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.

IF ANY MATERIAL CONTAINED IN THE BULLETIN IS REPRODUCED IN PART OR IN WHOLE, DUE ACKNOWLEDGEMENT SHOULD BE GIVEN.
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1. Table recapitulating the status of the Convention and of the related Agreements, as at 30 November 2011

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1 Source: Chapter XXI.6 of the publication entitled “Multilateral Treaties Deposited with the Secretary-General” at http://treaties.un.org/.
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² For further details, see Chapter XXI.6 of the publication entitled “Multilateral Treaties deposited with the Secretary-General”
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1 For further details, see Chapter XXI.7 of the publication entitled “Multilateral Treaties deposited with the Secretary-General”
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2. Chronological lists of ratifications of, accessions and successions to the Convention and the related Agreements, as at 30 November 2011

(a) The Convention

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117. Equatorial Guinea (21 July 1997)
118. United Kingdom of Great Britain and Northern Ireland (25 July 1997)
119. Chile (25 August 1997)
120. Benin (16 October 1997)
121. Portugal (3 November 1997)
122. South Africa (23 December 1997)
123. Gabon (11 March 1998)
124. European Union (1 April 1998)
125. Lao People’s Democratic Republic (5 June 1998)

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

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)
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)
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15. Slovenia (16 June 1995)
16. India (29 June 1995)
17. Paraguay (10 July 1995)
18. Austria (14 July 1995)
25. Fiji (28 July 1995)
27. Guinea (28 July 1995)
28. Iceland (28 July 1995)
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32. Sri Lanka (28 July 1995)
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43. Argentina (1 December 1995)
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94. Poland (13 November 1998)
95. Ukraine (26 July 1999)
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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)
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109. Armenia (9 December 2002)
110. Qatar (9 December 2002)
111. Tuvalu (9 December 2002)
113. Mexico (10 April 2003)
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126. Montenegro (23 October 2006)
127. Republic of Moldova (6 February 2007)
128. Lesotho (31 May 2007)
129. Morocco (31 May 2007)
130. Uruguay (7 August 2007)
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59. Estonia (7 August 2006)
60. Japan (7 August 2006)
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66. Czech Republic (19 March 2007)
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69. Palau (26 March 2008)
70. Oman (14 May 2008)
71. Hungary (16 May 2008)
72. Slovakia (6 November 2008)
73. Mozambique (10 December 2008)
74. Panama (16 December 2008)
75. Tuvalu (2 February 2009)
76. Indonesia (28 September 2009)
77. Nigeria (2 November 2009)
78. Saint Vincent and the Grenadines (29 October 2010)
2. Declarations by States

(a) Montenegro


“Pursuant to paragraph 1 of Article 287 of the Convention, for the settlement of disputes concerning the interpretation or application of the Convention, Montenegro chooses, in order of preference, (i) the International Tribunal for the Law of the Sea established in accordance with Annex VI of the Convention and (ii) the International Court of Justice.”


“Pursuant to paragraph 1 (a) of Article 298 of the aforementioned Convention, Montenegro does not accept any of the procedures provided for in section 2 of Part XV of the Convention with respect to disputes concerning the interpretation or application of Articles 15, 74 and 83 relating to sea boundary delimitations or disputes involving historic bays or titles.”

(b) Fiji


“The Government of the Republic of Fiji declares that it chooses the International Tribunal for the Law of the Sea established in accordance with Annex VI for the settlement of disputes concerning the interpretation or application of the Convention.”
II. LEGAL INFORMATION RELEVANT TO THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

A. National Legislation
   1. Iraq

Geographical coordinates of Iraq’s straight baseline

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<th>Lat. N</th>
<th>Depth (m)</th>
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1 Transmitted through a letter dated 16 March 2011, from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General of the United Nations. Deposited with the Secretary-General under article 16(2) of the Convention (see Maritime Zone Notification M.Z.N.83.2011.LOS of 9 May 2011).

2 In World Geodetic System 1984 (WGS 84).
<table>
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<tr>
<th>Point no.</th>
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The President of the Republic,

In accordance with the Constitution;

Law No. 295 dated 22 April 1994 (United Nations Convention on the Law of the Sea);

Law No. 163 dated 18 August 2011 (Delineation and declaration of the maritime regions of the Republic of Lebanon) and, in particular, articles 6, 7, 16 and 17 thereof;

Pursuant to the proposal of the President of the Council of Ministers and the Minister of Public Works and Transport;

And with the approval of the Council of Ministers on 19 September 2011,

Hereby decrees as follows:

Part I: Definition of the exclusive economic zone and its borders

Article 1: The exclusive economic zone is situated beyond the territorial sea and includes the whole of the contiguous zone, extending towards the high seas, measured from the baseline in accordance with the provisions of the United Nations Convention on the Law of the Sea.

Article 2: The southern, western and northern sides of the exclusive economic zone of the Republic of Lebanon have been determined on the basis of a list of the geographical coordinates of points that is annexed to this decree (Annex I), as set out in British Admiralty nautical chart No. 183 (Ra’s at Tin to Iskenderun, 1:1,100,000), which is annexed to this decree (Annex II).

Article 3: As needed, and in the light of negotiations with the relevant neighbouring States, the borders of the exclusive economic zone may be refined and improved and, consequently, the list of its coordinates amended, if more precise data becomes available.

Article 4: The President of the Council of Ministers or his representative is charged with taking the necessary measures to inform all the parties concerned and, in particular, the relevant departments of the United Nations.

\(^1\) Original: Arabic. Transmitted through a note verbale dated 19 October 2011, from the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General of the United Nations.
Article 5: This decree shall enter into force upon publication in the Official Gazette.

B`abda, 1 October 2011

Issued by the President of the Republic  Signature: Michel Sleiman
President of the Council of Ministers  Signature: Muhammad Najib Mikati
Minister of Public Works and Transport  Signature: Ghazi Al-Aridi
Annex I

List of the coordinates of the limits of the southern, western and northern sides of the exclusive economic zone

List of Geographical Coordinates

for the delimitation of the Exclusive Economic Zone in WGS84

The following tables contain position information for the Median Line

Between Lebanon and Cyprus

All positions are referred to WGS 84 joined consecutively by geodesics

Western Median Line (Lebanon - Cyprus)

<table>
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\(^1\) Deposited with the Secretary-General under article 75(2) of the Convention (see Maritime Zone Notification M.Z.N.85.2011.LOS of 14 November 2011). This deposit takes precedence over the deposits made by Lebanon on 14 July 2010 and 19 October 2010 (see Law of the Sea Bulletins no. 73, page 39 and no. 74, page 30).
List of Geographical Coordinates
for the delimitation of the Exclusive Economic Zone in WGS84

The following tables contain position information for the Median Line
Between Lebanon and Syria

All positions are referred to WGS 84 joined consecutively by geodesics

Northern Median Line (Lebanon - Syria)

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<td>15</td>
<td>35</td>
<td>49</td>
<td>18.80</td>
<td>E</td>
<td>34</td>
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</tr>
<tr>
<td>16</td>
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<td>22.60</td>
<td>E</td>
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<tr>
<td>17</td>
<td>35</td>
<td>58</td>
<td>32.20</td>
<td>E</td>
<td>34</td>
<td>38</td>
</tr>
</tbody>
</table>
List of Geographical Coordinates
for the delimitation of the Exclusive Economic Zone in WGS84

The following tables contain position information for the Median Line
Between Lebanon and Palestine

All positions are referred to WGS 84 joined consecutively by geodesics

Southern Median Line (Lebanon - Palastine)

<table>
<thead>
<tr>
<th>Points</th>
<th>Degrees</th>
<th>Minutes</th>
<th>Seconds</th>
<th>Degrees</th>
<th>Minutes</th>
<th>Seconds</th>
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<td>18</td>
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<tr>
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<td>4</td>
<td>46.14</td>
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<td>5</td>
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<tr>
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<td>35</td>
<td>2</td>
<td>58.12</td>
<td>E</td>
<td>33</td>
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<td>21</td>
<td>35</td>
<td>2</td>
<td>13.86</td>
<td>E</td>
<td>33</td>
<td>6</td>
</tr>
<tr>
<td>22</td>
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<td>52</td>
<td>57.24</td>
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<td>46</td>
<td>8.78</td>
<td>E</td>
<td>33</td>
<td>31</td>
</tr>
</tbody>
</table>
Annex II

Nautical chart of the limits of the southern, western and northern sides of the exclusive economic zone of Lebanon
B. Bilateral Treaties

Treaty between the Russian Federation and the Kingdom of Norway concerning maritime delimitation and cooperation in the Barents Sea and the Arctic Ocean, 15 September 2010¹

The Kingdom of Norway and the Russian Federation (hereinafter “The Parties”),

Desiring to maintain and strengthen the good neighbourly relations,

Bearing in mind the developments in the Arctic Ocean and the role of the Parties in this region,

Desiring to contribute to securing stability and strengthen the cooperation in the Barents Sea and the Arctic Ocean,


Referring to the Agreement between the Kingdom of Norway and the Russian Federation on the Maritime Delimitation in the Varangerfjord area of 11 July 2007 (hereinafter “the 2007 Agreement”) and desiring to complete the maritime delimitation between the Parties,

Aware of the special economic significance of the living resources of the Barents Sea to Norway and the Russian Federation and to their coastal fishing communities and of the need to avoid economic dislocation in coastal regions whose inhabitants have habitually fished in the area,

Aware of the traditional Norwegian and Russian fisheries in the Barents Sea,

Recalling their primary interest and responsibility as coastal States for the conservation and rational management of the living resources of the Barents Sea and in the Arctic Ocean, in accordance with international law,

Underlining the importance of efficient and responsible management of their hydrocarbon resources,

Have agreed as follows:

Article 1

1. The maritime delimitation line between the Parties in the Barents Sea and the Arctic Ocean shall be defined as geodetic lines connecting points defined by the following coordinates:

<table>
<thead>
<tr>
<th></th>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>70° 16' 28.95'' N</td>
<td>32° 04' 23.00'' E</td>
</tr>
<tr>
<td>2.</td>
<td>73° 41' 10.85'' N</td>
<td>37° 00' 00.00'' E</td>
</tr>
<tr>
<td>3.</td>
<td>75° 11' 41.00'' N</td>
<td>37° 00' 00.00'' E</td>
</tr>
<tr>
<td>4.</td>
<td>75° 48' 00.74'' N</td>
<td>38° 00' 00.00'' E</td>
</tr>
<tr>
<td>5.</td>
<td>78° 37' 29.50'' N</td>
<td>38° 00' 00.00'' E</td>
</tr>
<tr>
<td>6.</td>
<td>79° 17' 04.77'' N</td>
<td>34° 59' 56.00'' E</td>
</tr>
<tr>
<td>7.</td>
<td>83° 21' 07.00'' N</td>
<td>35° 00' 00.29'' E</td>
</tr>
<tr>
<td>8.</td>
<td>84° 41' 40.67'' N</td>
<td>32° 03' 51.36'' E</td>
</tr>
</tbody>
</table>

The terminal point of the delimitation line is defined as the point of intersection of a geodetic line drawn through the points 7 and 8 and the geodetic line connecting the easternmost point of the outer limit of the continental shelf of Norway and the westernmost point of the outer limit of the continental shelf of the Russian Federation, as established in accordance with Article 76 and Annex II of the Convention.

