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DUE ACKNOWLEDGEMENT SHOULD BE GIVEN TO:

THE DIVISION FOR OCEAN AFFAIRS AND THE LAW OF THE SEA,
OFFICE OF LEGAL AFFAIRS, UNITED NATIONS SECRETARIAT
This is the twenty-sixth issue of the Law of the Sea Information Circular (LOSIC), a periodic publication of the Division for Ocean Affairs and the Law of the Sea (DOALOS), Office of Legal Affairs. Its objective is to communicate to all States and entities information on actions taken by States Parties to the United Nations Convention on the Law of the Sea of 10 December 1982 (“the Convention”) in implementing that Convention, in particular regarding the deposit obligation, as well as to report on activities undertaken by DOALOS in this respect.

The purpose of LOSIC is also to assist States Parties to the Convention in discharging their obligations to give due publicity to information in accordance with the Convention: Coastal States are obliged, inter alia, to give due publicity with regard to (i) charts and lists of geographical coordinates (articles 16(2), 47(9), 75(2), 76(9) and 84(2)); (ii) laws and regulations relating to innocent passage (article 21(3)); and (iii) laws and regulations relating to transit passage through straits used for international navigation adopted by States bordering straits (article 42(3)).
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A. Status of the Convention and of the Agreements as at 31 October 2007

1. From May to October 2007, two States, namely Morocco and Lesotho, ratified the Convention, both on 31 May 2007. Thus, as at 31 October 2007, there were 155 Parties to that Agreement, including the European Community.

2. From May to October 2007, four States, namely Morocco, Lesotho, Uruguay, and Brazil, expressed their consent to be bound by the Agreement on Part XI: Morocco and Lesotho on 31 May 2007, Uruguay on 7 August 2007, and Brazil on 25 October 2007. Thus, as at 31 October 2007, there were 131 parties to that Agreement, including the European Community.

3. From May to October 2007, on 16 July 2007, one State, namely Romania, acceded to the 1995 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. Thus, as at 31 October 2007, there were 67 Parties to this Agreement, including the European Community.

4. Official information regarding the status of the Convention and its Agreements (ratification, accession, etc.) is available at the web site of the Treaty Section of the Office of Legal Affairs of the United Nations at:

5. For ease of reference, a consolidated table recapitulating the status of the Convention and the related Agreements prepared by the Division for Ocean Affairs and the Law of the Sea (thereafter, “the Division”), Office of Legal Affairs, is also available at the web site of the Division at:

B. Declarations and statements under articles 287, 298 and 310 of the Convention and under articles 30, 43 and 47 of the 1995 United Nations Fish Stocks Agreement

6. Official information regarding the declarations and statements under articles 287, 298 and 310 of the Convention and under articles 30, 43 and 47 of the 1995 United Nations Fish Stocks Agreement is available at the web site of the Treaty Section of the Office of Legal Affairs of the United Nations at:
7. For ease of reference, the declarations and statements are also published on the web site of the Division at:

8. From May to October 2007, the following States made declarations or statements:

**Latvia**


**Trinidad and Tobago**

"The Republic of Trinidad and Tobago ... declare[s] that in the absence of or failing any other peaceful means, The Republic of Trinidad and Tobago chooses the following means in order of priority for the settlement of disputes concerning the interpretation or application of the United Nations Convention on the Law of the Sea:

a. The International Tribunal for the Law of the Sea established in accordance with Annex VI;

b. The International Court of Justice."

**Morocco**


“The Government of the Kingdom of Morocco affirms once again that Sebta, Melilia, the islet of Al-Hoceima, the rock of Badis and the Chafarinas Islands are Moroccan territories.

“Morocco has never ceased to demand the recovery of these territories, which are under Spanish occupation, in order to achieve its territorial unity.

“On ratifying the Convention, the Government of the Kingdom of Morocco declares that ratification may in no way be interpreted as recognition of that occupation.

“The Government of the Kingdom of Morocco does not consider itself bound by any national legal instrument or declaration that has been made or may be made by other States when they sign or ratify the Convention and reserves the right to determine its position on any such instruments or declarations at the appropriate time.
“The Government of the Kingdom of Morocco reserves the right to make, at the appropriate time, declarations pursuant to articles 287 and 298 relating to the settlement of disputes.”

