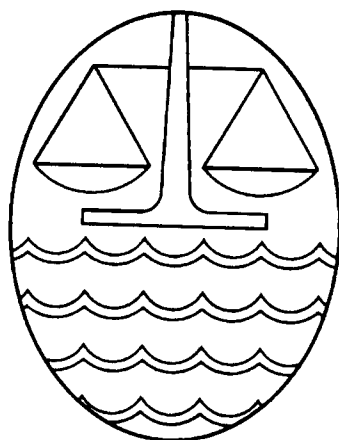


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Office of Legal Affairs

Law of the Sea



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CONTENTS

	<u>Page</u>
I. UNITED NATIONS CONVENTION ON THE LAW OF THE SEA	1
Status of the United Nations Convention on the Law of the Sea, of the Agreement relating to the implementation of Part XI of the Convention and of the Agreement for the implementation of the provisions of the Convention relating to the conservation and management of straddling fish stocks and highly migratory fish stocks.....	1
1. Table recapitulating the status of the Convention and of the related Agreements, as at 30 November 2001	1
2. Chronological lists of ratifications of, accessions and successions to the Convention and the related Agreements, as at 30 November 2001	11
(a) The Convention.....	11
(b) Agreement relating to the implementation of Part XI of the Convention	12
(c) 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	13
3. Declarations by States	14
(a) Slovenia: Declarations pursuant to articles 287 and 298 of the United Nations Convention on the Law of the Sea	14
(b) Malta: Declaration upon accession to 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.....	14
II. LEGAL INFORMATION RELEVANT TO THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA	16
A. United Nations General Assembly resolutions of interest	16
1. General Assembly resolution 56/12 of 28 November 2001: Oceans and the law of the sea.....	16
2. General Assembly resolution 56/13 of 28 November 2001: Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks	26

CONTENTS

	<u>Page</u>
B. National legislation.....	31
Russian Federation: Regulations on the positioning and use of foreign technical observation and monitoring facilities in the territory of the Russian Federation, on the continental shelf and in the exclusive economic zone of the Russian Federation	31
C. Bilateral treaties.....	39
1. Treaty concerning the Delimitation of the Maritime Boundary between the Republic of Equatorial Guinea and the Democratic Republic of Sao Tome and Principe, 26 June 1999	39
2. Agreement between the Government of the French Republic and the Government of the Republic of Seychelles concerning the Delimitation of the Maritime Boundary of the Exclusive Economic Zone and the Continental Shelf of France and Seychelles, 19 February 2001.....	42
3. Memorandum of Understanding - Timor Sea Arrangement, 5 July 2001	45
D. Other documents.....	61
Reykjavik Declaration on Responsible Fisheries in the Marine Ecosystem, 4 October 2001	61
III. OTHER INFORMATION	64
A. Lists of conciliators and arbitrators nominated under article 2 of Annexes V and VII to the Convention.....	64
B. Lists of experts for the purposes of article 2 of Annex VIII (Special arbitration) to the Convention.....	67

I. UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

Status of the United Nations Convention on the Law of the Sea, of the Agreement relating to the implementation of Part XI of the Convention and of the Agreement for the implementation of the provisions of the Convention relating to the conservation and management of straddling fish stocks and highly migratory fish stocks

1. Table recapitulating the status of the Convention and of the related Agreements, as at 30 November 2001

State or entity <i>Italicized text indicates non-members of the United Nations; Shaded row indicates landlocked States</i>	United Nations Convention on the Law of the Sea (in force as from 16 November 1994)		Agreement relating to the implementation of Part XI of the Convention (in force as from 28 July 1996)		Agreement for the implementation of the provisions of the Convention relating to the conservation and management of straddling fish stocks and highly migratory fish stocks (in force as from 11 December 2001)	
	Signature (☐ - declaration)	Ratification; formal confirmation(fc); accession(a); succession(s); (☐ - declaration)	Signature 	Ratification; formal confirmation(fc); accession(a); definitive signature(ds); participation(p); ¹ simplified procedure (sp); ²	Signature - declaration or statement)	Ratification; accession(a) ³ (☐ - declaration)
TOTALS	157 (☐ 35)	137 (☐ 50)	79	103	59 (☐ 5)	30 (☐ 7)
Afghanistan						
Albania						
Algeria	☐	☐ 11 June 1996		11 June 1996 (p)		
Andorra						
Angola	☐	5 December 1990				
Antigua and Barbuda		2 February 1989				
Argentina	☐	☐ 1 December 1995		1 December 1995		
Armenia						
Australia		5 October 1994		5 October 1994		23 December 1999
Austria		☐ 14 July 1995		14 July 1995		

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

² States bound by the Agreement under the simplified procedure set out in article 5 of the Agreement.

³ In accordance with its article 40, the Agreement shall enter into force 30 days after the date of deposit of the thirtieth instrument of ratification or accession.

State or entity <i>Italicized text indicates non-members of the United Nations;</i> <i>Shaded row indicates landlocked States</i>	United Nations Convention on the Law of the Sea (in force as from 16 November 1994)		Agreement relating to the implementation of Part XI of the Convention (in force as from 28 July 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 (in force as from 11 December 2001)	
	Signature (☐ - declaration)	Ratification; formal confirmation(fc); accession(a); succession(s); (☐ - declaration)	Signature (☐ - declaration)	Ratification; formal confirmation(fc); accession(a); definitive signature(ds); participation(p); ¹ simplified procedure(sp); ²	Signature (☐ - declaration or statement)	Ratification; accession(a) ³ (☐ - declaration)
Azerbaijan						
Bahamas		29 July 1983		28 July 1995		16 January 1997(a)
Bahrain		30 May 1985				
Bangladesh		☐ 27 July 2001		27 July 2001 (a)		
Barbados		12 October 1993		28 July 1995 (sp)		22 September 2000(a)
Belarus	☐					
Belgium	☐	☐ 13 November 1998		13 November 1998		
Belize		13 August 1983		21 October 1994 (ds)		
Benin		16 October 1997		16 October 1997 (p)		
Bhutan						
Bolivia	☐	28 April 1995		28 April 1995 (p)		
Bosnia and Herzegovina		12 January 1994 (s)				
Botswana		2 May 1990				
Brazil	☐	☐ 22 December 1988				8 March 2000
Brunei Darussalam		5 November 1996		5 November 1996 (p)		
Bulgaria		15 May 1996		15 May 1996 (a)		
Burkina Faso						
Burundi						
Cambodia						
Cameroon		19 November 1985				
Canada						☐ 3 August 1999
Cape Verde	☐	☐ 10 August 1987				
Central African Republic						
Chad						
Chile	☐	☐ 25 August 1997		25 August 1997 (a)		

State or entity <i>Italicized text indicates non-members of the United Nations;</i> <i>Shaded row indicates landlocked States</i>	United Nations Convention on the Law of the Sea (in force as from 16 November 1994)		Agreement relating to the implementation of Part XI of the Convention (in force as from 28 July 1996)		Agreement for the implementation of the provisions of the Convention relating to the conservation and management of straddling fish stocks and highly migratory fish stocks (in force as from 11 December 2001)	
	Signature (☐ - declaration)	Ratification; formal confirmation(fc); accession(a); succession(s); (☐ - declaration)	Signature (☐ - declaration)	Ratification; formal confirmation(fc); accession(a); definitive signature(ds); participation(p); ¹ simplified procedure (sp); ²	Signature (☐ - declaration or statement)	Ratification; accession(a) ³ (☐ - declaration)
China		☐ 7 June 1996		7 June 1996 (p)	☐	
Colombia						
Comoros		21 June 1994				
Congo						
<i>Cook Islands</i>		15 February 1995		15 February 1995 (a)		1 April 1999 (a)
Costa Rica	☐	21 September 1992		20 September 2001 (a)		18 June 2001 (a)
Côte d'Ivoire		26 March 1984		28 July 1995 (sp)		
Croatia		☐ 5 April 1995 (s)		5 April 1995 (p)		
Cuba	☐	☐ 15 August 1984				
Cyprus		12 December 1988		27 July 1995		
Czech Republic		☐ 21 June 1996		21 June 1996		
Democratic People's Republic of Korea						
Democratic Republic of the Congo		17 February 1989				
Denmark						
Djibouti		8 October 1991				
Dominica		24 October 1991				
Dominican Republic						
Ecuador						
Egypt		☐ 26 August 1983				
El Salvador						
Equatorial Guinea		21 July 1997		21 July 1997 (p)		
Eritrea						

State or entity <i>Italicized text indicates non-members of the United Nations;</i> <i>Shaded row indicates landlocked States</i>	United Nations Convention on the Law of the Sea (in force as from 16 November 1994)		Agreement relating to the implementation of Part XI of the Convention (in force as from 28 July 1996)		Agreement for the implementation of the provisions of the Convention relating to the conservation and management of straddling fish stocks and highly migratory fish stocks (in force as from 11 December 2001)	
	Signature (☐ - declaration)	Ratification; formal confirmation(fc); accession(a); succession(s); (☐ - declaration)	Signature (☐ - declaration)	Ratification; formal confirmation(fc); accession(a); definitive signature(ds); participation(p); ¹ simplified procedure (sp); ²	Signature (☐ - declaration or statement)	Ratification; accession(a) ³ (☐ - declaration)
Estonia						
Ethiopia						
<i>European Community</i>	☐	☐ 1 April 1998 (fc)		1 April 1998(fc)	☐	
Fiji		10 December 1982		28 July 1995		12 December 1996
Finland	☐	☐ 21 June 1996		21 June 1996		
France	☐	☐ 11 April 1996		11 April 1996	☐	
Gabon		11 March 1998		11 March 1998 (p)		
Gambia		22 May 1984				
Georgia		21 March 1996 (a)		21 March 1996 (p)		
Germany		☐ 14 October 1994 (a)		14 October 1994		
Ghana		7 June 1983				
Greece	☐	☐ 21 July 1995		21 July 1995		
Grenada		25 April 1991		28 July 1995 (sp)		
Guatemala		☐ 11 February 1997		11 February 1997 (p)		
Guinea	☐	6 September 1985		28 July 1995 (sp)		
Guinea-Bissau		☐ 25 August 1986				
Guyana		16 November 1993				
Haiti		31 July 1996		31 July 1996 (p)		
<i>Holy See</i>						
Honduras		5 October 1993				
Hungary						
Iceland		☐ 21 June 1985		28 July 1995 (sp)		14 February 1997
India		☐ 29 June 1995		29 June 1995		
Indonesia		3 February 1986		2 June 2000		
Iran (Islamic Republic of)	☐					17 April 1998(a)

State or entity <i>Italicized text indicates non-members of the United Nations;</i> <i>Shaded row indicates landlocked States</i>	United Nations Convention on the Law of the Sea (in force as from 16 November 1994)		Agreement relating to the implementation of Part XI of the Convention (in force as from 28 July 1996)		Agreement for the implementation of the provisions of the Convention relating to the conservation and management of straddling fish stocks and highly migratory fish stocks (in force as from 11 December 2001)	
	Signature (☐ - declaration)	Ratification; formal confirmation(fc); accession(a); succession(s); (☐ - declaration)	Signature (☐ - declaration)	Ratification; formal confirmation(fc); accession(a); definitive signature(ds); participation(p); ¹ simplified procedure (sp); ²	Signature (☐ - declaration or statement)	Ratification; accession(a) ³ (☐ - declaration)
Iraq	☐	30 July 1985				
Ireland	☒	☐ 21 June 1996	☒	21 June 1996	☒	
Israel					☒	
Italy	☐	☐ 13 January 1995	☒	13 January 1995	☒	⁴
Jamaica	☒	21 March 1983	☒	28 July 1995 (sp)	☒	
Japan	☒	20 June 1996	☒	20 June 1996	☒	
Jordan		27 November 1995 (a)		27 November 1995 (p)		
Kazakhstan						
Kenya	☒	2 March 1989		29 July 1994 (ds)		
Kiribati						
Kuwait	☒	☐ 2 May 1986				
Kyrgyzstan						
Lao People's Democratic Republic	☒	5 June 1998	☒	5 June 1998 (p)		
Latvia						
Lebanon	☒	5 January 1995		5 January 1995 (p)		
Lesotho	☒					
Liberia	☒					
Libyan Arab Jamahiriya	☒					
Liechtenstein	☒					

⁴ On 4 June 1999, the Government of Italy informed the Secretary-General that "Italy intends to withdraw the instrument of ratification it deposited on 4 March 1999, in order to proceed subsequently to complete that formality in conjunction with all the States members of the European Union".

State or entity <i>Italicized text indicates non-members of the United Nations;</i> <i>Shaded row indicates landlocked States</i>	United Nations Convention on the Law of the Sea (in force as from 16 November 1994)		Agreement relating to the implementation of Part XI of the Convention (in force as from 28 July 1996)		Agreement for the implementation of the provisions of the Convention relating to the conservation and management of straddling fish stocks and highly migratory fish stocks (in force as from 11 December 2001)	
	Signature (☐ - declaration)	Signature (☐ - declaration); accession(a); confirmation(fc); accession(a); succession(s); (☐ - declaration)	Signature (☐ - declaration)	Signature (☐ - declaration); accession(a); confirmation(fc); accession(a); definitive signature(ds); participation(p); ¹ simplified procedure (sp); ²	Signature (☐ - declaration or statement)	Signature (☐ - declaration); accession(a) ³
Lithuania						
Luxembourg	☐	5 October 2000	☐	5 October 2000	☐	5
Madagascar	☐	22 August 2001		22 August 2001 (p)		
Malawi	☐					
Malaysia	☐	14 October 1996	☐	14 October 1996 (p)		
Maldives	☐	7 September 2000	☐	7 September 2000	☐	30 December 1998
Mali	☐	16 July 1985				
Malta	☐	20 May 1993	☐	26 June 1996		11 November 2001(a)
Marshall Islands		9 August 1991 (a)			☐	
Mauritania	☐	17 July 1996	☐	17 July 1996 (p)	☐	
Mauritius	☐	4 November 1994		4 November 1994 (p)		25 March 1997(a)
Mexico	☐	18 March 1983			☐	
Micronesia (Federated States of)		29 April 1991 (a)	☐	6 September 1995		23 May 1997
Monaco	☐	20 March 1996	☐	20 March 1996 (p)		9 June 1999(a)
Mongolia	☐	13 August 1996	☐	13 August 1996 (p)		
Morocco	☐		☐		☐	

⁵ On 21 December 2000, the Government of Luxembourg informed the Secretary-General of the following:

“The Permanent Mission of the Grand Duchy of Luxembourg had indeed received instructions to deposit the instrument of ratification of the above-mentioned Agreement with the Secretary-General of the United Nations; this was done on 5 October 2000. It turned out, however, that deposit on that date was premature since, in accordance with decision 98-414-CE of the Council of the European Union, of 8 June 1998, the instrument was to be deposited simultaneously with the instruments of ratification of all States members of the European Union.

“Accordingly, I should be grateful if you would note that Luxembourg wishes to withdraw the instrument of ratification deposited on 5 October 2000. A simultaneous deposit of the instruments of the Community and of all member States is to take place subsequently.”

State or entity <i>Italicized text indicates non-members of the United Nations;</i> <i>Shaded row indicates landlocked States</i>	United Nations Convention on the Law of the Sea (in force as from 16 November 1994)		Agreement relating to the implementation of Part XI of the Convention (in force as from 28 July 1996)		Agreement for the implementation of the provisions of the Convention relating to the conservation and management of straddling fish stocks and highly migratory fish stocks (in force as from 11 December 2001)	
	Signature (☐ - declaration)	Ratification; formal confirmation(fc); accession(a); succession(s); (☐ - declaration)	Signature (☐ - declaration)	Ratification; formal confirmation(fc); accession(a); definitive signature(ds); participation(p); ¹ simplified procedure(sp); ²	Signature (☐ - declaration or statement)	Ratification; accession(a) ³ (☐ - declaration)
Mozambique		13 March 1997		13 March 1997 (a)		
Myanmar		21 May 1996		21 May 1996 (a)		
Namibia		18 April 1983		28 July 1995 (sp)		8 April 1998
Nauru		23 January 1996		23 January 1996 (p)		10 January 1997(a)
Nepal		2 November 1998		2 November 1998 (p)		
Netherlands		☐ 28 June 1996		28 June 1996	☐	
New Zealand		19 July 1996		19 July 1996		18 April 2001
Nicaragua	☐	☐ 3 May 2000		3 May 2000 (p)		
Niger						
Nigeria		14 August 1986		28 July 1995 (sp)		
<i>Niue</i>						
Norway		☐ 24 June 1996		24 June 1996 (a)		☐ 30 December 1996
Oman	☐	☐ 17 August 1989		26 February 1997 (a)		
Pakistan		☐ 26 February 1997		26 February 1997 (p)		
Palau		30 September 1996 (a)		30 September 1996 (p)		
Panama		☐ 1 July 1996		1 July 1996 (p)		
Papua New Guinea		14 January 1997		14 January 1997 (p)		4 June 1999
Paraguay		26 September 1986		10 July 1995		
Peru						
Philippines	☐	☐ 8 May 1984		23 July 1997		
Poland		13 November 1998		13 November 1998		
Portugal		☐ 3 November 1997		3 November 1997		
Qatar	☐					
Republic of Korea		29 January 1996		29 January 1996		
Republic of Moldova						

State or entity	United Nations Convention on the Law of the Sea (in force as from 16 November 1994)		Agreement relating to the implementation of Part XI of the Convention (in force as from 28 July 1996)		Agreement for the implementation of the provisions of the Convention relating to the conservation and management of straddling fish stocks and highly migratory fish stocks (in force as from 11 December 2001)
	Signature (- declaration)	Ratification; formal confirmation(fc); accession(a); succession(s); (- declaration)	Signature	Ratification; formal confirmation(fc); accession(a); definitive signature(ds); participation(p); ¹ simplified procedure (sp); ²	
State or entity					
<i>Italicized text</i> indicates non-members of the United Nations;					
Shaded row indicates landlocked States					
Romania	📄	📅17 December 1996		17 December 1996 (a)	
Russian Federation	📄	📅12 March 1997		12 March 1997 (a)	📅4 August 1997
Rwanda	🖋️				
Saint Kitts and Nevis	🖋️	7 January 1993			
Saint Lucia	🖋️	27 March 1985			9 August 1996
Saint Vincent and the Grenadines	🖋️	1 October 1993			
Samoa	🖋️	14 August 1995	🖋️	14 August 1995 (p)	25 October 1996
San Marino					
Sao Tome and Principe	📄	3 November 1987			
Saudi Arabia	🖋️	📅24 April 1996		24 April 1996 (p)	
Senegal	🖋️	25 October 1984	🖋️	25 July 1995	30 January 1997
Seychelles	🖋️	16 September 1991	🖋️	15 December 1994	20 March 1998
Sierra Leone	🖋️	12 December 1994		12 December 1994 (p)	
Singapore	🖋️	17 November 1994		17 November 1994 (p)	
Slovakia	🖋️	8 May 1996	🖋️	8 May 1996	
Slovenia		📅16 June 1995 (s)	🖋️	16 June 1995	
Solomon Islands	🖋️	23 June 1997		23 June 1997 (p)	13 February 1997(a)
Somalia	🖋️	24 July 1989			
South Africa	📄	📅23 December 1997	🖋️	23 December 1997	
Spain	📄	📅15 January 1997	🖋️	15 January 1997	
Sri Lanka	🖋️	19 July 1994	🖋️	28 July 1995 (sp)	24 October 1996
Sudan	📄	23 January 1985	🖋️		
Suriname	🖋️	9 July 1998		9 July 1998 (p)	
Swaziland	🖋️		🖋️		

State or entity <i>Italicized text indicates non-members of the United Nations;</i> <i>Shaded row indicates landlocked States</i>	United Nations Convention on the Law of the Sea (in force as from 16 November 1994)		Agreement relating to the implementation of Part XI of the Convention (in force as from 28 July 1996)		Agreement for the implementation of the provisions of the Convention relating to the conservation and management of straddling fish stocks and highly migratory fish stocks (in force as from 11 December 2001)	
	Signature (☐ - declaration)	Ratification; formal confirmation(fc); accession(a); succession(s); (☐ - declaration)	Signature (☐ - declaration)	Ratification; formal confirmation(fc); accession(a); definitive signature(ds); participation(p); ¹ simplified procedure (sp); ²	Signature (☐ - declaration or statement)	Ratification; accession(a) ³ (☐ - declaration)
Sweden	☐	☒ 25 June 1996	☒	25 June 1996	☒	
<i>Switzerland</i>	☒		☒			
Syrian Arab Republic						
Tajikistan						
Thailand	☒					
The former Yugoslav Republic of Macedonia		19 August 1994 (s)		19 August 1994 (p)		
Togo	☒	16 April 1985	☒	28 July 1995 (sp)		
Tonga		2 August 1995 (a)		2 August 1995 (p)	☒	31 July 1996
Trinidad and Tobago	☒	25 April 1986	☒	28 July 1995 (sp)		
Tunisia	☒	☒ 24 April 1985	☒			
Turkey						
Turkmenistan						
Tuvalu	☒		☒			
Uganda	☒	9 November 1990	☒	28 July 1995 (sp)	☒	
Ukraine	☐	☒ 26 July 1999	☒	26 July 1999	☒	
United Arab Emirates	☒					
United Kingdom		☒ 25 July 1997 (a)	☒	25 July 1997	☒	
United Republic of Tanzania	☒	☒ 30 September 1985	☒	25 June 1998		
United States of America			☒		☒	☒ 21 August 1996
Uruguay	☐	☒ 10 December 1992	☒		☐	☒ 10 September 1999
Uzbekistan						
Vanuatu	☒	10 August 1999	☒	10 August 1999(p)	☒	
Venezuela						

State or entity <i>Italicized text indicates non-members of the United Nations;</i> <i>Shaded row indicates landlocked States</i>	United Nations Convention on the Law of the Sea (in force as from 16 November 1994)		Agreement relating to the implementation of Part XI of the Convention (in force as from 28 July 1996)		Agreement for the implementation of the provisions of the Convention relating to the conservation and management of straddling fish stocks and highly migratory fish stocks (in force as from 11 December 2001)	
	Signature (☐ - declaration)	Ratification; formal confirmation(fc); accession(a); succession(s); (☐ - declaration)	Signature (☐ - declaration)	Ratification; formal confirmation(fc); accession(a); definitive signature(ds); participation(p); ¹ simplified procedure (sp); ²	Signature (☐ - declaration or statement)	Ratification; accession(a) ³ (☐ - declaration)
Viet Nam		☐ 25 July 1994				
Yemen	☐	☐ 21 July 1987				
Yugoslavia	⁶	☐ 12 March 2001 (s)		28 July 1995 (sp) ⁷		
Zambia		7 March 1983		28 July 1995 (sp)		
Zimbabwe		24 February 1993		28 July 1995 (sp)		
TOTALS	157 (☐ 35)	137 (☐ 50)	79	103	59 (☐ 5)	30 (☐ 7)

⁶ The former Yugoslavia had signed and ratified the Convention on 10 December 1982 and 5 May 1986, respectively.

