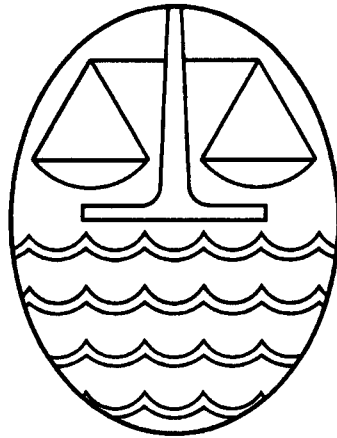


Division for Ocean Affairs and the Law of the Sea  
Office of Legal Affairs

# *Law of the Sea*



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## **NOTE**

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I. UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

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

1. Chronological list of ratifications, accessions and successions to the Convention and their regional groups, as of 29 February 1996<sup>1/</sup>

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

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

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

<sup>2/</sup> Accession to the Convention.



Number	Date of ratification/ accession/succession	State/Entity	Regional group
51	24 October 1991	Dominica	Latin America/Caribbean
52	21 September 1992	Costa Rica	Latin America/Caribbean
53	10 December 1992	Uruguay	Latin America/Caribbean
54	7 January 1993	Saint Kitts and Nevis	Latin America/Caribbean
55	24 February 1993	Zimbabwe	African
56	20 May 1993	Malta	Western European and Other
57	1 October 1993	Saint Vincent and the Grenadines	Latin America/Caribbean
58	5 October 1993	Honduras	Latin America/Caribbean
59	12 October 1993	Barbados	Latin America/Caribbean
60	16 November 1993	Guyana	Latin America/Caribbean
61	12 January 1994	Bosnia and Herzegovina <sup>3/</sup>	Eastern European
62	21 June 1994	Comoros	African
63	19 July 1994	Sri Lanka	Asian
64	25 July 1994	Viet Nam	Asian
65	19 August 1994	The former Yugoslav Republic of Macedonia <sup>3/</sup>	Eastern European
66	5 October 1994	Australia	Western European and Other
67	14 October 1994	Germany <sup>2/</sup>	Western European and Other
68	4 November 1994	Mauritius	African
69	17 November 1994	Singapore	Asian
70	12 December 1994	Sierra Leone	African
71	5 January 1995	Lebanon	Asian
72	13 January 1995	Italy	Western European and Other
73	15 February 1995	Cook Islands	Asia
74	5 April 1995	Croatia <sup>3/</sup>	Eastern European
75	25 April 1995	Bolivia	Latin America/Caribbean
76	16 June 1995	Slovenia <sup>3/</sup>	Eastern European

<sup>3/</sup> Succession.

Number	Date of ratification/ accession/succession	State/Entity	Regional group
77	29 June 1995	India	Asian
78	14 July 1995	Austria	Western European and Other
79	21 July 1995	Greece	Western European and Other
80	2 August 1995	Tonga <sup>2/</sup>	Asian
81	14 August 1995	Samoa	Asian
82	27 November 1995	Jordan <sup>2/</sup>	Asian
83	1 December 1995	Argentina	Latin America/Caribbean
84	23 January 1996	Nauru	Asian
85	29 January 1996	Republic of Korea	Asian

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

2. Alphabetical list of States Parties to the Convention

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

### 3. Argentina

#### Declaration made upon ratification

[Original: Spanish]

Carlos Saúl Menem  
President of the Argentine Nation

#### Whereas:

By Act No. 24.543, the United Nations Convention on the Law of the Sea, adopted in New York, United States of America, on 30 April 1982, and the Agreement concerning the Application of Part XI of the United Nations Convention on the Law of the Sea, adopted in New York, United States of America, on 28 July 1994, have been approved,

#### Therefore:

I hereby ratify, on behalf of and as the representative of the Argentine Government, the aforementioned Convention and Agreement, and make the following declarations:

(a) "With regard to those provisions of the Convention which deal with innocent passage through the territorial sea, it is the intention of the Government of the Argentine Republic to continue to apply the regime currently in force to the passage of foreign warships through the Argentine territorial sea, since that regime is totally compatible with the provisions of the Convention."

