a)	5 February 2007(a)
Lebanon	5 January 1995	5 January 1995 (p)	
Lesotho			
Liberia			16 September 2005 (a)
Libyan Arab Jamahiriya			
Liechtenstein			
Lithuania	☐12 November 2003 (a)	12 November 2003 (a)	☐1 March 2007 (a)
Luxembourg	5 October 2000	5 October 2000	☐19 December 2003
Madagascar	22 August 2001	22 August 2001 (p)	
Malawi			
Malaysia	☐14 October 1996	14 October 1996 (p)	
Maldives	7 September 2000	7 September 2000	30 December 1998
Mali	16 July 1985		
Malta	☐20 May 1993	26 June 1996	☐11 November 2001(a)
Marshall Islands	9 August 1991 (a)		19 March 2003
Mauritania	17 July 1996	17 July 1996 (p)	
Mauritius	4 November 1994	4 November 1994 (p)	☐25 March 1997(a)
Mexico	18 March 1983	10 April 2003 (a)	
Micronesia (Federated States of)	29 April 1991 (a)	6 September 1995	23 May 1997
Moldova	☐6 February 2007(a)	6 February 2007(p)	
Monaco	20 March 1996	20 March 1996 (p)	9 June 1999(a)

State or entity	United Nations Convention on the Law of the Sea (in force as from 16 November 1994)	Agreement relating to the Implementation of Part XI of the Convention (in force as from 28 July 1996)	Agreement for the Implementation of the Provisions of the Convention relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (in force as from 11 December 2001)
<i>Italicized text</i> indicates non-members of the United Nations; <i>Shaded row</i> indicates landlocked States	Signature (☐ - declaration)	Signature	Signature (☐ - declaration or statement)
Mongolia	☐ 13 August 1996	☐ 13 August 1996 (p)	
Montenegro	☐ 23 October 2006 (d)	23 October 2006 (d)	
Morocco			
Mozambique	☐ 13 March 1997	13 March 1997 (a)	
Myanmar	☐ 21 May 1996	21 May 1996 (a)	
Namibia	☐ 18 April 1983	28 July 1995 (sp)	8 April 1998
Nauru	☐ 23 January 1996	23 January 1996 (p)	10 January 1997(a)
Nepal	☐ 2 November 1998	2 November 1998 (p)	
Netherlands	☐ 28 June 1996	28 June 1996	☐ 19 December 2003
New Zealand	☐ 19 July 1996	19 July 1996	18 April 2001
Nicaragua	☐ 3 May 2000	3 May 2000 (p)	
Niger			
Nigeria	☐ 14 August 1986	28 July 1995 (sp)	
Niue	☐ 11 October 2006	11 October 2006 (p)	11 October 2006
Norway	☐ 24 June 1996	24 June 1996 (a)	☐ 30 December 1996
Oman	☐ 17 August 1989	26 February 1997 (a)	
Pakistan	☐ 26 February 1997	26 February 1997 (p)	
Palau	☐ 30 September 1996 (a)	30 September 1996 (p)	
Panama	☐ 1 July 1996	1 July 1996 (p)	
Papua New Guinea	☐ 14 January 1997	14 January 1997 (p)	4 June 1999
Paraguay	☐ 26 September 1986	10 July 1995	
Peru			
Philippines	☐ 8 May 1984	23 July 1997	
Poland	☐ 13 November 1998	13 November 1998	☐ 14 March 2006 (a)
Portugal	☐ 3 November 1997	3 November 1997	☐ 19 December 2003
Qatar	☐ 9 December 2002	9 December 2002 (p)	
Republic of Korea	☐ 29 January 1996	29 January 1996	
Romania	☐ 17 December 1996	17 December 1996 (a)	

State or entity	United Nations Convention on the Law of the Sea (in force as from 16 November 1994)	Agreement relating to the Implementation of Part XI of the Convention (in force as from 28 July 1996)	Agreement for the Implementation of the Provisions of the Convention relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (in force as from 11 December 2001)
<i>Italicized text</i> indicates non-members of the United Nations; <i>Shaded row</i> indicates landlocked States	Signature (☐ - declaration)	Signature	Signature (☐ - declaration or statement)
Russian Federation	☐ 12 March 1997	☐ 12 March 1997 (a)	☐ 4 August 1997
Rwanda			
Saint Kitts and Nevis	7 January 1993		
Saint Lucia	27 March 1985		9 August 1996
Saint Vincent and the Grenadines	1 October 1993		
Samoa	14 August 1995	14 August 1995 (p)	25 October 1996
San Marino			
Sao Tome and Principe	3 November 1987		
Saudi Arabia	☐ 24 April 1996	24 April 1996 (p)	
Senegal	☐ 25 October 1984	25 July 1995	30 January 1997
Serbia	☐ 12 March 2001 (s)	28 July 1995 (sp) ⁵	
Seychelles	16 September 1991	15 December 1994	20 March 1998
Sierra Leone	12 December 1994	12 December 1994 (p)	
Singapore	17 November 1994	17 November 1994 (p)	
Slovakia	8 May 1996	8 May 1996	
Slovenia	☐ 16 June 1995 (s)	16 June 1995	☐ 15 June 2006 (a)
Solomon Islands	23 June 1997	23 June 1997 (p)	13 February 1997 (a)
Somalia	24 July 1989		
South Africa	☐ 23 December 1997	23 December 1997	14 August 2003 (a)
Spain	☐ 15 January 1997	15 January 1997	☐ 19 December 2003
Sri Lanka	19 July 1994	28 July 1995 (sp)	24 October 1996
Sudan	☐ 23 January 1985		
Suriname	9 July 1998	9 July 1998 (p)	

⁵ For further details, see Chapter XXI of the publication entitled “Multilateral Treaties deposited with the Secretary-General” (<http://untreaty.un.org/ENGLISH/bible/englishinternetbible/partI/chapterXXI/chapterXXI.asp>)

State or entity	United Nations Convention on the Law of the Sea (in force as from 16 November 1994)	Agreement relating to the Implementation of Part XI of the Convention (in force as from 28 July 1996)	Agreement for the Implementation of the Provisions of the Convention relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (in force as from 11 December 2001)
<i>Italicized text</i> indicates non-members of the United Nations; Shaded row indicates landlocked States	Signature (☐ - declaration)	Signature	Signature (☐ - declaration or statement)
Swaziland	☐	☐	☐
Sweden	☐ 25 June 1996	☐ 25 June 1996	☐ 19 December 2003
Switzerland	☐	☐	☐
Syrian Arab Republic	☐	☐	☐
Tajikistan	☐	☐	☐
Thailand	☐	☐	☐
The former Yugoslav Republic of Macedonia	☐ 19 August 1994 (s)	☐ 19 August 1994 (p)	☐
Timor-Leste	☐	☐	☐
Togo	☐ 16 April 1985	☐ 28 July 1995 (sp)	☐
Tonga	☐ 2 August 1995 (a)	☐ 2 August 1995 (p)	☐ 31 July 1996
Trinidad and Tobago	☐ 25 April 1986	☐ 28 July 1995 (sp)	☐ 13 September 2006 (a)
Tunisia	☐ 24 April 1985	☐ 24 May 2002	☐
Turkey	☐	☐	☐
Turkmenistan	☐	☐	☐
Tuvalu	☐ 9 December 2002	☐ 9 December 2002 (p)	☐
Uganda	☐ 9 November 1990	☐ 28 July 1995 (sp)	☐
Ukraine	☐ 26 July 1999	☐ 26 July 1999	☐ 27 February 2003
United Arab Emirates	☐	☐	☐
United Kingdom	☐ 25 July 1997 (a)	☐ 25 July 1997	☐ 10 December 2001 ☐ 19 December 2003 ²
United Republic of Tanzania	☐ 30 September 1985	☐ 25 June 1998	☐
United States of America	☐	☐	☐ 21 August 1996
Uruguay	☐ 10 December 1992	☐	☐ 10 September 1999
Uzbekistan	☐	☐	☐
Vanuatu	☐ 10 August 1999	☐ 10 August 1999(p)	☐

State or entity	United Nations Convention on the Law of the Sea (in force as from 16 November 1994)	Agreement relating to the Implementation of Part XI of the Convention (in force as from 28 July 1996)	Agreement for the Implementation of the Provisions of the Convention relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (in force as from 11 December 2001)
<i>Italicized text</i> indicates non-members of the United Nations; Shaded row indicates landlocked States	Signature  (☐ - declaration)	Signature 	Signature  (☐ - declaration or statement)
Venezuela (Bolivarian Republic of)	Ratification; formal confirmation(fc); accession(a); succession(s); (☐ - declaration)	Ratification; formal confirmation (fc); accession(a); definitive signature (ds); consent to be bound (p); ² simplified procedure (sp); ³	Ratification; accession(a) ⁴ (☐ - declaration)
Viet Nam	 25 July 1994	27 April 2006(a)	
Yemen	☐ 21 July 1987		
Zambia	 7 March 1983	28 July 1995 (sp)	
Zimbabwe	 24 February 1993	28 July 1995 (sp)	
TOTALS	157 (☐35)	79 127	59 (☐5) 66 (☐28)

2. Chronological lists of ratifications of, accessions and successions to the Convention and the related Agreements, as at 31 March 2007

(a) The Convention

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

88. Saudi Arabia (24 April 1996)
89. Slovakia (8 May 1996)
90. Bulgaria (15 May 1996)
91. Myanmar (21 May 1996)
92. China (7 June 1996)
93. Algeria (11 June 1996)
94. Japan (20 June 1996)
95. Czech Republic (21 June 1996)
96. Finland (21 June 1996)
97. Ireland (21 June 1996)
98. Norway (24 June 1996)
99. Sweden (25 June 1996)
100. Netherlands (28 June 1996)
101. Panama (1 July 1996)
102. Mauritania (17 July 1996)
103. New Zealand (19 July 1996)
104. Haiti (31 July 1996)
105. Mongolia (13 August 1996)
106. Palau (30 September 1996)
107. Malaysia (14 October 1996)
108. Brunei Darussalam (5 November 1996)
109. Romania (17 December 1996)
110. Papua New Guinea (14 January 1997)
111. Spain (15 January 1997)
112. Guatemala (11 February 1997)
113. Pakistan (26 February 1997)
114. Russian Federation (12 March 1997)
115. Mozambique (13 March 1997)
116. Solomon Islands (23 June 1997)
117. Equatorial Guinea (21 July 1997)
118. United Kingdom of Great Britain and Northern Ireland (25 July 1997)
119. Chile (25 August 1997)
120. Benin (16 October 1997)
121. Portugal (3 November 1997)
122. South Africa (23 December 1997)
123. Gabon (11 March 1998)
124. European Community (1 April 1998)
125. Lao People's Democratic Republic (5 June 1998)
126. Suriname (9 July 1998)
127. Nepal (2 November 1998)
128. Belgium (13 November 1998)
129. Poland (13 November 1998)
130. Ukraine (26 July 1999)
131. Vanuatu (10 August 1999)
132. Nicaragua (3 May 2000)
133. Maldives (7 September 2000)
134. Luxembourg (5 October 2000)
135. Serbia (12 March 2001)
136. Bangladesh (27 July 2001)
137. Madagascar (22 August 2001)
138. Hungary (5 February 2002)
139. Armenia (9 December 2002)
140. Qatar (9 December 2002)
141. Tuvalu (9 December 2002)
142. Kiribati (24 February 2003)
143. Albania (23 June 2003)
144. Canada (7 November 2003)
145. Lithuania (12 November 2003)
146. Denmark (16 November 2004)
147. Latvia (23 December 2004)
148. Burkina Faso (25 January 2005)
149. Estonia (26 August 2005)
150. Belarus (30 August 2006)
151. Niue (11 October 2006)
152. Montenegro (23 October 2006)
153. Moldova (6 February 2007)

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

1. Kenya (29 July 1994)
2. The former Yugoslav Republic of Macedonia (19 August 1994)
3. Australia (5 October 1994)
4. Germany (14 October 1994)
5. Belize (21 October 1994)
6. Mauritius (4 November 1994)
7. Singapore (17 November 1994)
8. Sierra Leone (12 December 1994)
9. Seychelles (15 December 1994)
10. Lebanon (5 January 1995)
11. Italy (13 January 1995)
12. Cook Islands (15 February 1995)
13. Croatia (5 April 1995)
14. Bolivia (28 April 1995)
15. Slovenia (16 June 1995)
16. India (29 June 1995)
17. Paraguay (10 July 1995)
18. Austria (14 July 1995)
19. Greece (21 July 1995)
20. Senegal (25 July 1995)
21. Cyprus (27 July 1995)
22. Bahamas (28 July 1995)
23. Barbados (28 July 1995)
24. Côte d'Ivoire (28 July 1995)
25. Fiji (28 July 1995)
26. Grenada (28 July 1995)
27. Guinea (28 July 1995)
28. Iceland (28 July 1995)
29. Jamaica (28 July 1995)
30. Namibia (28 July 1995)
31. Nigeria (28 July 1995)
32. Sri Lanka (28 July 1995)
33. Togo (28 July 1995)

34. Trinidad and Tobago (28 July 1995)
35. Uganda (28 July 1995)
36. Yugoslavia (28 July 1995)
37. Zambia (28 July 1995)
38. Zimbabwe (28 July 1995)
39. Tonga (2 August 1995)
40. Samoa (14 August 1995)
41. Micronesia (Federated States of)
(6 September 1995)
42. Jordan (27 November 1995)
43. Argentina (1 December 1995)
44. Nauru (23 January 1996)
45. Republic of Korea (29 January 1996)
46. Monaco (20 March 1996)
47. Georgia (21 March 1996)
48. France (11 April 1996)
49. Saudi Arabia (24 April 1996)
50. Slovakia (8 May 1996)
51. Bulgaria (15 May 1996)
52. Myanmar (21 May 1996)
53. China (7 June 1996)
54. Algeria (11 June 1996)
55. Japan (20 June 1996)
56. Czech Republic (21 June 1996)
57. Finland (21 June 1996)
58. Ireland (21 June 1996)
59. Norway (24 June 1996)
60. Sweden (25 June 1996)
61. Malta (26 June 1996)
62. Netherlands (28 June 1996)
63. Panama (1 July 1996)
64. Mauritania (17 July 1996)
65. New Zealand (19 July 1996)
66. Haiti (31 July 1996)
67. Mongolia (13 August 1996)
68. Palau (30 September 1996)
69. Malaysia (14 October 1996)
70. Brunei Darussalam (5 November 1996)
71. Romania (17 December 1996)
72. Papua New Guinea (14 January 1997)
73. Spain (15 January 1997)
74. Guatemala (11 February 1997)
75. Oman (26 February 1997)
76. Pakistan (26 February 1997)
77. Russian Federation (12 March 1997)
78. Mozambique (13 March 1997)
79. Solomon Islands (23 June 1997)
80. Equatorial Guinea (21 July 1997)
81. Philippines (23 July 1997)
82. United Kingdom of Great Britain
and Northern Ireland (25 July 1997)
83. Chile (25 August 1997)
84. Benin (16 October 1997)
85. Portugal (3 November 1997)
86. South Africa (23 December 1997)
87. Gabon (11 March 1998)
88. European Community (1 April 1998)
89. Lao People's Democratic Republic
(5 June 1998)
90. United Republic of Tanzania (25 June 1998)
91. Suriname (9 July 1998)
92. Nepal (2 November 1998)
93. Belgium (13 November 1998)
94. Poland (13 November 1998)
95. Ukraine (26 July 1999)
96. Vanuatu (10 August 1999)
97. Nicaragua (3 May 2000)
98. Indonesia (2 June 2000)
99. Maldives (7 September 2000)
100. Luxembourg (5 October 2000)
101. Bangladesh (27 July 2001)
102. Madagascar (22 August 2001)
103. Costa Rica (20 September 2001)
104. Hungary (5 February 2002)
105. Tunisia (24 May 2002)
106. Cameroon (28 August 2002)
107. Kuwait (2 August 2002)
108. Cuba (17 October 2002)
109. Armenia (9 December 2002)
110. Qatar (9 December 2002)
111. Tuvalu (9 December 2002)
112. Kiribati (24 February 2003)
113. Mexico (10 April 2003)
114. Albania (23 June 2003)
115. Honduras (28 July 2003)
116. Canada (7 November 2003)
117. Lithuania (12 November 2003)
118. Denmark (16 November 2004)
119. Latvia (23 December 2004)
120. Botswana (31 January 2005)
121. Burkina Faso (25 January 2005)
122. Estonia (26 August 2005)
123. Viet Nam (27 April 2006)
124. Belarus (30 August 2006)
125. Niue (11 October 2006)
126. Montenegro (23 October 2006)
127. Moldova (6 February 2007)

(c) Agreement for the Implementation of the Provisions of the Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks

1. Tonga (31 July 1996)
2. Saint Lucia (9 August 1996)
3. United States of America (21 August 1996)
4. Sri Lanka (24 October 1996)
5. Samoa (25 October 1996)
6. Fiji (12 December 1996)
7. Norway (30 December 1996)
8. Nauru (10 January 1997)
9. Bahamas (16 January 1997)
10. Senegal (30 January 1997)
11. Solomon Islands (13 February 1997)
12. Iceland (14 February 1997)
13. Mauritius (25 March 1997)
14. Micronesia (Federated States of) (23 May 1997)
15. Russian Federation (4 August 1997)
16. Seychelles (20 March 1998)
17. Namibia (8 April 1998)
18. Iran (Islamic Republic of) (17 April 1998)
19. Maldives (30 December 1998)
20. Cook Islands (1 April 1999)
21. Papua New Guinea (4 June 1999)
22. Monaco (9 June 1999)
23. Canada (3 August 1999)
24. Uruguay (10 September 1999)
25. Australia (23 December 1999)
26. Brazil (8 March 2000)
27. Barbados (22 September 2000)
28. New Zealand (18 April 2001)
29. Costa Rica (18 June 2001)
30. Malta (11 November 2001)
31. United Kingdom (10 December 2001),
(19 December 2003)¹
32. Cyprus (25 September 2002)
33. Ukraine (27 February 2003)
34. Marshall Islands (19 March 2003)
35. South Africa (14 August 2003)
36. India (19 August 2003)
37. European Community (19 December 2003)
38. Austria (19 December 2003)
39. Belgium (19 December 2003)
40. Denmark (19 December 2003)
41. Finland (19 December 2003)
42. France (19 December 2003)
43. Germany (19 December 2003)
44. Greece (19 December 2003)
45. Ireland (19 December 2003)
46. Italy (19 December 2003)
47. Luxembourg (19 December 2003)
48. Netherlands (19 December 2003)
49. Portugal (19 December 2003)
50. Spain (19 December 2003)
51. Sweden (19 December 2003)
52. Kenya (13 July 2004)
53. Belize (14 July 2005)
54. Kiribati (15 September 2005)
55. Guinea (16 September 2005)
56. Liberia (16 September 2005)
57. Poland (14 March 2006)
58. Slovenia (15 June 2006)
59. Estonia (7 August 2006)
60. Japan (7 August 2006)
61. Trinidad & Tobago (13 September 2006)
62. Niue (11 October 2006)
63. Bulgaria (13 December 2006)
64. Latvia (5 February 2007)
65. Lithuania (1 March 2007)
66. Czech Republic (19 March 2007)

¹ For further details, see Chapter XXI of the publication entitled "*Multilateral Treaties deposited with the Secretary-General*": <http://untreaty.un.org/ENGLISH/bible/englishinternetbible/partI/chapterXXI/treaty9.asp>

3. Declarations by States

Bulgaria

Declaration made upon accession to the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks

"The Republic of Bulgaria declares that the declarations made by the European Community upon ratification of the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, with regard to the transfer of competence by the Member States to the European Community in respect of certain matters governed by the Agreement, shall be also applicable to the Republic of Bulgaria as from the date of its accession to the European Union."

Moldova

Declaration made upon accession to the United Nations Convention on the Law of the Sea of 10 December 1982

"As a country without seashore and geographically disadvantaged bordering a sea poor in living resources, Republic of Moldova affirms the necessity to develop international cooperation for the exploitation of the living resources of the economic zones, on the basis of just and equitable agreements that should ensure the access of the countries from this category to the fishing resources in the economic zones of other regions or sub regions."

Lithuania

Declaration made upon accession to the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks

"... the Seimas of the Republic of Lithuania declares that, as a Member State of the European Union, the Republic of Lithuania has transferred the competence to the European Community in respect of certain matters governed by this Agreement. The Republic of Lithuania also endorses the declarations of the European Community, made when ratifying this Agreement."

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

A. United Nations General Assembly resolutions of interest

1. General Assembly Resolution 61/105 of 8 December 2006: Sustainable fisheries, including through the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, and related instruments

The General Assembly,

Reaffirming its resolutions 46/215 of 20 December 1991, 49/116 and 49/118 of 19 December 1994, 50/25 of 5 December 1995 and 57/142 of 12 December 2002, as well as other resolutions on large-scale pelagic drift-net fishing, unauthorized fishing in zones of national jurisdiction and on the high seas, fisheries by-catch and discards, and other developments, its resolutions 56/13 of 28 November 2001 and 57/143 of 12 December 2002 on the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (“the Agreement”),¹ and its resolutions 58/14 of 24 November 2003, 59/25 of 17 November 2004 and 60/31 of 29 November 2005 on sustainable fisheries, including through the Agreement and related instruments,

Recalling the relevant provisions of the United Nations Convention on the Law of the Sea (“the Convention”),² and bearing in mind the relationship between the Convention and the Agreement,

Recognizing that, in accordance with the Convention, the Agreement sets forth provisions concerning the conservation and management of straddling fish stocks and highly migratory fish stocks, including provisions on compliance and enforcement by the flag State and subregional and regional cooperation in enforcement, binding dispute settlement and the rights and obligations of States in authorizing the use of vessels flying their flags for fishing on the high seas, and specific provisions to address the requirements of developing States in relation to the conservation and management of straddling fish stocks and highly migratory fish stocks and the development of fisheries for such stocks,

Welcoming the fact that a growing number of States, and entities referred to in the Convention and in article 1, paragraph 2 (b), of the Agreement, as well as regional and subregional fisheries management organizations and arrangements, have taken measures, as appropriate, towards the implementation of the provisions of the Agreement,

Welcoming also the work of the Food and Agriculture Organization of the United Nations and its Committee on Fisheries and the 2005 Rome

¹ United Nations, *Treaty Series*, vol. 2167, No. 37924.

² *Ibid.*, vol. 1833, No. 31363.

Declaration on Illegal, Unreported and Unregulated Fishing, adopted by the Ministerial Meeting on Fisheries of the Food and Agriculture Organization of the United Nations on 12 March 2005,³ which calls for effective implementation of the various instruments already developed to ensure responsible fisheries, and recognizing that the Code of Conduct for Responsible Fisheries of the Food and Agriculture Organization of the United Nations (“the Code”)⁴ and its associated international plans of action set out principles and global standards of behaviour for responsible practices for conservation of fisheries resources and the management and development of fisheries,

Noting with concern that effective management of marine capture fisheries has been made difficult in some areas by unreliable information and data caused by unreported and misreported fish catch and fishing effort and this lack of accurate data contributes to overfishing in some areas, and therefore welcoming the adoption of the Strategy for Improving Information on Status and Trends of Capture Fisheries⁵ and the development of the Fishery Resources Monitoring System (FIRMS) initiative by the Food and Agriculture Organization of the United Nations to improve knowledge and understanding of fishery status and trends,

Recognizing the significant contribution of sustainable fisheries to food security, income and wealth for present and future generations,

Recognizing also the urgent need for action at all levels to ensure the long-term sustainable use and management of fisheries resources through the wide application of the precautionary approach,

Deploring the fact that fish stocks, including straddling fish stocks and highly migratory fish stocks, in many parts of the world are overfished or subject to sparsely regulated and heavy fishing efforts, as a result of, inter alia, illegal, unreported and unregulated fishing, inadequate flag State control and enforcement, including monitoring, control and surveillance measures, inadequate regulatory measures, harmful fisheries subsidies and overcapacity,

Particularly concerned that illegal, unreported and unregulated fishing constitutes a serious threat to fish stocks and marine habitats and ecosystems, to the detriment of sustainable fisheries as well as the food security and the economies of many States, particularly developing States,

Recognizing the duty provided in the Convention, the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas (“the Compliance Agreement”),⁶ the Agreement and the Code for flag States to exercise effective control over fishing vessels flying their flag, and vessels flying their flag which provide support to fishing vessels, to ensure that the activities of such fishing and support vessels do not undermine the effectiveness of conservation

³ Food and Agriculture Organization of the United Nations, *Outcome of the Ministerial Meeting on Fisheries, Rome, 12 March 2005* (CL 128/INF/11), appendix B.

⁴ *International Fisheries Instruments with Index* (United Nations publication, Sales No. E.98.V.11), sect. III.

⁵ Food and Agriculture Organization of the United Nations, *Report of the twenty-fifth session of the Committee on Fisheries, Rome, 24–28 February 2003*, FAO Fisheries Report No. 702 (FIPL/R702(En)), appendix H.

