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Introduction

1. The United Nations Convention on the Law of the Sea has been widely recognized as one of the most important achievements of the international community. It deals with a highly complex and wide-ranging subject-matter covering the various uses of the oceans. It has significantly contributed to the progressive development of international law and to the rule of law in international relations. Though not in force, the Convention is already having a stabilizing effect on the law of the sea through the rationalization of different uses of the oceans and the reconciliation of competing interests of States. It is also having an impact on the attitudes of States regarding marine affairs at national and international levels. At the national level, new trends in State practice are developing as States begin to adjust their policies and legislation to the new legal order for the oceans that emerged from the Third United Nations Conference on the Law of the Sea. At the international level, international organizations with competence in marine affairs have begun to assess the impact of the Convention on their mandates and activities.

2. The present report, which is submitted to the members of the General Assembly in compliance with its resolution 38/59 A of 14 December 1983 requesting the Secretary-General, inter alia, to report on the developments relating to the Convention and on the implementation of the resolution, is divided into two parts. Part one contains an overview of the impact of the Convention on State practice and on the mandates and activities of international organizations concerned with marine affairs, and information on other developments relating to the law of the sea. Part two provides information on the substantive and administrative aspects of the activities of the Office of the Special Representative of the Secretary-General for the Law of the Sea.

PART ONE

DEVELOPMENTS RELATING TO THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

I. STATUS OF THE CONVENTION

3. The United Nations Convention on the Law of the Sea was opened for signature in Montego Bay, Jamaica, on 10 December 1982, and on that day received 119 signatures. The signatories included coastal and land-locked States, large and small States, developing and developed States, and represented all economic and political groups. This unprecedented phenomenon clearly indicated the widespread support of the international community for the Convention. The Convention will remain open for signature until 9 December 1984. As at 31 October 1984, it had received 138 signatures. The geographic distribution is as follows: 46 from Africa, 39 from Asia, 10 from the Eastern European countries, 26 from Latin America, and 17 from Western Europe and others. (See annex.)

4. Upon signature, 24 States have made declarations in accordance with article 310 of the Convention, which permits States to make declarations and statements. 1/ Five States made declarations in accordance with article 287 concerning the choice of procedure for the settlement of disputes arising under the Convention. 2/ The full texts of those declarations made on the first day, classified by subject-matter, appears in Law of the Sea Bulletin No. 1, of September 1983, prepared by the Office of the Special Representative of the Secretary-General for the Law of the Sea. 3/ The texts of declarations made after that date are being included in the Law of the Sea Bulletin series. 4/

5. Among those States that have not yet signed the Convention most have stated that, while they accept the Convention in general, they may have difficulties with particular provisions of it. Some non-signatory industrialized countries, for instance, stated that they had difficulties with certain provisions relating to the exploration and exploitation of the international sea-bed area. These same States have reaffirmed their support for the rest of the Convention. Some industrialized countries with similar concerns have signed the Convention. Other non-signatory States have indicated that they have problems with certain specific provisions, such as those dealing with the breadth of the territorial sea or the delimitation of maritime areas between States with opposite or adjacent coasts.

6. Under general international law, as reflected in article 18 of the Vienna Convention on the Law of Treaties, a signatory State is obliged to refrain from acts that would defeat the object and purpose of a treaty until such time as it has made clear its intention not to become a Party to it. However, by virtue of resolutions I and II of the Conference, the signature of the Convention grants rights and carries legal consequences that are broader than those usually associated with the signature of treaties. Under resolution I, signatories of the Convention are entitled to membership in the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea. States and other entities that have signed only the Final Act of the

Conference are entitled to participate in the deliberations of the Commission as observers, without the right to participate in the taking of decisions. Under resolution II, signatory States are entitled to apply for or to sponsor entities applying for registration as pioneer investors.

7. In accordance with article 308, paragraph 1, the Convention will enter into force 12 months after the date of deposit of the sixtieth instrument of ratification or accession. As at 31 October 1984, 14 instruments of ratification have been deposited with the Secretary-General, as follows: Bahamas, Belize, Cuba, Egypt, Fiji, Gambia, Ghana, Ivory Coast, Jamaica, Mexico, Philippines, Senegal, Zambia and Namibia (United Nations Council for).

8. Upon ratification three States, Cuba, Egypt and the Philippines, have made declarations in accordance with articles 287 and 310 of the Convention. The text of declarations made by Egypt appears in the Law of the Sea Bulletin No. 3. 5/ Other declarations or statements made upon ratification will be included in subsequent issues of the Law of the Sea Bulletin. 6/

II. STATE PRACTICE AND NATIONAL POLICY

9. It is clear that the work of the Conference and the adoption of the Convention has already had and will continue to have a lasting impact on the law of the sea and on general international law. Even though the Convention has not yet entered into force, this impact is discernible in the national policies of States, and in particular in their national legislation. It is also evidenced in the developments at the international level, as illustrated by an examination of the activities of international organizations concerned with marine affairs (see sects. IV and V below).

A. National approaches to marine affairs

10. Most States have now adopted or are in the process of adopting national policy and legislation consistent with the Convention. However, although recent years have witnessed a growing consciousness of the need for emphasizing the comprehensive approach in State policy and legislation, the initial responses to that need indicate that the current State practice with regard to marine affairs is for the most part far from integrated.

11. The predominant approach to marine activities has essentially been a sectoral one, responding to discrete issues. That is, policies tend to relate to various marine sectors, such as fisheries, oil and gas, or shipping and transport, independently of one another. The inter-sectoral relationships, including those between marine and non-marine sectors, are rarely addressed. Thus, while the existing legislative basis for different sectors may be quite rich, it often does not provide adequate means for co-ordination among the various sectors. Moreover, there are often overlaps and lacunae in national legislation with respect to responsibilities and functions among governmental agencies dealing with various sectors.

12. The comprehensive approach to marine affairs adopted in the Convention, as well as the emphasis placed in the Convention on the fact that "the problems of ocean space are closely interrelated and need to be considered as a whole" (third paragraph of the preamble), has wide-ranging implications for State policy and legislation. That is, the Convention provides a foundation for the adoption of an integrated national approach to marine-related activities. In broad terms, this concept calls for an integrated approach to the problems of the marine sector as a whole, taking full account of the interactions among various marine activities as well as those between marine activities and the marine ecosystem, and between marine and non-marine activities. The legislative developments that are incumbent upon the adoption of such an approach may follow upon a full assessment of capabilities and the costs and benefits of implementing this approach. An assessment of this kind could be essential for many States, especially those developing States whose capabilities may be limited.

13. With respect to the formulation of national policy for coastal zone management in particular, the concept of an integrated approach is beginning to play an important role. Many States have already adopted legislation on this subject, involving varying degrees of centralized co-ordination. Common to all, however, is the recognition that coastal area development must by necessity be based on an integrated and comprehensive approach, even though the choice of a particular development and management strategy in any given case will differ according to national priorities, policy-making, planning and management capabilities, structures and mechanisms, the socio-economic and political importance attributed to the coastal areas, and so on. None the less, coastal zone management and policy strategies, albeit formulated with respect to a specific area, might in part be easily transferred to a broader scale; these limited experiences can provide a rich ground of skills, methodologies and institutional infrastructure upon which more comprehensive ocean policy objectives may be based.

14. State practice regarding the administration and execution of policy, as a reflection of the differing approaches to and evolution of policy, therefore varies. Those States that follow a sectoral approach may allocate competence to individual agencies in accordance with the subject-matter in question. For example, a ministry of economics may have responsibility over the regulation of resources, a ministry of transportation over navigational questions, a ministry of the environment over ecological questions, and so on. In some instances, up to 15 ministries and other governmental agencies are involved, their marine responsibilities often being combined with equivalent responsibilities over land-based activities.

15. Largely because of the competition and conflict that can result from this situation, and because of the difficulty of establishing a consistent maritime policy in the absence of inter-ministerial information exchange or co-ordination machinery, some States have centralized their administration of marine affairs by designating a single existing ministry as its focal point. An example of this is the case of Thailand with respect to responsibility for coastal zone management. Other States have taken steps to establish separate ministries or departments of marine affairs or other similar machinery, which may deal either with the whole gamut of national maritime activities or with the co-ordination of certain

important activities. These include developed countries, such as France, and developing countries, notably India and Sri Lanka. A third approach to the problem of co-ordination of marine affairs and policy would be to establish an inter-ministerial commission on the question, as has been done, for instance, by Brazil.

16. Another factor that may affect State practice and the administration of marine affairs is membership in international organizations to which member States have transferred competence over matters governed by the Convention, as specified in annex IX of the Convention. The European Economic Community, for example, has competence over conservation and utilization of marine living resources, preservation of the marine environment, and commercial policy, to the exclusion of its member States. Where there has been a transfer of competence, policy will be determined at the intergovernmental level and subsequently incorporated at the national level. This situation may influence the structure of administrative and executive arrangements at the national level.

17. A co-ordinated national ocean policy will also assist government representatives dealing with marine affairs to take consistent national positions on issues. Lack of such co-ordination is often apparent in the varying positions or approaches taken in different international forums on the same or similar issues by representatives of the same Government, depending on the department or ministry from which they are drawn.

18. Just as there is a need for a co-ordinated and consistent approach to ocean affairs at the national level, there is also a need for a similar approach, especially with regard to the legal aspects of maritime issues, among international organizations and agencies dealing with such matters.

B. Directions in national policy and state practice

19. As has been noted, national policy regarding marine affairs is in varying degrees of development. None the less, certain trends can be discerned. In the first instance, as suggested above, the fact that 138 States have signed the Convention signals the will of the vast majority of States to commit themselves to the objects and purposes of the Convention. Beyond this, there are a number of specific issues covered by the Convention regarding which there is concrete evidence of trends in national policy compatible with it.