(b) "With regard to Part III of the Convention, the Argentine Government declares that in the Treaty of Peace and Friendship signed with the Republic of Chile on 29 November 1984, which entered into force on 2 May 1985 and was registered with the United Nations Secretariat in accordance with Article 102 of the Charter of the United Nations, <sup>4/</sup> both States reaffirmed the validity of article V of the Boundary Treaty of 1881 whereby the Strait of Magellan (Estrecho de Magallanes) is neutralized forever with free navigation assured for the flags of all nations. The aforementioned Treaty of Peace and Friendship also contains specific provisions and a special annex on navigation which includes regulations for vessels flying the flags of third countries in the Beagle Channel and other straits and channels of the Tierra del Fuego archipelago."

(c) "The Argentine Republic accepts the provisions on the conservation and management of the living resources of the high seas, but considers that they are insufficient, particularly the provisions relating to straddling fish stocks or highly migratory fish stocks, and that they should be supplemented by an effective and binding multilateral regime which, *inter alia*, would facilitate cooperation to prevent and avoid overfishing, and would permit the monitoring of the activities of fishing vessels on the high seas and of the use of fishing methods and gear.

"The Argentine Government, bearing in mind its priority interest in conserving the resources of its exclusive economic zone and the area of the high seas adjacent thereto, considers that, in accordance with the provisions of the Convention, where the same stock or stocks of associated species occur both within the exclusive economic zone and in the area of the high seas adjacent thereto, the Argentine Republic, as the coastal State, and other States fishing for such stocks in the area adjacent to its exclusive economic zone should agree upon the measures necessary for the conservation of those stocks or stocks of associated species in the high seas.

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<sup>4/</sup> United Nations, Treaty Series, vol. 1399, No. I-23392 (in press).

"Independently of this, it is the understanding of the Argentine Government that, in order to comply with the obligation laid down in the Convention concerning the conservation of the living resources in its exclusive economic zone and the area adjacent thereto, it is authorized to adopt, in accordance with international law, all the measures it may deem necessary for the purpose."

(d) "The ratification of the Convention by the Argentine Government does not imply acceptance of the Final Act of the Third United Nations Conference on the Law of the Sea. In that regard, the Argentine Republic, as in its written statement of 8 December 1982 (A/CONF.62/WS/35), places on record its reservation to the effect that resolution III, in annex I to the Final Act, in no way affects the 'Question of the Falkland Islands (Malvinas)', which is governed by the following specific resolutions of the General Assembly: 2065 (XX), 3160 (XXVIII), 31/49, 37/9, 38/12, 39/6, 40/21, 41/40, 42/19, 43/25, [and decisions] 44/406, 45/424, 46/406, 47/408 and 48/408, adopted within the framework of the decolonization process.

"In this connection, and bearing in mind that the Malvinas and the South Sandwich and South Georgia Islands form an integral part of Argentine territory, the Argentine Government declares that it neither recognizes nor will recognize the title of any other State, community or entity or the exercise by it of any right of maritime jurisdiction which is claimed to be protected under any interpretation of resolution III that violates the rights of Argentina over the Malvinas and the South Sandwich and South Georgia Islands and their respective maritime zones. Consequently, it likewise neither recognizes nor will recognize and will consider null and void any activity or measure that may be carried out or adopted without its consent with regard to this question, which the Argentine Government considers to be of major importance.

"The Argentine Government will accordingly interpret the occurrence of acts of the kind referred to above as contrary to the aforementioned resolutions adopted by the United Nations, the objective of which is the peaceful settlement of the sovereignty dispute concerning the islands by means of bilateral negotiations and through the good offices of the Secretary-General of the United Nations.

"The Argentine Republic reaffirms its legitimate and inalienable sovereignty over the Malvinas and the South Georgia and South Sandwich Islands and their respective maritime and island zones, which form an integral part of its national territory. The recovery of those territories and the full exercise of sovereignty, respecting the way of life of the inhabitants of the territories and in accordance with the principles of international law, constitute a permanent objective of the Argentine people that cannot be renounced.