⁶ *International Fisheries Instruments with Index* (United Nations publication, Sales No. E.98.V.11), sect. II.

and management measures taken in accordance with international law and adopted at the national, subregional, regional or global levels,

Noting the obligation of all States, pursuant to the provisions of the Convention, to cooperate in the conservation and management of living marine resources, and recognizing the importance of coordination and cooperation at the global, regional, subregional as well as national levels in the areas, inter alia, of data collection, information-sharing, capacity-building and training for the conservation, management and sustainable development of marine living resources,

Noting with appreciation the report of the Review Conference on the Agreement (“the Review Conference”), held in New York from 22 to 26 May 2006,² and welcoming the adoption of the recommendations therein, which assessed the effectiveness of the Agreement in securing the conservation and management of straddling and highly migratory fish stocks by reviewing and assessing the adequacy of its provisions and proposed means of strengthening the substance and methods of implementation of those provisions in order better to address any continuing problems in the conservation and management of those stocks, and also noting that the Conference agreed that there is a compelling need for all States and subregional and regional fisheries management organizations and arrangements to ensure the conservation and sustainable use of straddling and highly migratory fish stocks,

Noting with satisfaction that the Review Conference agreed to continue the informal consultations of States parties to the Agreement and to keep the Agreement under review through the resumption of the Conference at a date not later than 2011, to be agreed at a future informal consultation of States parties to the Agreement,

Calling attention to the need for more work to develop port State measures and schemes, and the critical need for cooperation with developing States to build their capacity in this regard,

Concerned that marine pollution from all sources, including vessels and, in particular, land-based sources, constitutes a serious threat to human health and safety, endangers fish stocks, marine biodiversity and marine habitats and has significant costs to local and national economies,

Recognizing that marine debris is a global transboundary pollution problem and that, due to the many different types and sources of marine debris, different approaches to their prevention and removal are necessary,

Noting that the contribution of sustainable aquaculture to global fish supplies continues to respond to opportunities in developing countries to enhance local food security and poverty alleviation and, together with efforts of other aquaculture producing countries, will make a significant contribution to meeting future demands in fish consumption, bearing in mind article 9 of the Code,

Calling attention to the circumstances affecting fisheries in many developing States, in particular African States and small island developing States, and recognizing the urgent need for capacity-building, including the transfer of marine technology and in particular fisheries-related technology, to enhance the ability of such States to meet their obligations and exercise their

² A/CONF.210/2006/15.

rights under international instruments, in order to realize the benefits from fisheries resources,

Recognizing the need for appropriate measures to minimize waste, discards, loss of fishing gear and other factors, which adversely affect fish stocks,

Recognizing also the importance of applying ecosystem approaches to oceans management and the need to integrate such approaches into fisheries conservation and management, and in this regard welcoming the report of the seventh meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea,⁸ held in New York from 12 to 16 June 2006,

Recognizing further the economic and cultural importance of sharks in many countries, the biological importance of sharks in the marine ecosystem, the vulnerability of certain shark species to overexploitation, some of which are threatened with extinction, and the need for measures to promote the long-term sustainability of shark populations and fisheries, and the relevance of the International Plan of Action for the Conservation and Management of Sharks, adopted by the Food and Agriculture Organization of the United Nations in 1999, in providing development guidance of such measures,

Reaffirming its support for the initiative of the Food and Agriculture Organization of the United Nations and relevant regional and subregional fisheries management organizations and arrangements on the conservation and management of sharks, while noting with concern that only a small number of countries have implemented the International Plan of Action for the Conservation and Management of Sharks,

Taking note with appreciation of the report of the Secretary-General on the impacts of fishing on vulnerable marine ecosystems: actions taken by States and regional fisheries management organizations and arrangements to give effect to paragraphs 66 to 69 of General Assembly resolution 59/25 on sustainable fisheries, regarding the impacts of fishing on vulnerable marine ecosystems,⁹ in particular its useful role in gathering and disseminating information on this issue,

Expressing concern that the practice of large-scale pelagic drift-net fishing remains a threat to marine living resources, although the incidence of this practice has continued to be low in most regions of the world's oceans and seas,

Emphasizing that efforts should be made to ensure that the implementation of resolution 46/215 in some parts of the world does not result in the transfer to other parts of the world of drift nets that contravene the resolution,

Expressing concern over reports of continued losses of seabirds, particularly albatrosses and petrels, as well as other marine species, including sharks, fin-fish species and marine turtles, as a result of incidental mortality in fishing operations, particularly longline fishing, and other activities, while recognizing considerable efforts to reduce by-catch in longline fishing by

⁸ See A/61/156.

⁹ A/61/154.

States and through various regional fisheries management organizations and arrangements,

I

Achieving sustainable fisheries

1. *Reaffirms* the importance it attaches to the long-term conservation, management and sustainable use of the marine living resources of the world's oceans and seas and the obligations of States to cooperate to this end, in accordance with international law, as reflected in the relevant provisions of the Convention,² in particular the provisions on cooperation set out in Part V and Part VII, section 2, of the Convention, and where applicable, the Agreement;¹

2. *Encourages* States to give due priority to the implementation of the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),¹⁰ in relation to achieving sustainable fisheries;

3. *Emphasizes* the obligations of flag States to discharge their responsibilities, in accordance with the Convention and the Agreement, to ensure compliance by vessels flying their flag with the conservation and management measures adopted and in force with respect to fisheries resources on the high seas;

4. *Calls upon* all States that have not done so, in order to achieve the goal of universal participation, to become parties to the Convention, which sets out the legal framework within which all activities in the oceans and seas must be carried out, taking into account the relationship between the Convention and the Agreement;

5. *Calls upon* all States, directly or through regional fisheries management organizations and arrangements, to apply widely, in accordance with international law and the Code,⁴ the precautionary approach and an ecosystem approach to the conservation, management and exploitation of fish stocks, including straddling fish stocks, highly migratory fish stocks and discrete high seas fish stocks, and also calls upon States parties to the Agreement to implement fully the provisions of article 6 of the Agreement as a matter of priority;

6. *Encourages* States to increase their reliance on scientific advice in developing, adopting and implementing conservation and management measures, and to increase their efforts to promote science for conservation and management measures that apply, in accordance with international law, the precautionary approach and an ecosystem approach to fisheries management, enhancing understanding of ecosystem approaches, in order to ensure the long-term conservation and sustainable use of marine living resources, and in this regard encourages the implementation of the international Strategy for Improving Information on Status and Trends of Capture Fisheries of the Food and Agriculture Organization of the United Nations⁵ as a framework for the improvement and understanding of fishery status and trends;

¹⁰ *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

7. *Also encourages* States to apply the precautionary approach and an ecosystem approach in adopting and implementing conservation and management measures addressing, inter alia, by-catch, pollution, overfishing, and protecting habitats of specific concern, taking into account existing guidelines developed by the Food and Agriculture Organization of the United Nations;

8. *Calls upon* States and regional fisheries management organizations and arrangements to collect and, where appropriate, report to the Food and Agriculture Organization of the United Nations required catch and effort data, and fishery-related information, in a complete, accurate and timely way, including for straddling fish stocks and highly migratory fish stocks within and beyond areas under national jurisdiction, discrete high seas fish stocks, and by-catch and discards; and where they do not exist, to establish processes to strengthen data collection and reporting by members of regional fisheries management organizations and arrangements, including through regular reviews of member compliance with such obligations, and when such obligations are not met, require the member concerned to rectify the problem, including through the preparation of plans of action with timelines;

9. *Invites* States and regional fisheries management organizations and arrangements to cooperate with the Food and Agriculture Organization of the United Nations in the implementation and further development of the Fishery Resources Monitoring System (FIRMS) initiative;

10. *Urges* States, including those working through subregional or regional fisheries management organizations and arrangements, to implement fully the International Plan of Action for the Conservation and Management of Sharks, notably through the collection of scientific data regarding shark catches and the adoption of conservation and management measures, particularly where shark catches from directed and non-directed fisheries have a significant impact on vulnerable or threatened shark stocks, in order to ensure the conservation and management of sharks and their long-term sustainable use, including by banning directed shark fisheries conducted solely for the purpose of harvesting shark fins and by taking measures for other fisheries to minimize waste and discards from shark catches, and to encourage the full use of dead sharks;

11. *Urges* States to eliminate barriers to trade in fish and fisheries products which are not consistent with their rights and obligations under the World Trade Organization agreements, taking into account the importance of the trade in fish and fisheries products, particularly for developing countries;

12. *Urges* States and relevant international and national organizations to provide for participation of small-scale fishery stakeholders in related policy development and fisheries management strategies in order to achieve long-term sustainability for such fisheries, consistent with the duty to ensure the proper conservation and management of fisheries resources;

II

Implementation of the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks

13. *Calls upon* all States, and entities referred to in the Convention and in article 1, paragraph 2 (b), of the Agreement, that have not done so to ratify

or accede to the Agreement and in the interim to consider applying it provisionally;

14. *Calls upon* States parties to the Agreement to harmonize, as a matter of priority, their national legislation with the provisions of the Agreement, and to ensure that the provisions of the Agreement are effectively implemented into regional fisheries management organizations and arrangements of which they are a member;

15. *Emphasizes* the importance of those provisions of the Agreement relating to bilateral, regional and subregional cooperation in enforcement, and urges continued efforts in this regard;

16. *Calls upon* all States to ensure that their vessels comply with the conservation and management measures that have been adopted by regional and subregional fisheries management organizations and arrangements in accordance with relevant provisions of the Convention and of the Agreement;

17. *Urges* States parties to the Agreement, in accordance with article 21, paragraph 4, thereof to inform, either directly or through the relevant regional or subregional fisheries management organization or arrangement, all States whose vessels fish on the high seas in the same region or subregion of the form of identification issued by those States parties to officials duly authorized to carry out boarding and inspection functions in accordance with articles 21 and 22 of the Agreement;

18. *Also urges* States parties to the Agreement, in accordance with article 21, paragraph 4, to designate an appropriate authority to receive notifications pursuant to article 21 and to give due publicity to such designation through the relevant subregional or regional fisheries management organization or arrangement;

19. *Calls upon* States individually and, as appropriate, through regional and subregional fisheries management organizations and arrangements with competence over discrete high seas fish stocks, to adopt the necessary measures to ensure the long-term conservation, management and sustainable use of such stocks in accordance with the Convention and consistent with the general principles set forth in the Agreement;

20. *Invites* States and international financial institutions and organizations of the United Nations system to provide assistance according to Part VII of the Agreement, including, if appropriate, the development of special financial mechanisms or instruments to assist developing States, in particular the least developed among them and small island developing States, to enable them to develop their national capacity to exploit fishery resources, including developing their domestically flagged fishing fleet, value-added processing and the expansion of their economic base in the fishing industry, consistent with the duty to ensure the proper conservation and management of fisheries resources;

21. *Invites* States to assist developing States in enhancing their participation in regional fisheries management organizations or arrangements, including through facilitating access to fisheries for straddling fish stocks and highly migratory fish stocks, in accordance with article 25, paragraph 1 (b), of the Agreement, taking into account the need to ensure that such access benefits the developing States concerned and their nationals;

22. *Notes with satisfaction* that the Assistance Fund under Part VII of the Agreement has begun to operate and consider applications for assistance by developing States parties to the Agreement, and encourages States, intergovernmental organizations, international financial institutions, national institutions and non-governmental organizations, as well as natural and juridical persons, to make voluntary financial contributions to the Assistance Fund;

23. *Requests* that the Food and Agriculture Organization of the United Nations and the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the Secretariat further publicize the availability of assistance through the Assistance Fund, and solicit views from developing States parties to the Agreement regarding the application and award procedures of the Fund, and consider changes where necessary to improve the process;

24. *Encourages* States, individually and, as appropriate, through regional and subregional fisheries management organizations and arrangements, to implement the recommendations of the Review Conference;⁷

25. *Recalls* paragraph 6 of resolution 56/13, and requests the Secretary-General to convene in 2007, in accordance with past practice, a sixth round of informal consultations of States parties to the Agreement, for the purposes and objectives of considering the national, regional, subregional and global implementation of the Agreement, as well as considering initial preparatory steps for the resumption of the Review Conference convened by the Secretary-General pursuant to article 36 of the Agreement, and making any appropriate recommendation to the General Assembly;

26. *Requests* the Secretary-General to invite States, and entities referred to in the Convention and in article 1, paragraph 2 (b), of the Agreement, not party to the Agreement, as well as the United Nations Development Programme, the Food and Agriculture Organization of the United Nations and other specialized agencies, the Commission on Sustainable Development, the World Bank, the Global Environment Facility and other relevant international financial institutions, subregional and regional fisheries management organizations and arrangements, other fisheries bodies, other relevant intergovernmental bodies and relevant non-governmental organizations, in accordance with past practice, to attend the sixth round of informal consultations of States parties to the Agreement as observers;

27. *Requests* the Food and Agriculture Organization of the United Nations to initiate arrangements with States for the collection and dissemination of data on fishing in the high seas by vessels flying their flag at the subregional and regional levels where none exist;

28. *Also requests* the Food and Agriculture Organization of the United Nations to revise its global fisheries statistics database to provide information on straddling fish stocks, highly migratory fish stocks and discrete high seas fish stocks on the basis of where the catch is taken;

III

Related fisheries instruments

29. *Emphasizes* the importance of the effective implementation of the provisions of the Compliance Agreement,⁶ and urges continued efforts in this regard;

30. *Calls upon* all States and other entities referred to in article X, paragraph 1, of the Compliance Agreement that have not yet become parties to that Agreement to do so as a matter of priority and, in the interim, to consider applying it provisionally;

31. *Urges* States and subregional and regional fisheries management organizations and arrangements to implement and promote the application of the Code within their areas of competence;

32. *Urges* States to develop and implement, as a matter of priority, national and, as appropriate, regional plans of action to put into effect the international plans of action of the Food and Agriculture Organization of the United Nations;

IV

Illegal, unreported and unregulated fishing

33. *Emphasizes once again its serious concern* that illegal, unreported and unregulated fishing remains one of the greatest threats to marine ecosystems and continues to have serious and major implications for the conservation and management of ocean resources, and renews its call upon States to comply fully with all existing obligations and to combat such fishing and urgently to take all necessary steps to implement the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing of the Food and Agriculture Organization of the United Nations;

34. *Urges* States to exercise effective control over their nationals, including beneficial owners, and vessels flying their flag in order to prevent and deter them from engaging in or supporting illegal, unreported and unregulated fishing activities, and to facilitate mutual assistance to ensure that such actions can be investigated and proper sanctions imposed;

35. *Also urges* States to take effective measures, at the national, regional and global levels, to deter the activities, including illegal, unreported and unregulated fishing, of any vessel which undermines conservation and management measures that have been adopted by regional and subregional fisheries management organizations and arrangements in accordance with international law;

36. *Calls upon* States not to permit vessels flying their flag to engage in fishing on the high seas or in areas under the national jurisdiction of other States, unless duly authorized by the authorities of the States concerned and in accordance with the conditions set out in the authorization, and to take specific measures, including deterring the reflagging of vessels by their nationals, in accordance with the relevant provisions of the Convention, the Agreement and the Compliance Agreement, to control fishing operations by vessels flying their flag;

37. *Reaffirms* the need to strengthen, where necessary, the international legal framework for intergovernmental cooperation, in particular at the subregional and regional levels, in the management of fish stocks and in combating illegal, unreported and unregulated fishing, in a manner consistent with international law, and for States and entities referred to in the Convention and in article 1, paragraph 2 (b), of the Agreement to collaborate in efforts to address these types of fishing activities, including, inter alia, the development and implementation of vessel monitoring systems and the listing of vessels in order to prevent illegal, unreported and unregulated fishing activities and,

where appropriate and consistent with international law, trade monitoring schemes, including to collect global catch data, through subregional and regional fisheries management organizations and arrangements;

38. *Calls upon* States to take all measures consistent with international law necessary to prevent, deter and eliminate illegal, unreported and unregulated fishing activities, such as developing measures consistent with national law to prohibit vessels flying their flag from supporting vessels engaging in illegal, unreported and unregulated fishing activities, including those listed by regional fisheries management organizations or arrangements;

39. *Also calls upon* States to take all necessary measures consistent with international law, without prejudice to reasons of force majeure or distress, including the prohibition of vessels from accessing their ports followed by a report to the flag State concerned, when there is clear evidence that they are or have been engaged in or have supported illegal, unreported and unregulated fishing, or when they refuse to give information either on the origin of the catch or on the authorization under which the catch has been made;

40. *Urges* further international action to eliminate illegal, unreported and unregulated fishing by vessels flying “flags of convenience” as well as to require that a “genuine link” be established between States and fishing vessels flying their flags, and calls upon States to implement the 2005 Rome Declaration on Illegal, Unreported and Unregulated Fishing³ as a matter of priority;

41. *Urges* States individually and collectively through regional fisheries management organizations and arrangements to cooperate to clarify the role of the “genuine link” in relation to the duty of States to exercise effective control over fishing vessels flying their flag and to develop appropriate processes to assess performance of States with respect to implementing the obligations regarding fishing vessels flying their flag set out in relevant international instruments;

42. *Recognizes* the need for enhanced port State controls to combat illegal, unreported and unregulated fishing, and urges States to cooperate, in particular at the regional level and through subregional and regional fisheries management organizations and arrangements, to adopt all necessary port measures, consistent with international law taking into account article 23 of the Agreement, particularly those identified in the Model Scheme on Port State Measures to Combat Illegal, Unreported, and Unregulated Fishing, adopted by the Food and Agriculture Organization of the United Nations in 2005, and to promote the development and application of minimum standards at the regional level;

43. *Encourages* States to initiate, as soon as possible, a process within the Food and Agriculture Organization of the United Nations to develop, as appropriate, a legally binding instrument on minimum standards for port State measures, building on the Model Scheme on Port State Measures to Combat Illegal, Unreported, and Unregulated Fishing and the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing;

44. *Encourages* States, with respect to vessels flying their flag, and port States, to make every effort to share data on landings and catch quotas, and in this regard encourages regional fisheries management organizations or

arrangements to consider developing open databases containing such data for the purpose of enhancing the effectiveness of fisheries management;

45. *Calls upon* States to take all necessary measures to ensure that vessels flying their flag do not engage in trans-shipment of fish caught by fishing vessels engaged in illegal, unreported and unregulated fishing;

46. *Urges* States, individually and through regional fisheries management organizations and arrangements, to adopt and implement internationally agreed market-related measures in accordance with international law, including principles, rights and obligations established in World Trade Organization agreements, as called for in the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing;

V

Monitoring, control and surveillance and compliance and enforcement

47. *Calls upon* States in accordance with international law to strengthen implementation of or, where they do not exist, adopt comprehensive monitoring, control and surveillance measures and compliance and enforcement schemes individually and within those regional fisheries management organizations or arrangements in which they participate in order to provide an appropriate framework for promoting compliance with agreed conservation and management measures, and further urges enhanced coordination among all relevant States and regional fisheries management organizations and arrangements in these efforts;

48. *Encourages* further work by competent international organizations, including the Food and Agriculture Organization of the United Nations and subregional and regional fisheries management organizations and arrangements, to develop guidelines on flag State control of fishing vessels;

49. *Urges* States, individually and through relevant regional fisheries management organizations and arrangements, to establish mandatory vessel monitoring, control and surveillance systems, in particular to require that vessel monitoring systems be carried by all vessels fishing on the high seas as soon as practicable, and in the case of large-scale fishing vessels no later than December 2008, and share information on fisheries enforcement matters;

50. *Calls upon* States, individually and through regional fisheries management organizations or arrangements, to strengthen or establish, consistent with national and international law, positive or negative lists of vessels fishing within the areas covered by relevant regional fisheries management organizations and arrangements in order to verify compliance with conservation and management measures and identify products from illegal, unreported and unregulated catches, and encourages improved coordination among all parties and regional fisheries management organizations and arrangements in sharing and using this information, taking into account the forms of cooperation with developing States as set out in article 25 of the Agreement;

51. *Requests* States and relevant international bodies to develop, in accordance with international law, more effective measures to trace fish and fishery products to enable importing States to identify fish or fishery products caught in a manner that undermines international conservation and management measures agreed in accordance with international law, taking into

account the special requirements of developing States and the forms of cooperation with developing States as set out in article 25 of the Agreement, and at the same time to recognize the importance of market access, in accordance with provisions 11.2.4, 11.2.5 and 11.2.6 of the Code, for fish and fishery products caught in a manner that is in conformity with such international measures;

52. *Encourages* States to establish and undertake cooperative surveillance and enforcement activities in accordance with international law to strengthen and enhance efforts to ensure compliance with conservation and management measures, and prevent and deter illegal, unreported and unregulated fishing;

53. *Urges* States, individually and through regional fisheries management organizations or arrangements, to develop and adopt effective measures to regulate trans-shipment, in particular at-sea trans-shipment, in order to, inter alia, monitor compliance, collect and verify fisheries data, and to prevent and suppress illegal, unregulated and unreported fishing activities in accordance with international law; and, in parallel, encourage and support the Food and Agriculture Organization of the United Nations in studying the current practices of trans-shipment as it relates to fishing operations for straddling fish stocks and highly migratory fish stocks and produce a set of guidelines for this purpose;

54. *Encourages* States to join and actively participate in the existing voluntary International Monitoring, Control and Surveillance Network for Fisheries-Related Activities and to consider supporting, when appropriate, transformation of the Monitoring, Control and Surveillance Network in accordance with international law into an international unit with dedicated resources to further assist Network members, taking into account the forms of cooperation with developing States as set out in article 25 of the Agreement;

55. *Notes with satisfaction* the completion of the first Global Fisheries Enforcement Training Conference, held in Kuala Lumpur from 18 to 22 July 2005 and hosted by the Government of Malaysia in cooperation with the Monitoring, Control and Surveillance Network and the FishCode programme of the Food and Agriculture Organization of the United Nations, and encourages widespread participation in the upcoming Second Global Fisheries Enforcement Training Conference, to be held in Trondheim, Norway, in August 2008 and sponsored by the Norwegian Directorate of Fisheries in conjunction with the Network;

56. *Encourages* States to cooperate in the development of a comprehensive global record within the Food and Agriculture Organization of the United Nations of fishing vessels, including refrigerated transport vessels and supply vessels, that incorporates available information on beneficial ownership, subject to confidentiality requirements in accordance with national law, as called for in the 2005 Rome Declaration on Illegal, Unreported and Unregulated Fishing;

VI

Fishing overcapacity

57. *Calls upon* States to commit to urgently reducing the capacity of the world's fishing fleets to levels commensurate with the sustainability of fish stocks, through the establishment of target levels and plans or other

appropriate mechanisms for ongoing capacity assessment, while avoiding the transfer of fishing capacity to other fisheries or areas in a manner that undermines the sustainable management of fish stocks, including, inter alia, those areas where fish stocks are overexploited or in a depleted condition, and recognizing in this context the legitimate rights of developing States to develop their fisheries for straddling fish stocks and highly migratory fish stocks consistent with article 25 of the Agreement, article 5 of the Code, and paragraph 10 of the International Plan of Action for the Management of Fishing Capacity;

58. *Urges* States to eliminate subsidies that contribute to illegal, unreported and unregulated fishing and to fishing overcapacity, while completing the efforts undertaken at the World Trade Organization in accordance with the Doha Declaration¹¹ to clarify and improve its disciplines on fisheries subsidies, taking into account the importance of this sector, including small-scale and artisanal fisheries and aquaculture, to developing countries;

VII

Large-scale pelagic drift-net fishing

59. *Reaffirms* the importance it attaches to continued compliance with its resolution 46/215 and other subsequent resolutions on large-scale pelagic drift-net fishing, and urges States and entities referred to in the Convention and in article 1, paragraph 2 (b), of the Agreement to enforce fully the measures recommended in those resolutions;

VIII

Fisheries by-catch and discards

60. *Urges* States, regional and subregional fisheries management organizations and arrangements and other relevant international organizations that have not done so to take action to reduce or eliminate by-catch, catch by lost or abandoned gear, fish discards and post-harvest losses, including juvenile fish, consistent with international law and relevant international instruments, including the Code, and in particular to consider measures including, as appropriate, technical measures related to fish size, mesh size or gear, discards, closed seasons and areas and zones reserved for selected fisheries, particularly artisanal fisheries, the establishment of mechanisms for communicating information on areas of high concentration of juvenile fish, taking into account the importance of ensuring confidentiality of such information, and support for studies and research that will reduce or eliminate by-catch of juvenile fish;

61. *Encourages* States and entities referred to in the Convention and in article 1, paragraph 2 (b), of the Agreement to give due consideration to participation, as appropriate, in regional and subregional instruments and organizations with mandates to conserve non-target species taken incidentally in fishing operations;

¹¹ World Trade Organization, document WT/MIN(01)/DEC/1. Available from <http://docsonline.two.org>.

