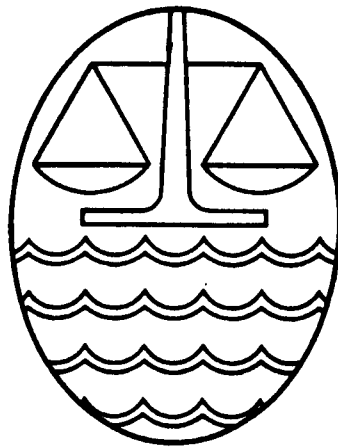


Division for Ocean Affairs and the Law of the Sea  
Office of Legal Affairs

# *Law of the Sea*



*Bulletin No. 32*



United Nations  
New York, 1996

## **NOTE**

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## CONTENTS

	<u>Page</u>
<b>I. UNITED NATIONS CONVENTION ON THE LAW OF THE SEA</b> . . . . .	<b>1</b>
<b>A. Status of the United Nations Convention on the Law of the Sea</b> . . . . .	<b>1</b>
1. Chronological list of ratifications, accessions and successions to the Convention and their regional groups, as at 15 September 1996 . . . . .	<b>1</b>
2. Alphabetical list of States Parties to the Convention, as at 15 September 1996 . . . . .	<b>6</b>
3. Czech Republic: Declaration made upon ratification . . . . .	<b>7</b>
4. Finland: Declaration made upon ratification . . . . .	<b>7</b>
5. Ireland: Declaration made upon ratification . . . . .	<b>7</b>
6. Netherlands: Declaration made upon ratification . . . . .	<b>8</b>
7. Norway: Declaration made upon ratification . . . . .	<b>10</b>
8. Panama: Statement made upon ratification . . . . .	<b>11</b>
9. Sweden: Declaration made upon ratification . . . . .	<b>11</b>
<b>B. Status of the Agreement relating to the implementation of Part XI of the Convention,        adopted by the General Assembly on 28 July 1994</b> . . . . .	<b>12</b>
1. Alphabetical list of States Parties to the Agreement, as at 15 September 1996 . . . . .	<b>12</b>
2. Notifications in accordance with section 1, paragraph 12(a), of the Annex to the Agreement . . . . .	<b>14</b>
3. Table recapitulating the status of the Convention and of the Agreement, as at 15 September 1996 . . . . .	<b>15</b>
<b>C. Status of the Agreement for the implementation of the provisions of the Convention        relating to the conservation and management of straddling fish stocks and highly        migratory fish stocks, adopted by the United Nations Conference on Straddling Fish        Stocks and Highly Migratory Fish Stocks on 4 August 1995</b> . . . . .	<b>24</b>
1. Alphabetical list of States signatories to the Agreement, as at 15 September 1996 . . . . .	<b>24</b>
2. European Community: Declaration concerning the competence of the European Community with regard to matters governed by the Agreement . . . . .	<b>26</b>
3. Table recapitulating the status of the Agreement, as at 15 September 1996 . . . . .	<b>29</b>

CONTENTS (continued)

	<u>Page</u>
<b>II. LEGAL INFORMATION RELEVANT TO THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA</b> .....	37
<b>A. Recent national legislation</b> .....	37
1. China: Declaration of the Government of the People's Republic of China on the baselines of the territorial sea, 15 May 1996 .....	37
2. Jamaica: The Exclusive Economic Zone Act (Baselines) regulations, 12 October 1992 ..	41
3. Russian Federation: Federal Law on the Continental Shelf of the Russian Federation, adopted by the State Duma on 25 October 1995 .....	43
4. South Africa: Maritime Zones Act, No. 15 of 1994 .....	75
<b>B. Communications from States</b> .....	88
1. Kuwait: Statement on the Act promulgated by the Islamic Republic of Iran on 27 May 1993 concerning the delimitation of its marine areas .....	88
2. Philippines: Statement of the Department of Foreign Affairs on the ratification by China of the United Nations Convention on the Law of the Sea .....	88
3. Qatar: Note verbale outlining the position of Qatar with regard to the promulgation by the Islamic Republic of Iran of the Act entitled "Act on the Marine Areas of the Islamic Republic of Iran in the Persian Gulf and the Sea of Oman", 1993 .....	89
4. Saudi Arabia: Protest to the law of the Islamic Republic of Iran entitled "Act on the Marine Areas of the Islamic Republic of Iran in the Persian Gulf and the Sea of Oman", 1993 .....	90
5. United Arab Emirates: Objections to certain provisions of the Islamic Republic of Iran's Act on the Marine Areas of 1993 .....	91
6. Viet Nam: Objections to the statement of 15 May 1996 made by the Government of the People's Republic of China on the baselines from which the breadth of China's territorial sea is measured .....	91
7. Yemen: Protest against the publication by the Eritrean Government of a map showing oil exploitation zones in the Red Sea that include areas subject to Yemeni sovereignty .....	92

CONTENTS (continued)

	<u>Page</u>
C. Bilateral treaties . . . . .	93
1. Agreement on principles of a peaceful settlement of the dispute between Eritrea and Yemen, Paris, 21 May 1996 . . . . .	93
2. Maritime Boundary Agreement between the Government of the State of Israel and the Government of the Hashemite Kingdom of Jordan, 18 January 1996 . . . . .	97
III. OTHER INFORMATION . . . . .	99
A. Election of Members of the International Tribunal for the Law of the Sea . . . . .	99
B. Settlement of disputes mechanisms: Choice of procedure by States Parties under article 287 of the Convention . . . . .	101





I. UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

A. Status of the United Nations Convention on the Law of the Sea<sup>1/</sup>

1. Chronological list of ratifications, accessions and successions to the Convention and their regional groups, as at 15 September 1996

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

<sup>1/</sup> The Convention entered into force on 16 November 1994, in accordance with its article 308.

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) <sup>2/</sup>	Asian
48	9 August 1991	Marshall Islands <sup>2/</sup>	Asian
49	16 September 1991	Seychelles	African
50	8 October 1991	Djibouti	African
51	24 October 1991	Dominica	Latin America/Caribbean

<sup>2/</sup> 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	Saint 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	Saint 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 <sup>3/</sup>	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 <sup>3/</sup>	Eastern European
66	5 October 1994	Australia	Western European and Other
67	14 October 1994	Germany <sup>2/</sup>	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 <sup>3/</sup>	Eastern European
75	25 April 1995	Bolivia	Latin America/Caribbean
76	16 June 1995	Slovenia <sup>3/</sup>	Eastern European
77	29 June 1995	India	Asian

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<sup>3/</sup> Succession.

Number	Date of ratification/ accession/succession	State/Entity	Regional group
78	14 July 1995	Austria	Western European and Other
79	21 July 1995	Greece	Western European and Other
80	2 August 1995	Tonga <sup>2/</sup>	Asian
81	14 August 1995	Samoa	Asian
82	27 November 1995	Jordan <sup>2/</sup>	Asian
83	1 December 1995	Argentina	Latin America/Caribbean
84	23 January 1996	Nauru	Asian
85	29 January 1996	Republic of Korea	Asian
86	20 March 1996	Monaco	Western European and Other
87	21 March 1996	Georgia <sup>2/</sup>	Eastern European
88	11 April 1996	France	Western European and Other
89	24 April 1996	Saudi Arabia	Asian
90	8 May 1996	Slovakia	Eastern European
91	15 May 1996	Bulgaria	Eastern European
92	21 May 1996	Myanmar	Asian
93	7 June 1996	China	Asian
94	11 June 1996	Algeria	African
95	20 June 1996	Japan	Asian
96	21 June 1996	Ireland	Western European and Others
97	21 June 1996	Finland	Western European and Others
98	21 June 1996	Czech Republic	Eastern European
99	24 June 1996	Norway	Western European and Others
100	25 June 1996	Sweden	Western European and Others
101	28 June 1996	Netherlands	Western European and Others
102	1 July 1996	Panama	Latin America/Caribbean
103	17 July 1996	Mauritania	African
104	19 July 1996	New Zealand	Western European and Others

Number	Date of ratification/ accession/succession	State/Entity	Regional group
105	31 July 1996	Haiti	Latin America/Caribbean
106	13 August 1996	Mongolia	Asian

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

2. Alphabetical list of States Parties to the Convention, as at 15 September 1996

Algeria	Grenada	Paraguay
Angola	Guinea	Philippines
Antigua and Barbuda	Guinea-Bissau	Republic of Korea
Argentina	Guyana	Saint Kitts and Nevis
Australia	Haiti	Saint Lucia
Austria	Honduras	Saint Vincent and the Grenadines
Bahamas	Iceland	Samoa
Bahrain	India	Sao Tome and Principe
Barbados	Indonesia	Saudi Arabia
Belize	Iraq	Senegal
Bolivia	Ireland	Seychelles
Bosnia and Herzegovina	Italy	Sierra Leone
Botswana	Jamaica	Singapore
Brazil	Japan	Slovakia
Bulgaria	Jordan	Slovenia
Cameroon	Kenya	Somalia
Cape Verde	Kuwait	Sri Lanka
China	Lebanon	Sudan
Comoros	Mali	Sweden
Cook Islands	Malta	The former Yugoslav Republic of Macedonia
Costa Rica	Marshall Islands	Togo
Côte d'Ivoire	Mauritania	Tonga
Croatia	Mauritius	Trinidad and Tobago
Cuba	Mexico	Tunisia
Cyprus	Micronesia (Federated States of)	Uganda
Czech Republic	Monaco	United Republic of Tanzania
Djibouti	Mongolia	Uruguay
Dominica	Myanmar	Viet Nam
Egypt	Namibia	Yemen
Fiji	Nauru	Yugoslavia
Finland	Netherlands	Zaire
France	New Zealand	Zambia
Gambia	Nigeria	Zimbabwe
Germany	Norway	
Georgia	Oman	
Ghana	Panama	
Greece		

### 3. Czech Republic

#### Declaration made upon ratification

The Government of the Czech Republic, having considered the declaration of the Federal Republic of Germany of 14 October 1994, pertaining to the interpretation of the provisions of Part X of the United Nations Convention on the Law of the Sea, which deals with the right of access of land-locked States to and from the sea and freedom of transit, states that the above-mentioned declaration of the Federal Republic of Germany cannot be interpreted with regard to the Czech Republic in contradiction with the provisions of Part X of the Convention.

### 4. Finland

#### Declaration made upon ratification

1. As declared upon signature, it is the understanding of Finland that the exception from the transit passage regime in straits provided for in article 35 (c) of the Convention is applicable to the strait between Finland (the Åland islands) and Sweden. Since in that strait the passage is regulated in part by a long-standing international convention in force, the present legal regime in that strait will remain unchanged after the entry into force of the Convention.

2. In accordance with article 287 of the Convention, Finland chooses the International Court of Justice and the International Tribunal for the Law of the Sea as means for the settlement of disputes concerning the interpretation or application of the Convention as well as of the Agreement relating to the implementation of its Part XI.

3. Finland recalls that, as a State member of the European Community, it has transferred competence to the Community in respect of certain matters governed by the Convention. A detailed declaration on the nature and extent of the competence transferred to the European Community will be made in due course in accordance with the provisions of Annex IX of the Convention.

### 5. Ireland

#### Declaration made upon ratification

Ireland recalls that, as a State member of the European Community, it has transferred competence to the Community in regard to certain matters which are governed by the Convention. A detailed declaration on the nature and extent of the competence transferred to the European Community will be made in due course in accordance with the provisions of Annex IX of the Convention.

6. Netherlands

Declaration made upon ratification

A. DECLARATION IN RESPECT OF ARTICLE 287 OF THE CONVENTION

The Kingdom of the Netherlands hereby declares that, having regard to article 287 of the Convention, it accepts the jurisdiction of the International Court of Justice in the settlement of disputes concerning the interpretation and application of the Convention with States Parties to the Convention which have likewise accepted the said jurisdiction.

B. OBJECTIONS

The Kingdom of the Netherlands objects to any declaration or statement excluding or modifying the legal effect of the provisions of the United Nations Convention on the Law of the Sea.

This is particularly the case with regard to the following matters:

I. Innocent passage in the territorial sea

The Convention permits innocent passage in the territorial sea for all ships, including foreign warships, nuclear-powered ships and ships carrying nuclear or hazardous waste, without any prior consent or notification, and with due observance of special precautionary measures established for such ships by international agreements.

II. Exclusive economic zone

1. **Passage through the exclusive economic zone**

Nothing in the Convention restricts the freedom of navigation of nuclear-powered ships or ships carrying nuclear or hazardous waste in the exclusive economic zone, provided such navigation is in accordance with the applicable rules of international law. In particular, the Convention does not authorize the coastal State to make the navigation of such ships in the exclusive economic zone dependent on prior consent or notification.

2. **Military exercises in the exclusive economic zone**

The Convention does not authorize the coastal State to prohibit military exercises in its exclusive economic zone. The rights of the coastal State in its exclusive economic zone are listed in article 56 of the Convention, and no such authority is given to the coastal State. In the exclusive economic zone all States enjoy the freedoms of navigation and overflight, subject to the relevant provisions of the Convention.

3. **Installations in the exclusive economic zone**

The coastal State enjoys the right to authorize, operate and use installations and structures in the exclusive economic zone for economic purposes. Jurisdiction over the establishment and use of installations and structures is limited to the rules contained in article 56 paragraph 1, and is subject to the obligations contained in article 56 paragraph 2, article 58 and article 60 of the Convention.



#### **4. Residual rights**

The coastal State does not enjoy residual rights in the exclusive economic zone. The rights of the coastal state in its exclusive economic zone are listed in article 56 of the Convention, and cannot be extended unilaterally.

#### **III. Passage through straits**

Routes and sea lanes through straits shall be established in accordance with the rules provided for in the Convention. Considerations with respect to domestic security and public order shall not affect navigation in straits used for international navigation. The application of other international instruments to straits is subject to the relevant articles of the Convention.

#### **IV. Archipelagic States**

The application of Part IV of the Convention is limited to a State constituted wholly by one or more archipelagos, and may include other islands. Claims to archipelagic status in contravention of article 46 are not acceptable.

The status of archipelagic State, and the rights and obligations deriving from such status, can only be invoked under the conditions of Part IV of the Convention.

#### **V. Fisheries**

The Convention confers no jurisdiction on the coastal State with respect to the exploitation, conservation and management of living marine resources other than sedentary species beyond the exclusive economic zone.

The Kingdom of the Netherlands considers that the conservation and management of straddling fish stocks and highly migratory species should, in accordance with articles 63 and 64 of the Convention, take place on the basis of international cooperation in appropriate subregional and regional organizations.

#### **VI. Underwater cultural heritage**

Jurisdiction over objects of an archaeological and historical nature found at sea is limited to articles 149 and 303 of the Convention.

The Kingdom of the Netherlands does however consider that there may be a need to further develop, in international cooperation, the international law on the protection of the underwater cultural heritage.

#### **VII. Baselines and delimitation**

A claim that the drawing of baselines or the delimitation of maritime zones is in accordance with the Convention will only be acceptable if such lines and zones have been established in accordance with the Convention.

#### **VIII. National legislation**

As a general rule of international law, as stated in articles 27 and 46 of the Vienna Convention on the Law of Treaties, States may not rely on national legislation as a justification for a failure to implement the Convention.

**IX. Territorial claims**

Ratification by the Kingdom of the Netherlands does not imply recognition or acceptance of any territorial claim made by a State Party to the Convention.

**X. Article 301**

Article 301 must be interpreted, in accordance with the Charter of the United Nations, as applying to the territory and the territorial sea of a coastal State.

**XI. General declaration**

The Kingdom of the Netherlands reserves its right to make further declarations relative to the Convention and to the Agreement, in response to future declarations and statements.

**C. DECLARATION IN ACCORDANCE WITH ANNEX IX OF THE CONVENTION**

Upon depositing its instrument of ratification the Kingdom of the Netherlands recalls that, as a State member of the European Community, it has transferred competence to the Community with respect to certain matters governed by the Convention. A detailed declaration on the nature and extent of the competence transferred to the European Community will be made in due course in accordance with the provisions in Annex IX of the Convention.

**7. Norway**

**Declaration made upon ratification**

**Declaration pursuant to article 310 of the Convention**

According to article 309 of the Convention, no reservations or exceptions other than those expressly permitted by its provisions may be made. A declaration pursuant to its article 310 cannot have the effect of an exception or reservation for the State making it. Consequently, the Government of the Kingdom of Norway declares that it does not consider itself bound by declarations pursuant to article 310 of the Convention that are or will be made by other States or international organizations. Passivity with respect to such declarations shall be interpreted neither as acceptance nor rejection of such declarations. The Government reserves Norway's right at any time to take a position on such declarations in the manner deemed appropriate.

**Declaration pursuant to article 287 of the Convention**

The Government of the Kingdom of Norway declares pursuant to article 287 of the Convention that it chooses the International Court of Justice for the settlement of disputes concerning the interpretation or application of the Convention.

**Declaration pursuant to article 298 of the Convention**

The Government of the Kingdom of Norway declares pursuant to article 298 of the Convention that it does not accept an arbitral tribunal constituted in accordance with Annex VII for any of the categories of disputes mentioned in article 298.

## 8. Panama

### Statement made upon ratification

The Republic of Panama, in depositing its instrument of ratification of the United Nations Convention on the Law of the Sea (adopted by Law No. 38 of 4 June 1996 and promulgated in Official Journal No. 23.056 of 12 June 1996), declares that it has exclusive sovereignty over the "historic Panamanian bay" of the Golfo de Panamá, a well-marked geographic configuration the coasts of which belong entirely to the Republic of Panama. It is a large indentation or inlet to the south of the Panamanian isthmus, where sea waters superjacent to the seabed and subsoil cover the area between latitudes 7° 28' 00" North and 7° 31' 00" North and longitudes 79° 59' 53" and 78° 11' 40", both west of Greenwich, these being the positions of Punta Mala and Punta Jaqué, respectively, west and east of the entrance of the Golfo de Panamá. This large indentation penetrates fairly deep into the Panamanian isthmus. The width of its entrance, from Punta Mala to Punta de Jaqué, is some 200 kilometres and it penetrates inland a distance of 165 kilometres (measured from the imaginary line joining Punta Mala and Punta Jaqué to the mouths of the Rio Chico east of Panama City).

Given its present and potential resources, the historic bay of the Golfo de Panamá is a vital necessity for the Republic of Panama, in terms of both security and defence (this has been the case since time immemorial) and in economic terms, as its marine resources have been utilized since ancient times by the inhabitants of the Panamanian isthmus.

It is oblong in shape, with a coastal outline that roughly resembled a calf's head, and its coastal perimeter, which measures some 668 kilometres, is under the maritime control of Panama. According to this delimitation, the historic bay of the Golfo de Panamá has an area of approximately 30,000 square kilometres.

The Republic of Panama declares that, in the exercise of its sovereign and territorial rights and in compliance with its duties, it will act in a manner compatible with the provisions of the Convention and reserves the right to issue further statements on the Convention if necessary.

## 9. Sweden

### Declaration made upon ratification

It is the understanding of the Government of the Kingdom of Sweden that the exception from the transit passage regime in straits provided for in article 35 (c) of the Convention is applicable to the strait between Sweden and Denmark (Oresund), as well as to the strait between Sweden and Finland (the Aland islands). Since in both those straits the passage is regulated in whole or in part by long-standing international conventions in force, the present legal regime in the two straits will remain unchanged.

The Government of the Kingdom of Sweden hereby chooses, in accordance with article 287 of the Convention, the International Court of Justice for the settlement of disputes concerning the interpretation or application of the Convention and the Agreement relating to the implementation of Part XI of the Convention.

The Kingdom of Sweden recalls that, as a member of the European Community, it has transferred competence in respect of certain matters governed by the Convention. A detailed declaration on the nature and extent of the competence transferred to the European Community will be made in due course in accordance with the provisions of Annex IX of the Convention.

**B. Status of the Agreement relating to the implementation of Part XI of the Convention, adopted by the General Assembly on 28 July 1994**

**1. Alphabetical list of States Parties to the Agreement, as at 15 September 1996** <sup>1/</sup>

Algeria	Ireland
Argentina	Italy
Australia	Jamaica
Austria	Japan
Bahamas	Jordan
Barbados	Kenya
Belize	Lebanon
Bolivia	Malta
Bulgaria	Mauritania
China	Mauritius
Cook Islands	Micronesia (Federated States of)
Côte d'Ivoire	Monaco
Croatia	Mongolia
Cyprus	Myanmar
Czech Republic	Namibia
Fiji	Nauru
Finland	Netherlands
France	New Zealand
Georgia	Nigeria
Germany	Norway
Greece	Panama
Grenada	Paraguay
Guinea	Republic of Korea
Haiti	Samoa
Iceland	Saudi Arabia
India	Senegal

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<sup>1/</sup> The Agreement entered into force on 28 July 1996, in accordance with its article 6.

Seychelles	Togo
Sierra Leone	Tonga
Singapore	Trinidad and Tobago
Slovakia	Uganda
Slovenia	Yugoslavia
Sri Lanka	Zambia
Sweden	Zimbabwe
The former Yugoslav Republic of Macedonia	

Total number of States Parties to the Agreement, as at 15 September 1996: 67

2. Notifications in accordance with section 1, paragraph 12(a), of the Annex to the Agreement <sup>2/</sup>

1. The Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 entered into force on 28 July 1996, in accordance with article 6, and, at the same time, in accordance with article 7, paragraph 3, the provisional application of the Agreement was terminated on that date. The States and entity not parties to the Convention which have been participating in the meetings of the Authority on a provisional basis were able under section 1, paragraph 12(a), of the Annex to the Agreement to continue their provisional membership of the Authority by notifying the depositary (the Secretary-General of the United Nations) in writing of their intention to do so.

2. The following States and entity notified the depositary of their intention to continue as provisional member of the International Seabed Authority:

Bangladesh	Poland
Belgium	Russian Federation
Cambodia	South Africa
Canada	Suriname
Chile	Switzerland
Gabon	Ukraine
Luxembourg	United Kingdom of Great Britain and Northern Ireland
Malaysia	United States of America
Nepal	European Community
New Zealand	

3. Paragraph 12(a) also provides that such membership should terminate either on 16 November 1996 or upon the entry into force of the Agreement and the Convention for each such member, whichever is earlier. Furthermore, it empowered the Council to extend, upon the request of the State or entity concerned, such membership beyond 16 November 1996 for a further period or periods not exceeding a total of two years provided that the Council is satisfied that the State or entity concerned has been making efforts in good faith to become a party to the Agreement and the Convention.

4. At the resumed second session of the International Seabed Authority, held at Kingston, Jamaica, from 5 to 16 August 1996, the Council of the Authority approved requests for the extension of membership on a provisional basis of the following States: Canada (until 16 November 1997) and Bangladesh, Nepal, Poland and United States of America (until 16 November 1998). With regard to the extension of provisional membership beyond 16 November 1996 for the other 13 States and one entity which had applied the Agreement provisionally before its entry into force, in accordance with article 7 (1) of the Agreement, and which had subsequently notified the depositary of their intention to continue the provisional membership, the Council decided that those States or entities which submit requests for an extension of membership beyond 16 November 1996 prior to the next session of the Council should be deemed to be members of the Authority on a provisional basis until the end of the next session of the Council, at which the Council will deliberate on such requests.

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<sup>2/</sup> Other notifications in relation to the provisional application of the Agreement are reproduced in the Law of the Sea Bulletin Nos. 28 and 29 (1995).