⁷ The former Yugoslavia had signed the Agreement and notified the Secretary-General that it had selected the application of the simplified procedure set out in articles 4 (3) (c) and 5 of the Agreement, on 12 May 1995 and 28 July 1995, respectively. On 12 March 2001, the Secretary-General received from the Government of Yugoslavia a notification confirming the signature and the notification of application of the simplified procedure under article 5.

2. Chronological lists of ratifications of, accessions and successions to the Convention and the related Agreements, as at 30 November 2001

(a) The Convention

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

86. Georgia (21 March 1996)
87. France (11 April 1996)
88. Saudi Arabia (24 April 1996)
89. Slovakia (8 May 1996)
90. Bulgaria (15 May 1996)
91. Myanmar (21 May 1996)
92. China (7 June 1996)
93. Algeria (11 June 1996)
94. Japan (20 June 1996)
95. Czech Republic (21 June 1996)
96. Finland (21 June 1996)
97. Ireland (21 June 1996)
98. Norway (24 June 1996)
99. Sweden (25 June 1996)
100. Netherlands (28 June 1996)
101. Panama (1 July 1996)
102. Mauritania (17 July 1996)
103. New Zealand (19 July 1996)
104. Haiti (31 July 1996)
105. Mongolia (13 August 1996)
106. Palau (30 September 1996)
107. Malaysia (14 October 1996)
108. Brunei Darussalam (5 November 1996)
109. Romania (17 December 1996)
110. Papua New Guinea (14 January 1997)
111. Spain (15 January 1997)
112. Guatemala (11 February 1997)
113. Pakistan (26 February 1997)
114. Russian Federation (12 March 1997)
115. Mozambique (13 March 1997)
116. Solomon Islands (23 June 1997)
117. Equatorial Guinea (21 July 1997)
118. United Kingdom of Great Britain and Northern Ireland (25 July 1997)
119. Chile (25 August 1997)
120. Benin (16 October 1997)
121. Portugal (3 November 1997)
122. South Africa (23 December 1997)
123. Gabon (11 March 1998)
124. European Community (1 April 1998)
125. Lao People's Democratic Republic (5 June 1998)
126. Suriname (9 July 1998)
127. Nepal (2 November 1998)
128. Belgium (13 November 1998)
129. Poland (13 November 1998)
130. Ukraine (26 July 1999)
131. Vanuatu (10 August 1999)
132. Nicaragua (3 May 2000)
133. Maldives (7 September 2000)
134. Luxembourg (5 October 2000)
135. Yugoslavia (12 March 2001)
136. Bangladesh (27 July 2001)
137. Madagascar (22 August 2001)

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

1. Kenya (29 July 1994)
2. The former Yugoslav Republic of Macedonia (19 August 1994)
3. Australia (5 October 1994)
4. Germany (14 October 1994)
5. Belize (21 October 1994)
6. Mauritius (4 November 1994)
7. Singapore (17 November 1994)
8. Sierra Leone (12 December 1994)
9. Seychelles (15 December 1994)
10. Lebanon (5 January 1995)
11. Italy (13 January 1995)
12. Cook Islands (15 February 1995)
13. Croatia (5 April 1995)
14. Bolivia (28 April 1995)
15. Slovenia (16 June 1995)
16. India (29 June 1995)
17. Paraguay (10 July 1995)
18. Austria (14 July 1995)
19. Greece (21 July 1995)
20. Senegal (25 July 1995)
21. Cyprus (27 July 1995)
22. Bahamas (28 July 1995)
23. Barbados (28 July 1995)
24. Côte d'Ivoire (28 July 1995)
25. Fiji (28 July 1995)
26. Grenada (28 July 1995)
27. Guinea (28 July 1995)
28. Iceland (28 July 1995)
29. Jamaica (28 July 1995)
30. Namibia (28 July 1995)
31. Nigeria (28 July 1995)
32. Sri Lanka (28 July 1995)
33. Togo (28 July 1995)
34. Trinidad and Tobago (28 July 1995)
35. Uganda (28 July 1995)
36. Yugoslavia (28 July 1995)
37. Zambia (28 July 1995)
38. Zimbabwe (28 July 1995)
39. Tonga (2 August 1995)
40. Samoa (14 August 1995)
41. Micronesia (Federated States of) (6 September 1995)
42. Jordan (27 November 1995)
43. Argentina (1 December 1995)
44. Nauru (23 January 1996)

45. Republic of Korea (29 January 1996)
46. Monaco (20 March 1996)
47. Georgia (21 March 1996)
48. France (11 April 1996)
49. Saudi Arabia (24 April 1996)
50. Slovakia (8 May 1996)
51. Bulgaria (15 May 1996)
52. Myanmar (21 May 1996)
53. China (7 June 1996)
54. Algeria (11 June 1996)
55. Japan (20 June 1996)
56. Czech Republic (21 June 1996)
57. Finland (21 June 1996)
58. Ireland (21 June 1996)
59. Norway (24 June 1996)
60. Sweden (25 June 1996)
61. Malta (26 June 1996)
62. Netherlands (28 June 1996)
63. Panama (1 July 1996)
64. Mauritania (17 July 1996)
65. New Zealand (19 July 1996)
66. Haiti (31 July 1996)
67. Mongolia (13 August 1996)
68. Palau (30 September 1996)
69. Malaysia (14 October 1996)
70. Brunei Darussalam (5 November 1996)
71. Romania (17 December 1996)
72. Papua New Guinea (14 January 1997)
73. Spain (15 January 1997)
74. Guatemala (11 February 1997)
75. Oman (26 February 1997)
76. Pakistan (26 February 1997)
77. Russian Federation (12 March 1997)
78. Mozambique (13 March 1997)
79. Solomon Islands (23 June 1997)
80. Equatorial Guinea (21 July 1997)
81. Philippines (23 July 1997)
82. United Kingdom of Great Britain and Northern Ireland (25 July 1997)
83. Chile (25 August 1997)
84. Benin (16 October 1997)
85. Portugal (3 November 1997)
86. South Africa (23 December 1997)
87. Gabon (11 March 1998)
88. European Community (1 April 1998)
89. Lao People's Democratic Republic (5 June 1998)
90. United Republic of Tanzania (25 June 1998)
91. Suriname (9 July 1998)
92. Nepal (2 November 1998)
93. Belgium (13 November 1998)
94. Poland (13 November 1998)
95. Ukraine (26 July 1999)
96. Vanuatu (10 August 1999)
97. Nicaragua (3 May 2000)
98. Indonesia (2 June 2000)
99. Maldives (7 September 2000)
100. Luxembourg (5 October 2000)
101. Bangladesh (27 July 2001)
102. Madagascar (22 August 2001)
103. Costa Rica (20 September 2001)

(c) 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

1. Tonga (31 July 1996)
2. Saint Lucia (9 August 1996)
3. United States of America (21 August 1996)
4. Sri Lanka (24 October 1996)
5. Samoa (25 October 1996)
6. Fiji (12 December 1996)
7. Norway (30 December 1996)
8. Nauru (10 January 1997)
9. Bahamas (16 January 1997)
10. Senegal (30 January 1997)
11. Solomon Islands (13 February 1997)
12. Iceland (14 February 1997)
13. Mauritius (25 March 1997)
14. Micronesia (Federated States of) (23 May 1997)
15. Russian Federation (4 August 1997)
16. Seychelles (20 March 1998)
17. Namibia (8 April 1998)
18. Iran (Islamic Republic of) (17 April 1998)
19. Maldives (30 December 1998)
20. Cook Islands (1 April 1999)
21. Papua New Guinea (4 June 1999)
22. Monaco (9 June 1999)
23. Canada (3 August 1999)
24. Uruguay (10 September 1999)
25. Australia (23 December 1999)
26. Brazil (8 March 2000)
27. Barbados (22 September 2000)
28. New Zealand (18 April 2001)
29. Costa Rica (18 June 2001)
30. Malta (11 November 2001)

3. Declarations by States

(a) Slovenia

Declaration pursuant to article 287 of the United Nations Convention on the Law of the Sea

The Government of the Republic of Slovenia declares pursuant to article 287 of the Convention that it chooses an arbitral tribunal constituted in accordance with Annex VII for the settlement of disputes concerning the interpretation or application of the Convention

Declaration pursuant to article 298 of the United Nations Convention on the Law of the Sea

The Government of the Republic of Slovenia 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.

(b) Malta

Declaration upon accession to 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

In connection with the accession by Malta on the 9th day of November, Two Thousand and One of the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, adopted in New York on 4 August 1995 by the United Nations Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks, I hereby declare that in terms of article 43 of the Agreement, the Government of Malta enters the following declaration;

1. In the view of the Malta Government, the requirements of implementing the 1995 Agreement must be in conformity with the 1982 Convention on the Law of the Sea.
2. Malta understands that the terms "geographical particularities", "specific characteristics of the sub-region", "socio-economic, geographical and environmental factors", "natural characteristics of that 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.
3. Malta understands 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, and of flag State exclusive jurisdiction over its vessels on the high seas as recognized by international law.
4. Malta understands 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.
5. 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.
6. Regarding the application of article 21, Malta understands 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 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, Malta considers 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.

7. Malta reiterates that all States shall refrain in their relations from the threat or use of force in accordance with general principles of international law, the United Nations Convention on the Law of the Sea.

Furthermore, Malta considers 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.

8. Malta understands 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.

9. Malta hereby declares that the provisions of article 21 and 22 apply only to maritime fishing.

10. These provisions cannot be regarded as capable of being extended to cover vessels engaged in maritime transport under another international instrument, or of being transferred to any instrument not dealing directly with the conservation and management of fisheries resources covered by the Agreement.

11. 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 article 21 and 22 of the Agreement.

12. Malta does not consider itself bound by any of the declarations which other States may have made, or will make, upon signing or ratifying the Agreement, reserving the right, as necessary, to determine its position with regard to each of them at the appropriate time; in particular, ratification of the Agreement does not imply automatic recognition of maritime or territorial claims by any signatory or ratifying State.

13. Note is taken of the statement by the European Community made at the time of signature of the Agreement regarding the fact that its member States have transferred competence to it with regard to certain aspects of the Agreement. In view of Malta's application to join the European Community, it is understood that this will also become applicable to Malta on membership.

Furthermore, the Government of Malta would like to state that, should Malta accede to the European Union, it reserves the right to submit a further declaration in line with future declarations by the European Union.

Joe Borg
Minister for Foreign Affairs

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

A. United Nations General Assembly resolutions of interest

1. General Assembly resolution 56/12 of 28 November 2001: Oceans and the law of the sea

The General Assembly,

Recalling its resolutions 49/28 of 6 December 1994, 52/26 of 26 November 1997, 54/33 of 24 November 1999, 55/7 of 30 October 2000 and other relevant resolutions adopted subsequent to the entry into force of the United Nations Convention on the Law of the Sea (“the Convention”)¹ on 16 November 1994,

Recalling also its resolution 2749 (XXV) of 17 December 1970, and considering that the Convention, together with the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 (“the Agreement”),² provides the regime to be applied to the Area and its resources as defined in the Convention,

Emphasizing the universal and unified character of the Convention and its fundamental importance for the maintenance and strengthening of international peace and security, as well as for the sustainable development of the oceans and seas,

Reaffirming that the Convention sets out the legal framework within which all activities in the oceans and seas must be carried out and is of strategic importance as the basis for national, regional and global action in the marine sector, and that its integrity needs to be maintained, as recognized also by the United Nations Conference on Environment and Development in chapter 17 of Agenda 21,³

Conscious of the importance of increasing the number of States parties to the Convention and the Agreement in order to achieve the goal of universal participation,

Conscious also that the problems of ocean space are closely interrelated and need to be considered as a whole through an integrated, interdisciplinary and intersectoral approach,

Convinced of the need, building on arrangements established in accordance with the Convention, to improve coordination at the national level and cooperation and coordination at both intergovernmental and inter-agency levels, in order to address all aspects of oceans and seas in an integrated manner,

Recognizing the important role that the competent international organizations have in relation to ocean affairs, in implementing the Convention and in promoting the sustainable development of the oceans and seas,

Recalling that the role of international cooperation and coordination on a bilateral basis and, where applicable, within a subregional, interregional, regional or global framework is to support and supplement the national efforts of all States, including coastal States, to promote the integrated management and sustainable development of coastal and marine areas,

Mindful of the importance of the oceans and seas for the earth’s ecosystem and for providing the vital resources for food security and for sustaining economic prosperity and the well-being of present and future generations,

¹ United Nations publication, Sales No. E.97.V.10.

² Resolution 48/263, annex.

³ *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992* (United Nations publication, Sales No. E.93.1.8 and corrigenda), vol. 1: *Resolutions adopted by the Conference*, resolution 1, annex II.

Bearing in mind the contribution that major groups, as identified in Agenda 21, can make to raising awareness of the goal of the sustainable development of the oceans and seas,

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

Taking note of the report of the Secretary-General,⁴ and reaffirming the importance of the annual consideration and review of developments relating to ocean affairs and the law of the sea by the General Assembly as the global institution having the competence to undertake such a review,

Taking note also of the report on the work of the United Nations Open-ended Informal Consultative Process (“the Consultative Process”) established by the General Assembly in its resolution 54/33 in order to facilitate the annual review by the Assembly of developments in ocean affairs at its second meeting,⁵

Bearing in mind the importance of marine science, through improving knowledge, by sustained research efforts and evaluation of monitoring results, and applying such knowledge to management and decision-making, for eradicating poverty, for contributing to food security, conserving the world’s marine environment and resources, helping to understand, predict, mitigate the effects of and respond to natural events, and for promoting the sustainable development of the oceans and seas,

Reaffirming the need to achieve the effective application of marine scientific knowledge and technology, through cooperation at the regional and global levels, by ensuring access of decision makers to relevant advice and information, as well as to the transfer of technology and support for the production and diffusion of factual data and knowledge for end-users, as appropriate, taking fully into account socio-economic factors and traditional ecological knowledge,

Emphasizing the urgent need for cooperation at the international level to address the issue of the acquisition, generation and transfer of marine scientific data to assist coastal developing States,

Convinced of the need to develop, where appropriate, a strong regional focus in marine scientific research and technology, through existing regional organizations, arrangements and programmes, so as to ensure the most effective use of the available resources and the protection and preservation of the marine environment, particularly by avoiding duplication and by achieving a holistic approach to the scientific study of the oceans and their resources,

Expressing deep concern once again at the continued increase in the number of incidents of piracy and armed robbery at sea, the harm they cause to seafarers, the threats they pose to the safety of shipping and to the other uses of the sea, including marine scientific research, and, consequently, to the marine and coastal environment, which threats are further exacerbated by the involvement of transnational organized crime,

Emphasizing, in this context, the need for the capacity-building and cooperation of all States and relevant international bodies, at both the regional and global levels, as well as the business sectors to prevent and combat piracy and armed robbery at sea,

Recognizing the importance of enhancing the safety of navigation, the need to provide accurate and up-to-date charts of the world oceans in order to promote maritime safety, and the need to build hydrographic capacity, in particular for those States that do not yet have adequate hydrographic services,

⁴ A/56/58 and Add.1.

⁵ A/56/121.

Reiterating its serious concern at the increase in illegal, unreported and unregulated fishing, and recognizing the importance of combating such activities, particularly by strengthening bilateral cooperation, as well as through the relevant regional fisheries management organizations and arrangements, and through the implementation of appropriate enforcement measures,

Expressing its deep concern once again at the degradation of the marine environment, particularly from land-based activities, and emphasizing the need for international cooperation and for a coordinated approach at the national and regional levels to this problem, bringing together the many different economic sectors involved and protecting the ecosystems, and in this context reaffirming the importance of ensuring the full implementation of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities,⁶

Reiterating its concern also at the adverse impacts on the marine environment from ships, including pollution, in particular through the illegal release of oil and other harmful substances, and by the dumping of hazardous waste, including radioactive materials, nuclear waste and dangerous chemicals, as well as the physical impacts on coral,

Welcoming resolution GC(45)RES/10 adopted on 21 September 2001 by the General Conference of the International Atomic Energy Agency at its forty-fifth regular session, concerning measures to strengthen international cooperation in nuclear, radiation, transport and waste safety, inter alia, those aspects relating to maritime transport safety,

Bearing in mind the World Summit on Sustainable Development, to be held in Johannesburg, South Africa, in 2002, and emphasizing the importance, in the preparations for the Summit, of addressing the sustainable development of oceans and seas,

Noting the responsibilities of the Secretary-General under the Convention and related resolutions of the General Assembly, in particular resolutions 49/28, 52/26 and 54/33, and in this context the expected increase in responsibilities of the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the Secretariat in view of the progress in the work of the Commission on the Limits of the Continental Shelf ("the Commission") and the anticipated receipt of submissions from States,

I. Implementation of the Convention

1. *Calls upon* all States that have not done so, in order to achieve the goal of universal participation, to become parties to the Convention¹ and the Agreement;²
2. *Reaffirms* the unified character of the Convention;
3. *Calls upon* States to harmonize, as a matter of priority, their national legislation with the provisions of the Convention, to ensure the consistent application of those provisions and to ensure also that any declarations or statements that they have made or make when signing, ratifying or acceding to the Convention are in conformity therewith and, otherwise, to withdraw any of their declarations or statements that are not in conformity;
4. *Encourages* States parties to the Convention to deposit with the Secretary-General charts and lists of geographical coordinates, as provided for in the Convention;
5. *Takes note* of the imminent entry into force of the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks;²

⁶ A/51/116, annex II.

¹ *International Fisheries Instruments* (United Nations publication, Sales No. E.98.V.11), sect. I; see also A/CONF.164/37.

II. Capacity-building

6. *Urges* the international community to assist, as appropriate, developing countries, in particular least developed countries and small island developing States, in the acquisition of data and the preparation of charts or lists of geographical coordinates for publication under articles 16, 22, 47, 75 and 84 of the Convention and in the preparation of information under article 76 and annex II to the Convention;

7. *Calls upon* bilateral and multilateral donor agencies to keep their programmes systematically under review to ensure the availability in all States, particularly in developing States, of the economic, legal, navigational, scientific and technical skills necessary for the full implementation of the Convention and the sustainable development of the oceans and seas nationally, regionally and globally, and in so doing to bear in mind the rights of landlocked developing States;

8. *Requests* the Secretary-General, in cooperation with the competent international organizations and programmes, including the Food and Agriculture Organization of the United Nations, the International Labour Organization, the International Hydrographic Organization, the International Maritime Organization, the United Nations Development Programme, the United Nations Industrial Development Organization, the Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific and Cultural Organization, the United Nations Environment Programme, the United Nations Conference on Trade and Development, the World Meteorological Organization and the World Bank, as well as representatives of regional development banks and the donor community, to review the efforts being made to build capacity as well as to identify the duplications that need to be avoided and the gaps that may need to be filled for ensuring consistent approaches, both nationally and regionally, with a view to implementing the Convention, and to include a section on this subject in his annual report on oceans and the law of the sea;

III. Meeting of States Parties

9. *Requests* the Secretary-General to convene the twelfth Meeting of States Parties to the Convention in New York from 16 to 26 April 2002 and to provide the services required;

IV. Settlement of disputes

10. *Notes with satisfaction* the continued contribution of the International Tribunal for the Law of the Sea ("the Tribunal") to the peaceful settlement of disputes in accordance with Part XV of the Convention, underlines its important role and authority concerning the interpretation or application of the Convention and the Agreement, encourages States parties to the Convention to consider making a written declaration choosing from the means set out in article 287 for the settlement of disputes concerning the interpretation or application of the Convention and the Agreement, and invites States to note the provisions of annexes V, VI, VII and VIII to the Convention concerning, respectively, conciliation, the Tribunal, arbitration and special arbitration;

11. *Recalls* the obligations of parties under article 296 of the Convention, in cases before a court or a tribunal referred to in article 287 of the Convention, to ensure prompt compliance with the decisions rendered by such court or tribunal;

12. *Encourages* States that have not yet done so to nominate conciliators and arbitrators in accordance with annexes V and VII to the Convention, and requests the Secretary-General to continue to update and circulate lists of these conciliators and arbitrators on a regular basis;

V. The Area

13. *Notes with satisfaction* the ongoing work of the International Seabed Authority (“the Authority”), including the issuance of contracts⁸ for exploration in accordance with the Convention, the Agreement and the Regulations on Prospecting and Exploration for Polymetallic Nodules in the Area;

14. *Notes* the ongoing elaboration of recommendations for the guidance of contractors to ensure the effective protection of the marine environment from harmful effects that may arise from activities in the Area, and that the Council of the Authority will continue to consider issues relating to regulations for prospecting and exploration for polymetallic sulphides and cobalt-rich crusts in the Area at the next session of the Authority, to be held in Kingston, Jamaica, from 5 to 16 August 2002;

VI. Effective functioning of the Authority and the Tribunal

15. *Appeals* to all States parties to the Convention to pay their assessed contributions to the Authority and to the Tribunal in full and on time, and appeals also to all former provisional members of the Authority to pay any outstanding contributions;

16. *Calls upon* States that have not done so to consider ratifying or acceding to the Agreement on the Privileges and Immunities of the Tribunal⁹ and to the Protocol on the Privileges and Immunities of the Authority;¹⁰

VII. The continental shelf

17. *Notes with satisfaction* the work of the Commission and its readiness to receive submissions by coastal States regarding the establishment of the outer limits of their continental shelf beyond 200 nautical miles, and encourages concerned States and relevant international organizations and institutions to consider developing and making available training courses to assist States in the preparation of such submissions;

18. *Takes note* of the decision of the eleventh Meeting of States Parties to the Convention¹¹ that, in the case of a State party for which the Convention entered into force before 13 May 1999, it is understood that the ten-year time period referred to in article 4 of annex II to the Convention shall be taken to have commenced on 13 May 1999;

19. *Encourages* States parties that are in a position to do so to make every effort to make submissions to the Commission within the time period established by the Convention;

20. *Approves* the convening by the Secretary-General of the tenth session of the Commission in New York starting on 25 March 2002, of a duration of three weeks in the event of a submission being filed, or of one week, depending on the workload of the Commission, of the eleventh session from 24 to 28 June 2002, and of the twelfth session from 26 to 30 August 2002;

VIII. Marine science and technology

21. *Stresses* the importance of the issues of marine science and technology and the need to focus on how best to implement the many obligations of States and competent international organizations under Parts XIII and XIV of the Convention, and calls upon States to adopt, as appropriate and in accordance with international law, such national laws, regulations, policies and procedures as are necessary to promote and facilitate marine scientific research and cooperation, especially those relating to granting consent for marine scientific research projects as provided for in the Convention;

⁸ The contract with the remaining registered pioneer investor is expected to be issued in the very near future.