"Furthermore, it is the understanding of the Argentine Republic that the Final Act, in referring in paragraph 42 to the Convention together with resolutions I to IV as forming an integral whole, is merely describing the procedure that was followed at the Conference to avoid a series of separate votes on the Convention and the resolutions. The Convention itself clearly establishes in article 318 that only the Annexes form an integral part of the Convention; thus, any other instrument or document, even one adopted by the Conference, does not form an integral part of the United Nations Convention on the Law of the Sea."

(e) "The Argentine Republic fully respects the right of free navigation as embodied in the Convention; however, it considers that the transit by sea of vessels carrying highly radioactive substances must be duly regulated.

"The Argentine Government accepts the provisions on prevention of pollution of the marine environment contained in Part XII of the Convention, but considers that, in the light of events subsequent to the adoption of that international instrument, the measures to prevent, control and minimize the effects of the pollution of the sea by noxious and potentially dangerous substances and highly active radioactive substances must be supplemented and reinforced."

(f) "In accordance with the provisions of article 287, the Argentine Government declares that it accepts, in order of preference, the following means for the settlement of disputes concerning the interpretation or

application of the Convention: (a) the International Tribunal for the Law of the Sea; (b) an arbitral tribunal constituted in accordance with Annex VIII for questions relating to fisheries, protection and preservation of the marine environment, marine scientific research, and navigation, in accordance with Annex VIII, article 1. The Argentine Government also declares that it does not accept the procedures provided for in Part XV, section 2, with respect to the disputes specified in article 298, paragraph 1 (a), (b) and (c)."

IN WITNESS WHEREOF, I have signed the present Instrument of Ratification authorized with the seal of the Republic and countersigned by the Minister for Foreign Affairs, International Trade and Worship,  
Mr. Guido José Mario DI TELLA.

DONE in Buenos Aires, Capital of the Argentine Republic, on 18 October 1995.

**(Signed) MENEM**

4. Turkey <sup>5/</sup>

Objection to the declaration made by Greece upon signature  
and ratification of the Convention

With respect to the declaration made by Greece upon deposit of instrument of ratification of the 1982 United Nations Convention on Law of the Sea, the Permanent Mission of Turkey to the United Nations, upon instructions from its Government, wishes to register the following declaration:

1. The signature and ratification of the Convention by Greece and the subsequent declaration in this regard shall neither prejudice nor affect the existing rights and legitimate interests of Turkey with respect to maritime jurisdiction areas in the Aegean. Turkey fully reserves its rights under international law.

Turkey wishes to state that it will not acquiesce in any claim or attempt designed to upset the long-standing status quo in this respect that would deprive Turkey of its existing rights and interests. Any unilateral act in this respect that would constitute an abuse of the provisions of the Convention would entail totally unacceptable consequences. Turkey has registered its opposition in this regard actively and persistently from the very outset.

2. In view of the interpretative statement of Greece concerning the provisions of the Convention on the Law of the Sea on the "Straits used for international navigation", Turkey wishes to reiterate its statement of 15 November 1982, contained in document A/CONF.62/WS/34, which remains fully valid at present and reads as follows:

"In connection with the views expressed by the Greek delegation in the written statement contained in document A/CONF.62/WS/26 of May 1982, the delegation of Turkey wishes to make the following statement:

"The scope of the regime of straits used for international navigation and the rights and duties of States bordering straits are clearly defined in the provisions contained in Part III of the Convention on the Law of the Sea. With the limited exceptions provided in articles 35, 36, 38, paragraph 1, and 45, all straits used for international navigation are subject to the regime of transit passage.

"In the written statement referred to above Greece is attempting to create a separate category of straits, i.e. 'spread out islands that form a great number of alternative straits', which is not envisaged in the Convention nor in international law. Thereby Greece wishes to retain the power to exclude some of the straits which link the Aegean Sea to the Mediterranean from the regime of transit passage. Such arbitrary action is not permissible under the Convention nor under the rules and principles of international law.

"It seems that Greece, failing in the Conference in its efforts to ensure the application of the regime of archipelagic States to the islands of the continental States, is now trying to circumvent the provisions of the Convention by a unilateral and arbitrary statement of understanding.