20. One such issue is the question of the nature and breadth of maritime zones under national jurisdiction. The Convention allows for a territorial sea of up to 12 nautical miles, a further 12 nautical miles of contiguous zone and an exclusive economic zone of a maximum breadth of 200 nautical miles from the baselines from which the breadth of the territorial sea is measured. More than 80 States now have a territorial sea of 12 nautical miles in breadth. 7/ Of these, 48 established such a claim during the period while the Conference was in progress.

21. Some States have legislation establishing territorial seas with breadths beyond 12 nautical miles. 8/ In most cases, such legislation had been adopted before the early 1970s, at a time when countries felt that a wider maritime zone

under national jurisdiction or sovereignty was needed but before the concept of the exclusive economic zone had been accepted. It is noted that most of the States that have extended their territorial sea beyond 12 nautical miles have signed the Convention.

22. As a consequence of the widespread acceptance of the concept of the exclusive economic zone resulting from the negotiations of the Third United Nations Conference on the Law of the Sea, many countries proceeded to promulgate laws incorporating the concept into their national legislation on maritime zones. At least 60 countries have promulgated laws or decrees establishing exclusive economic zones of up to 200 nautical miles. 9/ This wide-scale movement towards the incorporation of the concept of the exclusive economic zone into national policy and legislation demonstrates the impact the Convention is having upon the evolution of the law of the sea.

23. In some cases this national legislation was enacted before the final round of negotiations of the Conference, and thus may not conform exactly to the provisions of the Convention. That is, countries may have modelled their maritime legislation on the exclusive economic zone provisions of the informal texts of the Conference that, at the time of the adoption of that legislation, were still being negotiated. As a result some of this legislation may not be totally consistent with the text of the Convention. For example, there are cases where national legislation uses the language of the Informal Single Negotiating Text (1975) that served as a basis for negotiations at the Conference, which referred to "exclusive rights and jurisdiction" with regard to the establishment and use of artificial islands, installations and structures, "exclusive jurisdiction" with regard to scientific research and "jurisdiction" with regard to preservation of the marine environment including pollution control and abatement. The final text of the Convention, on the other hand, speaks simply of the "jurisdiction" of a coastal State with regard to these activities in the exclusive economic zone (art. 56, para. 1 (b)).

24. Some States that have not yet incorporated the concept of the exclusive economic zone into their national policies and legislation have none the less extended jurisdiction in the form of fisheries zones. At present, some 21 countries have fisheries zones extending up to 200 nautical miles. 10/ The essential distinction between an exclusive economic zone and a fisheries zone lies in the extent of jurisdiction retained by the coastal State and the resources over which that jurisdiction may be exercised. That is, under the Convention all living and non-living resources may be covered by the concept of an exclusive economic zone, whereas fisheries zones pertain only to living resources or to certain species of them.

25. Since the work of the Conference began, some States with fisheries zones have introduced into their national legal systems the concept of an exclusive economic zone in a manner either consistent with the Convention or more closely following the Convention. Among these are the Union of Soviet Socialist Republics and the United States of America. 11/

26. A number of signatory States that have national legislation regulating zones of adjacent maritime space that may not be wholly compatible with the provisions of the Convention have begun to review and revise such legislation in order to ensure conformity with the provisions of the Convention.

27. According to the available information of the coastal States that have ratified the Convention (see para. 7 above), five (Cuba, Fiji, the Ivory Coast, Mexico and the Philippines) have enacted exclusive economic zones, two (the Bahamas and the Gambia) have fisheries zones, and two (Ghana and Senegal) have an extended territorial sea. Four (Belize, Jamaica, Egypt and Namibia) have not yet formulated legislation relating to extended jurisdiction over adjacent maritime spaces.

28. Many States may require information and assistance in the implementation of the Convention and in the determination of how best to benefit from it. One example involves the régime of the continental shelf, in particular the determination of its outer limit, where more information may be required by some States before any national policy is developed, especially if the continental shelf extends beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured. Upon entry into force of the Convention, the Commission on the Limits of the Continental Shelf to be established under annex II of the Convention may be requested to provide assistance in this respect. Another example relates to the régime for archipelagic waters. Some archipelagic States have enacted legislation for the establishment of an archipelagic waters régime consistent with the Convention. Others may require further legal and technical information in order to determine whether in fact they meet the criteria under the Convention established for the application of the archipelagic régime.

29. The Office of the Special Representative of the Secretary-General for the Law of the Sea has been receiving an increasing number of requests from States for information and assistance regarding national legislation and practice concerning many of the matters covered by the Convention pertaining to maritime zones (see paras. 108 and 109 below).

30. Very few States have felt the need to enact legislation with respect to the international sea-bed area. France, Germany, Federal Republic of, Japan, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America have enacted legislation on the subject. It should be noted that the legality of such legislation has been challenged in international forums by other States. 12/

III. SETTLEMENT OF CONFLICTS AND DISPUTES

31. The significance of the need for orderly regulation of ocean space can best be demonstrated by noting the number of international conflicts relating directly to or having important implications for the question of uses of the sea. An illustrative listing would include the mining of the Red Sea; the question of the Strait of Hormuz; the question of the Beagle Channel; the Canada-United States of America disputes regarding Georges Bank, the Beaufort Sea and the North-West Passage; the Nicaragua-United States of America dispute regarding the mining of

Nicaraguan waters; and the Solomon Islands-United States of America dispute over fishing rights, the Canada-France dispute regarding the Saint Pierre and Miquelon Isles, the Colombia-Venezuela dispute regarding the Gulf of Venezuela, and the People's Republic of China-Philippines-Viet Nam dispute over the Spratley and Paracels archipelagoes. The legal, economic and political framework that the Convention provides, especially as it becomes increasingly incorporated into national policy and legislation, will tend to have a stabilizing effect on international ocean affairs in the long run, thus reducing the incidence of potential conflict over ocean spaces. Moreover, the Convention itself provides machinery for the settlement of disputes concerning the interpretation and application of its provisions.

32. In recent years several disputes involving maritime delimitation questions or other questions related to the use of the sea have been submitted to third party procedures for settlement. The resort to these procedures for the pacific settlement of maritime disputes is fully consistent with the objects and purposes of the Convention. Included among the disputes so submitted are the case of the Beagle Channel between Argentina and Chile, the delimitation of the maritime boundary in the Gulf of Maine area between Canada and the United States of America; the continental shelf delimitation between the Libyan Arab Jamahiriya and Tunisia; the continental shelf delimitation between the Libyan Arab Jamahiriya and Malta; and the case of "military and paramilitary activities" in and against Nicaragua, involving alleged violations of rules of the law of the sea (Nicaragua/United States of America). In the first case, the parties concluded a treaty through the mediation of the Holy See. The four remaining cases were submitted to the International Court of Justice, which has already adjudicated the first two.

33. On occasion, the International Court of Justice has been specifically requested to take into consideration the principles of the Convention in its decisions. In the continental shelf case between the Libyan Arab Jamahiriya and Tunisia, the parties to the dispute requested the Court to take account in deciding the case of equitable principles and the relevant circumstances that characterize the area in question, as well as the accepted trends emerging in the Third United Nations Conference on the Law of the Sea. The precedents referred to by the Court in the resolution of that case set the stage for the acceptance of provisions of the Convention even before its entry into force. That is, the developments in the law that took place through the Conference were recognized as providing the legal basis for resolving maritime issues.

34. On 12 October 1984, the International Court of Justice came to a decision in the case between Canada and the United States of America concerning the Gulf of Maine area. That case was referred to a five-member Chamber of the Court in accordance with an agreement between the parties concluded on 29 March 1979. That agreement called upon the Court to decide upon the conflicting claims in accordance with "the principles and rules of international law applicable in the matter as between the Parties". ^{13/} The Court in its decision noted that certain provisions of the Convention concerning the continental shelf and the exclusive economic zone were adopted by the Conference without objection, and may be regarded "as consonant at present with general international law on the question". ^{14/}

35. Furthermore, the Court concluded that "the delimitation effected in compliance with the governing principles and rules of law applying equitable criteria and appropriate methods accordingly has produced an equitable overall result". 15/ It might be noted that this approach is compatible with the objects and purposes of the Convention, which calls for delimitation of maritime areas in a manner so as to achieve an equitable solution. 16/

36. The reliance of the Court on the Convention, whether direct or indirect, is a significant development with regard to the implementation of the principles embodied in the Convention, and consequently to the evolution of the attitude of States towards the orderly regulation of ocean space in accordance therewith. It can be expected that the Convention will continue to play a more and more prominent role in the resolution of conflicts.

IV. IMPLICATIONS OF THE CONVENTION FOR INTERNATIONAL ORGANIZATIONS

37. The adoption of the Convention, which has made extensive changes in international law of the sea, including the institution of a number of conceptual innovations, has necessitated a review of the mandate and activities of international organizations and bodies concerned with maritime issues. Many of these institutions have already made the necessary adjustments while others are still reviewing the implications for them. The United Nations itself included in its medium-term plan 1984-1989 a major programme on marine affairs with a central programme on law of the sea affairs (see para. 94 below).

38. Various organizations and agencies of the United Nations system have been studying the implications of the Convention for their programmes and activities, as well as for the multilateral treaties related to their mandates. The following organizations have undertaken an examination of the impact of the Convention on their activities.

39. The Assembly of the International Maritime Organization (IMO) at its thirteenth regular session requested that a careful and detailed examination of the implications of the Convention should be undertaken. The purpose of this examination will be to assess the implications of the Convention for the conventions and work of IMO in order to determine the "scope and areas of appropriate IMO assistance to member States and other agencies in respect of the provisions of the Law of the Sea Convention dealing with matters within the competence of IMO". This examination is also to enable IMO "to develop suitable and necessary collaboration with the Secretary-General of the United Nations on the provision of information, advice and assistance to developing countries on law of the sea matters within the competence of IMO" (A 13/5(b)/2, para. 97).

40. The examination requested by the Assembly has already been initiated in the IMO Legal Office. By agreement between the Secretary-General of IMO and the Special Representative of the Secretary-General of the United Nations for the Law of the Sea, the IMO secretariat will continue to consult closely with the Office of the Special Representative in the preparation and issue of documents resulting from the examination (see also sect. V).