⁹ SPLOS/25.

¹⁰ ISBA/4/A/8, annex.

¹¹ SPLOS/72.

22. *Calls upon* States, through national and regional institutions, to ensure that, in respect of marine scientific research conducted pursuant to Part XIII of the Convention in areas over which a coastal State has jurisdiction, the rights of the coastal State under the Convention are respected and that, at the request of the coastal State, information, reports, results, conclusions and assessments of data, samples and research results are made available, and access to data and samples are provided, to that coastal State;

23. *Invites* the Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific and Cultural Organization to request its Advisory Body of Experts on the Law of the Sea to work, in close cooperation with the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the Secretariat and in consultation with relevant regional or subregional organizations as appropriate, on the development of procedures under Part XIII of the Convention;

24. *Invites* the relevant United Nations agencies to continue to promote various ocean science programmes, strengthen the coordination among such programmes and develop rules, regulations and procedures within the framework of the Convention so as to facilitate the effective implementation of the programmes;

25. *Urges* relevant bodies of the United Nations system to develop, with the Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific and Cultural Organization acting as a focal point, appropriate interactions in the field of marine science with regional fisheries organizations, environmental and scientific bodies or regional centres foreseen by Part XIV of the Convention, and encourages States to establish, where appropriate, such regional centres;

26. *Calls upon* States, through national and regional institutions engaged in marine scientific research, to ensure that the knowledge resulting from marine scientific research and monitoring is made available in a user-friendly data format, especially to developing countries, so that it can be employed by decision makers and resource managers with a view to the effective application of marine research knowledge and technology;

27. *Stresses also* the importance of increasing the scientific understanding of the oceans/atmosphere interface and other factors required for an integrated ecosystem-based approach to the management of oceans and coastal areas, including through participation in ocean observing programmes and geographic information systems;

28. *Calls upon* States, through bilateral, regional and international financial organizations and technical partnerships, to continue to strengthen capacity-building activities, in particular in developing countries, in the field of marine scientific research, by, inter alia, training the necessary skilled personnel, providing the necessary equipment, facilities and vessels, and transferring environmentally sound technologies;

IX. Piracy and armed robbery

29. *Urges* all States and relevant international bodies to prevent and combat piracy and armed robbery at sea by adopting measures, including assisting with capacity-building, for prevention; reporting and investigating incidents; and bringing the alleged perpetrators to justice, in accordance with international law, in particular through training seafarers, port staff and enforcement personnel, providing enforcement vessels and equipment and guarding against fraudulent ship registration;

30. *Welcomes* initiatives of the International Maritime Organization and Governments aimed at enhancing international cooperation, particularly at the regional level, and encourages the development by Governments, based on mutual trust, of a common approach to enforcement, investigation and prosecution in dealing with piracy and armed robbery at sea;

31. *Calls upon* States and private entities concerned to cooperate fully with the International Maritime Organization, including by submitting reports on incidents to the organization and by implementing its guidelines on preventing attacks of piracy and armed robbery;

32. *Urges* States to become parties to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and its Protocol,¹² and to ensure its effective implementation, in particular through the adoption of legislation, where appropriate, aimed at ensuring that there is a proper framework for responses to incidents of armed robbery at sea;

X. Safety of navigation

33. *Invites* the International Hydrographic Organization, in cooperation with other relevant international organizations and interested Member States, to provide the necessary assistance to States, in particular to developing countries, in order to enhance hydrographic capability to ensure in particular the safety of navigation and the protection of the marine environment;

XI. Marine environment, marine resources and sustainable development

34. *Welcomes* the adoption by the Committee on Fisheries of the Food and Agriculture Organization of the United Nations of the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, and urges States to take, as a matter of priority, all necessary steps to implement it effectively, including through relevant regional and subregional fisheries management organizations and arrangements;

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

36. *Calls upon* States to continue to prioritize action on marine pollution from land-based sources as part of their national sustainable development strategies and programmes, in an integrated and inclusive manner, as a means of implementing the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities,⁶ and takes note of the review by the intergovernmental meeting in Montreal, Canada, from 26 to 30 November 2001;

37. *Calls upon* United Nations agencies and programmes identified in General Assembly resolution 51/189 of 16 December 1996 to continue to fulfil their roles in support of the Global Programme of Action, as well as to consult with Governments, representatives of the private sector, financial institutions and bilateral and multilateral donor agencies to review their involvement in the implementation of the Global Programme of Action and to consider, inter alia, what international support is needed to help overcome the obstacles to the preparation and implementation of national and local action programmes and how they can participate actively in partnership-building with developing countries for the transfer of the requisite technology in accordance with the Convention and taking into account the relevant parts of Agenda 21, capacity-building and funding for the implementation of the Global Programme of Action;

38. *Calls upon* States to take measures for the protection and preservation of coral reefs and to support international efforts in this regard, in particular the measures outlined in the 1998 Renewed Call to Action of the International Coral Reef Initiative and in decision V/3 adopted by the Conference of the Parties to the Convention on Biological Diversity at its Fifth Meeting, held at Nairobi from 15 to 26 May 2000;¹³

39. *Emphasizes* the importance of ensuring that adverse impacts on the marine environment are taken into account when assessing and evaluating development programmes and projects;

¹² International Maritime Organization publication, Sales No. 462.88.12E.

¹³ See UNEP/CBD/COP/5/23.

40. *Once again urges* States to take all practicable steps, in accordance with the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, to prevent pollution of the marine environment from ships and, in accordance with the 1972 Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter,¹⁴ to prevent pollution of the marine environment by dumping, and further calls upon States to become parties to and to implement the 1996 Protocol to the 1972 Convention;¹⁵

41. *Urges* States to continue to work, through the International Maritime Organization, on issues relating to the protection of the marine environment from degradation resulting from ship-based activities, including the transfer of harmful aquatic organisms and pathogens through ships' ballast water, and notes the adoption of the International Convention on the Control of Harmful Anti-fouling Systems on Ships;¹⁶

42. *Encourages* coastal States to enhance their national capacity and establish or improve their marine management systems in order to promote integrated marine management, the protection of the marine environment and ecosystem, and the sustainable development and utilization of marine resources, and invites the relevant agencies of the United Nations system and regional organizations to take effective measures to assist the coastal States in this regard;

XII. Underwater cultural heritage

43. *Takes note* of the adoption by the United Nations Educational, Scientific and Cultural Organization of the Convention on the Protection of the Underwater Cultural Heritage;

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

44. *Invites* Member States and others in a position to do so to contribute to the further development of the Hamilton Shirley Amerasinghe Memorial Fellowship Programme on the Law of the Sea established by the General Assembly in its resolution 35/116 of 10 December 1980 and to support the training activities under the TRAIN-SEA-COAST Programme of the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the Secretariat;

45. *Expresses its appreciation* to the Secretary-General for the annual comprehensive report on oceans and the law of the sea,⁴ prepared by the Division for Ocean Affairs and the Law of the Sea, as well as for the other activities of the Division, in accordance with the provisions of the Convention and the mandate set forth in resolutions 49/28, 52/26 and 54/33;

46. *Requests* the Secretary-General to continue to carry out the responsibilities entrusted to him in the Convention and related resolutions of the General Assembly, including resolutions 49/28 and 52/26, and to ensure that appropriate resources are made available to the Division for Ocean Affairs and the Law of the Sea for the performance of such responsibilities under the approved budget for the Organization;

¹⁴ United Nations, *Treaty Series*, vol. 1046, No. 15749.

¹⁵ IMO/LC.2/Circ.380.

¹⁶ IMO document AFS/CONF.26.

XIV. International coordination and cooperation

47. *Reaffirms* its decision to undertake an annual review and evaluation of the implementation of the Convention and other developments relating to ocean affairs and the law of the sea, taking into account General Assembly resolution 54/33 establishing the Consultative Process to facilitate the review of developments in ocean affairs, and requests the Secretary-General to convene the third meeting of the Consultative Process in New York from 8 to 15 April 2002;

48. *Recommends* that, in view of the forthcoming World Summit on Sustainable Development, in its deliberations on the report of the Secretary-General on oceans and the law of the sea at its third meeting, the Consultative Process organize its discussions around the following areas:

(a) Protection and preservation of the marine environment;

(b) Capacity-building, regional cooperation and coordination, and integrated ocean management, as important cross-cutting issues to address ocean affairs, such as marine science and transfer of technology, sustainable fisheries, degradation of the marine environment and safety of navigation;

49. *Requests* the Secretary-General to ensure more effective collaboration and coordination between the relevant parts of the Secretariat of the United Nations and the United Nations as a whole, in particular in ensuring the effectiveness, transparency and responsiveness of the mechanism for coordination on ocean issues,¹⁷ and also requests the Secretary-General to include in his report specific suggestions on initiatives to improve coordination, in particular at the inter-agency level, in accordance with Assembly resolution 54/33, and encourages all United Nations bodies to help this process by drawing to the attention of the Secretariat and the Subcommittee on Oceans and Coastal Areas of the Administrative Committee on Coordination those areas of their work which may, directly or indirectly, affect the work of other United Nations bodies;

50. *Also requests* the Secretary-General to bring the present resolution to the attention of heads of intergovernmental organizations, the specialized agencies and funds and programmes of the United Nations engaged in activities relating to ocean affairs and the law of the sea, drawing their attention to paragraphs of particular relevance to them, and underlines the importance of their constructive and timely input for the report of the Secretary-General on oceans and the law of the sea and of their participation in relevant meetings and processes;

51. *Invites* the competent international organizations, as well as funding institutions, to take specific account of the present resolution in their programmes and activities, and to contribute to the preparation of the comprehensive report of the Secretary-General on oceans and the law of the sea;

¹⁷ The mechanism for coordination at this time is the Subcommittee on Oceans and Coastal Areas of the Administrative *Committee* on Coordination, the status of which is currently under review as part of the reform of the machinery of the Administrative Committee on Coordination as a whole.

XV. Trust funds

52. *Recognizes* the importance of the trust funds established by the Secretary-General pursuant to General Assembly resolution 55/7 for the purpose of, respectively, assisting States in the settlement of disputes through the Tribunal,¹⁸ and assisting developing countries, in particular least developed countries and small island developing States, in the preparation of submissions to the Commission in compliance with article 76 of the Convention,¹⁹ in defraying the cost of participation of Commission members in the meetings of the Commission,²⁰ and in attending the meetings of the Consultative Process;²¹ and invites States, intergovernmental organizations and agencies, national institutions, non-governmental organizations and international financial institutions as well as natural and juridical persons to make voluntary financial or other contributions to these trust funds;

XVI. Fifty-seventh session of the General Assembly

53. *Decides* to devote two days of plenary meetings at the fifty-seventh session of the General Assembly, on 9 and 10 December 2002, to the consideration of the item entitled “Oceans and the law of the sea” and the commemoration of the twentieth-year anniversary of the opening for signature of the Convention, and encourages Member States and observers to be represented at the highest possible level;

54. *Requests* the Secretary-General to report to the General Assembly at its fifty-seventh session on the implementation of the present resolution, including other developments and issues relating to ocean affairs and the law of the sea, in connection with his annual comprehensive report on oceans and the law of the sea, and to provide the report in accordance with the modalities set out in resolution 54/33;

55. *Decides* to include in the provisional agenda of its fifty-seventh session the item entitled “Oceans and the law of the sea”.

¹⁸ Resolution 55/7, para. 9.

¹⁹ Ibid., para. 18.

²⁰ Ibid., para. 20.

²¹ Ibid., para. 45.

2. General Assembly resolution 56/13 of 28 November 2001: Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks

The General Assembly,

Recalling the relevant provisions of the United Nations Convention on the Law of the Sea¹ (“the Convention”), including Part VII, section 2,

Recognizing that, in accordance with the Convention, the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks² (“the Agreement”) sets forth provisions concerning the conservation and management of straddling fish stocks and highly migratory fish stocks, including provisions on subregional and regional cooperation in enforcement, binding dispute settlement and the rights and obligations of States in authorizing the use of vessels flying their flags for fishing on the high seas,

Recognizing also the duty provided in the Agreement and reiterated as a principle in the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas³ (“the Compliance Agreement”) and the Code of Conduct for Responsible Fisheries of the Food and Agriculture Organization of the United Nations⁴ for flag States to exercise effective control over fishing vessels flying their flag and vessels flying their flag which provide support to such vessels, and to ensure that the activities of such vessels do not undermine the effectiveness of conservation and management measures taken in accordance with international law and adopted at the national, subregional, regional or global levels,

Noting with satisfaction the imminent entry into force of the Agreement due to the fact that thirty States have ratified or acceded to it, and noting also that the entry into force of the Agreement entails responsibilities for States parties and other important considerations as outlined in the Agreement,

Noting the obligation of all States, pursuant to the provisions of the Convention, to cooperate in the conservation and management of straddling fish stocks and highly migratory fish stocks,

Conscious of the need to promote and facilitate international cooperation, in particular at the regional and subregional levels, in order to ensure the conservation, management and long-term sustainability of the living marine resources of the world’s oceans and seas, consistent with the present resolution, and deploring that the straddling fish stocks and highly migratory fish stocks in many parts of the world are overfished or subject to heavy and sparsely regulated fishing efforts, mainly as a result of, inter alia, unauthorized fishing, inadequate regulatory measures and excess fishing capacity,

Conscious also that the Agreement requires States and entities to pursue cooperation in relation to straddling fish stocks and highly migratory fish stocks either directly or through appropriate subregional or regional fisheries management organizations or arrangements, taking into account the specific characteristics of the subregion or region, to ensure the effective conservation, management and long-term sustainability of such stocks, and to establish such organizations or arrangements where none exist,

¹ United Nations publication, Sales No. E.97.V.10.

² *International Fisheries Instruments* (United Nations publication, Sales No. E.98.V.11), sect. I; see also A/CONF.164/37.

³ *Ibid.*, sect. II.

⁴ *Ibid.*, sect. III.

Recognizing the importance of the Agreement for the conservation and management of straddling fish stocks and highly migratory fish stocks and the need for the regular consideration by the General Assembly and review by the parties to the Agreement pursuant to the provisions of the Agreement, once in force, of developments relating thereto,

Welcoming the conclusion of negotiations, and the commencement of preparatory work, to establish new regional instruments, arrangements and organizations in several heretofore unmanaged fisheries, and noting the role of the Convention and the Agreement in the elaboration of these instruments, arrangements and organizations,

Welcoming also the fact that a growing number of States and other entities, as well as regional and subregional fisheries management organizations and arrangements, have enacted legislation, established regulations, adopted conventions or taken other measures as steps towards implementation of the provisions of the Agreement, even before its entry into force,

Taking into account that, in accordance with the Convention, the Code of Conduct for Responsible Fisheries and the Agreement, States fishing for straddling fish stocks or highly migratory fish stocks on the high seas and relevant coastal States shall give effect to their duty to cooperate by becoming members of the subregional or regional fisheries management organizations or participants in arrangements of such nature, or by agreeing to apply the conservation and management measures established by such organizations or arrangements, and that States having a real interest in the fisheries concerned may become members of such organizations or participants in such arrangements,

Recognizing the obligation of States to cooperate, either directly or through subregional, regional or global organizations, to enhance the ability of developing States, in particular the least developed among them and small island developing States, to conserve and manage straddling fish stocks and highly migratory fish stocks and to develop their own fisheries for such stocks,

Recognizing also the importance of the Compliance Agreement, which builds upon the legal framework established by the Convention, and noting that while twenty-two States have accepted it, the Compliance Agreement has not yet entered into force,

Concerned that illegal, unreported and unregulated fishing, including that noted in the report of the Secretary-General,⁵ threatens the serious depletion of populations of certain fish species, and in that regard urging States and entities to collaborate in efforts to address these types of fishing activities,

Welcoming the adoption by the Food and Agriculture Organization of the United Nations of an International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, which focuses on the primary responsibility of the flag State and the use of all available jurisdiction in accordance with international law, including port State measures, coastal State measures, market-related measures and measures to ensure that nationals do not support or engage in illegal, unreported and unregulated fishing,

Noting that the objective of the International Plan of Action is to prevent, deter and eliminate illegal, unreported and unregulated fishing by providing all States with comprehensive, effective and transparent measures by which to act, including through appropriate regional fisheries management organizations established in accordance with international law,

Recalling that the Food and Agriculture Organization of the United Nations in 1999 adopted international plans of action for the management of fishing capacity, for reducing the incidental catch of seabirds in longline fisheries and for the conservation and management of sharks,

Noting the importance of the wide application of the precautionary approach to the conservation, management and exploitation of straddling fish stocks and highly migratory fish stocks, in accordance with the Agreement,

⁵ A/56/58/Add.1, para. 61.

Noting also the importance of implementing the principles elaborated in article 5 of the Agreement, including ecosystem considerations, in the conservation and management of straddling fish stocks and highly migratory fish stocks,

Noting further the Reykjavik Declaration on Responsible Fisheries in the Marine Ecosystem, adopted on 4 October 2001,⁶

Welcoming the report of the Secretary-General on recent developments and current status of the Agreement,⁷

1. *Calls upon* all States and other entities referred to in article 1, paragraph 2 (b), of the Agreement that have not done so to ratify or accede to it and to consider applying it provisionally;

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

3. *Emphasizes* the importance of the entry into force and effective implementation of the provisions of the Agreement, including those provisions relating to bilateral, regional and subregional cooperation in enforcement, and urges continued efforts in this regard;

4. *Urges* all States and other entities referred to in the Agreement to pursue cooperation in relation to straddling fish stocks and highly migratory fish stocks, either directly or through appropriate subregional or regional fisheries management organizations or arrangements, to ensure the effective conservation, management and long-term sustainability of such stocks, to agree upon measures necessary to coordinate and, where there are no subregional or regional fisheries management organizations or arrangements in respect of particular straddling or highly migratory fish stocks, to cooperate to establish such organizations or enter into other appropriate arrangements;

5. *Welcomes* the initiation of negotiations to establish regional and subregional fisheries management organizations or arrangements in several fisheries, and urges participants in those negotiations to apply provisions of the Convention and the Agreement to their work;

6. *Anticipates* the entry into force of the Agreement, and requests the Secretary-General, once the Agreement enters into force, to consult with States that have either ratified or acceded to the Agreement, for the purposes and objectives of, inter alia, considering the regional, subregional and global implementation of the Agreement; making any appropriate recommendation to the General Assembly on the scope and content of the annual report of the Secretary-General relating to the Agreement; and preparing for the Review Conference to be convened by the Secretary-General pursuant to article 36 of the Agreement;

7. *Calls upon* States to provide assistance to developing States as outlined in the Agreement, notes the importance of participation by representatives of developing States in forums in which fisheries issues are discussed, and, once the Agreement enters into force, agrees to review the implementation of the provisions calling for assistance to developing countries and to facilitate the establishment of a programme of assistance within the Agreement;

8. *Requests* the Secretary-General to include in his next report on the status and implementation of the Agreement a background study on the provisions of Part VII of the Agreement concerning requirements of developing States, taking into account existing arrangements and assistance to developing countries that may be relevant under the Agreement, as well as suggesting possible forms of assistance;

⁶ E/CN.17/2002/PC.2/3, annex.

⁷ A/56/357.