3. Table recapitulating the status of the Convention and of the Agreement, as at 15 September 1996

State or entity <sup>1/</sup>	United Nations Convention on the Law of the Sea  Date of ratification / accession <sup>(a)</sup> / succession <sup>(a)</sup>	Agreement relating to the implementation of Part XI of the Convention		
		Signature	Ratification; accession; <sup>(a)</sup> definitive signature; <sup>(b)</sup> participation; <sup>(b)</sup>	Notification of continuation of provisional membership in the Authority <sup>2/</sup>
Afghanistan *				
Albania				
Algeria *	11 June 1996	29 July 1994	11 June 1996 <sup>(p)(3)</sup>	
Andorra				
Angola *	5 December 1990			
Antigua and Barbuda *	2 February 1989			
Argentina *	1 December 1995	29 July 1994	1 December 1995	
Armenia				
Australia *	5 October 1994	29 July 1994	5 October 1994	
Austria *	14 July 1995	29 July 1994	14 July 1995	
Azerbaijan				
Bahamas *	29 July 1983	29 July 1994	28 July 1995 <sup>4/</sup>	
Bahrain *	30 May 1985			
Bangladesh *				28 July 1996 <sup>5/</sup>
Barbados *	12 October 1993	15 November 1994	28 July 1995 <sup>4/</sup>	
Belarus *				
Belgium *		29 July 1994		16 July 1996
Belize *	13 August 1983		21 October 1994 <sup>(a)</sup>	
Benin *				
Bhutan *				
Bolivia *	28 April 1995		28 April 1995 <sup>(p)(3)</sup>	
Bosnia and Herzegovina	12 January 1994 <sup>(a)</sup>			
Botswana *	2 May 1990			

State or entity <sup>1/</sup>	United Nations Convention on the Law of the Sea  Date of ratification / accession <sup>(a)</sup> / succession <sup>(a)</sup>	Agreement relating to the implementation of Part XI of the Convention		
		Signature	Ratification; accession; <sup>(a)</sup> definitive signature; <sup>(a)</sup> participation; <sup>(p)</sup>	Notification of continuation of provisional membership in the Authority <sup>2/</sup>
Brazil *	22 December 1988	29 July 1994		
Brunei Darussalam *				
Bulgaria *	15 May 1996		15 May 1996 <sup>(a)</sup>	
Burkina Faso *		30 November 1994		
Burundi *				
Cambodia *				28 July 1996
Cameroon *	19 November 1985	24 May 1995		
Canada *		29 July 1994		17 July 1996 <sup>5/</sup>
Cape Verde *	10 August 1987	29 July 1994		
Central African Republic *				
Chad *				
Chile *				23 July 1996
China *	7 June 1996	29 July 1994	7 June 1996 <sup>(p)(2/)</sup>	
Colombia *				
Comoros *	21 June 1994			
Congo *				
<i>Cook Islands</i> * <sup>6/</sup>	15 February 1995		15 February 1995 <sup>(a)</sup>	
Costa Rica *	21 September 1992			
Côte d'Ivoire *	26 March 1984	25 November 1994	28 July 1995 <sup>4/</sup>	
Croatia	5 April 1995 <sup>(a)</sup>		5 April 1995 <sup>(p)(2/)</sup>	
Cuba *	15 August 1984			
Cyprus *	12 December 1988	1 November 1994	27 July 1995	
Czech Republic *	21 June 1996	16 November 1994	21 June 1996	
Democratic People's Republic of Korea *				



State or entity <sup>1)</sup>	United Nations Convention on the Law of the Sea  Date of ratification / accession <sup>(a)</sup> / succession <sup>(a)</sup>	Agreement relating to the implementation of Part XI of the Convention		
		Signature	Ratification; accession; <sup>(a)</sup> definitive signature; <sup>(a)</sup> participation; <sup>(b)</sup>	Notification of continuation of provisional membership in the Authority <sup>2)</sup>
Denmark *		29 July 1994		
Djibouti *	8 October 1991			
Dominica *	24 October 1991			
Dominican Republic *				
Ecuador				
Egypt *	26 August 1983	22 March 1995		
El Salvador *				
Equatorial Guinea *				
Eritrea				
Estonia				
Ethiopia *				
<i>European Community</i> *		29 July 1994		28 July 1996
Fiji *	10 December 1982	29 July 1994	28 July 1995	
Finland *	21 June 1996	29 July 1994	21 June 1996	
France *	11 April 1996	29 July 1994	11 April 1996	
Gabon *		4 April 1995		17 July 1996
Gambia *	22 May 1984			
Georgia	21 March 1996 <sup>(a)</sup>		21 March 1996 <sup>(a)(3)</sup>	
Germany	14 October 1994 <sup>(a)</sup>	29 July 1994	14 October 1994	
Ghana *	7 June 1983			
Greece *	21 July 1995	29 July 1994	21 July 1995	
Grenada *	25 April 1991	14 November 1994	28 July 1995 <sup>(4)</sup>	
Guatemala *				
Guinea *	6 September 1985	26 August 1994	28 July 1995 <sup>(4)</sup>	
Guinea-Bissau *	25 August 1986			

State or entity <sup>1/</sup>	United Nations Convention on the Law of the Sea  Date of ratification / accession <sup>(a)</sup> / succession <sup>(a)</sup>	Agreement relating to the implementation of Part XI of the Convention		
		Signature	Ratification; accession; <sup>(a)</sup> definitive signature; <sup>(a)</sup> participation; <sup>(a)</sup>	Notification of continuation of provisional membership in the Authority <sup>2/</sup>
Guyana *	16 November 1993			
Haiti *	31 July 1996		31 July 1996 <sup>(a)(3)</sup>	
<i>Holy See</i> <sup>(b)</sup>				
Honduras *	5 October 1993			
Hungary *				
Iceland *	21 June 1985	29 July 1994	28 July 1995 <sup>(a)</sup>	
India *	29 June 1995	29 July 1994	29 June 1995	
Indonesia *	3 February 1986	29 July 1994		
Iran (Islamic Republic of) *				
Iraq *	30 July 1985			
Ireland *	21 June 1996	29 July 1994	21 June 1996	
Israel				
Italy *	13 January 1995	29 July 1994	13 January 1995	
Jamaica *	21 March 1983	29 July 1994	28 July 1995 <sup>(a)</sup>	
Japan *	20 June 1996	29 July 1994	20 June 1996	
Jordan	27 November 1995 <sup>(a)</sup>		27 November 1995 <sup>(a)(3)</sup>	
Kazakstan				
Kenya *	2 March 1989		29 July 1994 <sup>(a)</sup>	
<i>Kiribati</i> <sup>(b)</sup>				
Kuwait *	2 May 1986			
Kyrgyzstan				
Lao People's Democratic Republic *		27 October 1994		
Latvia				
Lebanon *	5 January 1995		5 January 1995 <sup>(a)(3)</sup>	

State or entity <sup>1/</sup>	United Nations Convention on the Law of the Sea  Date of ratification / accession <sup>(a)</sup> / succession <sup>(a)</sup>	Agreement relating to the implementation of Part XI of the Convention		
		Signature	Ratification; accession; <sup>(a)</sup> definitive signature; <sup>(a)</sup> participation; <sup>(b)</sup>	Notification of continuation of provisional membership in the Authority <sup>2/</sup>
Lesotho *				
Liberia *				
Libyan Arab Jamahiriya *				
Liechtenstein *				
Lithuania				
Luxembourg *		29 July 1994		23 July 1996
Madagascar *				
Malawi *				
Malaysia *		2 August 1994		25 July 1996
Maldives *		10 October 1994		
Mali *	16 July 1985			
Malta *	20 May 1993	29 July 1994	26 June 1996	
Marshall Islands	9 August 1991 <sup>(a)</sup>			
Mauritania *	17 July 1996	2 August 1994	17 July 1996 <sup>(p)(3)</sup>	
Mauritius *	4 November 1994		4 November 1994 <sup>(p)(3)</sup>	
Mexico *	18 March 1983			
Micronesia (Federated States of)	29 April 1991 <sup>(a)</sup>	10 August 1994	6 September 1995	
Monaco *	20 March 1996	30 November 1994	20 March 1996 <sup>(p)(3)</sup>	
Mongolia *	13 August 1996	17 August 1994	13 August 1996 <sup>(p)(3)</sup>	
Morocco *		19 October 1994		
Mozambique *				
Myanmar *	21 May 1996		21 May 1996 <sup>(a)</sup>	
Namibia *	18 April 1983	29 July 1994	28 July 1995 <sup>4/</sup>	
Nauru * <sup>5/</sup>	23 January 1996		23 January 1996 <sup>(p)(3)</sup>	

State or entity <sup>1/</sup>	United Nations Convention on the Law of the Sea  Date of ratification / accession <sup>(a)</sup> / succession <sup>(a)</sup>	Agreement relating to the implementation of Part XI of the Convention		
		Signature	Ratification; accession; <sup>(a)</sup> definitive signature; <sup>(a)</sup> participation; <sup>(p)</sup>	Notification of continuation of provisional membership in the Authority <sup>2/</sup>
Nepal *				24 July 1996 <sup>5/</sup>
Netherlands *	28 June 1996	29 July 1994	28 June 1996	
New Zealand *	19 July 1996	29 July 1994	19 July 1996	24 July 1996
Nicaragua *				
Niger *				
Nigeria *	14 August 1986	25 October 1994	28 July 1995 <sup>4/</sup>	
Niue * <sup>2/</sup>				
Norway *	24 June 1996		24 June 1996 <sup>(a)</sup>	
Oman *	17 August 1989			
Pakistan *		10 August 1994		
Palau *				
Panama *	1 July 1996		1 July 1996 <sup>(p)(3)</sup>	
Papua New Guinea *				
Paraguay *	26 September 1986	29 July 1994	10 July 1995	
Peru				
Philippines *	8 May 1984	15 November 1994		
Poland *		29 July 1994		28 July 1996 <sup>5/</sup>
Portugal *		29 July 1994		
Qatar *				
Republic of Korea *	29 January 1996	7 November 1994	29 January 1996	
Republic of Moldova				
Romania *				
Russian Federation *				22 July 1996
Rwanda *				
Saint Kitts and Nevis *	7 January 1993			

State or entity <sup>1/</sup>	United Nations Convention on the Law of the Sea  Date of ratification / accession <sup>(a)</sup> / succession <sup>(a)</sup>	Agreement relating to the implementation of Part XI of the Convention		
		Signature	Ratification; accession; <sup>(a)</sup> definitive signature; <sup>(a)</sup> participation; <sup>(a)</sup>	Notification of continuation of provisional membership in the Authority <sup>2/</sup>
Saint Lucia *	27 March 1985			
Saint Vincent and the Grenadines *	1 October 1993			
Samoa *	14 August 1995	7 July 1995	14 August 1995 <sup>(a)(3)</sup>	
San Marino				
Sao Tome and Principe *	3 November 1987			
Saudi Arabia *	24 April 1996		24 April 1996 <sup>(a)(3)</sup>	
Senegal *	25 October 1984	9 August 1994	25 July 1995	
Seychelles *	16 September 1991	29 July 1994	15 December 1994	
Sierra Leone *	12 December 1994		12 December 1994 <sup>(a)(3)</sup>	
Singapore *	17 November 1994		17 November 1994 <sup>(a)(3)</sup>	
Slovakia *	8 May 1996	14 November 1994	8 May 1996	
Slovenia	16 June 1995 <sup>(a)</sup>	19 January 1995	16 June 1995	
Solomon Islands *				
Somalia *	24 July 1989			
South Africa *		3 October 1994		19 July 1996
Spain *		29 July 1994		
Sri Lanka *	19 July 1994	29 July 1994	28 July 1995 <sup>(a)</sup>	
Sudan *	23 January 1985	29 July 1994		
Suriname *				28 July 1996
Swaziland *		12 October 1994		
Sweden *	25 June 1986	29 July 1994	25 June 1996	
Switzerland * <sup>(b)</sup>		26 October 1994		23 July 1996
Syrian Arab Republic				
Tajikistan				

State or entity <sup>1/</sup>	United Nations Convention on the Law of the Sea  Date of ratification / accession <sup>(a)</sup> / succession <sup>(a)</sup>	Agreement relating to the implementation of Part XI of the Convention		
		Signature	Ratification; accession; <sup>(a)</sup> definitive signature; <sup>(a)</sup> participation; <sup>(a)</sup>	Notification of continuation of provisional membership in the Authority <sup>2/</sup>
Thailand *				
The former Yugoslav Republic of Macedonia	19 August 1994 <sup>(a)</sup>		19 August 1994 <sup>(a)(3)</sup>	
Togo *	16 April 1985	3 August 1994	28 July 1995 <sup>4/</sup>	
Tonga <sup>5/</sup>	2 August 1995 <sup>(a)</sup>		2 August 1995 <sup>(a)(3)</sup>	
Trinidad and Tobago *	25 April 1986	10 October 1994	28 July 1995 <sup>4/</sup>	
Tunisia *	24 April 1985	15 May 1995		
Turkey				
Turkmenistan				
Tuvalu * <sup>6/</sup>				
Uganda *	9 November 1990	9 August 1994	28 July 1995 <sup>4/</sup>	
Ukraine *		28 February 1995		28 July 1996
United Arab Emirates *				
United Kingdom		29 July 1994		17 July 1996
United Republic of Tanzania *	30 September 1985	7 October 1994		
United States of America		29 July 1994		17 July 1996 <sup>2/</sup>
Uruguay *	10 December 1992	29 July 1994		
Uzbekistan				
Vanuatu *		29 July 1994		
Venezuela				
Viet Nam *	25 July 1994			
Yemen *	21 July 1987			
Yugoslavia *	5 May 1986	12 May 1995	28 July 1995 <sup>4/</sup>	
Zaire *	17 February 1989			
Zambia *	7 March 1983	13 October 1994	28 July 1995 <sup>4/</sup>	

State or entity <sup>1/</sup>	United Nations Convention on the Law of the Sea  Date of ratification / accession <sup>(a)</sup> / succession <sup>(a)</sup>	Agreement relating to the implementation of Part XI of the Convention		
		Signature	Ratification; accession; <sup>(a)</sup> definitive signature; <sup>(a)</sup> participation; <sup>(a)</sup>	Notification of continuation of provisional membership in the Authority <sup>2/</sup>
Zimbabwe *	24 February 1993	28 October 1994	28 July 1995 <sup>4/</sup>	
<b>TOTALS:</b>	106	79	67	19

#### NOTES

<sup>1/</sup> States or entities which have signed the United Nations Convention on the Law of the Sea are indicated by an asterisk (\*).

<sup>2/</sup> For explanation, see p. 14.

<sup>3/</sup> State bound by the Agreement by having ratified, acceded or succeeded to the Convention under article 4, paragraph 1, of the Agreement.

<sup>4/</sup> State bound by the Agreement under the simplified procedure set out in article 5 of the Agreement.

<sup>5/</sup> States which continue to be members of the Authority on a provisional basis after 16 November 1996, as decided by the Council of the Authority on 15 August 1996, in accordance with section 1, paragraph 12(a), of the Annex to the Agreement (see p. 14).

<sup>6/</sup> Non-member State of the United Nations.

C. Status of the Agreement for the implementation of the provisions of the Convention relating to the conservation and management of straddling fish stocks and highly migratory fish stocks, adopted by the United Nations Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks on 4 August 1995

1. Alphabetical list of States signatories to the Agreement, as at 15 September 1996

<u>State/Entity</u>	<u>Date of signature</u>	<u>Date of ratification/accession</u>
1. Argentina	4 December 1995	
2. Australia	4 December 1995	
3. Austria	27 June 1996	
4. Bangladesh	4 December 1995	
5. Belize	4 December 1995	
6. Brazil	4 December 1995	
7. Canada	4 December 1995	
8. Côte d'Ivoire	24 January 1996	
9. Denmark	27 June 1996	
10. Egypt	5 December 1995	
11. European Community	27 June 1996	
12. Fiji	4 December 1995	
13. Finland	27 June 1996	
14. Germany	28 August 1996	
15. Greece	27 June 1996	
16. Guinea-Bissau	4 December 1995	
17. Iceland	4 December 1995	
18. Indonesia	4 December 1995	
19. Ireland	27 June 1996	
20. Israel	4 December 1995	
21. Italy	27 June 1996	
22. Jamaica	4 December 1995	
23. Luxembourg	27 June 1996	
24. Marshall Islands	4 December 1995	
25. Mauritania	21 December 1995	
26. Micronesia	4 December 1995	
27. Morocco	4 December 1995	
28. Namibia	19 April 1996	
29. Netherlands	28 June 1996	
30. New Zealand	4 December 1995	
31. Niue	4 December 1995	
32. Norway	4 December 1995	
33. Pakistan	15 February 1996	
34. Papua New Guinea	4 December 1995	
35. Philippines	30 August 1996	
36. Portugal	27 June 1996	
37. Russian Federation	4 December 1995	
38. Saint Lucia	12 December 1995	9 August 1996
39. Samoa	4 December 1995	
40. Senegal	4 December 1995	
41. Sweden	27 June 1996	
42. Tonga	4 December 1995	31 July 1996



<u>State/Entity</u>	<u>Date of signature</u>	<u>Date of ratification/accession</u>
43. Ukraine	4 December 1995	
44. United Kingdom	4 December 1995	
45. United States of America	4 December 1995	21 August 1996
46. Uruguay	16 January 1996	
47. Vanuatu	23 July 1996	

2. European Community: Declaration concerning the competence of the European Community with regard to matters governed by the Agreement

*(Declaration made pursuant to article 47 of the Agreement)*

1. Article 47(1) of the Agreement on the implementation of the provisions of the United Nations Convention on the Law of the Sea relating to the conservation and management of straddling fish stocks and highly migratory fish stocks provides that in cases where an international organization referred to in Annex IX, article 1, of the Convention does not have competence over all the matters governed by the Agreement, Annex IX of the Convention (with the exception of article 2, first sentence, and article 3(1) shall apply *mutatis mutandis* to participation by such international organization in the Agreement.
2. The current members of the Community are the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the Hellenic Republic, the Kingdom of Spain, the French Republic, Ireland, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the Republic of Austria, the Portuguese Republic, the Republic of Finland, the Kingdom of Sweden and the United Kingdom of Great Britain and Northern Ireland.
3. The Agreement on the implementation of the provisions of the United Nations Convention on the Law of the Sea relating to the conservation and management of straddling fish stocks and highly migratory fish stocks shall apply, with regard to the competencies transferred to the European Community, to the territories in which the Treaty establishing the European Community is applied and under the conditions laid down in that Treaty, in particular article 227 thereof.
4. This declaration is not applicable in the case of the territories of the member States in which the said Treaty does not apply and is without prejudice to such acts or positions as may be adopted under the Agreement by the member States concerned on behalf of and in the interests of those territories.

I. MATTERS FOR WHICH THE COMMUNITY HAS EXCLUSIVE COMPETENCE

5. The Community points out that its member States have transferred competence to it with regard to the conservation and management of living marine resources. Hence, in this field, it is for the Community to adopt the relevant rules and regulations (which the Member States enforce) and within its competence to enter into external undertakings with third States or competent organizations.

This competence applies in regard to waters under national fisheries jurisdiction and to the high seas.

6. The Community enjoys the regulatory competence granted under international law to the flag State of a vessel to determine the conservation and management measures for marine fisheries resources applicable to vessels flying the flag of member States and to ensure that member States adopt provisions allowing for the implementation of the said measures.
7. Nevertheless, measures applicable in respect of masters and other officers of fishing vessels, e.g. refusal, withdrawal or suspension of authorizations to serve as such, are within the competence of the member States in accordance with their national legislation.

Measures relating to the exercise of jurisdiction by the flag State over its vessels on the high seas, in particular provisions such as those related to the taking and relinquishing of control of fishing vessels by States other than the flag State, international cooperation in respect of enforcement and the recovery of the control of their vessels, are within the competence of the member States in compliance with Community law.

## II. MATTERS FOR WHICH BOTH THE COMMUNITY AND ITS MEMBER STATES HAVE COMPETENCE

8. The Community shares competence with its member States on the following matters governed by this Agreement: requirements of developing States, scientific research, port State measures and measures adopted in respect of non-members of regional fisheries organizations and non-Parties to the Agreement.

The following provisions of the Agreement apply both to the Community and to its member States:

General provisions: Articles 1, 4 and 34 to 50

Dispute settlement: Part VIII.

### Interpretative declarations to be deposited by the Community and its member States upon signature of the Agreement

1. The European Community and its member States understand that the terms "geographical particularities", "specific characteristics of the subregion or region", "socio-economic geographical and environmental factors", "natural characteristics of the sea" or any other similar terms employed in reference to a geographical region do not prejudice the rights and duties of States under international law.
2. The European Community and its member States understand that no provision of this Agreement may be interpreted in such a way as to conflict with the principle of freedom of the high seas, as recognized by international law.
3. The European Community and its member States understand that the term "States whose nationals fish on the high seas" shall not provide any new grounds for jurisdiction based on the nationality of persons involved in fishing on the high seas rather than on the principle of flag State jurisdiction.
4. The Agreement does not grant any State the right to maintain or apply unilateral measures during the transitional period, as referred to in article 21(3). Thereafter, if no agreement has been reached, States shall act only in accordance with the provisions provided for in articles 21 and 22 of the Agreement.
5. Regarding the application of article 21, the European Community and its member States understand that, when a flag State declares that it intends to exercise its authority, in accordance with the provisions in article 19, over a fishing vessel flying its flag, the authorities of the inspecting State shall not purport to exercise any other authority under the provisions of article 21 over such a vessel.

Any dispute related to this issue shall be settled in accordance with the procedures provided for in Part VIII of the Agreement. No State may invoke this type of dispute to remain in control of a vessel which does not fly its flag.

In addition, the European Community and its member States consider that the word "unlawful" in Article 21, paragraph 18, of the Agreement should be interpreted in the light of the whole Agreement, and in particular articles 4 and 35 thereof.

6. The European Community and its member States reiterate that all States shall refrain in their relations from the threat or use of force in accordance with general principles of international law, the Charter of the United Nations and the United Nations Convention on the Law of the Sea.

In addition, the European Community and its member States underline that the use of force as referred to in article 22 constitutes an exceptional measure which must be based upon the strictest compliance with the principle of proportionality and that any abuse thereof shall imply the international liability of the inspecting State. Any case of non-compliance shall be resolved by peaceful means and in accordance with the applicable dispute-settlement procedures.

Furthermore, the European Community and its member States consider that the relevant terms and conditions for boarding and inspection should be further elaborated in accordance with the relevant principles of international law in the framework of the appropriate regional and subregional fisheries management organizations and arrangements.

7. The European Community and its member States understand that in the application of the provisions of article 21, paragraphs 6, 7 and 8, the flag State may rely on the requirements of its legal system under which the prosecuting authorities enjoy a discretion to decide whether or not to prosecute in the light of all the facts of a case. Decisions of the flag State based on such requirements shall not be interpreted as failure to respond or to take action.

