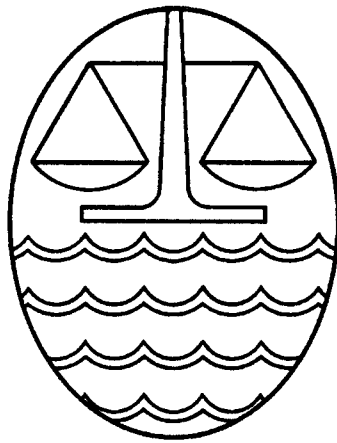


Division for Ocean Affairs and the Law of the Sea
Office of Legal Affairs

Law of the Sea



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UNITED NATIONS PUBLICATION

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I. UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

A. Status of the United Nations Convention on the Law of the Sea

1. Chronological list of ratifications, accessions and successions to the United Nations Convention on the Law of the Sea and their regional groups ^{1/}

Number	Date of ratification/ accession/succession	State/Entity	Regional group
1	10 December 1982	Fiji	Asian
2	7 March 1983	Zambia	African
3	18 March 1983	Mexico	Latin America/Caribbean
4	21 March 1983	Jamaica	Latin America/Caribbean
5	18 April 1983	Namibia	African
6	7 June 1983	Ghana	African
7	29 July 1983	Bahamas	Latin America/Caribbean
8	13 August 1983	Belize	Latin America/Caribbean
9	26 August 1983	Egypt	African
10	26 March 1984	Côte d'Ivoire	African
11	8 May 1984	Philippines	Asian
12	22 May 1984	Gambia	African
13	15 August 1984	Cuba	Latin America/Caribbean
14	25 October 1984	Senegal	African
15	23 January 1985	Sudan	African
16	27 March 1985	Saint Lucia	Latin America/Caribbean
17	16 April 1985	Togo	African
18	24 April 1985	Tunisia	African
19	30 May 1985	Bahrain	Asian
20	21 June 1985	Iceland	Western European and Other
21	16 July 1985	Mali	African
22	30 July 1985	Iraq	Asian
23	6 September 1985	Guinea	African
24	30 September 1985	United Republic of Tanzania	African

^{1/} The United Nations Convention on the Law of the Sea entered into force on 16 November 1994, in accordance with article 308 of the Convention.

Number	Date of ratification/ accession/succession	State/Entity	Regional group
25	19 November 1985	Cameroon	African
26	3 February 1986	Indonesia	Asian
27	25 April 1986	Trinidad and Tobago	Latin America/Caribbean
28	2 May 1986	Kuwait	Asian
29	5 May 1986	Yugoslavia	Eastern European
30	14 August 1986	Nigeria	African
31	25 August 1986	Guinea-Bissau	African
32	26 September 1986	Paraguay	Latin America/Caribbean
33	21 July 1987	Yemen	Asian
34	10 August 1987	Cape Verde	African
35	3 November 1987	Sao Tome and Principe	African
36	12 December 1988	Cyprus	Asian
37	22 December 1988	Brazil	Latin America/Caribbean
38	2 February 1989	Antigua and Barbuda	Latin America/Caribbean
39	17 February 1989	Zaire	African
40	2 March 1989	Kenya	African
41	24 July 1989	Somalia	African
42	17 August 1989	Oman	Asian
43	2 May 1990	Botswana	African
44	9 November 1990	Uganda	African
45	5 December 1990	Angola	African
46	25 April 1991	Grenada	Latin America/Caribbean
47	29 April 1991	Micronesia (Federated States of) ^{2/}	Asian
48	9 August 1991	Marshall Islands ^{2/}	Asian
49	16 September 1991	Seychelles	African
50	8 October 1991	Djibouti	African
51	24 October 1991	Dominica	Latin America/Caribbean

^{2/} Accession to the Convention.

Number	Date of ratification/ accession/succession	State/Entity	Regional group
52	21 September 1992	Costa Rica	Latin America/Caribbean
53	10 December 1992	Uruguay	Latin America/Caribbean
54	7 January 1993	St. Kitts and Nevis	Latin America/Caribbean
55	24 February 1993	Zimbabwe	African
56	20 May 1993	Malta	Western European and Other
57	1 October 1993	St. Vincent and the Grenadines	Latin America/Caribbean
58	5 October 1993	Honduras	Latin America/Caribbean
59	12 October 1993	Barbados	Latin America/Caribbean
60	16 November 1993	Guyana	Latin America/Caribbean
61	12 January 1994	Bosnia and Herzegovina ^{3/}	Eastern European
62	21 June 1994	Comoros	African
63	19 July 1994	Sri Lanka	Asian
64	25 July 1994	Viet Nam	Asian
65	19 August 1994	The former Yugoslav Republic of Macedonia ^{3/}	Eastern European
66	5 October 1994	Australia	Western European and Other
67	14 October 1994	Germany ^{2/}	Western European and Other
68	4 November 1994	Mauritius	African
69	17 November 1994	Singapore	Asian
70	12 December 1994	Sierra Leone	African
71	5 January 1995	Lebanon	Asian
72	13 January 1995	Italy	Western European and Other
73	15 February 1995	Cook Islands	Asia
74	5 April 1995	Croatia ^{3/}	Eastern European
75	25 April 1995	Bolivia	Latin America/Caribbean
76	16 June 1995	Slovenia ^{3/}	Eastern European

76 ratifications/accessions/successions deposited with the Secretary-General.

^{3/} Succession.

2. Alphabetical list of States parties to the United Nations Convention
on the Law of the Sea

Angola	Grenada	Sao Tome and principe
Antigua and Barbuda	Guinea	Senegal
Australia	Guinea-Bissau	Seychelles
Bahamas	Guyana	Sierra Leone
Bahrain	Honduras	Singapore
Barbados	Iceland	Slovenia
Belize	Indonesia	Somalia
Bolivia	Iraq	Sri Lanka
Bosnia and Herzegovina	Italy	Sudan
Botswana	Jamaica	The former Yugoslav Republic of Macedonia
Brazil	Kenya	Togo
Cameroon	Kuwait	Trinidad and Tobago
Cape Verde	Lebanon	Tunisia
Comoros	Mali	Uganda
Cook Islands	Malta	United Republic of Tanzania
Costa Rica	Marshall Islands	Uruguay
Côte d'Ivoire	Mauritius	Viet Nam
Croatia	Mexico	Yemen
Cuba	Micronesia (Federated States of)	Yugoslavia
Cyprus	Namibia	Zaire
Djibouti	Nigeria	Zambia
Dominica	Oman	Zimbabwe
Egypt	Paraguay	
Fiji	Philippines	
Gambia	Saint Kitts and Nevis	
Germany	Saint Lucia	
Ghana	Saint Vincent and the Grenadines	

TOTAL NUMBER OF STATES PARTIES: 76, as at 16 June 1995

3. Slovenia

Declaration made upon succession

The Republic of Slovenia does not consider itself to be bound by the declaratory statement on the basis of article 310 of the Convention given by the former Socialist Federal Republic of Yugoslavia.

On the basis of article 310 of the Convention, the Republic of Slovenia wishes to give the following declaratory statement:

"Proceeding from the right that States parties have on the basis of article 310 of the United Nations Convention on the Law of the Sea, the Republic of Slovenia considers that its Part V "Exclusive economic zone", including the provisions of article 70, "Right of geographically disadvantaged States", forms part of general customary international law."

This notification of succession is considered to have taken effect as of 25 June 1991, the date on which the Republic of Slovenia assumed responsibility for its international relations.

4. Viet Nam

Declaration made upon ratification

The Socialist Republic of Vietnam, by ratifying the 1982 United Nations Convention on the Law of the Sea, expresses its determination to join the international community in the establishment of an equitable legal order and in the promotion of maritime development and cooperation.

The National Assembly reaffirms the sovereignty of the Socialist Republic of Viet Nam over its internal waters and territorial sea, the sovereign rights and jurisdiction in the contiguous zone, the exclusive economic zone and the continental shelf of Viet Nam, based on the provisions of the Convention and principles of international law, and calls on other countries to respect the above-mentioned rights of Viet Nam.

The National Assembly reiterates Viet Nam's sovereignty over the Hoang Sa and Truong Sa archipelagoes and its position to settle those disputes relating to territorial claims as well as other disputes in the Eastern Sea through peaceful negotiations in the spirit of equality, mutual respect and understanding, and with due respect for international law, particularly the 1982 United Nations Convention on the Law of the Sea, and for the sovereign rights and jurisdiction of the coastal States over their respective continental shelves and exclusive economic zones; the concerned parties should, while exerting active efforts to promote negotiations for a fundamental and long-term solution, maintain stability on the basis of the status quo and refrain from any act that may further complicate the situation and from the use of force or threat of force.

The National Assembly emphasizes that it is necessary to [differentiate] between the settlement of the dispute over the Hoang Sa and Truong Sa archipelagoes and the defence of the continental shelf and maritime zones falling under Viet Nam's sovereignty, rights and jurisdiction, based on the principles and standards specified in the 1982 United Nations Convention on the Law of the Sea.

The National Assembly [authorizes] the National Assembly's Standing Committee and the Government to review all relevant national legislation to consider necessary amendments in conformity with the 1982 United Nations Convention on the Law of the Sea, and to safeguard the interests of Viet Nam.

The National Assembly authorizes the Government to undertake effective measures for the management and defence of the continental shelf and maritime zones of Viet Nam.