C. Settlement of disputes mechanism

1. Settlement of disputes mechanism under the Convention:
   Choice of procedure under article 287 and optional exceptions to applicability of Part XV, Section 2, of the Convention under article 298 of the Convention

9. From May to October 2007, Trinidad and Tobago made a declaration on the choice of procedure under article 287. There were no declarations related to optional exceptions to applicability of Part XV, Section 2, of the Convention under article 298 of the Convention. Morocco reserved the right to make, at the appropriate time, declarations pursuant to articles 287 and 298 relating to the settlement of disputes. (See paragraph 8 above).

10. The official texts of declarations and statements, which contain the choice of procedure under article 287 of the Convention and optional exceptions to applicability of Part XV, Section 2, under article 298 of the Convention, are available at the web site of the Treaty Section of the Office of Legal Affairs of the United Nations at:

11. For ease of reference, the declarations and statements are also available at the web site of the Division at:

12. In addition, a quick-reference recapitulative table on the choice of procedure and optional exceptions to applicability of Part XV, Section 2, of the Convention, is available at the web site of the Division at:

2. Settlement of disputes mechanism under 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:
   Choice of procedure and optional exceptions to applicability of Part XV of the Convention under article 30 of the Agreement

13. The official texts of declarations, which contain choice of procedure and optional exceptions to applicability of Part XV of the Convention under article 30 of the Agreement, are available at the web site of the Treaty Section of the Office of Legal Affairs of the United Nations at:

14. The declarations are also available at the web site of the Division at:

15. A recapitulative table on the choice of procedure and optional exceptions to applicability of Part XV of the Convention under article 30 of the Agreement is available at the web site of the Division at:
3. Lists of conciliators and arbitrators

nominated under article 2 of Annex V and article 2 of Annex VII to the Convention

(a) List of conciliators

16. From May to October 2007, no State nominated conciliators. It is recalled that, under article 2 Annex V to the Convention, a list of conciliators shall be drawn up and maintained by the Secretary-General of the United Nations. Every State Party shall be entitled to nominate four conciliators, each of whom shall be a person enjoying the highest reputation for fairness, competence and integrity. The names of the persons so nominated shall constitute the list. If at any time the conciliators nominated by a State Party in the list so constituted shall be fewer than four, that State Party shall be entitled to make further nominations as necessary. The name of a conciliator shall remain on the list until withdrawn by the State Party which made the nomination, provided that such conciliator shall continue to serve on any conciliation commission to which that conciliator has been appointed until the completion of the proceedings before that commission.

17. The official information regarding the list of conciliators is available at the web site of the Treaty Section of the Office of Legal Affairs of the United Nations at:


18. For ease of reference, a list of conciliators is also posted on the web site of the Division:


(b) List of arbitrators

19. From May to October 2007, no State nominated arbitrators. It is recalled that, under article 2, Annex VII to the Convention, a list of arbitrators shall be drawn up and maintained by the Secretary-General of the United Nations. Every State Party shall be entitled to nominate four arbitrators, each of whom shall be a person experienced in maritime affairs and enjoying the highest reputation for fairness, competence and integrity. The names of the persons so nominated shall constitute the list. If at any time the arbitrators nominated by a State Party in the list so constituted shall be fewer than four, that State Party shall be entitled to make further nominations as necessary. The name of an arbitrator shall remain on the list until withdrawn by the State Party which made the nomination, provided that such arbitrator shall continue to serve on any arbitral tribunal to which that arbitrator has been appointed until the completion of the proceedings before that arbitral tribunal.

20. The official information regarding the list of arbitrators is available at the web site of the Treaty Section of the Office of Legal Affairs of the United Nations at:


21. A list of arbitrators is also posted on the web site of the Division at:

4. List of experts for the purposes of article 2 of Annex VIII (Special Arbitration) to the Convention

22. Article 2 of Annex VIII reads as follows:

“Article 2
Lists of experts

“1. A list of experts shall be established and maintained in respect of each of the fields of (1) fisheries, (2) protection and preservation of the marine environment, (3) marine scientific research, and (4) navigation, including pollution from vessels and by dumping.