41. The International Civil Aviation Organization (ICAO) Legal Committee has commenced its examination of the implications of the Convention for the application of the Chicago Convention, its annexes and other international air law instruments and has given it a high priority within its general work programme. A detailed study prepared by the ICAO secretariat has been sent to States and selected international organizations for their comments. The Office of the Special Representative has also been consulted on this study. The analytical work entailed is extensive since the Convention on the Law of the Sea contains numerous provisions on airspace, civil aircraft and other subjects relevant to civil aviation, particularly in its sections dealing with territorial waters, archipelagic waters, exclusive economic zones, high seas, pollution from or through the atmosphere and pollution by dumping. The study does not identify any instances where the implications would be such as to require amendments to international air law instruments. It does, however, identify instances where it may be necessary to formulate advice to States on the application of these instruments in the light of the Convention on the Law of the Sea and where interpretative determinations may be called for. The study suggests, for example, that for greater certainty about the general legal status of the exclusive economic zone it may be desirable for ICAO member States to reach a consensus and accept an interpretative determination that, for the purpose of the Chicago Convention, its annexes and other international law instruments, the exclusive economic zone is deemed to have the same legal status as the high seas and any reference in these instruments to the high seas should therefore be deemed to encompass the exclusive economic zone.

42. The recent World Conference on Fisheries Management and Development, organized by the Food and Agriculture Organization of the United Nations (FAO) and concluded on 6 July 1984, was greatly influenced by the Convention inasmuch as its Strategy for Fisheries Management and Development was based on an examination of both the technical and policy implications of the new régime for the sea and was endorsed on the understanding that its guidelines were without prejudice to the provisions of the Convention. For the purposes of the Conference and for other activities of FAO, detailed and multidisciplinary studies were also made of certain problems raised by the Convention, such as the conditions of access to the living resources of the exclusive economic zone, international co-operation in the management of shared stocks, straddling stocks, highly migratory species, marine mammals and fishing in areas of the high seas enclosed by zones under national jurisdiction (see also para. 70).

43. A special Task Team of the Intergovernmental Oceanographic Commission (IOC) of the United Nations Educational, Scientific and Cultural Organization (UNESCO), which was formed to study the implications of the Convention for the Commission, is expected to complete most of its work before the end of the year. IOC deals with marine scientific research, ocean services and related technology, and training, education and mutual assistance; it also functions as a joint specialized mechanism (under the Intersecretariat Committee on Scientific Programmes relating to Oceanography (ICSPRO) agreement) in charge of assisting organizations of the system with their responsibilities in the field of marine science. Detailed analyses have been made with a view to updating the functions of the IOC. IOC also has programmes on international oceanographic data exchange and ocean mapping, ocean science in relation to non-living resources (in conjunction with the United Nations), and ocean science in relation to living resources (jointly with FAO), in

addition to the activities envisaged in its comprehensive plan for a major assistance programme to enhance the marine science capabilities of developing countries.

44. Also as a consequence of the adoption of the Convention, IOC is making several studies of marine science and ocean resources in the context of the new ocean régime, and is co-operating with the Office of the Special Representative of the Secretary-General for the Law of the Sea in the compilation of national legislation relative to the conduct of marine scientific research in zones of national jurisdiction (see also paras. 58 and 74).

45. The World Meteorological Organization (WMO) has examined the Convention in terms of its mandate and policies as set forth or as reflected in the WMO Convention, technical regulations and major programmes such as World Weather Watch, Marine Meteorology Programme, Integrated Global Ocean Services System (WMO/IOC), Tropical Cyclone Programme and World Climate Research Programme. It has found that the following provisions of the Convention are of particular relevance for WMO: articles 24, 87, 94, 98, 143, 145; part XII as it relates to the provision of meteorological support; part XIII, particularly its articles 238, 239, 242 to 244, and 246 to 249; and part XIV. The ninth World Meteorological Congress (1983) adopted a resolution concerning the law of the sea (resolution 9 (CG-IX)) that urged WMO members to continue to promote marine meteorological and related oceanographic observational programmes over the oceans for both operational and research purposes.

46. As regards the legal régime for the conduct of marine scientific research, WMO has noted that the Conference on the Law of the Sea in 1980 recognized that WMO's research and operational activities over the ocean, such as those mentioned above and the Voluntary Observing Ships' Scheme, were routine activities of common interest to all countries and that the new régime would not therefore create "any difficulty and obstacles hindering adequate meteorological coverage from the ocean areas including areas within the exclusive economic zone". ^{17/} This conclusion has been of considerable importance for WMO since besides its arrangements for the provision of meteorological and related geophysical and environmental information from ocean areas, WMO carries out large scientific experiments over the oceans using ships, aircraft and other means of acquiring data (see also para. 74).

47. The United Nations Environment Programme (UNEP) has given the Convention close and detailed examination in view of its many provisions dealing directly or indirectly with the protection and management of the marine and coastal environments and their resources. This examination has produced certain conclusions as to possible future emphasis in the relevant activities of UNEP. It is UNEP's view that many tasks in the areas of monitoring, assessment and others may best be implemented at the regional level; that the implementation of the Convention would benefit from the elaboration of global guidelines and principles on specific matters such as marine pollution from land-based sources and environmental impact assessment; that the provision of training and expert assistance for the development of national environmental legislation and administration would also assume new importance; that questions such as liability and compensation (including ensuring adequate recourse) for environmental injury

should be the subject of future progressive development of the law; and that new activities such as deep sea-bed mining should be monitored and evaluated on an ongoing basis to determine necessary environmental protection measures. In this last respect, UNEP has a concern to ensure that environmental considerations are taken account of in the drafting of rules, regulations and procedures by the Preparatory Commission (see also paras. 66 and following).

48. Active collaboration has been established between the International Hydrographic Organization (IHO) and the Office of the Special Representative of the Secretary-General for the Law of the Sea, particularly with respect to the collection of charts and published materials on baselines, limits of territorial seas and exclusive economic zones, maritime boundary agreements and national legislations and declarations. The IHO maintains a panel of experts to advise on technical aspects of law of the sea, including such aspects as sea-bed mapping, use of geodetic data and application of the World Geodetic System that have particular relevance to the work of the Preparatory Commission. As a consequence of the Convention, the need to establish and/or strengthen national hydrographic capabilities has assumed even greater importance. The Directing Committee of IHO has formulated implementing procedures in which assistance may be requested by both member and non-member States of the IHO.

49. The possible ramifications of the Convention are being closely examined by the United Nations Division of Narcotic Drugs and the Commission on Narcotic Drugs. There is a particular interest in the extent to which the Convention will have a positive impact on maritime interdiction of illicit drug traffic. Attention is directed at articles 27 (criminal jurisdiction on board a foreign ship) and 108 (illicit traffic on the high seas), and also to the provisions establishing the maximum breadths of the territorial sea, contiguous zone and exclusive economic zone, and the concept of archipelagic waters, and to those specifying the rights and duties of coastal States therein. There is an expectation that some of the complex problems States face in intercepting vessels suspected of smuggling drugs may be overcome with the entry into force of the Convention, in particular, that drug law enforcement agencies of States Parties would have a greater ability to take action in respect of foreign ships in extended areas under their jurisdiction.

V. DEVELOPMENTS IN MATTERS COVERED BY THE CONVENTION

A. Peaceful uses

50. The Second Review Conference of the Parties to the Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and Ocean Floor and in the Subsoil Thereof was held in September 1983. Amongst other subjects, the Conference discussed the relationship between the Treaty and the Convention on the Law of the Sea.

51. It was generally held, as reflected in the preamble to the Final Declaration, that nothing in the Convention should affect the rights and obligations assumed by States Parties to the Sea-Bed Treaty. Some countries, in this connection, held that the extent of the sea-bed area to which the Treaty's prohibition applied

should not be affected by the entry into force of the Convention. A new preambular paragraph was adopted by which the Conference emphasized the interest of all States, including specifically that of developing States, in the progress of the exploration and use of the sea-bed and its resources for peaceful purposes.

B. Maritime law

1. Maritime safety and navigation

52. Amendments to the 1974 International Convention for the Safety of Life at Sea, adopted in 1981, entered into force on 1 September 1984. Further amendments, adopted in 1983, are expected to enter into force on 1 July 1986. Consideration is being given by IMO to the question of amending the annex to the 1974 SOLAS Convention, adopting a new Load Line Convention to replace the International Convention on Load Lines, 1966, and adopting a new Convention to replace the 1910 Convention on Salvage and Assistance at Sea. On the question of salvage, detailed consideration will be given to proposals for modifying the existing legal régime for intervention by coastal States in cases of pollution or threat of pollution in order to give the threatened coastal State a greater participation in salvage operations. The work on salvage represents an important part of the response of IMO to the problems brought to light with the "Amoco Cadiz" disaster of 1978.

2. Conditions for registration of ships

53. The United Nations Conference on Conditions for Registration of Ships was convened in Geneva from 16 July to 3 August 1984, in order to consider the adoption of an international agreement concerning the conditions under which vessels should be accepted on national shipping registers. A resumed session is scheduled for 28 January to 15 February 1985. The proceedings and outcome of this Conference are of direct relevance to the implementation of articles 91, 92 and 94 of the Convention on the Law of the Sea and certain draft texts before the Conference reproduce parts of the text of those articles.

54. Two distinct positions have emerged in the Conference. The first maintains that for a genuine link to exist between a vessel and the flag of registry and for a State to be in a position to exercise effectively its jurisdiction and control in administrative, technical and social matters over ships flying its flag, it is necessary for nationals of the State to have a participation in the capital equity, manning and management. The second maintains that effective flag-State jurisdiction and control in administrative, technical and social matters constitutes the real genuine link, and flag States, in particular, should ensure that all vessels on their registers comply with generally accepted rules and standards concerning maritime safety, prevention of marine pollution and social conditions of seafarers, while it should be left to each sovereign State to determine whether or not requirements should be laid down regarding the nationality of owners, crew or management with respect to national flag vessels.