2. The geographical coordinates of the points listed in paragraph 1 of this Article are defined in World Geodetic System 1984 (WGS84(G1150, at epoch 2001.0)).

3. By way of illustration, the delimitation line and the points listed in paragraph 1 of this Article have been drawn on the schematic chart annexed to the present Treaty. In case of difference between the description of the line as provided for in this Article and the drawing of the line on the schematic chart, the description of the line in this Article shall prevail.

Article 2

Each Party shall abide by the maritime delimitation line as defined in Article 1 and shall not claim or exercise any sovereign rights or coastal State jurisdiction in maritime areas beyond this line.

Article 3

1. In the area east of the maritime delimitation line that lies within 200 nautical miles of the baselines from which the breadth of the territorial sea of mainland Norway is measured but beyond 200 nautical miles of the baselines from which the breadth of the territorial sea of the Russian Federation is measured (hereinafter “the Special Area”), the Russian Federation shall, from the day of the entry into force of the present Treaty, be entitled to exercise such sovereign rights and jurisdiction derived from exclusive economic zone jurisdiction that Norway would otherwise be entitled to exercise under international law.

2. To the extent that the Russian Federation exercises the sovereign rights or jurisdiction in the Special Area as provided for in this Article, such exercise of sovereign rights or jurisdiction derives from the agreement of the Parties and does not constitute an extension of
its exclusive economic zone. To this end, the Russian Federation shall take the necessary steps to ensure that any exercise on its part of such sovereign rights or jurisdiction in the Special Area shall be so characterized in its relevant laws, regulations and charts.

Article 4

1. The fishing opportunities of either Party shall not be adversely affected by the conclusion of the present Treaty.

2. To this end, the Parties shall pursue close cooperation in the sphere of fisheries, with a view to maintain their existing respective shares of total allowable catch volumes and to ensure relative stability of their fishing activities for each of the stocks concerned.

3. The Parties shall apply the precautionary approach widely to conservation, management and exploitation of shared fish stocks, including straddling fish stocks, in order to protect the living marine resources and preserve the marine environment.

4. Except as provided for in this Article and in Annex I, nothing in this Treaty shall affect the application of agreements on fisheries cooperation between the Parties.

Article 5

1. If a hydrocarbon deposit extends across the delimitation line, the Parties shall apply the provisions in Annex II.

2. If the existence of a hydrocarbon deposit on the continental shelf of one of the Parties is established and the other Party is of the opinion that the said deposit extends to its continental shelf, the latter Party may notify the former Party and shall submit the data on which it bases its opinion.

   If such an opinion is submitted, the Parties shall initiate discussions on the extent of the hydrocarbon deposit and the possibility for exploitation of the deposit as a unit. In the course of these discussions, the Party initiating them shall support its opinion with evidence from geophysical data and/or geological data, including any existing drilling data and both Parties shall make their best efforts to ensure that all relevant information is made available for the purposes of these discussions. If the hydrocarbon deposit extends to the continental shelf of each of the Parties and the deposit on the continental shelf of one Party can be exploited wholly or in part from the continental shelf of the other Party, or the exploitation of the hydrocarbon deposit on the continental shelf of one Party would affect the possibility of exploitation of the hydrocarbon deposit on the continental shelf of the other Party, agreement on the exploitation of the hydrocarbon deposit as a unit, including its apportionment between the Parties, shall be reached at the request of one of the Parties (hereinafter “the Unitisation Agreement”) in accordance with Annex II.

3. Exploitation of any hydrocarbon deposit which extends to the continental shelf of the other Party may only begin as provided for in the Unitisation Agreement.

4. Any disagreement between the Parties concerning such deposits shall be resolved in accordance with Articles 2-4 of Annex II.
Article 6

The present Treaty shall not prejudice rights and obligations under other international treaties to which both the Kingdom of Norway and the Russian Federation are Parties, and which are in force at the date of the entry into force of the present Treaty.

Article 7

1. The Annexes to the present Treaty form an integral part of it. Unless expressly provided otherwise, a reference to this Treaty includes a reference to the Annexes.

2. Any amendments to the Annexes shall enter into force in the order and on the date provided for in the agreements introducing these amendments.

Article 8

This Treaty shall be subject to ratification and shall enter into force on the 30th day after the exchange of instruments of ratification.

DONE in duplicate in Murmansk on 15 September 2010, each in Norwegian and Russian languages, both texts being equally authentic.

For the Kingdom of Norway  For the Russian Federation
Annex I

to the Treaty between the Kingdom of Norway and the Russian Federation concerning Maritime Delimitation and Cooperation in the Barents Sea and the Arctic Ocean

Fisheries matters

Article 1

The Agreement between the Government of the Kingdom of Norway and the Government of the Union of Soviet Socialist Republics on co-operation in the fishing industry of 11 April 1975 and the Agreement between the Government of the Kingdom of Norway and the Government of the Union of Soviet Socialist Republics concerning mutual relations in the field of fisheries of 15 October 1976 shall continue to stay in force for fifteen years after the entry into force of the present Treaty. After the expiry of this term each of these Agreements shall remain in force for successive six year terms, unless at least six months before the expiry of the six year term one Party notifies the other Party about its termination.

Article 2

In the previously disputed area within 200 nautical miles from the Norwegian or Russian mainland technical regulations concerning, in particular, mesh and minimum size of catches set by each of the Parties for their fishing vessels shall apply for a transitional period of two years from the day of entry into force of the present Treaty.

Article 3

Total allowable catches, mutual quotas of catches and other regulatory measures for fishing shall continue to be negotiated within the Norwegian-Russian Joint Fisheries Commission in accordance with the Agreements referred to in Article 1 of the present Annex.

Article 4

The Norwegian-Russian Joint Fisheries Commission shall continue to consider improved monitoring and control measures with respect to jointly managed fish stocks in accordance with the Agreements referred to in Article 1 of the present Annex.
Transboundary Hydrocarbon Deposits

Article 1

The Unitisation Agreement between the Parties concerning exploitation of a transboundary hydrocarbon deposit, referred to in Article 5 of the present Treaty, shall provide for the following:

1. Definition of the transboundary hydrocarbon deposit to be exploited as a unit (geographical coordinates normally shown in an annex to the Agreement).

2. The geographical, geophysical and geological characteristics of the transboundary hydrocarbon deposit and the methodology used for data classification. Any geological data used as a basis for such geological characterisation shall be the joint property of the legal persons holding rights under the Joint Operating Agreement, referred to in paragraph 6 a) of the present Article.

3. A statement of the total amount of the hydrocarbon reserves in place in the transboundary hydrocarbon deposit and the methodology used for such calculation, as well as the apportionment of the hydrocarbon reserves between the Parties.

4. The right of each Party to copies of all geological data, as well as all other data of relevance for the unitised deposit, which are gathered in connection with the exploitation of the deposit.

5. The obligation of the Parties to grant individually all necessary authorisations required by their respective national laws for the development and operation of the transboundary hydrocarbon deposit as a unit in accordance with the Unitisation Agreement.

6. The obligation of each Party

   a) to require the relevant legal persons holding rights to explore for and exploit hydrocarbons on each respective side of the delimitation line to enter into a Joint Operating Agreement to regulate the exploitation of the transboundary hydrocarbon deposit as a unit in accordance with the Unitisation Agreement;

   b) to require the submission of a Joint Operating Agreement for approval by both Parties, as well as to issue such approval with no undue delay and not to unduly withhold it;
c) to ensure that the provisions contained in the Unitisation Agreement prevail over the provisions of the Joint Operating Agreement in case of any discrepancy between them;

d) to require the legal persons holding the rights to exploit a transboundary hydrocarbon deposit as a unit to appoint a unit operator as their joint agent in accordance with the provisions set out in the Unitisation Agreement, such an appointment of, and any change of, the unit operator being subject to prior approval by the two Parties.

7. The obligation of each Party not to withhold, subject to its national laws, a permit for the drilling of wells by, or on account of, the legal persons holding rights to explore for and produce hydrocarbons on its respective side of the delimitation line for purposes related to the determination and apportionment of the transboundary hydrocarbon deposit.

8. Unless otherwise agreed by the Parties, the obligation of each Party not to permit the commencement of production from a transboundary hydrocarbon deposit unless the Parties have jointly approved such commencement in accordance with the Unitisation Agreement.

9. The obligation of the Parties to determine by mutual agreement in due time before the production of hydrocarbons from the transboundary hydrocarbon deposit is about to cease, the timing of cessation of the production from the transboundary hydrocarbon deposit.

10. The obligation of the Parties to consult each other with respect to applicable health, safety and environmental measures that are required by the national laws and regulations of each Party.

11. The obligation of each Party to ensure inspection of hydrocarbon installations located on its continental shelf and hydrocarbon activities carried out thereon in relation to the exploitation of a transboundary deposit, the obligation of each Party to ensure inspectors of the other Party access on request to such installations, and to relevant metering systems on the continental shelf or in the territory of either Party, as well as the obligation of each Party to ensure that relevant information is given to the other Party on a regular basis to enable it to safeguard its fundamental interests, including *inter alia* those related to health, safety, environment, hydrocarbon production and metering.

12. The obligation of each Party not to alter the right to explore for and produce hydrocarbons awarded by one Party, which applies to a field that is subject to unitisation in accordance with the Unitisation Agreement, nor to assign it to other legal persons, without prior consultation with the other Party.

13. The obligation of the Parties to establish a Joint Commission for consultations between the Parties on issues pertaining to any planned or existing unitised hydrocarbon deposits, providing a means for ensuring continuous consultation and exchange of information between the two Parties on such issues and a means for resolving issues through consultations.
Article 2

The Parties shall make every effort to resolve any disagreement as rapidly as possible. If, however, the Parties fail to agree, they shall jointly consider all options for resolving the impasse.