62. *Requests* States and regional fisheries management organizations and arrangements to urgently implement, as appropriate, the measures recommended in the Guidelines to Reduce Sea Turtle Mortality in Fishing Operations¹² and the International Plan of Action for Reducing Incidental Catch of Seabirds in Longline Fisheries of the Food and Agriculture Organization of the United Nations in order to prevent the decline of sea turtles and seabird populations by reducing by-catch and increasing post-release survival in their fisheries, including through research and development of gear and bait alternatives, promoting the use of available by-catch mitigation technology, and promotion and strengthening of data-collection programmes to obtain standardized information to develop reliable estimates of the by-catch of these species;

IX

Subregional and regional cooperation

63. *Urges* coastal States and States fishing on the high seas, in accordance with the Convention and the Agreement, to pursue cooperation in relation to straddling fish stocks and highly migratory fish stocks, either directly or through appropriate subregional or regional fisheries management organizations or arrangements, to ensure the effective conservation and management of such stocks;

64. *Urges* States fishing for straddling fish stocks and highly migratory fish stocks on the high seas, and relevant coastal States, where a subregional or regional fisheries management organization or arrangement has the competence to establish conservation and management measures for such stocks, to give effect to their duty to cooperate by becoming members of such an organization or participants in such an arrangement, or by agreeing to apply the conservation and management measures established by such an organization or arrangement, or to otherwise ensure that no vessel flying their flag be authorized to access the fisheries resources to which regional fisheries management organizations and arrangements or conservation and management measures established by such organizations or arrangements apply;

65. *Invites*, in this regard, subregional and regional fisheries management organizations and arrangements to ensure that all States having a real interest in the fisheries concerned may become members of such organizations or participants in such arrangements, in accordance with the Convention and the Agreement;

66. *Encourages* relevant coastal States and States fishing on the high seas for a straddling fish stock or a highly migratory fish stock, where there is no subregional or regional fisheries management organization or arrangement to establish conservation and management measures for such stocks, to cooperate to establish such an organization or enter into another appropriate arrangement to ensure the conservation and management of such stocks, and to participate in the work of the organization or arrangement;

67. *Welcomes* the adoption of conservation measures by the South-East Atlantic Fisheries Organization at its third annual meeting, held in Windhoek

¹² Food and Agriculture Organization of the United Nations, *Report of the Technical Consultation on Sea Turtles Conservation and Fisheries, Bangkok, Thailand, 29 November–2 December 2004*, FAO Fisheries Report No. 765 (FIRM/R765(En)), appendix E.

on 4 October 2006, including an interim prohibition of fishing activities in ten marine areas with prominent seamounts, and urges all signatory States and other States whose vessels fish within the area of the Convention on the Conservation and Management of Fishery Resources in the South-East Atlantic Ocean for fishery resources covered by that Convention to become parties to that Convention as a matter of priority and, in the interim, to ensure that vessels flying their flags fully comply with the measures adopted;

68. *Also welcomes* the adoption of the South Indian Ocean Fisheries Agreement in Rome on 7 July 2006, encourages signatory States and States having a real interest to become parties to that Agreement, and urges those States to agree on and implement interim measures to ensure the conservation and management of the fisheries resources and their marine ecosystems and habitats in the area to which that Agreement applies until such time as that Agreement enters into force;

69. *Further welcomes* the initiation and progress of negotiations to establish regional and subregional fisheries management organizations or arrangements in several fisheries, in particular in the South Pacific and North-West Pacific, encourages States having a real interest to participate in such negotiations, urges participants to expedite those negotiations and to apply provisions of the Convention and the Agreement to their work, and further urges participants to agree on and implement interim conservation and management measures until such regional and subregional fisheries management organizations or arrangements are established;

70. *Urges* further efforts by regional fisheries management organizations and arrangements, as a matter of priority, in accordance with international law, to strengthen and modernize their mandates and the measures adopted by such organizations or arrangements, to implement modern approaches to fisheries management as reflected in the Agreement and other relevant international instruments relying on the best scientific information available and application of the precautionary approach, and incorporating an ecosystem approach to fisheries management and biodiversity considerations, where these aspects are lacking, to ensure that they effectively contribute to long-term conservation and management and sustainable use of marine living resources;

71. *Urges* States to strengthen and enhance cooperation among existing and developing regional fisheries management organizations and arrangements in which they participate, including increased communication and further coordination of measures, and in this regard encourages wide participation in the joint tuna regional fisheries management organization and arrangement meeting that will be hosted by the Government of Japan in 2007, and encourages members of other existing regional fisheries management organizations or arrangements and participants in establishing new regional fisheries management organizations or arrangements to hold similar consultations;

72. *Urges* regional fisheries management organizations and arrangements to improve transparency and to ensure that their decision-making processes are fair and transparent, rely on best scientific information available, incorporate the precautionary approach and ecosystem approaches, address participatory rights, including through, inter alia, the development of transparent criteria for allocating fishing opportunities which reflects, where appropriate, the relevant provisions of the Agreement, taking due account,

inter alia, of the status of the relevant stocks and the respective interests in the fishery, and strengthen integration, coordination and cooperation with other relevant fisheries organizations, regional seas arrangements and other relevant international organizations;

73. *Urges* States, through their participation in regional fisheries management organizations and arrangements, to undertake, on an urgent basis, performance reviews of those regional fisheries management organizations and arrangements, initiated either by the organization or arrangement itself or with external partners, including in cooperation with the Food and Agriculture Organization of the United Nations, using transparent criteria based on the provisions of the Agreement and other relevant instruments, including the best practices of regional fisheries management organizations or arrangements; and further encourages that such performance reviews include some element of independent evaluation and that the results be made publicly available, noting that the North East Atlantic Fisheries Commission has completed a performance review;

74. *Also urges* States to cooperate to develop best practice guidelines for regional fisheries management organizations and arrangements and to apply, to the extent possible, those guidelines to organizations and arrangements in which they participate;

75. *Encourages* the development of regional guidelines for States to use in establishing sanctions, for non-compliance by vessels flying their flag and by their nationals, to be applied in accordance with national law, that are adequate in severity for effectively securing compliance, deterring further violations and depriving offenders of the benefits deriving from their illegal activities, as well as in evaluating their systems of sanctions to ensure that they are effective in securing compliance and deterring violations;

X

Responsible fisheries in the marine ecosystem

76. *Encourages* States to apply by 2010 the ecosystem approach, notes the Reykjavik Declaration on Responsible Fisheries in the Marine Ecosystem¹³ and decision VII/11¹⁴ and other relevant decisions of the Conference of the Parties to the Convention on Biological Diversity, notes the work of the Food and Agriculture Organization of the United Nations related to guidelines for the implementation of the ecosystem approach to fisheries management, and also notes the importance to this approach of relevant provisions of the Agreement and the Code;

77. *Also encourages* States, individually or through regional fisheries management organizations and arrangements and other relevant international organizations, to work to ensure that fisheries and other ecosystem data collection is performed in a coordinated and integrated manner, facilitating incorporation into global observation initiatives, where appropriate;

78. *Further encourages* States to increase scientific research in accordance with international law on the marine ecosystem;

¹³ E/CN.17/2002/PC.2/3, annex.

¹⁴ See UNEP/CBD/COP/7/21, annex.

79. *Calls upon* States, the Food and Agriculture Organization of the United Nations and other specialized agencies of the United Nations, subregional and regional fisheries management organizations and arrangements, where appropriate, and other appropriate intergovernmental bodies, to cooperate in achieving sustainable aquaculture, including through information exchange, developing equivalent standards on such issues as aquatic animal health and human health and safety concerns, assessing the potential positive and negative impacts of aquaculture, including socio-economics, on the marine and coastal environment, including biodiversity, and adopting relevant methods and techniques to minimize and mitigate adverse effects;

80. *Calls upon* States to take action immediately, individually and through regional fisheries management organizations and arrangements, and consistent with the precautionary approach and ecosystem approaches, to sustainably manage fish stocks and protect vulnerable marine ecosystems, including seamounts, hydrothermal vents and cold water corals, from destructive fishing practices, recognizing the immense importance and value of deep sea ecosystems and the biodiversity they contain;

81. *Reaffirms* the importance it attaches to paragraphs 66 to 69 of its resolution 59/25 concerning the impacts of fishing on vulnerable marine ecosystems;

82. *Welcomes* the important progress made by States and regional fisheries management organizations or arrangements with the competence to regulate bottom fisheries to give effect to paragraphs 66 to 69 of its resolution 59/25 to address the impacts of fishing on vulnerable marine ecosystems, including through initiating negotiations to establish new regional fisheries management organizations or arrangements, but on the basis of the review called for in paragraph 71 of that resolution, recognizes that additional actions are urgently needed;

83. *Calls upon* regional fisheries management organizations or arrangements with the competence to regulate bottom fisheries to adopt and implement measures, in accordance with the precautionary approach, ecosystem approaches and international law, for their respective regulatory areas as a matter of priority, but not later than 31 December 2008:

(a) To assess, on the basis of the best available scientific information, whether individual bottom fishing activities would have significant adverse impacts on vulnerable marine ecosystems, and to ensure that if it is assessed that these activities would have significant adverse impacts, they are managed to prevent such impacts, or not authorized to proceed;

(b) To identify vulnerable marine ecosystems and determine whether bottom fishing activities would cause significant adverse impacts to such ecosystems and the long-term sustainability of deep sea fish stocks, inter alia, by improving scientific research and data collection and sharing, and through new and exploratory fisheries;

(c) In respect of areas where vulnerable marine ecosystems, including seamounts, hydrothermal vents and cold water corals, are known to occur or are likely to occur based on the best available scientific information, to close such areas to bottom fishing and ensure that such activities do not proceed unless conservation and management measures have been established to prevent significant adverse impacts on vulnerable marine ecosystems;

(d) To require members of the regional fisheries management organizations or arrangements to require vessels flying their flag to cease bottom fishing activities in areas where, in the course of fishing operations, vulnerable marine ecosystems are encountered, and to report the encounter so that appropriate measures can be adopted in respect of the relevant site;

84. *Also calls upon* regional fisheries management organizations or arrangements with the competence to regulate bottom fisheries to make the measures adopted pursuant to paragraph 83 of the present resolution publicly available;

85. *Calls upon* those States participating in negotiations to establish a regional fisheries management organization or arrangement competent to regulate bottom fisheries to expedite such negotiations and, by no later than 31 December 2007, to adopt and implement interim measures consistent with paragraph 83 of the present resolution and make these measures publicly available;

86. *Calls upon* flag States to either adopt and implement measures in accordance with paragraph 83 of the present resolution, *mutatis mutandis*, or cease to authorize fishing vessels flying their flag to conduct bottom fisheries in areas beyond national jurisdiction where there is no regional fisheries management organization or arrangement with the competence to regulate such fisheries or interim measures in accordance with paragraph 85 of the present resolution, until measures are taken in accordance with paragraph 83 or 85 of the present resolution;

87. *Further calls upon* States to make publicly available through the Food and Agriculture Organization of the United Nations a list of those vessels flying their flag authorized to conduct bottom fisheries in areas beyond national jurisdiction, and the measures they have adopted pursuant to paragraph 86 of the present resolution;

88. *Emphasizes* the critical role played by the Food and Agriculture Organization of the United Nations in providing expert technical advice, in assisting with international fisheries policy development and management standards, and in collection and dissemination of information on fisheries-related issues, including the protection of vulnerable marine ecosystems from the impacts of fishing;

89. *Commends* the Food and Agriculture Organization of the United Nations for its work on the management of deep sea fisheries in the high seas, including the expert consultation held from 21 to 23 November 2006 in Bangkok, and further invites the Food and Agriculture Organization of the United Nations to establish at its next Committee on Fisheries meeting a time frame of relevant work with respect to the management of deep sea fisheries in the high seas, including enhancing data collection and dissemination, promoting information exchange and increased knowledge on deep sea fishing activities, such as through convening a meeting of States engaged in such fisheries, developing standards and criteria for use by States and regional fisheries management organizations or arrangements in identifying vulnerable marine ecosystems and the impacts of fishing on such ecosystems, and establishing standards for the management of deep sea fisheries, such as through the development of an international plan of action;

90. *Invites* the Food and Agriculture Organization of the United Nations to consider creating a global database of information on vulnerable

marine ecosystems in areas beyond national jurisdiction to assist States in assessing any impacts of bottom fisheries on vulnerable marine ecosystems, and invites States and regional fisheries management organizations or arrangements to submit information to any such database on all vulnerable marine ecosystems identified in accordance with paragraph 83 of the present resolution;

91. *Requests* the Secretary-General, in cooperation with the Food and Agriculture Organization of the United Nations, to include in his report concerning fisheries to the General Assembly at its sixty-fourth session a section on the actions taken by States and regional fisheries management organizations and arrangements in response to paragraphs 83 to 90 of the present resolution, and decides to conduct a further review of such actions at that session in 2009, with a view to further recommendations, where necessary;

92. *Encourages* accelerated progress to establish criteria on the objectives and management of marine protected areas for fisheries purposes, and in this regard welcomes the proposed work of the Food and Agriculture Organization of the United Nations to develop technical guidelines in accordance with the Convention on the design, implementation and testing of marine protected areas for such purposes, and urges coordination and cooperation among all relevant international organizations and bodies;

93. *Notes* that the Second Intergovernmental Review Meeting of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities was held from 16 to 20 October 2006 in Beijing, and urges all States to implement the Global Programme of Action and to accelerate activity to safeguard the marine ecosystem, including fish stocks, against pollution and physical degradation;

94. *Reaffirms* the importance it attaches to paragraphs 77 to 81 of its resolution 60/31 concerning the issue of lost, abandoned, or discarded fishing gear and related marine debris and the adverse impacts such debris and derelict fishing gear have on, inter alia, fish stocks, habitats and other marine species, and urges accelerated progress by States and regional fisheries management organizations and arrangements in implementing those paragraphs of the resolution;

95. *Further encourages* the Committee on Fisheries of the Food and Agriculture Organization of the United Nations to consider the issue of derelict fishing gear and related marine debris at its next meeting in 2007, and in particular the implementation of relevant provisions of the Code;

XI

Capacity-building

96. *Reiterates* the crucial importance of cooperation by States directly or, as appropriate, through the relevant regional and subregional organizations, and by other international organizations, including the Food and Agriculture Organization of the United Nations through its FishCode programme, including through financial and/or technical assistance, in accordance with the Agreement, the Compliance Agreement, the Code, the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, the International Plan of Action for the Conservation and Management of Sharks, the International Plan of Action for the Management

of Fishing Capacity, the International Plan of Action for Reducing Incidental Catch of Seabirds in Longline Fisheries, and the Guidelines to Reduce Sea Turtle Mortality in Fishing Operations of the Food and Agriculture Organization of the United Nations, to increase the capacity of developing States to achieve the goals and implement the actions called for in the present resolution;

97. *Welcomes* the work of the Food and Agriculture Organization of the United Nations in developing guidance on the strategies and measures required for the creation of an enabling environment for small-scale fisheries, including the development of a code of conduct and guidelines for enhancing the contribution of small-scale fisheries to poverty alleviation and food security that include adequate provisions with regard to financial measures and capacity-building, including transfer of technology, and encourages studies for creating possible alternative livelihoods for coastal communities;

98. *Encourages* increased capacity-building and technical assistance by States, international financial institutions and relevant intergovernmental organizations and bodies for fishers, in particular small-scale fishers, in developing countries, and in particular small island developing States, consistent with environmental sustainability;

99. *Encourages* the international community to enhance the opportunities for sustainable development in developing countries, in particular the least developed countries, small island developing States and coastal African States, by encouraging greater participation of those States in authorized fisheries activities being undertaken within areas under their national jurisdiction, in accordance with the Convention, by distant-water fishing nations in order to achieve better economic returns for developing countries from their fisheries resources within areas under their national jurisdiction and an enhanced role in regional fisheries management, as well as by enhancing the ability of developing countries to develop their own fisheries, as well as to participate in high seas fisheries, including access to such fisheries, in conformity with international law, in particular the Convention and the Agreement;

100. *Requests* distant-water fishing nations, when negotiating access agreements and arrangements with developing coastal States, to do so on an equitable and sustainable basis, including by giving greater attention to fish processing, including fish processing facilities, within the national jurisdiction of the developing coastal State to assist the realization of the benefits from the development of fisheries resources, and also including, inter alia, the transfer of technology and assistance for monitoring, control and surveillance and compliance and enforcement within areas under the national jurisdiction of the developing coastal State providing fisheries access, taking into account the forms of cooperation set out in article 25 of the Agreement;

101. *Encourages* States individually and through regional fisheries management organizations and arrangements to provide greater assistance and to promote coherence in such assistance for developing States in designing, establishing and implementing relevant agreements, instruments and tools for the conservation and sustainable management of fish stocks, including in designing and strengthening their domestic regulatory fisheries policies and those of regional fisheries management organizations or arrangements in their regions, and the enhancement of research and scientific capabilities through existing funds, such as the Assistance Fund under Part VII of the Agreement,

bilateral assistance, regional fisheries management organizations and arrangements assistance funds, the FishCode programme, the World Bank's global programme on fisheries and the Global Environment Facility;

102. *Calls upon* States to promote, through continuing dialogue and the assistance and cooperation provided in accordance with articles 24 to 26 of the Agreement, further ratification of or accession to the Agreement by seeking to address, inter alia, the issue of lack of capacity and resources that might stand in the way of developing States becoming parties;

XII

Cooperation within the United Nations system

103. *Requests* the relevant parts of the United Nations system, international financial institutions and donor agencies to support increased enforcement and compliance capabilities for regional fisheries management organizations and their member States;

104. *Invites* the Food and Agriculture Organization of the United Nations to continue its cooperative arrangements with United Nations agencies on the implementation of the international plans of action and to report to the Secretary-General, for inclusion in his annual report on sustainable fisheries, on priorities for cooperation and coordination in this work;

105. *Invites* the Division for Ocean Affairs and the Law of the Sea, the Food and Agriculture Organization of the United Nations and other relevant bodies of the United Nations system to consult and cooperate in the preparation of questionnaires designed to collect information on sustainable fisheries, in order to avoid duplication;

XIII

Sixty-second session of the General Assembly

106. *Requests* the Secretary-General to bring the present resolution to the attention of all members of the international community, relevant intergovernmental organizations, the organizations and bodies of the United Nations system, regional and subregional fisheries management organizations and relevant non-governmental organizations, and to invite them to provide the Secretary-General with information relevant to the implementation of the present resolution;

107. *Also requests* the Secretary-General to submit to the General Assembly at its sixty-second session a report on "Sustainable fisheries, including through the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, and related instruments", taking into account information provided by States, relevant specialized agencies, in particular the Food and Agriculture Organization of the United Nations, and other appropriate organs, organizations and programmes of the United Nations system, regional and subregional organizations and arrangements for the conservation and management of straddling fish stocks and highly migratory fish stocks, as well as other relevant intergovernmental bodies and non-governmental organizations, and consisting, inter alia, of elements provided in relevant paragraphs in the present resolution;

108. *Decides* to include in the provisional agenda of its sixty-second session, under the item entitled “Oceans and the law of the sea”, the sub-item entitled “Sustainable fisheries, including through the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, and related instruments”.

*71st plenary meeting
8 December 2006*

2. General Assembly Resolution 61/222 of 20 December 2006: Oceans and the law of the sea

The General Assembly,

Recalling its resolutions 49/28 of 6 December 1994, 52/26 of 26 November 1997, 54/33 of 24 November 1999, 57/141 of 12 December 2002, 58/240 of 23 December 2003, 59/24 of 17 November 2004, 60/30 of 29 November 2005 and other relevant resolutions concerning the United Nations Convention on the Law of the Sea (“the Convention”),¹

Having considered the report of the Secretary-General,² the addendum thereto,³ the report of the Ad Hoc Open-ended Informal Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction⁴ and also the reports on the work of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea (“the Consultative Process”) at its seventh meeting⁵ and on the sixteenth Meeting of States Parties to the Convention,⁶

Emphasizing the pre-eminent contribution provided by the Convention to the strengthening of peace, security, cooperation and friendly relations among all nations in conformity with the principles of justice and equal rights and to the promotion of the economic and social advancement of all peoples of the world, in accordance with the purposes and principles of the United Nations as set forth in the Charter of the United Nations, as well as for the sustainable development of the oceans and seas,

Emphasizing also the universal and unified character of the Convention, and reaffirming that the Convention sets out the legal framework within which all activities in the oceans and seas must be carried out and is of strategic importance as the basis for national, regional and global action and cooperation in the marine sector, and that its integrity needs to be maintained, as recognized also by the United Nations Conference on Environment and Development in chapter 17 of Agenda 21,⁷

Recognizing the important contribution of sustainable development and management of the resources and uses of the oceans and seas to the achievement of international development goals, including those contained in the United Nations Millennium Declaration,⁸

Conscious that the problems of ocean space are closely interrelated and need to be considered as a whole through an integrated, interdisciplinary and intersectoral approach, and reaffirming the need to improve cooperation and coordination at the national, regional and global levels, in accordance with the Convention, to support and supplement the efforts of each State in promoting the implementation and observance of the Convention, and the integrated management and sustainable development of the oceans and seas,

¹ United Nations, *Treaty Series*, vol. 1833, No. 31363.

² A/61/63.

³ A/61/63/Add.1.

⁴ A/61/65.

⁵ A/61/156.

⁶ SPLOS/148.

⁷ *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3–14 June 1992*, vol. 1, *Resolutions Adopted by the Conference* (United Nations publication, Sales No. E.93.I.8 and corrigendum), resolution 1, annex II.

⁸ See resolution 55/2.

Reiterating the essential need for cooperation, including through capacity-building and transfer of marine technology, to ensure that all States, especially developing countries, in particular the least developed countries and small island developing States, as well as coastal African States, are able both to implement the Convention and to benefit from the sustainable development of the oceans and seas, as well as to participate fully in global and regional forums and processes dealing with oceans and law of the sea issues,

Emphasizing the need to strengthen the ability of competent international organizations to contribute, at the global, regional, subregional and bilateral levels, through cooperation programmes with Governments, to the development of national capacity in marine science and the sustainable management of the oceans and their resources,

Recalling that marine science is important for eradicating poverty, contributing to food security, conserving the world's marine environment and resources, helping to understand, predict and respond to natural events and promoting the sustainable development of the oceans and seas, by improving knowledge, through sustained research efforts and the evaluation of monitoring results, and applying such knowledge to management and decision-making,

Recalling also its decision, in resolutions 57/141 and 58/240, to establish a regular process under the United Nations for global reporting and assessment of the state of the marine environment, including socio-economic aspects, both current and foreseeable, building on existing regional assessments, as recommended by the World Summit on Sustainable Development,² and noting the need for cooperation among all States to this end,

Reiterating its concern at the adverse impacts on the marine environment and biodiversity, in particular on vulnerable marine ecosystems, including corals, of human activities, such as overutilization of living marine resources, the use of destructive practices, physical impacts by ships, the introduction of alien invasive species and marine pollution from all sources, including from land-based sources and vessels, in particular through the illegal discharge of oil and other harmful substances, the loss or release of fishing gear and the dumping of hazardous waste such as radioactive materials, nuclear waste and dangerous chemicals,

Expressing its concern over the projected adverse effects of anthropogenic and natural climate change and ocean acidification on the marine environment and marine biodiversity,

Recognizing that there is a need for a more integrated approach and to further study and promote measures for enhanced cooperation and coordination relating to the conservation and sustainable use of marine biodiversity in areas beyond national jurisdiction,

Recognizing also that the realization of the benefits of the Convention could be enhanced by international cooperation, technical assistance and advanced scientific knowledge, as well as by funding and capacity-building,

Recognizing further that hydrographic surveys and nautical charting are critical to the safety of navigation and life at sea, environmental protection, including the protection of vulnerable marine ecosystems, and the economics

² See *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

of the global shipping industry, and recognizing in this regard that the move towards electronic charting not only provides significantly increased benefits for safe navigation and management of ship movement, but also provides data and information that can be used for sustainable fisheries activities and other sectoral uses of the marine environment, the delimitation of maritime boundaries and environmental protection,

Noting with concern the continuing problem of transnational organized crime and threats to maritime safety and security, including piracy, armed robbery at sea, smuggling and terrorist acts against shipping, offshore installations and other maritime interests, and noting the deplorable loss of life and adverse impact on international trade, energy security and the global economy resulting from such activities,

Reaffirming the importance of the work of the Commission on the Limits of the Continental Shelf (“the Commission”) for coastal States and the international community as a whole,

Noting the important role of the Commission in assisting States parties in the implementation of Part VI of the Convention, through the examination of information submitted by coastal States regarding the outer limits of the continental shelf beyond 200 nautical miles,

Recognizing the importance and the contribution of the work over the past seven years of the Consultative Process established by resolution 54/33 to facilitate the annual review of developments in ocean affairs by the General Assembly and extended by resolutions 57/141 and 60/30,

Noting the responsibilities of the Secretary-General under the Convention and related resolutions of the General Assembly, in particular resolutions 49/28, 52/26 and 54/33, and in this context the increase in activities of the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the Secretariat (“the Division”), in particular in view of the growing number of requests to the Division for additional outputs and servicing of meetings, the increasing capacity-building activities and assistance to the Commission, and the role of the Division in inter-agency coordination and cooperation,

Emphasizing that underwater archaeological, cultural and historical heritage, including shipwrecks and watercrafts, holds essential information on the history of humankind and that such heritage is a resource that needs to be protected and preserved,

Reaffirming the importance of the work of the International Seabed Authority (“the Authority”) in accordance with the Convention and the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 (“the Agreement”),¹⁰

I

Implementation of the Convention and related agreements and instruments

1. *Reaffirms* its resolutions 49/28, 52/26, 54/33, 57/141, 58/240, 59/24, 60/30 and other relevant resolutions concerning the Convention;¹
2. *Also reaffirms* the unified character of the Convention and the vital importance of preserving its integrity;

¹⁰ United Nations, *Treaty Series*, vol. 1836, No. 31364.