B. Status of the United Nations Convention on the Law of the Sea of 10 December 1982 and of the Agreement relating to the implementation of Part XI of the Convention, adopted by the General Assembly on 28 July 1994

1. Table presenting the status of the Convention and of the Agreement, as of 16 June 1995

State or entity ^{1/}	United Nations Convention on the Law of the Sea Date of ratification / accession (a) / succession (s)	Resolution 48/263 Vote/Co-sponsorship	Agreement relating to the implementation of Part XI of the Convention		
			Signature ^{2/}	Provisional application ^{3/} as of	Ratification; accession; (a) definitive signature; (s) participation (p)
Afghanistan *		Yes/-		16 November 1994	
Albania		Yes/-		16 November 1994	
Algeria *		Yes/-	29 July 1994 ++	16 November 1994	
Andorra		Yes/-		16 November 1994	
Angola *	5 December 1990	-/-			
Antigua and Barbuda *	2 February 1989	-/Co-sponsor			
Argentina *		Yes/Co-sponsor	29 July 1994 ++	16 November 1994	
Armenia		Yes/-		16 November 1994	

State or entity ^{1/}	United Nations Convention on the Law of the Sea Date of ratification / accession ^(a) / succession ^(s)	Resolution 48/263 Vote/Co-sponsorship	Agreement relating to the implementation of Part XI of the Convention		
			Signature ^{2/}	Provisional application ^{3/} as of	Ratification; accession; ^(a) definitive signature; ^(s) participation ^(p)
Australia *	5 October 1994	Yes/Co-sponsor	29 July 1994 +	16 November 1994	5 October 1994
Austria *		Yes/Co-sponsor	29 July 1994 +	16 November 1994	
Azerbaijan		-/-			
Bahamas *	29 July 1983	Yes/Co-sponsor	29 July 1994 #	16 November 1994	
Bahrain *	30 May 1985	Yes/-		16 November 1994	
Bangladesh *		Yes/-		16 November 1994	
Barbados *	12 October 1993	-/-	15 November 1994 #	16 November 1994	
Belarus *		Yes/-		16 November 1994	
Belgium *		Yes/Co-sponsor	29 July 1994 +	16 November 1994	
Belize *	13 August 1983	Yes/-		16 November 1994	21 October 1994 ^(s)

State or entity ^{1/}	United Nations Convention on the Law of the Sea Date of ratification / accession ^(a) / succession ^(s)	Resolution 48/263 Vote/Co-sponsorship	Agreement relating to the implementation of Part XI of the Convention		
			Signature ^{2/}	Provisional application ^{3/} as of	Ratification; accession, ^(a) definitive signature, ^(s) participation ^(p)
Benin *		Yes/Co-sponsor		16 November 1994	
Bhutan *		Yes/-		16 November 1994	
Bolivia *	28 April 1995	Yes/-		16 November 1994	28 April 1995 ^(p)
Bosnia and Herzegovina	12 January 1994 ^(s)	-/-			
Botswana *	2 May 1990	Yes/Co-sponsor		16 November 1994	
Brazil *	22 December 1988	Yes/Co-sponsor	29 July 1994 +	No	
Brunei Darussalam *		Yes/-		16 November 1994	
Bulgaria *		Yes/-		No	
Burkina Faso *		-/-	30 November 1994 + +	30 November 1994	
Burundi *		Yes/-		16 November 1994	

Agreement relating to the implementation of Part XI of the Convention				
State or entity ^{1/}	United Nations Convention on the Law of the Sea Date of ratification / accession ^(a) / succession ^(s)	Resolution 48/263 Vote/Co-sponsorship	Signature ^{2/} / Provisional application ^{3/} as of	Ratification, accession, ^(a) definitive signature, ^(s) participation ^(p)
Cambodia *		Yes/-	16 November 1994	
Cameroon *	19 November 1985	Yes/Co-sponsor	24 May 1995 +	
Canada *		Yes/-	29 July 1994 +	
Cape Verde *	10 August 1987	Yes/-	29 July 1994 +	
Central African Republic *		-/-		
Chad *		-/-		
Chile *		Yes/Co-sponsor	16 November 1994	
China *		Yes/Co-sponsor	29 July 1994 +	
Colombia *		Abst./-		
Comoros *	21 June 1994	-/-		

State or entity ^{1/}	United Nations Convention on the Law of the Sea Date of ratification / accession ^(a) / succession ^(s)	Resolution 48/263 Vote/Co-sponsorship	Agreement relating to the implementation of Part XI of the Convention		
			Signature ^{2/}	Provisional application ^{3/} as of	Ratification; accession; ^(a) definitive signature; ^(s) participation ^(p)
Congo *		Yes/-		16 November 1994	
<i>Cook Islands</i> * ^{5/}	15 February 1995			15 February 1995	15 February 1995 ^(a)
Costa Rica *	21 September 1992	-/-			
Côte d'Ivoire *	26 March 1984	Yes/-	25 November 1994 #	16 November 1994	
Croatia **	5 April 1995 ^(s)	-/-		5 April 1995	5 April 1995 ^(p)
Cuba *	15 August 1984	Yes/-		16 November 1994	
Cyprus *	12 December 1988	Yes/-	1 November 1994 #	No	
Czech Republic *		Yes/-	16 November 1994 +	16 November 1994	
Democratic People's Republic of Korea *		-/-			

State or entity ^{1/}	United Nations Convention on the Law of the Sea Date of ratification / accession ^(a) / succession ^(s)	Resolution 48/263 Vote/Co-sponsorship	Agreement relating to the implementation of Part XI of the Convention			Ratification; accession, ^(a) definitive signature, ^(s) participation ^(p)
			Signature ^{2/}	Provisional application ^{3/} as of		
Denmark *		Yes/Co-sponsor	29 July 1994 +	No		
Djibouti *	8 October 1991	-/-				
Dominica *	24 October 1991	-/-				
Dominican Republic *		-/-				
Ecuador		-/-				
Egypt *	26 August 1983	Yes/-	22 March 1995 #	16 November 1994		
El Salvador *		-/-				
Equatorial Guinea *		-/-				
Eritrea		Yes/-		16 November 1994		
Estonia		Yes/-		16 November 1994		

State or entity ^{1/}	United Nations Convention on the Law of the Sea Date of ratification / accession ^(a) / succession ^(s)	Resolution 48/263 Vote/Co-sponsorship	Agreement relating to the implementation of Part XI of the Convention		
			Signature ^{2/}	Provisional application ^{3/} as of	Ratification; accession; ^(a) definitive signature; ^(s) participation ^(p)
Ethiopia *		Yes/-		16 November 1994	
European Community *			29 July 1994 +	16 November 1994	
Fiji *	10 December 1982	Yes/Co-sponsor	29 July 1994 #	16 November 1994	
Finland *		Yes/Co-sponsor	29 July 1994 +	16 November 1994	
France *		Yes/Co-sponsor	29 July 1994 +	16 November 1994	
Gabon *		Yes/-	4 April 1995 ++	16 November 1994	
Gambia *	22 May 1984	-/-			
Georgia		-/-			
Germany	14 October 1994 ^(a)	Yes/Co-sponsor	29 July 1994 +	16 November 1994	14 October 1994
Ghana *	7 June 1983	Yes/-		16 November 1994	

State or entity ^{1/}	United Nations Convention on the Law of the Sea Date of ratification / accession ^(a) / succession ^(s)	Resolution 48/263 Vote/Co-sponsorship	Agreement relating to the implementation of Part XI of the Convention		
			Signature ^{2/}	Provisional application ^{3/} as of	Ratification; accession, ^(a) definitive signature, ^(s) participation ^(p)
Greece *		Yes/Co-sponsor	29 July 1994 +	16 November 1994	
Grenada *	25 April 1991	Yes/Co-sponsor	14 November 1994 #	16 November 1994	
Guatemala *		-/-			
Guinea *	6 September 1985	-/-	26 August 1994 #	16 November 1994	
Guinea-Bissau *	25 August 1986	-/Co-sponsor			
Guyana *	16 November 1993	Yes/Co-sponsor		16 November 1994	
Haiti *		-/-			
<i>Holy See</i> ^{5/}					
Honduras *	5 October 1993	Yes/-		16 November 1994	
Hungary *		Yes/-		16 November 1994	

State or entity ^{1/}	United Nations Convention on the Law of the Sea Date of ratification / accession ^(a) / succession ^(s)	Resolution 48/263 Vote/Co-sponsorship	Agreement relating to the implementation of Part XI of the Convention		
			Signature ^{2/}	Provisional application ^{3/} as of	Ratification; accession, ^(a) definitive signature, ^(s) participation ^(p)
Iceland *	21 June 1985	Yes/Co-sponsor	29 July 1994 #	16 November 1994	
India *		Yes/Co-sponsor	29 July 1994 +	16 November 1994	
Indonesia *	3 February 1986	Yes/Co-sponsor	29 July 1994 #	16 November 1994	
Iran (Islamic Republic of) *		Yes/-		No	
Iraq *	30 July 1985	Yes/-		16 November 1994	
Ireland *		Yes/Co-sponsor	29 July 1994 +	No	
Israel		-/-			
Italy *	13 January 1995	Yes/Co-sponsor	29 July 1994 +	16 November 1994	13 January 1995
Jamaica *	21 March 1983	Yes/Co-sponsor	29 July 1994 #	16 November 1994	
Japan *		Yes/Co-sponsor	29 July 1994 +	16 November 1994	