3. Table recapitulating the status of the Agreement, as at 15 September 1996

State or entity <sup>1)</sup>	Final Act: Signature	Signature of the Agreement <sup>2)</sup>	Provisional application as of	Ratification; accession <sup>3)</sup>
Afghanistan				
Albania ♣				
Algeria ♦ ♣				
Andorra				
Angola ♦ ♣				
Antigua and Barbuda ♦ ♣	●			
Argentina ♦ ♣	●	4 December 1995		
Armenia				
Australia ♦ ♣	●	4 December 1995		
Austria ♦ ♦	●	27 June 1996		
Azerbaijan				
Bahamas ♦ ♣				
Bahrain ♦ ♣				
Bangladesh ♣	●	4 December 1995		
Barbados ♦ ♣				
Belarus ♣				
Belgium ♣	●			
Belize ♦ ♣	●	4 December 1995		
Benin ♣				
Bhutan				
Bolivia ♦				
Bosnia and Herzegovina ♦				
Botswana ♦				
Brazil ♦ ♣	●	4 December 1995		
Brunei Darussalam				
Bulgaria ♦ ♣				
Burkina Faso				

State or entity <sup>1/</sup>	Final Act: Signature	Signature of the Agreement <sup>2/</sup>	Provisional application as of	Ratification; accession <sup>3/</sup>
Burundi ♣				
Cambodia				
Cameroon ♦ ♣				
Canada ♣	●	4 December 1995		
Cape Verde ♦ ♣				
Central African Republic				
Chad				
Chile ♣	●			
China ♦ ♣				
Colombia ♣				
Comoros ♦				
Congo ♣				
Cook Islands <sup>3/</sup> ♦ ♣				
Costa Rica ♦ ♣				
Côte d'Ivoire ♦ ♣		24 January 1996		
Croatia ♦				
Cuba ♦ ♣	●			
Cyprus ♦ ♣				
Czech Republic				
Democratic People's Republic of Korea ♣				
Denmark ♣	●	27 June 1996		
Djibouti ♦ ♣				
Dominica ♦				
Dominican Republic				
Ecuador ♣	●			
Egypt ♦ ♣	●	5 December 1995		
El Salvador ♣				
Equatorial Guinea				

State or entity <sup>1)</sup>	Final Act: Signature	Signature of the Agreement <sup>2)</sup>	Provisional application as of	Ratification; accession <sup>(a)</sup>
Eritrea ♣				
Estonia ♣				
Ethiopia				
European Community ♣	●	27 June 1996		
Fiji ♦ ♣	●	4 December 1995		
Finland ♣	●	27 June 1996		
France ♦ ♣				
Gabon ♣				
Gambia ♦ ♣				
Georgia ♦				
Germany ♦ ♣		28 August 1996		
Ghana ♦ ♣				
Greece ♦ ♣		27 June 1996		
Grenada ♦ ♣	●			
Guatemala ♣				
Guinea ♦ ♣				
Guinea-Bissau ♦ ♣	●	4 December 1995		
Guyana ♦ ♣				
Haiti				
Holy See <sup>3)</sup>				
Honduras ♦ ♣				
Hungary ♣				
Iceland ♦ ♣	●	4 December 1995		
India ♦ ♣	●			
Indonesia ♦ ♣	●	4 December 1995		
Iran (Islamic Republic of) ♣				
Iraq ♦				
Ireland ♣	●	27 June 1996		

State or entity <sup>1)</sup>	Final Act: Signature	Signature of the Agreement <sup>2)</sup>	Provisional application as of	Ratification; accession <sup>(a)</sup>
Israel ♣	●	4 December 1995		
Italy ♦ ♣	●	27 June 1996		
Jamaica ♦ ♣	●	4 December 1995		
Japan ♣	●			
Jordan ♦				
Kazakhstan ♣				
Kenya ♦ ♣				
Kiribati <sup>3)</sup> ♣				
Kuwait ♦				
Kyrgyzstan				
Lao People's Democratic Republic				
Latvia ♣				
Lebanon ♦ ♣				
Lesotho ♣				
Liberia				
Libyan Arab Jamahiriya ♣				
Liechtenstein ♣				
Lithuania ♣				
Luxembourg ♣		27 June 1996		
Madagascar ♣				
Malawi				
Malaysia ♣				
Maldives ♣				
Mali ♦ ♣				
Malta ♦ ♣				
Marshall Islands ♦ ♣	●	4 December 1995		
Mauritania ♣		21 December 1995		
Mauritius ♦ ♣				



State or <i>entity</i> <sup>1)</sup>	Final Act: Signature	Signature of the Agreement <sup>2)</sup>	Provisional application as of	Ratification; accession <sup>3)</sup>
Mexico ♦ ♣				
Micronesia (Federated States of) ♦ ♣	●	4 December 1995		
Monaco ♦				
Mongolia				
Morocco ♣	●	4 December 1995		
Mozambique				
Myanmar ♦ ♣				
Namibia ♦ ♣	●	19 April 1996		
Nauru <sup>3)</sup> ♦				
Nepal				
Netherlands ♣	●	28 June 1996		
New Zealand ♣	●	4 December 1995		
Nicaragua ♣				
Niger ♣				
Nigeria ♦ ♣				
Niue <sup>3)</sup> ♣	●	4 December 1995		
Norway ♣	●	4 December 1995		
Oman ♦				
Pakistan ♣		15 February 1996		
Palau ♣				
Panama ♣				
Papua New Guinea ♣	●	4 December 1995		
Paraguay ♦				
Peru ♣	●			
Philippines ♦ ♣		30 August 1996		
Poland ♣	●			
Portugal ♣	●	27 June 1996		
Qatar ♣				

State or entity <sup>1)</sup>	Final Act: Signature	Signature of the Agreement <sup>2)</sup>	Provisional application as of	Ratification; accession <sup>3)</sup>
Republic of Korea ♦ ♣	●			
Republic of Moldova				
Romania ♣				
Russian Federation ♣	●	4 December 1995		
Rwanda				
Saint Kitts and Nevis ♦				
Saint Lucia ♦ ♣	●	12 December 1995		9 August 1996
Saint Vincent and the Grenadines ♦				
Samoa ♦ ♣	●	4 December 1995		
San Marino				
Sao Tome and Principe ♦				
Saudi Arabia ♦ ♣				
Senegal ♦ ♣	●	4 December 1995		
Seychelles ♦ ♣				
Sierra Leone ♦ ♣				
Singapore ♦ ♣				
Slovakia ♦				
Slovenia ♦				
Solomon Islands ♣				
Somalia ♦				
South Africa ♣				
Spain ♣	●			
Sri Lanka ♦ ♣				
Sudan ♦				
Suriname ♣				
Swaziland				
Sweden ♣	●	27 June 1996		
Switzerland <sup>4)</sup> ♣				

State or entity <sup>1)</sup>	Final Act: Signature	Signature of the Agreement <sup>2)</sup>	Provisional application as of	Ratification; accession <sup>4)</sup>
Syrian Arab Republic ♣				
Tajikistan				
Thailand ♣				
The former Yugoslav Republic of Macedonia ♦				
Togo ♦ ♣				
Tonga <sup>3)</sup> ♦ ♣	●	4 December 1995		31 July 1996
Trinidad and Tobago ♦ ♣				
Tunisia ♦ ♣				
Turkey ♣				
Turkmenistan				
Tuvalu <sup>3)</sup> ♣				
Uganda ♦ ♣				
Ukraine ♣	●	4 December 1995		
United Arab Emirates ♣				
United Kingdom ♣	●	27 June 1996 <sup>4)</sup>		
United Republic of Tanzania ♦ ♣				
United States of America ♣	●	4 December 1995		21 August 1996
Uruguay ♦ ♣	●	16 January 1996		
Uzbekistan				
Vanuatu ♣		23 July 1996		
Venezuela ♣				
Viet Nam ♦ ♣				
Yemen ♦				
Yugoslavia ♦				
Zaire ♦				
Zambia ♦ ♣				
Zimbabwe ♦ ♣				

TOTALS:


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47<sup>4)</sup>

3

NOTES

1/ ♦ States or *entities* which are Parties to the United Nations Convention on the Law of the Sea.

 Land-locked States.

♦ States or *entities* which participated in the sessions of the United Nations Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks.

2/ In accordance with its article 37, the Agreement is open for signature at United Nations Headquarters from 4 December 1995 until and including 4 December 1996 by all States and the other entities referred to in article 305 (1) (a), (c), (d), (e) and (f) of the United Nations Convention on the Law of the Sea.

3/ Non-member State of the United Nations.

4/ On 4 December 1995, the Government of the United Kingdom of Great Britain and Northern Ireland signed the Agreement on behalf of Bermuda, British Indian Ocean Territory, British Virgin Islands, Falkland Islands, Pitcairn Islands, South Georgia and the South Sandwich Islands, Saint Helena including Ascension Island, and Turks and Caicos Islands. Subsequently, in a communication received on 19 January 1996, the Government of the United Kingdom informed the Secretary-General that the Agreement would also apply to Anguilla. Furthermore, on 27 June 1996, the Government of the United Kingdom signed the Agreement on behalf of the United Kingdom of Great Britain and Northern Ireland.

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

A. Recent national legislation

1. China

Declaration of the Government of the People's Republic of China on the baselines of the  
territorial sea, 15 May 1996<sup>1/</sup>

In accordance with the Law of the People's Republic of China on the Territorial Sea and the Contiguous Zone adopted and promulgated on 25 February 1992, the Government of the People's Republic of China hereby announces the baselines of part of its territorial sea adjacent to the mainland and those of the territorial sea adjacent to its Xisha Islands as follows:

I. The baselines of part of the territorial sea adjacent to the mainland are composed of all the straight lines joining the adjacent base points listed below:

1. Shandonggaojiao (1)	37° 24.0' N	122° 42.3' E
2. Shandonggaojiao (2)	37° 23.7' N	122° 42.3' E
3. Moyedao (1)	36° 57.8' N	122° 34.2' E
4. Moyedao (2)	36° 55.1' N	122° 32.7' E
5. Moyedao (3)	36° 53.7' N	122° 31.1' E
6. Sushandao	36° 44.8' N	122° 15.8' E
7. Chaoliandao	35° 53.6' N	120° 53.1' E
8. Dashandao	35° 00.2' N	119° 54.2' E
9. Macaiheng	33° 21.8' N	121° 20.8' E
10. Waikejiao	33° 00.9' N	121° 38.4' E
11. Sheshandao	31° 25.3' N	122° 14.6' E
12. Haijiao	30° 44.1' N	123° 09.4' E
13. Dongnanjiao	30° 43.5' N	123° 09.7' E
14. Liangxiongdiyu	30° 10.1' N	122° 56.7' E
15. Yushanliedao	28° 53.3' N	122° 16.5' E

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<sup>1/</sup> Communicated by the Permanent Mission of the People's Republic of China to the United Nations in a note verbale dated 16 May 1996.

16.	Taizhouliedao (1)	28° 23.9' N	121° 55.0' E
17.	Taizhouliedao (2)	28° 23.5' N	121° 54.7' E
18.	Daotiaoshan	27° 27.9' N	121° 07.8' E
19.	Dongyindao	26° 22.6' N	120° 30.4' E
20.	Dongshadao	26° 09.4' N	120° 24.3' E
21.	Niushandao	25° 25.8' N	119° 56.3' E
22.	Wuqiuyu	24° 58.6' N	119° 28.7' E
23.	Dongdingdao	24° 09.7' N	118° 14.2' E
24.	Daganshan	23° 31.9' N	117° 41.3' E
25.	Nanpengliedao (1)	23° 12.9' N	117° 14.9' E
26.	Nanpengliedao (2)	23° 12.3' N	117° 13.9' E
27.	Shibeishanjiao	22° 56.1' N	116° 29.7' E
28.	Zhentouyan	22° 18.9' N	115° 07.5' E
29.	Jiapengliedao	21° 48.5' N	113° 58.0' E
30.	Weijiadao	21° 34.1' N	112° 47.9' E
31.	Dafanshi	21° 27.7' N	112° 21.5' E
32.	Qizhouliedao	19° 58.5' N	111° 16.4' E
33.	Shuangfan	19° 53.0' N	111° 12.8' E
34.	Dazhoudao (1)	18° 39.7' N	110° 29.6' E
35.	Dazhoudao (2)	18° 39.4' N	110° 29.1' E
36.	Shuangfanshi	18° 26.1' N	110° 08.4' E
37.	Lingshuijiao	18° 23.0' N	110° 03.0' E
38.	Dongzhou (1)	18° 11.0' N	109° 42.1' E
39.	Dongzhou (2)	18° 11.0' N	109° 41.8' E
40.	Jinmujiao	18° 09.5' N	109° 34.4' E
41.	Shenshijiao	18° 14.6' N	109° 07.6' E

42.	Xigudao	18° 19.3' N	108° 57.1' E
43.	Yinggezui (1)	18° 30.2' N	108° 41.3' E
44.	Yinggezui (2)	18° 30.4' N	108° 41.1' E
45.	Yinggezui (3)	18° 31.0' N	108° 40.6' E
46.	Yinggezui (4)	18° 31.1' N	108° 40.5' E
47.	Gan'enjiao	18° 50.5' N	108° 37.3' E
48.	Sigengshajiao	19° 11.6' N	108° 36.0' E
49.	Junbijiao	19° 21.1' N	108° 38.6' E

II. The baselines of the territorial sea adjacent to the Xisha Islands of the People's Republic of China are composed of all the straight lines joining the adjacent base points listed below:

1.	Dongdao (1)	16° 40.5' N	112° 44.2' E (Lincoln Island)
2.	Dongdao (2)	16° 40.1' N	112° 44.5' E
3.	Dongdao (3)	16° 39.8' N	112° 44.7' E
4.	Langhuajiao (1)	16° 04.4' N	112° 35.8' E (Bombay Reef)
5.	Langhuajiao (2)	16° 01.9' N	112° 32.7' E
6.	Langhuajiao (3)	16° 01.5' N	112° 31.8' E
7.	Langhuajiao (4)	16° 01.0' N	112° 29.8' E
8.	Zhongjiandao (1)	15° 46.5' N	111° 12.6' E (Triton Island)
9.	Zhongjiandao (2)	15° 46.4' N	111° 12.1' E
10.	Zhongjiandao (3)	15° 46.4' N	111° 11.8' E
11.	Zhongjiandao (4)	15° 46.5' N	111° 11.6' E
12.	Zhongjiandao (5)	15° 46.7' N	111° 11.4' E
13.	Zhongjiandao (6)	15° 46.9' N	111° 11.3' E
14.	Zhongjiandao (7)	15° 47.2' N	111° 11.4' E
15.	Beijiao (1)	17° 04.9' N	111° 26.9' E (North Reef)
16.	Beijiao (2)	17° 05.4' N	111° 26.9' E
17.	Beijiao (3)	17° 05.7' N	111° 27.2' E

18.	Beijiao (4)	17° 06.0' N	111° 27.8' E
19.	Beijiao (5)	17° 06.5' N	111° 29.2' E
20.	Beijiao (6)	17° 07.0' N	111° 31.0' E
21.	Beijiao (7)	17° 07.1' N	111° 31.6' E
22.	Beijiao (8)	17° 06.9' N	111° 32.0' E
23.	Zhaoshudao (1)	16° 59.9' N	112° 14.7' E (Tree Island)
24.	Zhaoshudao (2)	16° 59.7' N	112° 15.6' E
25.	Zhaoshudao (3)	16° 59.4' N	112° 16.6' E
26.	Beidao	16° 58.4' N	112° 18.3' E (North Island)
27.	Zhongdao	16° 57.6' N	112° 19.6' E (Middle Island)
28.	Nandao	16° 56.9' N	112° 20.5' E (South Island)
1.	Dongdao (1)	16° 40.5' N	112° 44.2' E

The Government of the People's Republic of China will announce the remaining baselines of the territorial sea of the People's Republic of China at another time.



2. Jamaica

The Exclusive Economic Zone Act (Baselines) regulations, 12 October 1992

In exercise of the power conferred upon the Minister by section 21(a) of the Exclusive Economic Zone Act, the following regulations are hereby made:

1. These Regulations may be cited as the Exclusive Economic Zone (Baselines) regulations, 1992.
2. The charts which:
  - (a) indicate the geographical coordinates (as set out in the Schedule) constituting the basepoints on Jamaica and the outlying islands of the Pedro Cays and the Morant Cays to be joined by straight archipelagic baselines; and
  - (b) contain any notation, reference and other information as may be necessary; and
  - (c) [are] signed by the Minister,

are the official charts indicating baselines from which the breadth of the exclusive economic zone of Jamaica is measured and shall be deposited in and displayed at the Survey Department.

3. In any proceedings in any court of law, a chart referred to in paragraph 2 or a copy thereof certified to be a true copy by the Director of Surveys shall be admissible in evidence as proof of the contents thereof.

SCHEDULE

Geographical coordinates defining the basepoints to be joined by archipelagic baselines around the mainland of and the outlying islands of Jamaica

<u>Point No.</u>	<u>Latitude (N)</u>	<u>Longitude (W)</u>
1.	18 15 51	78 22 06
2.	18 16 09	78 22 06
3.	18 21 23	78 20 43
4.	18 21 57	78 20 19
5.	18 22 06	78 20 12
6.	18 26 23	78 14 15
7.	18 27 20	78 12 48
8.	18 27 21	78 12 46
9.	18 31 09	77 53 25
10.	18 31 15	77 52 45
11.	18 31 25	77 51 34
12.	18 31 30	77 50 49
13.	18 31 30	77 50 08
14.	18 31 28	77 49 21
15.	18 31 26	77 48 59
16.	18 28 22	77 18 49
17.	18 24 43	76 53 54
18.	18 10 05	76 21 37
19.	18 09 20	76 20 18
20.	18 09 10	76 20 09

<u>Point No.</u>	<u>Latitude (N)</u>	<u>Longitude (W)</u>
21.	17 55 02	76 10 48
22.	17 24 39	75 57 48
23.	17 24 16	75 57 53
24.	17 23 42	75 58 19
25.	17 23 22	75 58 53
26.	17 23 01	76 00 00
27.	17 02 28	77 31 05
28.	16 47 26	78 11 30

Note: These positions are referenced to the 1927 North America Datum (NAD27) and based on Clarke's (1866) spheroid with a semimajor axis of 6378206.4 metres and a flattening of 1/294.978.

3. Russian Federation

Federal Law on the Continental Shelf of the Russian Federation,  
adopted by the State Duma on 25 October 1995

This Federal Law defines the status of the continental shelf of the Russian Federation, the sovereign rights and jurisdiction of the Russian Federation over its continental shelf and their exercise in accordance with the Constitution of the Russian Federation, the generally recognized principles and rules of international law and the international treaties of the Russian Federation. Matters relating to the continental shelf of the Russian Federation and activities thereon not provided for in this Federal Law shall be regulated by other federal laws applicable to the continental shelf of the Russian Federation.

CHAPTER I  
GENERAL PROVISIONS

Article 1

Definition of the limits of the continental shelf of the Russian Federation

The continental shelf of the Russian Federation (hereinafter referred to as "the continental shelf") comprises the seabed and subsoil of the submarine areas situated beyond the territorial sea of the Russian Federation (hereinafter referred to as "the territorial sea") throughout the natural prolongation of its land territory to the outer edge of the continental margin.

The continental margin is the prolongation of the land mass of the Russian Federation and consists of the seabed and subsoil of the shelf, the slope and the rise.

The definition of the continental shelf also applies to all the islands of the Russian Federation.

The inner edge of the continental shelf is the outer edge of the territorial sea.

In accordance with the provisions of article 2 of this Federal Law, the outer edge of the continental shelf is situated at a distance of 200 nautical miles from the baselines from which the width of the territorial sea is measured, provided that the outer edge of the continental margin does not extend for a distance of more than 200 nautical miles.

If the continental margin extends for a distance of more than 200 nautical miles from the aforementioned baselines, the outer edge of the continental shelf coincides with the outer edge of the continental margin determined in accordance with the rules of international law.

Article 2

Delimitation of the continental shelf

The delimitation of the continental shelf between the Russian Federation and States whose coasts lie opposite the coast of the Russian Federation or are adjacent to the coast of the Russian Federation shall be effected on the basis of the international treaties of the Russian Federation or the rules of international law.

Article 3  
Charts and lists of geographical coordinates

The lines of the outer limits of the continental shelf or the lists of geographical coordinates substituted for such lines which are confirmed by the Government of the Russian Federation, with an indication of the basic geodesic data and the lines of delimitation determined by the international treaties of the Russian Federation or in accordance with the rules of international law, shall be indicated on charts of the regulation scale or published in the "Notices to Navigators".

A data bank concerning the outer edge of the continental shelf shall be compiled by the federal agency specifically authorized to do so by the Government of the Russian Federation.

Article 4  
Fundamental concepts

For the purposes of this Federal Law the following fundamental concepts shall be used:

The natural resources of the continental shelf means the mineral and other non-living resources of the seabed and the subsoil (hereinafter referred to as "mineral resources"), together with living organisms belonging to "sedentary species", that is to say, organisms which, at the harvestable stage, either are immobile on or under the seabed or are unable to move except in constant physical contact with the seabed or the subsoil (hereinafter referred to as "living resources"). A list of the species of living organisms which are natural resources of the continental shelf shall be drawn up by the federal fisheries agency specifically authorized to do so. The mineral and living resources of the continental shelf are under the control of the Russian Federation; activities connected with the exploration and exploitation (harvesting) of such resources and their protection fall within the competence of the Government of the Russian Federation.

The harvesting of the living resources of the continental shelf (hereinafter referred to as "harvesting") is a comprehensive process including the catching, landing, processing, transport and preservation of products and their transshipment, as well as the supply of fishing vessels and installations with fuel, food and water, and packaging and other materials.

Marine scientific research on the continental shelf (hereinafter referred to as "marine scientific research") means basic or applied research, and experimental work conducted for the purposes of such research, for the acquisition of knowledge about all aspects of the natural processes taking place on the seabed and in the subsoil thereof.

Marine resource research on the continental shelf (hereinafter referred to as "resource research") means applied scientific research activities for the study, exploration and exploitation of mineral resources and the harvesting of living resources.

Harmful substance means a substance which, if it finds its way into the sea, may create a danger to human health, damage living resources or marine flora or fauna, impair leisure amenities or interfere with other forms of legitimate use of the sea, or a substance subject to control under the international treaties of the Russian Federation.

Dumping means any deliberate discharge of waste or other materials from vessels and other floating facilities, from aircraft or from artificial islands, installations and structures; the discharge of wastes or other materials inherent in or resulting from the normal operation of vessels, aircraft, artificial islands, installations and structures, with the exception of wastes or other materials transported by vessels, aircraft, installations or structures which are operated for the purposes of discharging such materials or wastes, or other materials being delivered to such vessels, aircraft, artificial islands, installations or structures, and with the exception of wastes

and other materials resulting from the processing of such wastes or other materials on such vessels, aircraft, artificial islands, installations and structures shall not be regarded as dumping, nor shall the deposition of materials for purposes other than their simple disposal, provided that such action does not conflict with the purposes of this Federal Law or the international treaties of the Russian Federation.

Article 5  
Rights of the Russian Federation over the continental shelf

The Russian Federation exercises over the continental shelf:

1. Sovereign rights for the purpose of exploring the continental shelf and exploiting its mineral and living resources. These rights are exclusive in the sense that if the Russian Federation does not explore the continental shelf or exploit its natural or living resources, no one may undertake these activities without the consent of the Russian Federation;
2. The exclusive right to authorize and regulate drilling on the continental shelf for all purposes;
3. The exclusive right to construct, and to authorize and regulate the erection, operation and use of artificial islands, installations and structures. The Russian Federation exercises jurisdiction over such artificial islands, installations and structures, including jurisdiction with respect to customs, tax, health and immigration laws and safety laws and regulations;
4. Jurisdiction with respect to:

Marine scientific research;

Protection and conservation of the marine environment in connection with the exploration and exploitation of mineral resources, the harvesting of living resources, and the dumping of wastes and other materials;

The laying and use of submarine cables and pipelines of the Russian Federation.