“2. The lists of experts shall be drawn up and maintained, in the field of fisheries by the Food and Agriculture Organization of the United Nations, in the field of protection and preservation of the marine environment by the United Nations Environment Programme, in the field of marine scientific research by the Intergovernmental Oceanographic Commission, in the field of navigation, including pollution from vessels and by dumping, by the International Maritime Organization, or in each case by the appropriate subsidiary body concerned to which such organization, programme or commission has delegated this function.

“3. Every State Party shall be entitled to nominate two experts in each field whose competence in the legal, scientific or technical aspects of such field is established and generally recognized and who enjoy the highest reputation for fairness and integrity. The names of the persons so nominated in each field shall constitute the appropriate list.

“4. If at any time the experts nominated by a State Party in the list so constituted shall be fewer than two, that State Party shall be entitled to make further nominations as necessary.

“5. The name of an expert shall remain on the list until withdrawn by the State Party which made the nomination, provided that such expert shall continue to serve on any special arbitral tribunal to which that expert has been appointed until the completion of the proceedings before that special arbitral tribunal.”

23. The following lists are available at the web site of the Division:

(a) List of experts in the field of fisheries maintained by the Food and Agriculture Organization of the United Nations (communicated on 27 September 2001)

(b) List of experts in the field of protection and preservation of the marine environment maintained by the United Nations Environment Programme (communicated on 8 November 2002)

(c) List of experts in the field of marine scientific research maintained by the Intergovernmental Oceanographic Commission of UNESCO (communicated on 5 November 2002)

(d) List of experts in the field of navigation, including pollution from vessels and by dumping, maintained by the International Maritime Organization (communicated on 19 May 2005)

24. These lists are available at:

II. OBLIGATIONS OF DEPOSIT
AND DUE PUBLICITY

25. Coastal States, under article 16, paragraph 2, article 47, paragraph 9, article 75, paragraph 2, and article 84, paragraph 2, of the Convention, are required to deposit with the Secretary-General of the United Nations charts showing straight baselines and archipelagic baselines as well as the outer limits of the territorial sea, the exclusive economic zone and the continental shelf; alternatively, the lists of geographical coordinates of points, specifying the geodetic datum, may be substituted. Coastal States are also required to give due publicity to all these charts and lists of geographical coordinates. Furthermore, under article 76, paragraph 9, coastal States are required to deposit with the Secretary-General charts and relevant information permanently describing the outer limits of the continental shelf extending beyond 200 nautical miles. In this case, due publicity is to be given by the Secretary-General. Together with the submission of their charts and/or lists of geographical coordinates, States parties are required to provide appropriate information regarding original geodetic datum.

26. In this connection, it should be noted that the deposit of charts or of lists of geographical coordinates of points with the Secretary-General of the United Nations is an international act by a State party to the Convention in order to conform with the deposit obligations referred to above, after the entry into force of the Convention. This act is addressed to the Secretary-General in the form of a note verbale or a letter by the Permanent Representative to the United Nations or other person considered as representing the State party. The mere existence or adoption of legislation or the conclusion of a maritime boundary delimitation treaty registered with the Secretariat, even if they contain charts or lists of coordinates, cannot be interpreted as an act of deposit with the Secretary-General under the Convention.

27. In resolution 61/222 of 20 December 2006, the General Assembly once again encouraged States parties to the Convention to deposit with the Secretary-General such charts and lists of geographical coordinates. So far, only 38 States have fully or partially complied with their deposit obligations. Recapitulative information on submissions by States Parties in compliance with their deposit obligations is available at the web site of the Division at:


28. States parties are encouraged to provide all the necessary information for conversion of the submitted geographic coordinates from the original datum into the World Geodetic System 84 (WGS 84), a geodetic datum system that is used by the Division for its internal data storage.

29. The Division has also sought to assist States in fulfilling their other obligations of due publicity established by the Convention. These obligations relate to all laws and regulations adopted by the coastal State relating to innocent passage through the territorial sea (article 21 (3)) and all laws and regulations adopted by States bordering straits relating to transit passage through straits used for international navigation (article 42 (3)).