State or entity ^{1/}	United Nations Convention on the Law of the Sea Date of ratification / accession (a) / succession (s)	Resolution 48/263 Vote/Co-sponsorship	Agreement relating to the implementation of Part XI of the Convention		
			Signature ^{2/}	Provisional application ^{3/} as of	Ratification; accession, (a) definitive signature, (s) participation (p)
Jordan		Yes/-		No	
Kazakstan		-/-			
Kenya *	2 March 1989	Yes/Co-sponsor		16 November 1994	29 July 1994 (s)
<i>Kiribati</i> ^{5/}					
Kuwait *	2 May 1986	Yes/-		16 November 1994	
Kyrgyzstan		-/-			
Lao People's Democratic Republic *		Yes/-	27 October 1994 + +	16 November 1994	
Latvia		-/-			
Lebanon *	5 January 1995	-/-		5 January 1995	5 January 1995 (p) ^{4/}
Lesotho *		-/-			

State or entity ^{1/}	United Nations Convention on the Law of the Sea Date of ratification / accession ^(a) / succession ^(s)	Resolution 48/263 Vote/Co-sponsorship	Agreement relating to the implementation of Part XI of the Convention		
			Signature ^{2/}	Provisional application ^{3/} as of	Ratification; accession; ^(a) definitive signature; ^(s) participation ^(p)
Liberia *		-/-			
Libyan Arab Jamahiriya *		Yes/-		16 November 1994	
Liechtenstein *		Yes/-		16 November 1994	
Lithuania		-/-			
Luxembourg *		Yes/Co-sponsor	29 July 1994 ++	16 November 1994	
Madagascar *		Yes/-		16 November 1994	
Malawi *		-/-			
Malaysia *		Yes/-	2 August 1994 +	16 November 1994	
Maldives *		Yes/-	10 October 1994 ++	16 November 1994	
Mali *	16 July 1985	-/-			

		Agreement relating to the implementation of Part XI of the Convention			
State or entity ^{1/}	United Nations Convention on the Law of the Sea Date of ratification / accession ^(a) / succession ^(s)	Resolution 48/263 Vote/Co-sponsorship	Signature ^{2/}	Provisional application ^{3/} as of	Ratification; accession; ^(a) definitive signature; ^(s) participation ^(p)
Malta *	20 May 1993	Yes/Co-sponsor	29 July 1994 #	16 November 1994	
Marshall Islands	9 August 1991 ^(a)	Yes/Co-sponsor		16 November 1994	
Mauritania *		-/-	2 August 1994 +	16 November 1994	
Mauritius *	4 November 1994	Yes/-		16 November 1994	4 November 1994 ^(p) ^{4/}
Mexico *	18 March 1983	Yes/-		No	
Micronesia (Federated States of)	29 April 1991 ^(a)	Yes/Co-sponsor	10 August 1994 +	16 November 1994	
Monaco *		Yes/-	30 November 1994 +	16 November 1994	
Mongolia *		Yes/-	17 August 1994 ++	16 November 1994	
Morocco *		Yes/-	19 October 1994 ++	No	
Mozambique *		Yes/-		16 November 1994	

Agreement relating to the implementation of Part XI of the Convention					
State or entity ^{1/}	United Nations Convention on the Law of the Sea Date of ratification / accession ^(a) / succession ^(s)	Resolution 48/263 Vote/Co-sponsorship	Signature ^{2/}	Provisional application ^{3/} as of	Ratification; accession; ^(a) definitive signature; ^(s) participation ^(p)
Myanmar *		Yes/Co-sponsor		16 November 1994	
Namibia *	18 April 1983	Yes/Co-sponsor	29 July 1994 #	16 November 1994	
<i>Nauru</i> * ^{5/}					
Nepal *		Yes/-		16 November 1994	
Netherlands *		Yes/Co-sponsor	29 July 1994 +	16 November 1994	
New Zealand *		Yes/Co-sponsor	29 July 1994 ++	16 November 1994	
Nicaragua *		Abst./-			
Niger *		-/-			
Nigeria *	14 August 1986	Yes/-	25 October 1994 ^{6/}	16 November 1994	
<i>Niue</i> * ^{5/}					

Agreement relating to the implementation of Part XI of the Convention			
State or entity ^{1/}	United Nations Convention on the Law of the Sea Date of ratification / accession ^(a) / succession ^(s)	Resolution 48/263 Vote/Co-sponsorship	Signature ^{2/} Provisional application ^{3/} as of Ratification; accession; ^(a) definitive signature; ^(s) participation ^(p)
Norway *		Yes/Co-sponsor	16 November 1994
Oman *	17 August 1989	Yes/-	16 November 1994
Pakistan *		Yes/-	16 November 1994
Palau *			
Panama *		Abst./-	
Papua New Guinea *		Yes/Co-sponsor	16 November 1994
Paraguay *	26 September 1986	Yes/-	29 July 1994 # 16 November 1994
Peru		Abst./-	
Philippines *	8 May 1984	Yes/-	15 November 1994 + 16 November 1994
Poland *		Yes/-	29 July 1994 + 23 February 1995

State or entity ^{1/}	United Nations Convention on the Law of the Sea Date of ratification / accession ^(a) / succession ^(s)	Resolution 48/263 Vote/Co-sponsorship	Agreement relating to the implementation of Part XI of the Convention		
			Signature ^{2/}	Provisional application ^{3/} as of	Ratification; accession; ^(a) definitive signature; ^(s) participation ^(p)
Portugal *		Yes/Co-sponsor	29 July 1994 +	No	
Qatar *		Yes/-		16 November 1994	
Republic of Korea *		Yes/Co-sponsor	7 November 1994 ++	16 November 1994	
Republic of Moldova		Yes/-		16 November 1994	
Romania *		Yes/-		No	
Russian Federation *		Abst./-		11 January 1995 ^{7/}	
Rwanda *		-/-			
Saint Kitts and Nevis *	7 January 1993	-/-			
Saint Lucia *	27 March 1985	-/-			
Saint Vincent and the Grenadines *	1 October 1993	-/-			

State or entity ^{1/}	United Nations Convention on the Law of the Sea Date of ratification / accession ^(a) / succession ^(s)	Resolution 48/263 Vote/Co-sponsorship	Agreement relating to the implementation of Part XI of the Convention		
			Signature ^{2/}	Provisional application ^{3/} as of	Ratification; accession; ^(a) definitive signature; ^(s) participation ^(p)
Samoa *		Yes/Co-sponsor		16 November 1994	
San Marino		-/-			
Sao Tome and Principe *	3 November 1987	-/-			
Saudi Arabia *		Yes/-		No	
Senegal *	25 October 1984	Yes/Co-sponsor	9 August 1994 +	16 November 1994	
Seychelles *	16 September 1991	Yes/Co-sponsor	29 July 1994 +	16 November 1994	15 December 1994
Sierra Leone *	12 December 1994	-/-		12 December 1994	12 December 1994 ^(p) ^{4/}
Singapore *	17 November 1994	Yes/Co-sponsor		16 November 1994	17 November 1994 ^(p) ^{4/}
Slovakia *		Yes/-	14 November 1994 ++	16 November 1994	
Slovenia **	16 June 1995	Yes/-	19 January 1995 +		16 June 1995

Agreement relating to the implementation of Part XI of the Convention					
State or entity ^{1/}	United Nations Convention on the Law of the Sea Date of ratification / accession ^(a) / succession ^(s)	Resolution 48/263 Vote/Co-sponsorship	Signature ^{2/}	Provisional application ^{3/} as of	Ratification, accession, ^(a) definitive signature, ^(s) participation ^(p)
Solomon Islands *		-/Co-sponsor		8 February 1995	
Somalia *	24 July 1989	-/-			
South Africa *		Yes/-	3 October 1994 ++	16 November 1994	
Spain *		Yes/Co-sponsor	29 July 1994 +	No	
Sri Lanka *	19 July 1994	Yes/Co-sponsor	29 July 1994 ^{6/}	16 November 1994	
Sudan *	23 January 1985	Yes/-	29 July 1994 +	16 November 1994	
Suriname *		Yes/-		16 November 1994	
Swaziland *		-/-	12 October 1994 ++	16 November 1994	
Sweden *		Yes/Co-sponsor	29 July 1994 +	No	
Switzerland * ^{5/}			26 October 1994 +	16 November 1994	

State or entity ^{1/}	United Nations Convention on the Law of the Sea Date of ratification / accession ^(a) / succession ^(s)	Resolution 48/263 Vote/Co-sponsorship	Agreement relating to the implementation of Part XI of the Convention		
			Signature ^{2/}	Provisional application ^{3/} as of	Ratification; accession; ^(a) definitive signature; ^(s) participation ^(p)
Syrian Arab Republic		-/-			
Tajikistan		-/-			
Thailand *		Abst./-			
The former Yugoslav Republic of Macedonia	19 August 1994 ^(s)	-/-		16 November 1994	19 August 1994 ^(p) 4/
Togo *	16 April 1985	Yes/-	3 August 1994 #	16 November 1994	
Tonga ^{5/}					
Trinidad and Tobago *	25 April 1986	Yes/Co-sponsor	10 October 1994 #	16 November 1994	
Tunisia *	24 April 1985	Yes/-	15 May 1995 #	16 November 1994	
Turkey		-/-			
Turkmenistan		-/-			