The Russian Federation exercises sovereign rights and jurisdiction over the continental shelf in pursuit of economic, trade, scientific and other interests in accordance with the procedures established by this Federal Law and the rules of international law.

The rights of the Russian Federation over the continental shelf do not affect the legal status of the superjacent waters or of the airspace above those waters.

In the exercise of its sovereign rights and jurisdiction over the continental shelf the Russian Federation shall not interfere with navigation and other rights and freedoms of other States recognized in accordance with the generally accepted principles and rules of international law.

Activities on the continental shelf shall take into account navigation, fishing, marine scientific research and other legitimate forms of activity, as well as the protection and conservation of the marine environment and mineral and living resources.

Article 6  
Functions of federal agencies of State power with respect to the continental shelf

The functions of federal agencies of State power with respect to the continental shelf include:

1. Drafting and amendment of the legislation of the Russian Federation concerning the continental shelf and activities thereon;
2. Coordination of the activities of federal agencies of State power with respect to the continental shelf and activities thereon, protection of the lawful rights and interests of the Russian Federation on the continental shelf and protection of its mineral and living resources;
3. Formulation of a strategy for the study, prospecting, exploration and exploitation of mineral resources and the harvesting of living resources, and for the protection and conservation of the marine environment and mineral and living resources on the basis of the federal strategy, programmes and plans, taking into account the findings of State environmental assessments and giving special attention to the economic interests of the indigenous minorities and ethnic communities of the North and Far East of the Russian Federation and of the population permanently occupying sites in territory adjacent to the sea coast of the Russian Federation. Federal programmes and plans for the exploration and exploitation of mineral resources shall be formulated in conjunction with the executive agencies of subjects of the Russian Federation if such programmes and plans envisage the use of the coastal infrastructure of the subjects of the Russian Federation concerned;
4. Establishment of the procedures governing the use of mineral resources, including licensing procedures, and the establishment of the corresponding standards (rules and regulations);
5. Establishment of the procedures for conduct of competitive bidding (auctions) for the right to use blocks of the continental shelf and determination of the successful bidder;
6. Monitoring of the rational use of mineral and living resources, and their protection and conservation;
7. State inspection of mines;
8. Registration work connected with the study, exploration and exploitation of mineral resources; compilation of the federal balance of reserves of mineral resources; federal registration of blocks of the continental shelf used for the study, exploration and exploitation of mineral resources;
9. Conclusion of agreements on the division of production;
10. Imposition of limits and special conditions for use of the seabed and the subsoil thereof in remote sections of the continental shelf in connection with the possible future exploitation of mineral resources and in the spawning grounds of living resources;
11. Regulation and conduct of resource and marine scientific research;
12. Declaration of the closure of specific areas of the continental shelf to the conduct by foreign States, physical and juridical persons of the Russian Federation, physical and juridical persons of foreign States, and competent international organizations of marine scientific research connected with actual or planned exploration and exploitation of mineral resources in such areas and the harvesting of their living resources, and publication of the coordinates of the closed areas in the "Notices to Navigators";
13. Determination of the total permissible catch of living resources for each fishing area and species of living resource;

14. Establishment of the procedures for use of living resources, including the issue of licences for the harvesting of living resources, and the drafting and introduction of rules and standards on the rational use, conservation and reproduction of living resources;
15. Imposition of prohibitions and limits on the use of living resources and establishment of rules and standards on the reproduction of living resources;
16. Formulation of measures to prevent the destruction of living resources in the course of economic or other activities and navigation;
17. Establishment of a system of payment and determination of the amounts, conditions and procedures for the collection of payment for the use of blocks of the continental shelf for the purposes of prospecting, exploration and exploitation of mineral resources and for the use of living resources;
18. Regulation of the erection, operation and use of artificial islands, installations and structures for the purposes of prospecting, exploration and exploitation of mineral resources and harvesting of living resources, for other purposes and for the purposes of the conduct of resource and marine scientific research;
19. Regulation and determination of the conditions for laying submarine cables and pipelines used for the exploration and exploitation of mineral resources or for the operation of artificial islands, installations and structures, including those extended into the territory of the Russian Federation;
20. Determination of the course and conditions for the laying of submarine cables and pipelines on the continental shelf;
21. Regulation of drilling on the continental shelf for all purposes;
22. Production of State environmental assessments, application of State environmental controls and State monitoring of the condition of the continental shelf;
23. Management of the data bank of the Russian State concerning the condition of the continental shelf and the state of its mineral and living resources;
24. Establishment of legal regulations for zones of exceptional environmental conditions and ecological disaster, and organization of immediate action to eliminate the consequences of accidents causing pollution by oil and by substances other than oil;
25. Establishment of environmental standards for the handling of pollutants, wastes and other materials to be dumped on the continental shelf, compilation of lists of the harmful substances, wastes and other materials whose dumping on the continental shelf is prohibited, and regulation and control of the dumping of wastes and other materials;
26. Protection and conservation of the rare and threatened species of living resources listed in the Red Book of the Russian Federation, and prevention of damage to their habitat, conditions of reproduction (spawning) and migration; creation of reserves and closed and reserved zones and the establishment of other specially protected natural areas, including areas adjacent to health resorts, the areas around sanatoriums and holiday resorts on the coast, which shall be published in the "Notices to Navigators";
27. Supervision of the implementation of measures for the protection of the continental shelf and its mineral and living resources, suppression of violations of this Federal Law or the international treaties of the Russian Federation, and prosecution of persons guilty of the commission of illegal acts;

28. Settlement of disputes concerning the continental shelf and activities thereon;
29. Conclusion and application of the international treaties of the Russian Federation concerning the continental shelf and activities thereon.

## CHAPTER II STUDY, EXPLORATION AND EXPLOITATION OF MINERAL RESOURCES

### Article 7 Allocation of blocks of the continental shelf to users

Blocks of the continental shelf (hereinafter referred to as "blocks") may be allocated to physical and juridical persons of the Russian Federation and to physical and juridical persons of foreign States (hereafter in this chapter referred to as "users").

Blocks are allocated for use for:

Regional geological study of the continental shelf for the purposes of evaluating the mineral-ore and petroleum-gas potential of large regions of the continental shelf (regional geological-geophysical work, geological surveys, mechanical geological prospecting, resource research);

Prospecting for mineral resources;

Exploration and exploitation of mineral resources;

Simultaneous prospecting, exploration and exploitation of mineral resources;

Construction and operation of submarine installations not connected with the exploration and exploitation of mineral resources;

Gathering of mineralogical, palaeontological and other geological materials for collections.

Blocks are geometrically delineated sections, the parameters of which are indicated in licences for the regional geological study of the continental shelf and the prospecting, exploration and exploitation of mineral resources, together with the area of the seabed with the coordinates of its limits and the depth of the subsoil.

The allocation of blocks to users shall be determined by the economic interests of the Russian Federation and effected in such a way that, other things being equal, preference is given to users making maximum use of the industrial possibilities of the Russian Federation.

In the interests of safety and the development of the industry and energy production of the Russian Federation, on the basis of representations from the federal executive agencies concerned, limitations may be imposed on the participation of foreign users in competitive bidding (auctions) for the right to prospect, explore and exploit the mineral resources of individual blocks, and the competitive bidding (auctions) may be restricted solely to Russian users.

The procedures and conditions for the conduct of competitive bidding (auctions) for the right to use blocks, the grounds for refusal to allow participation in competitive bidding, the content of licences for regional geological study of the continental shelf and the prospecting, exploration and exploitation of mineral resources,



the periods for which such licences are granted, the rights and obligations of users of blocks, the operational safety requirements, the grounds for termination of the right to use blocks, including the early termination of such a right, the anti-monopoly requirements and the conditions for the division of production shall be regulated by the federal laws applicable to the continental shelf and activities thereon.

#### Article 8

#### Regulation of the regional geological study of the continental shelf and the prospecting, exploration and exploration of mineral resources

Licences for the regional geological study of the continental shelf and the prospecting, exploration and exploitation of mineral resources, including licences based on agreements concerning the division of production (hereafter in this chapter referred to as "licences" shall be issued by the specifically authorized federal agency for geology and use of the subsoil, in agreement with the specifically authorized federal defence agency, federal fisheries agency, federal agency for protection of the environment and natural resources, and federal agency for the defence branches of industry, and notification shall be given to the specifically authorized federal frontier service agency, the federal agency for science and technological policy, the federal customs agency and the federal agency for hydrometeorology and environmental monitoring.

The rights and obligations of users arise from the moment of receipt of the licence.

The following information must also be given in the licence:

Information about the environmentally sound use of blocks, including the organization of environmental monitoring, and mutually agreed arrangements for compensation for damage caused to living resources;

Information about measures to prevent and eliminate the consequences of accidents;

Information about the insurance, maintenance and elimination (removal) of installations and structures on completion of the work.

Licences may include additional conditions for the use of infrastructure facilities in the territory of subjects of the Russian Federation in the areas covered by the licences or in adjacent blocks, provided that such conditions do not conflict with this Federal Law or other federal laws applicable to the continental shelf and activities thereon, and taking into account the economic interests of coastal subjects of the Russian Federation.

Payments for the use of ports, land, buildings, installations, means of transport (including pipelines) and other infrastructure facilities shall be made in accordance with the legislation of the Russian Federation.

With respect to the issue of licences, the scale of investment in the development of the social and productive structure of the coastal territory of subjects of the Russian Federation directly connected with the exploration and exploitation of mineral resources shall be agreed with the users of blocks and stated in the licences, as shall the placing of orders with enterprises of the Russian Federation as agreed with the federal executive agencies and the executive agencies of subjects of the Russian Federation.

Reserves, closed and reserved zones and other specially protected areas of the continental shelf of particular importance for the conservation, reproduction and migration of valuable species of living resources shall not be included in licences.

The right to use blocks may not be transferred by the users of blocks to third parties under the procedure for cession of rights provided for in the civil legislation of the Russian Federation.

Users of blocks shall be required to:

Carry out technological, hydrotechnological, health and other measures and comply with the applicable international rules and standards and the laws and regulations of the Russian Federation on protection of the marine environment and mineral and living resources;

Maintain regular communication with the coastal services of the Russian Federation and, provided that the appropriate equipment is available, transmit to the nearest radiometeorological centre of the Russian Federation, for the basic international synoptic periods, operational data of meteorological and hydrometeorological observations in accordance with the standard procedures of the World Meteorological Organization.

Foreign users of blocks shall also have an obligation to:

Conduct regional geological studies, prospecting, exploration and exploitation of mineral resources only when an official is present from the bodies responsible for protection of the continental shelf (hereinafter referred to as "protection bodies") mentioned in article 42 of this Federal Law and under his supervision;

Provide for the passage of officials of protection bodies free of charge to and from the site of the works and their use of radio communications, and bear all the costs of the maintenance, accommodation and full board of officials of protection agencies at the same level as their own managerial staff.

Compliance with the conditions for the use of blocks shall be monitored by the specifically authorized federal agency for geology and use of the subsoil, in conjunction with the specifically authorized federal agency for State supervision of mines and the protection bodies, within their spheres of competence.

At the request of the protection bodies, holders of licences shall submit to them the necessary documentation, provide explanations on issues falling within the competence of these bodies and enable them to verify compliance with the terms of the licences.

The protection bodies shall inform licence holders and the specifically authorized federal agency for geology and use of the subsoil in writing about the results of the checks and, when necessary, shall halt the works and propose the termination of a licence.

#### Article 9

#### Drilling on the continental shelf

The Government of the Russian Federation regulates and controls drilling on the continental shelf for all purposes.

The specifically authorized federal agency for geology and use of the subsoil shall consider drilling applications and issue drilling permits with the agreement of the specifically authorized federal defence agency, the federal agency for protection of the environment and natural resources, the federal agency for science and technological policy, the federal fisheries agency, the federal frontier service agency and the other federal executive agencies concerned. Drilling operations shall be carried out in accordance with this Federal Law and the international treaties of the Russian Federation.

CHAPTER III  
STUDY AND USE OF LIVING RESOURCES

Article 10  
Forms and procedures of the use of living resources

The following are the forms of use of living resources:

Catching of living resources for the purposes of scientific research and monitoring to evaluate stocks of the resources and determine the total permissible catch;

Catching of living resources for their reproduction and acclimatization;

Catching of living resources for academic and cultural-educational purposes;

Exploration and harvesting of living resources;

Commercial cultivation of living resources;

Artificial reproduction of living resources;

Catching of living resources for recreation and sport.

The forms of the use of living resources shall be registered by the specifically authorized federal fisheries agency.

The specifically authorized federal fisheries agency, in conjunction with the specifically authorized federal agency for protection of the environment and natural resources, shall establish the rules governing the harvesting and other forms of use of living resources and the total permissible catches of living resources.

The specifically authorized federal fisheries agency, in agreement with the specifically authorized federal defence agency and the federal frontier service agency, shall determine the areas and periods of harvesting on the continental shelf by foreign vessels.

Article 11  
Award of the right to use living resources

The right to use living resources may be awarded to:

Physical and juridical persons of the Russian Federation (hereafter in this chapter referred to as "Russian applicants");

Physical and juridical persons of foreign States, foreign States and competent international organizations (hereafter in this chapter referred to as "foreign applicants").

Preference in the award of the right to use living resources shall be given to:

Representatives of indigenous minorities and ethnic communities of the North and Far East of the Russian Federation whose way of life, employment and economy are traditionally based on the harvesting of living resources;

The population of the North and Far East of the Russian Federation in places which they permanently occupy in territory adjacent to the sea coast of the Russian Federation;

Russian applicants carrying out measures for the artificial reproduction of living resources.

Foreign applicants may use living resources for scientific, industrial and other purposes only in accordance with an international treaty of the Russian Federation with the States of which such foreign applicants are nationals or in which they are registered, in accordance with the requirements of this Federal Law and the international treaties of the Russian Federation.

#### Article 12

##### Procedure and conditions for submission of applications for harvesting licences

Russian and foreign applicants shall submit to the specifically authorized federal fisheries agency applications for harvesting licences in the Russian language and the language of their country.

The specifically authorized federal fisheries agency, within a month from the date of receipt of the application, shall inform the applicant of the place, time and procedure for receipt of a harvesting licence or of the refusal to issue such a licence.

The grounds for refusal to issue a harvesting licence may include:

The absence of specific limits and quotas for catching the living resources;

Non-compliance of the harvesting licence application with the requirements of this Federal Law;

Submission of false information by the applicant;

Failure by the applicant to submit evidence or guarantees that he possesses or will possess the necessary financial and technical means to conduct the harvesting;

Violations of this Federal Law or the international treaties of the Russian Federation committed by the applicant during the preceding season;

Non-payment or late payment by the applicant of promissory notes, fines, or claims for compensation for damage presented to him earlier by the protection bodies.

#### Article 13

##### Procedure and conditions for issue of licences to harvest living resources

Licences to harvest living resources may be issued to Russian and foreign applicants by the specifically authorized federal fisheries agency, which shall notify the specifically authorized federal agency for the protection of the environment and natural resources, federal frontier service agency, federal customs agency and federal defence agency.

Licences to harvest living resources shall be valid for one calendar year within the period and areas for harvesting the species of living resources in question indicated in the licences. A copy of the licence to harvest living resources must be kept on every vessel carrying out the harvest.

**Article 14**  
**Rights and obligations of Russian and foreign applicants when carrying out a harvest**

Russian and foreign applicants carrying out a harvest shall be entitled to do so only within the limits of the volumes, periods, species and areas indicated in the harvesting licence.

Such persons shall be required:

To observe the established rules and limits for the taking of living resources and comply with the conditions of the harvesting licence;

To make the regulation payments on time;

Not to allow any deterioration of the natural habitat of the living resources;

Not to allow the illegal acclimatization of species of living resources and comply with the quarantine requirements;

To ensure the unimpeded access of officials of the protection bodies to the vessel carrying out the harvest;

To provide at their own expense the best possible working conditions for officials of the protection bodies;

To submit free of charge reports on the species harvested and areas of the harvest to the specifically authorized federal fisheries agency and federal agency for the protection of the environment and natural resources, at their request;

To maintain regular communication with the coastal services of the Russian Federation and, provided that the appropriate equipment is available, transmit to the nearest radiometeorological centre of the Russian Federation, for the basic international synoptic periods, operational data of meteorological and hydrological observations in accordance with the standard procedures of the World Meteorological Organization;

To keep a harvesting log;

To have special identification signs;

To mark fixed fishing equipment at both ends with the name of the vessel (and for foreign vessels, the country of registration), the licence number and the serial number of the piece of equipment.

Foreign vessels harvesting under licence must also:

Submit by telefax or telegraph to the specifically authorized federal fisheries agency daily reports on each entry into the area to carry out the licensed harvest and each exit from the area, all entries and exits being effected through the control points;

Keep the protection agencies informed on a daily basis of the location of the vessels carrying out the harvest;

Carry out the harvest only when an official of the protection bodies is on board and under his control; provide for the passage of officials of the protection bodies free of charge to and from the harvesting site and their use of radio communication facilities, and bear all the costs of the maintenance, accommodation and full board of officials of the protection bodies, from the moment of their arrival on board the vessel until their departure, at the same level as their own managerial staff;

Submit by telefax or telegraph to the specifically authorized federal fisheries agency information about the results of the harvest every day, every 10 days and every month.

Article 15  
Grounds for termination of a harvest

The following are grounds for termination of a harvest:

Voluntary waiver of the harvest by the applicant;

Taking by the applicant of the established quota;

Expiry of the period of validity of the harvesting licence;

Violation of the harvesting rules twice in a calendar year or exceeding the established limits for taking living resources;

Violation of this Federal Law or the international treaties of the Russian Federation;

Failure to make payment on time for use of living resources or failure to pay fines or compensation for damage;

Non-submission of reports on the species of living resources harvested, volumes of catches, and harvesting areas;

Causing reductions in the yield or quality of species of living resources, or systematic pollution of the waters of the continental shelf through the user's fault.

The voluntary waiver of a harvest must be announced by the user:

Before the beginning of the harvest - in writing to the specifically authorized federal fisheries agency with one month's prior notice;

During the harvest - immediately, with termination of the harvest.

In the event of non-compliance with the provisions of this article, the applicant shall be informed by telegraph of the cancellation of the harvesting licence or termination of the harvest. Licence cancellations shall be notified to the specifically authorized federal frontier service agency, federal customs agency, federal agency for protection of the environment and natural resources and federal defence agency.

CHAPTER IV  
ERECTION OF ARTIFICIAL INSTALLATIONS AND LAYING OF SUBMARINE  
CABLES AND PIPELINES ON THE CONTINENTAL SHELF

Article 16  
Artificial islands, installations and structures

Artificial islands, installations and structures may be erected on the continental shelf by:

Federal executive agencies and executive agencies of subjects of the Russian Federation, and physical and juridical persons of the Russian Federation (hereafter in this chapter referred to as "Russian applicants");

Foreign States and their physical and juridical persons, and competent international organizations (hereafter in this chapter referred to as "foreign applicants").

The procedure for the submission, consideration and assessment of applications to erect artificial islands, installations and structures on the continental shelf and the procedure for taking decisions on them are established by this Federal Law and the international treaties of the Russian Federation.

Artificial islands, installations and structures do not possess the status of islands and do not have a territorial sea, exclusive economic zone or continental shelf.

Safety zones extending for not more than 500 metres from each point on the outer edge of artificial islands, installations and structures shall be established around such islands, installations and structures.

The specifically authorized federal defence agency, with the agreement of the specifically authorized federal frontier service agency, shall determine the measures which must be taken in these zones to ensure the safety of navigation and of the artificial islands, installations and structures. Information about the safety measures shall be published in the "Notices to Navigators".

The erection of artificial islands, installations and structures, the establishment of safety zones around them and the full or partial removal of artificial islands, installations and structures shall be reported, together with an indication of the depth, geographical coordinates and dimensions of such artificial islands, installations and structures which are not fully removed, to the specifically authorized federal defence agency for publication in the "Notices to Navigators".

Artificial islands, installations and structures shall not be erected on recognized sea lanes of substantial importance for international navigation.

#### Article 17

#### Content and submission of applications to erect and use artificial islands, installations and structures on the continental shelf

Applications to erect and use artificial islands, installations and structures on the continental shelf (hereafter in this chapter referred to as "applications") must contain:

1. Information about the applicants and the persons responsible for the erection and use of the artificial islands, installations and structures;
2. The purposes of the artificial islands, installations and structures to be erected;
3. Information about the vessels and other floating facilities to be used in the construction works and the operation of the artificial islands, installations and structures (hereafter in this chapter referred to as "works");
4. The technological methods and equipment to be used in the planned works;
5. The geographical coordinates of the artificial islands, installations and structures to be erected;
6. Information about the parties' physical and juridical persons who will take part in the works;
7. The dates of commencement and completion of the works;
8. The dates of commencement and conclusion of the practical use of the artificial islands, installations and structures;

9. A description of the environmental impact, including the impact on the marine environment, mineral and living resources;
10. Measures to prevent or mitigate possible damage to the marine environment, mineral and living resources, including the provision of closed technical systems of water supply, floating or fixed cleansing equipment, and means of collecting oil-polluted water and other harmful substances;
11. Information about measures to prevent and deal with accidents;
12. Other information about the purposes, methods and means of carrying out the work.

Applications shall be submitted to the federal executive agencies not later than six months before the proposed date of commencement of the work.

Foreign applicants shall submit their applications through the diplomatic channel.

#### Article 18

#### Procedure for consideration of applications and issue of permits to erect artificial islands, installations and structures

The federal executive agencies shall:

Notify the applicant of the receipt of his application within 10 days from the date of its receipt;

Send to the applicant a permit to erect artificial islands, installations and structures or notification of refusal within four months from the date of receipt of the application.

Notifications of the receipt of applications, permits to erect artificial islands, installations and structures, and notifications of refusal shall be sent to foreign applicants through the specifically authorized federal foreign affairs agency.

Incoming applications shall be considered and decisions shall be taken on them in consultation with the specifically authorized federal agency for geology and use of the subsoil, federal fisheries agency, federal agency for science and technological policy, federal defence agency, federal frontier service agency, federal security service agency, federal agency for protection of the environment and natural resources, federal agency for the defence branches of industry, federal customs agency and, when necessary, any other federal executive agencies concerned.

Permits for Russian and foreign applicants to erect, operate and use artificial islands, installations and structures shall be issued by:

The specifically authorized federal agency for geology and use of the subsoil in the case of the use of artificial islands, installations and structures for the regional geological study of the continental shelf and the prospecting, exploration and exploitation of mineral resources;

The specifically authorized federal fisheries agency in the case of use the of artificial islands, installations and structures for the harvesting, conservation and protection of living resources;

The specifically authorized federal agency for science and technological policy in the case of the use of artificial islands, installations and structures for the conduct of marine scientific research.



The artificial islands, installations and structures used by the specifically authorized federal defence agency or federal frontier service agency shall be erected with the consent of the federal executive agencies concerned.