Article 3

1. If the Parties fail to reach the Unitisation Agreement referred to in Article 1 of the present Annex, the disagreement should as rapidly as possible be resolved by negotiations or by any other procedure agreed between the Parties. If the disagreement is not settled within six months following the date on which a Party first requested such negotiations with the other Party, either Party shall be entitled to submit the dispute to an ad hoc Arbitral Tribunal consisting of three members.

2. Each Party shall appoint one arbitrator, and the two arbitrators so appointed shall elect a third arbitrator, who shall be the Chairperson. The Chairperson shall not be a national of or habitually reside in Norway or the Russian Federation. If either Party fails to appoint an arbitrator within three months of a request to do so, either Party may request that the President of the International Court of Justice make the appointment. The same procedure shall apply if, within one month of the appointment of the second arbitrator, the third arbitrator has not been elected.

3. All decisions of the Arbitral Tribunal shall, in the absence of unanimity, be taken by a majority vote of its members. The Arbitral Tribunal shall in all other matters determine its own rules of procedure. The decisions of the Arbitral Tribunal shall be binding upon the Parties and the Unitisation Agreement referred to in Article 1 of the present Annex shall be concluded by them in accordance with these decisions.

Article 4

1. In the event that a failure to reach agreement concerns the apportionment of the hydrocarbon deposit between the Parties, they shall appoint an independent expert to decide upon such apportionment. The decision of the independent expert shall be binding upon the Parties.

2. Notwithstanding the provisions contained in paragraph 1 of this Article, the Parties may agree that the hydrocarbon deposit shall be reapportioned between them.
III. COMMUNICATIONS BY STATES

Lebanon

A letter dated 3 September 2011 from the Minister for Foreign Affairs and Emigrants of Lebanon addressed to the Secretary-General of the United Nations concerning the geographical coordinates of the northern limit of the territorial sea and the exclusive economic zone transmitted by Israel

Republic of Lebanon
Ministry of Foreign Affairs and Emigrants
Beirut, 3 September 2011

Sir,

I am writing to you with regard to the claims deposited on 12 July 2011 by the Israeli mission concerning the geographical coordinates of the northern part of the territorial waters and exclusive economic zone that it alleges belong to Israel, and would remind you once again of the following letters:

- The two letters dated 9 July 2010 and 11 October 2010 by which Lebanon deposited the geographical coordinates of, respectively, the southern and south-western borders of its exclusive economic zone.
- The letter dated 20 June 2011 in which Lebanon made an official objection to the agreement signed by the Republic of Cyprus and Israel, in which they delimited their respective exclusive economic zones. Given that Lebanon considers Israel to be an occupying Power, the legal provisions and regulations must be applied, together with the international resolutions that regard as illegal any measure taken by an occupying Power with a view to seizing, administering or annexing part of the territory that it occupies.

Israel has adopted point 1 as the point that separates the exclusive economic zones of Cyprus, Israel and Lebanon, while it is point 23, which is equidistant between those three countries, the coordinates of which are given in the attachment, that is the proper point.

It is clear from the coordinates deposited by Israel that point 31 flagrantly violates the principles and rules of international law and constitutes an assault on Lebanese sovereignty. That point is north of the internationally recognized land borders of Lebanon that are set forth in the Paulet-Newcombe agreement and the Armistice Agreement signed on 23 March 1949, according to which the southern border of Lebanon is delimited from Ra's Naqurah at point B1, the coordinates of which are given in the attachment.

On the basis of the foregoing, it is clear that the geographical coordinates that were deposited with you by Israel violate the sovereign and economic rights of Lebanon over its territorial waters and exclusive economic zone, the coordinates of which are given in the attachment, and cut from those waters and that zone some 860 square

\(^1\) Original: Arabic.
kilometres. International peace and security could thus be imperilled, particularly if Israel, the occupying Power, should decide to pursue any economic activity in the aforementioned maritime area, which Lebanon considers to be an integral part of its territorial waters and exclusive economic zone.

Lebanon therefore rejects the coordinates deposited on 12 July 2011 by the Israeli mission to the United Nations and requests the Secretary-General to take all measures that he deems appropriate, with a view to avoiding conflict. Such measures should include the delineation by the proper party, in the same manner used with the Blue Line, of a line that accords with the maritime borders of Lebanon that have been deposited with you. The United Nations Interim Force in Lebanon should then be requested to monitor that line with a view to maintaining international peace and security, in accordance with Security Council resolution 1701 (2006). It is clear that what Israel has done violates the rules of international law and exacerbates the conflict in the region, as would any attempt by Israel to exploit resources in the disputed maritime area.

Accept, Sir, the assurances of my highest consideration.

(Signed) Adnan Mansour

Minister for Foreign Affairs and Emigrants
Republic of Lebanon  
Ministry of Foreign Affairs and Emigrants  

I. The point shared by Lebanon, Cyprus and Occupied Palestine:  
   
   (a) Point 1, which is considered by Israel to be the point shared by Lebanon and Cyprus. The coordinates are set forth below:  

<table>
<thead>
<tr>
<th></th>
<th>Degree</th>
<th>Minute</th>
<th>Second</th>
</tr>
</thead>
<tbody>
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<td>Latitude</td>
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<td>38</td>
</tr>
<tr>
<td></td>
<td>Longitude</td>
<td>33</td>
<td>53</td>
</tr>
</tbody>
</table>

   (b) The correct point, namely, point 23, the coordinates of which are as set forth below:  

<table>
<thead>
<tr>
<th></th>
<th>Degree</th>
<th>Minute</th>
<th>Second</th>
</tr>
</thead>
<tbody>
<tr>
<td>23</td>
<td>Latitude</td>
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<td>31</td>
</tr>
<tr>
<td></td>
<td>Longitude</td>
<td>33</td>
<td>46</td>
</tr>
</tbody>
</table>

II. The initial point, delimited from Ra's Naqurah  

   (a) Initial point 31, delimited from the southern borders of Lebanon, the coordinates of which are, according to the Israeli side, as set forth below:  

<table>
<thead>
<tr>
<th></th>
<th>Degree</th>
<th>Minute</th>
<th>Second</th>
</tr>
</thead>
<tbody>
<tr>
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<td>Latitude</td>
<td>33</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td>Longitude</td>
<td>35</td>
<td>6</td>
</tr>
</tbody>
</table>

   (b) The correct point, namely, point B1, at Ra's Naqurah, the coordinates of which are as set forth below:  

<table>
<thead>
<tr>
<th></th>
<th>Degree</th>
<th>Minute</th>
<th>Second</th>
</tr>
</thead>
<tbody>
<tr>
<td>B1</td>
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<td>5</td>
</tr>
<tr>
<td></td>
<td>Longitude</td>
<td>35</td>
<td>6</td>
</tr>
</tbody>
</table>
IV. OTHER INFORMATION RELEVANT TO THE LAW OF THE SEA

A. Relevant Resolutions of the Security Council of the United Nations

Resolution 2015 (2011)

Adopted by the Security Council at its 6635th meeting, on 24 October 2011

The Security Council,

Recalling its previous resolutions concerning the situation in Somalia, especially resolutions 1918 (2010) and 1976 (2011),

Continuing to be gravely concerned by the growing threat that piracy and armed robbery at sea against vessels off the coast of Somalia pose to the situation in Somalia, States in the region and other States, as well as to international navigation, the safety of commercial maritime routes and the safety of seafarers and other persons, and also gravely concerned by the increased level of violence employed by pirates and persons involved in armed robbery at sea off the coast of Somalia,

Emphasizing the importance of finding a comprehensive solution to the problem of piracy and armed robbery at sea off the coast of Somalia,

Stressing the need to build Somalia’s potential for sustainable economic growth as a means to tackle the underlying causes of piracy, including poverty, thus contributing to a durable eradication of piracy and armed robbery at sea off the coast of Somalia and illegal activities connected therewith,

Reaffirming its respect for the sovereignty, territorial integrity, political independence and unity of Somalia,

Reaffirming that international law, as reflected in the United Nations Convention on the Law of the Sea of 10 December 1982 (Convention), in particular its articles 100, 101 and 105, sets out the legal framework applicable to combating piracy and armed robbery at sea, as well as other ocean activities,

Further reaffirming that the provisions of this resolution apply only with respect to the situation in Somalia and do not affect the rights and obligations or responsibilities of Member States under international law,

Bearing in mind the Djibouti Code of Conduct concerning the Repression of Piracy and Armed Robbery against Ships in the Western Indian Ocean and the Gulf of Aden, and recognizing the commitment of signatory States to review their national legislation with a view to ensuring that national laws to criminalize piracy and armed robbery against ships, and adequate guidelines for the exercise of jurisdiction, conduct of investigations, and prosecutions of alleged offenders, are in place,

Commending those States that have amended their domestic law in order to criminalize piracy and facilitate the prosecution of suspected pirates in their national courts, consistent with applicable international law, including human rights law, and stressing the need for States to continue their efforts in this regard,
Noting with concern at the same time that the domestic law of a number of States lacks provisions criminalizing piracy and/or procedural provisions for effective criminal prosecution of suspected pirates,

Reaffirming the importance of national prosecution of suspected pirates for combating piracy off the coast of Somalia,

Strongly condemning the continuing practice of hostage-taking by suspected pirates operating off the coast of Somalia, expressing serious concern at the inhuman conditions hostage face in captivity, recognizing the adverse impact on their families, calling for the immediate release of all hostages, and noting the importance of cooperation between Member States on the issue of hostage-taking and the need for the prosecution of suspected pirates for taking hostages,

Recognizing that despite the efforts to date by States to prosecute suspected pirates at the national level, the ongoing work in this regard is still insufficient and that more must be done to ensure that suspected pirates are effectively brought to justice,

Reiterating its concern over a large number of persons suspected of piracy having to be released without facing justice, reaffirming that the failure to prosecute persons responsible for acts of piracy and armed robbery at sea off the coast of Somalia undermines anti-piracy efforts of the international community and being determined to create conditions to ensure that pirates are held accountable,

Noting with interest the conclusion in the Secretary-General’s report on the modalities for the establishment of specialized Somali anti-piracy courts (S/2011/360) that, assuming that sufficient international assistance is provided, piracy trials being conducted by courts in Somaliland and Puntland are expected to reach international standards in about three years, and expressing its hope consistent with the mentioned Secretary-General’s report that this timeline will be accelerated if suitable experts, including those from the Somali diaspora, can be identified and recruited,

Welcoming the consultations between the United Nations and regional States, including the Seychelles, Mauritius, and Tanzania, and the willingness expressed by Tanzania to assist the international community, under the right conditions, to prosecute suspected pirates in its territory,