55. The draft texts before the Conference contain a section on the specific information that should be contained in the register of ships to be maintained by every flag State; they give considerably more detail than the provisions of article 94, paragraph 2 (a) of the United Nations Convention on the Law of the Sea. There is also a draft provision that would permit a State to grant registration and the right to fly its flag to a ship chartered-in on a bareboat basis by a charterer in that State, for the period of that charter, in accordance with its laws and regulations.

3. Maritime labour law

56. The International Labour Office (ILO) Joint Maritime Commission met in September 1984 to pave the way for a Preparatory Technical Maritime Conference in 1986 and a full Maritime Session of the International Labour Conference in 1987, convened to consider several aspects of labour law related to seafarers.

57. Various resolutions adopted by the Commission demonstrate the importance of other maritime issues for maritime labour. These issues include: the need to ensure that full and up-to-date information on intended voyages of ships carrying radioactive cargoes is made available and that a code of practice regulating ship type and packaging and storage of such materials is developed by IMO; the need to ensure that peaceful solutions are found to conflicts involving attacks on civilian ships and mining of ports and shipping lanes, since they put seafarers' lives at risk; the need to examine the possibility of adopting an instrument obliging a State detaining a seafarer or ship to inform the flag State and State of nationality of the seafarer immediately and to deal with the matter expeditiously under law; and the need to study the problems of personnel working aboard the growing number of maritime mobile offshore units, which also requires ILO and IMO to determine which of such units should be classified as ships.

4. Other maritime law matters

58. Some preliminary work on the legal status of the Ocean Data Acquisition System (ODAS) was done jointly by IMO and IOC prior to the conclusion of the Conference on the Law of the Sea, but it was agreed that further work would await the final conclusions of the Conference. Consideration is now being given to the possible convening of an IMO/IOC intergovernmental preparatory conference to finalize draft articles for consideration and subsequent adoption.

59. Consideration is being given to the conclusion of a convention on offshore mobile craft, including civil liability aspects, and to a convention for the unification of rules concerning civil jurisdiction, choice of law and recognition of enforcement of judgements in matters of collisions.

C. Environmental law

1. Prevention and control of marine pollution from ships

60. The MARPOL Convention. The Marine Environment Protection Committee of IMO has in September 1984 adopted amendments to the International Convention for the Prevention of Marine Pollution from Ships, 1973, as modified by the Protocol of 1978 thereto. The 1973/1978 MARPOL instrument is presently in force in 31 States, covering 71.72 per cent of world shipping.

61. Civil liability and compensation. A diplomatic conference convened by IMO in April/May 1984 adopted two protocols to amend the International Convention on Civil Liability for Oil Pollution Damage, 1969, and the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1971. These protocols will, when they enter into force, establish two revised instruments on these subjects.

2. Prevention and control of marine pollution from dumping

62. London Dumping Convention. The Eighth Consultative Meeting of Contracting Parties to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter (London Dumping Convention) was held in February 1984. The Meeting took action on a number of aspects of the report of the Scientific Group on Dumping, including establishing criteria for the allocation of substances in annexes I and II of the Convention and guidelines for the application of annex III, and carrying out a review of reporting procedures; and agreed to use the report of Task Team 2000 on a Long-Range Strategy for the Convention in planning the future work programme.

63. Dumping of radioactive wastes. The February meeting of the Contracting Parties also agreed to convene a technical expert group to consider some agreed issues concerning proposals for amendment of the annexes to the London Convention related to the dumping of radioactive wastes.

64. As concerns the question of the disposal into the sea-bed of high-level radioactive wastes, the Parties are seeking to reach a consensus at their next meeting in the light of the report of the Ad Hoc Group of Legal Experts on Dumping and the proposals made by a number of Parties. Without prejudice to the questions of the applicability of the London Convention in the disposal of high-level radioactive wastes or other high-level radioactive matter into the sea-bed, the February meeting agreed, by consensus, that the Consultative Meeting of the Contracting Parties to the London Dumping Convention is the appropriate international forum to address the question, including the question of the compatibility of this type of disposal with the provisions of the London Dumping Convention. There was also a consensus that no such disposal should take place unless and until it is proved to be technically feasible and environmentally acceptable. This would also include a determination that such wastes and matter can be effectively isolated from the marine environment and the elaboration of a regulatory mechanism under the London Convention to govern the disposal into the sea-bed of such radioactive wastes and other matter.

65. Definition and recommendations for dumping of radioactive wastes. The International Atomic Energy Agency (IAEA) discharges specific responsibilities under the London Dumping Convention. Annex I of the Convention requires IAEA to elaborate the criteria for defining high-level waste; annex II requires IAEA to provide recommendations to national authorities for dumping of radioactive waste. The revised definition for high-level radioactive wastes or other high-level radioactive matter unsuitable for dumping at sea, and recommendations for the issue of special permits (INFCIRC/205/Add.1/Rev.1), accepted by the Contracting Parties in 1978, remain in force for the purposes of the Convention. Another revision is currently under way, with the expectation that it can be submitted for approval by the Board of Governors in 1985.

D. Legislative developments under programmes of the United Nations Environment Programme

1. Regional seas programme

66. Initiated in 1974, the UNEP regional seas programme now covers 11 areas where regional action plans are operative or are under development. Six of the regions are now covered by conventions dealing with the protection of the marine environment from pollution in general and complementary protocols relating essentially to the combating of oil pollution: the Mediterranean region, the Kuwait Action Plan region, the West and Central African region, the wider Caribbean region, the South-East Pacific region and the Red Sea and Gulf of Aden region. The Mediterranean region has three additional protocols dealing with pollution from dumping, pollution from land-based sources and with specially protected areas. The South-East Pacific region has also adopted an additional protocol concerning pollution from land-based sources, and a regional contingency plan for oil spill clean-up. In the South-West Pacific region a convention for the protection and development of the natural resources and two protocols on the prevention of pollution by dumping and on co-operation in combating oil pollution emergencies are under negotiation. In the East African region, a convention and two protocols (one on combating pollution emergencies and the other on protected areas and wild fauna and flora) are being developed.

2. Environmental law programme

67. Work at the global level on the subject of marine pollution from land-based sources was initiated within the framework of UNEP programmes in 1981 by an Ad hoc Meeting of Senior Government Officials Expert in Environmental Law. Under the objective and strategy outlined by the Ad hoc Group, expert meetings are being held to develop global principles and guidelines.

68. The 1981 meeting also established an objective and strategy for promoting environmental impact assessment and the Working Group of Experts on Environmental Law has met (June 1984) to develop principles and guidelines. A second meeting will be scheduled in 1985 subject to authorization by the UNEP Governing Council.

69. UNEP has under review the use that has been made of the conclusions and guidelines prepared by its Working Group of Experts on Environmental Law for the prevention of marine pollution caused by offshore mining and drilling within the limits of national jurisdiction.

E. Fisheries management and development

70. FAO has long been involved with the changes that have emerged in the legal régime of the sea; the exclusive economic zone (EEZ) programme, instituted in 1979, has been the focal point for its activities. The Programme is now complemented by the action programmes established by the recent World Conference on Fisheries Management and Development.

71. The World Conference endorsed by consensus a Strategy for Fisheries Management and Development, comprising guidelines for consideration by Governments and organizations when planning and implementing fisheries management and development. In endorsing the Strategy, the Conference noted that it should in no way be considered binding upon or involving commitments by Governments. In particular, the Conference emphasized that the Strategy's guidelines were not intended to reopen the issues already settled at the United Nations Conference on the Law of the Sea and were without prejudice to the provisions of the Convention on the Law of the Sea. The Strategy was considered to be a unique and valuable point of reference and guidance for Governments and international organizations to work together to promote the self-reliance of countries in fisheries and to increase the contributions of fish to world food supplies and food security.

72. The Conference also approved an integrated package of five programmes of action that emphasize technical assistance, training, investment and regional co-operation to help developing countries to increase fish production and improve their individual and collective self-reliance in fisheries. Designed for execution mainly, but not exclusively, by FAO, the programmes of action cover the following five separate but interlinked areas: planning, management and development of fisheries; small-scale fisheries development; aquaculture development; international trade in fish and fish products; and the role of fisheries in alleviating under-nutrition. The Conference adopted a number of resolutions concerning the implementation of the Strategy and the programmes of action and specific aspects of fisheries management and development.

73. The EEZ programme, complemented by a number of regular and field programme activities, has provided policy and planning missions to advise developing coastal States on prospects for development of fishery resources within their exclusive economic zones, as well as on management requirements; a fishery law advisory programme to assist countries on fisheries legislation, fisheries access agreements and means of regional co-operation in fisheries development and management; and a monitoring, control and surveillance programme, under which principles and methods have been formulated, with particular regard to developing countries having large exclusive economic zones, and advisory assistance and training given.

F. Marine scientific co-operation

74. The comprehensive plan prepared by IOC for a major assistance programme to enhance the marine science capabilities of developing countries is an important response to the resolution of the United Nations Conference on the Law of the Sea on the development of national marine science, technology and ocean service infrastructures in developing countries (annex VI of the Final Act of the Conference). The plan, adopted by the IOC Assembly at its twelfth session and endorsed by the twenty-second General Conference of UNESCO, will be implemented through regional and/or subregional projects. In general, IOC has devoted considerable efforts to the strengthening of regional activity; existing regional bodies are being progressively upgraded to the status of sub-commissions. Presently there are: a sub-commission for the Caribbean and adjacent regions, programme groups for the western Pacific, central Indian Ocean, northern and central western Indian Ocean, central eastern Atlantic and Southern Oceans, and a joint IOC-WMO-CPPS working group on investigation of the El Niño phenomenon in the south-east Pacific.