#### Article 19

##### Grounds for refusal of permits to erect artificial islands, installations and structures

Permits to erect artificial islands, installations and structures may be refused if:

1. Their erection creates a threat to the security of the Russian Federation;
2. The erection of the artificial islands, installations and structures is incompatible with the requirements of the protection of mineral or living resources;
3. The artificial islands, installations and structures are to be located in reserves, closed or reserved zones or other specially protected natural areas of the continental shelf of considerable importance for the conservation, reproduction and migration of valuable species of living resources;
4. The artificial islands, installations and structures have a direct impact on the regional geological study of the continental shelf, the prospecting, exploration or exploitation of mineral resources or the harvesting of living resources;
5. The information contained in the application is inconsistent with the purposes of the erection of the artificial islands, installations and structures or there are unfulfilled obligations to the Russian Federation arising out of work carried out earlier by the applicants.

#### Article 20

##### Rights and obligations of applicants in the erection of artificial islands, installations and structures

Applicants obtaining permits to erect artificial islands, installations and structures shall be entitled to occupy the artificial islands, installations and structures and to use them in accordance with the permit issued. The transfer of artificial islands, installations and structures to other persons in violation of the permit is prohibited.

Applicants receiving a permit to erect artificial islands, installations and structures shall be obliged to:

1. Comply with this Federal Law and the international treaties of the Russian Federation;
2. Ensure that the permanent devices for warning of the presence of the artificial islands, installations and structures are kept in good repair. In order to guarantee the safety of navigation, abandoned or disused artificial islands, installations and structures must be removed by their constructors within the time limit stated in the permit for their erection, and such removal shall be notified to the specifically authorized federal defence agency;
3. Ensure the unimpeded access of officials of protection bodies to artificial islands, installations and structures erected under permits issued by the federal executive agencies referred to in the fourth part of article 18 of this Federal Law;
4. Maintain regular communication with the coastal services of the Russian Federation and transmit to the nearest radiometeorological centre of the Russian Federation, for the basic international synoptic periods, operational data of the meteorological and hydrological observations in accordance with the standard procedures of the World Meteorological Organization.

Foreign applicants shall be obliged, in addition, to provide for the presence on artificial islands, installations and structures of representatives of the Russian Federation specifically authorized by the federal executive agencies which issued the permits to erect the artificial islands, installations and structures, including their accommodation and full board at the same level as the applicants' own managerial staff, and to provide for access by such representatives to all areas and units of the artificial islands, installations and structures. Foreign applicants receiving a permit to erect artificial islands, installations and structures may begin work on their erection and operation only in the presence and under the control of the aforementioned representatives.

#### Article 21

##### Interruption or termination of activities on an artificial island, installation or structure

Activities on an artificial island, installation or structure carried out in violation of this Federal Law or the international treaties of the Russian Federation may be interrupted or terminated by decision of the federal executive agency which issued the permit, or by decision of officials of the protection bodies, and shall be restarted only if the violations are corrected within the established time limits.

#### Article 22

##### Laying of submarine cables and pipelines on the continental shelf

Russian and foreign applicants may lay submarine cables and pipelines on the continental shelf (hereinafter referred to as "laying of submarine cables and pipelines").

The laying of submarine cables and pipelines shall be carried out in accordance with the rules of international law, provided that such action does not create any impediments to the regional geological study of the continental shelf, the prospecting, exploration and exploitation of mineral resources or the harvesting of living resources, or the use and repair of cables and pipelines laid earlier, and provided that measures are taken to protect and conserve mineral and living resources.

The specifically authorized federal agency for geology and use of the subsoil shall consider incoming applications to lay submarine cables and pipelines and shall take decisions on the proposed course for the laying of the submarine cables and pipelines in consultation with the specifically authorized federal defence agency, federal agency for the protection of the environment and natural resources, federal communications agency, federal transport agency, federal fisheries agency, federal agency for science and technological policy, federal fuel and energy agency, and federal frontier service agency, and shall submit to the Government of the Russian Federation its conclusion about the proposed course of the submarine cables and pipelines.

If the submarine cables and pipelines are to be used for the exploration and exploitation of mineral resources or for the operation of artificial islands, installations and structures, or if they are to be extended into the territory of the Russian Federation, the specifically authorized federal agency for geology and use of the subsoil shall consider incoming applications for the laying of the submarine cables and pipelines and shall take decisions on the conditions and the proposed course for their laying in conjunction with the federal executive agencies referred to in the third part of this article and the executive agencies of subjects of the Russian Federation, and shall submit to the Government of the Russian Federation its conclusion about the possibility and conditions of issue of a permit to lay such submarine cables and pipelines or a notification of its refusal to issue a permit.

Information about submarine cables and pipelines which have been laid shall be communicated to the specifically authorized federal defence agency for publication in the "Notices to Navigators". International protection in accordance with the rules of international law shall extend to such submarine cables and pipelines.

CHAPTER V  
MARINE SCIENTIFIC RESEARCH

Article 23

Submission and content of applications to carry out marine scientific research

Marine scientific research may be carried out by:

Federal executive agencies, executive agencies of subjects of the Russian Federation and physical and juridical persons of the Russian Federation (hereafter in this chapter referred to as "Russian applicants");

Foreign States, their physical and juridical persons, and competent international organizations (hereafter in this article referred to as "foreign applicants").

The procedure for submission and consideration of applications to carry out marine scientific research (hereafter in this chapter referred to as "applications"), the assessment of applications and the procedure for taking decisions on them shall be established in accordance with this Federal Law and the international treaties of the Russian Federation.

Russian applicants wishing to carry out marine scientific research shall submit an application to the specifically authorized agency for science and technological policy not later than six months before the proposed date of commencement of the marine scientific research.

Foreign applicants wishing to carry out marine scientific research shall submit an application for a permit to carry out the research in question to the specifically authorized federal agency for science and technological policy through the diplomatic channel not later than six months before the proposed date of commencement of the marine scientific research.

Applications (in the case of foreign applicants, drafted in the Russian language and the language of the applicant) must contain:

Information about the nature and purpose of the marine scientific research;

Information about the methods and means which will be used to carry out the marine scientific research, including the name, tonnage, type and class of vessels and a description of the scientific equipment;

The geographical coordinates of the areas in which the marine scientific research is to be carried out, and the routes to be followed to and from the areas in question;

The proposed dates of the first arrival and final departure of the research vessels or, where appropriate, the installation and removal of the scientific equipment;

The name of the institution under whose supervision the marine scientific research will be carried out;

Information about the person responsible for conduct of the marine scientific research (the leader of the expedition);

Information about any possible impact of the planned research on the marine environment, mineral and living resources.

Russian applicants shall submit information about the planned participation of foreign physical and juridical persons in their marine scientific research.

Foreign applicants shall submit information about the planned participation of physical and juridical persons of the Russian Federation in the marine scientific research carried out by the foreign applicants.

Applicants may be requested to supply additional information about the marine scientific research in connection with which the permit application is made. In such cases the time limit for consideration of the application shall be counted from the date of submission of the additional information by the applicant.

#### Article 24

##### Procedure for consideration of applications

The specifically authorized federal agency for science and technological policy shall:

Notify the applicant of the receipt of the application within 10 days from the date of its receipt;

Within four months from the date of receipt of the application, send to the applicant a permit to carry out the marine scientific investigation or notification of:

- (a) Refusal to consent to the conduct of the marine scientific research;
- (b) The inconsistency of the information with the nature, purposes and methods of conducting the marine scientific research;
- (c) The need to submit additional information about the planned marine scientific research.

Permits to carry out marine scientific research or notifications of refusal shall be issued by the specifically authorized federal agency for science and technological policy with the agreement of the specifically authorized federal agency for geology and use of the subsoil, federal fisheries agency, federal agency for protection of the environment and natural resources, federal defence agency, federal frontier service agency, federal security service agency, federal agency for hydrometeorology and environmental monitoring and, when necessary, any other federal executive agencies concerned.

If the specifically authorized federal agency for science and technological policy does not send the relevant permit or notification within the time limits indicated above, foreign applicants may begin to conduct the marine scientific research from the date stated in the application, but not earlier than six months from the date of submission of the application or additional information.

#### Article 25

##### Grounds for refusal of permission to carry out marine scientific research

Permission to carry out marine scientific research may be refused if the marine scientific research:

1. Creates or may create a threat to the security of the Russian Federation;
2. Is directly linked to the regional geological study of the continental shelf, the prospecting, exploration or exploitation of mineral resources or the harvesting of living resources;
3. Is incompatible with the requirements of protection of the marine environment, mineral and living resources;
4. Includes drilling work on the continental shelf, the use of explosive materials or pneumatic equipment, or the introduction of harmful substances into the marine environment;

5. Includes the erection, operation or use of artificial islands, installations and structures which were not mentioned in the application;
6. Obstructs activities carried out by the Russian Federation in exercise of its sovereign rights and jurisdiction over the continental shelf.

Permission to carry out marine scientific research may also be refused if the information supplied by a Russian or foreign applicant is inaccurate or if the Russian or foreign applicant carrying out the marine scientific research has unfulfilled obligations to the Russian Federation arising out of marine scientific research conducted earlier.

Permission may not be refused in the case of marine scientific research to be conducted on the continental shelf at a distance of more than 200 nautical miles from the baselines from which the width of the territorial sea is measured in connection with resource research, with the exception of areas with respect to which the Government of the Russian Federation has announced that regional geological study of the continental shelf, prospecting, exploration or development of mineral resources, or harvesting of living resources is being or will be conducted. Information about such areas shall be published in the "Notices to Navigators".

#### Article 26

##### Special conditions for the issue of permits for the conduct of marine scientific research by competent international organizations

If the Russian Federation, as a member of a competent international organization or under a bilateral treaty with such an organization, approves a draft plan for the conduct of marine scientific research or expresses the wish to participate in such research, and if the specifically authorized federal agency for science and technological policy does not state any objections within four months from the date of its receipt of the organization's application, the competent international organization, on the expiry of the time limit indicated in the application, may begin to conduct the marine scientific research in accordance with this Federal Law and the international treaties of the Russian Federation.

#### Article 27

##### Obligations of Russian and foreign applicants conducting marine scientific research

Russian and foreign applicants receiving permission to conduct marine scientific research shall be obliged to:

Comply with this Federal Law and the international treaties of the Russian Federation;

Submit to the specifically authorized federal agency for science and technological policy preliminary reports and copies of the data of meteorological and hydrological observations, as soon as this becomes a practical possibility, and the final results and conclusions on the completion of the research;

Immediately inform the specifically authorized federal agency for science and technological policy of any change in the marine scientific research;

Avoid causing any unjustifiable interference with the activities carried out by the Russian Federation in exercise of its sovereign rights and jurisdiction over the continental shelf;

Remove the installations, structures and equipment on completion of the marine scientific research unless otherwise agreed.

In addition, foreign applicants shall be obliged to provide for the participation in the marine scientific research of representatives of the Russian Federation specifically authorized to do so by the federal agency for science and technological policy, and for their presence, accommodation and full board on the research vessels, aircraft, installations and structures at the same level as their own managerial staff, to ensure access by these representatives to all information and specimens obtained during the research, and to provide them with data of which copies can be made and specimens which can be divided up without detriment to their scientific value.

Research vessels, aircraft, installations and structures conducting marine scientific research must maintain regular communication with the coastal services of the Russian Federation and, provided that the appropriate equipment is available on the research vessels, aircraft, installations and structures, transmit to the nearest radiometeorological centre of the Russian Federation, for the basic international synoptic periods, operational data of meteorological, hydrological and aerological observations in accordance with the standard procedures of the World Meteorological Organization.

#### Article 28

##### Transmission and publication of the results of marine scientific research

Following processing and analysis all the data obtained as a result of marine scientific research, including the final results and conclusions after the completion of the research, must be transmitted to the specifically authorized federal agency for science and technological research for transfer to the State data banks.

Foreign applicants who have conducted marine scientific research and transmitted to the Russian Federation all the data obtained shall ensure the access of the international community to the results of the research through national or international channels, with the exception of information relating to the activities listed in paragraph 2 of the first part of article 25 of this Federal Law. Such information may be published only with the consent of the Government of the Russian Federation.

#### Article 29

##### Changes in programmes of marine scientific research

Programmes of marine scientific research may be changed only with the consent of the specifically authorized federal agency for science and technological policy. Changes shall be regarded as agreed if the specifically authorized agency for science and technological policy confirms receipt of notification of the proposed changes and does not communicate any objection within 45 days from the date of receipt of notification.

#### Article 30

##### Suspension or termination of marine scientific research

Marine scientific research conducted in violation of this Federal Law or the international treaties of the Russian Federation may be suspended or terminated by decision of the specifically authorized federal agency for science and technological policy or the protection bodies. Resumption of suspended marine scientific research shall be permitted only after correction of the violations within the established time limits and submission to the specifically authorized federal agency for science and technological policy or to the protection body which took the decision to suspend the marine scientific research or guarantees that similar violations will not occur in the future.

Marine scientific research shall be liable to immediate termination if it is conducted:

Without a permit from the specifically authorized federal agency for science and technological research;

If there is any deviation from the information contained in the application submitted in accordance with article 23 of this Federal Law which alters the plan for the marine scientific research.

**CHAPTER VI  
PROTECTION AND CONSERVATION OF MINERAL AND LIVING RESOURCES,  
AND DUMPING OF WASTES AND OTHER MATERIALS**

Article 31

State environmental assessments on the continental shelf

A State environmental assessment on the continental shelf (hereinafter referred to as "State environmental assessment"):

Constitutes a mandatory measure for protection of mineral and living resources and precedes the implementation of the federal strategy, programmes and plans referred to in article 6 of this Federal Law;

Is conducted by the specifically authorized federal agency for protection of the environment and natural resources in accordance with the procedures established in the legislation of the Russian Federation.

All forms of economic activity on the continental shelf are subject to a State environmental assessment, regardless of their estimated costs. All forms of economic activity on the continental shelf shall be subject to approval by a State environmental assessment.

State environmental assessments must be carried out in connection with the projects of federal programmes and plans, pre-planning, pre-design and design documents relating to the regional geological study of the continental shelf, the prospecting, exploration and exploitation of mineral resources and the harvesting of living resources, the erection and use of artificial islands, installations and structures, the laying of submarine cables and pipelines and the dumping of wastes.

Article 32

State environmental control on the continental shelf

State environmental control on the continental shelf (hereinafter referred to as "State environmental control") consists of a system of measures for the prevention, identification and correction of violations of the applicable international rules and standards or the laws and regulations of the Russian Federation for the protection of mineral and living resources.

State environmental control is effected by the specifically authorized federal agency for protection of the environment and natural resources in accordance with the procedures established in the legislation of the Russian Federation.

Article 33

State monitoring of the continental shelf

State monitoring of the continental shelf (hereinafter referred to as "State monitoring") is an element of the unified State system of environmental monitoring of the Russian Federation and constitutes a system of regular observations of the condition of the marine environment and seabed deposits, including indicators of chemical and radioactive pollution, microbiological and hydrobiological parameters and any changes therein caused by natural or man-made factors.

State monitoring is effected by the specifically authorized federal agency for hydrometeorology and environmental monitoring, in accordance with the procedures established in the legislation of the Russian Federation, during implementation of the federal strategy, programmes and plans referred to in article 6 of this Federal Law.

#### Article 34

##### Dumping of wastes and other materials on the continental shelf

The list of wastes and other materials whose dumping on the continental shelf is prohibited is published in the "Notices to Navigators".

The dumping of wastes and other materials on the continental shelf shall be permitted only in accordance with this Federal Law and provided that reliable confinement of the dumped wastes and other materials is guaranteed.

The dumping of wastes and other materials shall be authorized in accordance with permits issued by the specifically authorized federal agency for protection of the environment and natural resources with the consent of the specifically authorized federal defence agency, federal fisheries agency, federal agency for geology and use of the subsoil and the agencies of the State inspectorate of mines, and notification shall be made to the specifically authorized federal frontier service agency, federal agency for hydrometeorology and environmental monitoring and the executive agencies of subjects of the Russian Federation whose territory is adjacent to the block of the continental shelf where the dumping is to take place.

A State environmental assessment must be made before the issue of a permit to dump wastes and other materials on the continental shelf.

#### Article 35

##### Submission and content of applications for permission to dump wastes and other materials on the continental shelf

Federal executive agencies, executive agencies of subjects of the Russian Federation and physical and juridical persons of the Russian Federation (hereafter in this chapter referred to as "Russian applicants") wishing to dump wastes and other materials on the continental shelf shall submit an application for a permit to dump wastes and other materials on the continental shelf (hereafter in this chapter referred to as "application") to the specifically authorized federal agency for protection of the environment and natural resources not later than three months before the beginning of the year in which the dumping of wastes and other materials is planned.

Foreign States and their physical and juridical persons (hereafter in this chapter referred to as "foreign applicants") may dump wastes and other materials on the continental shelf only if an international treaty has been concluded between the Russian Federation and the foreign State concerned. Foreign applicants shall submit their applications through the diplomatic channel to the specifically authorized federal agency for protection of the environment and natural resources not later than six months before the beginning of the year in which the dumping of wastes and other materials is planned.

The specifically authorized agency for protection of the environment and natural resources shall send notification of the receipt of an application and its acceptance for consideration to Russian and foreign applicants within 10 days from the date of receipt of the application.

Applications must contain:

1. The name and official address of the applicant;



2. Information about the person responsible for the dumping of the wastes and other materials;
3. A designation of the wastes and other materials;
4. The nature and content of the wastes and other materials:

The total amount in tons (or other units of measurement) of the wastes and other materials to be dumped and an indication of the average amounts of wastes and other materials dumped (for example, in one year);

Their state (solid, liquid, gaseous or slurry);

Their properties (physical, chemical, biochemical and biological);

Their toxicity;

Their stability (physical, chemical and biological);

Their accumulation and biotransformation in biological materials and deposits;

Their liability to physical, chemical and biological change and to interaction in the marine environment with other organic and inorganic substances dissolved therein;

The likelihood of coloration or other changes impairing the marketability of products of the sea (crustaceans, fish, plants);

5. A description of the place and method of dumping:

The geographical coordinates of the dumping site; the depth and distance from the coast; and the position in relation to holiday areas, areas where fish and other living resources are cultivated and harvested, and areas of prospecting, exploration and exploitation of mineral resources;

The volume of wastes and other materials intended for dumping daily, every five days and every month;

The methods of packing and containerization;

The initial concentration produced by the proposed method of dumping;

Details of the dispersal (the effect of currents, tides and winds on horizontal movement and vertical mixing);

Details of the water (temperature, density and salinity; stratification and oxygenous indicators of pollution; organic and mineral nitrogen content, including ammonia, suspensions and other nutrients; productivity);

Details of the seabed (topography, geochemical and geological properties of deposits, biological productivity);

The presence and effects of other dumping operations carried out in the area of the new dumping operation (information about heavy metals and organic carbon content);

6. General conditions:

Possible impact on holiday areas (presence of floating materials or materials carried by the current, turbidity, unpleasant odour, discoloration and frothiness);

Possible impact on marine flora and fauna, fish stocks and fisheries, and the harvesting of water plants;

Possible impact on other forms of utilization of the sea (deterioration of the quality of water for industrial use, salt-water corrosion of installations, interference with navigation by floating materials or materials carried by the current, interference with navigation or fisheries as a result of the accumulation of wastes and other materials on the seabed, and the problem of protecting blocks of special importance for scientific or conservation purposes);

7. Proof of the impossibility or inadvisability of utilization or disposal of the wastes and other materials on dry land;

8. The period during which the applicant wishes to dump wastes and other materials;

9. The form (type) of means of transport to be used for delivery of the wastes and other materials to the dumping site, and the method of dumping the wastes and other materials.

Russian and foreign applicants may be required to supply additional information about the wastes or other materials for which they are seeking a dumping permit. In such cases the period for consideration of the application shall be counted from the date of submission of the additional information by the applicant.

Within six months from the date of receipt of the application the specifically authorized federal agency for protection of the environment and natural resources shall send to Russian and foreign applicants a permit to dump on the continental shelf the wastes and other materials indicated in the application or a notification of refusal of a dumping permit. Permits to dump wastes and other materials or notification of refusal of a dumping permit shall be sent to foreign applicants through the specifically authorized foreign affairs agency.

Article 36

Grounds for refusal to issue a permit to dump wastes and other materials on the continental shelf

A permit to dump wastes and other materials on the continental shelf may be refused if:

The dumping creates or may create a threat to the security of the Russian Federation;

The dumping is incompatible with the requirements of protection of the marine environment and mineral or living resources;

The application for a permit to dump wastes and other materials is not in compliance with the requirements established by this Federal Law or contains untrue information;

The Russian or foreign applicant has not submitted and cannot submit proof or guarantees that he possesses or will possess qualified experts and the necessary financial means for the environmentally safe dumping of wastes and other materials;

The Russian or foreign applicant has committed earlier violations of this Federal Law or the international treaties of the Russian Federation;

The Russian or foreign applicant has unfulfilled obligations to the Russian Federation with respect to earlier dumping of wastes and other materials.

A permit to dump wastes and other materials may also be refused on other grounds specified in other federal laws applicable to the continental shelf.

Article 37

Rights and obligations of Russian and foreign applicants granted permission to dump wastes and other materials on the continental shelf

Russian and foreign applicants granted permission to dump wastes and other materials on the continental shelf shall have the right to carry out the dumping of wastes and other materials in strict compliance with the permit and only in the presence of an official authorized by the federal agency for protection of the environment and natural resources who will supervise the dumping of wastes and other materials.

Russian and foreign applicants must:

Comply with the terms of the permit to dump wastes and other materials on the continental shelf;

Receive on board their vessels, aircraft, artificial islands, installations and structures officials authorized by the federal agency for protection of the environment and natural resources who will supervise the dumping of wastes and other materials, and provide for the accommodation and full board of such officials at the same level as their own managerial staff for the duration of the dumping of wastes and other materials;

Ensure the access of officials of protection bodies to the vessels, aircraft, artificial islands, installations and structures, and make available to such persons for inspection documents, on-board areas and units and the wastes and other materials to be dumped;

Maintain regular communication with the coastal services of the Russian Federation and transmit to the nearest radiometeorological centre of the Russian Federation, for the basic international synoptic periods, operational data of meteorological and hydrological observations in accordance with the standard procedures of the World Meteorological Organization.

Article 38

Grounds for suspension or termination of the dumping of wastes and other materials on the continental shelf

The dumping of wastes and other materials on the continental shelf in violation of this Federal Law or the international treaties of the Russian Federation may be suspended or terminated by decision of the specifically authorized federal agency for protection of the environment and natural resources or the protection bodies.

Resumption of the suspended dumping of wastes and other materials may be permitted only after correction of the violations within the established time limits and the provision of guarantees that similar violations will not occur in the future. If it is impossible to correct the violations, the dumping of wastes and other materials must be immediately terminated.

The specifically authorized federal agency for protection of the environment and natural resources shall inform the Russian and foreign applicants of the suspension or termination of the dumping of wastes and other materials as quickly as possible (foreign applicants - through the specifically authorized foreign affairs agency), stating the reasons for such suspension or termination of the dumping of wastes and other materials.

Article 39  
Accidents at sea

If a collision of vessels, the grounding of a vessel or an accident at sea during the exploration or exploitation of mineral or living resources or the transport of mineral or living resources obtained on the continental shelf, or any other accident occurring in the superjacent waters of the continental shelf, or activities connected with the elimination of the consequences of such accidents produce or may produce serious harmful effects, the Government of the Russian Federation shall be entitled, in accordance with the rules of international law, to take measures commensurate with the actual or potential damage necessary for protecting the coastline of the Russian Federation or related interests (including fisheries) against pollution or the threat of pollution.