Determining that the incidents of piracy and armed robbery at sea off the coast of Somalia exacerbate the situation in Somalia, which continues to constitute a threat to international peace and security in the region,

1. Reaffirms that the ultimate goal of enhancing Somali responsibility and active involvement in efforts to prosecute suspected pirates, as emphasized by the Secretary-General’s Special Adviser on Legal Issues Related to Piracy off the Coast of Somalia in his report transmitted to the Security Council on 19 January 2011 (S/2011/30), remains highly relevant in the overall context of fighting piracy;

2. Recognizes the primary role of the Transitional Federal Government (TFG) and the relevant Somali regional authorities in eradicating piracy off the coast of Somalia;

3. Welcomes in this regard that the Somalia end of transition road map of 6 September 2011 includes developing counter-piracy policy and legislation in conjunction with regional entities as a key task of the Transitional Federal
Institutions (TFI), and notes that the Security Council has made its future support to the TFI contingent upon the completion of the tasks contained in the road map;

4. Notes with appreciation the report of the Secretary-General on the modalities for the establishment of specialized Somali anti-piracy courts (S/2011/360) prepared pursuant to paragraph 26 of resolution 1976 (2011);

5. Reiterates its call upon all States, and in particular flag, port, and coastal States, States of the nationality of victims as well as of perpetrators of piracy and armed robbery, and other States with relevant jurisdiction under international law and national legislation, to cooperate in determining jurisdiction, and in the investigation and prosecution of all persons responsible for acts of piracy and armed robbery off the coast of Somalia, including anyone who incites or facilitates an act of piracy, consistent with applicable international law including human rights law;

6. Calls upon States to cooperate also, as appropriate, on the prosecution of suspected pirates for taking hostages;

7. Reiterates its request, as a matter of urgency, to the TFG and relevant Somali regional authorities to elaborate, with the assistance of UNODC and UNDP, and adopt a complete set of counter-piracy laws, including laws to prosecute those who illicitly finance, plan, organize, facilitate or profit from pirate attacks, with a view to ensuring the effective prosecution of suspected pirates and those associated with piracy attacks in Somalia, the post-conviction transfer of pirates prosecuted elsewhere to Somalia, and the imprisonment of convicted pirates in Somalia, as soon as possible, and strongly urges the TFG and regional authorities of Somalia to expeditiously address any other existing obstacles that impede progress in this regard, and requests the TFG and relevant regional authorities of Somalia to provide a report to the Security Council by 31 December 2011 on action taken in each of the areas above;

8. Calls upon UNODC, UNDP and other international partners to further their efforts to support the development of domestic legislation, agreements and mechanisms that would allow the effective prosecution of suspected pirates, and the transfer and imprisonment of convicted pirates;

9. Strongly urges States that have not already done so to criminalize piracy under their domestic law, and reiterates its call on States to favourably consider the prosecution of suspected, and imprisonment of convicted, pirates apprehended off the coast of Somalia, consistent with applicable international law including international human rights law;

10. Urges States and international organizations to share evidence and information for anti-piracy law enforcement purposes with a view to ensuring effective prosecution of suspected, and imprisonment of convicted, pirates;

11. Calls upon all Member States to report, no later than 31 December 2011, to the Secretary-General on measures they have taken to criminalize piracy under their domestic law and to prosecute and support the prosecution of individuals suspected of piracy off the coast of Somalia and imprisonment of convicted pirates, and requests the Secretary-General to compile this information and to circulate this compilation as a document of the Security Council;
12. **Commends** the ongoing work of UNODC and UNDP, as described in the Secretary-General’s report, in supporting counter-piracy trials and increased prison capacity in Somalia, consistent with the recommendation of the Secretary-General’s Special Adviser on Legal Issues Related to Piracy of the Coast of Somalia;

13. **Reaffirms** that the efforts to promote effective judicial mechanisms to prosecute suspected pirates should be continued and intensified;

14. **Welcomes** the undertaking of the Secretary-General, in connection with his report (S/2011/360) to further proactively assist, at the request of the Security Council, in the taking of appropriate next steps aimed at further enhancing counter-piracy prosecution efforts;

15. **Requests** States and regional organizations to consider possible ways to seek and allow for the effective contribution of the Somali diaspora to anti-piracy efforts, in particular in the area of prosecution, as advised in the Secretary-General’s report (S/2011/360);

16. **Decides** to continue its consideration, as a matter of urgency, without prejudice to any further steps to ensure that pirates are held accountable, of the establishment of specialized anti-piracy courts in Somalia and other States in the region with substantial international participation and/or support, and requests that the Secretary-General, in conjunction with UNODC and UNDP, further consult with Somalia and regional States willing to establish such anti-piracy courts on the kind of international assistance, including the provision of international personnel, that would be required to help make such courts operational; the procedural arrangements required for transfer of apprehended pirates and related evidence; the projected case capacity of such courts; and the projected timeline and costs for such courts, and to provide to the Council in the light of such consultations within 90 days detailed implementation proposals for the establishment of such courts, as appropriate;

17. **Underlines** the importance for such courts to have jurisdiction to be exercised over not only suspects captured at sea, but also anyone who incites or intentionally facilitates piracy operations, including key figures of criminal networks involved in piracy who illicitly plan, organize, facilitate, or finance and profit from such attacks;

18. **Recognizes** that any increase in prosecution capacity must necessarily be accompanied by a related increase in prison capacity, and calls upon both Somali authorities, UNODC, UNDP and other international partners to support the construction and responsible operation of prisons in Somalia in accordance with international law;

19. **Calls upon** Member States, regional organizations and other appropriate partners to support efforts to establish specialized anti-piracy courts in the region by making or facilitating arrangements for the provision of international experts, including those from the Somali diaspora, through secondment or otherwise, and to otherwise support the work of UNODC, UNDP or others in this regard through contributions to the Trust Fund;

20. **Decides** to remain seized of the matter.
Resolution 2018 (2011)

Adopted by the Security Council at its 6645th meeting,
on 31 October 2011

The Security Council,

Expressing its deep concern about the threat that piracy and armed robbery at sea in the Gulf of Guinea pose to international navigation, security and the economic development of states in the region,

Recalling its statement of 30 August 2011 on piracy and armed robbery at sea in the Gulf of Guinea,

Expressing its concern over the threat that piracy and armed robbery at sea pose to the safety of seafarers and other persons, including through their being taken as hostages, and deeply concerned by the violence employed by pirates and persons involved in piracy and armed robbery at sea in the Gulf of Guinea,

Affirming its respect for the sovereignty and territorial integrity of the States of the Gulf of Guinea and their neighbours,

Further affirming that the provisions of this resolution apply only with respect to the situation in the Gulf of Guinea,

Affirming that international law, as reflected in the United Nations Convention on the Law of the Sea of 10 December 1982, in particular its articles 100, 101 and 105, sets out the legal framework applicable to countering piracy and armed robbery at sea, as well as other ocean activities,

Noting that applicable international legal instruments provide for parties to create criminal offences, establish jurisdiction, and prosecute or extradite for prosecution, persons responsible for or suspected of seizing or exercising control over a ship or fixed platform by force or threat thereof or any other form of intimidation,

Emphasizing the importance of finding a comprehensive solution to the problem of piracy and armed robbery at sea in the Gulf of Guinea,

Noting the efforts of the States of the Gulf of Guinea to address this problem, including joint patrols at sea and the activities of the Federal Republic of Nigeria and Benin Republic off the coast of Benin,

Also noting the need for international assistance as part of a comprehensive strategy to support national and regional efforts to assist States in the region with their efforts to address piracy and armed robbery at sea in the Gulf of Guinea,

Welcoming the contributions made by some Member States and international organizations in support of the maritime sector, including security, capacity-building and the joint operations of the States of the Gulf of Guinea,

Stressing that the coordination of efforts at the regional level is necessary for the development of a comprehensive strategy to counter the threat of piracy and armed robbery at sea in the Gulf of Guinea,

Noting that States in the region have a leadership role to play in this regard, supported by organizations in the region,
1. **Condemns** all acts of piracy and armed robbery at sea committed off the coast of the States of the Gulf of Guinea;

2. **Welcomes** the intention to convene a summit of Gulf of Guinea Heads of State in order to consider a comprehensive response in the region and **encourages** the States of the Economic Community of West African States (ECOWAS), the Economic Community of Central African States (ECCAS) and the Gulf of Guinea Commission (GGC) to develop a comprehensive strategy, including through:

   (a) the development of domestic laws and regulations, where these are not in place, criminalizing piracy and armed robbery at sea;

   (b) the development of a regional framework to counter piracy and armed robbery at sea, including information-sharing and operational coordination mechanisms in the region;

   (c) the development and strengthening of domestic laws and regulations, as appropriate, to implement relevant international agreements addressing the safety and security of navigation, in accordance with international law;

3. **Encourages** States of ECOWAS, ECCAS and the GGC, through concerted action, to counter piracy and armed robbery at sea in the Gulf of Guinea through the conduct of bilateral or regional maritime patrols consistent with relevant international law; and **requests** the States concerned to take appropriate steps to ensure that the activities they undertake pursuant to this resolution, do not have a practical effect of denying or impairing freedom of navigation on the high seas or the right of innocent passage in the territorial sea to vessels of third States;

4. **Calls upon** States, in cooperation with the shipping industry, the insurance industry and the International Maritime Organization (IMO) to issue to ships entitled to fly their flag, appropriate advice and guidance within context of the Gulf of Guinea, on avoidance, evasion and defensive techniques and measures to take, if under the threat of attack, or attack when sailing in the waters of the Gulf of Guinea;

5. **Further calls upon** States of ECOWAS, ECCAS and GGC, in conjunction with flag States and States of nationality of victims or of perpetrators of acts of piracy or armed robbery at sea, to cooperate in the prosecution of alleged perpetrators, including facilitators and financiers of acts of piracy and armed robbery at sea committed off the coast of the Gulf of Guinea, in accordance with applicable international law, including human rights law;

6. **Encourages** the international community to assist, upon request, the States concerned in the region, ECOWAS, ECCAS, GGC and other relevant organizations and agencies in strengthening their efforts to counter piracy and armed robbery at sea, in the Gulf of Guinea;

7. **Welcomes** the intention of the Secretary-General of the United Nations to deploy a United Nations assessment mission to examine the threat of piracy and armed robbery at sea, in the Gulf of Guinea and explore options on how best to address the problem, and **looks forward** to receiving the mission’s report with recommendations on the matter;