"The reference in the Greek written statement to article 36 is of particular concern as it is an indication of Greece's intention to exercise discretionary powers not only over straits, but also over high seas.

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<sup>5/</sup> Communicated by the Permanent Mission of Turkey to the United Nations in a note verbale dated 19 December 1995.

**"With regard to the air routes, the Greek statement is contrary to the International Civil Aviation Organization (ICAO) rules according to which air routes are established by ICAO regional meetings with the consent of all interested parties and approved by the ICAO Council.**

**"In view of the above considerations, the delegation of Turkey finds the Greek views expressed in the document A/CONF.62/WS/26 legally unfounded and totally unacceptable."**

**3. Turkey reserves its right to make further declarations as may be required under the circumstances in the future.**



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

**1. Alphabetical list of States having consented to be bound by the Agreement**

Argentina	Mauritius
Australia	Micronesia (Federated States of)
Austria	Namibia
Bahamas	Nauru
Barbados	Nigeria
Belize	Paraguay
Bolivia	Republic of Korea
Cook Islands	Samoa
Côte d'Ivoire	Senegal
Croatia	Seychelles
Cyprus	Sierra Leone
Fiji	Singapore
Germany	Slovenia
Greece	Sri Lanka
Grenada	The former Yugoslav Republic of Macedonia
Guinea	Togo
Iceland	Tonga
India	Trinidad and Tobago
Italy	Uganda
Jamaica	Yugoslavia
Jordan	Zambia
Kenya	Zimbabwe
Lebanon	

Total number of States as of 29 February 1996: 45

2. Table recapitulating the status of the Convention and of the Agreement, as of 29 February 1996

State or entity <sup>1/</sup>	United Nations Convention on the Law of the Sea Date of ratification / accession <sup>(a)</sup> / succession <sup>(s)</sup>	Agreement relating to the implementation of Part XI of the Convention			
		Resolution 48/263 (Vote)	Signature	Provisional application <sup>2/</sup> as of	Ratification; accession; <sup>(a)</sup> definitive signature; <sup>(s)</sup> participation <sup>(p)</sup>
Afghanistan *		Yes		16 November 1994	
Albania		Yes		16 November 1994	
Algeria *		Yes	29 July 1994	16 November 1994	
Andorra		Yes		16 November 1994	
Angola *	5 December 1990	-			
Antigua and Barbuda *	2 February 1989	-			
Argentina *	1 December 1995	Yes	29 July 1994	16 November 1994	1 December 1995
Armenia		Yes		16 November 1994	
Australia *	5 October 1994	Yes	29 July 1994	16 November 1994	5 October 1994
Austria *	14 July 1995	Yes	29 July 1994	16 November 1994	14 July 1995
Azerbaijan		-			
Bahamas *	29 July 1983	Yes	29 July 1994	16 November 1994	28 July 1995 <sup>3/</sup>
Bahrain *	30 May 1985	Yes		16 November 1994	
Bangladesh *		Yes		16 November 1994	

		<b>Agreement relating to the implementation of Part XI of the Convention</b>				
<b>State or entity <sup>1/</sup></b>	<b>United Nations Convention on the Law of the Sea</b>		<b>Resolution 48/263 (Vote)</b>	<b>Signature</b>	<b>Provisional application <sup>2/</sup> as of</b>	<b>Ratification; accession, definitive signature,<sup>(s)</sup> participation<sup>(p)</sup></b>
	<b>Date of ratification / accession <sup>(a)</sup> / succession <sup>(s)</sup></b>	<b>Resolution 48/263 (Vote)</b>				
Barbados *	12 October 1993	-	15 November 1994	16 November 1994	28 July 1995 <sup>2/</sup>	
Belarus *		Yes		16 November 1994		
Belgium *		Yes	29 July 1994	16 November 1994		
Belize *	13 August 1983	Yes		16 November 1994	21 October 1994 <sup>(s)</sup>	
Benin *		Yes		16 November 1994		
Bhutan *		Yes		16 November 1994		
Bolivia *	28 April 1995	Yes		16 November 1994	28 April 1995 <sup>(p)4/</sup>	
Bosnia and Herzegovina	12 January 1994 <sup>(s)</sup>	-				
Botswana *	2 May 1990	Yes		16 November 1994		
Brazil *	22 December 1988	Yes	29 July 1994	No		
Brunei Darussalam *		Yes		16 November 1994		
Bulgaria *		Yes		No		
Burkina Faso *		-	30 November 1994	30 November 1994		
Burundi *		Yes		16 November 1994		
Cambodia *		Yes		16 November 1994		