CHAPTER VII  
ECONOMIC RELATIONS IN THE USE OF THE CONTINENTAL SHELF

Article 40  
System of payments for use of the continental shelf

The fundamental principles of economic relations in the use of the mineral and living resources are payment for use, liability for violations of the terms of economic activity, and funding of the study, reproduction and protection of mineral and living resources.

The payments for use of the continental shelf are established by this Federal Law and by the tax legislation of the Russian Federation.

Use of mineral and living resources is subject to payment.

Payments for the use of mineral resources and payments for the use of living resources of the continental shelf shall be made by physical and juridical persons of the Russian Federation and physical and juridical persons of foreign States regardless of the form of ownership.

The system of payments for the use of mineral and living resources and for the dumping of wastes and other materials on the continental shelf includes:

Fees for participation in competitive bidding (auctions) and for the issue of licences to use mineral resources;

Fees for the issue of licences to use living resources;

Payments for geological information about mineral resources;

Payments for the use of mineral resources;

Payments for the use of living resources;

Fines for exceeding the limits of use and the irrational use of living resources;

Deductions for reproduction of the mineral and raw materials base;

Excise duties;

Fees for the issue of permits to dump wastes and other materials.

In addition, users shall pay other taxes and fees provided for in the tax legislation of the Russian Federation.

Payments shall not be levied in respect of observations connected with State monitoring and marine scientific research.

The procedures, amounts and conditions of the levying of the payments, deductions, excise duties, fines and fees provided for in this article shall be established by the legislation of the Russian Federation.

Payments for the use of mineral resources, payments for the use of living resources, fines for exceeding the limits of use and the irrational use of living resources, deductions for reproduction of the mineral and raw materials base, and excise duties shall be paid into the federal budget.

Fees for participation in competitive bidding (auctions) and the issue of licences to use mineral resources and fees for the issue of licences to use living resources shall be paid to the federal agencies issuing the licences.

The question of the financial obligations of the Russian Federation in connection with the exploitation of mineral resources located beyond the limit of 200 nautical miles shall be regulated by the Government of the Russian Federation in accordance with the international treaties of the Russian Federation.

The cash proceeds from the sale by the Government of the Russian Federation of the part of the mineral resources extracted on the continental shelf under production-sharing agreements and belonging to the Russian Federation, or the equivalent in value of that part of the mineral resources, shall be paid into the federal budget.

#### Article 41

#### Fees for the issue of permits to dump wastes and other materials

The amount of the fees for the issue of permits to dump wastes and other materials shall be determined on the basis of the cost of the direct expenditure on the preparation and conduct of the State environmental assessment and of expenditure on the preparation, processing and registration of the permits issued.

Fees for the issue of permits to dump wastes and other materials shall be paid to the federal agency issuing the permit.

### CHAPTER VIII ENFORCEMENT OF THE PROVISIONS OF THIS FEDERAL LAW

#### Article 42

#### Protection bodies

The protection of the continental shelf and its mineral and living resources for the purposes of their conservation, preservation and optimal use and the protection of the economic and other legitimate interests of the Russian Federation shall be effected within the scope of their competence by:

The federal frontier service agency;

The federal agency for geology and use of the subsoil;

The federal agency for State inspection of mines;

The federal fisheries agency;

The federal agency for protection of the environment and natural resources.

The use of the powers of the protection bodies referred to in this article shall be coordinated by the federal frontier service agency.

Officials of the protection bodies shall be guided in the performance of their official duties by this Federal Law and the international treaties of the Russian Federation, and by other legislative and regulatory acts of the Russian Federation.

Officials of the protection bodies must carry formal identification during the performance of their official duties. The instructions of officials of the protection bodies issued within the limits of their powers shall be binding on the physical and juridical persons of the Russian Federation, physical and juridical persons of foreign States and representatives of foreign States and competent international organizations engaging in activities on the continental shelf.

The warships and military aircraft and other State vessels and aircraft of the Russian Federation shall carry out the protection of the continental shelf under their designated flags, pennants and distinguishing marks.

#### Article 43 Rights of officials of protection bodies

In the performance of their official duties officials of the protection bodies shall have the right:

1. To stop and inspect Russian and foreign vessels and other floating facilities (hereinafter referred to as "vessels"), artificial islands, installations and structures engaging in:

Regional geological study of the continental shelf, prospecting, exploration and exploitation of mineral resources;

Harvesting of living resources;

Resource and marine scientific research;

Dumping of wastes and other materials;

Other activities on the continental shelf;

2. To inspect on vessels and artificial islands, installations and structures the documents certifying the right to engage in an activity referred to in paragraph 1 of the first part of this article;

3. In the cases provided for by this Federal Law and the international treaties of the Russian Federation:

To suspend or terminate an activity referred to in paragraph 1 of the first part of this article which violates this Federal Law or the international treaties of the Russian Federation;

To arrest violators of this Federal Law or the international treaties of the Russian Federation and confiscate their fishing and other equipment, tools, instruments and other articles, as well as documents and any item obtained unlawfully;

To pursue and detain violator vessels engaging in an activity referred to in paragraph 1 of the first part of this article and escort them to the nearest port of the Russian Federation (foreign vessels - to one of the ports of the Russian Federation open to foreign vessels);

To impose fines on violators or submit materials concerning the violations committed to the courts of the Russian Federation in accordance with the legislation of the Russian Federation;

4. To stop vessels if there are sufficient grounds for believing that they have unlawfully dumped wastes or other materials on the continental shelf. The captain of such a vessel may be required to provide the necessary information to establish whether a violation has been committed, and the vessel itself may be searched and a report on the search may be compiled, followed by arrest if there are sufficient grounds;

5. To compile reports on violations of this Federal Law and the international treaties of the Russian Federation in connection with the suspension or termination of an activity referred to in paragraph 1 of the first part of this article, the arrest of violators and violator vessels, the confiscation of fishing and other equipment, tools, instruments and other articles, as well as documents and any item obtained unlawfully. The procedures for the pursuit, stopping, search and arrest of vessels and the search of artificial islands, installations and structures, the procedure for the compilation of reports and the procedure for keeping arrested violator vessels in the ports of the Russian Federation shall be determined in accordance with the legislation of the Russian Federation and the rules of international law;

6. To use arms against violators of this Federal Law or the international treaties of the Russian Federation in order to repel their attack and terminate opposition if the lives of officials of the protection bodies are exposed to direct danger. The use of arms must be preceded by a clearly expressed warning of the intention to use arms and by the firing of a warning shot into the air.

The warships and military aircraft of the federal frontier service agency may use arms against vessels violating this Federal Law or the international treaties of the Russian Federation in response to the use of force by them, as well as in other exceptional circumstances during hot pursuit, when all other measures prompted by the existing circumstances and necessary for terminating the violation and arresting the violators have been exhausted. The use of arms must be preceded by a clearly expressed warning of the intention to use arms and by the firing of warning shots. The procedure for the use of arms shall be determined by the Government of the Russian Federation.

Officials of the protection bodies may also exercise the rights provided by this Federal Law with respect to vessels located in the territorial sea or internal waters of the Russian Federation, if there are sufficient grounds for believing that such vessels have violated this Federal Law or the international treaties of the Russian Federation on the continental shelf.

#### Article 44

#### Assistance to protection bodies

The specifically authorized federal defence agency, the federal transport agency and the federal agency for hydrometeorology and environmental monitoring, in addition to the performance of their basic duties, shall render assistance to the protection bodies in the performance of their functions by observing activities within the limits of the continental shelf, using warships and other vessels and floating facilities, coastal stations and other means, including aircraft.

The commanders of warships (and other vessels and floating facilities) and aircraft of the Russian Federation, and the persons responsible for activities conducted on artificial islands, installations and structures and in coastal stations and other facilities shall inform the protection bodies of the detection of warships and other vessels and floating facilities and of installations and structures not published in the "Notices to Navigators". Such information shall be transmitted free of charge through the appropriate central control services.

Physical and juridical persons of the Russian Federation engaging in activities on the continental shelf shall report free of charge to the protection bodies, at their request, the location of their vessels and other floating facilities and of their artificial islands, installations and structures.

Article 45  
Economic incentives for employees of protection bodies

Economic incentives for employees of protection bodies include:

Tax and other benefits;

Loans on preferential terms;

Service and other increments for special conditions of service in the protection of the continental shelf and its mineral and living resources;

Rewards for detecting violations of this Federal Law or the international treaties of the Russian Federation.

Such economic incentives shall be established by the legislation of the Russian Federation.

Article 46  
Liability for violation of this Federal Law

Officials of federal executive agencies, executive agencies of subjects of the Russian Federation and agencies of local self-government guilty of:

Exceeding their powers in the issue of licences (permits) for the prospecting, exploration and exploitation of mineral resources or the harvesting of living resources, the erection of artificial islands, installations and structures, the conduct of resource and marine scientific research, and the dumping of wastes and other materials on the continental shelf, or

Arbitrary alteration of the conditions of the licences (permits) issued shall be liable to administrative proceedings in accordance with the legislation of the Russian Federation, depending on the nature of the violation, the seriousness of its consequences and the scale of the damage caused.

Physical and juridical persons guilty of:

Conducting geological studies of the continental shelf or resource or marine scientific research without a permit or in violation of the established rules,

Conducting unlawful regional geological studies of the continental shelf, the prospecting, exploration or exploitation of mineral resources or the harvesting of living resources, or violating the rules for such activities established by this Federal Law or the international treaties of the Russian Federation,

Transferring mineral or living resources to foreign States or their physical or legal persons, unless such action is permitted by the licence (permit),

Violation of existing standards (rules and regulations) for the safe conduct of the prospecting, exploration and exploitation of mineral resources or the harvesting of living resources, or violation of the requirements of the protection of mineral and living resources,



Violations causing impairment of the conditions of reproduction of the living resources of the continental shelf,

Violations accompanied by obstruction of the lawful activities of officials of the protection bodies,

Unlawful dumping of wastes and other materials,

Causing pollution by drilling,

Unlawful erection of artificial islands, installations and structures on the continental shelf,

Unlawful laying of submarine cables and pipelines used for the exploration and exploitation of mineral resources, or violation of the rules and conditions for extension of submarine cables and pipelines into the territory of the Russian Federation,

Failure to equip artificial islands, installations and structures on the continental shelf with permanent devices for warning of their presence, or violation of the rules concerning the maintenance of such devices in good repair or the rules for removal of installations and structures whose exploitation is terminated, or violation of other provisions of this Federal Law or the international treaties of the Russian Federation, or

Obstruction of lawful forms of activity on the continental shelf shall be liable to administrative or criminal proceedings in accordance with the legislation of the Russian Federation, depending on the nature of the violation, the seriousness of its consequences and the scale of the damage caused.

Physical and juridical persons prosecuted for violation of this Federal Law or the international treaties of the Russian Federation shall not be released from the liability to make compensation for the damage caused.

#### Article 47

##### Settlement of disputes

Disputes between physical persons, juridical persons or physical and juridical persons concerning the exercise of their rights and discharge of their obligations on the continental shelf shall be resolved by administrative means or in the courts of the Russian Federation.

Disputes between the Russian Federation and foreign States concerning the exercise of their rights and discharge of their obligations on the continental shelf shall be resolved by peaceful means in accordance with the international treaties of the Russian Federation and the rules of international law.

#### Article 48

##### Monitoring and supervision of the application of this Federal Law

The application of this Federal Law and the activities of the protection bodies and their officials shall be monitored by the corresponding officials of the federal executive agencies.

Supervision of faithful compliance with this Federal Law shall be effected by the Procurator General of the Russian Federation and his subordinate procurators.

Article 49

Timing and procedures of the entry into force of this Federal Law

This Federal Law shall enter into force on the date of its official publication.

The Government of the Russian Federation shall enact the legal regulations necessary for the implementation of this Federal Law.

4. South Africa

Maritime Zones Act, No. 15 of 1994 <sup>2/</sup>

ACT to provide for the maritime zones of the Republic; and to provide for matters connected therewith.

BE IT ENACTED by the Parliament of the Republic of South Africa, as follows:

1. Definitions

In this Act, unless the context otherwise indicates:

- (i) "baseline" means a baseline as contemplated in subsection (1), (2) or (3) of section 2;
- (ii) "installation" means any of the following situated within internal waters, territorial waters or the exclusive economic zone or on or above the continental shelf:
  - (a) Any installation, including a pipeline, which is used for the transfer of any substance to or from:
    - i. a ship;
    - ii. a research, exploration or production platform; or
    - iii. the coast of the Republic;
  - (b) Any exploration or production platform used in prospecting for or the mining of any substance;
  - (c) Any exploration or production vessel;
  - (d) A telecommunications line as defined in section 1 of the Post Office Act, 1958 (Act No. 44 of 1958);
  - (e) Any vessel or appliance used for the exploration or exploitation of the seabed;
  - (f) Any area situated within a distance of 500 metres measured from any point on the exterior side of an installation referred to in paragraph (a) or (b) other than a pipeline;
  - (g) Any area situated under or above an installation referred to in paragraph (a) or (b);
- (iii) "low-tide elevation" means a naturally formed area of land which is surrounded by water and which is above water at low tide, but submerged at high tide and situated within a distance of not more than 12 nautical miles from the low water line of the mainland or of an island;
- (iv) "low-water" means the mean height of low water for a tidal cycle of 18,6 years;
- (v) "low-water line" means the intersection of the low-water tidal plane with the land and includes the low-water line on a low-tide elevation;

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<sup>2/</sup> Communicated by the Permanent Mission of the Republic of South Africa to the United Nations in a note verbale dated 27 June 1996.

- (vi) "Minister" means the Minister of Transport;
- (vii) "nautical mile" means the international nautical mile of 1,852 metres;
- (viii) "officially recognized large-scale charts or maps" means large-scale charts or maps supplied by the Hydrographer of the South African Navy and the Chief Surveyor-General, respectively;
- (ix) "prescribed" means prescribed by regulation;
- (x) "right of innocent passage" means the right of innocent passage referred to in section 2 of the Marine Traffic Act, 1981 (Act No. 2 of 1981);
- (xi) "sea" means the water of the sea, as well as the bed of the sea and the subsoil thereof;
- (xii) "straight line" means the shortest distance between two points on a surface;
- (xiii) "this Act" includes the regulations.

## 2. Baselines

- (1) Subject to subsections (2) and (3) the low-water line shall be the baseline.
- (2) Notwithstanding subsection (1) straight lines joining the grouped coordinates mentioned in Schedule 2 shall be the baselines of the relevant part of the coast.
- (3) Notwithstanding subsections (1) and (2) the outer limits prescribed or determined in accordance with subsection (4) or (5) shall be the baselines.
- (4) Outer limits of internal waters referred to in section 3(1) (b) shall be established in the prescribed manner.
- (5) In the absence of any outer limits of internal waters prescribed in accordance with subsection (4), the outer limits shall be the outermost harbour works which form an integral part of the harbour system.
- (6) In any proceedings before a court of law any prescribed chart or map shall be admissible as *prima facie* proof of the contents thereof.

## 3. Internal waters

- (1) The internal waters of the Republic shall comprise:
  - (a) all waters landward of the baselines; and
  - (b) all harbours.
- (2) Any law in force in the Republic, including the common law, shall also apply in its internal waters and the airspace above its internal waters.
- (3) The right of innocent passage shall not exist in the internal waters, except if the internal waters concerned were territorial waters before the commencement of this Act.

#### 4. Territorial waters

- (1) The sea within a distance of twelve nautical miles from the baselines shall be the territorial waters of the Republic.
- (2) Any law in force in the Republic, including the common law, shall also apply in its territorial waters and the airspace above its territorial waters.
- (3) The right of innocent passage shall exist in the territorial waters.

#### 5. Contiguous zone

- (1) The sea beyond the territorial waters referred to in section 4, but within a distance of twenty-four nautical miles from the baselines, shall be the contiguous zone of the Republic.
- (2) Within the contiguous zone and the airspace above it, the Republic shall have the right to exercise all the powers which may be considered necessary to prevent contravention of any fiscal law or any customs, emigration, immigration or sanitary law and to make such contravention punishable.

#### 6. Maritime cultural zone

- (1) The sea beyond the territorial waters referred to in section 4, but within a distance of twenty-four nautical miles from the baselines, shall be the maritime cultural zone of the Republic.
- (2) Subject to any other law the Republic shall have, in respect of objects of an archaeological or historical nature found in the maritime cultural zone, the same rights and powers as it has in respect of its territorial waters.

#### 7. Exclusive economic zone

- (1) The sea beyond the territorial waters referred to in section 4, but within a distance of two hundred nautical miles from the baselines, shall be the exclusive economic zone of the Republic.
- (2) Subject to any other law the Republic shall have, in respect of all natural resources in the exclusive economic zone, the same rights and powers as it has in respect of its territorial waters.

#### 8. Continental shelf

- (1) The continental shelf as defined in article 76 of the United Nations Convention on the Law of the Sea, 1982, adopted at Montego Bay on 10 December 1982, shall be the continental shelf of the Republic.
  - (2) Subject to any other law the outer limits of the continental shelf shall consist of a series of straight lines joining the coordinates mentioned in Schedule 3.
  - (3) For the purposes of:
    - (a) exploration and exploitation of natural resources, as defined in paragraph 4 of article 77 of the United Nations Convention on the Law of the Sea, 1982, and
    - (b) any law relating to mining of precious stones, metals or minerals, including natural oil,
- the continental shelf shall be deemed to be unalienated State land.

9. Application of laws in respect of installations

(1) Any law in force in the Republic, including the common law, shall also apply on and in respect of an installation.

(2) For the purposes of subsection (1) an installation shall be deemed to be within the district, as defined in section 1 of the Magistrates' Courts Act, 1944 (Act No. 32 of 1944), designated by the Minister of Justice.

(3) In the absence of a designation contemplated in subsection (2) an installation shall be deemed to be within the district nearest to that installation.

10. Maritime casualties

Notwithstanding this Act or any other law the Republic may, in any area of the sea or the airspace above the sea, take such measures as are necessary against any vessel or aircraft in order to protect the coastline of the Republic or related interests, including fishing, from pollution or any threat of pollution resulting from a maritime casualty or an act or omission relating to such a casualty and which may reasonably be expected to result in major harmful consequences.

11. Self-defence

Notwithstanding this Act or any other law the Republic may take such action in any area of the sea or in the airspace above the sea, as is necessary in the exercise of the principle of self-defence contained in Article 51 of the Charter of the United Nations.

12. Amendment of Schedule 3

The Minister may by notice in the Gazette amend Schedule 3.

13. Regulations

The Minister may make regulations regarding:

- (a) the recognition of a low-water line indicated on officially recognized large-scale charts or maps as constituting the low-water line for the purposes of section 2(1);
- (b) the establishment of coordinates on the low-water line at the natural entrance points of bays and at the mouths of rivers and estuaries in addition to those coordinates mentioned in Schedule 2;
- (c) the definition of the outer limits of internal waters within harbours as indicated on officially recognized large-scale charts or maps;
- (d) any matter which by this Act is required or permitted to be prescribed or which may be necessary or expedient to be prescribed in order to achieve the objectives of this Act.

14. Application of the Act to Prince Edward Islands

This Act shall also apply to the Prince Edward Islands as defined in section 1 of the Prince Edward Islands Act, 1948 (Act No. 43 of 1948).

15. Repeal and amendment of laws, and savings

(1) The laws mentioned in Schedule 1 are hereby repealed or amended to the extent set out in the third column of the Schedule.

(2) Any reference to the internal waters, territorial waters or continental shelf in any other law shall be construed as a reference to the internal waters, territorial waters or continental shelf referred to in this Act, respectively.

(3) Any reference to the fishing zone in any other law in relation to conservation, management or exploitation of living marine resources shall be construed as a reference to the exclusive economic zone referred to in this Act.

(4) Any reference to the fishing zone in any other law in relation to fiscal matters or matters concerning customs, emigration, immigration or sanitation shall be construed as a reference to the contiguous zone referred to in this Act.

16. Short title

This Act shall be called the Maritime Zones Act, 1994.