8. **Decides** to remain seized of the matter.
B. List of experts for the purposes of article 2 of Annex VIII (Special Arbitration) to the Convention

List of experts in the field of navigation, including pollution from vessels and by dumping, maintained by the International Maritime Organization (as at 7 October 2011)

In accordance with articles 2 and 3 of Annex VIII of the United Nations Convention on the Law of the Sea, 1982 (UNCLOS) which entered into force on 16 November 1994, IMO hereby establishes a list of experts in the field of navigation, including pollution from vessels and by dumping, for the purposes specified under article 3 of Annex VIII of UNCLOS, dealing with Special Arbitration. The names of the two experts so nominated by each State Party, and submitted to the Secretary-General of IMO, as of 7 October 2011, are as follows:

ARGENTINA
1. Capitán de Navío Juan Carlos Frias
   Jefe de la División de Asuntos Marítimos Internacionales de la Dirección de Intereses Marítimos de la Armada Argentina
2. Prefecto General Andrés Manuel Monzón
   Director de la Policía de Seguridad de la Navegación y ex Director de Protección Ambiental

AUSTRALIA
1. Mr. Michael Kinley
   Deputy CEO
   Australian Maritime Safety Authority
2. Mr. Bradley Groves
   General Manager
   Maritime Standards Division
   Australian Maritime Safety Authority

BAHRAIN
1. Mr. Abdulmonem Mohamed Janahi
2. Mr. Sanad Rashid Sanad

BELGIUM
1. Monsieur Carly Ronald
   Counseiller-adjoint
   Juriste spécialisé dans le droit maritime
2. Monsieur De Baere Jean-Claude
   Commissaire maritime spécialisé dans les matières relevant de la Convention MARPOL
   Ministry of Communications and Infrastructure

BOLIVIA
1. CC DIM Freddy Zapata Flores
2. CC CGEN Rafael Quiroz
CAMEROON
1. Mr. Dieudonne Ekoumoj Dimi
   Administrateur des Affaires Maritimes
   Expert en Sécurité Maritime
2. Mr. Roger Ntsengu
   Administrateur des Affaires Maritimes
   Port and Shipping Expert

CHILE
1. CF LT Sr. Emilio León Hoffmann
   Jefe Centro Nacional de Combate a la Contaminación
   Armada de Chile
2. CC LT Sr. Oscar Tapia Zuñiga
   Jefe División de Navegación y Maniobras
   del Servicio Inspección de Naves
   Armada de Chile

CHINA
1. Mr. Zhengjiang Liu
   Vice President
   Dalian Maritime University
2. Mr. Fuzhi Chang
   Deputy Director-General
   Shanghai Maritime Safety Administration

COOK ISLANDS
1. Captain Donald W. Silk
   Harbourmaster
2. Mr. Joseph Caffery
   Director of Maritime Transport

CZECH REPUBLIC
1. Dr. Vladimír Kopal
   Professor of Law

EGYPT
1. Captain Dr. Mohamed Mamdouh El Beltagy
   Egyptian General Authority for Maritime Safety
2. Ms. Soad Abdel-Moneim Abdel-Maksoud
   Director of the Treaties Department of the Maritime Transport Sector
ESTONIA
1. Mr. Heiki Lindpere PhD
Professor on the Law of the Sea and Maritime Law
Rector of the Estonian Maritime Academy

FIJI
1. Mr. Josateki Tagi
Acting Director
Fiji Islands Maritime Safety Administration
2. Captain Felix R Maharaj
Acting Chief Marine Officer
Fiji Islands Maritime Safety Administration

FINLAND
1. Professor Kari Hakapää
University of Lapland
2. Professor Peter Wetterstein
Abo Akademi University

GREECE
1. Captain (H.C.G) I. Tzavaras
2. Captain (H.C.G) P. Havatzopoulos

GUINEA
1. Chérif Mohamed Lamine Camara
Docteur Es-Sciences Techniques des Pêches
en service à la Direction Nationale de la Pêche et de l'Aquaculture

HUNGARY
1. Mr. Tamás Marton (Captain)
Ministry of National Development
Head of Maritime and Inland Navigation Department
2. Mr. Robert Kojnok (Captain)
National Transport Authority
Road, Railway and Shipping Office
Head of Navigation Division

IRELAND
No current nominees
ITALY
1. Professor Umberto Leanza
Université de Rome
Chef du service du contentieux
Ministère des affaires étrangères italien
2. Professor Luigi SICO (since July 1999)

LATVIA
1. Mr. Arturs Brokovskis
Deputy Director
Latvian Maritime Agency
State Stock Company
2. Mr. Stanislavs Caksa
Senior Inspector of Casualties Investigation
Latvian Maritime Agency
State Stock Company

LUXEMBOURG
1. M. Marc Glodt
Commissaire du Gouvernement aux affaires maritimes
2. M. Joël Mathieu
Conseiller technique auprès du Commissariat aux affaires maritimes

MALDIVES
1. Mr. Hussein Shareef
Deputy Director
Ministry of Transport and Civil Aviation
2. Mr. Mahdhy Imad
Assistant Managing Director
Maldives Ports Authority

MEXICO
1. Captain Manuel P. Flitsche
Head of the Third Section of the Naval Staff
2. Captain Gabriel Rivera Miranda
Director of Navigation
Merchant Marine Affairs Division
Ministry of Communications and Transport

NIGERIA
1. Mrs. Juliana Gunwa
Director, Marine Environment Management
2. Captain Jerome Angyunwe
   Chief Nautical Surveyor

NORWAY
1. Mr. Jens Henning Kofoed
   Adviser
   Maritime Directorate of Norway
2. Mr. Atle Fretheim
   Assistant Director General
   Royal Ministry of Environment

PAKISTAN
1. Captain I.M. Khan Samdani
   Chief Nautical Surveyor
   Ports & Shipping Wing
2. Captain Hasan Khurshid
   Deputy Conservator
   Karachi Port Trust

PALAU
1. Mr. Donald Dengokl
   Environmental Specialist
   Environmental Quality Protection Board
   (under the Ministry of Resources and Development)
2. Mr. Arvin Raymond
   Chief, Division of Transportation
   Bureau of Commercial Development
   Ministry of Commerce and Trade
   Alternate
   Mr. Benito Thomas
   Chief, Division of Immigration
   Bureau of Legal Service
   Ministry of Justice

PANAMA
1. Capitán A.E. Fiore
   Jefe de Seguridad Marítima
   SEGUMAR, Nueva York
2. Ing. Ivan Ibérico
   Inspector del Departamento
   Técnico de la Dirección General
   Consular y de Naves
POLAND

1. Ms Dorota Pyć (PhD)
   University of Gdańsk
   ul.Bażyńskiego 6
   80-952 Gdańsk
   Poland

2. Mr. Wojciech Ślączka (PhD)
   Master Mariner
   Maritime University of Szczecin
   Waly Chrobrego 1-2
   70-500 Szczecin
   Poland

PORTUGAL

1. Prof. Maria João Bebianno

ROMANIA

1. Mr. Şerban Berescu
   Deputy General Director
   Romanian Shipping Authority

2. Mr. Adrian Alexe
   Director
   Coordination Maritime Centre
   Romanian Shipping Authority

SAMOA

1. Mr. Vaaelua Nofo Vaaelua
   Chief Executive Officer/Secretary for Transport
   Ministry of Works, Transport and Infrastructure
   Private Bag, Apia
   Independent State of Samoa

2. Mr. Seinafolava Capt. Lotomau Tomane
   Assistant Chief Executive Officer
   Maritime Division
   Ministry of Works, Transport and Infrastructure
   Private Bag, Apia
   Independent State of Samoa

SIERRA LEONE

1. Captain Patrick E.M. Kemokai

2. Captain Salu Kuyateh
SINGAPORE
1. Captain Francis Wee
   Assistant Director (Nautical)
   Marine Department
2. Captain Wilson Chua
   Head, Hydrographic Department
   Port of Singapore Authority

SLOVAKIA
1. Mr. Emil Mitka
   Chief Director
   Water Transport Section
   Ministry of Transport
2. Mr. Pavol Lukáš
   Director
   Maritime Transport Department
   Ministry of Transport

SLOVENIA
1. Captain Valter Kobeja
   Director
   Slovenian Maritime Directorate
   Ministry of Transport and Communications
2. Mrs. Seli Mohorič Peršolja
   Counsellor to the Government
   Slovenian Maritime Directorate
   Ministry of Transport and Communications

SPAIN
1. Capitán D. Francisco Ramos Corona
   Subdirector General de Seguridad,
   Contaminación e Inspección Marítima
   de la Dirección General de la Marina Mercante
2. Capitán D. Jose Manuel Piñero Fernandez
   Jefe de Área de Tráfico y Seguridad en la Navegación
   de la Dirección General de la Marina Mercante

SURINAME
1. Mr. E. Fitz-Jim
   Navigation Expert
2. Mr. W. Palman
   Navigation Expert
TOGO

1. **Mme Souleymane Sikao**
   Docteur en Droit de la Mer
   Chef de Division à la Direction des Affaires Maritimes
   au Ministère du Commerce, des Prix et des Transports

2. **M. Kotè Djahlin**
   Officier de la Marine Marchande
   Chargé de la Division Technique et Opérationnelle
   à la Direction des Affaires Maritimes au Ministère du Commerce, des Prix et des Transports

UGANDA

1. **S.A.K. Magezi**
   Meteorology Department
   Ministry of Natural Resources
   Kampala

2. **J.T. Wambede**
   Meteorology Department
   Ministry of Natural Resources
   Kampala

UNITED KINGDOM

1. **Mr. David Goldstone QC**
   Quadrant Chambers
   Quadrant House
   10 Fleet Street, London EC4Y 1AU

2. **Mr. John Reeder QC**
   Stone Chambers
   4 Field Court
   Gray’s Inn, London WC1R 5EF

URUGUAY

1. **Capitán de Navío (CP) Miguel A. Fleitas**

2. **Capitán de Navío (CP) Javier Bermúdez**
C. FAO International Guidelines on Bycatch Management and Reduction of Discards

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1. BACKGROUND

1.1 The 1995 Code of Conduct for Responsible Fisheries (the Code) of the Food and Agriculture Organization of the United Nations (FAO) calls for the sustainable use of aquatic ecosystems and requires that fishing be conducted with due regard for the environment. The Code also promotes the maintenance, safeguarding and conservation of biodiversity of ecosystems by minimizing fisheries impacts on non-target species and the ecosystem in general. However, despite the Code’s endorsement by all FAO Members, there is growing concern that levels of fishing mortality as a result of bycatch and discards threaten the long-term sustainability of many fisheries and the maintenance of biodiversity in many areas, resulting in increased food insecurity and adversely affecting the livelihoods of millions of fishers and fishworkers dependent on fish resources.