G. Rescue at sea

75. The question of the duty to render assistance to persons found at sea in certain circumstances (art. 98 of the Convention) has acquired special importance in relation to refugees. There has been a continued decline in the number of ships rescuing refugees at sea. It has been recognized for several years that the resettlement of refugees rescued at sea presents certain difficulties to flag States in view of the unpredictable nature of rescues and the lack of adequate burden-sharing arrangements. In an attempt to rationalize the system to share more equitably the responsibility for resettlement and to encourage ships of certain countries to rescue refugees, the United Nations High Commissioner for Refugees has urged both maritime and non-maritime States to contribute to a pool of "Rescue at Sea Resettlement Offers" (RASRO).

76. Acts of piracy against refugees at sea continue to be a matter of serious concern although some improvement may be noticed in that there has been a significant reduction in the attacks against boats landing on the shores of South-East Asian countries.

VI. DEVELOPMENT OF REGIONAL AND SUBREGIONAL CO-OPERATION

77. Regional and subregional co-operation, particularly on the protection and preservation of the marine environment, management of living resources and marine scientific research, has increased in recent years and has shown adjustment as and when necessary to the new conditions created by the new legal régime.

78. A general understanding has been reached on the necessity of developing co-ordinated environmental policies at regional and subregional levels, particularly as evidenced in the activities of the UNEP regional seas programme, but also in projects developed by the Economic and Social Commission for Asia and the Pacific (ESCAP), UNESCO/IOC and IMO for specific areas, particularly in the

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Asia-Pacific region. New understandings have also been reached in the fisheries sector and in marine scientific research. There is a distinct development in harmonization of policies in the fisheries sector, particularly on such questions as the access of foreign fishing operations, management of shared stocks and fisheries development planning. The regulatory systems set up within the framework of regional institutions such as the European Economic Community represent a highly developed regional approach (see para. 16). In general, it can be maintained that a number of regional structures necessary to carry out the objectives of the Convention in these important fields are already in place, although it cannot yet be maintained without a thoroughgoing survey that all regional and subregional projects and agreements can be regarded as fully compatible with the provisions of the Convention.

79. There is strong evidence of a further need to promote a detailed understanding of the provisions of the Convention, as demonstrated in the regions covered by the Economic Commission for Latin America and the Caribbean (ECLAC) and the Economic Commission for Africa (ECA) and to study systematically the application of the Convention at the regional level. Attention is being given under the joint ECLAC/United Nations Development Programme (UNDP) programme on ocean resources and Latin American development to the organization of subregional seminars and national courses on ocean policy with emphasis on the Convention in order to establish priority needs. In ECA a special intergovernmental meeting on "Aspects of the application of the provisions of the Convention", organized in September 1984, was specially designed to increase awareness of the Convention, examine implications for manpower, research facilities and organizational arrangements, and to develop an African approach to some of the major problems.

VII. THE PREPARATORY COMMISSION FOR THE INTERNATIONAL SEA-BED AUTHORITY AND FOR THE INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA

80. The Preparatory Commission met twice during 1984. It held its second session at Kingston, Jamaica, from 19 March to 13 April 1984 and a meeting from 13 August to 5 September in Geneva. The Commission began its substantive work during the second session and continued with its programme at the Geneva meeting.

81. Priority was accorded to the adoption of rules for the registration of pioneer investors under resolution II of the Conference. In particular there were three principal issues to be addressed on this matter: those relating to the need for applicants for registration as pioneer investors to resolve before registration any conflicts arising from the overlapping of areas claimed, the nature, composition and function of the group of technical experts to assist the Preparatory Commission in examining applications; and the confidentiality of data and information.

82. The plenary completed the first reading of the draft rules for the registration of pioneer investors and on confidentiality of data and information, and provisionally adopted several of these rules.

83. Under resolution II of the Conference, certain States and entities are enabled to carry out "pioneer activities" in "pioneer areas" before the entry into force of the Convention. Applications for registration as pioneer investors have been received from the Governments of France, India, Japan and the Union of Soviet Socialist Republics. The Commission has decided that, following the adoption of the rules for the registration of pioneer investors, it will proceed to register the first group of applicants at the third session of the Preparatory Commission to be held in Kingston from 11 March to 5 April 1985. In the mean time the Commission has requested the first group of applicants to resolve as soon as possible conflicts with respect to the overlapping of the areas claimed.

84. During its Geneva meeting the Preparatory Commission was informed by three States entitled to sponsor pioneer investors - France, Japan and the Netherlands - that an intergovernmental agreement ("Provisional Understanding regarding Deep Sea-Bed Matters") was concluded on 3 August 1984 among eight Governments: Belgium, France, Germany, Federal Republic of, Italy, Japan, Netherlands, United Kingdom of Great Britain and Northern Ireland and United States of America. The Commission was assured that the agreement aimed at ensuring "the minimum need of avoiding possible future conflicts due to overlapping claims for mine sites and as such fulfils in part the requirements of resolution II to resolve overlapping claims" and that the agreement was fully compatible with the position of their Governments to undertake deep sea-bed activities, "within the framework of resolution II and the United Nations Convention on the Law of the Sea".

85. In response to this provisional understanding the Group of 77 and the Group of Eastern European (Socialist) States reiterated their opposition to instruments based on national legislation and reciprocal agreements purporting to regulate and authorize deep sea-bed activities. They asserted that the carrying out of any such activities outside the régime established by the Convention was illegal.

86. At the end of the Geneva meeting the Chairman announced that an understanding had been reached on the procedure and on a timetable for conflict resolution for the first group of applicants.

87. The plenary of the Commission has also been considering the rules of procedure of the Assembly of the Authority and is in the process of completing a first reading of a draft set of rules prepared for it. It has already provisionally adopted a large number of these rules.

88. At the Kingston session the plenary also discussed the establishment of the Authority, including its staffing. It concluded that the future Authority should be effective, viable, efficient and cost effective and that the staffing structure of the future Authority should be lean at least in the initial stages. It requested the Secretariat to prepare a working paper on this subject.

89. In the future the plenary will consider the rules of procedure of the Council and the subsidiary bodies as well as the establishment and staffing of the Authority.

90. The four Special Commissions of the Preparatory Commission have been considering the substantive work allocated to them. Special Commission 1, which is charged with the responsibility of studying the possible adverse effect of sea-bed mining on developing land-based producer States, has begun its study of relevant statistics and data. It has started identifying those developing land-based producer States likely to be affected by the production of minerals from the area and is studying the measures that may be adopted to minimize their difficulties and help them to make the necessary economic adjustments.

91. Special Commission 2 on the Enterprise, the operational arm of the Authority, has been examining the measures necessary to bring the Enterprise into operation at an early date, including those referred to in paragraph 12 of resolution II. It has been considering in particular the structure and requirements for its start-up establishment and the operational options, including joint venture options for the initial operation of the Enterprise.

92. Special Commission 3 is mandated to draft the regulations for deep sea-bed mining (the mining code). Following its consideration of a number of "issue-raising papers" the Special Commission has begun to examine a first set of regulations dealing with the application for approval of plans of work and the content of the application.

93. Special Commission 4 is preparing a report with recommendations regarding practical arrangements for the establishment of the International Tribunal for the Law of the Sea. It has been examining, article by article, the Draft Rules of the Tribunal and has already approved a number of these rules. It will continue its consideration of them at the next session of the Preparatory Commission.

PART TWO

IMPLEMENTATION OF GENERAL ASSEMBLY RESOLUTION 38/59 A

I. BACKGROUND

94. With a view to producing a focus for efforts concerning the seas and oceans and a cohesive approach to the new legal régime, the General Assembly approved the new major programme on marine affairs (chap. 25 of the medium-term plan for the period 1984-1989) and within that programme the central programme on law of the sea affairs. "It [was] intended thereby to help ensure effective co-ordination and careful delineation of tasks among the organizations included in the plan and other organizations of the United Nations system". 18/ By resolution 38/59 A, the Assembly also established the Office of the Special Representative of the Secretary-General for the Law of the Sea as a permanent office responsible for executing the central programme on law of the sea affairs. It was designated as the core office of the organization for the law of the sea. This report covers the implementation of resolution 38/59 A and the programme on law of the sea affairs of the new major programme on marine affairs.

95. Details and specific activities of the Office in the execution of its mandate as the office responsible for the central programme on law of the sea affairs (chap. 25 of the medium-term plan) will be reported on in conjunction with the report of its programme activities and also in the context of the programme budget performance report for the biennium 1984/1985. For the purposes of this report, only a general overview of the activities of the Office are provided.

II. MAINTENANCE OF CHARTS AND LISTS OF CO-ORDINATES

96. Under its mandate to assist States in the uniform and consistent application of the Convention, the Office of the Special Representative acts as the repository for the receipt, registration and archiving of charts and co-ordinates establishing baselines and limits of maritime zones. The Office has begun to receive such charts and lists of co-ordinates from Governments. It is engaged in establishing the means by which it could rationalize the recording of the various scales of charts and the different methods used by Governments for the drawing of baselines and listing of co-ordinates. This would assist in the proper maintenance of and ready access to such information, as well as for publication of these materials or for their communication to States, on request. To this end, consultations are continuing with the appropriate international organizations, including particularly the International Hydrographic Organization and national agencies dealing with hydrographic and cartographic matters.

97. With the receipt of further ratifications, additional charts and lists of co-ordinates would be deposited. This underlines the urgency to establish the means by which this function entrusted to the Secretary-General could be carried out.

III. ANALYTICAL STUDIES

98. The legislative history of the Convention's provisions in many different subject areas has been collated and analysed to provide the negotiating background to the text of the Convention. These analyses, together with commentaries from the official records and informal documentation of the Conference, explain the trends of the negotiations and the reason for the changes in succeeding informal negotiating texts. This is of particular importance since most of the negotiations were conducted in informal meetings for which no official records were kept. These analyses would be of use to Governments, international bodies and institutions, scholars and students alike, as an aid to the interpretation of the treaty provisions and to its implementation by Governments in their national policy and legislation. The subject areas that are presently under preparation for publication within the current 1984/1985 biennial period deal with the territorial sea, exclusive economic zone, land-locked countries, navigation and delimitation. As part of the publication programme under the series "Law of the Sea Studies: Analytical Studies on the Law of the Sea Convention", six such publications are projected to appear by the end of 1985.