Schedule 1

LAWS REPEALED OR AMENDED

(Section 15(1))

No. and year of Act	Title	Extent of repeal or amendment
Act No. 87 of 1963	Territorial Waters Act, 1963	Repeal of the whole
Act No. 98 of 1977	Territorial Waters Amendment Act, 1977	Repeal of the whole
Act No. 8 of 1978 (Transkei)	Territorial Waters Act, 1978	Repeal of the whole
Act No. 2 of 1981	Marine Traffic Act, 1981	Amendment of section 1 by the substitution for the definition of "internal waters" of the following definition: " <u>internal waters' means internal waters referred to in section 3 of the Maritime Zones Act, 1994.</u> "
Act No. 12 of 1986 (Ciskei)	Territorial Waters Act, 1986	Repeal of the whole
Act No. 12 of 1988	Sea Fishery Act, 1988	Amendment of section 1 by the substitution for the definition of "fishing zone" of the following definition: " <u>fishing zone' means the territorial waters of the Republic and the exclusive economic zone referred to in sections 4 and 7 of the Maritime Zones Act, 1994, respectively.</u> "
Act No. 129 of 1993	General Law Third Amendment Act, 1993	Repeal of sections 30 and 31



SCHEDULE 2

STRAIGHT BASELINES OF THE REPUBLIC OF SOUTH AFRICA

(These coordinates are based on the WGS84 Spheroid to an accuracy of 1" (arc))

Latitude South ° ' "	Longitude East ° ' "	Latitude South ° ' "	Longitude East ° ' "	Latitude South ° ' "	Longitude East ° ' "	Latitude South ° ' "	Longitude East ° ' "
32 19 01.04	18 18 54.50	34 01 44.33	18 18 19.78	34 50 06.29	19 59 26.45	34 23 43.55	21 43 48.63
32 44 12.00	17 52 06.00	34 01 44.33	18 18 19.78	34 50 06.26	19 59 27.04	34 23 43.55	21 43 48.63
32 44 12.00	17 52 06.00	34 02 12.78	18 18 18.31	34 50 06.26	19 59 27.04	34 20 18.88	21 54 54.01
32 49 06.25	17 50 47.43	34 02 12.78	18 18 18.31	34 50 04.57	19 59 51.13	34 20 18.88	21 54 54.01
32 49 06.25	17 50 47.43	34 02 42.02	18 18 23.37	34 50 04.57	19 59 51.13	34 11 15.44	22 09 39.74
32 49 29.09	17 50 40.60	34 02 42.02	18 18 23.37	34 50 02.46	20 00 22.48	34 11 15.44	22 09 39.74
32 49 29.09	17 50 40.60	34 03 56.86	18 18 35.74	34 50 02.46	20 00 22.48	34 05 43.00	22 58 48.00
32 49 30.75	17 50 40.34	34 03 56.86	18 18 35.74	34 50 01 59	20 00 26.57	34 05 43.00	22 58 48.00
32 49 30.75	17 50 40.34	34 08 45.60	18 19 09.69	34 50 01 59	20 00 26.57	34 06 40.43	23 24 25.37
32 49 41.32	17 50 44.24	34 23 15.31	18 49 37.02	34 49 53.62	20 00 52.57	34 06 40.43	23 24 25.37
32 49 41.32	17 50 44.24	34 38 23.66	19 17 19.40	34 49 53.62	20 00 52.57	34 12 49.36	24 50 12.70
33 00 02.00	17 51 48.00	34 38 23.66	19 17 19.40	34 48 48.42	20 03 19.31	34 12 49.36	24 50 12.70
33 00 02.00	17 51 48.00	34 38 24.23	19 17 21.14	34 48 48.42	20 03 19.31	34 12 49.81	24 50 14.69
33 02 29.08	17 53 30.62	34 38 24.23	19 17 21.14	34 48 47.51	20 03 21.27	34 12 49.81	24 50 14.69
33 02 29.08	17 53 30.62	34 41 24.43	19 24 09.05	34 48 47.51	20 03 21.27	34 12 49.28	24 50 16.66
33 09 07.08	17 58 48.10	34 41 24.43	19 24 09.05	34 48 42.82	20 03 29.04	34 12 49.28	24 50 16.66
33 09 07.08	17 58 48.10	34 46 53.08	19 38 05.33	34 48 42.82	20 03 29.04	34 02 58.11	25 37 41.59
33 24 51.08	18 04 23.49	34 46 53.08	19 38 05.33	34 28 28.22	20 50 53.92	34 02 58.11	25 37 41.59
33 24 51.08	18 04 23.49	34 47 19.28	19 39 09.17	34 28 28.22	20 50 53.92	34 01 56.36	25 42 10.97
33 26 00.50	18 04 23.59	34 47 19.28	19 39 09.17	34 26 18.84	21 17 58.22	34 01 56.36	25 42 10.97
33 26 00.50	18 04 23.59	34 47 19.82	19 39 10.62	34 26 18.84	21 17 58.22	33 50 34.37	26 17 18.45
33 26 08.45	18 04 24.91	34 47 19.82	19 39 10.62	34 26 19.51	21 18 00.22	33 50 34.37	26 17 18.45
33 26 08.45	18 04 24.91	34 47 19.88	19 39 11.86	34 26 19.51	21 18 00.22	33 50 34.29	26 17 22.50
33 26 08.58	18 04 25.24	34 47 19.88	19 39 11.86	34 26 18.93	21 18 10.18	33 50 34.29	26 17 22.50
33 26 08.58	18 04 25.24	34 49 52.73	19 58 04.62	34 26 18.93	21 18 10.18	33 46 23.96	26 28 07.66
33 48 07.47	18 21 28.13	34 49 52.73	19 58 04.62	34 26 16.04	21 18 38.90		
33 48 07.47	18 21 28.13	34 49 53.34	19 58 07.83	34 26 16.04	21 18 38.90		
34 01 44.04	18 18 19.82	34 49 53.34	19 58 07.83	34 26 15.54	21 18 40.94		
34 01 44.04	18 18 19.82	34 50 06.29	19 59 26.45	34 26 15.54	21 18 40.94		

SCHEDULE 3

LIMITS OF THE CONTINENTAL SHELF OF THE REPUBLIC OF SOUTH AFRICA

(These coordinates are based on the WGS84 Spheroid to an accuracy of 10" (arc))

Latitude South ° ' "	Longitude East ° ' "	Latitude South ° ' "	Longitude East ° ' "	Latitude South ° ' "	Longitude East ° ' "	Latitude South ° ' "	Longitude East ° ' "
MAINLAND		31 05 00	10 02 00	39 37 50	15 20 10	39 13 20	29 06 40
21 41 20	08 16 00	31 06 20	10 02 50	39 50 30	15 57 10	39 08 40	29 19 50
22 16 40	08 08 50	31 16 50	10 10 30	39 57 50	16 15 30	38 55 50	29 53 30
22 23 00	08 07 50	31 50 20	10 39 10	39 58 50	16 17 50	38 49 20	30 09 50
22 31 40	08 06 50	31 53 40	10 42 20	40 03 50	16 30 20	38 47 00	30 15 40
23 23 00	08 05 20	31 55 00	10 43 40	40 25 20	17 43 10	38 39 50	30 32 00
23 27 50	08 05 30	31 57 30	10 44 30	40 34 00	18 34 20	38 29 00	30 54 50
23 44 30	08 05 40	32 30 30	10 56 40	40 37 20	19 00 00	38 29 00	30 55 00
23 46 00	08 05 40	32 53 20	10 55 10	40 40 30	19 59 30	38 15 00	31 20 00
23 47 10	08 05 30	33 19 40	10 55 40	40 40 10	20 18 30	38 06 10	31 34 10
24 23 00	08 05 00	33 50 30	10 58 20	40 40 00	20 23 50	37 52 40	31 55 20
24 53 00	08 07 40	33 53 10	10 58 50	40 38 30	20 46 20	37 52 40	31 55 30
25 23 00	08 09 40	34 51 50	11 13 30	40 32 00	21 36 20	37 49 30	32 00 30
26 21 50	08 22 10	35 01 10	11 17 10	40 16 30	22 40 20	37 37 50	32 19 20
26 26 30	08 23 40	35 10 10	11 20 50	40 13 10	22 50 40	37 34 10	32 24 40
26 54 20	08 27 50	35 13 10	11 21 50	40 08 00	23 05 20	37 15 30	32 50 00
27 21 20	08 31 20	35 18 10	11 22 50	40 05 00	23 24 00	37 11 40	32 55 00
27 28 50	08 32 50	35 50 00	11 31 10	40 04 50	23 24 50	36 58 40	33 12 30
28 13 50	08 45 00	36 14 00	11 40 10	40 00 50	23 44 40	35 24 10	37 12 20
28 19 40	08 46 40	36 43 50	11 53 50	39 59 50	23 49 00	35 18 40	37 19 50
28 26 10	08 48 30	36 46 40	11 55 20	39 59 50	23 49 10	35 09 30	37 30 00
28 35 40	08 51 20	37 39 30	12 30 40	40 01 30	24 05 50	35 09 20	37 30 10
28 42 50	08 53 30	37 54 30	12 43 50	40 02 20	25 23 40	35 09 10	37 30 20
29 11 50	09 02 10	38 11 20	13 00 30	39 52 00	26 40 20	35 08 50	37 30 40
29 17 40	09 04 20	38 26 30	13 17 30	39 47 20	27 00 50	35 08 30	37 31 00
30 07 00	09 27 50	38 32 20	13 24 30	39 41 50	27 30 50	35 08 10	37 31 20
30 11 30	09 30 10	39 00 10	14 04 20	39 36 10	27 55 10	34 52 20	37 44 10
30 13 00	09 30 50	39 06 30	14 14 40	39 26 00	28 29 30	34 47 40	37 46 50
30 42 00	09 47 10	39 18 00	14 35 50	39 19 50	28 46 30	34 40 50	37 50 30

Latitude South ° , ' , ''	Longitude East ° , ' , ''	Latitude South ° , ' , ''	Longitude East ° , ' , ''	Latitude South ° , ' , ''	Longitude East ° , ' , ''	Latitude South ° , ' , ''	Longitude East ° , ' , ''
34 27 20	37 55 40	32 46 00	38 24 40	31 32 50	38 21 20	PRINCE EDWARD ISLANDS	
34 22 50	37 56 50	32 45 50	38 24 40	31 25 00	38 18 10	41 54 40	44 39 50
34 22 00	37 57 20	32 42 10	38 24 00	31 24 10	38 17 50	42 33 00	43 50 10
34 20 30	37 58 10	32 38 30	38 23 00	31 23 30	38 18 10	41 18 20	45 43 10
34 16 00	38 00 20	32 32 50	38 24 50	31 22 20	38 19 00	41 03 20	46 16 40
34 15 30	38 00 40	32 08 00	38 28 00	31 22 10	38 19 10	40 48 50	46 52 10
34 14 00	38 01 30	32 07 50	38 28 00	31 12 10	38 25 10	40 27 00	48 05 10
34 12 30	38 02 10	32 07 40	38 28 00	31 07 40	38 27 30	40 14 00	49 21 40
34 12 10	38 02 30	32 07 30	38 28 00	31 07 20	38 27 40	40 11 20	49 54 50
34 11 40	38 02 40	32 07 20	38 28 00	30 54 50	38 32 40	40 08 30	49 56 20
34 00 20	38 11 20	32 07 10	38 28 00	30 54 20	38 32 50	40 08 00	49 58 00
33 49 40	38 17 10	32 07 00	38 27 50	30 47 00	38 34 40	40 07 50	49 58 40
33 49 20	38 17 20	32 06 50	38 27 50	30 46 40	38 34 50	40 06 30	50 03 50
33 37 00	38 22 10	32 06 40	38 27 50	30 46 30	38 34 50	40 05 20	50 10 00
33 36 30	38 22 20	32 06 30	38 27 50	30 45 20	38 35 20	40 05 10	50 10 50
33 36 00	38 22 30	32 06 20	38 27 50	30 44 10	38 35 50	40 05 00	50 11 40
33 34 50	38 22 50	32 06 10	38 27 50	30 45 10	38 35 20	40 04 20	50 15 20
33 33 40	38 23 20	32 06 00	38 27 50	30 38 30	38 38 20	40 04 10	50 15 40
33 32 20	38 23 40	32 05 50	38 27 50	30 27 00	38 42 50	40 04 00	50 16 30
33 06 10	38 27 10	32 05 40	38 27 50	30 17 10	38 46 10	40 03 00	50 21 00
33 06 00	38 27 10	32 05 30	38 27 50	30 11 40	38 48 00	40 01 50	50 26 10
33 05 50	38 27 10	32 05 20	38 27 50	29 58 20	38 52 50	40 01 40	50 26 50
33 05 40	38 27 10	31 48 00	38 25 50	29 50 20	38 55 30	40 01 30	50 27 30
33 05 30	38 27 10	31 43 20	38 24 40	29 39 30	38 58 30	40 01 20	50 28 30
33 05 20	38 27 10	31 39 30	38 23 30	29 36 20	38 59 30	39 58 40	50 37 30
33 05 10	38 27 10	31 38 20	38 23 10	29 35 20	38 59 40	39 45 10	51 22 20
33 05 00	38 27 10	31 33 50	38 21 40	29 29 10	39 01 10	39 44 30	51 24 40
32 50 30	38 25 40	31 33 30	38 21 30	29 14 50	39 04 20	39 44 20	51 25 10
32 47 50	38 25 10	31 33 20	38 21 30			39 44 10	51 25 40

Latitude South ° ' "	Longitude East ° ' "	Latitude South ° ' "	Longitude East ° ' "	Latitude South ° ' "	Longitude East ° ' "	Latitude South ° ' "	Longitude East ° ' "
39 44 00	51 26 10	39 02 10	52 39 00	38 42 20	54 12 10	36 24 10	56 51 40
39 40 40	51 35 00	39 02 10	52 40 00	38 33 50	54 26 30	36 24 00	56 52 00
39 40 10	51 36 10	39 02 10	52 41 00	38 33 30	54 26 50	36 23 50	56 52 20
39 38 30	51 40 20	39 02 10	52 42 00	38 18 40	54 44 50	36 23 20	56 53 20
39 35 00	51 47 50	39 02 10	52 43 00	38 18 30	54 45 00	36 22 50	56 55 10
39 34 50	51 48 10	39 02 10	52 44 00	38 11 30	54 51 20	36 13 40	57 16 20
39 34 40	51 48 30	39 02 10	52 45 00	37 41 10	55 07 40	35 53 00	57 44 00
39 34 30	51 48 50	39 02 10	52 46 00	37 15 00	55 11 20	35 52 50	57 44 10
39 34 20	51 49 10	39 02 10	52 47 00	37 14 40	55 11 40	35 31 40	58 00 00
39 34 10	51 49 30	39 02 10	52 48 00	37 12 20	55 15 20	35 29 20	58 04 30
39 34 00	51 49 50	39 02 10	52 49 00	37 12 00	55 15 40	35 17 50	58 21 20
39 33 50	51 50 10	39 02 10	52 49 30	36 57 20	55 33 30	35 09 10	58 30 50
39 33 40	51 50 30	39 01 30	53 02 50	36 48 30	55 41 10	35 09 00	58 31 00
39 33 30	51 50 50	39 00 40	53 12 10	36 48 20	55 42 10	34 57 30	58 40 50
39 33 20	51 51 10	38 59 30	53 19 40	36 48 10	55 42 50	34 43 00	58 49 30
39 33 10	51 51 30	38 57 40	53 29 10	36 44 50	55 53 50	34 42 20	58 49 50
39 33 00	51 51 50	38 53 20	53 45 10	36 44 40	55 54 20	34 30 10	58 54 40
39 29 00	51 59 10	38 53 10	53 45 40	36 44 30	55 55 10	34 23 10	58 56 30
39 27 00	52 02 30	38 53 00	53 46 00	36 39 00	56 09 20	34 02 10	58 58 40
39 16 50	52 16 50	38 52 50	53 46 30	36 38 20	56 10 30	34 02 00	58 58 40
39 16 20	52 17 40	38 52 40	53 47 00	36 36 40	56 18 10	34 01 50	58 58 40
39 08 10	52 26 40	38 52 20	53 47 50	36 36 30	56 18 50	34 01 40	58 58 40
39 07 50	52 27 10	38 52 10	53 48 30	36 33 20	56 29 50	34 01 30	58 58 40
39 07 10	52 27 50	38 50 10	53 54 00	36 33 10	56 30 20	34 01 20	58 58 40
39 03 50	52 31 50	38 49 20	53 56 10	36 31 00	56 36 10	34 01 10	58 58 40
39 02 10	52 33 50	38 45 50	54 04 30	36 29 30	56 40 00	34 01 00	58 58 40
39 02 10	52 36 50	38 42 50	54 11 10	36 24 40	56 50 40	34 00 50	58 58 40
39 02 10	52 37 00	38 42 40	54 11 30	36 24 30	56 51 00	33 44 00	58 56 30
39 02 10	52 38 00	38 42 30	54 11 50	36 24 20	56 51 20	33 33 40	58 53 30

Latitude South ° ' "	Longitude East ° ' "	Latitude South ° ' "	Longitude East ° ' "	Latitude South ° ' "	Longitude East ° ' "	Latitude South ° ' "	Longitude East ° ' "
32 56 20	58 29 20	31 56 20	54 11 00	34 32 30	51 25 10	35 34 40	48 58 40
32 56 10	58 29 10	32 00 30	54 05 10	34 32 50	51 25 00	35 34 50	48 58 20
32 56 00	58 29 00	32 10 50	53 52 50	34 35 50	51 23 20	35 42 50	48 44 20
32 55 50	58 28 50	32 11 10	53 52 30	34 44 10	51 10 00	35 49 50	48 34 40
32 51 20	58 24 00	32 11 40	53 52 10	34 49 00	51 03 50	35 50 40	48 31 10
32 37 10	58 03 40	32 14 50	53 49 00	34 51 40	50 59 00	35 53 10	48 12 00
32 22 30	57 51 10	32 20 30	53 35 40	34 55 10	50 53 20	35 53 20	48 11 10
32 22 10	57 51 00	32 20 40	53 35 20	34 58 00	50 49 20	35 56 10	47 59 10
32 22 00	57 50 40	32 28 50	53 21 20	35 10 20	50 34 20	35 57 00	47 56 30
32 21 50	57 50 30	32 34 50	53 13 10	35 10 40	50 34 00	35 58 40	47 51 10
32 08 50	57 34 40	32 41 30	52 57 30	35 10 50	50 33 50	35 58 50	47 50 40
32 07 40	57 33 00	32 41 40	52 57 10	35 11 00	50 33 40	36 02 00	47 42 00
32 00 00	57 19 30	33 03 30	52 26 20	35 11 10	50 33 30	36 02 30	47 39 20
31 59 50	57 19 10	33 03 50	52 26 00	35 11 20	50 33 20	36 05 40	47 26 40
31 52 40	57 02 00	33 04 40	52 25 00	35 11 30	50 33 10	36 15 10	47 01 50
31 46 10	56 30 30	33 29 20	52 06 50	35 11 50	50 33 00	36 20 30	46 52 00
31 45 50	56 27 20	33 29 40	52 06 40	35 12 00	50 32 50	36 23 20	46 47 40
31 35 20	55 52 30	33 30 00	52 06 30	35 12 10	50 32 40	36 37 50	46 29 40
31 33 20	55 29 00	33 55 00	51 57 50	35 12 20	50 32 30	36 38 00	46 29 30
31 33 20	55 28 50	33 57 50	51 54 10	35 12 30	50 32 20	36 38 30	46 28 50
31 33 20	55 28 40	34 05 10	51 45 40	35 21 00	50 24 30	36 38 50	46 27 50
31 33 20	55 28 30	34 05 20	51 45 30	35 20 00	50 15 30	36 41 30	46 17 10
31 33 20	55 28 10	34 05 30	51 45 20	35 19 40	50 05 00	36 42 10	46 14 20
31 33 20	55 22 40	34 05 40	51 45 10	35 19 40	50 04 40	36 24 30	45 58 30
31 35 20	55 04 40	34 05 50	51 45 00	35 19 40	50 04 30	36 05 40	45 30 40
31 37 40	54 53 20	34 06 00	51 44 50	35 19 40	50 04 20	36 05 30	45 30 10
31 40 40	54 42 50	34 06 10	51 44 40	35 19 40	50 04 10	35 54 50	45 01 00
31 52 30	54 17 00	34 06 20	51 44 30	35 19 40	50 03 50	35 53 40	44 56 10
31 55 40	54 12 00	34 22 00	51 31 20	35 31 50	49 04 40	35 50 10	44 23 50

Latitude South ° ' "	Longitude East ° ' "	Latitude South ° ' "	Longitude East ° ' "	Latitude South ° ' "	Longitude East ° ' "	Latitude South ° ' "	Longitude East ° ' "
35 50 10	44 23 40	36 22 40	42 41 00	37 34 00	41 42 10	38 52 40	40 10 00
35 50 10	44 23 30	36 23 50	42 39 10	37 37 30	41 40 50	38 57 50	40 02 10
35 50 10	44 23 20	36 25 10	42 37 30	37 49 00	41 27 10	39 02 30	39 56 00
35 50 10	44 23 10	36 28 10	42 33 30	38 02 10	41 15 40	39 05 50	39 51 50
35 50 10	44 22 50	36 28 50	42 32 40	38 14 20	41 08 00	39 12 10	39 44 50
35 50 10	44 22 40	36 33 00	42 27 40	38 14 40	41 07 50	39 12 20	39 44 40
35 50 10	44 22 30	36 38 40	42 21 30	38 15 00	41 07 40	39 12 30	39 44 30
35 50 10	44 22 20	36 38 50	42 21 10	38 15 20	41 07 30	39 12 40	39 44 20
35 50 10	44 22 00	36 39 10	42 21 00	38 15 40	41 07 20	39 12 50	39 44 10
35 50 10	44 21 50	36 39 20	42 20 40	38 26 20	41 00 50	39 13 00	39 44 00
35 50 10	44 21 40	36 39 40	42 20 30	38 26 40	41 00 40	39 13 10	39 43 50
35 53 10	43 51 10	36 39 50	42 20 10	38 27 00	41 00 30	39 13 30	39 43 40
35 55 00	43 43 20	36 40 20	42 19 50	38 27 20	41 00 20	39 13 30	39 43 20
35 56 20	43 38 30	36 45 10	42 15 10	38 32 10	40 57 50	39 25 20	39 32 50
35 56 40	43 37 20	36 48 50	42 11 40	38 34 10	40 50 50	39 29 10	39 30 10
35 58 40	43 30 40	36 50 00	42 10 40	38 43 30	40 26 50	39 33 30	39 27 20
36 00 40	43 24 00	36 55 00	42 06 30	38 43 40	40 26 30	39 40 00	39 23 30
36 08 20	43 05 30	36 57 30	42 04 30	38 43 50	40 26 10	39 40 20	39 23 20
36 08 30	43 05 10	37 01 50	42 01 20	38 44 00	40 25 50	39 40 40	39 23 10
36 08 40	43 04 50	37 03 00	42 00 30	38 44 10	40 25 20	39 41 00	39 23 00
36 08 50	43 04 30	37 03 20	42 00 10	38 44 20	40 25 00	39 48 00	39 19 40
36 09 00	43 04 10	37 04 00	41 59 40	38 44 30	40 24 40	39 50 50	39 18 30
36 09 10	43 03 50	37 04 40	41 59 10	38 44 40	40 24 20	39 54 30	39 17 00
36 09 20	43 03 30	37 07 30	41 57 00	38 44 50	40 24 00	39 58 40	39 15 30
36 09 30	43 03 10	37 08 40	41 56 10	38 45 00	40 23 40	40 02 10	39 14 30
36 09 40	43 02 50	37 11 30	41 54 10	38 45 10	40 23 20	40 06 40	39 13 20
36 09 50	43 02 30	37 15 50	41 51 20	38 45 20	40 23 00	40 13 30	39 12 00
36 13 00	42 56 30	37 26 40	41 45 20	38 45 30	40 22 40	40 17 50	39 06 20
36 16 50	42 49 50	37 29 10	41 44 20	38 50 50	40 13 00	40 18 30	39 05 30

Latitude South ° ' "	Longitude East ° ' "	Latitude South ° ' "	Longitude East ° ' "	Latitude South ° ' "	Longitude East ° ' "	Latitude South ° ' "	Longitude East ° ' "
40 19 50	39 03 50	43 27 10	31 03 30	52 51 40	37 53 40		
40 21 50	39 01 30	43 27 20	31 03 20	52 51 40	37 53 50		
40 28 10	38 54 20	43 44 40	30 45 10	52 51 40	37 54 00		
40 28 30	38 54 00	44 35 50	30 02 10	52 51 40	37 54 10		
40 28 40	38 53 50	45 12 00	29 40 00	52 51 30	38 11 40		
40 28 50	38 53 40	45 31 20	29 30 30	52 43 40	39 49 30		
40 29 00	38 53 20	46 29 40	29 11 40	52 24 40	41 22 20		
40 29 20	38 53 00	46 40 30	29 09 50	51 55 20	42 47 00		
40 36 00	38 46 50	47 29 20	29 07 00	51 36 40	43 25 40		
40 43 10	38 40 50	47 59 00	29 10 10	51 36 30	43 26 00		
40 43 30	38 39 50	48 28 50	29 17 20	51 36 20	43 26 30		
40 45 10	38 33 40	49 26 00	29 43 20	51 16 40	44 00 10		
40 48 50	38 22 00	50 03 40	30 10 30	50 51 10	44 56 10		
40 49 30	38 20 20	50 03 50	30 10 50	43 04 20	44 30 40		
40 49 10	37 58 10	50 04 00	30 10 50	42 22 00	43 33 20		
40 49 10	37 58 00	50 53 10	31 02 50				
40 49 50	37 25 40	51 35 40	32 08 50				
40 58 20	36 07 30	51 35 50	32 09 10				
41 15 50	34 51 50	51 35 50	32 09 30				
41 32 30	34 03 30	51 36 00	32 09 30				
41 42 00	33 40 20	51 57 40	32 55 50				
41 50 30	33 21 50	52 10 10	33 28 30				
41 50 40	33 21 30	52 34 40	34 57 30				
42 16 10	32 34 30	52 47 10	36 19 10				
42 57 40	31 36 00	52 48 20	36 33 10				
43 09 40	31 22 10	52 50 30	37 07 00				
43 24 50	31 06 00	52 51 20	37 27 20				
43 26 50	31 03 50	52 51 40	37 53 20				
43 27 00	31 03 40	52 51 40	37 53 30				

B. Communications from States

1. Kuwait

Statement on the Act promulgated by the Islamic Republic of Iran on 27 May 1993 concerning the delimitation of its marine areas<sup>1/</sup>

On 27 May 1993 the Islamic Republic of Iran promulgated an act concerning the delimitation of its marine areas. The State of Kuwait does not contest in any way the right of the Islamic Republic of Iran to delimit its marine areas, but:

Considering that the law contains provisions which run counter to the principles of international maritime law, in particular the 1982 United Nations Convention on the Law of the Sea, which requires States to fulfil in good faith the obligations assumed under the Convention and to exercise the rights, jurisdiction and freedoms recognized in the Convention in a manner which will not constitute an abuse of right; and

Considering further that the principles of international law require any State signatory to an international convention or bound by it to refrain from any act running counter to the object or purpose of the Convention;

The State of Kuwait does not consider itself bound by any law running counter to the provisions of the 1982 United Nations Convention on the Law of the Sea.