1.2 Calls for action on bycatch and discards have been raised at the United Nations General Assembly (UNGA), including in UNGA Resolution A/RES/64/72 on Sustainable Fisheries adopted by the Sixty-fourth Session. States, subregional and regional fisheries management organizations and arrangements (RFMO/As) and other relevant international organizations were urged to reduce or eliminate bycatch, catch by lost or abandoned gear, fish discards and post-harvest losses, and to support studies and research that will reduce or eliminate bycatch of juvenile fish.

1.3 Past efforts taken by FAO to address these issues have included the development of the 1999 FAO International Plan of Action for Reducing Incidental Catch of Seabirds in Longline Fisheries (IPOA-Seabirds) and its related Best Practices Technical Guidelines, the 1999 FAO International Plan of Action for the Conservation and Management of Sharks (IPOA-Sharks) and the 2009 FAO Guidelines to Reduce Sea Turtle Mortality in Fishing Operations. Despite these efforts, problems persist with the high levels of unwanted and often unreported bycatch and discards in many fisheries around the world, including the capture of juveniles of economically valuable and ecologically important fish. In 2004, FAO estimated that discarded global catch was approximately 7 million tonnes. Estimating the total amount of global bycatch and discards, however, has proven difficult for a variety of reasons. Depending on the definition used, bycatch may be in excess of 20 million tonnes.

1.4 At the Twenty-eighth Session of the FAO Committee on Fisheries (COFI) in March 2009, FAO reported on bycatch and discards and reiterated that in poorly managed fisheries, unreported and unregulated (i) landings of bycatch, (ii) discards and (iii) pre-catch losses were issues of major concern. At the same session, COFI agreed that FAO should develop International Guidelines on Bycatch Management and Reduction of Discards through the process of an Expert Consultation followed by a Technical Consultation.

1.5 Accordingly, FAO took steps to develop the Guidelines by coordinating (i) an Expert Consultation held in Rome, Italy, from 30 November to 3 December 2009 to prepare a draft of the Guidelines and (ii) a Technical Consultation held in Rome, Italy, from 6 to 10 December 2010 to finalize the International Guidelines on Bycatch Management and Reduction of Discards (these Guidelines).

1.6 These Guidelines are to be interpreted and applied in conformity with the relevant rules of international law, as reflected in the United Nations Convention on the Law of the Sea of 10 December 1982 (1982 UN Convention). Nothing in these guidelines prejudices the rights, jurisdiction and duties of States under the international law of the sea as reflected in the 1982 UN Convention.

1.7 These Guidelines are also to be interpreted and applied to complement bycatch measures addressed in the IPOA-Seabirds and its related Best Practices Technical Guidelines, the IPOA-Sharks and Guidelines to Reduce Sea Turtle Mortality in Fishing Operations.
2. SCOPE, PURPOSE AND OBJECTIVES

2.1 Scope
The scope of these Guidelines is global, covering all fishing activities in all seas, oceans and inland waters.

2.2 Purpose
The purpose of these Guidelines is to assist States and RFMO/As in implementing the Code and an ecosystem approach to fisheries through effective management of bycatch and reduction of discards.

2.3 Objective
The objective of these Guidelines is to promote responsible fisheries by:
(i) minimizing the capture and mortality of species and sizes which are not going to be used in a manner that is consistent with the Code;
(ii) providing guidance on measures that contribute towards more effective management of bycatch and reduction of discards; and
(iii) improving reporting and the accounting of all components of the catch of which bycatch and discards are subsets.

2.4 Characteristics of bycatch
2.4.1 It is not possible to develop a standard international definition of bycatch because of the very diverse nature of the world’s fisheries, historical differences in how bycatch has been defined nationally, ambiguities associated with bycatch related terminologies and choices of individual fishers on how different portions of their catch will be used. Also there are functional interpretations of bycatch that include catch that a fisher did not intend to catch but could not avoid, often did not want or chose not to use. There are also regulatory interpretations of bycatch in fisheries management plans and these types of interpretations may not necessarily coincide.

2.4.2 In fisheries that have a fishery management plan, species and sizes considered to be bycatch may be designated in the plan. If not designated, bycatch refers to the portion of the total catch that is not consistent with the plan. Bycatch may also be designated as catch that is prohibited in that fishery.

2.4.3 In multispecies/multigear fisheries where there is poor gear selectivity and where most species caught are used, bycatch refers to that part of the catch that should not have been caught, inter alia, because of detrimental ecological and/or economic consequences.

2.4.4 A wide range of problems with bycatch have been recognized in specific fisheries and some examples include, inter alia, catching:
(i) species and sizes not specifically targeted in a fishery;
(ii) species that are protected, endangered or threatened;
(iii) juvenile fish; and
(iv) organisms for which there is no intended use.

2.4.5 Some countries include pre-catch mortality and ghost fishing in their legal definitions of bycatch, whereas others do not. Additional measures may be necessary to address these other consequences of fishing and are considered in section 8 of these Guidelines.

2.5 Characteristics of Discards
Discards are that portion of the total catch which is thrown away or slipped. Discards may be comprised of single or multiple species and may be alive or dead. In the context of these Guidelines discards refer to the throwing away or slipping of dead fish and fish that may not
survive after live release. While the objective is to reduce the capture of living aquatic resources that are not going to be used, some capture is unavoidable. In this case, the objective should be to release them alive and maximize their survival by reducing post-release mortality. Some examples of the fishery-specific problems of discarding include, *inter alia*:

(i) changes in food chain ecology through discarding dead fish or fish that may not survive after live release;
(ii) perceived wastage of fish through discarding; and
(iii) unsustainable fishing if the amount of discards is not included in the assessment of the status of the fishery and in the implementation of the relevant management plan.

3. MANAGEMENT FRAMEWORK

3.1 Governance frameworks

3.1.1 States, acting as flag States, port States, coastal States or importing or exporting (market) States in conformity with the relevant rules of international law, in particular trade-related instruments, or when exercising jurisdiction over their nationals, should, with the advice of the competent fisheries management authority, contribute to the attainment of their objectives for the management of bycatch and reduction of discards.

3.1.2 States should establish and implement national policies, legal and institutional frameworks for the effective management of bycatch and the reduction of discards, including those measures agreed by RFMOs in which they are members or participate as cooperating non-members. Governance and legal frameworks should enable, *inter alia*:

(i) the application of an ecosystem approach to fisheries;
(ii) the use of effective input controls and/or output controls especially in fisheries where bycatch and discards are a significant issue;
(iii) as appropriate, the implementation of co-management and community-based management of fisheries to better manage bycatch and reduce discards; and
(iv) the implementation of measures and actions set out in international conventions, internationally agreed guidelines and other international fisheries instruments, in order to manage bycatch and reduce discards.

3.2 Institutional and management frameworks

3.2.1 States should ensure that measures taken to manage bycatch and reduce discards are consistent with the 1982 UN Convention and the 1995 Agreement for the Implementation 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 (UN Fish Stocks Agreement) and with other international instruments including the Code.

3.2.2 States should adopt and implement measures necessary to ensure the management of bycatch and reduction of discards as part of fisheries management:

(i) in accordance with the precautionary approach, as reflected in Article 6 of the UN Fish Stocks Agreement, and as set out in Article 6.5 and 7.5 of the Code;
(ii) in accordance with the responsible use of fish as set out in the Code; and
(iii) based on the best scientific and technical information available, taking into account fishers’ knowledge.

3.2.3 States should promote capacity building for better management of bycatch and the reduction of discards including, as appropriate, participation in the co-management and community-based management of fisheries.
3.2.4 States and RFMO/As should:

(i) develop or amend management plans for their fisheries so that the plans include objectives for the use and management of that portion of the full catch of which bycatch and discards are subsets, and that such plans are consistent with the Code;

(ii) encourage the involvement of fishers in the development of measures to manage bycatch and reduce discards, recognizing the value of their knowledge and experience; and

(iii) promote the use of appropriate incentives to manage bycatch and reduce discards and ensure they are sufficient to encourage the adoption of and compliance with management measures.

3.2.5 States should strengthen and build the capacity of RFMO/As in order to manage bycatch and reduce discards, incorporating the relevant principles and norms of international law and international instruments into the mandates of these organizations or arrangements.

3.2.6 When a species is taken in both areas under national jurisdiction and adjacent areas beyond national jurisdiction, actions taken in relation to the management of bycatch and reduction of discards for that species would be more effective if they are compatible across these areas.

4. BYCATCH MANAGEMENT PLANNING

4.1 Management planning

4.1.1 States and RFMO/As should ensure that all significant sources of fishing mortality in a fishery are addressed in fisheries management planning and that such planning is based on an ecosystem approach to fisheries and is consistent with the Code.

4.1.2 States and RFMO/As should identify and assess fisheries where bycatch and discards occur and specify the requirements for management actions. Such assessments should, where feasible, include, *inter alia*:

(i) information on the type(s) of fishing conducted or considered, including the vessels and gear types, fishing areas, levels of fishing effort, duration of fishing as well as the target and bycatch species and their sizes, and in particular threatened, endangered or protected species;

(ii) a risk assessment to identify the specific nature and extent of bycatch and discard problems in the fishery as a basis for prioritization and planning;

(iii) a review of the effectiveness of existing initiatives to address the bycatch and discard problems identified in the risk assessment;

(iv) a review of the potential effectiveness of alternative methods to address the bycatch and discard problems identified in the risk assessment;

(v) an assessment of the impacts of bycatch management and discard reduction measures on fishing operations and, in the case of States, on livelihoods to ascertain the potential effects of their implementation and the support necessary to facilitate their uptake;

(vi) a review of the systems for the regular monitoring of the effectiveness of measures for bycatch management and reduction of discards, assessed against the management goals; and

(vii) a regular assessment of plans and management measures for adjustment, as appropriate.

4.1.3 States and RFMO/As should, based on the assessments and identification referred to in paragraph 4.1.2 of these Guidelines, undertake bycatch management planning for all fisheries that require bycatch management action. This planning should include
objectives, strategies, standards and measures directed at managing bycatch and reducing discards. Bycatch management planning should be incorporated into broader fisheries management plans.