IV. LAW OF THE SEA REFERENCE LIBRARY COLLECTION AND PUBLICATION OF SELECTED BIBLIOGRAPHIES

99. The development of the reference library collection commenced at an early point in the work of the Conference and continues to be maintained and updated with the most recent and relevant publications in the field. It is a specialized collection that is the source of reference material for the work of the Office and is used by other organizations, institutions, delegates and scholars.

100. Besides publications on the subject of the law of the sea, the reference collection also includes the comprehensive records of the Law of the Sea Conference (from 1973 to 1980) and formal and informal documentation as well as the voluminous proposals and documentation of its Drafting Committee in the six official languages of the United Nations. In addition, it maintains the documentation of the Preparatory Commission for the International Sea-Bed Authority and the International Tribunal for the Law of the Sea. Master files of this documentation are under preparation. The reference collection also contains comprehensive records of the Committee on the Peaceful Uses of the Sea-Bed and Ocean Floor beyond the Limits of National Jurisdiction and covers the documentation of that committee from 1967 through 1973.

101. A selected bibliography on the law of the sea, first in the series "Law of the Sea Studies" under the publication programme, has been submitted for printing. This volume will provide a selective listing of recent publications dealing with the law of the sea most of which are available in the law of the sea reference library collection. It will be a recurrent publication to be revised or supplemented annually.

V. NATIONAL LEGISLATION AND STATE PRACTICE

102. The comprehensive collection of files of national legislation on marine affairs, organized by country and by subject area, has been supplemented and analysed. Extracts of these legislative materials dealing with topical subject areas have been circulated to delegations in the Law of the Sea Bulletin series. Comments and confirmations as to the authenticity and accuracy of the information furnished in the Bulletin have been received from a number of Governments.

103. A series of studies on the practice of States is under preparation utilizing these materials in combination with data on other relevant developments concerning national legislation, regulations and policies and relevant regional or global activities. Thus, the combination of the analytical studies of the negotiating history together with the evaluation of the practice of States would provide an insight into the developments in the law of the sea and its implementation.

VI. INFORMATION SYSTEM

104. In addition to maintaining the comprehensive national files referred to in paragraph 102 above, including national legislation, proclamations, administrative regulations, directives, etc., work has continued on obtaining, extracting and evaluating relevant materials on other aspects of State practice in the implementation of the Convention by Governments. These include bilateral or regional arrangements, declarations made when signing or ratifying the Convention, statements made in the formal records of the Third United Nations Conference on the Law of the Sea or Sea-Bed Committee, and formal records of other intergovernmental meetings of direct relevance to the Convention on the Law of the Sea. These materials are also being indexed, maintained and analysed by country and subject-matter for inclusion in these files.

105. In view of the limitations of this type of manual filing system dealing with such a complex subject-matter and since the information warrants more detailed analysis, additional indices are being developed for input into a computerized information system. By this means it would be possible to access these materials and produce the data for dissemination by topic or by subdivided subject areas rather than only on a country or broad subject area basis as is possible with the current manual filing system.

106. For the purpose of setting up a data storage system, a data index is being developed by dividing the subject areas by topic and subheadings to be able to access them readily. In developing this electronic data archiving and retrieval system, the available electronic word-processing and data archiving capabilities of the Office are being utilized to input all relevant materials. By using the existing capabilities, an attempt is being made to phase in the necessary system with ongoing evaluation of needs to rationalize the development of the system. The storage and archiving of these materials is well under way.

VII. SPECIAL STUDIES AND SPECIAL ADVICE

107. Under the programme of activity of the Office, the range of special studies and special advice has included responses to requests on the implications of specific provisions of the Convention in relation to issues of national, bilateral or regional interest. The number of requests for information, advice and assistance from the Office of the Special Representative has grown perceptibly in the past year, the main users being Governments, government agencies, intergovernmental organizations and academic institutions.

108. The increasing number of requests made by Governments for information, advice and assistance may be taken as evidence of the activity of States in reviewing the specific provisions of the Convention for national purposes. These include the adoption of decisions relating to the signature and ratification of the Convention, the adoption or amendment of national legislation, or the development of a more coherent approach to national ocean policies including policies on bilateral, subregional or regional co-operation. Given the specialized nature of many of the requests made, priority is being given in the activities of the Office to the publication of relevant national legislation, by subject, and developments in the formulation of national ocean policies. Where legislative and also administrative trends so indicate, efforts are being made to synthesize information in order to meet the increasing number of requests for working guidelines by those formulating policy, or drafting or amending legislation.

109. For instance, the Office of the Special Representative has responded to inquiries concerning the implications of signing the Convention or ratifying it. The questions raised have included the implications of signature to the Convention as affecting the related resolutions adopted with it and the declarations or statements made at the time of signature or ratification as provided by the Convention. Moreover, the Office has also received requests to provide advice and assistance in the review of existing national maritime legislation in specific cases and the manner in which such legislation could be updated, supplemented or modified to ensure conformity with the provisions of the Convention and the realization of the benefits of the Convention. For these purposes, the Office of the Special Representative has, as appropriate, co-operated and co-ordinated such advice and assistance with the appropriate United Nations agencies and intergovernmental organizations to ensure a consistent approach to the Convention within its legal framework.

VIII. CO-OPERATION WITHIN THE UNITED NATIONS SYSTEM

110. Co-operation has continued with the agencies and bodies of the United Nations system in the collection of the materials and information for the preparation of the annotations to the Convention. Annotations will also show relationships between the provisions of the Convention and other treaty instruments and international rules and procedures or decisions of intergovernmental bodies.

111. The Office has participated at intergovernmental meetings particularly those of UNDP, FAO, UNESCO/IOC and IMO and has provided assistance and lent support to the activities of these agencies and bodies with a view to ensuring that a consistent approach is taken with respect to the Convention and that its effects may be reflected in the work of such bodies and meetings.

112. A large part of the needs of intergovernmental organizations for information and advice may be attributed to their processes of studying the provisions of the Convention in terms of their relationships with existing conventions, guidelines and procedures, and with instruments under development, as well as the implications of the Convention for programming and project development, particularly where jurisdictional issues play a role or where new or expanded approaches to regional or subregional co-operation are indicated. Of particular note are the efforts of those organizations described in paragraphs 37 to 49 above. The information provided usually takes the form of detailed elaborations of specific provisions of the Convention including their legislative and negotiating histories (e.g. "The legal régime with respect to fisheries under the United Nations Convention on the Law of the Sea with a brief history of negotiations leading up to the adoption of the Convention", prepared for and presented at the FAO World Conference on Fisheries Management and Development), comments on studies (e.g. comments on guidelines for a maritime code prepared by a group of experts of the Economic and Social Commission for Asia and the Pacific (ESCAP)), provision of expertise for meetings of intergovernmental organizations and subsidiary bodies, particularly those examining law of the sea issues in the sector concerned, and lectures for presentation at seminars organized by intergovernmental organizations and other bodies. Increasingly, however, the Office of the Special Representative is also called upon to provide a focal point for co-operative efforts in overall marine policy and programming objectives and needs at regional and subregional levels (e.g. for the Indian Ocean region with the competent international organizations, the Asian-African Legal Consultative Committee (AALCC) and interested Governments), to provide the necessary underpinning for regional programming initiatives such as those of ECLAC and ECA, or to assist in the preparation of studies on particular maritime issues (for instance, the study on regional co-operation for Asia and the Pacific).

113. The provision of information and advice must be envisaged as a two-way process, however, since developments at international and regional levels in the many different aspects of ocean law and policy formulation, through such organizations as UNEP, FAO, UNESCO/IOC and IMO are important to a broader understanding of the status of the Convention. The Office is therefore giving greater attention to the problems of general information exchange relating to the Convention. More attention will also be given in future issues of the Law of the Sea Bulletin to agreements and projects developed at regional and subregional levels and their relationships to the implementation of the Convention.

114. As a preliminary part of the publication of annotations to the Convention a listing entitled "Multilateral Treaties Dealing with the Law of the Sea" has been completed for publication.

IX. PROMOTIONAL ACTIVITIES

115. In executing its mandate to carry out promotional and educational activities that would enhance the acceptance and implementation of the Convention, the Office has continued to work closely with the Department of Public Information for the preparation of publicity materials. A comprehensive publication titled "A Quiet Revolution - The United Nations Convention on the Law of the Sea" was published in 1984 and presents the Convention and the achievements of the Conference in a form suitable for widespread dissemination.

116. The Official Records of the Third United Nations Conference on the Law of the Sea have been published up to volume XV. A special official publication (Sales No. E.83.V.5) containing the United Nations Convention on the Law of the Sea has proved to be much in demand and in addition to copies provided to delegations, more than 1,800 copies of the English version have been sold to date. This volume, containing the Convention and the Final Act of the Conference, also includes a comprehensive index prepared by the Office as a ready reference to the Convention and its related resolutions. The manner of indexing this document has also proved useful in establishing a data base for the computerized information system that is currently being developed (as referred to in para. 105 above).

X. LAW OF THE SEA BULLETIN

117. The Office of the Special Representative has also continued its publication of the Law of the Sea Bulletin series, which was started in 1983 and has been circulated periodically. The Bulletin covers developments relating to the Convention and is intended to keep States abreast of current information in that regard, and through them, governmental agencies dealing with maritime issues. It is also of interest to non-governmental organizations and institutions.

118. Relevant extracts of national legislation, regulations and related materials that have been obtained by this Office have been the subject of analysis and evaluation and have been included in the Bulletin with respect to the régimes for territorial seas, contiguous zones, exclusive economic zones, the continental shelf and fisheries. Since much of this legislation was only available in the original language of the national Government in each case, documents were translated informally for inclusion in the Bulletin. Every effort is being made to expedite the work involved by the Office to respond to the demand for issues of the Law of the Sea Bulletin. Demand for issues of the Bulletin exceeded anticipated levels and some issues had to be reprinted.