30. The Division informs States of the deposit of charts and geographical coordinates through a “maritime zone notification”. The notifications are also reproduced in the Law of the Sea Information Circular, together with other relevant information concerning the discharge by States of the due publicity obligation. The past issues of the Law of the Sea Information Circular that have already been issued give ample evidence of the practice of States in this respect. The texts of the relevant legislation together with illustrative maps are then published in the Law of the Sea Bulletin.

31. In addition, States continue to discharge their obligations of due publicity regarding sea lanes and traffic separation schemes under articles 22, 41 and 53 of the Convention, inter alia, through IMO, which provides for the adoption of ships’ routeing systems under SOLAS regulation V/8 and the adoption or amendment of traffic
separation schemes (TSS) in rules 1 (d) and 10 of Convention on the International Regulations for Preventing Collisions at Sea, 1972 (COLREG). Guidelines and criteria developed by IMO for the adoption of routeing measures are contained in the IMO General Provisions on Ship’s Routeing (IMO Assembly resolution A.572 (14), as amended). These measures include traffic separation schemes (TSS), two-way routes, recommended tracks, areas to be avoided, inshore traffic zones, roundabouts, precautionary areas and deep-water routes. Information on recent new and amended traffic separation schemes and other routeing measures are published by the IMO Secretariat in Safety of Navigation Circulars and COLREG (Collision Regulations) Circulars and are available on the IMO web site at http://www.imo.org/home.asp, under selection "Circulars", sub-items "COLREG (Collision Regulations)" and "SN (Safety of Navigation)".

32. Furthermore, concerning due publicity, article 25, paragraph 3, of the United Nations Convention on the Law of the Sea of 10 December 1982 stipulates that a coastal State may, without discrimination in form or in fact among foreign ships, suspend temporarily, in specified areas of its territorial sea the innocent passage of foreign ships if such suspension is essential for the protection of its security, including weapons exercises. Such suspension takes effect, according to the same article, only after having been duly published.

A. Communications addressed to States Parties for the purpose of assisting them to comply with their deposit and due publicity obligations under the Convention

33. Upon a State becoming a State Party to the Convention, the Division informs the State concerned of the deposit and due publicity obligations pursuant to the Convention with which that State must comply.

34. During the period between May and October 2007, the Division transmitted the following notes verbales in order to recall the deposit and due publicity obligations and offer its assistance with a view to ensuring compliance:

   (a) Note verbale MZ/SP/61 addressed to Morocco, requesting the submission of charts or lists of geographical coordinates of baselines and various maritime limits pursuant to articles 16(2), 47(9), 75(2), and 84(2);

   (b) Note verbale TS/IP/SP/61, addressed to Morocco, requesting the submission of laws and regulations relating to innocent passage through the territorial sea pursuant to article 21(3).

B. Submissions by States Parties in compliance with their deposit obligations

35. From May to October 2007, no "Maritime Zone Notification" relating to the deposit of charts or lists of geographical coordinates of points with the Secretary-General was circulated.

36. All lists of deposited geographical coordinates may be consulted at the Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs, United Nations Secretariat.

37. Recapitulative information on submissions by States Parties in compliance with their deposit obligations is available at the web site of the Division at:

C. **Submissions by States Parties in compliance with their due publicity obligations**

38. From May to October 2007, the **Republic of Montenegro** transmitted to the Secretariat a copy of its laws and regulations to which States Parties should give due publicity, as required by article 21 of the Convention.

39. Recapitulative information regarding submissions by States Parties in compliance with their publicity obligations as required by articles 21 and 42 of the Convention is available at the web site of the Division at:


D. **Information relating to temporary suspensions of the innocent passage by Mexico**

40. From May to October 2007, the Permanent Representative of **Mexico** to the United Nations has requested the Secretary-General, by 3 letters dated 17 July 2007, 24 July 2007 and 2 October 2007, to publish information relating to temporary suspensions of the innocent passage in specified areas of the territorial sea of Mexico, in accordance with article 25, paragraph 3, of the Convention.