Agreement relating to the implementation of Part XI of the Convention		United Nations Convention on the Law of the Sea Date of ratification / accession ^(a) / succession ^(s)	Resolution 48/263 Vote/Co-sponsorship	Signature ^{2/}	Provisional application ^{3/} as of	Ratification; accession; ^(a) definitive signature; ^(s) participation ^(p)
State or entity ^{1/}						
<i>Tuvalu</i> * ^{5/}						
Uganda *	9 November 1990	Yes/-	9 August 1994 #	16 November 1994		
Ukraine *		Yes/-	28 February 1995 ++	16 November 1994		
United Arab Emirates *		Yes/-		16 November 1994		
United Kingdom of Great Britain and Northern Ireland		Yes/Co-sponsor	29 July 1994 +	16 November 1994		
United Republic of Tanzania *	30 September 1985	Yes/Co-sponsor	7 October 1994 +	16 November 1994		
United States of America		Yes/Co-sponsor	29 July 1994 +	16 November 1994		
Uruguay *	10 December 1992	Yes/Co-sponsor	29 July 1994 +	No		
Uzbekistan		-/-				
Vanuatu *		Yes/Co-sponsor	29 July 1994 +	16 November 1994		

State or entity ^{1/}	United Nations Convention on the Law of the Sea Date of ratification / accession ^(a) / succession ^(s)	Resolution 48/263 Vote/Co-sponsorship	Agreement relating to the implementation of Part XI of the Convention		
			Signature ^{2/}	Provisional application ^{3/} as of	Ratification; accession; ^(a) definitive signature; ^(s) participation ^(p)
Venezuela		Abst./-			
Viet Nam *	25 July 1994	Yes/-		16 November 1994	
Yemen *	21 July 1987	-/-			
Yugoslavia *	5 May 1986	-/-	12 May 1995 #	12 May 1995	
Zaire *	17 February 1989	-/-			
Zambia *	7 March 1983	-/-	13 October 1994 #	16 November 1994	
Zimbabwe *	24 February 1993	Yes/-	28 October 1994 #	16 November 1994	

TOTALS:

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121/0/7

78 (" + " 39)
(" + + " 16)
(" # " 21)

122

15

NOTES

- 1/ * States or entities which have signed the United Nations Convention on the Law of the Sea.
** Succession to the Socialist Federal Republic of Yugoslavia in respect of the Convention with effect from 16 november 1994, date of entry into force of the Convention.
- 2/ + States or entities which have signed the Agreement with the indication "subject to ratification".
+ + States or entities which are not yet parties to the Convention and are considered as having signed the Agreement subject to ratification.
State which has deposited before the date of the adoption of the Agreement an instrument of ratification, accession or succession to the Convention and which therefore shall be considered to have established its consent to be bound by the Agreement 12 months after the date of its adoption, unless it notifies the depositary in writing before that date that it is not availing itself of the simplified procedure set out in article 5 of the Agreement.
- 3/ "No" refers to States or entities which had consented to the adoption of the Agreement or had signed it, but notified the depositary in writing that they would not apply the Agreement provisionally, in accordance with article 7, paragraph 1(a) or (b), respectively, of the Agreement.
- 4/ State bound by the Agreement by having ratified, acceded or succeeded to the Convention under article 4, paragraph 1, of the Agreement.
- 5/ Non-member State of the United Nations.
- 6/ State which has signed the Agreement and selected the application of the simplified procedure set out in article 5 of the Agreement.
- 7/ By notification in accordance with article 7, paragraph 1(c), of the Agreement.

2. Notifications in accordance with article 7 of the Agreement

(a) Notifications consenting to the provisional application

(i) **Poland**

With reference to article 7, paragraph 1(c), of the Agreement relating to the implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982, the Republic of Poland is now in the position to notify to the Secretary-General its consent to the provisional application of the Agreement.

(ii) **Russian Federation**

The Government of the Russian Federation has taken a decision regarding the provisional application of the Agreement on the implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982. Please view the present letter as an official document certifying the provisional application by Russia of the Agreement in compliance with its article 7, paragraph 1(c).

In taking this decision, the Government of the Russian Federation deemed it necessary to state the following.

According to expert opinion, industrial exploitation of deep seabed mineral resources will not start earlier than in 10 to 15 years. Therefore, the International Seabed Authority will not have a subject of real activity for a long time yet; this fact highlights especially the financial aspects of activities of the newly established organization. It is important to avoid non-productive administrative and other expenditures, to abstain from establishing as yet unnecessary structures and positions, and to strictly observe the agreements concerning the economic regime reflected in the Agreement.

The efforts aimed at rendering universal the United Nations Convention on the Law of the Sea of 1982 can, in the long run, produce a positive result only if all States act on the basis of the above-mentioned agreements without trying to seek any unilateral advantages, and if they succeed in establishing a [system of] cooperation free of discrimination and taking due account of the interests of potential investors in deep seabed mining.

(b) Notifications not consenting to the provisional application

(i) **Bulgaria**

...

In pursuance with article 7, paragraph 1(a), of the Agreement relating to the implementation of Part XI of the United Nations Convention on the Law of the Sea, the Republic of Bulgaria will temporarily apply the Agreement only after a written notification.

(ii) **Saudi Arabia**

With reference to article 7, paragraph 1(a), of the Agreement relating to the implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982, adopted by the General Assembly of the United Nations on 28 July 1994, despite the fact that the Kingdom of Saudi Arabia has voted in favour of the adoption of the Agreement, it is not in a position to implement the Agreement except after exhausting all internal procedures pertaining to the ratification of the Convention on the Law of the Sea (1982) and the signing of the Agreement.

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

A. Recent national legislation received from Governments

Russian Federation

Decree by the President of the Russian Federation on the activities of Russian natural and juridical persons in the exploration and exploitation of the mineral resources of the seabed beyond the limits of the continental shelf

[Original: Russian]

In order to provide a legal basis for the activities of Russian natural and juridical persons in the exploration and exploitation of the mineral resources of the seabed beyond the limits of the continental shelf, and to ensure protection of their interests, I resolve:

1. To designate the State geological enterprise Southern Production Association for Marine Geological Operations (Yuzhmorgeologia) as the developer of the mineral resources of the seabed sites demarcated by the lines and turning-point coordinates in accordance with the annex. The State geological enterprise Yuzhmorgeologia shall enjoy the protection of the Russian Federation in the conduct of activities for the exploration and exploitation of the mineral resources at the above-mentioned sites.
2. To establish that relations arising in connection with the use of the seabed sites referred to in paragraph 1 of the present Decree, as well as with the exploration and exploitation of the mineral resources within their limits, shall be regulated by the legislation of the Russian Federation.
3. The Government of the Russian Federation shall:
 - Within a period of three months, draw up legislative instruments regulating the activities of Russian natural and juridical persons in the exploitation of the seabed mineral resources beyond the limits of the continental shelf;
 - Consider the granting to the State geological enterprise Yuzhmorgeologia the status of a national research centre of the Russian Federation for the study and exploitation of the mineral resources of the world's oceans.
4. The present Decree shall enter into force on the date of its signature.

Annex to Decree No. 2099 by the President of the Russian Federation of 22 November 1994

Coordinates of the turning-points of the lines limiting the deep seabed areas whose mineral resources are to be explored and exploited by the Yuzhmorgeologia State geological enterprise		
Turning-points	North latitude	West longitude
1.	12°31.10'	133°30.60'
2.	12°50'	133°30.60'
3.	12°50'	134°00'
4.	13°00'	134°00'
5.	13°00'	134°35'
6.	12°00'	134°35'
7.	12°00'	134°22.648'
8.	11°30'	134°22.648'
9.	11°30'	134°45'
10.	13°30'	134°45'
11.	13°30'	133°50'
12.	13°34.805'	133°50'
13.	13°34.805'	132°00'
14.	14°40'	132°00'
15.	14°40'	131°30'
16.	14°20'	131°30'
17.	14°20'	131°10'
18.	13°45'	130°10'
19.	13°45'	130°00'
20.	13°55'	130°00'
21.	13°55'	129°10'
22.	13°58'	129°10'
23.	13°58'	128°35'
24.	14°45'	128°35'
25.	14°45'	128°12.50'

Turning-points	North latitude	West longitude
26.	14°37.50'	128°12.50'
27.	14°37.50'	128°09.13'
28.	14°15'	128°09.13'
29.	14°15'	128°05'
30.	14°00'	128°05'
31.	14°00'	128°10'
32.	13°55'	128°10'
33.	13°55'	128°15'
34.	13°34.56'	128°15'
35.	13°34.56'	128°35'
36.	13°20.20	128°35'
37.	13°20.20'	130°00'
38.	13°20'	130°00'
39.	13°20'	131°00'
40.	13°29'	131°00'
41.	13°29'	132°15'
42.	12°31.10'	132°15'
1.	12°31.10'	133°30.60'
1.	10°50'	143°00'
2.	11°40'	143°00'
3.	11°40'	142°00'
4.	11°47.375'	142°00'
5.	11°47.375'	141°37'
6.	12°00'	141°37'
7.	12°00'	141°25.172'
8.	11°25'	141°25.172'
9.	11°25'	141°55'
10.	10°50'	141°55'
1.	10°50'	143°00'

B. Protests from States and entity

Germany

1. Note verbale dated 23 December 1994 from the German Embassy in Bangkok (on behalf of the European Union) addressed to the Ministry of Foreign Affairs of Thailand

The Embassy of the Federal Republic of Germany in Bangkok presents its compliments to the Ministry of Foreign Affairs of Thailand and, on behalf of the European Union, has the honour to request its kind attention to the matter set out below.

The European Union has taken cognizance of the announcement by the Prime Minister's Cabinet on 17 August 1992 concerning Thailand's straight baselines and internal waters in area 4.^{1/}

The European Union wishes to point out that, in accordance with international law and in particular the United Nations Convention on the Law of the Sea, which entered into force on 16 November 1994, the normal baseline for measuring the breadth of the territorial sea is the low-water line along the coast, as shown by the appropriate symbol on charts officially recognized by the coastal State, and that the coastal State may employ the method of straight baselines joining appropriate points only in localities where the coastline is deeply indented and cut into or if there is a fringe of islands along the coast in its immediate vicinity.