4.1.4 States and RFMO/As should ensure that bycatch management planning includes best practices for bycatch management and reduction of discards developed in cooperation with relevant stakeholders. These best practices should, where applicable, include, inter alia:

(i) identification of current bycatch and discard problem(s);
(ii) review of the social and economic context, drivers and objectives that are associated with bycatch and discard problem(s);
(iii) the listing and justification of quantifiable and verifiable short-term and long-term management objectives;
(iv) where bycatch and discard problems need to be addressed, the development of measures to meet these objectives, tailored to the characteristics of each fishery, while seeking to increase the compatibility and consistency between the different management measures applied to the same stock or in the same fishery, to:
   (a) minimize potential bycatch through spatial and/or temporal measures;
   (b) minimize bycatch through the modifications of fishing gears and practices;
   (c) maximize the live release of bycatch while ensuring the safety of the fishing crew;
   (d) reduce discards; and/or
   (e) utilize the bycatch to the extent possible that continues to be taken under these measures in a manner that is consistent with the Code.

(v) the inclusion of fishers as full partners in developing, testing and evaluating the performance of mitigation measures;

(vi) support for controlled trials under commercial fishing conditions that investigate the effectiveness of mitigation measures;

(vii) encouragement of innovation through the collaboration of fishers, scientists, industry, resource managers, intergovernmental organizations (IGOs), non-governmental organizations (NGOs) and other relevant stakeholders;

(viii) encouragement of collaborative research among States on fisheries that they share or that have similar bycatch and discard problems; and

(ix) promotion and increased public awareness of actions that successfully mitigate bycatch and discard problems in the fishery.

4.1.5 States and RFMO/As should identify adequate funding and staff resources during the planning phase for bycatch management.

5. DATA COLLECTION AND BYCATCH ASSESSMENTS

5.1. Data collection, reporting, and assessment

5.1.1. As part of bycatch management planning, States and RFMO/As should, to the extent possible and taking into account the scale and type of the fisheries:

(i) establish appropriate and reliable monitoring and assessment techniques to:
   (a) determine how bycatch and discards affect living aquatic resources and
   (b) evaluate and refine the performance of measures for bycatch management and reductions of discards;

(ii) implement data collection procedures and protocols appropriate to the scale and type of fishery and taking into account the results of the risk assessment referred to in paragraph 4.1.2 of these Guidelines, including the use of observers, standardized logbooks and vessel position monitoring systems;
(iii) consider the use of national and regional training programmes for fishers, resource managers and scientific observers to improve bycatch identification, data collection and reporting; and
(iv) ensure that data collection programs include socio-economic surveys on, *inter alia*, the value of landings and employment in harvesting sectors and the social and economic impacts of regulatory measures.

5.1.2. States and RFMO/As should develop strategies for the long-term collection of accurate data appropriate to the scale and type of fishery taking into account the importance to management of fishery-specific and species-specific estimates of total catch, size distributions of catch, discards, as well as spatial and temporal variability in bycatch and discard mortality.

5.1.3. Where necessary, States and RFMO/As should strive to achieve a level and scope of observer programs sufficient to provide quantitative estimates of total catch, discards, and incidental takes of living aquatic resources.

5.1.4. To standardize the collection of bycatch and discard data, States and RFMO/As should:
   (i) establish research and management priorities on a fishery-by-fishery basis;
   (ii) solicit the input of fishers, scientists, industry, resources managers, IGOs, NGOs and other relevant stakeholders on standards for bycatch and discard data collection;
   (iii) design and test sampling protocols to provide the desired precision and accuracy of data at the lowest cost;
   (iv) evaluate the accuracy and precision of the data and their usefulness in estimating the magnitude and characteristics of the bycatch and discards; and
   (v) integrate the collection of economic and social information (e.g. operating costs, fleet size, and vessel characteristics) with the collection of oceanographic and biological information.

5.1.5. States and RFMO/As should identify the type and quality of the information that currently exists including considering the availability of expertise and information from participants in the fisheries, conservation groups, and other stakeholders and ensure all appropriate information sources are used fully in the risk assessment referred to in paragraph 4.1.2 of these Guidelines as well as in assessments of the impacts of bycatch and discard mortalities.

5.1.6. Subsequently, States and RFMO/As should assess the impacts of bycatch and discards as well as the biological and economic impacts of bycatch management and discard reduction measures.

5.1.7. States and RFMO/As should give due consideration to the fact that since bycatch management and the reduction of discards often requires different types of data from many sources, improved integrated systems may be required to aggregate, manage and analyze this data. Consideration should be given to making bycatch and discard data publicly available to promote transparency in bycatch management.

5.1.8. States and RFMO/As should recognize that in some multispecies, multigear fisheries, reporting the full species composition of catches may not be practical. Consequently, alternative methods, such as reporting on indicator species or other suitable proxies may be necessary.

6. RESEARCH AND DEVELOPMENT

6.1 States and, as appropriate, RFMOs should conduct and promote research that is essential for planning on bycatch management and the reduction of discards. Where information is insufficient to conduct the types of risk assessment and other analyses referred to in sections 4 and 5 of these Guidelines, additional research should be conducted on the biology of species
taken as bycatch, the performance of fishing gears and mitigation measures and the social and economic consequences of measures and techniques to manage bycatch and reduce discard mortality.

6.2 Fishing gear and fishing method-based measures should be tested under commercial fishing conditions, using properly trained personnel and with the cooperation and collaboration of the fishing sector from the initial stages of testing through to implementation.

6.3 States and RFMO/As should collaborate in assessing bycatch and discard issues throughout the entire distribution range of the species of concern where applicable.

6.4 In fisheries with bycatch and discard problems as identified by the risk assessment referred to in paragraph 4.1.2 of these Guidelines and where effective measures for reduction are not available, States and RFMO/As should establish research and development programmes for more selective fishing gears or alternative fishing methods that are practical, safe, effective, socio-economically viable and contribute to the sustainable management of the affected species.

6.5 In support of management measures to mitigate bycatch and discard problems, States and RFMO/As should, where appropriate, map seabed habitats, distributions and ranges of species taken as bycatch, in particular rare, endangered, threatened or protected species, to ascertain where species taken as bycatch might overlap with fishing effort.

6.6 States, RFMO/As, and the fishing sectors that require additional resources to develop or implement research on bycatch may establish partnerships or collaboration with institutions responsible for the development of the fishing sector, appropriate research providers and funding bodies, including private foundations.

7. MEASURES TO MANAGE BYCATCH AND REDUCE DISCARDS

7.1 States and RFMO/As should ensure that bycatch management and discard reduction measures are:

(i) binding;
(ii) clear and direct;
(iii) measurable;
(iv) science-based;
(v) ecosystem-based;
(vi) ecologically efficient;
(vii) practical and safe;
(viii) socio-economically efficient;
(ix) enforceable;
(x) collaboratively developed with industry and stakeholders; and
(xi) fully implemented.

7.2 Management measures should be periodically reviewed to ensure that they continue to meet goals and objectives.

7.3 Tools to manage bycatch and reduce discards

States and RFMO/As should ensure that a range of tools to manage bycatch and reduce discards are available. Such tools include, inter alia:

(i) input and/or output controls;
(ii) the improvement of the design and use of fishing gear and bycatch mitigation devices;
(iii) spatial and temporal measures;
(iv) limits and/or quotas on bycatches;
(v) bans on discards, where applicable, providing that the retained catch cannot be released alive and is utilized in a manner that is consistent with the Code; and
(vi) incentives for fishers to comply with measures to manage bycatch and reduce discards.
7.4 Input and output controls

7.4.1 States and RFMO/As should give careful consideration to the implementation of controls on fishing capacity and effort in a fishery where bycatch and discards occur and cause significant problems. In the event that action is contemplated, the provisions set out in the 1999 FAO IPOA for the Management of Fishing Capacity should be followed.

7.4.2 Controls on fishing capacity and effort to address bycatch and discard issues should be targeted at the fishery causing the issue.

7.4.3 Excess capacity and effort excluded from one fishery/area/time should not lead to increased bycatch and discard problems in other fisheries/areas/times.

7.4.4 States and RFMO/As should give careful consideration to the use of output controls for the management of bycatch and reduction of discards.

7.4.5 Output control measures, such as individual or fleet-wide quotas, and/or limits on allowable bycatch could be developed and implemented within the framework of fishery management plans.

7.4.6 Quotas for target species, or allocations of a quota among fleets or fisheries, may be adjusted, based on estimated bycatches or discard mortalities associated with catches of the target species.

7.5 Improvement of the design and use of fishing gear and bycatch mitigation devices.

7.5.1 States and RFMO/As should consider utilizing technological measures to improve selectivity and reduce bycatch and discards, including, *inter alia*:

(i) changing the design, rigging and deployment of fishing gear (e.g. mesh size, hook size, aimed trawling);

(ii) installing bycatch reduction devices (e.g. turtle excluder devices, sorting grids, square mesh panels, tori lines on longlines);

(iii) using operational techniques during fishing to reduce encounters with bycatch (e.g. the backdown manoeuvre during purse-seining);

(iv) using equipment, practices and handling techniques that increase the probability of survival of the released catches;

(v) using an alternative fishing gear that results in lower bycatch; and

(vi) the appropriate use of integrated vessel and fishing gear position monitoring and habitat mapping systems.

7.5.2 In the preparation of gear-based regulations, States and RFMO/As should ensure that they are compatible with other measures, such as the minimum legal landing sizes, and that the consequences of implementing such regulations are known and acceptable.

7.6 Spatial and temporal measures

7.6.1 States and RFMO/As should consider measures to reduce interactions with particularly vulnerable bycatch (e.g. juveniles and rare, endangered, threatened or protected species) through identifying and establishing areas where the use of all or certain gears is limited or prohibited, based on the best available scientific information and consistent with international law.

7.6.2 States and RFMO/As should consider the use of adaptive spatial closures to reduce bycatch problems.

7.6.3 States and RFMO/As should encourage information-sharing among fishers and managers to identify areas/times of bycatch problems so that fishers effectively avoid them.
7.6.4 States and RFMO/As should base closure decisions on the best available scientific advice and give careful consideration to the potential indirect and unintended consequences of such measures.

7.6.5 States and RFMO/As should consider the feasibility of introducing a requirement to move away from areas where significant bycatch problems occur.

7.7 Limits and/or quotas on bycatches and discards

7.7.1 States and RFMO/As, as part of a fisheries management plan, should consider the establishment of no-discard regimes, wherever applicable, and individual and fleet-wide limits on bycatch in those fisheries where bycatch is unavoidable.

7.7.2 When implementing bycatch limits and/or quotas, States and RFMO/As should give consideration to:
   (i) the time required for fishers to adjust to any new restrictions;
   (ii) the use of complementary measures that may be necessary to enhance their effectiveness (e.g. reporting requirements);
   (iii) the type and level of monitoring required to achieve adequate compliance; and
   (iv) the transferability of such limits and/or quotas.