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

10. *Calls upon* all States and other entities referred to in article X, paragraph 1, of the Compliance Agreement³ that have not done so to accept that instrument and afterwards effectively implement it;

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

12. *Calls upon* States not to permit vessels flying their flag to engage in fishing on the high seas without having effective control over their activities and to take specific measures, in accordance with the relevant provisions of the Convention, the Agreement and the Compliance Agreement, to control fishing operations by vessels flying their flag;

13. *Takes note* of the outcome of the first meeting of the Joint Ad Hoc Working Group on Illegal, Unreported and Unregulated Fishing and Related Matters of the Food and Agriculture Organization of the United Nations and the International Maritime Organization, held in Rome in October 2000, which contained a number of recommendations aimed at enhancing flag State and port State control over fishing vessels, with a view to eliminating the roots of illegal, unreported and unregulated fishing;

14. *Calls upon* the Food and Agriculture Organization of the United Nations and its members, in cooperation with States and entities, with regional fisheries management organizations and arrangements and other competent international organizations, such as the International Maritime Organization, to address possible key issues constituting effective fishery-related flag State control of a fishing vessel;

15. *Urges* States, as a matter of priority, to coordinate their activities and cooperate directly and, as appropriate, through relevant regional fisheries management organizations, in the implementation of the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing recently adopted by the Food and Agriculture Organization of the United Nations, to develop national plans of action on illegal, unreported and unregulated fishing and management of fishing capacity, to promote information-sharing, to encourage the full participation of all stakeholders, and in all efforts to coordinate all the work of the Food and Agriculture Organization of the United Nations with other international organizations, including the International Maritime Organization;

16. *Encourages* States and other entities to integrate in an appropriate manner, including through subregional or regional fisheries management organizations or arrangements to which they are party or in which they are participants, the requirements for the protection of the environment, in particular those resulting from multilateral environmental agreements, in the management of straddling fish stocks and highly migratory fish stocks;

17. *Encourages* States to give effect to the principles elaborated in article 5 of the Agreement, including ecosystem considerations, in the conservation and management of straddling fish stocks and highly migratory fish stocks, and to incorporate those principles in fisheries management at the national level and in subregional or regional fisheries management organizations or arrangements to which they are party or in which they are participants, or as appropriate at the global level;

18. *Urges* all States to apply the precautionary approach widely to the conservation, management and exploitation of straddling fish stocks and highly migratory fish stocks, and calls upon States parties to the Agreement to fully implement the provisions of article 6 of the Agreement as a matter of priority;

19. *Requests* the Secretary-General to submit to the General Assembly at its fifty-eighth session a report on the status and implementation of the Agreement, and on the impact of the entry into force of the Agreement on related or proposed instruments and programmes throughout the United Nations system relating to straddling fish stocks and highly migratory fish stocks, taking into account information provided by States, relevant specialized agencies, in particular the Food and Agriculture Organization of the United Nations, and other appropriate organs, organizations and programmes of the United Nations system, regional and subregional organizations and arrangements for the conservation and management of straddling fish stocks and highly migratory fish stocks, as well as other relevant intergovernmental bodies and non-governmental organizations, and including further developments relating to the conservation and management of straddling fish stocks and highly migratory fish stocks and other aspects of the present resolution;

20. *Decides* to include in the provisional agenda of its fifty-seventh session, under the item entitled “Oceans and the law of the sea”, the sub-item entitled “Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks”.

B. National legislation

Russian Federation:¹

Government of the Russian Federation: Regulations on the positioning and use of foreign technical observation and monitoring facilities in the territory of the Russian Federation, on the continental shelf and in the exclusive economic zone of the Russian Federation

I. General provisions

1. These Regulations define the procedure for the positioning and use in the territory of the Russian Federation, on the continental shelf and in the exclusive economic zone of the Russian Federation of foreign technical observation and monitoring facilities which are set up by a foreign party while carrying out international scientific and technological programmes and projects (hereinafter referred to as “foreign technical observation and monitoring facilities”).
2. Under these Regulations, “foreign technical observation and monitoring facilities” means foreign-produced technical facilities or Russian-produced technical facilities which are completed with the participation of representatives of a foreign party and are intended for measuring and recording various parameters in physical environments, conducting chemical and biological research, and locating or identifying objects, as well as facilities for processing and transmitting the results of measurements and recording.

II. Positioning and use of foreign technical observation and monitoring facilities
in the territory of the Russian Federation

3. The positioning and use of foreign technical observation and monitoring facilities in the land territory of the Russian Federation shall be carried out with a corresponding evaluation by the State Technical Commission of the President of the Russian Federation and after the fulfilment of the conditions and requirements set forth in that evaluation.
4. Federal executive bodies, executive bodies of subjects of the Russian Federation, organizations (if scientific and/or technological activities are provided for under their constitutive documents), and citizens of the Russian Federation (hereinafter referred to as “applicants”), at the stage of the preparation of international scientific and technological programmes (projects), within the framework of which there are plans to position and use foreign technical observation and monitoring facilities in the territory of the Russian Federation, shall, no later than six months prior to the implementation of such programmes (projects), submit to the State Technical Commission of the President of the Russian Federation a request in accordance with the format set forth in annex I (hereinafter referred to as the “request”). Each request relating to a draft international scientific or technological programme (project) shall be submitted in quintuplicate.
5. The State Technical Commission of the President of the Russian Federation shall, over the course of 10 days, check whether the request is in conformity with the requirements of these Regulations, send notification of receipt of the request to the applicant and transmit copies of the request to the Russian Federation Ministry of Defence, the Russian Federation Federal Security Service, the Federal Agency for Government Communication and Information of the President of the Russian Federation and the other federal executive agencies concerned.

¹ Translated from Russian.

The federal executive bodies shall, no later than 60 days from the date on which they receive copies of the request, transmit to the State Technical Commission of the President of the Russian Federation expert assessments of the possibility of positioning and using in the territory of the Russian Federation foreign technical observation and monitoring facilities, on the basis of which the Commission shall prepare its evaluation of the possibility of positioning and using foreign technical observation and monitoring facilities in the territory of the Russian Federation, drawn up in accordance with the format set forth in annex II (hereinafter referred to as the “evaluation”).

6. If the information contained in the request is not in accordance with the nature, objectives and methods of conducting scientific research, the State Technical Commission of the President of the Russian Federation shall have the right to request the applicant to provide additional information concerning the international scientific or technological programme (project).

In cases in which an applicant submits additional information upon the request of the State Technical Commission of the President of the Russian Federation or on his own initiative, the period of time for considering the request shall be calculated from the date of receipt of such information.

7. The evaluation or notification of refusal to provide an evaluation shall be transmitted to the applicant within four months of the date of receipt of the request.

8. A copy of the evaluation or notification of refusal to provide the evaluation shall be transmitted to the federal executive bodies and organizations concerned.

9. The State Technical Commission of the President of the Russian Federation shall maintain a register of such evaluations.

10. The evaluation may establish additional conditions and requirements with regard to:

- (a) Conducting a mandatory technical assessment of the foreign technical observation and monitoring facilities after they have been delivered to the Russian Federation;
- (b) Changing the period for using the foreign technical observation and monitoring facilities, their composition, completeness of equipment and positioning sites;
- (c) Conducting an additional technical assessment of the foreign technical observation and monitoring facilities, taking into account the conditions for their positioning;
- (d) The methods of processing and transmitting to the foreign party the results of the measurements and recording carried out;
- (e) The procedure for verifying the positioning and use of the foreign technical observation and monitoring facilities.

11. In order to carry out mandatory and additional technical assessments of foreign technical observation and monitoring facilities, the State Technical Commission of the President of the Russian Federation may set up inter-departmental expert groups with the participation on a contractual basis of specialized State and non-State organizations and independent experts.

The work of conducting technical assessments shall be financed through the funds set aside for carrying out the corresponding international scientific and technological programmes (projects).

12. Any changes in the positioning and use of foreign technical observation and monitoring facilities in the territory of the Russian Federation shall be subject to agreement in accordance with the procedure established under these Regulations.

13. An applicant may be denied permission to position and use foreign technical observation and monitoring facilities in the territory of the Russian Federation if:

- (a) The implementation of the international scientific and technological programmes (projects) creates or may create a threat to the security of the Russian Federation;

- (b) The information provided by an applicant does not correspond to the facts;
- (c) The conditions and requirements set forth in the evaluation have not been (are not being) fulfilled;
- (d) During a mandatory or additional technical assessment of foreign technical observation and monitoring facilities, capabilities and technical characteristics not indicated in the request are revealed.

14. An applicant who has received an evaluation must:

- (a) Comply with the international treaties of the Russian Federation, the requirements of the legislation of the Russian Federation and these Regulations;
- (b) Fulfil the conditions and requirements set forth in the evaluation;
- (c) Ensure unimpeded access on the part of the authorized officials of federal executive bodies monitoring compliance with these Regulations to the site where work is carried out and the results obtained during the implementation of international scientific and technological programmes (projects) are processed, and also to the foreign technical observation and monitoring facilities;
- (d) Carry out requests by the authorized officials of federal executive bodies monitoring compliance with these Regulations for the immediate halting of the use of foreign technical observation and monitoring facilities and also for the transmission to them of all research materials and results obtained during the use of foreign technical observation and monitoring facilities;
- (e) Not impede measures taken to ensure the security of the Russian Federation;
- (f) Dismantle foreign technical observation and monitoring facilities upon completion of the work provided for under the international scientific (technological) programme (project), if there is no agreement in this regard.

III. Positioning and use of foreign technical observation and monitoring facilities in the internal maritime waters, in the territorial sea, on the continental shelf and in the exclusive economic zone of the Russian Federation

15. The positioning and use of foreign technical observation and monitoring facilities in the internal maritime waters, in the territorial sea, on the continental shelf and in the exclusive economic zone of the Russian Federation shall be carried out in accordance with the legislation of the Russian Federation on marine scientific and marine resource research.

16. The federal executive bodies authorized under the legislation of the Russian Federation to issue permits to conduct marine scientific and marine resource research in the internal maritime waters, in the territorial sea, on the continental shelf and in the exclusive economic zone of the Russian Federation shall issue such permits in coordination with the State Technical Commission of the President of the Russian Federation.

IV. Monitoring the positioning and use of foreign technical observation and monitoring facilities in the territory of the Russian Federation

17. The implementation of these Regulations shall be monitored by the State Technical Commission of the President of the Russian Federation, the Russian Federation Ministry of Defence, the Russian Federation Federal Security Service and the Federal Agency for Government Communication and Information of the President of the Russian Federation through their authorized officials (hereinafter referred to as “monitoring bodies”).

18. Where an applicant does not fulfil the requirements under these Regulations and the conditions and requirements set forth in the evaluation, the monitoring bodies shall have the right to prohibit the use of foreign technical observation and monitoring facilities.

A monitoring body which has taken a decision to prohibit the use of foreign technical observation and monitoring facilities in the territory of the Russian Federation shall notify the applicant and the State Technical Commission of the President of the Russian Federation of this in writing.

A decision on the resumption of work with the use of foreign technical observation and monitoring facilities shall be taken by the monitoring body in question after the violations have been rectified and the corresponding verification has been carried out. The monitoring body shall notify the applicant and the State Technical Commission of the President of the Russian Federation of this in writing.

Annex I to the Regulations on the positioning and use of foreign technical observation and monitoring facilities in the territory of the Russian Federation, on the continental shelf and in the exclusive economic zone of the Russian Federation

Request concerning the possibility of positioning and using foreign technical observation and monitoring facilities in the territory of the Russian Federation

1. Applicant (official designation, legal address, telephone number, telefax number, telex number, email address).
2. Reasons for carrying out the international scientific (technological) programme (project).
3. Description of the international scientific (technological) programme (project).
4. Participants in the international scientific (technological) programme (project):
 - (a) Data on Russian applicants and persons responsible for carrying out the international scientific (technological) programme (project);
 - (b) Data on foreign participants.
5. Justification of the need to position and use foreign technical observation and monitoring facilities in the territory of the Russian Federation.
6. Research programme:
 - (a) Title;
 - (b) Objective;
 - (c) Types of research (work), methods and procedure for conducting research.
7. Planned dates for beginning and concluding research (work) in the territory of the Russian Federation.
8. Sites for the planned positioning of foreign technical observation and monitoring facilities:
 - (a) Geographic coordinates (in degrees, minutes and seconds) or postal addresses;
 - (b) A detailed map of each region in which it is planned to position and use foreign technical observation and monitoring facilities, plotted on the basis of one of the generally accepted cartographic projections.

The map must indicate:

The area for conducting research under the international scientific (technological) programme (project);

Possible routes in the research area for transport vehicles conveying foreign technical observation and monitoring facilities.

9. Planned measures for protecting information while conducting research.
10. Description of transport vehicles to be used:
 - (a) Name and make;
 - (b) Manufacturing country;
 - (c) Owner;
 - (d) Basic vehicle characteristics;
 - (e) Presence of built-in technical observation and monitoring facilities.
11. Designation, manufacturing country (firm), owner of foreign technical observation and monitoring facilities to be used in the territory of the Russian Federation:
 - (a) Radio-transmitting;
 - (b) Radio-receiving;
 - (c) Radar-equipped;
 - (d) Optoelectronic (thermal imaging, television, etc.);
 - (e) Laser-equipped;
 - (f) Photographic;
 - (g) Acoustic;
 - (h) Hydroacoustic;
 - (i) Magnetometric;
 - (j) Seismic;
 - (k) Radiative;
 - (l) Hydrographic;
 - (m) Meteorological;
 - (n) Geophysical;
 - (o) Equipment for biological and chemical research;
 - (p) Equipment for locating or identifying objects;
 - (q) Facilities for recording, processing and transmitting information;
 - (r) Other equipment.
12. Basic capabilities and characteristics of the foreign technical observation and monitoring facilities:
 - (a) Name;
 - (b) Stationary or mobile equipment;
 - (c) Carrier (for mobile equipment);
 - (d) Automatic functioning of equipment (indicate whether the technical equipment requires servicing during the course of the work or functions automatically);
 - (e) Basic capabilities and characteristics (measurable parameters, accuracy of measurement, periodicity, range of measurable parameters, capability of recording and transmitting measurable data);

- (f) Presence of cryptographic devices;
 - (g) Need for participation by foreign specialists in the technical servicing of equipment;
 - (h) Equipment for transmitting information received;
 - (i) For automatic equipment: installation site (geographic coordinates including those in the 1942 coordinate system);
 - (j) Dates (day, month, year) of installation and dismantling, period in operation.
13. Use of the research results, including open publishing and international exchange, and reporting period.
14. Research materials planned for transmission to international organizations, and foreign States and their legal entities and citizens.
15. Other information relating to research work.

Date, signature of the applicant

Seal of the applicant

Annex II to the Regulations on the positioning and use of foreign technical observation and monitoring facilities in the territory of the Russian Federation, on the continental shelf and in the exclusive economic zone of the Russian Federation

Evaluation by the State Technical Commission of the President of the Russian Federation concerning the possibility of positioning and using foreign technical observation and monitoring facilities in the territory of the Russian Federation

1. Applicant (official designation, legal address, telephone number, telefax number, telex number and email address).
2. Reasons for carrying out the international scientific (technological) programme (project).
3. Brief description of the international scientific (technological) programme (project).
4. Description of the research to be conducted within the framework of the international scientific (technological) programme (project) in the territory of the Russian Federation:
 - (a) Title;
 - (b) Objective;
 - (c) Types of research (work), methods and procedure for conducting research.
5. Research participants:
 - (a) Legal entities (official designation, legal address, telephone number, telefax number, telex number, email address and number of representatives);
 - (b) Citizens (first name, middle name, last name, citizenship).
6. Planned dates for beginning and concluding research (work) in the territory of the Russian Federation.
7. Sites where it is permitted to position and use foreign technical observation and monitoring facilities:
 - (a) Geographic coordinates (in degrees, minutes and seconds) or postal addresses;
 - (b) Where necessary, a detailed map is to be provided of each region in which it is planned to position and use foreign technical observation and monitoring facilities, plotted on the basis of the generally recognized cartographic projections.

The map must indicate:

The area for conducting research under the international scientific (technological) programme (project);

Permitted routes in the research area for transport vehicles conveying foreign technical observation and monitoring facilities.
8. Transport vehicles which are permitted to be used in conducting research.
9. List of the foreign technical observation and monitoring facilities whose use is permitted in the territory of the Russian Federation:
 - (a) Radio-transmitting;
 - (b) Radio-receiving;
 - (c) Radar-equipped;
 - (d) Optoelectronic (thermal imaging, television, etc.);
 - (e) Laser-equipped;

- (f) Photographic;
- (g) Acoustic;
- (h) Hydroacoustic;
- (i) Magnetometric;
- (j) Seismic;
- (k) Radiative;
- (l) Hydrographic;
- (m) Meteorological;
- (n) Geophysical;
- (o) Equipment for biological and chemical research;
- (p) Equipment for locating or identifying objects;
- (q) Facilities for recording, processing and transmitting information;
- (r) Other equipment.

10. Additional conditions and requirements for positioning and using foreign technical observation and monitoring facilities.

11. List of technical equipment in respect of which a mandatory technical assessment is to be conducted before it is positioned in the territory of the Russian Federation.

12. Use of research results, including open publishing and international exchange, and period for reporting on work conducted.

13. Addresses of Russian Federation scientific institutions to which research data and samples are to be transmitted.

14. Other information concerning the conditions, methods and means of conducting a research.

Signature

Official seal

Moscow

1 September 2001

No. 1184

C. Bilateral treaties

1. Treaty concerning the Delimitation of the Maritime Boundary between the Republic of Equatorial Guinea and the Democratic Republic of Sao Tome and Principe, 26 June 1999²

The Republic of Equatorial Guinea and the Democratic Republic of Sao Tome and Principe, desiring to strengthen the ties of friendship and good relations that exist between the two States and peoples;

Taking into account the United Nations Convention on the Law of the Sea of 10 December 1982 and the relevant principles of general international law;

Recognizing the need to determine exactly the delimitation of the maritime boundary between the two States in an equitable manner using equidistance as the general criterion for delimitation;

The Parties decide to conclude this Treaty for that purpose,

And have appointed as their Plenipotentiaries:

For the Republic of Equatorial Guinea:

His Excellency Mr. Miguel Oyone Ndong Mifumu,
Deputy Prime Minister in charge of Foreign Affairs and International Cooperation,

For the Republic of Sao Tome and Principe:

His Excellency Mr. Alberto Paulino,
Minister for Foreign Affairs and Communities,

Who, having communicated to each other their full powers found to be in good and due form, have agreed on the following:

Article 1

The purpose of this Treaty is to recognize the maritime boundary between the Republic of Equatorial Guinea and the Democratic Republic of Sao Tome and Principe.

Article 2

The maritime boundary between the Republic of Equatorial Guinea and the Democratic Republic of Sao Tome and Principe established by this Treaty shall be defined by the geodesic lines joining the following coordinates:

(a) Between the Republic of Equatorial Guinea (Annobón Island) and the Democratic Republic of Sao Tome and Principe (Sao Tome Island)

<i>Point No.</i>	<i>Latitude</i>	<i>Longitude</i>
1	1°29'04"S	7°16'30"E
2	0°47'15.8"S	6°11'30.7"E
3	0°12'54"S	5°19'23"E
4	0°41'45.3"N	3°37'03.2"E
5	0°54'59.5"N	3°12'32.95"E

² Translated from Spanish.

(b) Between the Republic of Equatorial Guinea (Bioco Island — Rio Muni) and the Democratic Republic of Sao Tome and Principe (islands of Sao Tome and Principe)

<i>Point No.</i>	<i>Latitude</i>	<i>Longitude</i>
1	0°37'25"N	8°11'42"E
2	1°00'15"N	8°18'10"E
3	1°11'32.65"N	8°21'38.75"E
4	1°17'48"N	8°22'48"E
5	1°24'14"N	8°24'08"E
6	1°38'45"N	8°27'58"E
7	1°49'10"N	8°30'15"E
8	1°54'45"N	8°31'15"E
9	2°04'01.6"N	8°33'00.5"E
10	2°12'48"N	8°21'57"E
11	2°25'32"N	8°02'40"E
12	2°31'35.3"N	7°53'20.4"E
13	2°38'34"N	7°42'13"E
14	2°50'00"N	7°25'52"E
15	3°02'31.75"N	7°07'17.45"E

Article 3

The geodesic points defined in article 2 shall be established in reference to the World Geodesic System 1984.

Article 4

Neither State will claim or exercise sovereign rights or have jurisdiction over the waters, seabed and subsoil or airspace on the side of the maritime boundary belonging to the other Party as established under article 2 of this Treaty.

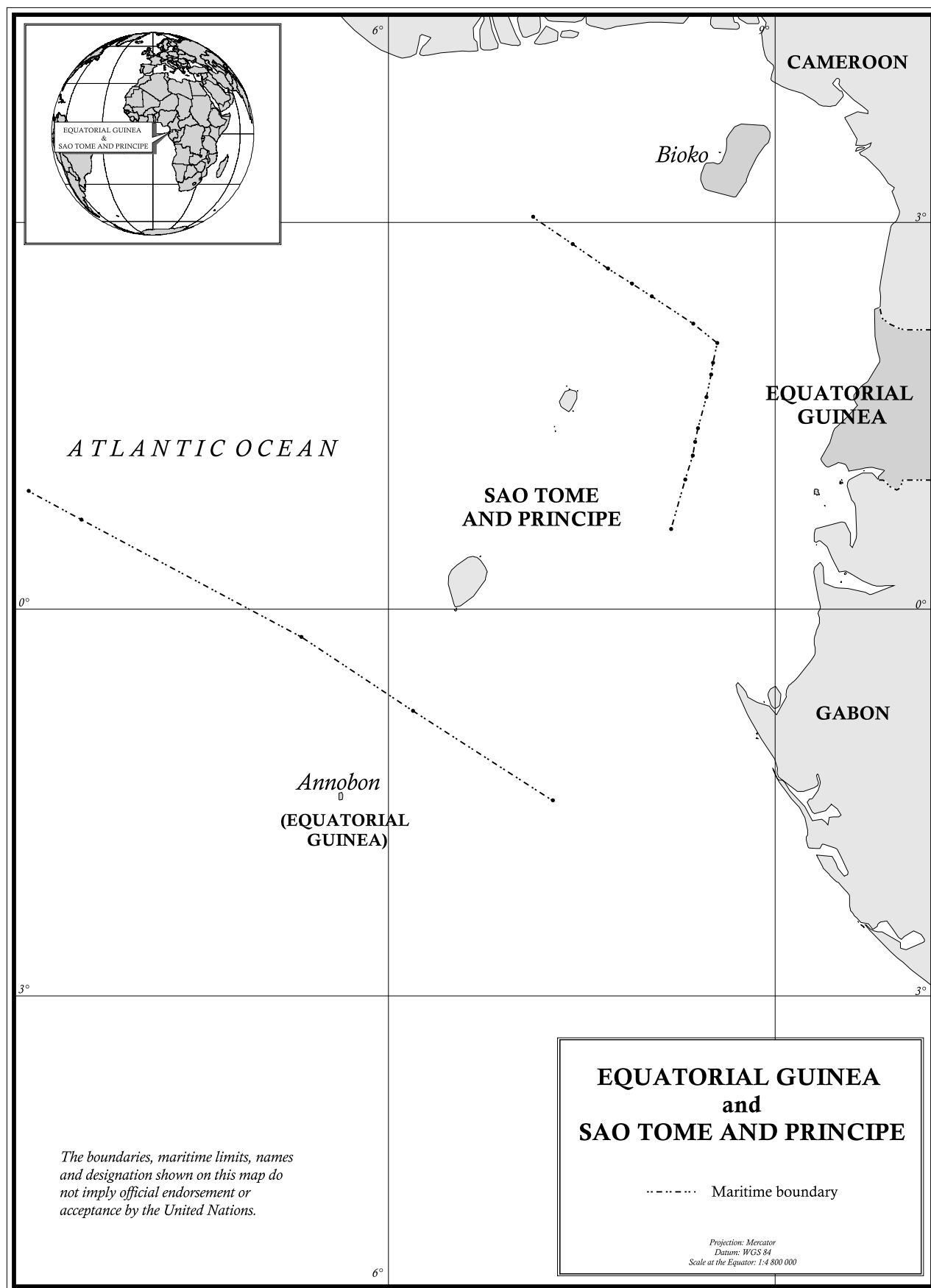
Article 5

This treaty shall enter into force provisionally upon signature and definitively on the date on which the Parties have communicated to each other the instruments of ratification.