3. *Calls upon* all States that have not done so, in order to achieve the goal of universal participation, to become parties to the Convention and the Agreement;¹⁰

4. *Calls upon* all States that have not done so, in order to achieve the goal of universal participation, to become parties to the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (“the Fish Stocks Agreement”);¹¹

5. *Calls upon* States to harmonize, as a matter of priority, their national legislation with the provisions of the Convention and, where applicable, relevant agreements and instruments, to ensure the consistent application of those provisions and to ensure also that any declarations or statements that they have made or make when signing, ratifying or acceding to the Convention do not purport to exclude or to modify the legal effect of the provisions of the Convention in their application to the State concerned and to withdraw any such declarations or statements;

6. *Calls upon* States parties to the Convention to deposit with the Secretary-General charts or lists of geographical coordinates, as provided for in the Convention;

7. *Urges* all States to cooperate, directly or through competent international bodies, in taking measures to protect and preserve objects of an archaeological and historical nature found at sea, in conformity with the Convention, and calls upon States to work together on such diverse challenges and opportunities as the appropriate relationship between salvage law and scientific management and conservation of underwater cultural heritage, increasing technological abilities to discover and reach underwater sites, looting and growing underwater tourism;

8. *Notes* the effort made by the United Nations Educational, Scientific and Cultural Organization with respect to the preservation of underwater cultural heritage, and notes in particular the rules annexed to the 2001 Convention on the Protection of the Underwater Cultural Heritage¹² that address the relationship between salvage law and scientific principles of management, conservation and protection of underwater cultural heritage among parties, their nationals and vessels flying their flag;

II

Capacity-building

9. *Calls upon* donor agencies and international financial institutions to keep their programmes systematically under review to ensure the availability in all States, particularly in developing States, of the economic, legal, navigational, scientific and technical skills necessary for the full implementation of the Convention and the objectives of the present resolution, as well as the sustainable development of the oceans and seas nationally,

¹¹ *Ibid.*, vol. 2167, No. 37924.

¹² United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Thirty-first Session, Paris, 15 October–3 November 2001*, vol. 1 and corrigendum: *Resolutions*, resolution 24, annex.

regionally and globally, and in so doing to bear in mind the interests and needs of landlocked developing States;

10. *Encourages* intensified efforts to build capacity for developing countries, in particular for the least developed countries and small island developing States, as well as coastal African States, to improve hydrographic services and the production of nautical charts, including electronic charts, as well as the mobilization of resources and building of capacity with support from international financial institutions and the donor community;

11. *Calls upon* States and international financial institutions, including through bilateral, regional and global cooperation programmes and technical partnerships, to continue to strengthen capacity-building activities, in particular in developing countries, in the field of marine scientific research by, inter alia, training personnel to develop and enhance relevant expertise, providing the necessary equipment, facilities and vessels and transferring environmentally sound technologies;

12. *Recognizes* the need to build the capacity of developing States to raise awareness of, and support implementation of, improved waste management practices, noting the particular vulnerability of small island developing States to the impact of marine pollution from land-based sources and marine debris;

13. *Also recognizes* the importance of assisting developing States, in particular the least developed countries and small island developing States, as well as coastal African States, in implementing the Convention, and urges States, intergovernmental organizations and agencies, national institutions, non-governmental organizations and international financial institutions, as well as natural and juridical persons, to make voluntary financial or other contributions to the trust funds, as referred to in resolution 57/141, established for this purpose;

14. *Encourages* States to use the Criteria and Guidelines on the Transfer of Marine Technology, adopted by the Assembly of the Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific and Cultural Organization,¹³ and recalls the important role of the secretariat of the International Oceanographic Commission in the implementation and promotion of those Criteria and Guidelines;

15. *Also encourages* States to assist developing States, and especially the least developed countries and small island developing States, as well as coastal African States, at the bilateral and, where appropriate, multilateral level, in the preparation of submissions to the Commission regarding the establishment of the outer limits of the continental shelf beyond 200 nautical miles, including the assessment of the nature and extent of the continental shelf of a coastal State through a desktop study, and the delineation of the outer limits of its continental shelf;

16. *Notes with appreciation* the successful conduct by the Division of regional training courses, most recently in Accra from 5 to 9 December 2005 and in Buenos Aires from 8 to 12 May 2006, the purpose of which was to train technical staff of coastal developing States in the delineation of the outer limits of the continental shelf beyond 200 nautical miles and in the preparation

¹³ See Intergovernmental Oceanographic Commission, document IOC/INF-1203.

of submissions to the Commission, and requests the Secretary-General, in cooperation with States and relevant international organizations and institutions, to continue making such training courses available;

17. *Also notes with appreciation* the first regional workshop of the International Tribunal for the Law of the Sea (“the Tribunal”), held in Dakar from 31 October to 2 November 2006 on the role of the Tribunal in the settlement of disputes relating to the law of the sea in West Africa;

18. *Invites* Member States and others in a position to do so to support the capacity-building activities of the Division, including, in particular, the training activities to assist developing States in the preparation of their submissions to the Commission, and invites Member States and others in a position to do so to contribute to the trust fund established by the Secretary-General for the Office of Legal Affairs of the Secretariat to support the promotion of international law;

19. *Recognizes* the importance of the Hamilton Shirley Amerasinghe Memorial Fellowship on the Law of the Sea, advises the Secretary-General to continue to finance the Fellowship from resources made available through an appropriate Office of Legal Affairs trust fund, and urges Member States and others in a position to do so to contribute to the further development of the Fellowship;

20. *Takes note with satisfaction* of the ongoing implementation of the United Nations and the Nippon Foundation Fellowship Programme, focusing on human resources development for developing coastal States parties and non-parties to the Convention in the field of ocean affairs and the law of the sea or related disciplines;

III

Meeting of States Parties

21. *Welcomes* the report of the sixteenth Meeting of States Parties to the Convention;⁶

22. *Requests* the Secretary-General to convene the seventeenth Meeting of States Parties to the Convention in New York on 14 and from 18 to 22 June 2007, bearing in mind that the current term of office of the members of the Commission expires on 15 June 2007, and to provide the services required;

23. *Calls upon* States parties to transmit to the Secretariat the credentials of representatives attending the Meeting as far in advance as is practicable, and no later than 13 June 2007;

IV

Peaceful settlement of disputes

24. *Notes with satisfaction* the continued and significant contribution of the Tribunal to the settlement of disputes by peaceful means in accordance with Part XV of the Convention, and underlines the important role and authority of the Tribunal concerning the interpretation or application of the Convention and the Agreement;

25. *Equally pays tribute* to the important and long-standing role of the International Court of Justice with regard to the peaceful settlement of disputes concerning the law of the sea;

26. *Notes* that States parties to an international agreement related to the purposes of the Convention may submit to, inter alia, the Tribunal or the International Court of Justice any dispute concerning the interpretation or application of that agreement submitted in accordance with that agreement, and notes also the possibility, provided for in the statutes of the Tribunal and the Court, to submit disputes to a chamber;

27. *Encourages* States parties to the Convention that have not yet done so to consider making a written declaration choosing from the means set out in article 287 of the Convention for the settlement of disputes concerning the interpretation or application of the Convention and the Agreement, bearing in mind the comprehensive character of the dispute settlement mechanism provided for in Part XV of the Convention;

V

The Area

28. *Notes* the progress of the discussions on issues relating to the regulations for prospecting and exploration for polymetallic sulphides and cobalt-rich ferromanganese crusts in the Area, and reiterates the importance of the ongoing elaboration by the Authority, pursuant to article 145 of the Convention, of rules, regulations and procedures to ensure the effective protection of the marine environment, the protection and conservation of the natural resources of the Area and the prevention of damage to its flora and fauna from harmful effects that may arise from activities in the Area;

29. *Takes note with satisfaction* of the contract signed on 19 July 2006 between Germany and the Authority regarding the exploration of polymetallic nodules in an area in the Pacific Ocean;

30. *Notes* the importance of the responsibilities entrusted to the Authority by articles 143 and 145 of the Convention, which refer to marine scientific research and protection of the marine environment respectively;

VI

Effective functioning of the Authority and the Tribunal

31. *Appeals* to all States parties to the Convention to pay their assessed contributions to the Authority and to the Tribunal in full and on time, and also appeals to States parties in arrears with their contributions to fulfil their obligations without delay;

32. *Urges* all States parties to the Convention to attend the sessions of the Authority, and calls upon the Authority to continue to pursue all options, including the issue of dates, in order to improve attendance in Kingston and to ensure global participation;

33. *Calls upon* States that have not done so to consider ratifying or acceding to the Agreement on the Privileges and Immunities of the Tribunal¹⁴ and to the Protocol on the Privileges and Immunities of the Authority;¹⁵

34. *Emphasizes* the importance of the Tribunal's rules and staff regulations promoting the recruitment of a geographically representative staff

¹⁴ SPLOS/25.

¹⁵ ISBA/4/A/8, annex.

in the Professional and higher categories, and calls for wider dissemination of vacancy announcements to achieve that goal;

VII

The continental shelf and the work of the Commission

35. *Encourages* States parties to the Convention that are in a position to do so to make every effort to submit information to the Commission regarding the establishment of the outer limits of the continental shelf beyond 200 nautical miles, in conformity with article 76 of the Convention and article 4 of annex II to the Convention, taking into account the decision of the eleventh Meeting of States Parties to the Convention;¹⁶

36. *Notes with satisfaction* the progress in the work of the Commission,¹⁷ that it is giving current consideration to five submissions that have been made regarding the establishment of the outer limits of the continental shelf beyond 200 nautical miles and that a number of States have advised of their intention to make submissions in the near future;

37. *Notes* that the anticipated heavy workload of the Commission, owing to an increasing number of submissions, places additional demands on its members and the Division, and in that regard emphasizes the need to ensure that the Commission can perform its functions effectively and maintain its high level of quality and expertise;

38. *Emphasizes* the need to maintain, to the extent possible given the term of office of the members of the Commission, continuity in the composition of subcommissions throughout the consideration of a submission;

39. *Takes note* of the decision of the sixteenth Meeting of States Parties to the Convention to address, as a matter of priority, issues related to the workload of the Commission and funding for its members attending the sessions of the Commission and the meetings of the subcommissions;¹⁸

40. *Calls upon* States whose experts are serving on the Commission to do their utmost to ensure the full participation of those experts in the work of the Commission, including the meetings of subcommissions, in accordance with the Convention;

41. *Endorses* the call by the Meeting of States Parties to the Convention to strengthen the Division, serving as the secretariat of the Commission, for the purpose of enhancing its technical support for the Commission;

42. *Urges* the Secretary-General to continue to take all necessary actions to ensure that the Commission can fulfil the functions entrusted to it under the Convention;

43. *Encourages* States to make additional contributions to the voluntary trust fund established by resolution 55/7 of 30 October 2000 for the purpose of facilitating the preparation of submissions to the Commission for developing States, in particular the least developed countries and small island developing States, and compliance with article 76 of the Convention;

¹⁶ SPLOS/72.

¹⁷ CLCS/50 and CLCS/52.

¹⁸ See SPLOS/144.

44. *Expresses its concern* regarding the resources available in the voluntary trust fund established by resolution 55/7 for the purpose of defraying the cost of participation of the members of the Commission from developing States in the meetings of the Commission, and urges States to make additional contributions to the trust fund;

45. *Approves* the convening by the Secretary-General of the nineteenth and twentieth sessions of the Commission in New York from 5 March to 13 April 2007 and from 20 August to 7 September 2007, respectively, on the understanding that the following periods will be used for the technical examination of submissions at the Geographic Information System laboratories and other technical facilities of the Division: 5 to 23 March 2007; 9 to 13 April 2007; 20 to 24 August 2007; and 4 to 7 September 2007;

46. *Expresses its firm conviction* about the importance of the work of the Commission, carried out in accordance with the Convention, including with respect to the participation of the coastal State in relevant proceedings concerning its submission;

47. *Notes with satisfaction* the amendments to rule 52 of and annex III to the rules of procedure of the Commission,¹⁹ and recognizes the continued need for active interaction between submitting States and the Commission;

48. *Encourages* States to continue exchanging views in order to increase understanding of issues, including expenditures involved, arising from the application of article 76 of the Convention, thus facilitating preparation of submissions by States, in particular developing States, to the Commission;

49. *Requests* the Secretary-General, in cooperation with the Member States, to continue supporting and organizing workshops or symposiums on scientific and technical aspects of the establishment of the outer limits of the continental shelf beyond 200 nautical miles, taking into account the deadline for submissions, and welcomes initiatives of States in coordination with the United Nations, such as the international symposium held in Tokyo on 6 and 7 March 2006;

VIII

Maritime safety and security and flag State implementation

50. *Encourages* States to ratify or accede to international agreements addressing the safety and security of navigation and to adopt the necessary measures consistent with the Convention, aimed at implementing and enforcing the rules contained in those agreements;

51. *Welcomes* the adoption of the consolidated Maritime Labour Convention, 2006, by the International Labour Conference on 23 February 2006, and encourages States to become parties to that Convention;

52. *Also welcomes* the adoption and continuing review by the International Maritime Organization and the International Labour Organization

¹⁹ See CLCS/50, paras. 36 and 43.

of Guidelines on Fair Treatment of Seafarers in the Event of a Maritime Accident,²⁰ and encourages States to implement the Guidelines;

53. *Calls upon* States to consider becoming members of the International Hydrographic Organization, and urges all States to work with that Organization to increase the coverage of hydrographic information on a global basis to enhance capacity-building and technical assistance and to promote safe navigation, especially in areas used for international navigation, ports and where there are vulnerable or protected marine areas;

54. *Encourages* States to draw up plans and to establish procedures to implement the Guidelines on Places of Refuge for Ships in Need of Assistance;²¹

55. *Notes* the progress in the implementation of the Action Plan for the Safety of Transport of Radioactive Material, approved by the Board of Governors of the International Atomic Energy Agency in March 2004,²² and encourages States concerned to continue their efforts in the implementation of all areas of the Action Plan;

56. *Also notes* that cessation of the transport of radioactive materials through the regions of small island developing States is an ultimate desired goal of small island developing States and some other countries, and recognizes the right of freedom of navigation in accordance with international law; that States should maintain dialogue and consultation, in particular under the aegis of the International Atomic Energy Agency and the International Maritime Organization, with the aim of improved mutual understanding, confidence-building and enhanced communication in relation to the safe maritime transport of radioactive materials; that States involved in the transport of such materials are urged to continue to engage in dialogue with small island developing States and other States to address their concerns; and that these concerns include the further development and strengthening, within the appropriate forums, of international regulatory regimes to enhance safety, disclosure, liability, security and compensation in relation to such transport;²³

57. *Encourages* States to cooperate to address threats to maritime safety and security, including piracy, armed robbery at sea, smuggling and terrorist acts against shipping, offshore installations and other maritime interests, through bilateral and multilateral instruments and mechanisms aimed at monitoring, preventing and responding to such threats;

58. *Urges* all States, in cooperation with the International Maritime Organization, to combat piracy and armed robbery at sea by adopting measures, including those relating to assistance with capacity-building through training of seafarers, port staff and enforcement personnel in the prevention, reporting and investigation of incidents, bringing the alleged perpetrators to justice, in accordance with international law, and by adopting national legislation, as well as providing enforcement vessels and equipment and guarding against fraudulent ship registration;

²⁰ Adopted by the International Maritime Organization Legal Committee on 27 April 2006 as resolution LEG.3(91), and by the International Labour Organization Governing Body on 12 June 2006 at its 296th session.

²¹ International Maritime Organization, Assembly resolution A.949(23).

²² Available from www-ns.iaea.org.

²³ Resolution 60/1, para. 56 (o).

59. *Calls upon* States to become parties to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf,²⁴ invites States to consider becoming parties to the 2005 Protocols amending those instruments,²⁵ and also urges States parties to take appropriate measures to ensure the effective implementation of those instruments, through the adoption of legislation, where appropriate;

60. *Also calls upon* States to effectively implement the International Ship and Port Facility Security Code and related amendments to the International Convention for the Safety of Life at Sea,²⁶ and to work with the International Maritime Organization to promote safe and secure shipping while ensuring freedom of navigation;

61. *Takes note* of the adoption by the International Maritime Organization of amendments to the International Convention for the Safety of Life at Sea introducing the long-range identification and tracking of ships system;²⁷

62. *Notes* the work of the International Maritime Organization with regard to the preparation of the wreck removal convention for the prompt and effective removal of wrecks which may pose a hazard to navigation or the marine environment;

63. *Requests* States to take appropriate measures with regard to ships flying their flag or of their registry to address hazards that may be caused by wrecks and drifting or sunken cargo to navigation or the marine environment;

64. *Urges* all States, in cooperation with the International Maritime Organization, to improve the protection of offshore installations by adopting measures related to the prevention, reporting and investigation of acts of violence against installations, in accordance with international law, and by implementing such measures through national legislation to ensure proper and adequate enforcement;

65. *Calls upon* States to ensure freedom of navigation and the rights of transit passage and innocent passage in accordance with international law, in particular the Convention;

66. *Welcomes* the work of the International Maritime Organization relating to the protection of shipping lanes of strategic importance and significance, and in particular in enhancing safety, security and environmental protection in straits used for international navigation, and calls upon the International Maritime Organization, States bordering straits and user States to continue their cooperation efforts to keep such straits safe and open to international navigation at all times, consistent with international law, in particular the Convention;

67. *Calls upon* user States and States bordering straits for international navigation to cooperate by agreement on matters relating to navigational

²⁴ United Nations, *Treaty Series*, vol. 1678, No. 29004.

²⁵ International Maritime Organization, documents LEG/CONF.15/21 and LEG/CONF.15/22.

²⁶ International Maritime Organization, documents SOLAS/CONF.5/32 and 34.

²⁷ International Maritime Organization, document MSC 81/25/Add.1, annex 2, resolution MSC.202(81).

safety, including safety aids for navigation, and the prevention, reduction and control of pollution from ships;

68. *Welcomes* the progress in regional cooperation, including the Jakarta and Kuala Lumpur Statements on Enhancement of Safety, Security and Environmental Protection in the Straits of Malacca and Singapore, adopted on 8 September 2005²⁸ and 20 September 2006,²⁹ respectively, the progress made in establishing a cooperative mechanism on safety of navigation and environmental protection to promote dialogue and facilitate close cooperation between the littoral States, user States, shipping industry and other stakeholders and in implementing the Marine Electronic Highway Demonstration Project for the Straits of Malacca and Singapore, and the entry into force of the Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia on 4 September 2006, by which the Information Sharing Centre was launched and established in Singapore in November 2006, and calls upon States to give immediate attention to adopting, concluding and implementing cooperation agreements at the regional level;

69. *Calls upon* States that have not yet done so to become parties to the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime³⁰ and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,³¹ and to take appropriate measures to ensure their effective implementation;

70. *Calls upon* States to ensure that masters on ships flying their flag take the steps required by relevant instruments³² to provide assistance to persons in distress at sea, and urges States to cooperate and to take all necessary measures to ensure the effective implementation of the amendments to the International Convention on Maritime Search and Rescue³³ and to the International Convention for the Safety of Life at Sea³⁴ relating to the delivery of persons rescued at sea to a place of safety, as well as of the associated Guidelines on the Treatment of Persons Rescued at Sea;³⁵

71. *Urges* flag States without an effective maritime administration and appropriate legal frameworks to establish or enhance the necessary infrastructure, legislative and enforcement capabilities to ensure effective compliance with, and implementation and enforcement of, their responsibilities under international law and, until such action is taken, to consider declining the granting of the right to fly their flag to new vessels, suspending their registry or not opening a registry, and calls upon flag and port States to take all measures consistent with international law necessary to prevent the operation of substandard vessels;

²⁸ A/60/529, annex II.

²⁹ A/61/584, annex.

³⁰ Resolution 55/25, annex III.

³¹ *Ibid.*, annex II.

³² The International Convention for the Safety of Life at Sea, 1974, the International Convention on Maritime Search and Rescue, 1979, as amended, the United Nations Convention on the Law of the Sea, 1982, and the International Convention on Salvage, 1989.

³³ International Maritime Organization, document MSC/78/26/Add.1, annex 5, resolution MSC.155(78).

³⁴ *Ibid.*, annex 3, resolution MSC.153(78).

³⁵ *Ibid.*, annex 34, resolution MSC.167(78).

72. *Welcomes* the adoption by the International Maritime Organization of the resolutions on the establishment of the Voluntary International Maritime Organization Member State Audit Scheme,³⁶ the Code for the implementation of mandatory International Maritime Organization instruments³⁷ and the future development of the Voluntary Audit Scheme,³⁸ and encourages all flag States to volunteer to be audited;

73. *Takes note* of the report of the Ad Hoc Consultative Meeting of senior representatives of international organizations on the “genuine link” held by the International Maritime Organization in July 2005 in response to the invitation extended to the Organization and other relevant competent international organizations in resolutions 58/14 of 24 November 2003 and 58/240 to examine and clarify the role of the “genuine link” in relation to the duty of flag States to exercise effective control over ships flying their flag, including fishing vessels, and the potential consequences of non-compliance with duties and obligations of flag States described in relevant international instruments,³⁹

IX

Marine environment and marine resources

74. *Emphasizes once again* the importance of the implementation of Part XII of the Convention in order to protect and preserve the marine environment and its living marine resources against pollution and physical degradation, and calls upon all States to cooperate and take measures consistent with the Convention, directly or through competent international organizations, for the protection and preservation of the marine environment;

75. *Encourages* States to ratify or accede to international agreements addressing the protection and preservation of the marine environment and its living marine resources against the introduction of harmful aquatic organisms and pathogens and marine pollution from all sources, and other forms of physical degradation, as well as agreements that provide for compensation for damage resulting from marine pollution, and to adopt the necessary measures consistent with the Convention aimed at implementing and enforcing the rules contained in those agreements;

76. *Welcomes* the entry into force on 24 March 2006 of the 1996 Protocol to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972,⁴⁰ and on 14 June 2007 of the Protocol on Preparedness, Response and Cooperation to Pollution Incidents by Hazardous and Noxious Substances, 2000,⁴¹ and encourages States that have not done so to become parties to those Protocols;

77. *Encourages* States, in accordance with the Convention and other relevant instruments, either bilaterally or regionally, to jointly develop and promote contingency plans for responding to pollution incidents, as well as

³⁶ International Maritime Organization, Assembly resolution A.974(24).

³⁷ International Maritime Organization, Assembly resolution A.973(24).

³⁸ International Maritime Organization, Assembly resolution A.975(24).

³⁹ See A/61/160, annex.

⁴⁰ IMO/LC.2/Circ.380.

⁴¹ HNS-OPRC/CONF/11/Rev.1, attachment 1.

other incidents that are likely to have significant adverse effects on the marine environment and biodiversity;

78. *Welcomes* the activities of the United Nations Environment Programme relating to marine debris carried out in cooperation with relevant United Nations bodies and organizations, and encourages States to further develop partnerships with industry and civil society to raise awareness of the extent of the impact of marine debris on the health and productivity of the marine environment and consequent economic loss;

79. *Urges* States to integrate the issue of marine debris into national strategies dealing with waste management in the coastal zone, ports and maritime industries, including recycling, reuse, reduction and disposal, and to encourage the development of appropriate economic incentives to address this issue, including the development of cost recovery systems that provide an incentive to use port reception facilities and discourage ships from discharging marine debris at sea, and encourages States to cooperate regionally and subregionally to develop and implement joint prevention and recovery programmes for marine debris;

80. *Welcomes* the decision of the International Maritime Organization to review annex V to the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto,⁴² to assess its effectiveness in addressing sea-based sources of marine debris, and encourages all relevant organizations and bodies to assist in that process;

81. *Encourages* States that have not done so to become parties to the Protocol of 1997 (Annex VI-Regulations for the Prevention of Air Pollution from Ships) to the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, and furthermore to ratify or accede to the International Convention on the Control of Harmful Anti-Fouling Systems on Ships, 2001,⁴³ as well as the International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004,⁴⁴ thereby facilitating their early entry into force;

82. *Notes* the ongoing work of the International Maritime Organization in accordance with its resolution on International Maritime Organization policies and practices related to the reduction of greenhouse gas emissions from ships⁴⁵ and the work plan to identify and develop the mechanisms needed to achieve the limitation or reduction of CO₂ emissions from international shipping agreed by the Marine Environment Protection Committee of the International Maritime Organization at its fifty-fifth session from 9 to 13 October 2006,⁴⁶ and welcomes ongoing efforts of that Organization in that regard;

83. *Notes with appreciation* the efforts of the International Maritime Organization in developing and approving an action plan to address the inadequacy of port waste reception facilities, and urges States to cooperate in correcting the shortfall in such facilities in accordance with the action plan;

⁴² United Nations, *Treaty Series*, vol. 1340, No. 22484.

⁴³ International Maritime Organization, document AFS/CONF/26, annex.

⁴⁴ International Maritime Organization, document BWM/CONF/36, annex.

⁴⁵ International Maritime Organization, Assembly resolution A.963(23).

⁴⁶ International Maritime Organization, document MEPC 55/23, annex 9.