The European Union has observed that Thailand has used straight baselines along its entire coastline in area 4, even where the coastline is not deeply indented and cut into or if there is not a fringe of islands along the coast in its immediate vicinity.

The European Union considers that, even if the United Nations Convention on the Law of the Sea does not set a maximum length for baseline segments, the segments determined by Thailand are excessively long. They are in fact 81 miles long between points 1 and 2, 98 miles long between points 2 and 3 and 60 miles between points 3 and 4.

The European Union wishes finally to point out that islands may be used for defining internal waters only where they form part of a valid system of straight baselines or where they form the line delimiting a bay.

The acceding States, namely Austria, Finland and Sweden, endorse the present démarche.

2. Note verbale dated 14 December 1994 from the German Embassy in San José (on behalf of the European Union) addressed to the Ministry of Foreign Affairs of Costa Rica

The Embassy of the Federal Republic of Germany in San José presents its compliments to the Ministry of Foreign Affairs of the Republic of Costa Rica and, on behalf of the European Union, has the honour to request its kind attention to the matter set out below.

The European Union has taken cognizance of the regulations adopted by the Republic of Costa Rica on 15 June 1993 concerning the passage of foreign fishing vessels through its territorial sea.

It has noted that, under articles 2, 7, 8, 9 and 22 of the said regulations, the Republic of Costa Rica is subjecting the entry into and passage through its territorial sea of foreign fishing vessels to prior authorization,

^{1/} Law of the Sea Bulletin No. 25, p. 82.

and that the request for such authorization must be submitted at least 24 hours before the intended date of entry into the territorial sea.

The European Union considers that these provisions are not in conformity with regulations under international law, in particular article 19 of the United Nations Convention on the Law of the Sea, which the Republic of Costa Rica ratified on 21 September 1992 and which entered into force on 16 November 1994.

The acceding States, namely Austria, Finland and Sweden, endorse the present démarche.

C. Communication from States

Spain

Letter dated 31 March 1995 from the Permanent Representative of Spain to the United Nations addressed to the Secretary-General¹

[Original: Spanish]

On instructions from my Government, I have the honour to inform you that in recent weeks situations of tension have occurred on the high seas in the north-west Atlantic between fishing vessels flying the Spanish flag and Canadian patrol boats, and that these have involved the use of force on the part of the latter.

In particular, I wish to refer to the fact that on 9 March 1995 the fishing vessel Estai, flying the Spanish flag, was arrested in international waters by Canadian patrol boats using armed force. Both the fishing boat and the crew were taken to the port of St. John's, where they were detained until their subsequent release on bail. It should be emphasized that when paying the bail, the owner of the detained vessel made an explicit statement of non-recognition of the jurisdiction of the Canadian courts.

Subsequent to these incidents, various acts of harassment by Canadian patrol boats of Spanish fishing vessels operating on the high seas have taken place, including a serious incident on 26 March in which the nets of the Spanish fishing vessel Pescamar 1 were deliberately cut by a Canadian patrol boat.

These actions, which constitute a flagrant violation by Canada of international law and of the Charter of the United Nations, have caused serious harm to Spanish citizens and in some cases have endangered their lives and physical integrity, a situation to which the Spanish Government has reacted by immediately making the relevant protests through the diplomatic channel, while fully reserving its rights and its claim to the corresponding compensation for the damage and injury sustained.

As an additional means of defending its nationals, the Spanish Government has decided to send two units of the Spanish Navy to the area where the incidents took place to protect Spanish vessels engaging in their activities under the protection of the principle of freedom of the high seas and in conformity with the applicable regulations established by the competent international organizations.

In addition, as part of the Spanish Government's firm intention to resolve international disputes by peaceful means in accordance with the provisions of the Charter of the United Nations, on 28 March 1995 Spain filed the relevant complaint against Canada with the International Court of Justice, seeking its ruling and the restoration of the rights violated.

¹ A/50/98-S/1995/252.

D. Bilateral treaties

1. Treaty between the Federal Republic of Germany and the Republic of Poland on the confirmation of the frontier between them, 14 November 1990

The Federal Republic of Germany and the Republic of Poland,

Endeavouring to establish their mutual, future-oriented relations in accordance with international law, in particular the Charter of the United Nations and the Final Act of the Conference on Security and Cooperation in Europe, signed at Helsinki, and documents of subsequent meetings of the Conference,

Resolved to contribute jointly to the establishment of a European peace order in which frontiers will no longer divide and which will guarantee all European nations coexistence based on confidence and all-round cooperation for the good of all, as well as lasting peace, freedom and stability,

Deeply convinced that the unification of Germany as a State with definite frontiers is a significant contribution to the peace order in Europe,

Bearing in mind the Treaty on the Final Settlement with regard to Germany signed on 12 September 1990,

Mindful of the fact that 45 years have passed since the end of the Second World War, and conscious that the great suffering caused by that war, including also the loss by many Germans and Poles of their native land as a result of expulsion or resettlement, are a warning and a challenge for the establishment of peaceful relations between the two peoples and States,

Desiring to create lasting foundations for friendly coexistence through the development of their relations, and continuing the policy of lasting understanding and reconciliation between Germans and Poles,

Have agreed as follows:

Article 1

The Contracting Parties reaffirm the frontier between them, whose course is defined in the Agreement between the Polish Republic and the German Democratic Republic concerning the demarcation of the established and existing Polish-German State frontier of 6 July 1950 and agreements concluded with a view to implementing and supplementing the Agreement (Instrument confirming the demarcation of the State frontier between Poland and Germany of 27 January 1951; Agreement between the Polish People's Republic and the German Democratic Republic regarding the delimitation of the sea areas in the Oder Bay of 22 May 1989), as well as the Agreement between the Polish People's Republic and the Federal Republic of Germany concerning the basis for normalization of their mutual relations of 7 December 1970.

Article 2

The Contracting Parties declare that the frontier between them is inviolable now and in future and mutually pledge to respect unconditionally their sovereignty and territorial integrity.

Article 3

The Contracting Parties declare that they have no territorial claims against each other and they shall not put forward such claims in future.

Article 4

1. This Treaty is subject to ratification; the exchange of the instruments of ratification shall take place as soon as possible at Bonn.
2. This Treaty shall enter into force on the date on which the instruments of ratification are exchanged.

IN WITNESS WHEREOF the representatives of the Contracting Parties have signed this Treaty and have thereto affixed their seals.

DONE at Warsaw on 14 November 1990 in duplicate, each in the German and Polish languages, both texts being equally authentic.

2. Agreement between the European Union and Canada on Fisheries (Greenland halibut), 16 April 1995

Agreed Minute

The European Community and Canada have agreed as follows:

A. Control and enforcement

1. The European Community and Canada, in recognition of their commitment to enhanced cooperation in the conservation and rational management of fish stocks, and the pivotal role of control and enforcement in ensuring such conservation, agree that the proposals set out in annex I shall constitute the basis for a submission to be jointly prepared and made to the North West Atlantic Fisheries Organization (NAFO) Fisheries Commission, for its consideration and approval, to establish a Protocol to strengthen the NAFO Conservation and Enforcement Measures.
2. The European Community and Canada shall implement immediately on a provisional basis the control and enforcement measures contained in points II.1, II.2, II.3, II.4, II.7, II.8, II.9 (the proposed list of infringements and subparagraphs (i), (iii) and (v) only), II.10 and II.11 of annex I. In respect of point II.11.A, the Parties shall deploy observers on the vessels not later than fifteen days following the signature of the Agreed Minute. Regarding point II.11, the satellite tracking devices on 35 per cent of the vessels shall be installed as rapidly as realistically possible when the vessels concerned make a port call or depart for fishing in the NAFO Regulatory Area.
3. The European Community and Canada commit themselves to seeking on an urgent basis the support of other NAFO Contracting Parties for the adoption of, and subsequent adherence to, the said Protocol in advance of special meetings of the NAFO Standing Committee on International Control (STACTIC) starting in April 1995 and of the NAFO Fisheries Commission to be convened as early as possible thereafter in May 1995 at the request of the European Community and Canada. The Protocol shall enter into force on the signature of a majority of NAFO Contracting Parties in the form agreed to. The European Community and Canada are convinced that by September 1995 a majority of the NAFO Contracting Parties will have subscribed to the measures. The European Community and Canada shall make great efforts to obtain the signature to the Protocol of the other NAFO Contracting Parties.
4. Canada shall submit to the NAFO Executive Secretary, in advance of each annual NAFO meeting, a report on the conservation and enforcement measures in effect in its 200-mile zone for NAFO-managed stocks. The report shall deal with the range of matters dealt with in the NAFO Conservation and Enforcement Measures.

5. The European Community and Canada shall cooperate to improve conservation and enforcement measures. Towards this end, Canada shall invite experts from the European Commission to exchange information and to brief them on Canadian conservation and enforcement measures in effect in the Canadian 200-mile zone for NAFO-managed stocks.

6. Under the Pilot Project for Observers and Satellite Tracking described in annex I, observers will act under the authority of the European Commission for the European Community and the Government of Canada for Canada, and will be placed on vessels as soon as possible in accordance with the provisions set out under point 2 above. Except in the case of force majeure, vessels without an observer will not be allowed to continue fishing in the NAFO Regulatory Area beyond the period referred to in point 2 above. The European Community and Canada will both monitor on a regular basis the effectiveness and efficiency of the observer scheme as part of the evaluation of the said Pilot Project.