DONE at Malabo on 26 June 1999 in two (2) original versions, each one in Spanish and Portuguese, both texts having equal authority.

For the Republic of Equatorial Guinea:
[Signature]

For the Democratic Republic of Sao Tome and Principe:
[Signature]



2. Agreement between the Government of the French Republic and the Government of the Republic of Seychelles concerning the Delimitation of the Maritime Boundary of the Exclusive Economic Zone and the Continental Shelf of France and Seychelles, 19 February 2001

The Government of the French Republic and the Government of the Republic of Seychelles,

Desirous of strengthening the bonds of neighbourliness and friendship between the two States,

Recognizing the need to effect a precise and equitable delimitation of the respective maritime areas in which the two States exercise sovereign rights,

Basing themselves on the rules and principles of relevant international law, including their expression in the United Nations Convention on the Law of the Sea of 10 December 1982, which entered into force on 16 November 1994,

Referring to the negotiations which took place in Victoria, Mahé, Seychelles, on 27 and 28 June 2000,

Have agreed as follows:

Article 1

The delimitation line between the exclusive economic zone and the continental shelf of the French Republic (around the territory of Île de la Grande Glorieuse and Île du Lys) and the exclusive economic zone and the continental shelf of the Republic of Seychelles (Assumption Island and Astove Island) will be based on the equidistance, considered, in this particular case, as an equitable solution, in conformity with international law. This line has been determined by using the nearest baselines from which the territorial sea of each State is measured.

Article 2

2.1. The line of delimitation between the exclusive economic zone and the continental shelf of the French Republic (around the territory of Île de la Grande Glorieuse and Île du Lys) and the exclusive economic zone and the continental shelf of the Republic of Seychelles (Assumption Island and Astove Island) shall be formed by the arcs of geodesics joining the geographical coordinates listed in paragraph 2.2 of this article.

2.2. The line referred to in paragraph 2.1 of this article is formed by a series of geodesics connecting in the order stated in the points below, as defined by their geographical coordinates:

	<u>Latitude (S)</u>	<u>Longitude</u>
1.	11° 8' 23"	45° 46' 03" E
2.	10° 39' 01"	46° 54' 40" E
3.	11° 1' 15"	48° 29' 7" E

Article 3

3.1. The geographical coordinates referred to in paragraph 2.2 of article 2 are based on the World Geodetic System 1984 (WGS 84).

3.2. The line is drawn for illustrative purposes on the chart annexed to this Agreement.

Article 4

The line referred to in paragraph 2.1 of article 2 will be the maritime boundary between the areas referred to in article 1 in which the Parties exercise, or will exercise, in accordance with international law, any sovereign rights or jurisdiction.

Article 5

Any dispute arising between the Parties with respect to the interpretation or the application of this Agreement shall be resolved by peaceful means, in accordance with international law.

Article 6

This Agreement shall enter into force on the date of signature thereof.

IN WITNESS WHEREOF, the representatives of two Governments, being duly authorized for this purpose, have signed this Agreement and have affixed thereto their seals.

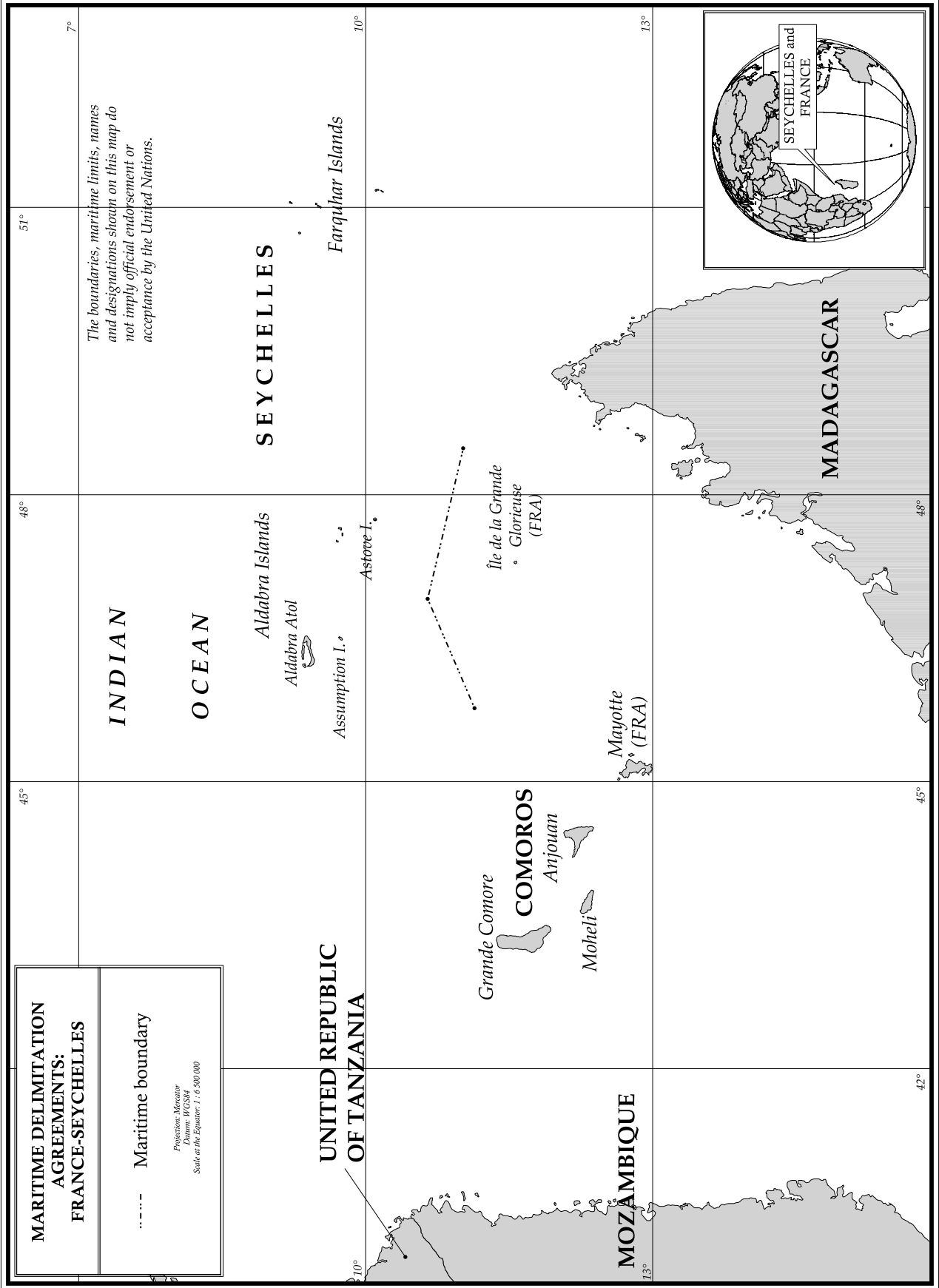
DONE at Victoria, Mahé, Seychelles, on 19 February 2001, in two originals, each in the French and English languages, the two texts being equally authoritative.

For the Government of the French Republic

The Minister attached to the Minister for
Foreign Affairs, with responsibility for
Cooperation and Francophonie

For the Government of the Republic of
Seychelles

The Minister for Foreign Affairs



3. Memorandum of Understanding - Timor Sea Arrangement, 5 July 2001

MEMORANDUM OF UNDERSTANDING

The signatories below confirm that the 'Timor Sea Arrangement' forming

Attachment A to this understanding is suitable for adoption as an agreement between Australia and East Timor upon East Timor's independence, embodying arrangements for the exploration and exploitation of the Joint Petroleum Development Area pending a final delimitation of the seabed between Australia and East Timor.

Signed at Dili on the fifth day of July 2001

Alexander Downer
Minister for Foreign Affairs
Australia

Mari Alkatiri
Cabinet Member for Economic Affairs
East Timor Transitional Administration

Nick Minchin
Minister for Industry, Science and Resources
Australia

Peter Galbraith
Cabinet Member for Political Affairs and Timor Sea
East Timor Transitional Administration

ATTACHMENT A

TIMOR SEA ARRANGEMENT

CONSCIOUS of the importance of promoting East Timor's economic development;

AWARE of the need to maintain security of investment for existing and planned petroleum activities in an area of seabed between Australia and East Timor;

RECOGNIZING the benefits that will flow to both Australia and East Timor by providing a continuing basis for petroleum activities in an area of seabed between Australia and East Timor to proceed as planned;

EMPHASIZING the importance of developing petroleum resources in a way that minimizes damage to the natural environment, that is economically sustainable, promotes further investment and contributes to the long-term development of Australia and East Timor;

CONVINCED that the development of the resources in accordance with this Arrangement will provide a firm foundation for continuing and strengthening the friendly relations between Australia and East Timor;

TAKING INTO ACCOUNT the United Nations Convention on the Law of the Sea, which provides in article 83 that the delimitation of the continental shelf between States with opposite or adjacent coasts shall be effected by agreement on the basis of international law in order to achieve an equitable solution;

TAKING FURTHER INTO ACCOUNT, in the absence of delimitation, the further obligation for States to make every effort, in a spirit of understanding and cooperation, to enter into provisional arrangements of a practical nature which do not prejudice a final determination of the seabed delimitation;

NOTING the desirability of Australia and East Timor entering into a Treaty providing for the continued development of the petroleum resources in an area of seabed between Australia and East Timor.

Article 1. Definitions

For the purposes of this Arrangement:

(a) "Arrangement" means this Arrangement, including annexes A to F and any annexes subsequently agreed between East Timor and Australia;

(b) "Criminal law" means any law in force in East Timor and Australia, whether substantive or procedural, that makes provision for or in relation to offences or for or in relation to the investigation or prosecution of offences or the punishment of offenders, including the carrying out of a penalty imposed by a court. For this purpose, "investigation" includes entry to an installation or structure in the Joint Petroleum Development Area, the exercise of powers of search and questioning and the apprehension of a suspected offender;

(c) "Designated Authority" means the Designated Authority established in article 6 of this Arrangement;

(d) "Fiscal scheme" means a royalty, a Production Sharing Contract, or other scheme for determining East Timor's and Australia's share of petroleum or revenue from petroleum activities and does not include taxes referred to in article 5 (b) of this Arrangement;

(e) "Initially processed" means processing of petroleum to a point where it is ready for off-take from the production facility and may include such processes as the removal of water, volatiles and other impurities;

(f) "Joint Commission" means the East Timor-Australia Joint Commission established in article 6 of this Arrangement;

(g) "JPDA" means the Joint Petroleum Development Area referred to in article 3 of this Arrangement;

(h) "Ministerial Council" means the East Timor-Australia Ministerial Council established in article 6 of this Arrangement;

(i) "Petroleum" means:

(i) Any naturally occurring hydrocarbon, whether in a gaseous, liquid, or solid state;

(ii) Any naturally occurring mixture of hydrocarbons, whether in a gaseous, liquid or solid state; or

(iii) Any naturally occurring mixture of one or more hydrocarbons, whether in a gaseous, liquid or solid state, as well as other substances produced in association with such hydrocarbons;

and includes any petroleum as defined by subparagraphs (i), (ii) or (iii) that has been returned to a natural reservoir;

(j) "Petroleum activities" means all activities undertaken to produce petroleum, authorized or contemplated under a contract, permit or licence, and includes exploration, development, initial processing, production, transportation and marketing, as well as the planning and preparation for such activities;

(k) "Petroleum Mining Code" means the Code referred to in article 7 of this Arrangement;

(l) "Petroleum project" means petroleum activities taking place in a specified area within the JPDA;

(m) "Petroleum produced" means initially processed petroleum extracted from a reservoir through petroleum activities;

(n) "Production Sharing Contract" means a contract between the Designated Authority and a limited liability corporation or entity with limited liability under which production from a specified area of the JPDA is shared between the parties to the contract;

(o) "Reservoir" means an accumulation of petroleum in a geological unit limited by rock, water or other substances without pressure communication through liquid or gas to another accumulation of petroleum;

(p) "Taxation code" means the code referred to in article 13 (b) of this Arrangement and the interim taxation code referred to in article 13 (c) of this Arrangement.

Article 2. Without prejudice

(a) This Arrangement gives effect to international law as reflected in the United Nations Convention on the Law of the Sea, which under article 83 requires States with opposite or adjacent coasts to make every effort to enter into provisional arrangements of a practical nature pending agreement on the final delimitation of the continental shelf between them in a manner consistent with international law. This Arrangement is intended to adhere to such obligation.

(b) Nothing contained in this Arrangement and no acts taking place while this Arrangement is in force shall be interpreted as prejudicing or affecting East Timor's or Australia's position on or rights relating to a seabed delimitation or their respective seabed entitlements.

Article 3. Joint Petroleum Development Area

(a) The Joint Petroleum Development Area (JPDA) is established. It is the area in the Timor Sea contained within the lines described in annex A.

(b) East Timor and Australia shall jointly control, manage and facilitate the exploration, development and exploitation of the petroleum resources of the JPDA for the benefit of the peoples of East Timor and Australia.

(c) Petroleum activities conducted in the JPDA shall be carried out pursuant to a contract between the Designated Authority and a limited liability corporation or entity with limited liability or a licence or permit issued to such a corporation or entity with limited liability.

(d) East Timor and Australia shall make it an offence for any person to conduct petroleum activities in the JPDA otherwise than in accordance with this Arrangement.

Article 4. Sharing of petroleum production

(a) East Timor and Australia shall have title to all petroleum produced in the JPDA. Of the petroleum produced in the JPDA, 90 per cent shall belong to East Timor and 10 per cent shall belong to Australia.

(b) To the extent that fees referred to in article 6(b)(vi) and other income are inadequate to cover the expenditure of the Designated Authority in relation to this Arrangement, that expenditure will be borne in the same proportion as set out in paragraph (a).

Article 5. Fiscal arrangements and taxes

Fiscal arrangements and taxes shall be dealt with in the following manner:

(a) Unless a fiscal scheme is otherwise provided for in this Arrangement:

(i) East Timor and Australia shall make every possible effort to agree on a joint fiscal scheme for each petroleum project in the JPDA;

(ii) If East Timor and Australia fail to reach agreement on a joint fiscal scheme referred to in subparagraph (i), they will jointly appoint an independent expert to recommend an appropriate joint fiscal scheme to apply to the petroleum project concerned;

(iii) If either East Timor or Australia does not agree to the joint fiscal scheme recommended by the independent expert, East Timor and Australia may each separately impose its own fiscal scheme on their proportion of the production of the project as calculated in accordance with the formula contained in article 4 of this Arrangement;

(iv) If East Timor and Australia agree on a joint fiscal scheme pursuant to this article, neither East Timor nor Australia may during the life of the project vary that scheme except by mutual agreement between East Timor and Australia.

(b) Consistent with the formula contained in article 4 of this Arrangement, East Timor and Australia may, in accordance with its own law and a taxation code if any, impose taxes on its share of the revenue from petroleum activities in the JPDA and relating to activities referred to in article 13 of this Arrangement.

Article 6. Regulatory bodies

(a) A three-tiered joint administrative structure consisting of a Designated Authority, a Joint Commission and a Ministerial Council is established.

(b) Designated Authority:

(i) For the first three years after this Arrangement comes into force, or for a different period of time if agreed to jointly by East Timor and Australia, the Joint Commission shall designate the Designated Authority.

(ii) After the period of time specified in subparagraph (i), the Designated Authority shall be the East Timor Government Ministry responsible for petroleum activities or, if so decided by the Ministry, an East Timor statutory authority.

(iii) For the period specified in subparagraph (i), the Designated Authority has juridical personality and such legal capacities under the law of both East Timor and Australia as are necessary for the exercise of its powers and the performance of its functions. In particular, the Designated Authority shall have the capacity to contract, to acquire and dispose of movable and immovable property and to institute and be party to legal proceedings.

(iv) The Designated Authority will be responsible to the Joint Commission and will carry out the day-to-day regulation and management of petroleum activities.

(v) A non-exclusive listing of more detailed powers and functions of the Designated Authority is set out in annex C. The annexes to this Arrangement may identify other additional detailed powers and functions of the Designated Authority. The Designated Authority also has such other powers and functions as may be conferred upon it by the Joint Commission.

(vi) The Designated Authority shall be financed from fees collected under the Petroleum Mining Code.

(vii) For the period specified in subparagraph (i) the Designated Authority shall be exempt from the following existing taxes:

(1) In East Timor, the income tax imposed under the law of East Timor;

(2) In Australia, the income tax imposed under the federal law of Australia;

as well as any identical or substantially similar taxes which are imposed after the date of signature of this Arrangement in addition to, or in place of, the existing taxes.

(iv) For the period specified in subparagraph (i), personnel of the Designated Authority:

(1) Shall be exempt from taxation of salaries, allowances and other emoluments paid to them by the Designated Authority in connection with their service with the Designated Authority other than taxation under the law of East Timor or Australia in which they are deemed to be resident for taxation purposes; and

(2) Shall, at the time of first taking up the post with the Designated Authority located in either East Timor or Australia in which they are not resident, be exempt from customs duties and other such charges (except payments for services) in respect of imports of furniture and other household and personal effects in their ownership or possession or already ordered by them and intended for their personal use or for their establishment; such goods shall be imported within six months of an officer's first entry, but in exceptional circumstances an extension of time shall be granted by the Government of East Timor or the Government of Australia; goods which have been acquired or imported by officers and to which exemptions under this subparagraph apply shall not be given away, sold, lent or hired out, or otherwise disposed of except under conditions agreed in advance with the Government of East Timor or the Government of Australia, depending on in which country the officer is located.

(c) Joint Commission:

- (i) The Joint Commission shall consist of commissioners appointed by East Timor and Australia. There shall be one more commissioner appointed by East Timor than by Australia. The Joint Commission shall establish policies and regulations relating to petroleum activities in the JPDA and shall oversee the work of the Designated Authority.
- (ii) A non-exclusive listing of more detailed powers and functions of the Joint Commission is set out in annex D. The Annexes to this arrangement may identify other additional detailed powers and functions of the Joint Commission.
- (iii) Except as provided for in article 8(c), the Commissioners of either East Timor or Australia may at any time refer a matter to the Ministerial Council for resolution.
- (iv) The Joint Commission shall meet annually or as may be required. Its meetings shall be chaired by a member nominated by East Timor and Australia on an alternate basis.

(d) Ministerial Council:

- (i) The Ministerial Council shall consist of an equal number of Ministers from East Timor and Australia. It shall consider any matter relating to the operation of this Arrangement that is referred to it by either East Timor or Australia. It will also consider any matter referred to in subparagraph (c) (iii).
- (ii) In the event the Ministerial Council is unable to resolve a matter, either East Timor or Australia may invoke the dispute resolution procedures set out in annex B.
- (iii) The Ministerial Council shall meet at the request of either East Timor or Australia or at the request of the Joint Commission.

(iv) Unless otherwise agreed between East Timor and Australia, meetings of the Ministerial Council where at least one member representing East Timor and one member representing Australia is physically present shall be held alternatively in East Timor and Australia. Its meetings shall be chaired by a representative of East Timor or Australia on an alternative basis.

(v) The Ministerial Council may, if it so chooses, permit members to participate in a particular meeting, or all meetings, by telephone, closed-circuit television or any other means of electronic communication, and a member who so participates is to be regarded as being present at the meeting. A meeting may be held solely by means of electronic communication.

(e) Commissioners of the Joint Commission and personnel of the Designated Authority must have no financial interest in any activity relating to exploration for and exploitation of petroleum resources in the JPDA.

Article 7. Petroleum Mining Code

(a) East Timor and Australia shall negotiate an agreed Petroleum Mining Code which shall govern the exploration, development and exploitation of petroleum within the JPDA, as well as the export of petroleum from the JPDA.

(b) In the event East Timor and Australia are unable to conclude a Petroleum Mining Code by the effective date of this Arrangement, the Joint Commission shall in its inaugural meeting adopt an interim code to remain in effect until a Petroleum Mining Code is adopted in accordance with paragraph (a).

Article 8. Pipelines

(a) The construction and operation of a pipeline within the JPDA for the purposes of exporting petroleum from the JPDA shall be subject to the approval of the Joint Commission. East Timor and Australia shall consult on the terms and conditions of pipelines exporting petroleum from the JPDA to the point of landing.

(b) A pipeline landing in East Timor shall be under the jurisdiction of East Timor. A pipeline landing in Australia shall be under the jurisdiction of Australia.

(c) In the event a pipeline is constructed from the JPDA to the territory of either East Timor or Australia, the country where the pipeline lands may not object to or impede decisions of the Joint Commission regarding a pipeline to the other country. Notwithstanding article 6(c)(iii), the Ministerial Council may not review or change any such decisions.

(d) Article 8(c) shall not apply where the effect of constructing a pipeline from the JPDA to the other country would cause the supply of gas to be withheld from a limited liability corporation or limited liability entity which has obtained consent under this Arrangement to obtain gas from a project in the JPDA for contracts to supply gas for a specified period of time.