119. Apart from the information contained in the publications of the Office, specialized information needs and requests for advice have been handled on an ad hoc basis, including those on such technical matters as baselines, charts and lists of geographical co-ordinates. With the experience now accumulated, and in view of the heavy demands currently being made, more attention will consequently be given to the production of information products with as wide a utility as is feasible, given the inevitable variations in national and regional perspectives and requirements. Clearly, also, greater use can be made of specialized seminars, on

regional or other bases, to disseminate information and to assist Governments in their assessment of the complex and detailed legal, economic and technical implications of their acceptance of the Convention. A number of developing countries, particularly small island States and many States from the African region that are hampered by the lack of sufficient resources, expertise and information, would benefit from this.

XI. EDUCATIONAL ACTIVITIES

120. The activities carried out have included assistance rendered to educational institutions and scholars and participation in seminars and meetings. The assistance provided to institutions and scholars has been given with the intention of ensuring that they have access to detailed information as to what transpired in the negotiations, the interrelationship between the several parts of the Convention and relevant recent developments in implementing the Convention.

XII. FELLOWSHIP PROGRAMME

121. The activities pertaining to the fellowship programme have centred around the development of the Hamilton Shirley Amerasinghe Fellowship. This fellowship was launched in 1980. The voluntary contributions received so far have reached the targeted figure that would permit the award of one fellowship at least each year from the fund's income. ^{19/} These contributions included the award made by the Third World Foundation for Social and Economic Studies of its Third World Prize for 1983. In doing so, it recognized "that so vast and complex a multilateral instrument as the Law of the Sea Convention was the result of labours of many, among them the late Hamilton Shirley Amerasinghe of Sri Lanka, who for 12 years guided the deliberations of the international community, first as Chairman of the Sea-Bed Committee and then as President of the Third United Nations Conference on the Law of the Sea. The Committee also recognized the contributions of many other distinguished diplomats from many nations over the years as well as the dedicated service of the United Nations Secretariat of the Conference on the Law of the Sea". The income from the fund up to 30 June 1984 is \$7,946 and is expected to be adequate by the end of 1984 to offer at least one fellowship in 1985.

122. In response to inquiries made by the Special Representative of the Secretary-General for the Law of the Sea, several prestigious educational institutions have offered to participate in the fellowship programme and to provide facilities for selected fellows to further their studies and research in law of the sea at the post-graduate level. It is also intended to include a period of specialized training and research in the Office of the Special Representative as part of the programme. The rules and guidelines under which the fellowship will be awarded are presently being formulated. In formulating these and other modalities for the award of the fellowship, the Office of the Special Representative intends, in co-operation with the Office of Legal Affairs, to follow the appropriate practices of the United Nations under its Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law.

XIII. SERVICING OF THE PREPARATORY COMMISSION

123. The substantive aspects of the work of the Preparatory Commission and the results of the sessions are reflected in paragraphs 80 to 93 above. This part of the report covers only the conference-servicing aspect of the Preparatory Commission meetings.

124. As a transitional function under the programme on law of the sea affairs, the Office of the Special Representative functions as the core office responsible for the servicing of the Preparatory Commission.

125. Under the overall direction of the Special Representative, an Executive Secretary of the Preparatory Commission has been appointed, also Secretaries of each of the four Special Commissions, a Secretary of the Credentials Committee, and a Secretary of the Working Group of the plenary. The staff servicing the Preparatory Commission, in addition to the staff of the Office of the Special Representative includes staff from the Office of Legal Affairs and the Ocean Economics and Technology Branch of the Department of International Economic and Social Affairs (DIESA).

126. The Secretariat prepared background papers, draft rules and regulations for the Preparatory Commission and its subsidiary bodies for the two meetings of the Preparatory Commission held in 1984. These papers related to pioneer activities in sea-bed mining, draft rules for the registration of pioneer investors, the confidentiality of data and information, the rules of procedure of the Assembly of the International Sea-Bed Authority, the effects on developing land-based producer States of mining from the area and basic data and information relevant to the study of this problem, start-up requirements and preparatory measures for the establishment of the Enterprise, information on joint ventures, a series of issue-raising papers on the sea-bed mining code and draft regulations for sea-bed mining and practical arrangements for the establishment of the International Tribunal for the Law of the Sea and draft rules for the Tribunal.

127. At the second session of the Preparatory Commission held in Kingston, Jamaica, from 19 March to 13 April 1984, the plenary held 10 meetings, 5 meetings of its Working Group on the Organs of the Authority and 11 meetings of the Working Group of the Plenary on Resolution II. The General Committee held six meetings. Special Commission 1 held seven meetings and its bureau met on four occasions. Special Commission 2 held six meetings during the session. Special Commission 3 held eight meetings. Special Commission 4 held seven meetings and three meetings of its bureau. The Credentials Committee held one meeting.

128. At the meeting of the Preparatory Commission held in Geneva from 13 August to 5 September 1984, the plenary held one informal meeting and one informal meeting of the General Committee was held. The Working Group of the Plenary on Resolution II held four meetings and the Working Group on the Organs of the Authority held ten meetings. Special Commission 1 held nine meetings and its bureau met in working sessions on three occasions. There were nine meetings of Special Commission 2. Special Commission 3 held nine meetings. Special Commission 4 held 12 meetings and 3 meetings of its bureau in working sessions.

129. The Group of 77 met for three days preceding each of these meetings, for which the Secretariat provided the usual servicing.

130. The Preparatory Commission has scheduled two meetings for 1985. A regular session will be held in Kingston, Jamaica, from 11 March to 5 April 1985 and a four-week summer meeting will be held either in Geneva, Kingston or New York (see document LOS/PCN.27, annex I, sect. V, para. 1). The Group of 77 will meet prior to the third session, from 6 to 8 March 1985, and will also meet for three days before the summer meeting.

131. The Preparatory Commission requested the Secretariat to prepare several working papers, draft regulations and rules of procedure, and studies for its third session. The requirements of the Preparatory Commission are listed in the statement of the Chairman of the Preparatory Commission contained in document LOS/PCN/L.13. The Office is currently engaged in preparing these materials and for that purpose is co-operating with the Office of Legal Affairs and the Ocean Economics and Technology Branch of DIESA.

132. Letters of application submitted to the Preparatory Commission for registration of pioneer investors were received from the Governments of France and Japan, in addition to those already received from the Governments of India and the USSR. Annexed to each letter was a sealed package accompanying the applications, containing the data and other information relating to the application. These applications are in the custody, for safe keeping, of the Special Representative of the Secretary-General for the Law of the Sea in accordance with the decision of the Preparatory Commission.

133. This Office also co-ordinated all the other conference-servicing functions of the Preparatory Commission that were performed by other departments and offices of the United Nations, which included the Departments of Conference Services and Public Information, and the Office of General Services.

XIV. PROPOSED SITE OF THE INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA

134. The Special Representative and a Secretariat team, in response to an invitation extended, visited the Federal Republic of Germany from 11 to 14 September to discuss various requirements relating to the site proposed for the establishment of the Tribunal in the Free and Hanseatic City of Hamburg, as specified in the Convention. The Secretariat team, accompanied by the Federal and local authorities, inspected the site designated and reviewed models and preliminary designs of the permanent facilities proposed and the preparations made for the seat of the Tribunal.

XV. ADMINISTRATIVE MATTERS

135. In approving resolution 38/59 A, the General Assembly approved the establishment of the Office of the Special Representative as a permanent office and the continuation of the office in Kingston to facilitate the servicing of the

Preparatory Commission for the establishment of the International Sea-Bed Authority and the International Tribunal for the Law of the Sea. The staffing resources approved included the continuation of 18 Professional posts and 12 General Service and principal-level posts at United Nations Headquarters and six temporary Professional posts with 19 local-level posts for the Kingston office. The resources allocated to the Professional posts under the different subprogrammes of the office are mutually reinforcing (see document A/38/570, paras. 57 and 58).

136. In February/March 1984, the Office of the Special Representative, in conjunction with the General Recruitment Section of the Division of Recruitment of the Office of Personnel Services carried out a mission in Kingston to recruit the local-level staff required for the Kingston office. Fifteen local staff were recruited. The local-level staff have been continued through the end of 1984 and will be continued in 1985 on the basis of performance. In addition a number of local-level staff were recruited temporarily to assist in the servicing of the second session of the Preparatory Commission.

137. The recruitment procedures for the Professional staff of the Kingston office commenced in early 1984. However, some delay has been experienced in view of the need to comply with the recruitment procedures laid down in accordance with relevant resolutions of the General Assembly.

138. To obtain the necessary experience and to expedite the stationing of staff, some of the posts have been filled through transfers from other departments; in another case, to expedite the process of recruitment, the appointment has been made of a short-term duration; and other recruitments are being made from underrepresented nationalities. It is anticipated that the full complement of Professional staff will soon be in place.

139. The executive direction and management is provided by the Office of the Special Representative for both the headquarters office and the Office of the Special Representative in Kingston. This includes the management of the substantive work and also of the administrative and financial activities of the two offices.

Notes

1/ Those States were Algeria, Angola, Argentina, Brazil, Cape Verde, Chile, Costa Rica, Cuba, Finland, France, the German Democratic Republic, Greece, Guinea, Iran (Islamic Republic of), Iraq, Mali, Oman, the Philippines, Romania, Sao Tome and Principe, the Sudan, Sweden, Uruguay and Yemen.

2/ Those States were the Byelorussian Soviet Socialist Republic, the German Democratic Republic, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics and Uruguay.

3/ See also depositary notification C.N.7.1983.TREATIES-1.

4/ See also depositary notifications C.N.212.1983.TREATIES-12, C.N.348.1983.TREATIES-17 and C.N.253.1984.TREATIES-10.

Notes (continued)

5/ See also depositary notification C.N.272.1983.TREATIES-16.

6/ See also depositary notifications C.N.199.1984.TREATIES-6 and C.N.104.1984.TREATIES-3.