7.7.3 States and RFMO/As should, to the extent possible and where applicable, aim to ensure that the sum of all quotas for a fleet reflects the expected catch composition in the area of operation.

7.7.4 When setting a quota for a species that can be taken both as a target as well as a bycatch in various fisheries, it is necessary to ensure that quotas for the species as targeted catch and as bycatch are accounted for within an overall limit.

7.7.5 Where information on the bycatch populations is limited, bycatch limits and quotas should be set in accordance with the precautionary approach.

7.8 Economic incentives for managing bycatch and reducing discards

States should take into consideration the fact that fishers are more likely to comply with management measures and adopt fishing techniques that are designed to manage bycatch and reduce discards if such measures improve their revenue, the quality of their catch, their operational efficiency and/or safety. Furthermore, the following points could also be considered:

(i) access to or restriction from fishing opportunities can be a strong economic incentive for compliance with bycatch mitigation measures; and
(ii) in accordance with international rules on subsidies and duties, the costs to fishers for installation of bycatch mitigation technologies could be lessened, where appropriate, through the application of grants/loans and preferential treatment on duties and taxes for investment in such technologies.

7.9 Other measures to manage bycatch and reduce discards

7.9.1 States and RFMO/As should seek to eliminate or adjust regulatory measures that provide incentives which may undermine bycatch management and discard reduction measures.

7.9.2 In situations where bycatch must be released, techniques may have to undergo further development to maximize the survival of the released living aquatic species, while giving due consideration to the safety of the fishing crew.

7.9.3 The management of bycatch and reduction of discards should be supported by technological development in the post harvest sector.

7.9.4 States and RFMO/As should recognize that actions that are taken to reduce bycatch of one species may increase bycatch of others.
8. PRE-CATCH LOSSES AND GHOST FISHING

8.1 States and RFMO/As should consider measures to address the impact of pre-catch losses and ghost fishing on living aquatic resources. Possible actions to assess and mitigate such impacts include, *inter alia*:

(i) adopting objectives in fisheries management policies and plans to minimize mortalities as a result of pre-catch losses and ghost fishing;
(ii) improving the scientific information on the magnitude and causes of pre-catch losses and effects of ghost fishing, so that they can be included in stock, fishery and ecosystem assessments; and
(iii) developing technologies and measures that quantify, and reduce, the mortalities and impacts associated with pre-catch losses and ghost fishing. This may include methods for estimating pre-catch losses by various gear types, modification of gears and fishing methods, identification of gear ownership, reduction of gear losses, development of gear retrieval procedures and programs, and reducing, and where possible eliminating, fishing power of lost gear, e.g. through the use of degradable materials.

8.2 States and RFMO/As should take account of current work at the International Maritime Organization on the revision of Annex V of the International Convention for the Prevention of Pollution from Ships, 1973 as modified by the Protocol of 1978 (MARPOL 73/78) and the Guidelines for the Implementation of Annex V in relation to reducing the impact of lost fishing gear.

9. MONITORING, CONTROL AND SURVEILLANCE (MCS)

9.1 States and RFMO/As should, where appropriate and to the extent possible:

(i) require reporting of all relevant information related to bycatch and discards; and
(ii) undertake MCS of all relevant fishing operations, including catch handling on board the fishing vessel and landings at ports.

9.2 States should establish and implement the appropriate national policies, as well as the legal and institutional frameworks, for effective monitoring, control and surveillance of fisheries for management of bycatch and reduction of discards.

9.3 This may include inspection of fishing vessels and gear prior to the commencement of fishing operations, and taking into account the relevant regulations of RFMO/As, where applicable.

9.4 In order to promote greater voluntary compliance and improved enforcement of bycatch management measures, States and RFMO/As should encourage the participation of fishers in policy development, implementation and self-policing (e.g. through co-management and community-based management).

10. AWARENESS, COMMUNICATION AND CAPACITY BUILDING MEASURES

10.1 States and RFMO/As should provide reliable information and raise the level of awareness of bycatch and discard problems, and measures needed to address them, among fishers, governments, policy-makers, other relevant stakeholders and the general public.

10.2 States and RFMO/As should develop a framework for long-term cooperative working relationships on bycatch management and discard reduction with stakeholders, management authorities at all levels and other agencies and organizations, including providing accurate and timely information on bycatch-related issues, regulations and activities.

10.3 States should identify opportunities for cooperative planning to reduce inconsistencies among management frameworks from local to international levels.
10.4 States and RFMO/As should collate and share best practice methods for monitoring, estimating and managing bycatch, reducing discards, preparing appropriate legislation and/or regulations and for effective communication and training.

10.5 States should provide opportunities for fisheries managers to increase their knowledge of bycatch and discard issues and their potential solutions. Policymakers should be provided with information, advice and options regarding bycatch and discard problems, their socio-economic impact and their potential solutions.

10.6 States should also ensure that fishing gear technologists receive specialised training in technical measures which may be adopted to mitigate bycatch and discards and should provide adequate training to fishers in the use and maintenance of the technology and practices so developed.

10.7 Several actions are needed by States to promote the cooperation and uptake of bycatch management and discard reduction measures, including:

   (i) take into account fishers’ opinions and suggestions on effective bycatch management and discard reduction measures;
   (ii) provide clear explanations to fishers on why it is necessary to manage bycatch and reduce discards in their fisheries, the consequences of failing to do so and the benefits of adopting bycatch management and discard reduction measures;
   (iii) communicate regularly with fishers on the causes and conditions that lead to bycatch and discards, the evolution of bycatch management and discard reduction programmes, the results of research and the status of species of interest;
   (iv) coordinate and strengthen the activities and programmes of fishers’ cooperatives, companies and similar organizations to manage bycatch and reduce discards; and
   (v) provide adequate training to fishers in the use and maintenance of technology and practices that are used in the management of bycatch and reduction of discards, techniques that allow fishers to develop their own solutions, the handling, recovery and release of bycatch species captured alive, basic legislation and policies and communication techniques to allow their bycatch management and discard reduction work to be elucidated to appropriate target audiences.

11. **CONSIDERATIONS FOR IMPLEMENTATION OF THESE GUIDELINES**

11.1 States and RFMO/As should collaborate to address common issues, such as through the development of compatible standards, tools and information aimed at facilitating the implementation of these Guidelines.

11.2 States and RFMO/As should, where necessary, collaborate with FAO and other relevant organizations to standardize monitoring and reporting procedures on bycatch and discards.

11.3 States and RFMO/As should inform stakeholders and the general public of actions taken to improve bycatch management and reduce discards.

11.4 FAO should review the progress made in the implementation of internationally agreed guidelines on the basis of the existing biennial questionnaire reports to COFI.

11.5 In implementing these Guidelines, consideration should be given to, inter alia, accountability, adaptability, effectiveness, practicability, socio-economic aspects, timeliness and transparency.

12. **SPECIAL CONSIDERATIONS FOR RFMO/As**

12.1 RFMO/As should recognize the importance of addressing bycatch and discard problems.

12.2 States participating in RFMO/As should ensure that the relevant RFMO/A working groups include the participation of scientists with appropriate expertise to conduct and evaluate bycatch and discard assessments and proposed mitigation strategies.
12.3 RFMO/As should, where possible, cooperate among each other to support bycatch management and discard reduction, including developing the long-term capacity of RFMO/As to coordinate and cooperate for data collection, assessments of bycatch and discards and potential capacity building activities.

12.4 RFMO/As should work collaboratively and cooperatively with relevant IGOs to address bycatch and discard problems.

13. SPECIAL REQUIREMENTS OF DEVELOPING STATES

13.1 Consideration should be given by States, international financial institutions and relevant IGOs to enhance the capacity of developing States to manage bycatch and reduce discards in their fisheries through financial and technical assistance in terms of research, data collection, development of socio-economic studies on bycatch management and discard reduction, technology transfer training and scientific cooperation, in conformity with international law and the Code.

13.2 FAO should give special consideration to providing technical assistance to developing States, including fostering international cooperation and capacity building for the application of these Guidelines, including in data poor fisheries. Needs may arise in areas such as:

(i) development of management frameworks;
(ii) development of effective bycatch management planning;
(iii) data collection and assessment of bycatch and discards;
(iv) bycatch and discard monitoring and reporting;
(v) development and implementation of measures related to bycatch management and discard reduction;
(vi) pre-catch losses and ghost fishing;
(vii) development of effective MCS;
(viii) research development;
(ix) awareness, communication and capacity building measures; and
(x) support to implement the FAO IPOA to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, the IPOA-Capacity, the IPOA-Sharks the IPOA-Seabirds and associated and other relevant FAO Best Practice Technical Guidelines.
D. International Tribunal for the Law of the Sea Trust Fund

List of offers of professional assistance pursuant to General Assembly resolution 55/7

Article 287, Part XV, of the United Nations Convention on the Law of the Sea provides that “When signing, ratifying or acceding to this Convention or at any time thereafter, a State shall be free to choose, by means of a written declaration, one or more of the following means for the settlement of disputes concerning the interpretation or application of this Convention:

(a) The International Tribunal for the Law of the Sea established in accordance with Annex VI;
(b) The International Court of Justice;
(c) An arbitral tribunal constituted in accordance with Annex VII;
(d) A special arbitral tribunal constituted in accordance with Annex VIII for one or more of the categories of disputes specified therein.”

The Secretariat of the United Nations already operates a Trust Fund for the International Court of Justice and the Permanent Court of Arbitration has established a Financial Assistance Fund. In resolution 55/7, the General Assembly stated that the burden of costs should not be a factor for States, in making the choices under article 287, in deciding whether a dispute should be submitted to the Tribunal or in deciding upon the response to an application made to the Tribunal by others. Therefore, it was decided to create a Trust Fund for the International Tribunal for the Law of the Sea.

Resolution 55/7 also requested the Secretariat to keep a list of offers of professional assistance which may be made on a reduced fee basis by suitably qualified persons or bodies.

The said list is maintained by the Secretariat and is available upon request by Member States.

It should be noted that the inclusion of any firm/entity on the list of offers of professional assistance does not, in any way, presuppose a validation of the firm/entity or its services by the United Nations.

The firm/entity shall not advertise or otherwise make public for purposes of commercial advantage or goodwill or in any other manner that the name of the firm/entity has been included on the said list, nor can, the firm/entity use the name, emblem or official logo of the United Nations, or any abbreviation of the name of the United Nations in any way whatsoever in connection with its business or otherwise, without prior written authorization from the Organization.