B. Total allowable catch and catch limits

In the light of their mutual interest in conservation, the European Community and Canada reaffirm their commitment to the level of 27,000 tonnes as the total allowable catch of Greenland halibut for 1995 in NAFO sub-areas 2 and 3. Bearing this in mind, and in the light of the particular circumstances associated with the management of the Greenland halibut resource in the NAFO Convention Area, the European Community and Canada agree to the management arrangements for Greenland halibut as set out in annex II.

C. Other related issues

1. Canada shall repeal the provisions of the Regulation of 3 March 1995 pursuant to the Coastal Fisheries Protection Act which subjected vessels from Spain and Portugal to certain provisions of the Act and prohibited these vessels from fishing for Greenland halibut in the NAFO Regulatory Area.

For the European Community, any reinsertion by Canada of vessels from any European Community member State into its legislation which subjects vessels on the high seas to Canadian jurisdiction will be considered as a breach of this Agreed Minute.

2. For Canada, any systematic and sustained failure of the European Community to control its fishing vessels in the NAFO Regulatory Area which clearly has resulted in violations of a serious nature of NAFO conservation and enforcement measures may be considered as a breach of this Agreed Minute. The European Community and Canada shall consult before taking any action on the foregoing.

D. General provisions

1. The European Community and Canada maintain their respective positions on the conformity of the amendment of 25 May 1994 to Canada's Coastal Fisheries Protection Act, and subsequent regulations, with customary international law and the NAFO Convention. Nothing in this Agreed Minute shall prejudice any multilateral convention to which the European Community and Canada, or any State member of the European Community and Canada, are parties, or their ability to preserve and defend their rights in conformity with international law, and the views of either Party with respect to any question relating to the Law of the Sea.

2. Any limitation to the NAFO Regulatory Area or any parts thereof of the measures referred to in this Agreed Minute shall not be deemed to affect or prejudice the position of the European Community with regard to the status of the areas within which coastal States exercise their fisheries jurisdiction.

E. Implementation

The provisions of this Agreed Minute, with its annexes as an integral part of it, shall be provisionally implemented by the European Community and Canada upon signature, pending its final approval through an exchange of notes.

This Agreed Minute shall cease to apply on 31 December 1995 or when the measures described in this Agreed Minute are adopted by NAFO, if this is earlier.

ANNEX I

Proposal for improving fisheries control and enforcement

I. Basis for conservation and enforcement strategy

The strategy underlying this proposal comprises the following elements:

- (a) Simplification and strengthening of existing rules, making them more enforceable;
- (b) Establishment and enforcement of minimum fish sizes compatible with meshes in use in order to minimize discarding;
- (c) Encouragement of the practice of selective fisheries, with minimal by-catch;
- (d) Improvement of hail system;
- (e) Increased inspection on fishing grounds and on landings;
- (f) Increased transparency;
- (g) Pilot project for observers and satellite tracking system;
- (h) A system for immediate response to alleged major infringements;
- (i) Reporting rules;
- (j) Use of legal process;
- (k) Penalties;
- (l) Effort control.

Any proposals to be adopted by NAFO shall take into account cost/benefit analysis and existing legal systems of Contracting Parties, including the principles of non-discrimination, proportionality and the right of appeal by fishermen.

II. Proposals to amend the NAFO Conservation and Enforcement Measures

II.1. Inspections

Inspections of vessels shall be carried out in a non-discriminatory way. The number of inspections shall be based upon fleet size, taking also into account their compliance records.

Contracting Parties shall ensure that their inspectorates take special care to avoid damage to the cargo or the gear being inspected. Interference with fishing activities and normal activities on board shall be minimized. Crews and vessels operating in conformity with the NAFO Conservation and Enforcement Measures shall not be harassed. Inspections shall only aim to ascertain that NAFO rules are respected and shall not unduly hinder the activities of specific vessels, while at the same time not limiting the capability of NAFO inspectors to carry out their mandate.

II.2. Transmission of information from inspections

Any information on suspected illegal practices and any evidence of apparent infringements shall be transmitted swiftly to the inspection authorities of the Contracting Party of the vessel and to the NAFO Executive Secretary.

II.3. Increase of the inspection presence

Each Contracting Party having 10 or more vessels operating in the NAFO Regulatory Area (NRA) shall deploy at least one inspection vessel. Contracting Parties with fewer than 10 vessels shall cooperate in the deployment of inspection vessels.

Every Contracting Party shall have at least one inspector present in the NAFO Convention Area (NCA) when vessels of that Contracting Party are operating in the NRA.

II.4. Improved hail system

A system of reporting of catch on board upon entry into and exit from the NRA will be associated with the hail system currently in practice.

Vessels with a satellite-based system of position reporting shall not be required to hail but shall submit catch reports to the NAFO Executive Secretary. Contracting Parties remain responsible for transmitting the hail information to the NAFO Executive Secretary. Contracting Parties whose vessels are so equipped shall notify the NAFO Executive Secretary of the names of such vessels.

II.5. Additional enforcement measures

In order to improve conservation and rationalize enforcement, the next STACTIC meeting will study the issues of the protection of juvenile fish and the by-catch of regulated species and will make recommendations thereon to the next NAFO Fisheries Commission meeting.

In particular, the following issues shall be addressed:

- The addition of Greenland halibut to the list of species subject to a minimum fish size, with a length of (X) cm;
- The applicability of current discard rules in the NRA;

- The development of special rules for fish products, e.g., processed length equivalents;
- The problem of on-board production of fish meal and similar products;
- Further measures to protect juvenile fish, e.g., area/seasonal closures;
- Amendments to incidental by-catch limit measures so that where an "others" quota or an individual Contracting Party quota has been taken or, on a case-by-case basis, a directed fishery has been prohibited, the incidental by-catch for that stock is not retained on board.

II.6. Mesh size

The derogation of 120 mm when using polyamide-type fibres shall be phased out in a period to be fixed by the Fisheries Commission.

II.7. Dockside inspection

Each Contracting Party shall ensure that all vessels engaged in fishing in the NRA for stocks subject to NAFO Conservation and Enforcement Measures undergo a dockside inspection at each port call. Results of these inspections shall be provided to other Contracting Parties on request. Results of these inspections shall also be cross-checked with log books and results reported to the NAFO Executive Secretary on an annual basis.

Annual checks shall be made of the fish holds in order to certify the correctness of the fish hold plans.

II.8. Effort plans and catch reporting

For 1995, each Contracting Party shall inform the NAFO Executive Secretary of the fishing plan for the Greenland halibut fishery in the NRA and shall, at the end of the year, report on its implementation. If this system proves useful, it shall be extended to other fisheries.

II.9. Major infringements

NAFO should establish a class of major infringements, to include:

- (a) Refusal to cooperate with an inspector or an observer;
 - (b) Misreporting of catches;
 - (c) Mesh size violations;
 - (d) Hail system violations;
 - (e) Interference with the satellite tracking system.
- (i) If a NAFO inspector cites a vessel for having committed, to a serious extent, a major apparent infringement, the Contracting Party of this vessel shall ensure that the vessel concerned is inspected by a duly authorized inspector of that Contracting Party within 48 hours. In order to preserve the evidence, the NAFO inspector shall take all necessary measures to ensure security and continuity of the evidence, including, as appropriate, scaling the vessel's hold, and may remain on board the vessel until the duly authorized inspector arrives.

- (ii) Where justified, the inspector of the Contracting Party of the vessel concerned shall, where duly authorized to do so, require the vessel to proceed immediately to a nearby port, chosen by the master, which should be either St. Pierre, St. John's, the Azores or the home port of the vessel, for a thorough inspection under the authority of the flag State and in the presence of a NAFO inspector from any other Contracting Party that wishes to participate. If the vessel is not called to port, the Contracting Party must provide due justification to the NAFO Executive Secretary in a timely manner.
- (iii) Where a NAFO inspector cites a vessel for having committed a major apparent infringement, the inspector shall immediately report this to the NAFO Executive Secretary, who shall in turn immediately report, for information purposes, to the other NAFO Contracting Parties with an inspection vessel in the NCA.
- (iv) Where a vessel is required to proceed to port for a thorough inspection pursuant to subparagraph (ii) above, a NAFO inspector from another Contracting Party may, subject to the consent of the Contracting Party of the vessel, board the vessel as it is proceeding to port, may remain on board the vessel as it proceeds to port and may be present during the inspection of the vessel in port.
- (v) If an apparent infringement of the NAFO Conservation and Enforcement Measures has been detected which in the view of the duly authorized inspector is sufficiently serious, the inspector shall take all necessary measures to ensure security and continuity of the evidence including, as appropriate, sealing the vessel's hold for eventual dockside inspection.

II.10. Follow-up on apparent infringements

There shall be a transparent and effective legal process to follow up apparent infringements using all necessary evidence available from all sources, including evidence from other Contracting Parties as required for effective prosecution. The Parties shall make a semi-annual report to the NAFO Executive Secretary on the status of legal proceedings on a case-by-case basis, in sufficient detail for transparency, subject to domestic law, particularly, when convictions are imposed, regarding level of fines, value of forfeited fish and/or gear, and including an explanation if no action is taken.

The penalties provided in legislation shall be such as to provide an effective deterrent. Such penalties may include refusal, suspension or withdrawal of the authorization to fish in the NRA.