84. *Welcomes* the outcomes of the Second Intergovernmental Review Meeting of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities, convened in Beijing from 16 to 20 October 2006, and calls upon States to take all appropriate measures to fulfil the commitments of the international community embodied in the Beijing Declaration on Furthering the Implementation of the Global Programme of Action;

85. *Also welcomes* the continued work of States, the United Nations Environment Programme and regional organizations in the implementation of the Global Programme of Action, and encourages increased emphasis on the link between freshwater, the coastal zone and marine resources in the implementation of international development goals, including those contained in the United Nations Millennium Declaration⁸ and of the time-bound targets in the Plan of Implementation of the World Summit on Sustainable Development (“Johannesburg Plan of Implementation”),⁴⁷ in particular the target on sanitation, and the Monterrey Consensus of the International Conference on Financing for Development;⁴⁸

86. *Invites* States, in particular those States with advanced technology and marine capabilities, to explore prospects for improving cooperation with, and assistance to, developing States, in particular least developed countries and small island developing States, as well as coastal African States, with a view to better integrating into national policies and programmes sustainable and effective development in the marine sector;

87. *Encourages* the competent international organizations, the United Nations Development Programme, the World Bank and other funding agencies to consider expanding their programmes within their respective fields of competence for assistance to developing countries and to coordinate their efforts, including in the allocation and application of Global Environment Facility funding;

88. *Requests* the Secretary-General to prepare a study, in cooperation with and based on information provided by States and competent international organizations and global and regional funding agencies, on the assistance available to and measures that may be taken by developing States, in particular the least developed States and small island developing States, as well as coastal African States, to realize the benefits of sustainable and effective development of marine resources and uses of the oceans within the limits of national jurisdiction, and further requests the Secretary-General to present the study to the General Assembly at its sixty-third session and to report to the Assembly at its sixty-second session on progress in the preparation of the study;

⁴⁷ *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August–4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

⁴⁸ *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18–22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

X

Marine biodiversity

89. *Reaffirms its role* relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction, notes the work of States and relevant complementary intergovernmental organizations and bodies on those issues, including the Convention on Biological Diversity and the Food and Agriculture Organization of the United Nations, and invites them to contribute to its consideration of these issues within the areas of their respective competence;

90. *Welcomes* the meeting of the Ad Hoc Open-ended Informal Working Group, established by paragraph 73 of resolution 59/24 to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction, held in New York from 13 to 17 February 2006, and takes note of the possible options, approaches and timely follow-up process discussed by the Working Group;⁴

91. *Takes note* of the report of the Working Group,⁴ and requests the Secretary-General to convene, in accordance with paragraph 73 of resolution 59/24, and with full conference services, a meeting of the Working Group in 2008, to consider:

(a) The environmental impacts of anthropogenic activities on marine biological diversity beyond areas of national jurisdiction;

(b) Coordination and cooperation among States as well as relevant intergovernmental organizations and bodies for the conservation and management of marine biological diversity beyond areas of national jurisdiction;

(c) The role of area-based management tools;

(d) Genetic resources beyond areas of national jurisdiction;

(e) Whether there is a governance or regulatory gap, and if so, how it should be addressed;

92. *Requests* the Secretary-General to report on the issues referred to in paragraph 91 above in the context of his report on oceans and the law of the sea to the General Assembly at its sixty-second session, in order to assist the Working Group in preparing its agenda, in consultation with all relevant international bodies, and to arrange for support for the performance of its work to be provided by the Division;

93. *Encourages* States to include relevant experts in their delegations attending the meeting of the Working Group;

94. *Recognizes* the importance of making the outcomes of the Working Group widely available;

95. *Notes* the work under the Jakarta Mandate on Marine and Coastal Biological Diversity⁴⁹ and the Convention on Biological Diversity elaborated programme of work on marine and coastal biological diversity,⁵⁰ as well as the relevant decisions adopted at the eighth meeting of the Conference of the

⁴⁹ See A/51/312, annex II, decision II/10.

⁵⁰ UNEP/CBD/COP/7/21, annex, decision VII/5, annex I.

Parties to the Convention on Biological Diversity, held in Curitiba, Brazil, from 20 to 31 March 2006;⁵¹

96. *Reaffirms* the need for States and competent international organizations to urgently consider ways to integrate and improve, based on the best available scientific information and in accordance with the Convention and related agreements and instruments, the management of risks to the marine biodiversity of seamounts, cold water corals, hydrothermal vents and certain other underwater features;

97. *Also reaffirms* the need for States to continue their efforts to develop and facilitate the use of diverse approaches and tools for conserving and managing vulnerable marine ecosystems, including the possible establishment of marine protected areas, consistent with international law and based on the best scientific information available, and the development of representative networks of any such marine protected areas by 2012;

98. *Notes* the work of States, relevant intergovernmental organizations and bodies, including the Convention on Biological Diversity, in the assessment of scientific information on, and compilation of ecological criteria for the identification of, marine areas that require protection, in light of the objective of the World Summit on Sustainable Development to develop and facilitate the use of diverse approaches and tools such as the establishment of marine protected areas consistent with international law and based on scientific information, including representative networks by 2012;⁹

99. *Also notes* the report of the Scientific Experts' Workshop on Criteria for Identifying Ecologically or Biologically Significant Areas beyond National Jurisdiction, held in Ottawa from 6 to 8 December 2005,⁵² and encourages experts to participate in follow-up workshops;

100. *Further notes* the Millennium Ecosystem Assessment synthesis reports and the urgent need to protect the marine biodiversity expressed therein;

101. *Calls upon* States and international organizations to urgently take action to address, in accordance with international law, destructive practices that have adverse impacts on marine biodiversity and ecosystems, including seamounts, hydrothermal vents and cold water corals;

102. *Reiterates its support* for the International Coral Reef Initiative, takes note of the International Coral Reef Initiative General Meetings, held in Koror from 31 October to 2 November 2005, and in Cozumel, Mexico, on 22 and 23 October 2006, supports the work under the Jakarta Mandate on Marine and Coastal Biological Diversity and the elaborated programme of work on marine and coastal biological diversity related to coral reefs, and notes the progress that the International Coral Reef Initiative and other relevant bodies have made to incorporate cold water coral ecosystems into their programmes and activities and to promote the conservation and sustainable use of all coral reef resources;

103. *Expresses its concern* that coral bleaching has become more frequent and severe throughout tropical seas over the last two decades, and highlights the need for improved monitoring to predict and identify bleaching

⁵¹ UNEP/CBD/COP/8/31, annex I.

⁵² A/AC.259/16, annex.

events to support and strengthen action during such events and improve strategies to support the natural resilience of reefs;

104. *Welcomes* the publication of the *Status of Coral Reefs in Tsunami Affected Countries: 2005* by the Global Coral Reef Monitoring Network;

105. *Encourages* States to cooperate, directly or through competent international bodies, in exchanging information in the event of accidents involving vessels on coral reefs and in promoting the development of economic assessment techniques for both restoration and non-use values of coral reef systems;

106. *Emphasizes* the need to mainstream sustainable coral reef management and integrated watershed management into national development strategies, as well as into the activities of relevant United Nations agencies and programmes, international financial institutions and the donor community;

107. *Encourages* further studies and consideration of the impacts of ocean noise on marine living resources, and requests the Division to compile the peer-reviewed scientific studies it receives from Member States and to make them available on its website;

XI

Marine science

108. *Calls upon* States, individually or in collaboration with each other or with relevant international organizations and bodies, to improve understanding and knowledge of the oceans and the deep sea, including, in particular, the extent and vulnerability of deep sea biodiversity and ecosystems, by increasing their marine scientific research activities in accordance with the Convention;

109. *Notes* the contribution of the Census of Marine Life to marine biodiversity research, and encourages participation in the initiative;

110. *Takes note with appreciation* of the work of the Advisory Body of Experts on the Law of the Sea of the Intergovernmental Oceanographic Commission on the development of procedures for the implementation of Parts XIII and XIV of the Convention and on the development of a consensual text on the legal framework for the collection of oceanographic data within the context of the Convention;

111. *Stresses* the importance of increasing the scientific understanding of the oceans/atmosphere interface, including through participation in ocean observing programmes and geographic information systems, such as the Global Ocean Observing System, a programme of the Intergovernmental Oceanographic Commission, particularly considering their role in monitoring climate variability and in the establishment of tsunami warning systems;

112. *Recognizes* the significant progress made by the Intergovernmental Oceanographic Commission and Member States towards the establishment of regional tsunami warning and mitigation systems, welcomes the continued collaboration of the World Meteorological Organization and other United Nations and intergovernmental organizations in this effort, and encourages Member States to establish and sustain their national warning and mitigation systems, within a global, ocean-related multi-hazard approach, as necessary, to reduce loss of life and damage to national economies and strengthen the resilience of coastal communities to natural disasters;

XII

Regular process for global reporting and assessment of the state of the marine environment, including socio-economic aspects

113. *Recalls* that the Ad Hoc Steering Group was established by resolution 60/30;

114. *Takes note* of the report of the first meeting of the Ad Hoc Steering Group for the “assessment of assessments” launched as a preparatory stage towards the establishment of the regular process for global reporting and assessment of the state of the marine environment, including socio-economic aspects, held in New York from 7 to 9 June 2006,⁵³ and urges Member States from the African and Asian regional groups to propose the remaining representatives to the Chairmen of their regional groups so that the appointment to the Ad Hoc Steering Group of those representatives can be made by the President of the General Assembly without further delay;

115. *Urges* the Ad Hoc Steering Group to complete the “assessment of assessments” within two years, as provided for in resolution 60/30;

116. *Welcomes with appreciation* the support of the United Nations Environment Programme and the Intergovernmental Oceanographic Commission for the “assessment of assessments” in providing secretariat services to the Ad Hoc Steering Group and establishing the group of experts, as approved by the Ad Hoc Steering Group;

117. *Invites* Member States, the Global Environment Facility and other interested parties to contribute financially to the “assessment of assessments”, taking into account the workplan and budget approved by the Ad Hoc Steering Group, in order to complete the “assessment of assessments” within the specified period;

XIII

Regional cooperation

118. *Notes* that there have been a number of initiatives at the regional level, in various regions, to further the implementation of the Convention, takes note in that context of the Caribbean-focused Assistance Fund, which is intended to facilitate, mainly through technical assistance, the voluntary undertaking of maritime delimitation negotiations between Caribbean States, takes note once again of the Fund for Peace: Peaceful Settlement of Territorial Disputes, established by the General Assembly of the Organization of American States in 2000 as a primary mechanism, given its broader regional scope, for the prevention and resolution of pending territorial, land border and maritime boundary disputes, and calls upon States and others in a position to do so to contribute to these funds;

⁵³ United Nations Environment Programme, document A/61/GRAME/AHSG/1.

XIV

Open-ended informal consultative process on oceans and the law of the sea

119. *Welcomes* the report on the work of the Consultative Process at its seventh meeting,⁵ and invites States to consider the agreed consensual elements relating to ecosystem approaches and oceans, as suggested by the Consultative Process, as set out in part A of the report, in particular the proposed elements of an ecosystem approach, means to achieve implementation of an ecosystem approach and requirements for improved application of an ecosystem approach and also:

(a) Notes that continued environmental degradation in many parts of the world and increasing competing demands require an urgent response and the setting of priorities for management interventions aimed at conserving ecosystem integrity;

(b) Notes that ecosystem approaches to ocean management should be focused on managing human activities in order to maintain and, where needed, restore ecosystem health to sustain goods and environmental services, provide social and economic benefits for food security, sustain livelihoods in support of international development goals, including those contained in the Millennium Declaration, and conserve marine biodiversity;

(c) Recalls that States should be guided in the application of ecosystem approaches by a number of existing instruments, in particular the Convention, which sets out the legal framework for all activities in the oceans and seas, and its implementing Agreements, as well as other commitments, such as those contained in the Convention on Biological Diversity and the World Summit on Sustainable Development call for the application of an ecosystem approach by 2010;

(d) Encourages States to cooperate and coordinate their efforts and take, individually or jointly, as appropriate, all measures, in conformity with international law, including the Convention and other applicable instruments, to address impacts on marine ecosystems in areas within and beyond national jurisdiction, taking into account the integrity of the ecosystems concerned;

120. *Requests* the Secretary-General to convene the eighth meeting of the Consultative Process, in New York, from 25 to 29 June 2007, to provide it with the necessary facilities for the performance of its work and to arrange for support to be provided by the Division, in cooperation with other relevant parts of the Secretariat, as appropriate;

121. *Recalls* the need to strengthen and improve the efficiency of the Consultative Process, and encourages States, intergovernmental organizations and programmes to provide guidance to the co-chairpersons to this effect, particularly before and during the preparatory meeting for the Consultative Process;

122. *Expresses its concern* regarding the insufficient resources available in the voluntary trust fund established by resolution 55/7 for the purpose of assisting developing countries, in particular least developed countries, small island developing States and landlocked developing States, in attending the meetings of the Consultative Process by covering the costs of travel and daily subsistence allowance, and urges States to make additional contributions to the trust fund;

123. *Decides* that, in its deliberations on the report of the Secretary-General on oceans and the law of the sea at its forthcoming meetings in 2007 and 2008, the Consultative Process will focus its discussions on the topics “Marine genetic resources” in 2007 and “Maritime security and safety” in 2008;

XV

Coordination and cooperation

124. *Encourages* States to work closely with and through international organizations, funds and programmes, as well as the specialized agencies of the United Nations system and relevant international conventions, to identify emerging areas of focus for improved coordination and cooperation and how best to address these issues;

125. *Requests* the Secretary-General to bring the present resolution to the attention of heads of intergovernmental organizations, the specialized agencies, funds and programmes of the United Nations engaged in activities relating to ocean affairs and the law of the sea, as well as funding institutions, and underlines the importance of their constructive and timely input for the report of the Secretary-General on oceans and the law of the sea and of their participation in relevant meetings and processes;

126. *Welcomes* the work done by the secretariats of relevant United Nations specialized agencies, programmes, funds and bodies and the secretariats of related organizations and conventions to enhance inter-agency coordination and cooperation on ocean issues, including through UN-Oceans, the inter-agency coordination mechanism on ocean and coastal issues within the United Nations system;

127. *Encourages* continued updates to Member States by UN-Oceans regarding its priorities and initiatives, in particular with respect to the proposed participation in UN-Oceans;

XVI

Activities of the Division for Ocean Affairs and the Law of the Sea

128. *Expresses its appreciation* to the Secretary-General for the annual comprehensive report on oceans and the law of the sea, prepared by the Division, as well as for the other activities of the Division, which reflect the high standard of assistance provided to Member States by the Division;

129. *Requests* the Secretary-General to continue to carry out the responsibilities and functions entrusted to him in the Convention and by the related resolutions of the General Assembly, including resolutions 49/28 and 52/26, and to ensure the allocation of appropriate resources to the Division for the performance of its activities under the approved budget for the Organization;

XVII

Sixty-second session of the General Assembly

130. *Requests* the Secretary-General to prepare a comprehensive report, in its current comprehensive format and in accordance with established practice, for the consideration of the General Assembly at its sixty-second session, on developments and issues relating to ocean affairs and the law of

the sea, including the implementation of the present resolution, in accordance with resolutions 49/28, 52/26 and 54/33, and to make the report available at least six weeks in advance of the meeting of the Consultative Process;

131. *Emphasizes* the critical role of the annual comprehensive report of the Secretary-General, which integrates information on developments relating to the implementation of the Convention and the work of the Organization, its specialized agencies and other institutions in the field of ocean affairs and the law of the sea at the global and regional levels, and as a result constitutes the basis for the annual consideration and review of developments relating to ocean affairs and the law of the sea by the General Assembly as the global institution having the competence to undertake such a review;

132. *Notes* that the report referred to in paragraph 130 above will also be presented to States parties pursuant to article 319 of the Convention regarding issues of a general nature that have arisen with respect to the Convention;

133. *Also notes* the desire to further improve the efficiency of, and effective participation of delegations in, the informal consultations concerning the annual General Assembly resolution on oceans and the law of the sea and the resolution on sustainable fisheries, and decides to limit the period of the informal consultations on both resolutions to a maximum of four weeks in total and to ensure that the consultations are scheduled in such a way as to avoid overlap with the period during which the Sixth Committee is meeting and that the Division has sufficient time to produce the report referred to in paragraph 130 above;

134. *Decides* to include in the provisional agenda of its sixty-second session the item entitled "Oceans and the law of the sea".

83rd plenary meeting
20 December 2006

B. National LegislationSlovenia(a) Decree promulgating the Act Amending the Maritime Code (PZ-C)¹

I hereby promulgate the Act Amending the Maritime Code (PZ-C) adopted by the National Assembly of the Republic of Slovenia at its session on 26 April 2006.

No. 001-22-69/06
Ljubljana, 4 May 2006

Dr Janez Drnovšek /s/
President of the
Republic of Slovenia

(b) Act amending the Maritime Code (PZ-C)**Article 1**

In point 5 of Article 3 of the Maritime Code (Official Gazette of the Republic of Slovenia, No. 37/02 - official consolidated text) the word "ship" shall be replaced by the word "vessel". Point 20 shall be followed by points 21, 22, 23, 24, 25, 26 and 27, which read as follows:

- "21. A yacht shall be a ship used for non-economic purposes such as pleasure, sports or recreation;
- 22. A ship on lay up shall be a merchant ship that has not been used for commercial activities for over 30 days due to economic reasons or due to its unseaworthiness;
- 23. Oil shall be any stable oil, particularly crude oil, heavy diesel oil and lubricating oil, regardless of whether it is carried on the ship as cargo or as engine fuel;
- 24. A ship length is its biggest length not measuring its fixture;
- 25. An aquatorium shall be the port water area;
- 26. A ro-ro shall be a vessel with a special parking lot for vehicles;
- 27. A fast passenger vessel shall be a vessel with special technical characteristics due to which high speeds are reached."

A second, third and fourth paragraphs shall be added, which read as follows:

"The provisions of this Act that apply to public ships shall also apply to boats used on administrative business.

The provisions of this Act that apply to ships shall also apply to boats if so provided in the international conventions and European Union legislation.

This Act shall transpose provisions of the following European Union directives into the Slovenian legislation:

- Council Directive 94/57/EC of 22 November 1994 on common rules and standards of ship inspection and survey organisations and for the relevant activities of maritime administrations, with amendments;

¹ Original: Slovenian. English translation of the Amendments to the Slovene Maritime code of 2001, transmitted through note verbale dated 16 March 2007 from the Permanent Mission of Slovenia to the United Nations addressed to the Secretary-General of the United Nations. Text of the Maritime Code of 2001 was transmitted through notes verbales dated 24 and 27 February 2006 from the Permanent Mission of Slovenia to the United Nations addressed to the Secretary-General of the United Nations. Parts I to IV of the Maritime Code were published in *Law of the Sea Bulletin* 60, Parts V to VII were published in *Bulletin* 61, and Parts VIII to XI were published in *Bulletin* 62.

- Council Directive 95/21/EC of 19 June 1995 concerning the enforcement, in respect of shipping using Community ports and sailing in the waters under the jurisdiction of the Member States, of the international standards for ship safety, pollution prevention and shipboard living and working conditions (port State control), with amendments;
- Council Directive 96/98/EC of 20 December 1996 on Marine Equipment, with amendments;
- Council Directive 97/70/EC of 11 December 1997 setting up a harmonised safety regime for fishing vessels of 24 metres in length and over, with amendments;
- Council Directive 98/18/EC of 17 March 1998 on safety rules and standards for passenger ships, with amendments;
- Council Directive 98/41/EC of 18 June 1998 on the registration of persons sailing on board passenger ships operating to or from ports of the Member States of the Community, with amendments;
- Council Directive 1999/35/EC of 29 April 1999 on a system of mandatory surveys for the safe operation of regular ro-ro ferry and high-speed passenger craft services, with amendments;
- Directive 2001/96/EC of the European Parliament and of the Council of 4 December 2001 establishing harmonised requirements and procedures for the safe loading and unloading of bulk carriers;
- Directive 2002/6/EC of the European Parliament and of the Council of 18 February 2002 on reporting formalities for ships arriving in and/or departing from ports of the Member States of the Community, with amendments;
- Directive 2002/59/EC of the European Parliament and of the Council of 27 June 2002 establishing a Community vessel traffic monitoring and information system and repealing Council Directive 93/75/EEC, with amendments;
- Directive 2003/25/EC of the European Parliament and of the Council of 14 April 2003 on specific stability requirements for ro-ro passenger ships, with amendments; and
- Directive 2005/35/EC of the European Parliament and of the Council of 7 September 2005 on ship-source pollution and on the introduction of penalties for infringements."

Article 2

In Article 5 numbers "13° 39'" shall be replaced by numbers "13° 40'" and numbers "45° 35.4'" by numbers "45° 35'".

Article 3

In Article 16, a third paragraph shall be added, which reads as follows:

"A ship that does not request a lay up permit or respect the conditions set by the Government must, at the request and under conditions of the Maritime Directorate of the Republic of Slovenia, leave the internal waters and territorial sea of the Republic of Slovenia. Should it fail to do so, the Government may sell the ship in a public auction or in another more suitable manner and, after the deduction for sales costs has been made, deposit the purchase price for the account of the shipowner with the competent court."

Article 4

In Article 26, the text "and keeping a register of documents issued" shall be added at the end of the thirteenth indent.

A second, third and fourth paragraphs shall be added, which read as follows:

"Registers from the ninth and thirteenth indents of the preceding paragraph, except for the register of seamen's books, shall encompass the following data: personal name, date and place of birth, citizenship, permanent or temporary residence, number and date of application, date of examination, scores and grades achieved in examinations, date of issue and serial number of the document. The register of seamen's books issued shall comprise the following data: personal name, date and place of birth, citizenship, gender, height, hair and eye colour, permanent or temporary residence, date of issue and serial number of the document.

The registers from the preceding paragraph shall be stored permanently, except for the data from the register of seamen's books, which are stored for five years after the expiry of the book. When making statistical analyses, personal data may be used and published in a manner that does not uncover personal identity.

In exercising the responsibilities under the first paragraph of this Article, the Maritime Directorate of the Republic of Slovenia has the right to access the Central Register of Population and databases managed by the public sector to obtain the following data: personal name, personal registration number, place of birth, citizenship, residence, employment, school education and driving licence."

Article 5

The third paragraph of Article 32 shall be amended to read as follows:

"Port infrastructure without the aquatorium shall be the property of the Republic of Slovenia or of the local community or private-law entities. The Republic of Slovenia or local community shall transfer the administration, management and development of the port infrastructure under the preceding paragraph to a port operator by granting a concession."

Article 6

In the second paragraph of Article 39, the text "or for special purposes" shall be added after the word "traffic".

Article 7

In Article 41, the text "as well as port protection" shall be added after the word "waters".

Article 8

In the first paragraph of Article 50, the text "or other suitable unit of quantity" shall be added after the word "tonne".

Article 9

In Article 56, a sentence shall be added at the end of the second paragraph, which reads as follows: "The minister shall give consent to fees, which by their scope, type and amount facilitate uninterrupted performance of commercial public services under Article 43 of this Act."

Article 10

In the third paragraph of Article 57, the text "at least" shall be added after "have completed" and the text ", or officers, who are qualified to take charge of engineering watch on ships powered by main propulsion machinery of 750 kW propulsion power or more" shall be added after "or more".

Article 11

In the second paragraph of Article 63, the text "or 0.24 milligrams or more alcohol per litre of exhaled air" shall be added after the words "kilogram of blood". A new sentence shall be added at the end of the paragraph, which reads as follows: "If results of the test carried out using equipment for the determination of alcohol content indicate the concentration of alcohol within the permitted levels and the person operating the boat displays signs of behavioural disorder which could entail unreliable boat operation or endanger the safety of navigation, the port inspector shall order an expert examination."

In the fifth paragraph, the text "or an expert examination" shall be deleted after the word "equipment". A new sentence shall be added after the second sentence, which reads as follows:

"If due to the state of health or any other related objective reason, the person cannot take the test or does not carry it out in accordance with the instructions of the equipment manufacturer, the port inspector shall order an expert examination."

In the second sentence of the sixth paragraph, the text "a concentration of alcohol in the body higher" shall be replaced by the text "more alcohol per kilogram of blood or more milligrams of alcohol per litre of exhaled air in their body". The eighth paragraph shall be deleted.

Article 12

The first paragraph of Article 65 shall be amended to read as follows:

"A ship coming from abroad and bound for a port in the Republic of Slovenia must report its arrival to the Maritime Directorate of the Republic of Slovenia, communicate ship data and present, upon arrival, a general declaration, crew list, health declaration and passenger list."

The fourth paragraph shall be amended to read as follows:

"A register of the number of persons embarked must be kept on a passenger ship sailing out from a port in the Republic of Slovenia and bound for a destination abroad or coming from abroad and bound for a port in the Republic of Slovenia. If the port of destination lies more than 20 nautical miles away, data on names, age and gender of persons embarked must be collected. The method of data collection and storage and the circumstances in which exceptions apply shall be determined by the minister in line with the EU legislation. The shipowner must store the collected data for as long as necessary to ensure that they are available to the competent authorities when required for searching or rescuing people at sea."

In the fifth paragraph the text "or sailing out from a port in the Republic of Slovenia" shall be added after the word "port".

A sixth paragraph shall be added, which reads as follows:

"A ship entering a port in the Republic of Slovenia must be equipped with an automatic identification of ships (AIS) and voyage data recorder (VDR) systems in a way determined by the minister.