41. The texts of notifications relating to temporary suspensions of the innocent passage in specified areas of the territorial sea of Mexico are posted on the web site of the Division at:

III. INFORMATION ON ACTIONS REGARDING OUTER LIMITS OF THE CONTINENTAL SHELF BEYOND 200 NAUTICAL MILES FROM THE BASelines

A. Outer limits of the continental shelf beyond 200 nautical miles from the baselines

Submission made by France to the Commission

42. On 22 May 2007, France submitted to the Commission on the Limits of the Continental Shelf, in accordance with Article 76, paragraph 8, of the United Nations Convention on the Law of the Sea of 10 December 1982, information on the limits of the continental shelf beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured in respect of the areas of French Guiana and New Caledonia.

43. It is noted that the Convention entered into force for France on 11 May 1996.

44. In accordance with the Rules of Procedure of the Commission, a communication was circulated to all Member States of the United Nations, as well as States Parties to the Convention, in order to make public the executive summary of the submission, including all charts and coordinates contained in that summary.

45. The consideration of the submission made by France was included in the agenda of the twentieth session of the Commission, held in New York from 27 August to 14 September 2007. Upon completion of the consideration of the submission, the Commission shall make recommendations pursuant to Article 76 of the Convention.

Continental Shelf Notifications

46. "Continental Shelf Notifications" are circulated to all Member States of the United Nations, as well as States Parties to the Convention, in order to make public the executive summary of the submission made by a coastal State to the Commission on the Limits of the Continental Shelf pursuant to article 76, paragraph 8, of the Convention. From May to October 2007, the Division has circulated one continental shelf notification, as follows:

Continental Shelf Notification (CLCS.08.2007.LOS of 23 May 2007) regarding the receipt of the submission made by France to the Commission on the Limits of the Continental Shelf.

47. The text of the above-mentioned continental shelf notification is reproduced in the Annex to this publication.
48. From May to October 2007, the following communications were received with reference to Continental Shelf Notification CLCS.08.2007.LOS from the Secretary-General informing about the submission by France as follows: Note verbale dated 11 July 2007 from Vanuatu, note verbale dated 15 August 2007 from New Zealand, and note verbale dated 17 August 2007 from Suriname. These communications were provided to the members of the Commission on the Limits of the Continental Shelf at its twentieth session, 27 August - 14 September 2007. The texts of all communications are posted on the web site of the Division at:

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Receipt of the submission made by France to the Commission on the Limits of the Continental Shelf

On 22 May 2007, France submitted to the Commission on the Limits of the Continental Shelf, in accordance with Article 76, paragraph 8, of the Convention, information on the limits of the continental shelf beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured in respect of the areas of French Guiana and New Caledonia.

It is noted that the Convention entered into force for France on 11 May 1996.

In accordance with the Rules of Procedure of the Commission, the present communication is circulated to all Member States of the United Nations, as well as States Parties to the Convention, in order to make public the executive summary of the submission, including all charts and coordinates contained in that summary. The executive summary of the submission is available through the website of the Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs, at: www.un.org/Depts/los.

The consideration of the submission made by France shall be included in the provisional agenda of the twentieth session of the Commission to be held in New York from 27 August to 14 September 2007.

Upon completion of the consideration of the submission, the Commission shall make recommendations pursuant to Article 76 of the Convention.

Réception de la demande présentée par la France à la Commission des limites du plateau continental

Le 22 mai 2007, la France a soumis une demande à la Commission des limites du plateau continental conformément au paragraphe 8 de l’article 76 de la Convention. La demande comprend des informations sur les limites extérieures proposées du plateau continental concernant les zones de la Guyane et de la Nouvelle Calédonie, au-delà de 200 milles marins des lignes de base à partir desquelles est mesurée la largeur de la mer territoriale.

Il est noté que la Convention est entrée en vigueur pour la France le 11 mai 1996.

Conformément au Règlement intérieur de la Commission, la présente communication est transmise à tous les États Membres de l’Organisation des Nations Unies, également aux États Parties à la Convention, afin de rendre public le résumé de la demande, ainsi que les cartes et les listes des coordonnées géographiques qui y sont incluses. Le résumé est disponible sur le site Internet de la Division des affaires maritimes et du droit de la mer, Bureau des affaires juridiques, à l’adresse: www.un.org/Depts/los.


Une fois l’examen de la demande complété, la Commission formulera des recommandations en conformité avec l’article 76 de la Convention.