II.11. Pilot project for observers and satellite tracking

In order to improve compliance with NAFO Conservation and Enforcement Measures for their vessels fishing under the NAFO Convention, the Contracting Parties agree to implement a Pilot Project to provide for properly trained and qualified observers on all vessels fishing in the NRA and satellite-tracking devices on 35 per cent of their respective vessels fishing in the NRA. Contracting Parties shall take all necessary measures to ensure that observers are able to carry out their duties and that the master and crew of the Contracting Party vessels extend all necessary cooperation to observers. Contracting Parties shall provide to the NAFO Executive Secretary lists of the observers they will be placing on vessels in the NRA.

A. Observers

1. Each Contracting Party shall require its vessels operating under the NAFO Convention to accept observers on the basis of the following:
 - (a) Each Contracting Party shall have the primary responsibility to obtain, for placement on its vessels, independent and impartial observers;

- (b) In cases where a Contracting Party has not placed an observer on a vessel, any other Contracting Party may, subject to the consent of the Contracting Party of the vessel, place an observer on board until that Contracting Party provides a replacement in accordance with subparagraph (a);
 - (c) No vessel shall be required to carry more than one observer pursuant to this Pilot Project at any time.
2. Observers shall monitor a vessel's compliance with the relevant NAFO Conservation and Enforcement Measures. In particular the observers shall:
- (a) Record and report upon the fishing activities of the vessel and shall verify the position of the vessel when engaged in fishing;
 - (b) Observe and estimate catches taken with a view to identifying catch composition and monitor discarding, by-catches and the taking of undersized species;
 - (c) Record the gear, mesh sizes and attachments employed by the master;
 - (d) Verify entries made to the logbooks (species composition and quantities, round and processed weight, and hail reports).
3. Observers shall collect catch and effort data on a set-by-set basis. These data shall include location (latitude/longitude), depth, time of net on the bottom, catch composition and discards.
4. Observers shall carry out such scientific work, for example, collecting samples, as requested by the Fisheries Commission based on the advice of the Scientific Council.
5. In the case where the observer is deployed on a vessel equipped with devices for automatic remote position recording facilities, the observer shall monitor the functioning of, and report upon any interference with, the satellite system. In order better to distinguish fishing operations from steaming and to contribute to an a posteriori calibration of the signals registered by the receiving station, the observer shall maintain detailed reports on the daily activity of the vessel.
6. When an apparent infringement is identified by an observer, the observer shall, within 24 hours, report it both to an NAFO inspection vessel, using an established code, and to the NAFO Executive Secretary.
7. Within 30 days following completion of an observer's assignment on a vessel, the observer shall provide a report to the Contracting Party of the vessel and to the NAFO Executive Secretary, who shall make it available to any Contracting Party that requests it.
8. Subject to any other arrangements between the Parties, the salary of an observer shall be covered by the sending Contracting Party. The vessel on which an observer is placed shall provide suitable food and lodging during his deployment.
- B. Satellite tracking**
1. Contracting Parties agree that 35 per cent of their respective vessels fishing in the NRA shall be equipped with an autonomous system able to transmit automatically satellite signals to a land-based receiving station permitting a continuous tracking of the position of the vessel by the Contracting Party of the vessel. Contracting Parties shall endeavour to test several systems of satellite tracking.

2. Contracting Parties whose vessels fish a minimum of 300 days in the NRA are subject to satellite-based position monitoring.¹
3. Each Contracting Party shall install at least one receiving station associated to the satellite tracking system.
4. Each Contracting Party shall transmit, on a real-time basis, entry and exit messages for its vessels equipped with satellite devices to the NAFO Executive Secretary, who in turn shall transmit such information to Contracting Parties with an inspection vessel in the NCA. Contracting Parties shall cooperate with other Contracting Parties which have an NAFO inspection vessel or aircraft in the NCA in order to exchange information on a real-time basis on the geographical distribution of fishing vessels equipped with satellite devices and, on specific request, information related to the identification of a vessel.
5. Subject to any other arrangements between Contracting Parties, each Contracting Party shall pay all costs associated with the satellite tracking system.

C. Analysis

1. Each Contracting Party shall prepare a report on the results of the Pilot Project from the perspective of efficiency and effectiveness, including:
 - (a) Overall effectiveness of the Project in improving compliance with NAFO Conservation and Enforcement Measures;
 - (b) The effectiveness of the different components of the Project;
 - (c) Costs associated with observers and satellite tracking;
 - (d) A summary of observers' reports, specifying type and number of observed infractions or important events;
 - (e) Estimations of fishing effort from observers as compared to initial estimation by satellite monitoring;
 - (f) Analysis of the efficiency in terms of cost/benefit, the latter being expressed in terms of compliance with rules and volume of data received for fisheries management.
2. The reports shall be submitted to the NAFO Executive Secretary in time for their consideration at the NAFO Annual Meeting of September 1997 and, based on these reports, the Parties agree to establish a permanent scheme that will ensure that the degree of control and enforcement in the NRA provided by the Project, as indicated above, is maintained.

¹ Canada will, in any case, apply the scheme on its vessels fishing in the NRA.

ANNEX II

Quotas for Greenland halibut

I. NAFO decisions for 1995

The European Community and Canada will jointly propose to NAFO for 1995:

(a) The total allowable catch (TAC) for 2+3 Greenland halibut shall be divided as follows:

- | | |
|-----------------------------|---------------|
| - 2+3K (Canadian 200 miles) | 7,000 tonnes |
| - 3LMNO | 20,000 tonnes |

(b) The 7,000t allocation for 2+3K (within Canadian 200 miles) for Greenland halibut shall be allocated to Canada.

II. Voluntary arrangements for 1995

(a) Canada's catches by its vessels for Greenland halibut will not exceed 10,000 tonnes, subject to any more stringent conservation decisions that Canada may take in the light of further scientific advice.

(b) The European Community's further catches by its vessels for Greenland halibut will not exceed 5,013 tonnes from 16 April 1995.

(c) The European Community and Canada will not permit their vessels to fish for species covered by the NAFO Convention in the NAFO Regulatory Area beyond the fifteen-day period referred to under point A.2 of the Agreed Minute until the improved fisheries control and enforcement measures set out therein are being implemented.

Beyond agreed catch limits, no by-catches of Greenland halibut shall be retained on board.

III. 1996 and thereafter

The European Community and Canada will jointly propose to NAFO for 1996 and thereafter:

(a) NAFO will manage Greenland halibut in 3LMNO. The allocations will be in the ratio of 10:3 for the European Community and Canada (aside from allocations to other Contracting Parties).

(b) On the basis of NAFO Scientific Council advice, Canada will manage Greenland halibut in Canadian waters in 2+3K.

(c) The NAFO Scientific Council will provide scientific advice on Greenland halibut for units 0+1, 2+3K and 3LMNO.

III. OTHER INFORMATION

International Court of Justice

1. Maritime delimitation and territorial questions between Qatar and Bahrain (Qatar v. Bahrain)¹

THE HAGUE, 15 February (ICJ) - The International Court of Justice today announced that it had jurisdiction to adjudicate upon a dispute concerning maritime delimitation and territorial questions between Qatar and Bahrain and found that the application of Qatar on that matter, submitted to it on 30 November 1994, was admissible.

The 10 judges who voted in favour of the judgment were Judges Bedjaoui, Jennings, Guillaume, Aguilar Mawdsley, Weeramantry, Ranjeva, Herczegh, Shi, Fleischhauer and Judge ad hoc Torres Bernardez. The five who voted against were Judges Schwebel, Oda, Shahabuddeen, Koroma and Judge ad hoc Valticos, all of whom appended dissenting opinions to the judgment.

As described in the summary provided by the Court's Registry, in general the judgment concerned two issues: whether, because of previous agreements reached between the parties, the Court had jurisdiction over the dispute; and whether the dispute could be submitted to the Court by one of the parties, or if it must be submitted by both parties, as part of an agreement. The Court found that, as the result of exchanges of letters of December 1987 and the document headed "Minutes" and signed at Doha on 25 December 1990, the parties had undertaken to submit to it the whole of the dispute. The Court also noted that, at Doha, the parties had determined the subject-matter of the dispute, described in what is called the "Bahraini formula", and that, in the Court's interpretation, the Minutes allowed unilateral application to the Court by one or the other party. Since Qatar, in its application of 30 November, had accurately described the subject of the dispute, the Court concluded that the application of Qatar was admissible and it was now seized with the whole of the dispute.

In the summary of the dissenting opinions, it is pointed out that Bahrain has consistently maintained that its consent to the Court's jurisdiction, if granted at all, was conditional upon reaching a special agreement with Qatar to submit all their disputed matters to the Court and seize the Court jointly or together. In one dissenting opinion, for example, the Doha Minutes are described as "quintessentially unclear" and it is pointed out that, as a condition for signing the Minutes, Bahrain had required that the text be altered to exclude application to the Court by "either party" in favour of "the two parties". Another dissenting opinion states that neither the 1987 exchanges of letters nor the 1990 Doha Minutes fell within the category of "treaties and conventions in force" and that there was nothing in the present Judgment to show that the submission of Qatar on 30 November in fact comprised "the whole of the dispute". In general, the five dissenting opinions were of the view that there was neither full agreement of the parties on the subject-matter of the dispute, nor an act by which the two parties submitted the whole of the dispute to the Court.