Article 13

Article 66.a shall be added after Article 66, which reads as follows:

"Article 66.a

Special types of passenger ships in international liner shipping may enter ports in the Republic of Slovenia if the ship and the shipowner fulfil special safety conditions determined by the minister with regard to the area of navigation, ship type and purpose of navigation."

Article 14

In Article 69, the words "pollute the sea" shall be replaced by the words "pollute the environment".

Article 15

In the first paragraph of Article 71, the word "company" shall be replaced by the text "legal or natural person".

Article 16

The text of Article 76 shall be amended to read as follows:

"Waste, substances or objects which could impede or jeopardize the security of navigation or pollute the environment, must not be discharged, disposed of or thrown from the vessel into the sea.

The prohibition from the preceding paragraph shall also apply in the parts of the sea not having the status of internal waters or territorial sea of the Republic of Slovenia."

Article 17

Article 81 shall be amended to read as follows:

"For reasons of safety of navigation, the Maritime Directorate of the Republic of Slovenia shall decree compulsory pilotage for certain types and sizes of ships, or for the type and nature of the goods carried, or for specific areas of navigation and weather conditions.

Pilotage shall not be compulsory for ships used for administrative purposes and for Slovenian military vessels.

Pilotage shall not be compulsory for ships under 500 tonnes (gross) and for ships, determined on a case-by-case basis by the Maritime Directorate of the Republic of Slovenia considering their type and shipmaster's experience."

Article 18

In Article 88, a new, second paragraph shall be added, which reads as follows:

"The conditions and method of mandatory towage operation shall be determined by the minister."

Article 19

In point 1 of the first paragraph of Article 91, the text "referred to in Article 92 of this Act, technical requirements for maritime equipment determined by the minister" shall be added after the words "classification society".

Article 20

In the first paragraph of Article 92, the text "classification societies that are full members of the International Association of Classification Societies (IACS)" shall be replaced by the text "authorised classification societies (hereinafter: classification societies)".

At the end of the second paragraph of Article 92, the text "from among the classification societies recognised in the European Union" shall be added after "selection".

Article 21

In Article 93, a new point 4 shall be added, which reads as follows:

"4. other inspections provided for by the international conventions binding on the Republic of Slovenia and inspections determined by the minister with regard to the type and purpose of the ship."

Article 22

In point 1 of Article 95, the text "which is a member of the International Association of Classification Societies" shall be replaced by the text "referred to in Article 92 of this Act".

Article 23

In Article 105 a new, fourth paragraph shall be added, which reads as follows:

"The shipmaster and port operator must conduct ship loading and unloading in such a manner as to guarantee its navigational characteristics without overloading the ship."

Article 24

Article 115 shall be amended to read as follows:

"Ships' documents and books must be provided in Slovenian. Ships' documents and books required for ships in international navigation must also be provided in English."

Article 25

In the first paragraph of Article 118 the text "merchant or public" shall be deleted.

Article 26

Article 119.a shall be added after Article 119, which reads as follows:

"Article 119.a

A ship purchased abroad for which certificate of registry has not yet been obtained, or a ship which is abroad and whose certificate of registry has been lost, shall be granted a provisional certificate of registry.

A ship which has not yet been entered in the Slovenian register of ships shall, with a provisional certificate of registry, acquire Slovenian nationality as well as the right and duty to fly the flag of the merchant marine of the Republic of Slovenia.

The provisional certificate of registry shall be valid until the ship has arrived in a Slovenian port but not longer than one year since its issue.

The provisional certificate of registry shall be issued by a diplomatic or consular representation of the Republic of Slovenia or the Maritime Directorate of the Republic of Slovenia."

Article 27

Article 121 shall be amended to read as follows:

"A ship which has been established as seaworthy must have, for reasons of navigational safety, work safety and environmental protection, not only the documents and books specified in the international conventions binding on the Republic of Slovenia but also documents and books determined by the minister in accordance with the European Union legislation.

A ship which has been established as seaworthy but documents and books from the preceding paragraph have not been determined for it must have the following documents and books in line with the technical standards of the classification society:

1. a seaworthiness certificate;
2. a load line certificate;
3. an oil pollution prevention certificate;
4. a certificate that the faultless functioning of the crane or lifting appliances used for work on the ship has been established, if the equipment's capacity is more than 1000 kg;

5. a refrigerated cargo certificate (refrigerated cargo transport ship);
6. a dangerous goods transport certificate (dangerous goods transport ship);
7. a stability book; and
8. a measurement certificate."

Article 122 shall be deleted. **Article 28**

Article 123 shall be deleted. **Article 29**

Article 124 shall be deleted. **Article 30**

Article 126 shall be deleted. **Article 31**

Article 127 shall be deleted. **Article 32**

Article 130 shall be deleted. **Article 33**

Article 131 shall be deleted. **Article 34**

Article 132 shall be deleted. **Article 35**

Article 133 shall be deleted. **Article 36**

Article 134 shall be deleted. **Article 37**

Article 135 shall be deleted. **Article 38**

Article 138 shall be deleted. **Article 39**

Article 40

Article 139 shall be amended to read as follows:

"Documents and books required for the ship shall be issued by the classification society. It must inform the Maritime Directorate of the Republic of Slovenia of the issued documents and books. Exemption certificate from the implementation of obligations under the provisions of international conventions binding on the Republic of Slovenia may only be issued upon prior consent by the Maritime Directorate of the Republic of Slovenia.

Classification society may not issue documents and books referred to in Article 121 of this Act or extend their validity if maritime equipment on the ship does not meet technical requirements.

The Maritime Directorate of the Republic of Slovenia shall issue a certificate on special stability requirements for ro-ro passenger ships and a minimum safe manning document."

Article 41

In Article 140, a third paragraph shall be added, which reads as follows:

"Regardless of the provision in the preceding paragraph, the provisions of Articles 143 and 144 of this Act shall apply to all boats."

Article 42

The first paragraph of Article 141 shall be amended to read as follows:

"The seaworthiness of boats of up to 12 metres in length shall be established by basic, regular or extraordinary inspection carried out by the Maritime Directorate of the Republic of Slovenia or by a classification society and of boats over 12 metres by a classification society. The Maritime Directorate of the Republic of Slovenia shall issue a navigation license for a boat on the basis of the record of a successfully passed inspection."

Article 43

The second paragraph of Article 145 shall be amended to read as follows:

"If a boat does not have papers attesting to its seaworthiness, it shall be prohibited from sailing by the maritime inspector or port inspector until seaworthiness has been established through inspection."

Article 44

At the end of Article 146, the full stop shall be replaced by a comma and the text "except for provisions under Article 149 of this Act, which apply to all floating objects." added.

Article 45

In the second paragraph of Article 147, the text "which is a full member of the International Association of Classification Societies" shall be deleted.

Article 46

In the second paragraph of Article 149, the full stop shall be replaced by a comma and the text "and for floating objects that are not determined in Article 218 of this Act by the Maritime Directorate of the Republic of Slovenia." added.

Article 47

In Article 151, the text "and the minimum safe manning document" shall be added at the end of the Article.

A second paragraph shall be added, which reads as follows:

"The minimum number of crew members required by the ship for safe navigation shall be determined by the minister."

Article 48

In the fourth paragraph of Article 157, the text "on the basis of the provisions of Article 63 hereunder" shall be added after the word "if"; the word "blood" shall be replaced by the word "organism"; and at the end of the text, the words "% alcohol" shall be deleted and replaced by the following text: "grams of alcohol per kilogram of blood or over 0.24 milligrams of alcohol per litre of exhaled air."

Article 49

The first paragraph of Article 183 shall be amended to read as follows:

"In carrying out the supervision by inspection of a ship referred to in point 1 of the first paragraph of the preceding Article, the maritime inspector shall check that a ship entering a port in the Republic of Slovenia has valid certificates and books and checks shipboard conditions including the engine room, accommodation of seafarers and hygiene, in a way determined by the minister in accordance with the European Union regulations."

The second paragraph shall be deleted.

The current third paragraph shall become the second paragraph.

Article 50

In the first paragraph of Article 185, the words "certificates and" shall be added after the words "provided in".

Article 51

In Article 201, the full stop shall be deleted after the words "register of ships" and the text "or issued with a temporary certificate of registration" added.

Article 52

In the first paragraph of Article 204, the full stop shall be deleted after the word "name" and the text "and call sign" added.

A new, second paragraph shall be added, which shall read as follows:

"A passenger ship of 100 tonnes (gross) and a ship of over 300 tonnes (gross) must have an IMO number."

In the second paragraph that shall become the third paragraph, the full stop shall be deleted after the word "name" and the text "and call sign" added.

The third paragraph that shall become the fourth paragraph shall be amended to read as follows:

"Decisions on the names of vessels shall be issued by the Maritime Directorate of the Republic of Slovenia and decisions on call signs by the Post and Electronic Communications Agency of the Republic of Slovenia." In the fourth paragraph that shall become the fifth paragraph, the text "and the floating object" shall be added after the word "boat".

Article 53

A seventh paragraph shall be added to Article 208, which reads as follows:

"A register may be kept as an electronic database."

Article 54

In the first paragraph of Article 209, a new, second indent shall be added, which reads as follows:

"– the section on yachts;"

Article 55

The text of Article 210 shall be amended to read as follows:

"The following may be entered in the register of ships:

1. a ship more than half-owned by citizens of the Republic of Slovenia or the European Union Member States or legal entities with a registered office in the Republic of Slovenia or the European Union Member States;
2. a ship more than half-owned by a foreign person, whose shipowner is mentioned in the preceding point, if the owner of the ship agrees with entry in the register of ships.

A nuclear ship may not be entered in the register of ships."

Article 56

Article 211 shall be deleted.

Article 57

Point 2 of Article 256 shall be deleted.

Article 58

In the first paragraph of Article 273, the word "sklep (decision)" shall be replaced by the word "odločba (decision)".

Article 59

In the first paragraph of Article 274, the word "only" shall be deleted and a new sentence added, which reads as follows: "If the application is sent through registered post or by cable, and the date when the document was submitted to the post office shall be considered as the date of receipt by the responsible authority."

Article 60

Article 275 shall be deleted.

Article 61

Article 281 shall be deleted.

Article 62

Article 284 shall be deleted.

Article 63

Article 285 shall be deleted.

Article 64

Article 289 shall be deleted.

Article 65

In point 1 of Article 291, number "215" shall be replaced by number "210".

Article 66

In the first paragraph of Article 297, point 7 shall be added which reads as follows:
"7. the data entered on sheet A."

The second paragraph shall be deleted.

The current third paragraph shall become the second paragraph.

Article 67

In the first paragraph of Article 312, the word "request" shall be replaced by the word "proposal", and the word "zavrjnena (rejected)" shall be replaced by the word "zavrjnen (rejected)".

Article 68

In the first paragraph of Article 314, point 4 shall be deleted and point 5 amended to read as follows:

"5. the certificate of seaworthiness of the ship;"

The fourth paragraph shall be deleted.

Article 69

In the first paragraph of Article 327, the word "sklepa"(decision) shall be replaced by the word "odločbe" (decision).

Article 70

The first paragraph of Article 341 shall be amended to read as follows:

"Notes on the order of precedence listed in Article 339 of this Act shall cease to be effective one year after permission has been granted."

Article 71

In the first paragraph of Article 342, number "327" shall be replaced by number "341", and the text "sklepa, s katerim"(decision, permitting) shall be replaced by the text "odločbe, s katero" (decision, permitting).

Article 72

In Article 343, the words "s predznambo (with a note)" shall be replaced by the words "z zaznambo (with a note)".

Article 73

In the first paragraph of Article 345, the text "a court's assigning a mortgage" shall be replaced by "authenticated waiver of the claim insured with mortgage insurance".

Article 74

In Article 348, a new, second paragraph shall be added, which reads as follows:

"The deadline to bring a suit under the preceding paragraph against non-bona fide direct acquirer is not limited."

Article 75

In the fifth paragraph of Article 370, the text "to the transfer of property on a ship by releasing the ship to the insurance company" shall be replaced by the text "if a ship is entered in another register".

Article 76

In Article 374, number "30" shall be replaced by number "15" and number "60" by number "30".

Article 77

The third paragraph of Article 375 shall be deleted.
The current fourth paragraph shall become the third paragraph.

Article 78

A second paragraph shall be added to Article 645, which shall read as follows:
"Unless otherwise specified in the contract, a ship shall be delivered without the crew."

Article 79

In Article 659, a new, second paragraph shall be added, which reads as follows:
"The agent of the vessel is a legal or a natural person registered for shipping agency transactions."

The current second paragraph that shall become the third paragraph shall be amended to read as follows:
"A shipping agency contract may be concluded on behalf of the agent by a person who passed the professional examination and who meets the requirements regarding work experience and education as determined by the minister. The method of passing the professional examination, the programme of the examination and the composition of the examination board shall be determined by the minister."

A new, fourth paragraph shall be added which reads as follows:

"The ministry shall keep a record of professional examinations passed, including personal name, date and place of birth, citizenship, gender, permanent or temporary residence, date of professional examination and date of issue and serial number of the certificate of professional examination."

The current third, fourth and fifth paragraphs shall become the fifth, sixth and seventh paragraphs.

Article 80

The text of Article 946 shall be amended to read as follows:
"The temporary stoppage of a ship shall be understood to mean the prohibition on its leaving a Slovenian port.

If reciprocity for carrying out such an act exists between the flag state of the foreign ship and the Republic of Slovenia, the court shall authorise the temporary stopping of a ship at the proposal of the creditor only for the claims referred to in the second and third paragraphs of Article 841 of this Act.

If there is no reciprocity between the flag state of the foreign ship and the Republic of Slovenia, the restriction under the preceding paragraph shall not apply."

Article 81

Article 947 shall be deleted.

Article 82

The opening sentence of the first paragraph of Article 976 shall be amended to read as follows:
"A legal person or a self-employed person shall be fined an amount between SIT 1,000,000 and SIT 20,000,000 for the following offences:"

New points 6 and 7 shall be added, which read as follows:

"6. if it does not set up the lights or other signalling devices marking permanent or temporary obstructions in a sea lane (first paragraph of Article 29);

7. if it discharges, disposes or throws from the vessel into the sea waste, substances or objects which could impede or jeopardize the security of navigation or pollute the environment (Article 76)."

The second paragraph shall be amended to read as follows:

"The responsible person of the legal person or a self-employed person who commits an offence mentioned in the preceding paragraph shall be fined an amount between SIT 150,000 and SIT 1,000,000."

The third paragraph shall be amended to read as follows:

"The individual responsible for the offence referred to in points 4, 5 or 7 of the first paragraph of this Article shall be fined an amount between SIT 100,000 and SIT 200,000."

Article 83

The opening sentence of the first paragraph of Article 977 shall be amended to read as follows:

"A legal person or a self-employed person shall be fined an amount between SIT 800,000 and SIT 10,000,000 for the following offences:".

Point 3 of the first paragraph shall be amended to read as follows:

"3. if it does not organise the operation of the port in such a way as to guarantee safe navigation, environmental protection and the protection of the environment and waters, and shall perform the activities necessary for the towage of ships and pilotage (Article 41);".

In the first paragraph, new points 4, 5 and 6 shall be added, which read as follows:

"4. if it does not allow all persons to make use, under the same conditions, of the port (first paragraph of Article 42);

5. if it does not guarantee that the port may be used as a navigation safety facility for the duration of the natural disaster (second paragraph of Article 42);

6. if the loading and unloading of a ship is carried out contrary to Article 105."

The second paragraph shall be amended to read as follows:

"The responsible person of the legal person or a self-employed person which commits an offence under the preceding paragraph shall be fined an amount between SIT 100,000 and SIT 500,000."

Article 84

The opening sentence of the first paragraph of Article 978 shall be amended to read as follows:

"A legal person or a self-employed person shall be fined an amount between SIT 500,000 and SIT 7,000,000,000 for the following offences:".

In point 2 of the first paragraph, the text "if a company performing" shall be replaced by the text "if a company in performing".

In point 8 of the first paragraph, the text in brackets shall be amended to read as follows: "Articles 118, 119.a, 120, 121, 125, 128, 129, 136, 137 and 151."

New points 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28 and 29 shall be added to the first paragraph, which read as follows:

"16. if vessels which have a radio station have no organised watch service in accordance with the regulations governing radio traffic (third paragraph of Article 31);

17. if the port fees are not published, if consent regarding port fees is not obtained or if the fees are charged contrary to the consent (first and second paragraph of Article 56);

18. if no authorisation is obtained regarding conditions for the safety of navigation (first paragraph of Article 64);

19. if during the construction work, it fails to report regarding any changes in the outline of the shore or depth of the sea (second paragraph of Article 64);

20. if vessels and floating objects obstruct public traffic in the port (first paragraph of Article 74);

21. if vessels are without a permit, they shall be banned from navigation within the port area open to international transport (second paragraph of Article 74);

22. if aquatic events and other water-based activities take place without permission (third paragraph of Article 74);

23. if a vessel does not respect the conditions of compulsory pilotage and towage (Articles 81 and 88);

24. if following the inspection of building or conversion work, or following any inspection of the ship, the ship's hull, engines, devices and equipment are modified or converted without advance approval from the classification society (Article 99);

25. if a ship exceeds the specified limits of navigation, or sails contrary to certain conditions (Article 101);

26. if a ship which is not a passenger ship carries passengers or if a ship carries more than the specified number of passengers (Articles 102 and 104);

27. if a passenger ship disregards the provisions on collecting, storing and providing information on passengers on board (fourth paragraph of Article 65);

28. if a ship entering a port in the Republic of Slovenia is not equipped with an automatic identification of ships (AIS) and voyage data recorder (VDR) (sixth paragraph of Article 65);

29. if the owner or person in possession of a floating object has no permit for permanent mooring, anchorage or for laying the floating object on the seabed (first paragraph of Article 149)."

The second paragraph shall be amended to read as follows:

"The responsible person of the legal person or a self-employed person which commits an offence mentioned in the preceding paragraph shall be fined an amount between SIT 150,000 and SIT 400,000."

The third paragraph shall be amended to read as follows:

"An individual who commits an offence referred to in points 4, 5 or 8, 18, 19, 20, 21, 22 or 29 of the first paragraph of this Article shall be fined an amount between SIT 100,000 and SIT 200,000."

Article 85

In the first paragraph of Article 979, the words "se kaznuje z denarno kaznijo (fined)" shall be replaced by the words "se kaznuje z globo (fined)" and the text "on the spot" shall be deleted. In the second paragraph of Article 979, the words "denarna kazen (fine)" shall be replaced by the word "globa (fine)" and the text "on the spot" shall be deleted.

In point 2 of the second paragraph, a new point "g" shall be added, which reads as follows:

"g) if no preliminary approval has been obtained for the cleaning of ships with hazardous gases or pest control (Article 73)."

Article 86

In Article 980, the words "se kaznuje z denarno kaznijo (fined)" shall be replaced by the word "se kaznuje z globo (fined)" and the text "on the spot" shall be deleted.

Article 87

In the first paragraph of Article 981, the words "se kaznuje z denarno kaznijo (fined)" shall be replaced by the words "se kaznuje z globo (fined)" and the text "on the spot" shall be deleted.

In the second paragraph, the words "(se kaznuje z denarno kaznijo (fined))" shall be replaced by the words "se kaznuje z globo (fined)" and the text "on the spot" shall be deleted; the text of point 1 shall be amended to read as follows:

"1. if the loading and unloading of a ship is carried out contrary to Article 105;".

Article 88

In Article 982, the words "se kaznuje z denarno kaznijo (fined)" shall be replaced by the words "se kaznuje z globo (fined)" and the text "on the spot" shall be deleted.

Article 89

Article 983 shall be deleted.

Article 90

The opening sentence of the first paragraph of Article 984 shall be amended to read as follows:

"A legal entity or a self-employed person shall be fined SIT 500,000 for the following offences:".

In point 3 of the first paragraph, the word "register (register)" shall be replaced by the word "vpisnik (register)" and number "218" by number "217".

The second paragraph shall be deleted.

The current third paragraph that becomes the second paragraph shall be amended to read as follows:

"The responsible person of the legal person or a self-employed person who commits an offence mentioned in the preceding paragraph shall be fined SIT 100,000."

Article 91

In the opening sentence of Article 985, the words "denarna kazen (fine)" shall be replaced by the word "globa (fine)" and the text "on the spot" shall be deleted.

In point 3, the word "register (register)" shall be replaced by the word "vpisnik (register)", and number "218" by number "217".

A new point 4 shall be added, which reads as follows:

"4. if they navigate a boat without a navigation license (second paragraph of Article 141)."

Article 92

In Article 986, the words "denarna kazen (fine)" shall be replaced by the word "globa (fine)" and the text "on the spot" shall be deleted.

Article 93

In Article 987, the words "se kaznuje z denarno kaznijo (fined)" shall be replaced by the words "se kaznuje z globo (fined)", the text "on the spot" shall be deleted and number "5,000" shall be replaced by number "10,000".

Article 94

In the first paragraph of Article 988, number "800,000" shall be replaced by number "500,000", and the words "se kaznuje z denarno kaznijo (fined)" by the word "se kaznuje z globo (fined)"; the last sentence shall be deleted.

Article 95

In Article 989, the words "denarna kazen (fine)" shall be replaced by the word "globa (fine)", the text "on the spot" shall be deleted and number "5,000" shall be replaced by number "10,000".

In point 1, the words "on board the boat" shall be added after the words "do not have".

Point 3 shall be amended to read as follows:

"3. the boat does not have the prescribed marking (Article 204)."

Article 96

This Act shall enter into force on the fifteenth day after its publication in the Official Gazette of the Republic of Slovenia.

No. 326-04/94-6/13
Ljubljana, 26 April 2006
EPA 735-IV

President of the
National Assembly of the
Republic of Slovenia
France Cukjati, /s/

C. Bilateral Treaties

1. Agreement between the People's Republic of China and the Socialist Republic of Viet Nam on the delimitation of the territorial seas, exclusive economic zones and continental shelves of the two countries in Beibu Gulf/Bac Bo Gulf,¹

25 December 2000

The People's Republic of China and the Socialist Republic of Viet Nam (hereinafter referred to as "the two Contracting Parties");

With an aim to consolidating and developing the traditional bonds of friendship and good-neighbourliness between the two countries and peoples of China and Viet Nam, maintaining the stability and promoting the development of Beibu Gulf/Bac Bo Gulf;

On the basis of the principles of mutual respect for independence, sovereignty and territorial integrity, mutual non-aggression, non-interference in each other's internal affairs, equality, mutual benefit and peaceful co-existence;

In the spirit of mutual understanding and mutual accommodation, friendly consultations for an equitable and rational solution of the delimitation of Beibu Gulf/Bac Bo Gulf;

Have agreed as follows:

Article I

1. The two Contracting Parties, on the basis of the 1982 United Nations Convention on the Law of the Sea, generally recognised principles of international law and practices, taking into account all relevant circumstances in Beibu Gulf/Bac Bo Gulf, in accordance with the principle of equality, through friendly consultation, have delimited the territorial seas, exclusive economic zones and continental shelves of the two countries in Beibu Gulf/Bac Bo Gulf.

2. Under this Agreement, Beibu Gulf/Bac Bo Gulf is a semi-enclosed gulf bordered by the continental coastlines of China and Viet Nam to the North, by the coastline of Lei Zhou peninsula and Hainan island of China to the East, by the continental coastline of Viet Nam to the West and by the straight lines connecting the outermost points of the outer edge of the Ying Ge cape, Hainan island of China defined by the geographical coordinates of latitude 18 30' 19" North, longitude 108 41' 17" East, crossing Con Co island of Viet Nam to a point situated on the coastline of Viet Nam specified by the geographical coordinates of latitude 16 57' 40" North and longitude 107 08'42" East. The two Contracting Parties have defined the above-mentioned area as the area to be delimited under this Agreement.

Article II

The two Contracting Parties agreed on the line of delimitation of the territorial seas, exclusive economic zones and continental shelves of the two countries as defined by the straight lines connecting the following 21 points specified by coordinates and in the sequence given below:

Point 1: Latitude 21 28'12.5" North

Longitude 108 06'04.3" East

Point 2: Latitude 21 28'01.7" North

Longitude 108 06'01.6" East

Point 3: Latitude 21 27'50.1" North

¹ Authentic texts: Chinese and Vietnamese. Entry into force: 30 June 2004. Registration with the Secretariat of the United Nations: China and Viet Nam, 12 October 2005. Registration #: I-41860. The list of geographical coordinates of points, as specified in this Agreement, together with an illustrative map prepared by the Division, was published in *Law of the Sea Bulletin* 56 (page 137).