7/ States with a 12-mile territorial sea include Algeria, Antigua and Barbuda, Bangladesh, Barbados, Bulgaria, Burma, Canada, Cape Verde, China, Colombia, the Comoros, the Cook Islands, Costa Rica, Cuba, Cyprus, Democratic Kampuchea, Democratic Yemen, Dominica, Egypt, Equatorial Guinea, Ethiopia, Fiji, France, the Gambia, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Italy, the Ivory Coast, Jamaica, Japan, Kenya, Kuwait, the Libyan Arab Jamahiriya, Malaysia, Maldives, Malta, Mauritius, Mexico, Monaco, Morocco, Mozambique, Nauru, New Zealand, Niue, Oman, Pakistan, Papua New Guinea, Poland, Portugal, the Republic of Korea, Romania, Samoa, Sao Tome and Principe, Saudi Arabia, Seychelles, the Solomon Islands, South Africa, Spain, Sri Lanka, the Sudan, Suriname, Sweden, Thailand, Tonga, Trinidad and Tobago, Tunisia, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics, Vanuatu, Venezuela, Viet Nam, Yemen and Zaire.

8/ States with territorial seas greater than 12 nautical miles are Albania, Angola, Argentina, Benin, Brazil, Cameroon, the Congo, Ecuador, El Salvador, Gabon, Ghana, Liberia, Madagascar, Mauritania, Nicaragua, Nigeria, Panama, Senegal, Sierra Leone, Somalia, the Syrian Arab Republic, Togo, the United Republic of Tanzania and Uruguay.

9/ States with exclusive economic zones are Antigua and Barbuda, Bangladesh, Barbados, Burma, Cape Verde, Colombia, the Comoros, the Cook Islands, Costa Rica, Cuba, Democratic Kampuchea, the Democratic People's Republic of Korea, Democratic Yemen, Dominica, the Dominican Republic, Fiji, France, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Iceland, India, Indonesia, the Ivory Coast, Kenya, Madagascar, Maldives, Mauritania, Mauritius, Mexico, Morocco, Mozambique, New Zealand, Nigeria, Niue, Norway, Oman, Pakistan, the Philippines, Portugal, Qatar, Samoa, Sao Tome and Principe, Seychelles, the Solomon Islands, Spain, Sri Lanka, Suriname, Togo, Tonga, the Union of Soviet Socialist Republics, the United Arab Emirates, the United States of America, Vanuatu, Venezuela and Viet Nam.

10/ States with fisheries zones are Angola, Australia, the Bahamas, Canada, Chile, the Gambia, Germany, Federal Republic of, Guyana, Iran (Islamic Republic of), Ireland, Japan, Kiribati, Malta, Nauru, the Netherlands, Papua New Guinea, Senegal, South Africa, Turkey, Tuvalu and the United Kingdom of Great Britain and Northern Ireland.

11/ See the Decree of the Presidium of the Supreme Soviet of the Union of Soviet Socialist Republics on the Economic Zone of the USSR of 28 February 1984 and Presidential Proclamation No. 5030 on the Exclusive Economic Zone of the United States of America of 10 March 1983.

Notes (continued)

12/ See, inter alia, documents A/CONF.62/77 "Letter dated 24 April 1979 from the Chairman of the Group of 77 to the President of the Conference" and A/CONF.62/94 "Letter dated 10 October 1979 from the Chairman of the Group of 77 to the President of the Conference".

13/ International Court of Justice Judgement "Delimitation of the Maritime Boundary in the Gulf of Maine Area (Canada v. United States of America) of 12 October 1984" Special Agreement, art. II, para. 1, p. 9.

14/ Ibid., para. 94.

15/ Ibid., para. 241.

16/ United Nations Convention on the Law of the Sea, arts. 74, para. 1, and 83, para. 1.

17/ Official Records of the Third United Nations Conference on the Law of the Sea, vol. XIV (United Nations publication, Sales No. E.82.V.2), Third Committee, 46th meeting, para. 5.

18/ Official Records of the General Assembly, Thirty-seventh Session, Supplement No. 6A (A/37/6/Add.1), chap. 25, sect. I.

19/ The contributions received are: from Governments: Bahamas - \$500; Norway - \$10,000; Philippines - \$500; Sri Lanka - \$15,000; and United Arab Emirates - \$10,000; from institutions: the Third World Foundation for Social and Economic Studies - \$65,000; and from personal contributions: Ambassador Tommy T. B. Koh - \$500; Professor A. Pardo - \$5,000; Ambassador Elliot Richardson - \$500; Mr. Eric Suy - \$150; and Dr. Bernardo Zuleta - \$300.

ANNEX

Table of signatories to and ratifications of the
United Nations Convention on the Law of the Sea
and Final Act as at 31 October 1984

	Signature of the Convention <u>a/</u>	Ratification of the Convention
1. <u>States</u>		
Afghanistan	18/03/83	
Albania		
Algeria* <u>b/</u>	x	
Angola*	x	
Antigua and Barbuda	07/02/83	
Argentina*	05/10/84	
Australia	x	
Austria	x	
Bahamas	x	29/07/83
bahrain	x	
Bangladesh	x	
Barbados	x	
Belgium		
Belize	x	13/08/83
Benin	30/08/83	
Bhutan	x	
Bolivia		
Botswana		
Brazil*	x	
Brunei Darussalam		
Bulgaria	x	
Burkina Faso	x	
Burma	x	
Burundi	x	
Byelorussian SSR*	x	
Cameroon	x	
Canada	x	
Cape Verde*	x	
Central African Republic		
Chad	x	

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	Signature of the Convention <u>a/</u>	Ratification of the Convention
Chile*	x	
China	x	
Colombia	x	
Comoros		
Congo	x	
Costa Rica*	x	
Cuba* ** <u>c/</u>	x	15/08/84
Cyprus	x	
Czechoslovakia	x	
Democratic Kampuchea	01/07/83	
Democratic People's Republic of Korea	x	
Democratic Yemen	x	
Denmark	x	
Djibouti	x	
Dominica	28/03/83	
Dominican Republic	x	
Ecuador		
Egypt**	x	26/08/83
El Salvador		
Equatorial Guinea	30/01/84	
Ethiopia	x	
Fiji	x	10/12/82
Finland*	x	
France*	x	
Gabon	x	
Gambia	x	22/05/84
German Democratic Republic*	x	
Germany, Federal Republic of		
Ghana	x	07/06/83
Greece*	x	
Grenada	x	
Guatemala	08/07/83	
Guinea*	04/10/84	
Guinea-Bissau	x	
Guyana	x	
Haiti	x	
Holy See		
Honduras	x	
Hungary	x	
Iceland	x	

	Signature of the Convention <u>a/</u>	Ratification of the Convention
India	x	
Indonesia	x	
Iran (Islamic Republic of)*	x	
Iraq*	x	
Ireland	x	
Israel		
Italy		
Ivory Coast	x	26/03/84
Jamaica	x	21/03/83
Japan	07/02/83	
Jordan		
Kenya	x	
Kiribati		
Kuwait	x	
Lao People's Democratic Republic	x	
Lebanon		
Lesotho	x	
Liberia	x	
Libyan Arab Jamahiriya		
Liechtenstein		
Luxembourg		
Madagascar	25/02/83	
Malawi		
Malaysia	x	
Maldives	x	
Mali*	19/10/83	
Malta	x	
Mauritania	x	
Mauritius	x	
Mexico	x	18/03/83
Monaco	x	
Mongolia	x	
Morocco	x	
Mozambique	x	
Nauru	x	
Nepal	x	
Netherlands	x	
New Zealand	x	
Nicaragua		
Niger	x	

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	Signature of the Convention <u>a/</u>	Ratification of the Convention
Nigeria	x	
Norway	x	
Oman*	01/07/83	
Pakistan	x	
Panama	x	
Papua New Guinea	x	
Paraguay	x	
Peru		
Philippines* **	x	08/05/84
Poland	x	
Portugal	x	
Qatar		
Republic of Korea	14/03/83	
Romania*	x	
Rwanda	x	
Saint Christopher and Nevis		
Saint Lucia	x	
Saint Vincent and the Grenadines	x	
Samoa	28/09/84	
San Marino		
Sao Tome and Principe*	13/07/83	
Saudi Arabia		
Senegal	x	25/10/84
Seychelles	x	
Sierra Leone	x	
Singapore	x	
Solomon Islands	x	
Somalia	x	
South Africa		
Spain		
Sri Lanka	x	
Sudan*	x	
Suriname	x	
Swaziland	18/01/84	
Sweden*	x	
Switzerland	17/10/84	
Syrian Arab Republic		
Thailand	x	
Togo	x	
Tonga		

	Signature of the Convention <u>a/</u>	Ratification of the Convention
Trinidad and Tobago	x	
Tunisia	x	
Turkey		
Tuvalu	x	
Uganda	x	
Ukrainian SSR*	x	
Union of Soviet Socialist Republics*	x	
United Arab Emirates	x	
United Kingdom of Great Britain and Northern Ireland		
United Republic of Tanzania	x	
United States of America		
Uruguay*	x	
Vanuatu	x	
Venezuela		
Viet Nam	x	
Yemen*	x	
Yugoslavia	x	
Zaire	22/08/83	
Zambia	x	07/03/83
Zimbabwe	x	
Total for States	<u>136</u>	<u>13</u>
2. <u>Other entities d/</u>		
Cook Islands	x	
European Economic Community		
Namibia (United Nations Council for)	x	18/04/83
Niue		
Trust Territory of the Pacific Islands		
West Indies Associated States		
Total for other entities	<u>2</u>	<u>1</u>
Grand total	<u>138</u>	<u>14</u>

Notes

a/ Those States that signed the Convention on 10 December 1982 are marked x.

b/ Those States that have made declarations at the time of signature of the Convention are marked *.

c/ Those States that have made declarations at the time of ratification of the Convention are marked **.

d/ See articles 305 (1) (b), (c), (d), (e) and (f) of the Convention.