A summary of the judgment, also prepared by the Court's Registry, describes in some detail the history of the case and submissions. It states that on 8 July 1991, Qatar filed an application instituting proceedings against Bahrain relating to sovereignty over the Hawar Islands, sovereign rights over the shoals of Dibal and Qit'at Jaradah, and the delimitation of the maritime areas of the two States. In its application, Qatar founded the jurisdiction of the Court upon two agreements between the parties: an exchange of letters between the King of Saudi Arabia and the Amir of Qatar dated 19 and 21 December 1987, and between the King of Saudi Arabia and the Amir of Bahrain dated 19 and 26 December 1987; and the document headed "Minutes" and signed at Doha on 25 December 1990 by Bahrain, Qatar and Saudi Arabia, which contains the "Bahraini formula". The formula determines the subject and scope of the commitment to jurisdiction. Bahrain contested the basis of jurisdiction invoked by Qatar.

¹ Press release ICJ/536 of 16 February 1995.

In a judgment issued on 1 July 1994, the Court found that those documents were international agreements creating rights and obligations for the parties and by which they had undertaken to submit to the Court "the whole of the dispute between them, as circumscribed by the Bahraini formula". The Court noted that it had before it only an application from Qatar and decided to afford the parties the opportunity to submit to it the whole of the dispute. It fixed 30 November 1994 as a time-limit within which the parties were "jointly or separately" to take action to that end.

On 30 November 1994, the Court received from the Agent of Qatar a document referring to "the absence of an agreement between the parties to act jointly" and declaring that he was thus submitting to the Court "the whole of the dispute". The document also enumerated the following subjects which, in Qatar's view, fell within the Court's jurisdiction: the Hawar Islands, including the island of Janan; Fasht al Dibal and Qit'at Jaradah; the archipelagic baselines; Zubarah; the areas for fishing for pearls and for fishing for swimming fish and any other matters connected with maritime boundaries. Further, it stated that it was understood by Qatar that Bahrain defined its claim concerning Zubarah as a claim of sovereignty. Qatar also requested the Court to adjudge and declare that Bahrain had no sovereignty or other territorial right over the island of Janan or over Zubarah, and that any claim by Bahrain concerning archipelagic baselines and areas for fishing for pearls and swimming fish would be irrelevant for the purpose of maritime delimitation in the present case.

On the same date, the Court received from the Agent of Bahrain a document stating that Bahrain had understood the 1 July 1994 judgment as confirming that the submission to the Court of "the whole of the dispute" must be "consensual in character, that is, a matter of agreement between the parties". Yet, Qatar's proposals had taken a form that could only be understood as a continuation of its original unilateral application of 1991. Further, Qatar had denied Bahrain the right to describe, in its own words, the matters it wished to place in issue and had opposed Bahrain's right to include in the list of matters in dispute the item of sovereignty over Zubarah.

On 5 December 1994, Bahrain submitted observations on Qatar's document of 30 November, in which it stated that the judgment of 1 July 1994 had not declared the Court had jurisdiction by virtue of a unilateral application and, consequently, if the Court did not have jurisdiction at that time, Qatar's separate submission of 30 November, even when considered in the light of the judgment, "cannot create that jurisdiction or effect a valid submission in the absence of Bahrain's consent".

In its decision, the Court, drawing on language contained in the Doha Minutes and the letters of 1987, accepted Qatar's contention that the parties clearly and unconditionally conferred upon the Court jurisdiction to deal with the disputed matters between them. Qatar and Bahrain had agreed on the formation of a Tripartite Committee for the purpose of approaching the Court. Bahrain maintained that the texts referred to by the Court expressed only the parties' consent in principle to seizure by the Court, but that such consent was clearly subject to the conclusion of a special agreement marking the end of the work of the Committee.

The Court, however, concluded that the work of that Committee was directed solely to considering the procedures to be followed to implement the commitment and stated that it could not find in the 1987 letters the conditions described by Bahrain. Rather, the Court stated, the Committee's function was to assist the parties in approaching the Court and it later ceased to function, without opposition from the parties. When the parties later signed the Doha Minutes without asking that the Committee be re-established, the Court considered that meant the parties still accepted the commitment to submit to the Court all the disputed matters, to the exclusion of the formation of the Committee.

As to the disagreement on whether the Doha Minutes authorized a unilateral application, considerable attention was given to the expression in the Minutes "al-tarafan", which in Qatar's interpretation means "the parties" and Bahrain believes means "the two parties". According to the Court, what had to be determined was whether the expression had an alternative or a cumulative meaning; in the first case, the text would leave each of the parties with the option of acting unilaterally, and in the second it would imply that the question be submitted to the Court by both parties acting in concert, either jointly or separately.

Thus, the Court had to analyse the meaning and scope of the sentence in the Doha Minutes which read: "Once that period has elapsed, the [two parties] may submit the matter to the International Court of Justice in accordance with the Bahraini formula, which has been accepted by Qatar, and with the procedures consequent on it." That period refers to a mediation effort by Saudi Arabia that was to extend until 1 May 1991. The Court decided the text could only assume its full meaning if it was taken to be aimed, for the purpose of accelerating the dispute settlement process, at opening the way to a possible unilateral application to the Court in the event that the mediation of Saudi Arabia had failed. For the Court, the 1990 Minutes were intended to advance settlement of the dispute by giving effect to the formal commitment of the parties to refer it to the Court. Thus, confining the Minutes to opening up the possibility of joint action, which not only had always existed, but had proved to be ineffective, would do the opposite. Furthermore, the Court states that it could not have been the purpose of the Minutes to delay the resolution of the dispute or make it more difficult. From that standpoint, the right of unilateral application was the necessary complement to the suspension of mediation.

Finally, to Bahrain's contention that the reference to the Bahraini formula in the Minutes ruled out unilateral application, since the formula was originally intended to be incorporated into the text of a special agreement, the Court notes that the essence of the formula was to circumscribe the dispute with which the Court would have to deal, while leaving it to each of the parties to represent its own claims within the framework thus fixed. Given the failure to negotiate a special agreement, the Court took the view that the only procedural implication of the Bahraini formula on which the parties could have reached agreement in Doha was the possibility that each of them might submit distinct claims to the Court.

(To order the complete text of the judgment, which will become available in due course, entitled Case concerning Maritime Delimitation and Territorial Questions between Qatar and Bahrain (Qatar v. Bahrain): Judgment on Jurisdiction and Admissibility, contact Distribution and Sales Section, Office of the United Nations, 1211 Geneva 10; or Sales Section, United Nations, New York, N.Y. 10017.)

2. Fisheries jurisdiction case (Spain v. Canada) ¹

THE HAGUE, 29 March (ICJ) - Spain instituted proceedings against Canada in the International Court of Justice yesterday, 28 March, with respect to a dispute relating to the amended Canadian Coastal Fisheries Protection Act, as well as to certain measures taken on the basis of that legislation, particularly the boarding on the high seas on 9 March of the fishing boat Estai, which was sailing under the Spanish flag.

The application instituting proceedings indicates that by the amended Act "an attempt was made to impose on all persons on board foreign ships, a broad prohibition on fishing in the North-West Atlantic Fisheries Organization Regulatory Area, that is, on the high seas outside Canada's exclusive economic zone"; that the Act expressly permits the use of force against foreign fishing boats (article 8) in the zones that are unambiguously termed the "high seas"; that the rules of application of the Act provide, in particular, for "the use of force by fishery protection vessels against the foreign fishing boats covered by those rules ... which infringe their mandates in the zone of the high seas within the scope of those rules"; and that the rules of application expressly permit such conduct as regards Spanish and Portuguese ships on the high seas.

¹ Press release ICJ/537 of 29 March 1995.

The application of Spain alleges the violation of various principles and norms of international law and states that there is a dispute between Spain and Canada which, going beyond the framework of fishing, seriously affects the very principle of the freedom of the high seas and, moreover, implies a very serious infringement of the sovereign rights of Spain.

As a basis of the Court's jurisdiction, Spain refers to the declarations of Spain and Canada made in accordance with Article 36, paragraph 2, of the Statute of the Court. In that regard, the application specifies that "the exclusion of the jurisdiction of the Court in relation to disputes which may arise from management and conservation measures taken by Canada with respect to vessels fishing in the North-West Atlantic Fisheries Organization Regulatory Area and the enforcement of such measures (Declaration of Canada, para. 2(d), introduced as recently as 10 May 1994, or two days prior to the amendment of the Coastal Fisheries Protection Act), does not even partially affect the present dispute.

Indeed, the application of Spain does not refer exactly to the disputes concerning those measures, but rather to their origin, and to the Canadian legislation which constitutes their frame of reference. Spain "directly attacks the title invoked to justify the Canadian measures and their acts of enforcement, a piece of legislation which, going a great deal further than the mere management and conservation of fishery resources, is in itself an internationally wrongful act of Canada, as it is contrary to the fundamental principles and norms of international law; a piece of legislation which for that reason does not fall exclusively within the jurisdiction of Canada either, according to its own Declaration". Moreover, it is only from 3 March that an attempt has been made to extend that legislation, in a discriminatory manner, to ships flying the flags of Spain and Portugal, which has led to the serious breaches of international law, the application says.

While expressly reserving the right to modify and extend the terms of its application, as well as the grounds invoked, and the right to request the appropriate provisional measures, Spain has requested these measures:

- That the Court find that the legislation of Canada, in so far as it claims to exercise a jurisdiction over ships flying a foreign flag on the high seas outside the exclusive economic zone of Canada, is "not opposable" to Spain;
- That the Court adjudge and declare that Canada is bound to refrain from any repetition of the reported acts, and to offer to Spain the repartition that is due, in the form of an indemnity of which the amount must cover all the damages and injuries sustained;
- That, consequently, the Court declare also that the boarding on the high seas on 9 March of the ship Estai flying the flag of Spain, and the measures of coercion and the exercise of jurisdiction over that ship and its captain, constitute a concrete violation of the principles and norms of international law.