Longitude 108 05'57.7" East
 Point 4: Latitude 21 2739.5" North
 Longitude 108 05'51.5" East
 Point 5: Latitude 21 2728.2" North
 Longitude 108 05'39.9" East
 Point 6: Latitude 21 2723.1" North
 Longitude 108 05'38.8" East
 Point 7: Latitude 21 2708.2" North
 Longitude 108 05'43.7" East
 Point 8: Latitude 21 16'32" North
 Longitude 108 08'05" East
 Point 9: Latitude 21 12'35" North
 Longitude 108 12'31" East
 Point 10: Latitude 20 24'05" North
 Longitude 108 22'45" East
 Point 11: Latitude 19 57'33" North
 Longitude 107 55'47" East
 Point 12: Latitude 19 39'33" North
 Longitude 107 31'40" East
 Point 13: Latitude 19 25'26" North
 Longitude 107 21 '00" East
 Point 14: Latitude 19 25'26" North
 Longitude 107 12'43" East
 Point 15: Latitude 19 16'04" North
 Longitude 107 11'23 " East
 Point 16: Latitude 19 12'55" North
 Longitude 107 09'34" East
 Point 17: Latitude 18 42'52" North
 Longitude 107 09'34" East
 Point 18: Latitude 18 13'49" North
 Longitude 107 34'00" East
 Point 19: Latitude 18 07'08" North
 Longitude 107 37'34" East
 Point 20: Latitude 18 04'13" North
 Longitude 107 39'09" East
 Point 21: Latitude 17 47'00" North
 Longitude 107 58'00" East

Article III

1. The line of delimitation from point 1 to point 9 stipulated in Article II of this Agreement shall be the boundary of the territorial seas of the two countries in Beibu Gulf/Bac Bo Gulf.
2. The vertical plane holding the boundary of the territorial seas stipulated in Paragraph 1 of this Article shall delimit the air spaces above, seabeds and subsoils beneath the territorial seas of the two countries.
3. Any topological changes shall not affect the boundary of the territorial seas of the two countries from point 1 to point 7 stipulated in Paragraph 1 of this Article, unless otherwise agreed by the two Contracting Parties.

Article IV

The line of delimitation from point 9 to point 21 stipulated in Article II of this Agreement shall be the boundary of the exclusive economic zones and the continental shelves of the two countries in Beibu Gulf/Bac Bo Gulf.

Article V

The line of delimitation of the territorial seas of the two countries stipulated in Article II of this Agreement from point 1 to point 7 is illustrated by the black lines in the thematic Map of Bei Lun estuary, 1:10,000 scale, established by the two Contracting Parties in 2000. The line of delimitation of the territorial seas, exclusive economic zones and continental shelves between the two countries from point 7 to point 21 is illustrated by the black lines on the Overall Map of Beibu Gulf/Bac Bo Gulf, 1:500,000 scale, established by the two Contracting Parties in 2000. All the lines of delimitation are geodetic lines. The above-mentioned thematic Map of Bei Lun estuary and the Overall Map of Beibu Gulf/Bac Bo Gulf are attached to this Agreement. These two maps were established by using ITRF-96 system. Geographical coordinates of the points stipulated in Article II of this Agreement are specified in the above-mentioned maps. The line of delimitation defined in this Agreement as shown on the maps attached to the Agreement is for illustrative purpose only.

Article VI

The two Contracting Parties shall respect the sovereignty, sovereign rights and jurisdiction of each other over their respective territorial seas, exclusive economic zones and continental shelves in Beibu Gulf/Bac Bo Gulf as defined in this Agreement.

Article VII

If any single petroleum or natural gas structure or field, or other mineral deposit of whatever character, extends across the delimitation line defined in Article II of this Agreement, the two Contracting Parties shall, through friendly consultations, reach agreement as to the manner in which the structure, field or deposit will be most effectively exploited as well as on the equitable sharing of the benefits arising from such exploitation.

Article VIII

The two Contracting Parties shall conduct consultations on the proper use and sustainable development of the living resources in Beibu Gulf/Bac Bo Gulf as well as on cooperative activities relating to the conservation, management and use of the living resources in the exclusive economic zones of the two countries in Beibu Gulf/Bac Bo Gulf.

Article IX

The delimitation of the territorial seas, exclusive economic zones and continental shelves between the two countries in Beibu Gulf/Bac Bo Gulf under this Agreement shall not affect or prejudice the positions of each Contracting Party on the norms of international law of the sea.

Article X

Any dispute between the two Contracting Parties relating to the interpretation or implementation of this Agreement shall be settled through friendly consultations and negotiations.

Article XI

This Agreement shall be ratified by the two Contracting Parties and shall enter into force on the date of exchange of the instruments of ratification. The instruments of ratification will be exchanged in Ha Noi.

Done in Beijing, this 25th day of December of the year 2000, in duplicate, each in the Chinese and Vietnamese languages, both texts being equally authentic.

Plenipotentiary Representative of the People' s Republic of China : Tang Jiaxuan Minister, of Foreign Affairs

Plenipotentiary Representative of the Socialist Republic of Viet Nam: Nguyen Dy Nien Minister of Foreign Affairs

2. Exchange of notes between the Government of Ireland
and the Government of the United Kingdom of Great Britain
and Northern Ireland constituting an agreement pursuant to Article 83,
paragraph 3, of the United Nations Convention on the Law of the Sea 1982
on the provisional delimitation of an area of the continental shelf²

18 October 2001 and London, 31 October 2001

I

OFFICE OF THE MINISTER FOR THE MARINE AND NATURAL RESOURCES

Dublin, 18 October 2001

Dear Secretary of State,

I have the honour to refer to the discussions between the officials of the Irish and British Governments concerning the proposed construction of an interconnector pipeline between Beattock near Moffat in Scotland and Gormanston in Ireland for the transmission of natural gas.

The proposed route of that interconnector would pass over sea bed which does not lie under the jurisdiction of either Ireland or the United Kingdom of Great Britain and Northern Ireland and which has not been the subject of an agreement between the two Governments concerning the delimitation of areas of the Continental Shelf between the two States. It is necessary to ensure that the relevant legislation of one or other of the two States will be applicable to the entire length of the proposed pipeline without prejudice to any future agreement between the two Governments concerning the delimitation of this area of the Continental Shelf between the two States.

Accordingly, in accordance with Article 83(3) of the United Nations Convention on the Law of the Sea done at Montego Bay on 10 December 1982, I have the honour to propose on behalf of the Government of Ireland that, as a provisional arrangement of a practical nature, in the area north of latitude 53 degrees 46 minutes North and south of latitude 54 degrees North, the Irish Government shall designate under its Continental Shelf legislation the area south of the straight (geodesic) line going through the following points (WGS 84 Datum in degrees minutes and seconds):

Point C 53° 52' 13.42"N 05° 49' 33.47"W

Point 2 53° 46' 00.00"N 05° 22' 00.00"W

and the British Government shall designate under its Continental Shelf legislation the area north of the line going through the points set out above. I further propose that the said designations shall be without prejudice to any future agreement between the two Governments on the delimitation of the Continental Shelf in the area referred to above.

If the foregoing proposal is acceptable to the Government of the United Kingdom of Great Britain and Northern Ireland I have the honour to propose that this Note and your reply to that effect shall constitute an agreement between our two Governments, which shall enter into force on the date of your reply.

Yours sincerely,

Frank Fahey, T.D.

Minister for the Marine and Natural Resources

² Entry into force: 31 October 2001. Registration with the Secretariat of the United Nations: Ireland, 7 April 2005. Registration #: I-41152.

II
FOREIGN AND COMMONWEALTH OFFICE
LONDON

The Rt. Hon. Peter Hain MP
Minister for Europe
Frank Fahey T.D.
Minister for the Marine and Natural Resources
Dublin
31 October 2001
Dear Mr. Fahey

I have the honour to refer to your letter dated 18 October that reads as follows:

[See letter I]

I have the honour to inform you that the foregoing proposal is acceptable to the Government of the United Kingdom of Great Britain and Northern Ireland, and therefore agree that your Letter and the present reply shall constitute an Agreement between our two Governments which shall enter into force on the date of this reply". I have the honour to convey to you Sir the assurances of my highest consideration.

Peter Hain

3. Agreement on the delimitation of the maritime boundary
between the Sultanate of Oman and the Republic of Yemen (with map)³
14 December 2003

The Government of the Sultanate of Oman and the Government of the Republic of Yemen,
Proceeding from the deep fraternal links and common interests that unite their two countries and fraternal peoples,
Strengthening the bonds of brotherhood and the good-neighbourly relations between the two fraternal countries,
Giving effect to the shared desire of the two countries to delimit definitively the maritime boundary between them in
the Arab Sea,

Taking into account the International Boundary Agreement between the Government of the Sultanate of Oman and
the Government of the Republic of Yemen signed at the city of Sana'a on the third day of the month of Rabi' II A.H.
1413, corresponding to the first of the month of October A.D. 1992,

Have agreed as follows:

Article 1

1. The maritime boundary line separating the territorial sea, the exclusive economic zone and the continental shelf of
the Sultanate of Oman and the Republic of Yemen shall be demarcated by geodesic lines linking the points of said
line as described by coordinates based on the World Geodesic System 84 (WGS84), as follows:

Point	Latitude/north	Longitude/east
1	16°39'03.83"	53°06' 30.88"
2	16°23'02"	53°14' 50"
3	15°48' 42"	53°32' 05"
4	15°20' 44"	53°38' 19"
5	14°46' 12"	54°08' 33"
6	14°37' 35"	54°31' 04"
7	14°31' 39"	54°41' 56"
8	14°26' 26"	54°51' 28"
9	14°18' 22"	55°03' 57"
10	13°56' 19"	55°38' 51"
11	13°45' 51"	55°54' 32"
12	13°53' 48"	56°19' 15"
13	13°58' 51"	56°30' 12"
14	14°03' 32"	56°39' 57"
15	14°11' 31"	56°53' 45"
16	14°14' 11"	57°08' 53"
17	14°18' 55"	57°27' 01"

2. Point No. 1 known as Ra's Darbat Ali shall be the starting point of the maritime boundary where the land
boundary between the two countries meets the sea, as set forth in article 3 of the International Boundary Agreement
signed at the city of Sana'a on the third day of the month of Rabi II A.H. 1413, corresponding to the first of the
month of October A.D. 1992.

3. This demarcation shall be considered final and definitive and neither Party shall have the right to seek any
extension of the continental shelf across the boundary of the other Party.

³ Authentic text: Arabic. Entry into force: 3 July 2004 by the exchange of instruments of ratification, in accordance
with article 8. Registration with the Secretariat of the United Nations: Oman and Yemen, 14 April 2005.
Registration #: I-41170. The map is not reproduced for technical reasons.

Article 2

1. The maritime boundary line provided for in article 1, paragraph 1, of this Agreement shall be shown on the map signed by the representatives of the two countries, which shall be regarded as an integral part of this Agreement and of which a copy shall be retained by each Party.
2. Should any discrepancy arise among the coordinates for the locations of the points provided for in article 1, paragraph 1, of this Agreement and the maritime boundary line shown on the map provided for in paragraph 1 of this article, the coordinates for the locations of the points shall be authoritative.

Article 3

The two Parties assert the right of each country to exercise sovereign rights and jurisdiction over its boundary for the purposes of exploration, exploitation, conservation and management of the natural resources, both living and non-living, of the seabed, subsoil and the superadjacent waters, in accordance with the demarcation set forth in article 1 of this Agreement.

Article 4

In the event that any single geological petroleum structure, any single petroleum field, any single gas field or any other mineral or natural resource or deposit is found to extend across the boundary line provided for in article 1 of this Agreement and the part of such structure or field which is situated on one side of the said boundary line is exploitable wholly or in part by directional drilling from the other side of the boundary line, then:

1. No well may be drilled on either side of the boundary line set forth in article 1 so that any producing section thereof is less than 125 metres from said boundary line, except by mutual agreement between the two Parties;
2. If the circumstances dealt with in this article should arise, both Parties to this Agreement shall do their utmost to reach agreement as to the manner in which the operations on both sides of the boundary line may be coordinated and unified.

Article 5

Without prejudice to the boundary line provided for in this Agreement, both Parties shall seek to settle by amicable means any dispute arising out of the interpretation or application of this Agreement through direct contact or by any reasonable method agreed by the two Parties.

Article 6

Without prejudice to the boundary line provided for in this Agreement, the two Parties may agree to form a joint commission of the two countries to prepare annexes regulating all matters relevant to this Agreement.

Article 7

This Agreement is done in two original copies in the Arabic language and each Party shall retain a copy thereof.

Article 8

This Agreement shall be ratified in accordance with the legal procedures in force in each of the two countries and shall take effect from the date of exchange of the instruments of ratification. This Agreement was done at the city of Muscat on the twentieth day of the month of Shawwal A.H. 1424, corresponding to the fourteenth day of the month of December A.D. 2003.

For the Government of the Sultanate of Oman:
Yousef Bin Alawi Bin Abdullah
Minister Responsible for Foreign Affairs

For the Government of the Republic of Yemen:
Abubakr Abdullah Al-Qirbi
Minister for Foreign Affairs

4. Exchange of notes between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Kingdom of the Netherlands amending the Agreement of 6 October 1965 relating to the delimitation of the continental shelf under the North Sea between the two countries as amended by the Protocol of 25 November 1971⁴,

28 January 2004 and 7 June 2004

No. 1

The British Ambassador at the Hague
to the Minister for Foreign Affairs of the Netherlands
The Hague

28 January 2004

I have the honour to refer to the Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Kingdom of the Netherlands relating to the Delimitation of the Continental Shelf under the North Sea between the two Countries, done at London on 6 October 1965, as amended by the Protocol done at London on 25 November 1971 ("the Agreement").

In the light of the Treaty between the Kingdom of the Netherlands and the Kingdom of Belgium on the Delimitation of the Continental Shelf, done at Brussels on 18 December 1996, I have the honour to propose the following amendment to the Agreement:-

In Article 1 (1) of the Agreement, the entry relating to Point No. 1 shall be replaced by the following:-

If the foregoing proposal is acceptable to the Government of the Kingdom of the Netherlands, I have the honour to propose that this Note, together with Your Excellency's Reply, shall constitute an agreement between the United Kingdom of Great Britain and Northern Ireland and the Kingdom of the Netherlands which shall enter into force on the date of the later of the notifications by each State that the conditions for the entry into force of the Agreement have been fulfilled.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

COLIN BUDD

No. 2

The Minister for Foreign Affairs of the Netherlands
to the British Ambassador at the Hague
Ministry of Foreign Affairs

7 June 2004

I have the honour to acknowledge receipt of your letter of 28 January 2004, which reads as follows:

[As in No. 1]

In reply I have the honour to inform you that the above proposal is acceptable to the Government of the Kingdom of the Netherlands, and that your Note, together with this reply, shall constitute an agreement between the Kingdom of the Netherlands and the United Kingdom of Great Britain and Northern Ireland, which shall enter into force on the date of the later of the notifications by each State that the conditions for the entry into force of the Agreement have been fulfilled.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

BERNARD BOT

⁴ Entry into force: 10 January 2006. Registration with the Secretariat of the United Nations: United Kingdom of Great Britain and Northern Ireland, 1 September 2006. Registration number: A-8616.

III. OTHER INFORMATION

A. Table of claims to maritime jurisdiction (as at 31 March 2007)

Introductory note: The present table of claims to maritime jurisdiction represents a review of information published, inter alia, in the report of the Secretary-General on oceans and the law of the sea ([document A/56/58](#)). It is based on national legislation and other relevant information obtained from reliable sources with a view to ensuring the most accurate representation of the status of claims. Despite extensive research and periodic review, however, the table may not always reflect the latest developments, especially those which have not been brought to the attention of the Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs of the United Nations, the publisher of the Bulletin. To report any new developments or inaccuracies regarding the status of claims, please contact the Division, Room DC2-0460, United Nations, New York, NY 10017, or send an email to: doalos@un.org.

Concerning approach, which has been adopted with respect to the information regarding the continental shelf, the following is to be noted:

The Convention on the Continental Shelf which was adopted in Geneva on 29 April 1958 (“the 1958 Geneva Convention”) defines the term “continental shelf” as: (a) the seabed and subsoil of the submarine areas adjacent to the coast but outside the area of the territorial sea, to a depth of 200 metres or, beyond that limit, to where the depth of the superjacent waters admits of the exploitation of the natural resources of the said areas; and (b) the seabed and subsoil of similar submarine areas adjacent to the coasts of islands.

Under the provisions of article 76 of the United Nations Convention on the Law of the Sea of 10 December 1982 (“the 1982 Convention”), the continental shelf extends up to the outer edge of the continental margin, or up to 200 nautical miles where the outer edge does not extend up to 200 nautical miles, or up to the line of delimitation.

The table reflects the fact that, under international law,¹ the rights of a coastal State over the shelf do not depend on occupation, effective or notional, or on any express proclamation. However, in a number of cases, discrepancies seem to exist between the limits as reflected in the national legislation, originally based on the 1958 Geneva Convention, and the entitlements of States Parties under the 1982 Convention. That Convention, pursuant to its article 311, paragraph 1, prevails, as between States Parties, over the 1958 Geneva Convention. As it appears, certain States that became States Parties to the 1982 Convention have not yet completed the process of harmonization of their national legislation with its provisions. However, the entitlement of coastal States to their respective continental shelves up to the limit allowed by international law is not affected.

In this connection, it has also to be noted that, under current international law of the sea and all legal aspects considered, the outer limits of the continental shelf would extend, in most cases, up to 200 nautical miles or up to the line of maritime delimitation. Regarding the limits of the continental shelf beyond 200 nautical miles, States Parties to 1982 Convention need to make a submission to the Commission on the Limits of the Continental Shelf in order to seek its recommendation. Several submissions have already been made and a number of other States Parties are in the process of preparing such submissions.

This material is unofficial and for informational purposes only. The designations employed and the presentation of the material in this table do not imply the expression of any opinion whatsoever on the part of the Secretariat of the United Nations concerning the legal status of any country, territory, city or area or of its authorities, or concerning the delimitation of its frontiers or boundaries. Publication in this table 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.

¹ Article 2, paragraph 3, of the 1958 Geneva Convention and article 77, paragraph 3, of the 1982 Convention.

STATE	UNCLOS Ratification, Accession	Does the legislation provide for straight baselines? ¹	Does the State claim archipelagic status? ²	Breadth of the zone in nautical miles ³				Fisheries Zone	Continental Shelf (see introductory note): Parties to 1982 Convention or, where the State is not a party to it, parties to 1958 Convention Outer limit claims as reflected in legislation ³
				Territorial Sea	Contiguous Zone	Exclusive Economic Zone	Party to:		
Albania	23/06/2003	Yes		12				1982 ⁴	N/A ⁵
Algeria	11/06/1996	Yes		12	24		32 or 52	1982	DLM ⁶
Angola	05/12/1990	Yes		12	24	200		1982	N/A
Antigua and Barbuda	02/02/1989		Yes	12	24	200		1982	CM/200 ⁷
Argentina	01/12/1995	Yes		12	24	200		1982	CM/200
Australia	05/10/1994	Yes		12 ⁸	24	200		1982	CM/200
Bahamas	29/07/1983		Yes	12		200		1982	N/A
Bahrain	30/05/1985			12	24			1982	N/A
Bangladesh	27/07/2001	Yes		12	18	200		1982	CM ⁹

¹ Including straight lines across the mouths of rivers and across the mouths of bays. The geographical coordinates of points for drawing the straight baselines may not have been necessarily established by the State concerned.

² The geographical coordinates of points for drawing the archipelagic baselines may not yet have been necessarily established by the State concerned.

³ The number reflects a claim regarding the breadth of the zone (in nautical miles), measured from the baselines, as contained in national legislation – regardless of whether this legislation contains an additional specific reference to the need for delimitation of maritime boundaries with adjacent or opposite States. However, where the national legislation establishes the limits of a given zone only by reference to the delimitation of maritime boundaries with adjacent or opposite States, or to a median (equidistant) line in the absence of a maritime boundary delimitation agreement, the symbol DLM is used.

⁴ United Nations Convention on the Law of the Sea of 10 December 1982.

⁵ No information regarding current legislation is available.

⁶ The symbol DLM is used when national legislation establishes the limits of a given zone by reference to the delimitation of maritime boundaries with adjacent or opposite States (or to a median (equidistant) line in the absence of a maritime boundary delimitation agreement).

⁷ Outer edge of the continental margin, or to 200 nautical miles where the outer edge does not extend up to that distance.

⁸ The territorial sea boundaries between the islands of Aubusi, Boigu and Moimi and Papua New Guinea and the islands of Dauan, Kaumag and Saibai and Papua New Guinea, together with such other portion of the outer limit of the territorial sea of Saibai are determined by a treaty with Papua New Guinea. The territorial seas of the islands known as Anchor Cay, Aubusi Island, Black Rocks, Boigu Island, Bramble Cay, Dauan Island, Deliverance Island, East Cay, Kaumag Island, Kerr Islet, Moimi Island, Pearce Cay, Saibai Island, Turnagain Island and Turu Cay do not extend beyond three miles from the baselines.

STATE	UNCLOS Ratification, Accession	Does the legislation provide for straight baselines? ¹	Does the State claim archipelagic status? ²	Breadth of the zone in nautical miles ³				Territorial Sea	Contiguous Zone	Exclusive Economic Zone	Fisheries Zone	Continental Shelf (see introductory note): Parties to 1982 Convention or, where the State is not a party to it, parties to 1958 Convention Outer limit claims as reflected in legislation ³	
				12	24	200	200					Party to:	Outer limit
Barbados	12/10/1993	Yes		12			200					1982	N/A
Belgium	13/11/1998			12	24		200			☑ ¹¹		1982	DLM
Belize	13/08/1983	Yes		12			200					1982	N/A
Benin	16/10/1997			200								1982	N/A
Bosnia and Herzegovina	12/01/1994											1982	N/A
Brazil	22/12/1988	Yes		12	24		200					1982	CM/200
Brunei Darussalam	05/11/1996			12			200					1982	N/A
Bulgaria	15/05/1996	Yes		12	24		200					1982	DLM
Cambodia		Yes		12	24		200						200
Cameroon	19/11/1985	Yes		12			200					1982	CM/200
Canada	07/11/2003	Yes		12	24		200					1982	CM/200
Cape Verde	10/08/1987	Yes	Yes	12	24		200					1982	200
Chile	25/08/1997	Yes		12	24		200					1982	N/A
China	07/06/1996	Yes		12	24		200					1982	CM/200

² Outer edge of the continental margin.

¹⁰ Defined by coordinates of points.

¹¹ Coterminous with the exclusive economic zone.

¹² Three-mile limit applies from the mouth of Sarstoon River to Ranguana Caye.

¹³ See article 45 of Law 96-06 of 18 January 1996 on the revision of the Constitution of 2 June 1972.

¹⁴ No legislation available. See ICJ Judgment of 10 October 2002 in the Case concerning the land and maritime boundary between Cameroon and Nigeria.

STATE	UNCLOS Ratification, Accession	Does the legislation provide for straight baselines? ¹	Does the State claim archipelagic status? ²	Territorial Sea	Breadth of the zone in nautical miles ³			Fisheries Zone	Continental Shelf (see introductory note): Parties to 1982 Convention or, where the State is not a party to it, parties to 1958 Convention Outer limit claims as reflected in legislation ³
					Contiguous Zone	Exclusive Economic Zone	Party to:		
Colombia		Yes		12		200		1958 ¹⁵	Limits not specified.
Comoros	21/06/1994		Yes	12		200		1982	N/A
Congo				200					N/A
Cook Islands	15/02/1995			12		200		1982	CM/200
Costa Rica	21/09/1992	Yes		12		200		1982	N/A
Côte d'Ivoire	26/03/1984	Yes		12		200		1982	N/A
Croatia	05/04/1995	Yes		12		☑ ¹⁶		1982	DLM
Cuba	15/08/1984	Yes		12	24	200		1982	N/A
Cyprus	12/12/1988	Yes		12	24	200		1982	EXPL. ¹⁷
Democratic People's Republic of Korea				12	X ¹⁸	200			N/A
Democratic Republic of the Congo	17/02/1989			12		DLM		1982	N/A
Denmark	16/11/2004	Yes		12 ¹⁹	24	200/DLM ²⁰	200 ²¹	1982	200m/EXPL. ²²

¹⁵ Convention on the Continental Shelf, Geneva, 29 April 1958.

¹⁶ The Decision on the Extension of the Jurisdiction of the Republic of Croatia in the Adriatic Sea of 3 October 2003 proclaimed only certain elements of the EEZ. The implementation of the legal regime of the “ecological and fisheries protection zone” of Croatia commenced twelve months after its establishment. The outer limit of the Ecological and Fisheries Protection Zone of the Republic of Croatia is defined by a list of geographical coordinates.

¹⁷ Depth of exploitability.

¹⁸ 50-nautical mile military zone. Army Command Announcement of 1 August 1977.

¹⁹ Act No. 200 of 7 April 1999 on the delimitation of the territorial sea does not apply to the Faroe Islands and Greenland but may become effective by Royal Decree for those parts of the Kingdom of Denmark with the amendments dictated by the special conditions prevailing in the Faroe Islands and Greenland. As far as Greenland is concerned, the outer limit of the external territorial waters may be measured at a distance shorter than 12 nautical miles from the baselines.

²⁰ Applies also to Greenland.

STATE	UNCLOS Ratification, Accession	Does the legislation provide for straight baselines? ¹	Does the State claim archipelagic status? ²	Territorial Sea	Breadth of the zone in nautical miles ³			Fisheries Zone	Continental Shelf (see introductory note): Parties to 1982 Convention or, where the State is not a party to it, parties to 1958 Convention Outer limit claims as reflected in legislation ³
					Territorial Sea	Contiguous Zone	Exclusive Economic Zone		
Djibouti	08/10/1991	Yes		12	24	200		1982	N/A
Dominica	24/10/1991	Yes		12	24	200		1982	N/A
Dominican Republic		Yes		6	24	200			CM/200
Ecuador		Yes		200 ²³					200 ²⁴
Egypt	26/08/1983	Yes		12	24	☑ ²⁵		1982	N/A
El Salvador				200					N/A
Equatorial Guinea	21/07/1997	Yes		12		200		1982	N/A
Eritrea				12		☑ ²⁶			N/A
Estonia	26/08/2005	Yes		12 ²⁷		☑ ²⁸		1982	Defined by coordinates
Fiji	10/12/1982		Yes	12		200		1982	200m/EXPL.
Finland	21/06/1996	Yes		12 ²⁹	14 ³⁰	DLM	☑ ³¹	1982	200m/EXPL.