(e) Neither East Timor nor Australia may object to, nor in any way impede, a proposal to use floating gas to liquid processing and off-take in the JPDA on a commercial basis where such proposal will produce higher revenues to East Timor and Australia from royalties and taxes earned from activities conducted within the JPDA than would be earned if gas were transported by pipeline.

(f) Article 8(e) shall not apply where the effect of floating gas to liquids processing and off-take in the JPDA would cause the supply of gas to be withheld from a limited liability corporation or limited liability entity which has obtained consent under this Arrangement to obtain gas from the JPDA for contracts to supply gas for a specified period of time.

(g) Petroleum from the JPDA and from fields which straddle the boundaries of the JPDA will at all times have priority of carriage along any pipeline carrying petroleum from and within the JPDA.

(h) There shall be open access to pipelines for petroleum from the JPDA. The open access arrangements shall be in accordance with good international regulatory practice. If East Timor has jurisdiction over the pipeline, it will consult with Australia over access to the pipeline. If Australia has jurisdiction over the pipeline, it will consult with East Timor over access to the pipeline.

Article 9. Unitization

(a) Any reservoir of petroleum that extends across the boundary of the JPDA shall be treated as a single entity for management and development purposes.

(b) East Timor and Australia shall work expeditiously and in good faith to reach agreement on the manner in which the deposit will be most effectively exploited and on the equitable sharing of the benefits arising from such exploitation.

Article 10. Marine environment

(a) East Timor and Australia shall cooperate to protect the marine environment of the JPDA so as to prevent and minimize pollution and other environmental harm from petroleum activities. Special efforts shall be made to protect marine animals, including marine mammals, seabirds, fish and coral. East Timor and Australia shall consult as to the best means to protect the marine environment of the JPDA from the harmful consequences of petroleum activities.

(b) Where pollution of the marine environment occurring in the JPDA spreads beyond the JPDA, East Timor and Australia shall cooperate in taking action to prevent, mitigate and eliminate such pollution.

(c) The Designated Authority shall issue regulations to protect the marine environment in the JPDA. It shall establish a contingency plan for combating pollution from petroleum activities in the JPDA.

(d) Limited liability corporations or limited liability entities shall be liable for damage or expenses incurred as a result of pollution of the marine environment arising out of petroleum activities within the JPDA in accordance with:

(i) Their contract, licence or permit or other form of authority issued pursuant to this Arrangement; and

(ii) The law of the jurisdiction (East Timor or Australia) in which the claim is brought.

Article 11. Employment

(a) East Timor and Australia shall:

(i) Take appropriate measures with due regard to occupational health and safety requirements to ensure that preference is given in employment in the JPDA to nationals or permanent residents of East Timor; and

(ii) Facilitate, as a matter of priority, training and employment opportunities for East Timorese nationals and permanent residents.

(b) Australia will expedite and facilitate the processing of applications for visas through Australia's Mission in Dili by East Timorese nationals and permanent residents employed by limited liability corporations or limited liability entities in Australia associated with petroleum activities in the JPDA.

Article 12. Health and safety for workers

The Designated Authority shall develop, and limited liability corporations or limited liability entities shall apply, occupational health and safety standards and procedures for persons employed on structures in the JPDA that are no less effective than those standards and procedures that would apply to persons employed on similar structures in East Timor and Australia. The Designated Authority may adopt, consistent with this article, standards and procedures taking into account an existing system established under the law of either East Timor or Australia.

Article 13. Application of taxation law

(a) For the purposes of taxation law related directly or indirectly to:

- (i) The exploration for or the exploitation of petroleum in the JPDA; or
- (ii) Acts, matters, circumstances and things touching, concerning, arising out of or connected with such exploration and exploitation,

the JPDA shall be deemed to be, and treated by, East Timor and Australia, as part of that country.

(b) East Timor and Australia shall negotiate an agreed code to provide relief from double taxation relating to petroleum activities.

(c) In the event East Timor and Australia are unable to conclude a double taxation code by the date of entry into force of this Arrangement, the Ministerial Council shall in its inaugural meeting establish an interim taxation code to remain in effect until a taxation code referred to in paragraph (b) enters into force.

(d) A taxation code under paragraphs (b) or (c) may contain its own dispute resolution mechanism. Article 23 of this Arrangement shall not apply to disputes covered by that mechanism.

Article 14. Criminal jurisdiction

(a) A national or permanent resident of East Timor or Australia shall be subject to the criminal law of that country in respect of acts or omissions occurring in the JPDA connected with or arising out of exploration for and exploitation of petroleum resources, provided that a permanent resident of East Timor or Australia who is a national of the other country shall be subject to the criminal law of the latter country.

(b) Subject to paragraph (d), a national of a third State, not being a permanent resident of either East Timor or Australia, shall be subject to the criminal law of both East Timor and Australia in respect of acts or omissions occurring in the JPDA connected with or arising out of petroleum activities. Such a person shall not be subject to criminal proceedings under the law of either East Timor or Australia if he or she has already been tried and discharged or acquitted by a competent tribunal or already undergone punishment for the same act or omission under the law of the other country or where the competent authorities of one country, in accordance with its law, have decided in the public interest to refrain from prosecuting the person for that act or omission.

(c) In cases referred to in paragraph (b), East Timor and Australia shall, as and when necessary, consult each other to determine which criminal law is to be applied, taking into account the nationality of the victim and the interests of the country most affected by the alleged offence.

(d) The criminal law of the flag State shall apply in relation to acts or omissions on board vessels, including seismic or drill vessels in, or aircraft in flight over, the JPDA.

(e) East Timor and Australia shall provide assistance to and cooperate with each other, including through agreements or arrangements as appropriate, for the purposes of enforcement of criminal law under this article, including the obtaining of evidence and information.

(f) Both East Timor and Australia recognize the interest of the other country where a victim of an alleged offence is a national of that other country and shall keep that other country informed, to the extent permitted by its law, of action being taken with regard to the alleged offence.

(g) East Timor and Australia may make arrangements permitting officials of one country to assist in the enforcement of the criminal law of the other country. Where such assistance involves the detention of a person who under paragraph (a) is subject to the jurisdiction of the other country, that detention may only continue until it is practicable to hand the person over to the relevant officials of that other country.

Article 15. Customs, quarantine and migration

(a) East Timor and Australia may, subject to paragraphs (c), (e), (f) and (g), apply customs, migration and quarantine laws to persons, equipment and goods entering its territory from, or leaving its territory for, the JPDA. East Timor and Australia may adopt arrangements to facilitate such entry and departure.

(b) Limited liability corporations or other limited liability entities shall ensure, unless otherwise authorized by East Timor or Australia, that persons, equipment and goods do not enter structures in the JPDA without first entering East Timor or Australia, and that their employees and the employees of their subcontractors are authorized by the Designated Authority to enter the JPDA.

(c) Either country may request consultations with the other country in relation to the entry of particular persons, equipment and goods to structures in the JPDA aimed at controlling the movement of such persons, equipment or goods.

(d) Nothing in this article prejudices the right of either East Timor or Australia to apply customs, migration and quarantine controls to persons, equipment and goods entering the JPDA without the authority of either country. East Timor and Australia may adopt arrangements to coordinate the exercise of such rights.

(e) Goods and equipment entering the JPDA for purposes related to petroleum activities shall not be subject to customs duties.

(f) Goods and equipment leaving or in transit through either East Timor or Australia for the purpose of entering the JPDA for purposes related to petroleum activities shall not be subject to customs duties.

(g) Goods and equipment leaving the JPDA for the purpose of being permanently transferred to a part of either East Timor or Australia may be subject to customs duties of that country.

Article 16. Hydrographic and seismic surveys

(a) East Timor and Australia shall have the right to carry out hydrographic surveys to facilitate petroleum activities in the JPDA. East Timor and Australia shall cooperate on:

(i) The conduct of such surveys, including the provision of necessary on-shore facilities;
and

(ii) Exchanging hydrographic information relevant to petroleum activities in the JPDA.

(b) For the purposes of this Arrangement, East Timor and Australia shall cooperate in facilitating the conduct of seismic surveys in the JPDA, including in the provision of necessary on-shore facilities.

Article 17. Petroleum industry vessel safety, operating standards and crewing

Except as otherwise provided in this Arrangement, vessels of the nationality of East Timor or Australia engaged in petroleum activities in the JPDA shall be subject to the law of their nationality in relation to safety and operating standards and crewing regulations. Vessels with the nationality of other countries will apply the law of East Timor or Australia depending on in whose ports they operate, in relation to safety and operating standards, and crewing regulations. Such vessels that enter the JPDA and do not operate out of either East Timor or Australia under the law of either East Timor or Australia shall be subject to the relevant international safety and operating standards.

Article 18. Surveillance

(a) For the purposes of this Arrangement, East Timor and Australia shall have the right to carry out surveillance activities in the JPDA.

(b) East Timor and Australia shall cooperate on and coordinate any surveillance activities carried out in accordance with paragraph (a).

(c) East Timor and Australia shall exchange information derived from any surveillance activities carried out in accordance with paragraph (a).

Article 19. Security measures

(a) East Timor and Australia shall exchange information on likely threats to, or security incidents relating to, exploration for and exploitation of petroleum resources in the JPDA.

(b) East Timor and Australia shall make arrangements for responding to security incidents in the JPDA.

Article 20. Search and rescue

East Timor and Australia shall, at the request of the Designated Authority and consistent with this Arrangement, cooperate on and assist with search and rescue operations in the JPDA taking into account generally accepted international rules, regulations and procedures established through competent international organizations.

Article 21. Air traffic services

East Timor and Australia shall, at the request of the Designated Authority and consistent with this Arrangement, cooperate on the provision of air traffic services in the JPDA taking into account generally accepted international rules, regulations and procedures established through competent international organizations.

Article 22. Duration of the Arrangement

This Arrangement will be in force until there is a permanent seabed delimitation between East Timor and Australia or for thirty years from the date of its entry into force, whichever is sooner. This Arrangement may be renewed by agreement between East Timor and Australia. Petroleum activities of limited liability corporations or other limited liability entities entered into under the terms of the Arrangement will continue even if the Arrangement is no longer in force, under conditions equivalent to those in place under the Arrangement.

Article 23. Settlement of disputes

(a) Any dispute concerning the interpretation or application of this Arrangement shall, as far as possible, be settled by consultation or negotiation.

(b) Any dispute which is not settled in the manner set out in paragraph (a) and any unresolved matter relating to the operation of this Arrangement under article 6(d)(ii) shall, at the request of either East Timor or Australia, be submitted to an arbitral tribunal in accordance with the procedure set out in annex B.

Article 24. Amendment

This Arrangement may be amended at any time by written agreement between East Timor and Australia.

Article 25. Entry into force

This Arrangement shall enter into force thirty (30) days after the date on which East Timor and Australia have notified each other in writing that their respective requirements for entry into force of this Arrangement have been complied with.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto by their respective Governments, have signed this Arrangement.

DONE at Dili, on this fifth day of July 2001 in two originals in the English language.

For the Government of Australia

For the Government of East Timor

**Annex A under article 3 of this Arrangement
Designation and Description of the JPDA**

NOTE

Where for the purposes of the Arrangement it is necessary to determine the position on the surface of the Earth of a point, line or area, that position will be determined by reference to the Australian Geodetic Datum, that is to say, by reference to a spheroid having its centre at the centre of the Earth and a major (equatorial) radius of 6,378,160 metres and a flattening of 1/298.25 and by reference to the position of the Johnston Geodetic Station in the Northern Territory of Australia. That station shall be taken to be situated at Latitude 25°56'54.5515" South and at Longitude 133°12'30.0771" East and to have a ground level of 571.2 metres above the spheroid referred to above.

THE AREA

The area bounded by the line-

- (a) Commencing at the point of Latitude 9° 22' 53" South, Longitude 127° 48' 42" East;
- (b) Running thence south-westerly along the geodesic to the point of Latitude 10° 06' 40" South, Longitude 126° 00' 25" East;
- (c) Thence south-westerly along the geodesic to the point of Latitude 10° 28' 00" South, Longitude 126° 00' 00" East;
- (d) Thence south-easterly along the geodesic to the point of Latitude 11° 20' 08" South, Longitude 126° 31' 54" East;
- (e) Thence north-easterly along the geodesic to the point of Latitude 11° 19' 46" South, Longitude 126° 47' 04" East;
- (f) Thence north-easterly along the geodesic to the point of Latitude 11° 17' 36" South, Longitude 126° 57' 07" East;
- (g) Thence north-easterly along the geodesic to the point of Latitude 11° 17' 30" South, Longitude 126° 58' 13" East;
- (h) Thence north-easterly along the geodesic to the point of Latitude 11° 14' 24" South, Longitude 127° 31' 33" East;
- (i) Thence north-easterly along the geodesic to the point of Latitude 10° 55' 26" South, Longitude 127° 47' 04" East;
- (j) Thence north-easterly along the geodesic to the point of Latitude 10° 53' 42" South, Longitude 127° 48' 45" East;
- (k) Thence north-easterly along the geodesic to the point of Latitude 10° 43' 43" South, Longitude 127° 59' 16" East;
- (l) Thence north-easterly along the geodesic to the point of Latitude 10° 29' 17" South, Longitude 128° 12' 24" East;
- (m) Thence north-westerly along the geodesic to the point of Latitude 9° 29' 57" South, Longitude 127° 58' 47" East;
- (n) Thence north-westerly along the geodesic to the point of Latitude 9° 28' 00" South, Longitude 127° 56' 00" East;
and
- (o) Thence north-westerly along the geodesic to the point of commencement.

**Annex B under article 23 of this Arrangement
Dispute Resolution Procedure**

(a) An arbitral tribunal to which a dispute is submitted pursuant to article 23 (b) shall consist of three persons appointed as follows:

(i) East Timor and Australia shall each appoint one arbitrator;

(ii) The arbitrators appointed by East Timor and Australia shall, within sixty (60) days of the appointment of the second of them, by agreement, select a third arbitrator who shall be a citizen, or permanent resident of a third country which has diplomatic relations with both East Timor and Australia;

(iii) East Timor and Australia shall, within sixty (60) days of the selection of the third arbitrator, approve the selection of that arbitrator who shall act as Chairman of the Tribunal.

(b) Arbitration proceedings shall be instituted upon notice being given through the diplomatic channel by the country instituting such proceedings to the other country. Such notice shall contain a statement setting forth in summary form the grounds of the claim, the nature of the relief sought and the name of the arbitrator appointed by the country instituting such proceedings. Within sixty (60) days after the giving of such notice, the respondent country shall notify the country instituting proceedings of the name of the arbitrator appointed by the respondent country.

(c) If, within the time limits provided for in subparagraphs (a) (ii) and (iii) and paragraph (b) of this annex, the required appointment has not been made or the required approval has not been given, East Timor or Australia may request the President of the International Court of Justice to make the necessary appointment. If the President is a citizen or permanent resident of East Timor or Australia or is otherwise unable to act, the Vice-President shall be invited to make the appointment. If the Vice-President is a citizen or permanent resident of East Timor or Australia or is otherwise unable to act, the member of the International Court of Justice next in seniority who is not a citizen or permanent resident of East Timor or Australia shall be invited to make the appointment.

(d) In case any arbitrator appointed as provided for in this annex shall resign or become unable to act, a successor arbitrator shall be appointed in the same manner as prescribed for the appointment of the original arbitrator, and the successor shall have all the powers and duties of the original arbitrator.

(e) The arbitral tribunal shall convene at such time and place as shall be fixed by the Chairman of the Tribunal. Thereafter, the arbitral tribunal shall determine where and when it shall sit.

(f) The arbitral tribunal shall decide all questions relating to its competence and shall, subject to any agreement between East Timor and Australia, determine its own procedure.

(g) Before the arbitral tribunal makes a decision, it may at any stage of the proceedings propose to East Timor and Australia that the dispute be settled amicably. The arbitral tribunal shall reach its award by majority vote taking into account the provisions of this Arrangement and relevant international law.

(h) East Timor and Australia shall each bear the costs of its appointed arbitrator and its own costs in preparing and presenting cases. The cost of the Chairman of the Tribunal and the expenses associated with the conduct of the arbitration shall be borne in equal parts by East Timor and Australia.

(i) The arbitral tribunal shall afford to East Timor and Australia a fair hearing. It may render an award on the default of either East Timor or Australia. In any case, the arbitral tribunal shall render its award within six months from the date it is convened by the chairman of the tribunal. Any award shall be rendered in writing and shall state its legal basis. A signed counterpart of the award shall be transmitted to East Timor and Australia.

(j) An award shall be final and binding on East Timor and Australia.

**Annex C under article 6(b)(v) of this Arrangement
Powers and Functions of the Designated Authority**

The powers and functions of the Designated Authority include:

- (a) Day-to-day management and regulation of petroleum activities in accordance with this Arrangement and any instruments made or entered into under this Arrangement, including directions given by the Joint Commission;
- (b) Preparation of annual estimates of income and expenditure of the Designated Authority for submission to the Joint Commission. Any expenditure shall only be made in accordance with estimates approved by the Joint Commission or otherwise in accordance with regulations and procedures approved by the Joint Commission;
- (c) Preparation of annual reports for submission to the Joint Commission;
- (d) Requesting assistance from the appropriate Australian and East Timor authorities consistent with this Arrangement:
 - (i) For search and rescue operations in the JPDA;
 - (ii) In the event of a terrorist threat to the vessels and structures engaged in petroleum operations in the JPDA; and
 - (iii) For air traffic services in the JPDA;
- (e) Requesting assistance with pollution prevention measures, equipment and procedures from appropriate Australian and East Timor authorities or other bodies or persons;
- (f) Establishment of safety zones and restricted zones, consistent with international law, to ensure the safety of navigation and petroleum operations;
- (g) Controlling movement into, within and out of the JPDA of vessels, aircraft, structures and other equipment employed in exploration for and exploitation of petroleum resources in a manner consistent with international law; and, subject to article 15, authorizing the entry of employees of contractors and their subcontractors and other persons into the JPDA;
- (h) Issuing regulations and giving directions under this Arrangement on all matters related to the supervision and control of petroleum activities, including on health, safety, environmental protection and assessments and work practices, pursuant to the Petroleum Mining Code; and
- (i) Such other powers and functions as may be identified in other annexes to this Arrangement or as may be conferred on it by the Joint Commission.

**Annex D under article 6(c)(ii) of this Arrangement
Powers and Functions of the Joint Commission**

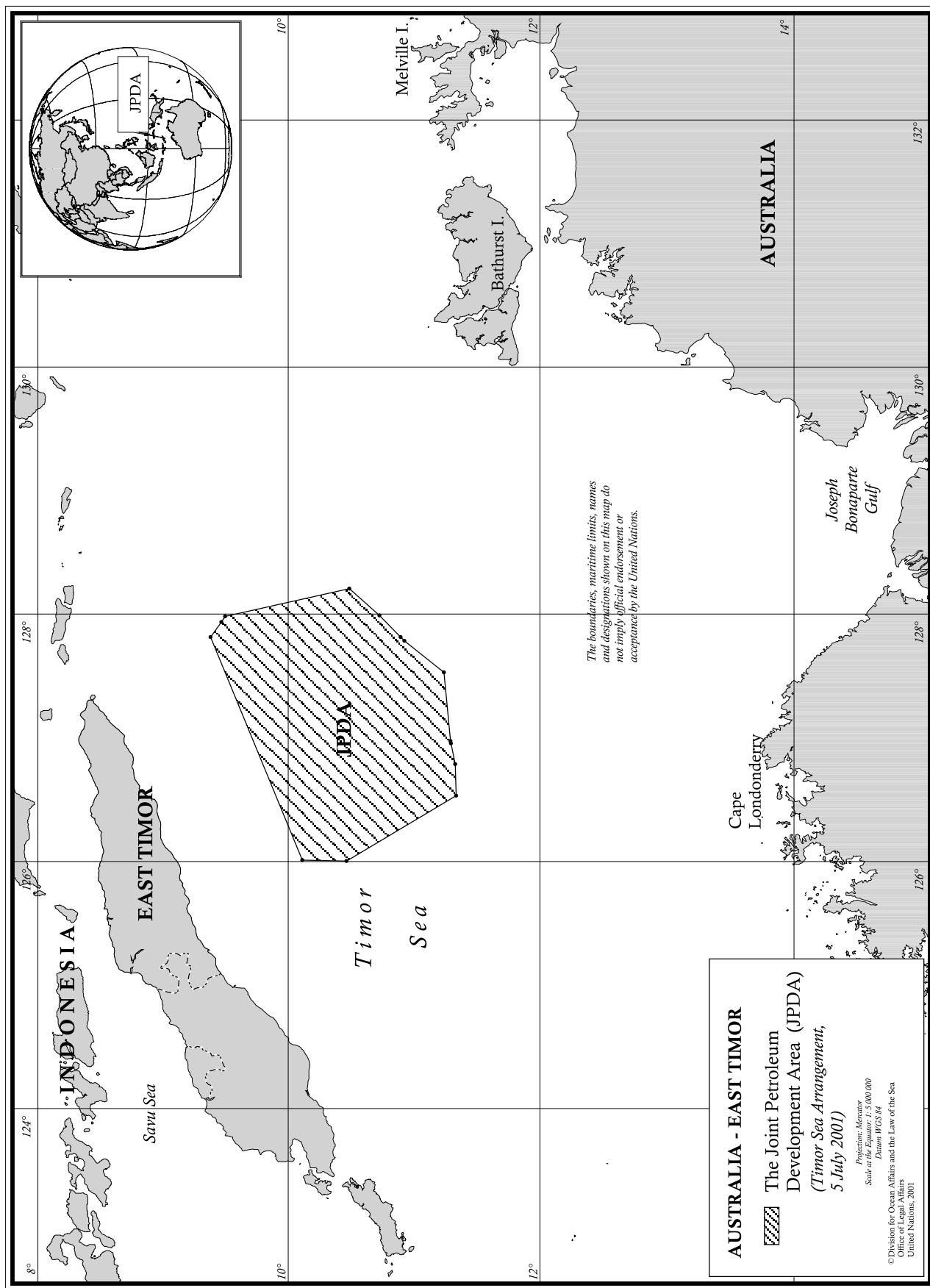
1. The powers and functions of the Joint Commission shall include:
 - (a) Giving directions to the Designated Authority on the discharge of its powers and functions;
 - (b) Conferring additional powers and functions on the Designated Authority;
 - (c) Adopting an interim Petroleum Mining Code pursuant to article 7(b) of the Arrangement, if necessary;
 - (d) Approving financial estimates of income and expenditure of the Designated Authority;
 - (e) Approving rules, regulations and procedures for the effective functioning of the Designated Authority;
 - (f) Designating the Designated Authority for the period referred to in article 6(b)(i);
 - (g) At the request of a member of the Joint Commission inspecting and auditing the Designated Authority's books and accounts or arranging for such an audit and inspection;
 - (h) Approving the result of inspections and audits of contractors' books and accounts conducted by the Joint Commission;
 - (i) Considering and adopting the annual report of the Designated Authority;
 - (j) Of its own volition or on recommendation by the Designated Authority, in a manner not inconsistent with the objectives of this Arrangement amending the Petroleum Mining Code to facilitate petroleum activities in the JPDA;
2. The Joint Commission will exercise its powers and functions for the benefit of the peoples of East Timor and Australia having regard to good oilfield, processing, transport and environmental practice.