2. Philippines

Statement of the Department of Foreign Affairs on the ratification by China of the United Nations Convention on the Law of the Sea<sup>2/</sup>

The Department of Foreign Affairs welcomes the ratification by the People's Republic of China of the United Nations Convention on the Law of the Sea on 15 May 1996. The ratification reaffirms China's stated commitment to the principles enshrined in the Convention, which, among other things, calls upon the parties to settle all issues relating to the law of the sea in the spirit of mutual understanding and cooperation.

The Department notes, however, that China has simultaneously issued a declaration proclaiming baselines around the group of disputed islands known as the Paracels as well as the baselines of the sea adjacent to China's mainland.

The Philippines is gravely concerned over this act. China's action in a disputed part of the South China Sea disturbs the stability of the area, sets back the spirit of cooperation that has been slowly developing in the South China Sea and does not help in the resolution of the disputes there.

The Philippines calls upon China to confer with other parties to the disputes in the South China Sea with a view to settling their differences in a friendly manner on the basis of equality and mutual respect.

The Department is keenly monitoring further developments in the area.

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<sup>1/</sup> A/50/1029; for the text of the Act, see Law of the Sea Bulletin, No. 24 (1993), pp. 10-15.

<sup>2/</sup> Communicated by the Permanent Mission of the Philippines to the United Nations and contained in an Information Bulletin of the Department of Foreign Affairs dated 17 May 1996.



3. Qatar

Note verbale outlining the position of Qatar with regard to the promulgation by the Islamic Republic of Iran of the Act entitled "Act on the Marine Areas of the Islamic Republic of Iran in the Persian Gulf and the Sea of Oman, 1993" <sup>3/</sup>

The Permanent Mission of the State of Qatar to the United Nations presents its compliments to the Secretariat of the United Nations and has the honour to inform it that Qatar, after careful consideration of the Act on the Marine Areas of the Islamic Republic of Iran in the Persian Gulf and the Sea of Oman, 1993, is of the opinion that some articles of the aforementioned Act are inconsistent with the provisions of international law. Qatar therefore reserves its rights and the rights of its citizens in this regard.

Qatar would like to draw attention to the fact that the use by the Islamic Republic of Iran of the baseline to measure its territorial sea, in accordance with the above-mentioned Act, contravenes the customary law enshrined in international law and the 1982 United Nations Convention on the Law of the Sea. This is because there are no geographical phenomena other than natural ones on the Iranian coast to justify using such lines.

Further, the above-mentioned Act states that the waters between islands belonging to the Islamic Republic of Iran, where the distance of such islands does not exceed 24 nautical miles, form part of the internal waters of the Islamic Republic of Iran. This clearly contravenes the provisions of the law of the sea: the waters between the islands cannot be considered internal waters of the Islamic Republic of Iran except under certain conditions, which do not obtain on the Iranian coastline.

Qatar would also like to refer to article 19, paragraph 2 (h), of the 1982 United Nations Convention on the Law of the Sea, which states that "any act of wilful and serious pollution" is considered contrary to the provisions of the Convention. The provisions of article 6 (g) of the Iranian Act are therefore in clear contravention of the Convention with regard to activities prejudicial to the peace and security of the coastal State.

Similarly, it is necessary to refer to article 21, paragraph 4, of the 1982 United Nations Convention on the Law of the Sea, which provides for compliance with the laws and regulations adopted by a coastal State inasmuch as such laws and regulations conform to generally accepted international regulations. Here, Qatar would like to note that article 7 of the Iranian Act, which states that the Government of the Islamic Republic of Iran "shall adopt such other regulations as are necessary for the protection of its national interests", gives the Islamic Republic of Iran no more rights than those provided for by the law of the sea.

Article 9 of the Iranian Act states that the passage of warships and nuclear-powered ships and vessels through the Iranian territorial sea is subject to the prior authorization of the relevant authorities of the Islamic Republic of Iran. The same article also requires that submarines exercising the right of innocent passage should navigate on the surface, and show their flag. There is no basis for these demands in the 1982 Convention, and Qatar will continue to reject outright such restrictions on the right of innocent passage.

Attention should be paid to the scope of the coastal State's jurisdiction in the contiguous zone, that is, the area adjacent to its territorial sea. It should be confined to the right of the coastal State to exercise the necessary authority in order to prevent contravention of its laws and regulations governing customs, taxes, immigration and health inside its territory or territorial sea. The authority of the coastal State to apply its environmental rules outside its territorial waters was provided for by article 220 of the Convention. The

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<sup>3/</sup> A/50/1034, annex.

provisions in article 13 of the aforementioned Act regarding measures to be taken in the contiguous zone to prevent the infringement of the environmental and security regulations of the Islamic Republic of Iran go well beyond what is permitted by international law.

Similarly, article 14, subparagraph (a), of the Act gives the Islamic Republic of Iran the right to demand greater authority in order to control the laying of marine cables and pipelines on the part of the continental shelf belonging to the Islamic Republic of Iran than is permitted by international law and laid down in article 79 of the Convention.

Furthermore, international law permits the coastal State to conduct only marine scientific research in its exclusive economic zone, not "any kind of research", as stated in article 14, subparagraph (b) (ii), of the aforementioned Iranian Act. Specifically, hydrographical research outside territorial waters is not considered marine scientific research as it is understood in the Convention, and therefore does not come under the jurisdiction of the coastal State.

Qatar would also like to note that article 16 of the Iranian Act, which seeks to prohibit the military aircraft and shipping of other States from exercising the right of innocent passage in the Iranian exclusive economic zone, contravenes the provisions and principles of international law regarding the high seas.

Qatar would like to emphasize that these objections are not intended as criticism of the Islamic Republic of Iran, but merely to clarify the position of the State with respect to the international provisions and principles of the law of the sea as laid down in international customary law, treaties and practice.

#### 4. Saudi Arabia

##### Protest to the law of the Islamic Republic of Iran entitled "Act on the Marine Areas of the Islamic Republic of Iran in the Persian Gulf and the Sea of Oman" <sup>4/</sup>

[Original: Arabic]

The Permanent Mission of Saudi Arabia to the United Nations refers to the law entitled "Act on the Marine Areas of the Islamic Republic of Iran in the Persian Gulf and the Sea of Oman", which was promulgated on 20 April 1993 and has been communicated to the United Nations Secretariat.

The Government of Saudi Arabia wishes to place on record that it objects to and does not recognize those provisions of the aforesaid Iranian Act on Marine Areas that purport to give the Islamic Republic of Iran powers and jurisdiction that violate or conflict with the consensus of international law and international practice with regard to the legal regime governing seas and straits used in international navigation.

Accordingly, Saudi Arabia declares that it does not recognize or acknowledge any jurisdiction, powers or practices that are assumed or exercised pursuant to the aforesaid Act on the Marine Areas of the Islamic Republic of Iran in such a way as to violate the provisions of international law and international practice and that it does not recognize any restrictions or impositions that may be placed on international navigation in the Gulf and in the Sea of Oman, including passage through the Strait of Hormuz, pursuant to the Iranian law in question.

The Government of Saudi Arabia affirms its legitimate rights vis-à-vis the application of those provisions of the Iranian law in question that are in conflict with or violate the international law of the sea and international practice.

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<sup>4/</sup> A/50/1028, annex.

5. United Arab Emirates

Objections to certain provisions of the Islamic Republic of Iran's Act on the Marine Areas of 1993 <sup>5/</sup>

[Original: Arabic]

The United Arab Emirates wishes to register its objections to certain provisions of the Islamic Republic of Iran's Act on the Marine Areas of 1993, inasmuch as the provisions in question are inconsistent with international law and would impede navigation in the Gulf, including transit through the Strait of Hormuz.

The United Arab Emirates also declines to recognize any provisions of the above-mentioned Act that call into question its sovereignty over the three islands of Greater Tunb, lesser Tunb and Abu Musa and their territorial waters.

6. Viet Nam

Objections to the statement of 15 May 1996 made by the Government of the People's Republic of China on the baselines from which the breadth of China's territorial sea is measured <sup>6/</sup>

[Original: Vietnamese]

1. The People's Republic of China's establishment of the territorial baselines of the Hoang Sa archipelago (Paracel), part of the territory of Viet Nam, constitutes a serious violation of the Vietnamese sovereignty over the archipelago. The Socialist Republic of Viet Nam has on many occasions reaffirmed its indisputable sovereignty over the Hoang Sa as well as the Truong Sa (Spratly) archipelagoes. The above-mentioned act of the people's Republic of China which runs counter to the international law, is absolutely null and void. Furthermore, the People's Republic of China correspondingly violated the provisions of the 1982 United Nations Convention on the Law of the Sea by giving the Hoang Sa archipelago the status of an archipelagic state to illegally annex a vast sea area into the so-called internal water of the archipelago.

2. In drawing the baseline at the segment east of the Leizhou peninsula from point 31 to point 32, the People's Republic of China has also failed to comply with the provisions, particularly Articles 7 and 38, of the 1982 United Nations Convention on the Law of the Sea. But so drawing, the People's Republic of China has turned a considerable sea area into its internal water which obstructs the rights and freedom of international navigation including those of Viet Nam through the Qiongzhou strait. This is totally unacceptable to the Socialist Republic of Viet Nam.

3. The Government of the Socialist Republic of Viet Nam has the honour to request His Excellency the Secretary-General, in conformity with Article 319 of the 1982 United Nations Convention on the Law of the Sea, to notify all the other parties to the Convention about the above-mentioned opinions of the Vietnamese Government.

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<sup>5/</sup> A/50/1033.

<sup>6/</sup> Communicated by the Permanent Mission of the Socialist Republic of Viet Nam to the United Nations in note verbale dated 6 June 1996, with a non-official translation.

7. Yemen

Protest against the publication by the Eritrean Government of a map showing oil exploitation zones in the Red Sea that include areas subject to Yemeni sovereignty <sup>7/</sup>

I should like to inform you that the Republic of Yemen recently noted the fact that the Eritrean Government has published a map showing oil exploitation zones that include parts of the Red Sea. These zones include areas that are subject to Yemeni sovereignty, among them what the map refers to as "the Hanish-Zuqur quadrangle".

The Government of the Republic of Yemen rejects any Eritrean claim that infringes upon Yemeni sovereignty, and it regards the map's implications as a clear violation of the Agreement on Principles signed in Paris on 21 May 1996. <sup>8/</sup>

In view of the fact that the two parties have entrusted the Government of France with the task of monitoring the area in dispute, the Yemeni Government will request France to take appropriate measures with regard to this clear breach of the Agreement on Principles.

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<sup>7/</sup> A/51/260, annex.

<sup>8/</sup> S/1996/47, annex; see also below, pp. 93 - 96.

C. Bilateral treaties

1. Agreement on principles of a peaceful settlement of the dispute between Eritrea and Yemen,  
Paris, 21 May 1996 <sup>1/</sup>

**The Government of the State of Eritrea and the Government of the Republic of Yemen, hereinafter named "the Parties",**

**Prompted** by the desire to re-establish their peaceful relations in the spirit of the traditional friendship between their two peoples,

**Conscious** of their responsibilities towards the international community as regards the maintenance of international peace and security as well as the safeguard of the freedom of navigation in a particularly sensitive region of the world,

**Recalling** the initiatives and efforts of the Federal Democratic Republic of Ethiopia and of the Arab Republic of Egypt,

**Recalling** the initiative of the Secretary-General of the United Nations advising that France bring its contribution to the process of a peaceful settlement of the dispute between Eritrea and Yemen,

**Recalling** the positive response of France to the request expressed by Eritrea and by Yemen for such a contribution, and the course of consultations then undertaken by France with Eritrea and with Yemen,

**Have agreed** as follows:

I. FUNDAMENTAL PROVISIONS

Article 1

1. The Parties shall renounce to resort to force against each other, and decide to settle their dispute on questions of territorial sovereignty and of delimitation of maritime boundaries peacefully.

1.1 They decide to establish an Arbitral Tribunal (referred to hereinafter as "the Tribunal") under the provisions of this Agreement and of the Arbitration Agreement which they shall agree upon pursuant to the provisions of this Agreement.

1.2 They shall request the Tribunal to provide rulings in accordance with international law, in two stages:

(a) in the first stage, on the definition of the scope of the dispute between Eritrea and Yemen, on the basis of the respective positions of the two Parties;

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<sup>1/</sup> S/1996/47, annex.

- (b) in the second stage, and after having decided on the point mentioned in letter (a) above, on:
- (i) questions of territorial sovereignty,
  - (ii) questions of delimitation of maritime boundaries.
2. They commit themselves to abide by the decision of the Tribunal.
3. Each Party shall refrain from any form of military activity or movement against the other Party. This commitment shall remain in force until the execution of the final decision of the Tribunal.

## II. ARBITRATION

### Article 2

The Arbitral Tribunal shall consist of five arbitrators. Each Party shall choose two arbitrators and the fifth, who shall be the President of the Tribunal, shall be chosen by the four arbitrators who were chosen by the Parties. If no agreement can be reached between the four arbitrators, the fifth shall be chosen by the President of the International Court of Justice.

### Article 3

1. The Tribunal shall provide rulings on questions of territorial sovereignty and of delimitation of maritime boundaries between the two Parties pursuant to the provisions mentioned in article 1 of this Agreement.
2. Concerning questions of territorial sovereignty, the Tribunal shall decide in accordance with the principles, rules and practices of international law applicable to the matter, and on the basis, in particular, of historic titles.

Concerning the delimitation of maritime boundaries, the Tribunal shall decide taking into account the opinion that the Tribunal will have formed on questions of territorial sovereignty, the United Nations Convention on the Law of the Sea and any other pertinent factor.

3. It can consult experts of its choice.

### Article 4

1. The representatives of both Parties shall meet in Paris as soon as possible in order to establish the agreement instituting the Arbitral Tribunal. Such agreement shall provide for the terms of reference as well as, in particular, the methods of work and the rules of procedure of the Tribunal.
2. If the two Parties cannot reach an agreement before 15 October 1996, they shall request the President of the International Court of Justice to entrust a judge of the Court with the task of establishing a binding agreement instituting the Arbitral Tribunal within thirty days.

### III. CONTRIBUTION OF FRANCE

#### Article 5

The Parties shall entrust the Government of the French Republic with the task of:

- (a) bringing to them its contribution for the establishment of the agreement instituting the Arbitral Tribunal and, in particular, proposing the date of the first of the meetings referred to in article 4, paragraph 1, hereinabove;
- (b) in view of facilitating the implementation of article 1, paragraph 3, of this Agreement, monitoring any form of military activity or movement in accordance with technical arrangements that the Parties and France shall agree upon as soon as possible, in any case before the establishment of the agreement instituting the Arbitral Tribunal.

These arrangements, aimed at setting up a monitoring mechanism which shall be proposed by France in view of the requisite efficacy, shall be destined to avoid tension.

They shall specify the scope and the implementation of the monitoring, in particular the exercise by France of the freedom of overflight and of navigation, and other facilities as necessary.

France shall inform the Secretary-General of the United Nations on what will have been monitored.

### IV. FINAL PROVISIONS

#### Article 6

Nothing in this Agreement, in particular the provisions mentioned in article 1 above, can be interpreted as being detrimental to the legal positions or to the rights of each Party with respect to the questions submitted to the Tribunal, nor can affect or prejudice the decision of the Arbitral Tribunal or the considerations and grounds on which that decision is based.

#### Article 7

This Agreement shall enter into force upon its signing by the Government of the State of Eritrea and by the Government of the Republic of Yemen.

#### Article 8

1. This Agreement shall be countersigned, as witnesses, by the Governments of the French Republic, of the Federal Democratic Republic of Ethiopia and of the Arab Republic of Egypt.

2. In so doing, the Government of the French Republic declares moreover that, on the basis of the commitments of both Parties contained in this Agreement, it accepts the tasks described in article 5 of this Agreement.

#### Article 9

1. A copy of this Agreement shall be deposited with the Secretary-General of the United Nations, who shall bring it to the knowledge of the Security Council, as well as with the Secretary-General of the Organization of African Unity, and with the Secretary-General of the Arab League.

2. The agreement instituting the Arbitral Tribunal as well as the decision of the Arbitral Tribunal shall be deposited in the same conditions as those relating this Agreement provided for in paragraph 1 above of this article.

3. This Agreement shall be established in two original copies, each one in the Arabic, English and French languages, the English text being authentic.

IN WITNESS WHEREOF, the undersigned Plenipotentiaries, being duly authorized thereto, have signed this Agreement.

DONE at Paris, the twenty-first day of May, one thousand nine hundred and ninety-six.



2. Maritime Boundary Agreement between the Government of the State of Israel and the Government of the Hashemite Kingdom of Jordan, 18 January 1996

Preamble

The Government of the State of Israel and the Government of the Hashemite Kingdom of Jordan:

**Bearing in mind** the Treaty of Peace between Israel and Jordan of 26 October 1994,

**Reaffirming** their faith in their wish to live in peace with each other, as well as with all States, within secure and recognized boundaries,

**Desiring** to develop friendly relations and cooperation between them in accordance with the principles of international law governing international relations in time of peace,

**In fulfillment** of article 3.7 of the Treaty of Peace between them on the delimitation of their maritime boundary in the Gulf of Aqaba,

**Have agreed** as follows:

Article 1

1. The maritime boundary in the Gulf of Aqaba between the Hashemite Kingdom of Jordan and the State of Israel begins at Boundary Pillar 0 on the seashore and follows a straight line for 2.84 kilometres where it meets the median line of the Gulf.

Thence the maritime boundary follows the median line of the Gulf southwards until the last point of the maritime boundary between the two countries.

2. The Joint Team of Experts shall, as soon as possible after the date of the signature of this Agreement, jointly agree upon and document the methodology for defining the median line, and the procedure to fix the maritime boundary coordinates. The list of maritime boundary coordinates shall be in geographic and UTM coordinates based on IJBD-94 and shall be measured by GPS.

3. This list of coordinates shall be binding and take precedence with regard to the location of the maritime boundary.

Article 2

Nothing in this Agreement shall affect, or be affected by, the position of either Party with regard to the location of either Party's maritime boundary in the Gulf of Aqaba with another State.

Article 3

This Agreement shall enter into force thirty days from the date of its signature.

This Agreement shall be transmitted to the Secretary-General of the United Nations for registration in accordance with the provisions of Article 102 of the Charter of the United Nations.

**Done at Aqaba this day of 18 January 1996, which corresponds to the day of 26 Tevet, 5756 and to the 24th day of Sha'ban, 1416, in two original copies in the Hebrew, Arabic and English languages, all texts being equally authentic. In case of divergence of interpretation, the English text shall prevail.**

### III. OTHER INFORMATION

#### A. Election of Members of the International Tribunal for the Law of the Sea

After eight rounds of balloting, the States Parties elected on 1 August 1996 the following 21 Members of the Tribunal from a list of 33 candidates:

#### List of Members

Name	Nationality	Regional group	Term of office
Akl, Joseph	Lebanon	Asian States	3 years
Anderson, David Heywood	United Kingdom of Great Britain and Northern Ireland	Western European and Other States	9 years
Caminos, Hugo	Argentina	Latin American and Caribbean States	6 years
Eiriksson, Gudmundur	Iceland	Western European and Other States	6 years
Engo, Paul Bamela	Cameroon	African States	3 years
Kolodkin, Anatoly Lazarevich	Russian Federation	Eastern European States	3 years
Laing, Edward Arthur	Belize	Latin American and Caribbean States	6 years
Marotta Rangel, Vincente	Brazil	Latin American and Caribbean States	3 years
Marsit, Mohamed Mouldi	Tunisia	African States	9 years
Mensah, Thomas A.	Ghana	African States	9 years
Ndiaye, Tafsir Malick	Senegal	African States	6 years
Nelson, L. Dolliver M.	Grenada	Latin American and Caribbean States	9 years
Park, Choon-Ho	Republic of Korea	Asian States	9 years
Rao, P. Chandrasekhara	India	Asian States	3 years
Treves, Tullio	Italy	Western European and Other States	6 years
Vukas, Budislav	Croatia	Eastern European States	9 years
Warioba, Joseph Sinde	United Republic of Tanzania	African States	3 years

<b>Name</b>	<b>Nationality</b>	<b>Regional group</b>	<b>Term of office</b>
Wolfrum, Rüdiger	Germany	Western European and Other States	3 years
Yamamoto, Soji	Japan	Asian States	9 years
Yankov, Alexander	Bulgaria	Eastern European States	6 years
Zhao, Lihai	China	Asian States	6 years

The Members are scheduled to meet in Hamburg on 1 October 1996, when they will begin their work with a number of administrative and procedural matters, including the adoption of the internal rules of the Tribunal. Arrangements are being made for a ceremonial inauguration on 18 October, when the Members are expected to be formally sworn in by the Secretary-General of the United Nations.

**B. Settlement of disputes mechanisms: Choice of procedure by States Parties  
under article 287 of the Convention<sup>1/</sup>**

The following choices are expressed in declarations made at the time of ratification, accession or succession to the Convention, in accordance with article 310, in the order presented by each State mentioned:

1. **Algeria** accepts the jurisdiction of the International Court of Justice only with a prior agreement between the parties concerned in each case.
2. **Argentina**
  - (a) International Tribunal for the Law of the Sea
  - (b) Special arbitral tribunal under Annex VIII
3. **Austria**
  - (a) International Tribunal for the Law of the Sea
  - (b) Special arbitral tribunal under Annex VIII
  - (c) International Court of Justice
4. **Cape Verde**
  - (a) International Tribunal for the Law of the Sea
  - (b) International Court of Justice
5. **Cuba** rejects the jurisdiction of the International Court of Justice for any types of disputes.
6. **Finland**

International Court of Justice and the International Tribunal for the Law of the Sea
7. **Germany**
  - (a) International Tribunal for the Law of the Sea
  - (b) Special arbitral tribunal under Annex VIII
  - (c) International Court of Justice
8. **Greece**

International Tribunal for the Law of the Sea
9. **Guinea-Bissau** rejects the jurisdiction of the International Court of Justice for any types of disputes.

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<sup>1/</sup> As of 31 August 1996, there were 106 States Parties to the United Nations Convention on the Law of the Sea, 35 of which had made written declarations at the time when they expressed their consent to be bound by the Convention.

10. **Egypt**  
Arbitral tribunal under Annex VII
11. **Netherlands**  
International Court of Justice
12. **Norway**  
International Court of Justice
13. **Oman**
  - (a) International Tribunal for the Law of the Sea
  - (b) International Court of Justice
14. **Sweden**  
International Court of Justice
15. **United Republic of Tanzania**  
International Tribunal for the Law of the Sea
16. **Uruguay**  
International Tribunal for the Law of the Sea

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