²¹ For Greenland and Faroe Islands.

²² 200m - depth of 200 metres.

²³ Only between the continental territorial sea of Ecuador and its insular territorial sea around the Galápagos Islands.

²⁴ Also 100 nautical miles from isobath 2,500m (Only between the continental territorial sea of Ecuador and its insular territorial sea around the Galápagos Islands).

²⁵ In March 2003, Cyprus and Egypt signed an agreement on the delimitation of their respective exclusive economic zones.

²⁶ The exclusive economic zone has been delimited in arbitration Eritrea-Yemen, Award in phase II: Maritime delimitation.

²⁷ In some parts of the Gulf of Finland, defined by coordinates.

²⁸ Defined by coordinates.

²⁹ Extends, with certain exceptions, to 12 nautical miles, unless defined by geographical coordinates. In the Gulf of Finland, the outer limit of the territorial sea shall at no place be closer to the midline than 3 nautical miles, according to the Act amending the Act on the Limits of the Territorial Waters of Finland (98/1/95).

³⁰ Two miles beyond the outer limits of the territorial sea.

STATE	UNCLOS Ratification, Accession	Does the legislation provide for straight baselines? ¹	Does the State claim archipelagic status? ²	Breadth of the zone in nautical miles ³				Fisheries Zone	Continental Shelf (see introductory note): Parties to 1982 Convention or, where the State is not a party to it, parties to 1958 Convention Outer limit claims as reflected in legislation ³
				Territorial Sea	Contiguous Zone	Exclusive Economic Zone	Party to:		
France	11/04/1996	Yes		12	24	200 ³²		1982	200m/EXPL.
Gabon	11/03/1998	Yes		12	24	200		1982	N/A
Gambia	22/05/1984			12	18		200	1982	N/A
Georgia ³³	21/03/1996			12		DLM		1982	DLM
Germany	14/10/1994	Yes		12		☒ ³⁴		1982	200m/EXPL.
Ghana	07/06/1983			12	24	200		1982	200
Greece	21/07/1995			6 ³⁵				1982	200m/EXPL.
Grenada	25/04/1991	Yes		12		200		1982	N/A
Guatemala	11/02/1997			12		200		1982	Limits not specified.
Guinea	06/09/1985			12		200		1982	N/A
Guinea-Bissau	25/08/1986	Yes		12		200		1982	N/A
Guyana	16/11/1993	Yes		12		200		1982	CM/200

³¹ Defined by coordinates.

³² Applies to the North Sea, the English Channel and the Atlantic Ocean from the Franco-Belgian border to the Franco-Spanish border, Saint Pierre and Miquelon, French Guiana, Réunion, New Caledonia, French Polynesia, French Southern and Antarctic Lands, Wallis and Futuna, Tromelin, Glorioso, Juan de Nova, Europa and Bassad da India Islands, Clipperton Island, Mayotte, Guadeloupe and Martinique.

³³ Law on Maritime Spaces of Georgia, 1999, incorporates UNCLOS provision. The English translation is not yet available. However, the Protocol between the Government of the Republic of Turkey and the Government of Georgia on the Confirmation of the Maritime Boundaries between them in the Black Sea, 14 July 1997 refers to the agreements concluded between the former Union of Soviet Socialist Republics and the Republic of Turkey relating to the establishment of the maritime boundaries in the Black Sea, concerning the delimitation of the territorial sea and the continental shelf, and confirming that the exclusive economic zone delimitation should be based on the previously delimited continental shelf frontier.

³⁴ Defined by coordinates.

³⁵ Ten-mile limit applies for the purpose of regulating civil aviation.

STATE	UNCLOS Ratification, Accession	Does the legislation provide for straight baselines? ¹	Does the State claim archipelagic status? ²	Breadth of the zone in nautical miles ³				Fisheries Zone	Continental Shelf (see introductory note): Parties to 1982 Convention or, where the State is not a party to it, parties to 1958 Convention Outer limit claims as reflected in legislation ³
				Territorial Sea	Contiguous Zone	Exclusive Economic Zone	Party to:		
Haiti	31/07/1996	Yes		12	24	200		1982	EXPL.
Honduras	05/10/1993	Yes		12	24	200		1982	Limits not specified.
Iceland	21/06/1985	Yes		12		200		1982	CM/200
India	29/06/1995			12	24	200		1982	CM/200
Indonesia	03/02/1986		Yes	12		200		1982	N/A
Iran (Islamic Republic of)		Yes		12	24	DLM			DLM
Iraq	30/07/1985			12				1982	Limits not specified.
Ireland	21/06/1996	Yes		12	24	200	200	1982	Defined by coordinates
Israel				12				1958	EXPL.
Italy	13/01/1995	Yes		12		☑ ³⁶		1982	200m/EXPL.
Jamaica	21/03/1983		Yes	12	24	200		1982	CM/200
Japan	20/06/1996	Yes		12 ³⁷	24	200		1982	CM/200
Jordan	27/11/1995			3				1982	N/A
Kenya	02/03/1989	Yes		12		200		1982	N/A
Kiribati	24/02/2003	Yes	Yes	12		200		1982	N/A
Kuwait	02/05/1986			12				1982	Defined by coordinates

³⁶ See Law 61 of 8 February 2006 on the establishment of an ecological protection zone beyond the outer limit of the territorial sea. The outer limits are determined on the basis of an agreement with States concerned. Pending such agreements, the outer limit is determined by reference to a median line.

³⁷ Three-mile limit applies to the Soya Strait, the Tsugaru Strait, the eastern and western channels of the Tsushima Strait and the Osumi Straits only.

STATE	UNCLOS Ratification, Accession	Does the legislation provide for straight baselines? ¹	Does the State claim archipelagic status? ²	Breadth of the zone in nautical miles ³				Fisheries Zone	Continental Shelf (see introductory note): Parties to 1982 Convention or, where the State is not a party to it, parties to 1958 Convention Outer limit claims as reflected in legislation ³
				Territorial Sea	Contiguous Zone	Exclusive Economic Zone	Party to:		
Latvia	23/12/2004	Yes		12		DLM		1982	CM/200
Lebanon	05/01/1995			12				1982	N/A
Liberia				200					N/A
Libyan Arab Jamahiriya		Yes		12			62 ³⁸		N/A
Lithuania	12/11/2003	Yes		12	<input checked="" type="checkbox"/> ³⁹	DLM		1982	DLM
Madagascar	22/08/2001	Yes		12	24	200		1982	200 ⁴⁰
Malaysia	14/10/1996			12		200		1982	200m/EXPL.
Maldives	07/09/2000	Yes	Yes	12	24	200		1982	N/A
Malta	20/05/1993	Yes		12	24		25	1982	200m/EXPL.
Marshall Islands	09/08/1991		Yes	12	24	200		1982	N/A
Mauritania	17/07/1996	Yes		12	24	200		1982	CM/200
Mauritius	04/11/1994	Yes		12	24	200		1982	CM/200
Mexico	18/03/1983	Yes		12	24	200		1982	CM/200
Micronesia (Federated States of)	29/04/1991			12		200		1982	N/A
Monaco	20/03/1996			12				1982	N/A
Montenegro	23/10/2006							1982	
Morocco		Yes		12	24	200			200m/EXPL.
Mozambique	13/03/1997	Yes		12	24	200		1982	CM/200

³⁸ Fisheries Protection Zone in the Mediterranean Sea, 21 June 2005. Limits determined by a list of geographical coordinates of points.

³⁹ Determined by a list of geographical coordinates of points.

⁴⁰ 200 nautical miles or delimitation agreement or 100 nautical miles from isobath 2,500m.

STATE	UNCLOS Ratification, Accession	Does the legislation provide for straight baselines? ¹	Does the State claim archipelagic status? ²	Breadth of the zone in nautical miles ³				Fisheries Zone	Continental Shelf (see introductory note): Parties to 1982 Convention or, where the State is not a party to it, parties to 1958 Convention Outer limit claims as reflected in legislation ³
				Territorial Sea	Contiguous Zone	Exclusive Economic Zone	Party to:		
Myanmar	21/05/1996	Yes		12	24	200		1982	CM/200
Namibia	18/04/1983			12	24	200		1982	CM/200
Nauru	23/01/1996	Yes		12	24	200		1982	N/A
Netherlands	28/06/1996	Yes		12	24	∅ ⁴¹		1982	200m/EXPL.
New Zealand	19/07/1996	Yes		12 ⁴²	24	200 ⁴³		1982	CM/200
Nicaragua	03/05/2000			12	24	200		1982	CM
Nigeria	14/08/1986			12		200		1982	200m/EXPL.
Niue	11/10/2006			12		200		1982	N/A
Norway	24/06/1996	Yes		12	24	200	200 ⁴⁴	1982	CM/200
Oman	17/08/1989	Yes		12	24	200		1982	Limits not specified.
Pakistan	26/02/1997	Yes		12	24	200		1982	CM/200
Palau	30/09/1996			3			200	1982	N/A
Panama	01/07/1996			12	24	200		1982	CM/200
Papua New Guinea	14/01/1997		Yes	12 ⁴⁵			200	1982	200m/EXPL.
Peru				200 ⁴⁶					200

⁴¹ Defined by coordinates of points.

⁴² Includes Tokelau.

⁴³ Includes Tokelau.

⁴⁴ Jan Mayen and Svalbard.

⁴⁵ Three nautical miles in certain areas.

⁴⁶ Called "Maritime Dominion" in article 54 of the 1993 Constitution: "...In its maritime dominion, Peru exercises sovereignty and jurisdiction, without prejudice to the freedoms of international communication, in accordance with the law and the treaties ratified by the State..."

STATE	UNCLOS Ratification, Accession	Does the legislation provide for straight baselines? ¹	Does the State claim archipelagic status? ²	Territorial Sea	Contiguous Zone	Exclusive Economic Zone	Fisheries Zone	Continental Shelf (see introductory note): Parties to 1982 Convention or, where the State is not a party to it, parties to 1958 Convention Outer limit claims as reflected in legislation ³	
								Party to:	Outer limit
Breadth of the zone in nautical miles ³									
Philippines	08/05/1984		Yes	X ⁴⁷		200		1982	EXPL.
Poland	13/11/1998	Yes		12		DLM		1982	N/A
Portugal	03/11/1997	Yes		12	24	200		1982	EXPL.
Qatar	09/12/2002			12	24	DLM		1982	N/A
Republic of Korea	29/01/1996	Yes		12	24	200		1982	N/A
Romania	17/12/1996	Yes		12	24	200		1982	N/A
Russian Federation	12/03/1997	Yes		12	24	200		1982	CM/200
Saint Kitts and Nevis	07/01/1993	Yes		12	24	200		1982	CM/200
Saint Lucia	27/03/1985			12	24	200		1982	CM/200
Saint Vincent and the Grenadines	01/10/1993		Yes	12	24	200		1982	N/A
Samoa	14/08/1995	Yes		12	24	200		1982	N/A
Sao Tome and Principe	03/11/1987		Yes	12		200		1982	N/A
Saudi Arabia	24/04/1996	Yes		12	18			1982	Limits not specified.
Senegal	25/10/1984	Yes		12	24	200		1982	CM/200
Seychelles	16/09/1991		Yes	12	24	200		1982	CM/200
Sierra Leone	12/12/1994			12	24	200		1982	200
Singapore	17/11/1994			3				1982	N/A
Slovenia	16/06/1995	Yes		12/DLM		☑ ⁴⁸		1982	DLM

⁴⁷ Rectangle defined by coordinates. Claim extends beyond 12 nautical miles.

⁴⁸ See "Ecological Protection Zone and Continental Shelf of the Republic of Slovenia Act" adopted on 4 October 2005. The delimitation of the ecological protection zone shall be effected by agreement with the neighbouring States. The Act provides for its provisional outer limits.

STATE	UNCLOS Ratification, Accession	Does the legislation provide for straight baselines? ¹	Does the State claim archipelagic status? ²	Breadth of the zone in nautical miles ³				Fisheries Zone	Continental Shelf (see introductory note): Parties to 1982 Convention or, where the State is not a party to it, parties to 1958 Convention Outer limit claims as reflected in legislation ³
				Territorial Sea	Contiguous Zone	Exclusive Economic Zone	Party to:		
Solomon Islands	23/06/1997		Yes	12		200		1982	200
Somalia	24/07/1989	Yes		200				1982	N/A
South Africa	23/12/1997	Yes		12	24	200		1982	CM/200
Spain	15/01/1997	Yes		12	24	200 ⁴⁹	<input checked="" type="checkbox"/> ⁵⁰	1982	N/A
Sri Lanka	19/07/1994	Yes		12	24	200		1982	CM/200
Sudan	23/01/1985	Yes		12	18			1982	200m/EXPL.
Suriname	09/07/1998			12		200		1982	N/A
Sweden	25/06/1996	Yes		12		DLM		1982	200m/EXPL.
Syrian Arab Republic		Yes		12	24	200			CM
Thailand		Yes		12	24	200		1958	N/A
Timor-Leste				12	24	200			CM/200
Togo	16/04/1985			30		200		1982	N/A
Tonga	02/08/1995	Yes		12		200		1982	N/A
Trinidad and Tobago	25/04/1986		Yes	12	24	200		1982	CM/200
Tunisia	24/04/1985	Yes		12	24	DLM	<input checked="" type="checkbox"/> ⁵¹	1982	N/A
Turkey				6 ⁵²		200 ⁵³			N/A

⁴⁹ In the Atlantic Ocean.

⁵⁰ In the Mediterranean Sea, defined by coordinates of points.

⁵¹ Up to 50-m isobath - Off the Gulf of Gabès.

⁵² Six nautical miles in the Aegean Sea, 12 nautical miles in the Black Sea.

⁵³ In the Black Sea.

STATE	UNCLOS Ratification, Accession	Does the legislation provide for straight baselines? ¹	Does the State claim archipelagic status? ²	Breadth of the zone in nautical miles ³				Fisheries Zone	Continental Shelf (see introductory note): Parties to 1982 Convention or, where the State is not a party to it, parties to 1958 Convention Outer limit claims as reflected in legislation ³
				Territorial Sea	Contiguous Zone	Exclusive Economic Zone	Party to:		
Tuvalu	09/12/2002		Yes	12	24	200		1982	N/A
Ukraine	26/07/1999	Yes		12		200		1982	N/A
United Arab Emirates		Yes		12	24	200			CM/200
United Kingdom	25/07/1997	Yes		12 ⁵⁴		200 ⁵⁵	200or 12 ⁵⁶	1982	Defined by coordinates.
United Republic of Tanzania	30/09/1985			12		200		1982	N/A
United States of America				12	24	200 ⁵⁷		1958	CM/200
Uruguay	10/12/1992	Yes		12	24	200		1982	CM
Vanuatu	10/08/1999	Yes	Yes	12	24	200		1982	CM/200
Venezuela		Yes		12	15	200		1958	200m/EXPL.
Viet Nam	25/07/1994	Yes		12	24	200		1982	CM/200
Yemen	21/07/1987	Yes		12	24	200		1982	CM/200

⁵⁴ Also three nautical miles. (Three nautical miles in Anguilla, Guernsey, British Indian Ocean Territory, British Virgin Islands, Gibraltar, Monserrat and Pitcairn; 12 nautical miles in United Kingdom, Jersey, Bermuda, Cayman Islands, Falkland Islands, Isle of Man, St. Helena and Dependencies, South Georgia, South Sandwich Islands, and Turks and Caicos Islands.)

⁵⁵ Bermuda, Pitcairn, South Georgia and South Sandwich Islands.

⁵⁶ 12 nautical miles in Guernsey; 200 nautical miles in United Kingdom, Anguilla, British Indian Ocean Territory, British Virgin Islands, Cayman Islands, Falkland Islands, Monserrat, St. Helena and Dependencies, and Turks and Caicos Islands.

⁵⁷ Includes Puerto Rico, U.S. Virgin Islands, American Samoa, Guam, Johnston Atoll, Midway Island, Wake Island, Jarvis Island, Kingman Reef, Howland Island, Baker Island, Northern Marianas, and Navassa Island.

B. Lists of conciliators and arbitrators
nominated under article 2 of annexes V and VII to the Convention

List of conciliators nominated under article 2 of annex V to the Convention

State Party	Conciliators - Nominations	Date of deposit of notification with the Secretary-General
Brazil	Walter de Sá Leitão	10 September 2001
Chile	Helmut Brunner Nöer Rodrigo Díaz Albónico Carlos Martínez Sotomayor Eduardo Vío Grossi	18 November 1998
Costa Rica	Lic. Carlos Fernando Alvarado Valverde	15 March 2000
Cyprus	Ambassador Andrew Jacovides	23 February 2007
Czech Republic	Dr. Vladimír Kopal	18 December 1996
Estonia	Mrs. Ene Lillipuu, Head, Legal Department, Estonian Maritime Administration Mr. Heiki Lindpere, Director, Institute of Law, University of Tartu	18 December 2006
Finland	Professor Kari Hakapää Professor Martti Koskenniemi Justice Gustav Möller Justice Pekka Vihervuori	25 May 2001
Indonesia	Prof. Dr. Hasjim Djalal, M.A Dr. Ety Roesmaryati Agoes, SH, LL.M. Dr. Sudirman Saad, D.H., M.Hum Lieutenant Commander Kresno Bruntoro, SH, LL.M	3 August 2001
Italy	Professor Umberto Leanza Ambassador Luigi Vittorio Ferraris Ambassador Giuseppe Jacoangeli	21 September 1999

State Party	Conciliators - Nominations	Date of deposit of notification with the Secretary-General
Japan	Dr. Soji Yamamoto; Professor Emeritus, Tohoku University, Japan Ambassador Chusei Yamada; Member of the UN International Law Commission	2 May 2006
Mexico	Ambassador José Luis Vallarta Marrón, Former Permanent Representative of Mexico to the International Seabed Authority Dr. Alejandro Sobarzo, Member of the national delegation to the Permanent Court of Arbitration Joel Hernández García, Deputy Legal Adviser, Ministry of Foreign Affairs Dr. Erasmo Lara Cabrera, Director of International Law III, Legal Adviser, Ministry of Foreign Affairs	9 December 2002
Norway	Mr. Carsten Smith, President of the Supreme Court Ms. Karin Bruzelius, Supreme Court Judge Mr. Hans Wilhelm Longva, Director General, Department of Legal Affairs, Ministry of Foreign Affairs Ambassador Per Tresselt	22 November 1999
Poland	Mr. Janusz Symonides Mr. Stanisław Pawlak Mrs. Maria Dragun-Gertner	14 May 2004
Slovakia	Dr. Marek Smid, International Law Department of the Ministry of Foreign Affairs of Slovakia	9 July 2004
Spain	José Manuel Lacleta Muñoz, Ambassador of Spain José Antonio de Yturriaga Barberán, Ambassador-at-large Juan Antonio Yáñez-Barnuevo García, Ambassador-at-large Aurelio Pérez Giralda, Chief, International Legal Advisory Assistance, Ministry of Foreign Affairs	7 February 2002

State Party	Conciliators - Nominations	Date of deposit of notification with the Secretary-General
Sri Lanka	Hon. M. S. Aziz, P.C.	17 January 1996
	C. W. Pinto, Secretary-General of the Iran-U.S. Claims Tribunal in The Hague	8 April 2002
	(Prof.) Dr. C. F. Amerasinghe A. R. Perera	17 January 1996
Sudan	Dr. Abd Elrahman Elkhalifa Sayed/Eltahir Hamadalla	8 September 1995

List of arbitrators nominated under article 2 of annex VII to the Convention

State Party	Arbitrators – Nominations	Date of deposit of notification with the Secretary-General
Australia	Sir Gerard Brennan AC KBE Mr. Henry Burmester QC Professor Ivan Shearer AM	19 August 1999
Brazil	Walter de Sá Leitão	10 September 2001
Chile	José Miguel Barros Franco María Teresa Infante Caffi Edmundo Vargas Carreño Fernando Zegers Santa Cruz	18 November 1998
Costa Rica	Lic. Carlos Fernando Alvarado Valverde	15 March 2000
Cyprus	Ambassador Andrew Jacovides	23 February 2007
Czech Republic	Dr. Vladimír Kopal	18 December 1996

State Party	Arbitrators – Nominations	Date of deposit of notification with the Secretary-General
Estonia	Mrs. Ene Lillipuu, Head, Legal Department, Estonian Maritime Administration Mr. Heiki Lindpere, Director, Institute of Law, University of Tartu	18 December 2006
Finland	Professor Kari Hakapää Professor Martti Koskenniemi Justice Gustav Möller Justice Pekka Vihervuori	25 May 2001
France	Daniel Bardonnet Pierre-Marie Dupuy Jean-Pierre Queneudec Laurent Lucchini	4 February 1998
Germany	Dr. (Ms.) Renate Platzoeder	25 March 1996
Indonesia	Prof. Dr. Hasjim Djalal, M.A Dr. Etty Roesmaryati Agoes, SH, LL.M. Dr. Sudirman Saad, D.H., M.Hum. Lieutenant Commander Kresno Bruntoro, SH, LL.M	3 August 2001
Italy	Professor Umberto Leanza Professor Tullio Scovazzi	21 September 1999
Japan	Ambassador Hisashi Owada, President of the Japan Institute of International Affairs Ambassador Chusei Yamada, Professor, Waseda University Dr. Soji Yamamoto, Professor Emeritus, Tohoku University Dr. Nisuke Ando, Professor, Doshisha University	28 September 2000

State Party	Arbitrators – Nominations	Date of deposit of notification with the Secretary-General
Mexico	<p>Ambassador Alberto Székely Sánchez, Special Adviser to the Secretary for International Waters Affairs</p> <p>Dr. Alonso Gómez Robledo Verduzco, Researcher, Institute of Legal Research, National Autonomous University of Mexico, member of the Inter-American Legal Committee of the Organization of American States</p> <p>Frigate Captain JN. LD.DEM. Agustín Rodríguez Malpica Esquivel, Chief, Legal Unit, Secretariat of the Navy</p> <p>Frigate Lieutenant SJN.LD. Juan Jorge Quiroz Richards, Secretariat of the Navy</p>	9 December 2002
Mongolia	<p>Professor Rüdiger Wolfrum</p> <p>Professor Jean-Pierre Cot</p>	22 February 2005
Netherlands	<p>Ellen Hey</p> <p>Professor Alfred H.A. Soons</p> <p>Adriaan Bos</p>	9 February 1998
	Professor Barbara Kwiatkowska	29 May 2002
Norway	<p>Mr. Carsten Smith, President of the Supreme Court</p> <p>Ms. Karin Bruzelius, Supreme Court Judge</p> <p>Mr. Hans Wilhelm Longva, Director General, Department of Legal Affairs, Ministry of Foreign Affairs</p> <p>Ambassador Per Tresselt</p>	22 November 1999
Poland	<p>Mr. Janusz Symonides</p> <p>Mr. Stanisław Pawlak</p> <p>Mrs. Maria Dragun-Gertner</p>	14 May 2004
Russian Federation	Vladimir S. Kotliar	26 May 1997
	Professor Kamil A. Bekyashev	4 March 1998
	Mr. Alexander N. Vylegjanin, Director of the Legal Department of the Council for the Study of Productive Forces of the Russian Academy of Sciences	17 January 2003

State Party	Arbitrators – Nominations	Date of deposit of notification with the Secretary-General
Slovakia	Dr. Peter Tomka, Judge of the International Court of Justice	9 July 2004
Spain	D. José Antonio de Yturriaga Barberán	23 June 1999
	José Manuel Lacleta Muñoz, Ambassador of Spain José Antonio Pastor Ridruejo, Judge, European Court of Human Rights Julio D. González Campos, Professor of Private International Law, Universidad Autónoma de Madrid, former Constitutional Court Judge	7 February 2002
Sri Lanka	Hon. M. S. Aziz, P.C.	17 January 1996
	C. W. Pinto, Secretary-General of the Iran-U.S. Claims Tribunal in The Hague	8 April 2002
	(Prof.) Dr. C. F. Amerasinghe A. R. Perera	17 January 1996
Sudan	Sayed/Shawgi Hussain Dr. Ahmed Elmufti	8 September 1995
Sweden	Dr. Marie Jacobsson, Principal Legal Advisor on International Law, Ministry for Foreign Affairs Dr. Said Mahmoudi, Professor, International Law, University of Stockholm	2 June 2006
Trinidad and Tobago	Mr. Justice Cecil Bernard, Judge of the Industrial Court of the Republic of Trinidad and Tobago	17 November 2004
United Kingdom of Great Britain and Northern Ireland	Professor Christopher Greenwood Professor Elihu Lauterpacht CBE QC Sir Arthur Watts KCMG QC	19 February 1998
	Judge David Anderson, CMG	14 September 2005