**Annex E under article 9(b) of this Arrangement
Unitization of Greater Sunrise**

- (a) East Timor and Australia agree to unitize the Sunrise and Troubadour deposits (collectively known as "Greater Sunrise") on the basis that 20 per cent of Greater Sunrise lies within the JPDA. Production from Greater Sunrise shall be distributed on the basis that 20 per cent is attributed to the JPDA and 80 per cent is attributed to Australia.
- (b) Either East Timor or Australia may request a review of the production-sharing formula. Following such a review, the production-sharing formula may be altered by agreement between East Timor and Australia.
- (c) The unitization agreement referred to in paragraph (a) shall be without prejudice to a permanent delimitation of the seabed between East Timor and Australia
- (d) In the event of a permanent delimitation of the seabed, East Timor and Australia will reconsider the terms of the unitization agreement referred to in paragraph (a). Any new agreement will preserve the terms of any production-sharing contract, licence or permit which is based on the agreement in paragraph (a).

**Annex F under article 5(a) of this Arrangement
Fiscal Scheme for Certain Petroleum Deposits**

Contracts shall be offered to those corporations holding, immediately before the entry into force of the Arrangement, contracts numbered 91-12, 91-13, 95-19 and 96-20 in the same terms as those contracts, modified to take into account the administrative structure under this Arrangement.



D. Other documents

Reykjavik Declaration on Responsible Fisheries in the Marine Ecosystem , 4 October 2001³

Having met at the Reykjavik Conference on Responsible Fisheries in the Marine Ecosystem from 1 to 4 October 2001,

Appreciating the initiative taken by the Government of Iceland and the Food and Agriculture Organization of the United Nations (FAO) to organize the Conference with the co-sponsorship of the Government of Norway,

Recalling that this initiative was endorsed at the Twenty-fourth Session of the FAO Committee on Fisheries (26 February - 2 March 2001) and at the One Hundred and Twentieth Session of the FAO Council (June 2001),

Reaffirming that the 1982 United Nations Convention on the Law of the Sea (the Convention) sets out the rights and duties of States with respect to the use and conservation of the ocean and its resources, including the conservation and management of living marine resources,

Recalling that in recent years the world community has agreed on several additional legal and political commitments that supplement the provisions of the Convention, including the Rio Declaration on Environment and Development and Agenda 21 (chapter 17),

Reaffirming the principles of the FAO Code of Conduct for Responsible Fisheries,

Recalling further the four International Plans of Action formulated in accordance with the Code of Conduct, namely for the Management of Fishing Capacity, for the Conservation and Management of Sharks, for Reducing Incidental Catch of Seabirds in Longline Fisheries, and to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing,

Reaffirming that the FAO Council during its One Hundred and Twentieth Session recommended that ecosystem-based fisheries management studies to be conducted by FAO as agreed in paragraph 39 of the report at the Twenty-fourth Session of the FAO Committee on Fisheries should be balanced and holistic in approach,

Welcoming and taking into account the discussion in the scientific symposium of the Conference,

Recognizing that sustainable fisheries management incorporating ecosystem considerations entails taking into account the impacts of fisheries on the marine ecosystem and the impacts of the marine ecosystem on fisheries,

Confirming that the objective of including ecosystem considerations in fisheries management is to contribute to long-term food security and to human development and to assure the effective conservation and sustainable use of the ecosystem and its resources,

Appreciating that the Conference represented an important opportunity for all fisheries stakeholders to jointly assess the means for including ecosystem considerations in fisheries management,

Aware that the sustainable use of living marine resources contributes substantially to human food security, as well as dietary variety, provides for the livelihood of millions of people and is a central pillar of many national economies, especially low-income food deficit countries and small island developing States,

Recognizing the complex interrelationship between fisheries and other components of the marine ecosystems,

Convinced that including ecosystem considerations in fisheries management provides a framework within which States and fisheries management organizations would enhance management performance,

³ Adopted on 4 October 2001 by the Reykjavik Conference on Responsible Fisheries in the Marine Ecosystem (1-4 October 2001), Reykjavik.

Affirming that incorporation of ecosystem considerations implies more effective conservation of the ecosystem and sustainable use and an increased attention to interactions, such as predator-prey relationships, among different stocks and species of living marine resources; furthermore that it entails an understanding of the impact of human activities on the ecosystem, including the possible structural distortions they can cause in the ecosystem,

Recognizing the need to strengthen and sustain management capacity, including scientific, legal and institutional frameworks, with the aim of incorporating, among other things, ecosystem considerations,

Emphasizing that the scientific basis for including ecosystem considerations in fisheries management needs further development and that there is incomplete scientific knowledge about the structure, functioning, components and properties of the ecosystem as well as about the ecological impact of fishing,

Recognizing that certain non-fishery activities have an impact on the marine ecosystem and have consequences for management. These include land-based and sea-based activities which affect habitat, water quality, fisheries productivity, and food quality and safety,

Recognizing also that the majority of developing countries face major challenges in incorporating ecosystem considerations into fisheries management and that international cooperation and support are necessary,

Declare that, in an effort to reinforce responsible and sustainable fisheries in the marine ecosystem, we will individually and collectively work on incorporating ecosystem considerations into that management to that aim.

Towards this end, we further declare:

1. Our determination to continue effective implementation of the FAO Code of Conduct, which is our common and agreed guide in strengthening and building fisheries management systems, as well as the International Plans of Action as formulated in accordance with the Code, and the Kyoto Declaration on the Contribution of Fisheries to Food Security.

2. There is a clear need to introduce immediately effective management plans with incentives that encourage responsible fisheries and sustainable use of marine ecosystems, including mechanisms for reducing excessive fishing efforts to sustainable levels.

3. It is important to strengthen, improve, and where appropriate establish, regional and international fisheries management organizations and incorporate in their work ecosystem considerations and improve cooperation between those bodies and regional bodies in charge of managing and conserving the marine environment.

4. Prevention of adverse effects of non-fisheries activities on the marine ecosystems and fisheries requires action by relevant authorities and other stakeholders.

5. While it is necessary to take immediate action to address particularly urgent problems on the basis of the precautionary approach, it is important to advance the scientific basis for incorporating ecosystem considerations, building on existing and future available scientific knowledge. Towards this end we will undertake to:

- (a) Advance the scientific basis for developing and implementing management strategies that incorporate ecosystem considerations and which will ensure sustainable yields while conserving stocks and maintaining the integrity of ecosystems and habitats on which they depend;
- (b) Identify and describe the structure, components and functioning of relevant marine ecosystems, diet composition and food webs, species interactions and predator-prey relationships, the role of habitat and the biological, physical and oceanographic factors affecting ecosystem stability and resilience;
- (c) Build or enhance systematic monitoring of natural variability and its relations to ecosystem productivity;
- (d) Improve the monitoring of by-catch and discards in all fisheries to obtain better knowledge of the amount of fish actually taken;
- (e) Support research and technology developments of fishing gear and practices to improve gear selectivity and reduce adverse impacts of fishing practices on habitat and biological diversity;

(f) Assess adverse human impacts of non-fisheries activities on the marine environment as well as the consequences of these impacts for sustainable use.

6. The interaction between aquaculture development in the marine environment and capture fisheries should be monitored through relevant institutional and regulatory arrangements.

7. Our determination to strengthen international cooperation with the aim of supporting developing countries in incorporating ecosystem considerations into fisheries management, in particular in building their expertise through education and training for collecting and processing the biological, oceanographic, ecological and fisheries data needed for designing, implementing and upgrading management strategies.

8. We resolve to improve the enabling environment by encouraging technology transfer contributing to sustainable management where appropriate, introducing sound regulatory frameworks, examining and where necessary removing trade distortions, and promoting transparency.

9. We urge relevant technical and financial international organizations and FAO to cooperate in providing States with access to technical advice and information about effective management regimes and about the experience from such arrangements, and other support, devoting special attention to developing countries.

10. We would encourage FAO to work with scientific and technical experts from all different regions to develop technical guidelines for best practices with regard to introducing ecosystem considerations into fisheries management. These technical guidelines should be presented at the next session of the FAO Committee on Fisheries.

AND REQUEST that the Government of Iceland convey this Declaration to the Secretary-General of the United Nations, the Director-General of the Food and Agriculture Organization of the United Nations, the Chairman of the World Summit on Sustainable Development to be held in Johannesburg, South Africa, in September 2002 and relevant fisheries management organizations for their consideration.

III. OTHER INFORMATION

A. Lists of conciliators and arbitrators nominated under article 2 of Annexes V and VII to the Convention

1. List of conciliators nominated under article 2 of Annex V to the Convention

State Party	Conciliators - Nominations	Date of deposit of notification with the Secretary-General
Brazil	Walter de Sá Leitão	10 September 2001
Chile	Helmut Brunner Nöer Rodrigo Díaz Albónico Carlos Martínez Sotomayor Eduardo Vío Grossi	18 November 1998
Costa Rica	Lic. Carlos Fernando Alvarado Valverde	15 March 2000
Czech Republic	Dr. Vladimír Kopal	18 December 1996
Finland	Professor Kari Hakapää Professor Martti Koskenniemi Justice Gustav Möller Justice Pekka Vihervuori	25 May 2001
Indonesia	Prof. Dr. Hasjim Djalal, M.A Dr. Etty Roesmaryati Agoes, SH, LL.M. Dr. Sudirman Saad, D.H., M.Hum Lieutenant Commander Kresno Bruntoro, SH, LL.M	3 August 2001
Italy	Ambassador Luigi Vittorio Ferraris Ambassador Giuseppe Jacoangeli Professor Umberto Leanza	23 September 1999
Norway	Mr. Carsten Smith, President of the Supreme Court Ms. Karin Bruzelius, Supreme Court Judge Mr. Hans Wilhelm Longva, Director General, Department of Legal Affairs, Ministry of Foreign Affairs Ambassador Per Tresselt	22 November 1999
Sri Lanka	Hon. M. S. Aziz, P.C. S. Sivarasan, P.C. (Prof.) Dr. C. F. Amerasinghe A. R. Perera	17 January 1996
Sudan	Dr. Abd Elrahman Elkhalifa Sayed/Eltahir Hamadalla	8 September 1995

2. List of arbitrators nominated under article 2 of Annex VII to the Convention

State Party	Arbitrators - Nominations	Date of deposit of notification with the Secretary-General
Australia	Sir Gerard Brennan AC KBE Mr. Henry Burmester QC Professor Ivan Shearer AM	19 August 1999
Brazil	Walter de Sá Leitão	10 September 2001
Chile	José Miguel Barros Franco María Teresa Infante Caffi Edmundo Vargas Carreño Fernando Zegers Santa Cruz	18 November 1998
Costa Rica	Lic. Carlos Fernando Alvarado Valverde	15 March 2000
Czech Republic	Dr. Vladimír Kopal	18 December 1996
Finland	Professor Kari Hakapää Professor Martti Koskenniemi Justice Gustav Möller Justice Pekka Vihervuori	25 May 2001
France	Daniel Bardonnet Pierre-Marie Dupuy Laurent Lucchini Jean-Pierre Queneudec	4 February 1998
Germany	Dr. (Ms.) Renate Platzoeder	25 March 1996
Indonesia	Prof. Dr. Hasjim Djalal, M.A Dr. Etty Roesmaryati Agoes, SH, LL.M. Dr. Sudirman Saad, D.H., M.Hum Lieutenant Commander Kresno Bruntoro, SH, LL.M	3 August 2001
Italy	Professor Umberto Leanza Professor Tullio Scovazzi	23 September 1999
Japan	Ambassador Hisashi Owada, President of the Japan Institute of International Affairs Ambassador Chusei Yamada, Professor Waseda University Dr. Soji Yamamoto, Professor Emeritus Tohoku University Dr. Nisuke Ando, Professor, Doshisha University	28 September 2000
Netherlands	Adriaan Bos Ellen Hey Professor Alfred H.A. Soons	6 February 1998

State Party	Arbitrators - Nominations	Date of deposit of notification with the Secretary-General
Norway	Mr. Carsten Smith, President of the Supreme Court Ms. Karin Bruzelius, Supreme Court Judge Mr. Hans Wilhelm Longva, Director General, Department of Legal Affairs, Ministry of Foreign Affairs Ambassador Per Tresselt	22 November 1999
Russian Federation	Vladimir S. Kotliar Vladimir N. Trofimov	27 May 1997
	Professor Kamil A. Bekyashev	4 March 1998
Spain	D. José Antonio de Yturriaga Barberan	23 June 1999
Sri Lanka	Hon. M. S. Aziz, P.C. S. Sivarasan, P.C. (Prof.) Dr. C. F. Amerasinghe A. R. Perera	17 January 1996
Sudan	Sayed/Shawgi Hussain Dr. Ahmed Elmufti	8 September 1995
United Kingdom of Great Britain and Northern Ireland	Professor Christopher Greenwood Professor Elihu Lauterpacht CBE QC Sir Arthur Watts KCMG QC	19 February 1998

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

Article 2 of Annex VIII reads as follows:

<i>Article 2</i> <i>Lists of experts</i>	
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.

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

State Party	Nominations
Australia	Dr. Russell Reichelt, Director of the Australian Institute of Marine Science, Townsville Dr. Peter Young, currently holder of a CSIRO Special Research Fellowship and Honorary Research Consultant, Department of Zoology, University of Queensland
Bahrain	Mr. Jasem Ahmed Al-Kasir, Director, Fish Resources Department Mr. Ibrahim A. Abdel Kader, Fisheries Expert Mr. A. Habib Ridha, Expert in Census
Chile	Sra. Edith Saa Collantes, Ingeniero Pesquero, Jefe División Desarrollo Pesquero, Subsecretaría de Pesca Sra. Vilma Correa Rojas, Ingeniero Pesquero, Jefe División Administración Pesquera, Subsecretaría de Pesca
Cyprus	Andreas Demetropoulos, Director of Fisheries Department Emillos Economou, Senior Officer, Department of Fisheries
Czech Republic	Prof. Vladimír Kopal, Professor of Law, Charles University, Prague

State Party	Nominations
Democratic Republic of the Congo	Mr. Sayeman Bula-Bula, Professeur de droit de la mer, Université de Kinshasa
Egypt	Dr. Hussein Kamal Badawi, Head, Marine and Fisheries Institute Dr. M. Amin Ibrahim, Head, Fisheries Department Dr. Khamis Abdel Hamid Hussein, Head, Fish Seeds Laboratory Dr. Ahmed Fawzi Alquarashili, Head, Fisheries Economy Laboratory Dr. Abdou Abdallah Alwayes, Head, Nets and Fishing Methods Laboratory
Indonesia	Prof. Dr. Aprilani Soegiarto, M.Sc Dr. Johanes Widodo, M.S. Ph.D
Iraq	Mohamed Mahmud Halwas, Engineer, Director, Fish Resources Development Division Daud Salman Daud, University Degree (Marine), Fish Resources Development Division
Italy	Prof. Tullio Scovazzi, Professor of International Law, Second Faculty of Law, University of Milan Dr. Gian Piero Francalanci, Geologist for Agip, Italian National Oil Company
Japan	Kunio Yonezawa, former Deputy Director General, Fisheries Agency Moritaka Hayashi, Professor, Waseda University School of Law
Mexico	Jerónimo Ramos Saenz Pardo Antonio J. Díaz de León Corral
Uganda	Dr. Faustino L. Orach-Meza, Commissioner for Fisheries, Fisheries Department, Entebbe Prof. John Okedi, Makerere University, Department of Zoology and Fisheries, Kampala
United Kingdom of Great Britain and Northern Ireland	Dr. Robin Cook, Fisheries Research Services, Scottish Office, Agriculture, Environment and Fisheries Department
Uruguay	Prof. Guillermo Arena Dr. Hebert Nion Girado

2. List of experts in the field of protection and preservation of the marine environment maintained by the United Nations Environment Programme
(communicated on 23 January 2001)

NOTE: Several States Parties have also included in their communications to UNEP experts in the fields of fisheries, marine scientific research and navigation. Their names and affiliations are included in the footnotes.

State Party	Experts nominated	Designation
Angola	Eng. Natalino Mateus	Engineer, Ministry of Environment
Australia	Prof. Graeme Kelleher, AO	Chair, Marine Sector Advisory Committee, Commonwealth Scientific and Industrial Research Organization
	Associate Prof. Samuel Bateman, AM RAN (Rtd)	Principal Research Fellow and Associate Professor, Centre for Marine Policy, University of Wollongong
Austria ^{1/}	Dr. Michael Stachowitsch	University of Vienna
	Dr. Bernhard Riegl	University of Vienna
Barbados ^{2/}	Mr. Leo Brewster	Deputy Director, Coastal Zone Management Unit
	Prof. Ralph Carnegie	Director, Caribbean Law Institute

^{1/} Marine scientific research experts:

Prof. Dr. Joerg Ott, University of Vienna.

^{2/} Fisheries experts:

Dr. Patrick McConney, Chief Fisheries Officer;

Dr. Robin Mahon, Fisheries and Environment Consultant.

Marine scientific research experts:

Dr. Leonard Nurse, Director, Coastal Zone Management Unit;

Professor Wayne Hunte, Executive Director, Bellairs Research Institute.

Navigation experts:

Ms. Valerie Browne, Director, Maritime Affairs;

Mr. Richard Alleyne, Harbour Master.

State Party	Experts nominated	Designation
Brazil ^{3/}	Dr. Geraldo J. Eysink	Ministry of Environment
	Dr. Luiz R. Tommasi	Ministry of Environment
Cape Verde	Dr. Silvestre Evora	Juriste, Technicien de la Direction Générale de Marine et Ports
	Dr. Maria M. Carvalho	Biologiste, Technicienne Supérieure de l'Institut National de Développement des Pêches
China	Mr. Yan Hongbang	Director, Marine Environment Division, National Environmental Protection Agency
Costa Rica	Sr. Geovanny Bassey	Area de Conservación Guanacaste
	Sr. Gerardo Barboza	Area de Conservación Tempisque
Czech Republic	Dr. Vladimír Kopal	Professor of Law, Charles University, Prague
Democratic Republic of the Congo	Mr. Mpiana Kalala	Directeur de Cabinet et Conseiller Juridique du Ministère de l'Environnement, Conservation de la Nature et Tourisme
	Mr. Kalibu Kahozi	Directeur Chef de Service National du Développement de la Pêche, Ministère de l'Environnement, Conservation de la Nature et Tourisme
Egypt	Dr. Abdelrahman Salama	Specialist in the field of protection of the marine environment
	Prof. Mahmoud El Said	University of Alexandria and Director, Development of Red Sea Resources
	Prof. Mohamed A. Fawzy	Egyptian Agency for Environmental Affairs

^{3/} Fisheries experts:

Eng. Philip Charles Conolly, Ministry of Environment;

Dr. Fabio Hissa Vieira Hazin, Ministry of Science and Technology.

Maritime scientific research experts:

Vice-Admiral Luiz Phillipe da Costa Fernande, Ministry of the Navy;

Dr. Luiz Roberto Silva Martins, Ministry of Science and Technology.

Navigation experts:

Commander Luiz Augusto de Mello, Ministry of the Environment;

Dr. Luiz Augusto de Mello Awazu, Ministry of the Environment.

State Party	Experts nominated	Designation
France ^{4/}	Mr. Jean-Claude Chauvin	National Museum of Natural History
	Mr. Michel Girin	Director of CEDRE
Gambia ^{5/}	Ms. Ndey Isatou Njie	Executive Director, National Environment Agency
	Ms. Isatou Sissoho	Principal Scientific Officer, Department of Water Resources

^{4/} Fisheries experts:

Mr. André Forest, IFREMER;

Mr. Jean-Luc Prat, Faculty of Law and Economic Sciences, Brest.

Marine scientific research experts:

Mr. Jean Mascle, Oceanographical Observatory, CRNS University;

Mr. Elie Jarmache, IFREMER.

Navigation experts:

Mr. Loic Courcoux, Chief teacher of first class marine teaching;

Mr. Michel Meynet, Assistant Director of sea transport of harbours and coasts.

^{5/} Fisheries experts:

Mr. Ousman Drammeh, Director, Department of Fisheries;

Mr. Amadou Saine, Fisheries Officer, Department of Fisheries.

Navigation experts:

Mr. Nicolas Blell, Director, Technical Services, Gambia Ports Authority.

State Party	Experts nominated	Designation
Georgia ^{6/}	Mr. Grigori Abramia	Manager, Black Sea Protection Conventional Service
	Mr. Tengiz Gogotishvili	Head, Batumi Marine Inspection, Long Voyage Navigator
Greece	Capt. Andreas Suriggos	Director, Department of Protection of the Marine Environment, Ministry of Mercantile Marine
	Lieut. Ilias Sampatakis	Deputy-Director, Department of Protection of the Marine Environment, Ministry of Mercantile Marine
Guinea	Mr. Mamadou S. Diallo	Conseiller chargé de l'Environnement, Ministère de l'Equipelement
	Mr. Richard Théophile	Chef de la Section Milieu Marin et Côtier à la Direction Nationale de l'Environnement
India ^{7/}	Dr. P.P. Ouseph	Scientist, CESS, Trivandrum, Kerala
	Shri T. Venugopal	Punjab State Council for Science and Technology, Chandigarh
	Dr. Erinjery Joseph James	Executive Director, Kozhikode, Kerala
	Dr. M. Baba	CESS, Trivandrum, Kerala

^{6/} Fisheries experts:

Mr. Giorgi Bitadze, Biologist (ichthologist) and Agronomist;

Mr. Akaki Komakhidze, Biologist.

Marine scientific research experts:

Mr. Nikoloz Mazmanidi, Ph.D in Biology;

Mr. Irakli Khomeriki, Local Head of the World Oceanographical Society, Ph.D.

Navigation experts:

Ilia Stepanishvilli, Head of the Black Sea Protection Conventional Service,

Captain of Long Voyage;

Regenald Dekanozov, Marine Lawyer.

^{7/} Fisheries experts:

Dr. Y.S. Yadava, Fisheries Development Commissionner, Department of Agriculture and Cooperation, Ministry of Agriculture;

Dr. P.K. Surendran, Principal Scientist and Head, Microbiology Fermentation and Biotechnology Section;

Dr. V.K. Pillai, Senior Scientist, Cochin, Central marine Fisheries Research Institute;

Dr. P.G. Viswanathan Nair, Principal Scientist, D.I.F.T., Cochin.

State Party	Experts nominated	Designation
India (cont.)	Narinder Singhu Tiwana	Administrator, Punjab Pollution Control Board and Executive Director, Punjab State Council for Science and Technology, Chandigarh
	Dr. (Mrs.) K. N. Remani	Director, Environment, Punjab State Council for Science and Technology, Chandigarh
Italy	Prof. Roberto Adam	Professor at the University of Macerata
	Dr. Aldo Manos	Senior Consultant on international environmental matters, Venice
Kuwait	Capt. Ali Abas Haider	Director, Marine Pollution Monitoring Department
Lebanon	Mr. Hiratish Kumijian	8
	Ms. Marie Abboud Saab	
Mauritius	Mr. Etienne Sinatambou	Senior State Counsel, Attorney General's Office
Mexico	Dr. Guillermo Compean Jiménez	Biologist
	Dr. Gerardo Gold Bouchot	Marine Scientist
Mongolia	Ms. G. Dagvadorj	Senior Officer, Ministry for Nature and Environment
	Ms. Saran Baymba	State Senior Inspector, Ministry for Nature and Environment
Nigeria	Dr. Obufemi Aina	Federal Environmental Protection Agency
	Prof. A.O. Ofolabi	Federal Environment Protection Agency
Oman	Mr. Suleiman Al -Busaidi	General Superintendant of Pollution Control, Ministry of Regional Municipalities and Environment
	Dr. Sadiq Al-Muscati	Director General, Environmental Affairs, Ministry of Regional Municipalities and Environment
	Dr. Mohammed Al-Oraimi	Director, Inspection and Monitoring, Ministry of Regional Municipalities and Environment
	Mr. Saeed Ali Al-Zidjali	Head, Marine Pollution Section, Ministry of Regional Municipalities and Environment

⁸/ Information not yet available.

State Party	Experts nominated	Designation
Pakistan 9/	Dr. Syed M. Hussain	Professor, Centre of Excellence in Marine Biology, Karachi
	Dr. Pirzada U. Siddiqui	Assistant Professor, Centre of Excellence in Marine Biology, Karachi
Philippines	Mr. Antonio La Vina	Under-Secretary for Legal and Legislative Affairs, Department of Environment and Natural Resources
	Dr. Marie A. Meñez	Assistant Professor in Marine Science, University of Rhode Island
	Dr. Gil Jacinto	Associate Professor in Marine Science, University of Liverpool
Republic of Korea	Prof. Chu-Hwan Koh	Professor of Marine Biology, Department of Oceanography, Seoul National University
	Prof. Kwang-Woo Lee	Professor of Chemical Oceanography, College of Natural Sciences, Hanyang University
Russian Federation	Yurdi Yuditsev	Deputy Minister, Ministry of Protection of the Environment and Natural Resources
Saint Lucia	Mr. Cletus Springer	Permanent Secretary, Ministry of Planning, Development and Environment
	Mr. Horace Walter	Chief Fisheries Officer, Ministry of Agriculture, Lands, Fisheries and Forestry

^{9/} Navigation experts:

Capt. Momood Ali Yusuf - Pakistan Marine Academy;

Capt. Nasim Tariq - Pakistan National Shipping Corporation.

Fisheries experts:

Mr. Mohammed Moazzam Khan - Marine Fisheries Department;

Mr. Jameel Ahmed - Ministry of Food and Agriculture.

Marine scientific research experts:

Dr. Rukksana Anjum - Ministry of Food and Agriculture;

Dr. Naurren Aziz Qureshi - Centre of Marine Biology.

State Party	Experts nominated	Designation
Samoa ^{10/}	Mrs. F. Tuimalealiifano	Director, Department of Lands, Surveys and Environment
	Mr. Sailimalo P. Liu	Assistant-Director, Department of Lands, Surveys and Environment
	Mr. Lui Bell	Principal Fisheries Officer, Department of Agriculture, Forestry, Fisheries and Meteorology
Senegal	Mr. Hadji Salif Diop	Spécialiste sur les questions marines et côtières, Ministère de l'Environnement et de la Protection de la Nature
Seychelles	Mr. John Collie	Acting Director, Division of Environment, Ministry of Foreign Affairs, Planning and Environment
	Ms. Suzanne Marshall	Senior Research Officer, Division of Environment, Ministry of Foreign Affairs, Planning and Environment
Sri Lanka	Prof. H.H. Costa	Zoologist, Vice-Chancellor, University of Kelaniya
	Prof. M.S. Wijeratne	Professor of Zoology and Dean of the Faculty of Science, University of Kelaniya
	Dr. Upali Amarasinghe	Senior Lecturer in Zoology, University of Kelaniya
Sudan	Prof. Asim I. Elmagrabi	8
	Dr. Eisa M. Elatif	
Tunisia	Mr. Béchir Talbi	Sous-Directeur de la flotte pour le domaine de la navigation y compris la pollution par les navires ou par immersion
	Mr. Fayçal Lassoued	Sous-Directeur de la navigation maritime pour le domaine de la protection et de la préservation du milieu marin

^{10/} **Fisheries experts:**

Mr. Ueta Faasili, Assistant Director (Fisheries), Department of Agriculture, Forestry, Fisheries and Meteorology;

Mr. Savali Time, Senior Fisheries Officer, Department of Agriculture, Forestry, Fisheries and Meteorology.

Marine scientific research experts:

Mr. Antonio Mulipola, Senior Research Officer,
Department of Agriculture, Forestry, Fisheries and Meteorology.

Navigation experts:

Mr. Vaelua Nofo Vaelua, Secretary for Transport, Ministry of Transport.

State Party	Experts nominated	Designation
United Kingdom	Prof. Richard Macrory	8
	Prof. Alan Boyle	
Uruguay	Mr. Carlos Ormaechea	Capitán de Fragata, Integrante del <i>Nautical Institute</i>
Zimbabwe	Mr. J.T. Mukundu	Acting Under-Secretary, Traffic and Legislation, Ministry of Transport and Energy

3. List of experts in the field of marine scientific research maintained by the Intergovernmental Oceanographic Commission of UNESCO
(communicated on 26 July 2000)

ARGENTINA	
Vicealmirante Alfredo A. Yung	Capitán de Navío Osvaldo P. Astiz Dirección de Límites, Ministerio de Relaciones Exteriores, Comercio Internacional y Culto
AUSTRALIA	
Dr. Exon Neville Senior Principal Research Scientist in the Petroleum and Marine Division of the Australian Geological Survey Organization (AGSO)	Mr Barry Willcox Principal Research Scientist, Petroleum and Marine Division of the Australian Geological Survey Organization (AGSO)
BANGLADESH	
Rear Admiral M.H. Khan National Oceanographic and Maritime Institute (NOAMI), Founder Chairman and Chief Adviser	Dr. Dipak Kanti Das Prof. of Mechanical Engineering, BUET and Member, Board of Governors, National Oceanographic and Maritime Institute (NOAMI)
BRAZIL	
Luiz Phillipe da Costa Fernandes Vice-Admiral	Mr. Luiz Roberto Silva Martins Universidade Federal do Rio grande do Sul, Centro de Estudos de Geologia Costera e Oceanica
BULGARIA	
Dr. George Jiegaum Institute of Ecology, Sofia	Mr. Emanuil D. Kosuharov Geological Institute, Bulgarian Academy of Sciences, Sofia
CAMEROON	
Dr. Jean Folack Maître de Recherche, Station de Recherches Halieutiques et Oceanographiques (SRHO)	Dr. Theodore Djama Chargé de Recherche, Station de Recherches Halieutiques et Oceanographiques (SRHO)
CHILE	
Sr. Félix García Vargas Capitán de Corbeta, Servicio Hidrográfico y Oceanográfico de la Armada de Chile	Dr. Rodrigo Núñez Gundlach Capitán de Corbeta, Servicio Hidrográfico y Oceanográfico de la Armada de Chile
CHINA	
Prof. Su Jilan Adviser to the Administrator, Second Institute of Oceanography, State Oceanic Administration	Dr. Xu Xun Department of Marine Biology, Third Institute of Oceanography, State Oceanic Administration

COLOMBIA	
Mr. Jaime Sánchez Cortez Asesor, Comisión Colombiana del Océano	Capitán de Navío Carlos Alberto Andrade Amaya Director, Centro de Investigaciones Oceanográficas e Hidrográficas (CIOH), Centro de Investigaciones Oceanográficas e Hidrográficas, Escuela Naval
CÔTE D'IVOIRE	
Dr. Ya Nestor N'goran Centre de Recherches Océanographiques (CRO)	Dr. Jaques Abé Centre de Recherches Océanographiques (CRO)
CUBA	
Dr. Julio Baisre Ministerio de la Industria Pesquera	Dr. Rodolfo Claro Instituto de Oceanología
CZECH REPUBLIC	
Prof. Vladimír Kopal Charles University, Prague	
ECUADOR	
Capitán de Navío-EM Fausto López Villegas Director del Instituto Oceanográfico de la Armada (INOCAR)	
FINLAND	
Prof. Matti Perttilä Head, Chemical Oceanography, Finnish Institute of Marine Research, Helsinki	
GABON	
Monsieur Louis-Gabriel Pambo Océanologue Géologiste, Directeur des Pêches, Direction des Pêches Maritimes et des Cultures Marines, Ministère de la Marine Marchande et de la Pêche, Libreville	
GEORGIA	
Prof. A. Kiknadze Department of Geography, Tbilisi State University	Prof. G. Metreveli Department of Geography, Tbilisi State University
GERMANY	
Prof. Dr. Jens Meincke Zentrum für Meeres-und Klimaforschung, Institut für Meeresforschung, Hamburg	Mr. Dieter Roth Bundesamt für Seeschifffahrt und Hydrographie, Hamburg

INDIA	
Dr. M. D. Zingde Scientist-in-Charge, Regional Centre of National Institute of Oceanography	Dr. B.R. Subramanian Project Director, Directorate, Department of Ocean Development, Intergrated Coastal and Marine Area Management (ICMAM)
ITALY	
Prof. Umberto Leanza Department of Public Law, University of Rome	Prof. Tullio Treves Faculty of Law, University of Milano
IRAQ	
Dr. M. Mohamed Abdul-Razak Director-General, Marine Science Centre, University of Basrah	Dr. Najah Abood Hussain Marine Science Centre, University of Basrah
JORDAN	
Dr. Ahmad H. Abu-Hilal Department of Earth Environmental Sciences, Yarmouk University, Irbid	
KENYA	
Mr. Charles Oduol Assistant Director, Fisheries Department, Mombasa	Mr. Johnson W. Kariuki Acting Assistant Direcotr
KUWAIT	
Prof. Dr. Abdulah Zamel-Al-Zamel Associate Professor, Marine Sedimentology and Coastal Oceanography, Department of Earth and Environmental Sciences, Faculty of Sciences, Kuwait University	Dr. Faiza Y. Al-Yamani Associate Research Scientist/Oceanographer, Task Leader, Mariculture and Fisheries Department, Food Resources Division, Kuwait Institute for Scientific Research
LEBANON	
Dr. Mary Abbou Abi Saab Marine Research Centre	
MALAYSIA	
Miss Choo Poh Sze Senior Fisheries Officer, Fisheries Research Institute	Dr. Phang Siew Moi Associate Professor, Universiti Malaya
MAURITIUS	
Mr. Munesh Munbodh Principal Fisheries Officer, Fisheries Division Ministry of Fisheries and Cooperatives, Albion Fisheries Research Centre	Mr. Mohammad Ismet Jehangeer Divisional Scientific Officer, Fisheries Division, Ministry of Fisheries and Cooperatives, Albion Fisheries Research Centre

MOZAMBIQUE	
Mr. Adriano Macia Marine Ecology	Mr. Domingos Gove Mr. John Hatton Resource Management and Dynamics of Mangais (coastal plants) Mr. Salomao Bandeira
NETHERLANDS	
Professor A.H.A. Soons Institute of Public International Law, Utrecht University	
NIGERIA	
Mr. L.F. Awosika Nigerian Institute for Oceanography and Marine Research (NIOMR), Lagos	Dr. T.O. Ajayi Director, Nigerian Institute for Oceanography and Marine Research (NIOMR), Lagos
PAKISTAN	
Dr. Shahid Amjad Director General, National Institute of Oceanography	
ROMANIA	
Dr. Alesandru S. Bologa Deputy Scientific Director, Romanian Marine Research Institute, Constantza	
RUSSIAN FEDERATION	
Dr. Vassili N. Zhivago Head, Division of the World Ocean, Climate and Earth Sciences, Ministry of Science and Technology; Executive Secretary, National Oceanographic Committee of the Russian Federation, Moscow	Dr. Anatoly L. Kolodkin President, Association of Maritime Law, Moscow
SENEGAL	
Mr. Yérin Thioub Président du Comité Technique National pour l'Océan Ministère de la Pêche et des Transports Maritimes	Mr. Mamadou Diallo Océanologue Biologiste, Chercheur au Centre de Recherches Océanographiques, Comité Technique National pour l'Océan, Ministère de la Pêche et des Transports Maritimes
SAINT LUCIA	
Mr. Horace Denis Walters Chief Fisheries Officer, Fisheries Management Unit, Ministry of Agriculture, Lands, Fisheries and Cooperatives	Mr. Kieth E. Nichols Fisheries Department, Ministry of Agriculture, Lands, Fisheries and Cooperatives

SPAIN	
D. Carlos Palomo Instituto Español de Oceanografía	
SUDAN	
Dr. Abdel Gadir D. El Hag Director, Red Sea University, Port Sudan	Dr. Dinar H. Nasr Faculty of Marine Science and Fisheries, Port Sudan
TUNISIA	
Prof. Ktari Mohamed Hedi Président, Université de Sfax	Prof. El Abed Amor Directeur Général Institut National Scientifique et Technique d'Océanographie et de Pêche, Salammbô
UKRAINE	
Prof. Valeri Eremeev Marine Hydrophysical Institute, National Academy of Sciences of Ukraine, Sebastopol	Prof. Yuri Shemshuchenko Director, Institute of State and Law, National Academy of Sciences of Ukraine, Kiev
UNITED KINGDOM	
Dr. Mike Heath	
URUGUAY	
Capitán de Navío Ricardo Dupont Rodriguez	

4. List of experts in the field of navigation, including pollution from vessels and by dumping, maintained by the International Maritime Organization
(communicated on 2 July 1999)

State Party	Nominations
Argentina	Capitan de Corbeta Auditor Guillermo Bartoletti
Bahrain	Mr. Abdulmonem Mohamed Janahi Mr. Sanad Rashid Sanad
Belgium	M. Ronald Carly , Conseiller-adjoint, Juriste spécialisé dans le droit maritime M. Jean-Claude De Baere , Commissaire maritime spécialisé dans les matières relevant de la Convention MARPOL, Ministry of Communications and Infrastructure
Bolivia	T.N. Hugo Méndez Queirolo Dr. Guey Andrade Morales , Asesor Jurídico de la Subsecretaría de Intereses Marítimos del Ministerio de Defensa Nacional
Cameroon	Mr. Ekoumoj Dimi Dieudonne Mr. Nsaikai Athanasius Responsables de la sécurité maritime à la direction de la marine marchande
Chile	CF LT Sr. Emilio León Hoffman , Jefe Centro Nacional de Combate a la Contaminación, Armada de Chile CC LT Sr. Oscar Tapia Zúñiga , Jefe División de Navegación y Maniobras del Servicio Inspección de Naves, Armada de Chile
China	Mr. Zhong Boyuan , Former Director-General of Tianjin Harbour Superintendency, Senior engineer and leading captain Mr. Shi Zhuanghuai , Former Captain of Shanghai Marine Transport (Group) Company
Cook Islands	Captain Donald W. Silk , Harbourmaster Mr. Joseph Caffery , Director of Maritime Transport
Czech Republic	Dr. Vladimír Kopal , Professor of Law
Egypt	Mr. Mehnad Mahmoud Kamel , Counsellor, Ministry of Maritime Transportation Mr. Mahmoud Imam Abd-Rabou , Counsellor for Treaties Affairs, Ministry of Maritime Transportation
Fiji	Captain Felix Ranchor Maharaj , Chief Hydrographer Mr. Ponipate Bukarau , Acting Principal Marine Officer, Regulatory Section, Senior Surveyor and Engineer Examiner
Finland	Professor Kari Hakapää , University of Lapland Professor Peter Wetterstein , Abo Akademi University
Greece	Captain (H.C.G) I. Tzavaras Captain (H.G.G) P. Havatzopoulos
Guinea	Chérif Mohamed Lamine Camara , Docteur Es-Sciences Techniques des Pêches en service à la Direction Nationale de la pêche et de l'Alquaculture
Ireland	Captain James Kelly , Chief Marine Surveyor Captain Chris Davies , Marine Surveyor
Italy	Professor Umberto Leanza , Università de Rome, Chef du service du contentieux du Ministère des affaires étrangères italien Professor Tullio Treves , Università de Milan
Mexico	Captain Manuel P. Flitsche , Head of the Third Section of the Naval Staff Captain Gabriel Rivera Miranda , Director of Navigation, Merchant Marine Affairs Division, Ministry of Communications and Transport
Nigeria	Mr. Green Ekeledo , Chief Nautical Officer Captain I.N. Ntiaidem , Deputy Government Inspector of Shipping

State Party	Nominations
Norway	Mr. Jens Henning Kofoed , Adviser, Maritime Directorate of Norway Mr. Atle Fretheim , Assistant Director General, Royal Ministry of Environment
Pakistan	Captain I.M. Khan Samdani , Chief Nautical Surveyor, Ports and Shipping Wing Captain Hasan Khurshid , Deputy Conservator, Karachi Port Trust
Palau	Mr. Donal Dengokl , Environmental Specialist, Environmental Quality Protection Board (under the Ministry of Resources and Development) Mr. Arvin Raymond , Chief, Division of Transportation, Bureau of Commercial Development Ministry of Commerce and Trade Alternate: Mr. Benito Thomas , Chief, Division of Immigration, Bureau of Legal Service, Ministry of Justice
Panama	Capitán A.E. Fiore , Jefe de Seguridad Marítima, SEGUMAR, Nueva York Ing. Ivan Ibérico , Inspector del Departamento Técnico de la Dirección General, Consular y de Naves
Romania	Eng. Constantin Sava , Directorate for Control, Ministry of Transport Eng. Constantin Buzatu , Inspector, Romanian Registry of Shipping
Samoa	Mr. Vaclua Nofo Vaclua , Secretary for Transport, Ministry of Transport Mr. Pule Sammy Stewart , Assistant Secretary, Marine and Shipping Division, Ministry of Transport
Sierra Leone	Captain Patrick E.M. Kemokai Captain Salu Kuyateh
Singapore	Captain Francis Wee , Assistant Director (Nautical), Marine Department Captain Wilson Chua , Head, Hydrographic Department, Port of Singapore Authority
Slovakia	Mr. Emil Mitka , Chief Director of the Water Transport Section, Ministry of Transport Mr. Pavol Lukáš , Director of the Maritime Transport Department, Ministry of Transport
Slovenia	Captain Valter Kobeja , Director, Slovenian Maritime Directorate, Ministry of Transport and Communications Mrs. Seli Mohorič Peršolja , Counsellor to the Government, Slovenian Maritime Directorate, Ministry of Transport and Communications
Spain	Capitan D. Manuel Nogueira Romero , Subdirector General de Tráfico, Seguridad y Contaminación de la Dirección General de la Marina Mercante Capitan D. Francisco Suárez-Llanos Gómez , Jefe de Area de Tráfico y Seguridad de la Navegación de la Dirección General de la Marina Mercante
Suriname	Mr. E. Fitz-Jim , Navigation Expert Mr. W. Palman , Navigation Expert
Togo	Mme Souleymane Sikao , Docteur en Droit de la Mer, Chef de Division à la Direction des Affaires Maritimes au Ministère du Commerce, des Prix et des Transports M. Kotè Djahlin , Officier de la Marine Marchande, Chargé de la Division Technique et Opérationnelle à la Direction des Affaires Maritimes au Ministère du Commerce, des Prix et des Transports
Uganda	S.A.K. Magezi , Meteorology Department, Ministry of Natural Resources, Kampala J.T. Wambede , Meteorology Department, Ministry of Natural Resources, Kampala
United Kingdom	Mr. Gordon Pollock, QC
Uruguay	Captain Ernesto Serron Pedotti