State or entity <sup>1/</sup>	United Nations Convention on the Law of the Sea Date of ratification / accession <sup>(a)</sup> / succession <sup>(s)</sup>	Agreement relating to the implementation of Part XI of the Convention			
		Resolution 48/263 (Vote)	Signature	Provisional application <sup>2/</sup> as of	Ratification; accession, <sup>(a)</sup> definitive signature; <sup>(s)</sup> participation <sup>(p)</sup>
Cameroon *	19 November 1985	Yes	24 May 1995	24 May 1995	
Canada *		Yes	29 July 1994	16 November 1994	
Cape Verde *	10 August 1987	Yes	29 July 1994	16 November 1994	
Central African Republic *		-			
Chad *		-			
Chile *		Yes		16 November 1994	
China *		Yes	29 July 1994	16 November 1994	
Colombia *		Abstain			
Comoros *	21 June 1994	-			
Congo *		Yes		16 November 1994	
<i>Cook Islands</i> * <sup>5/</sup>	15 February 1995			15 February 1995	15 February 1995 <sup>(a)</sup>
Costa Rica *	21 September 1992	-			
Côte d'Ivoire *	26 March 1984	Yes	25 November 1994	16 November 1994	28 July 1995 <sup>3/</sup>
Croatia	5 April 1995 <sup>(s)</sup>	-		5 April 1995	5 April 1995 <sup>(p)4/</sup>
Cuba *	15 August 1984	Yes		16 November 1994	

		<b>Agreement relating to the implementation of Part XI of the Convention</b>			
<b>State or entity <sup>1/</sup></b>	<b>United Nations Convention on the Law of the Sea Date of ratification / accession <sup>(a)</sup> / succession <sup>(s)</sup></b>	<b>Resolution 48/263 (Vote)</b>	<b>Signature</b>	<b>Provisional application <sup>2/</sup> as of</b>	<b>Ratification; accession, <sup>(a)</sup> definitive signature, <sup>(s)</sup> participation <sup>(p)</sup></b>
Cyprus *	12 December 1988	Yes	1 November 1994	27 July 1995	27 July 1995
Czech Republic *		Yes	16 November 1994	16 November 1994	
Democratic People's Republic of Korea *		-			
Denmark *		Yes	29 July 1994	No	
Djibouti *	8 October 1991	-			
Dominica *	24 October 1991	-			
Dominican Republic *		-			
Ecuador		-			
Egypt *	26 August 1983	Yes	22 March 1995	16 November 1994	
El Salvador *		-			
Equatorial Guinea *		-			
Eritrea		Yes		16 November 1994	
Estonia		Yes		16 November 1994	
Ethiopia *		Yes		16 November 1994	
<i>European Community</i> *			29 July 1994	16 November 1994	

State or entity <sup>1/</sup>	United Nations Convention on the Law of the Sea Date of ratification / accession <sup>(a)</sup> / succession <sup>(s)</sup>	Agreement relating to the implementation of Part XI of the Convention			
		Resolution 48/263 (Vote)	Signature	Provisional application <sup>2/</sup> as of	Ratification; accession; <sup>(a)</sup> definitive signature; <sup>(s)</sup> participation <sup>(p)</sup>
Fiji *	10 December 1982	Yes	29 July 1994	16 November 1994	28 July 1995
Finland *		Yes	29 July 1994	16 November 1994	
France *		Yes	29 July 1994	16 November 1994	
Gabon *		Yes	4 April 1995	16 November 1994	
Gambia *	22 May 1984	-			
Georgia		-			
Germany	14 October 1994 <sup>(a)</sup>	Yes	29 July 1994	16 November 1994	14 October 1994
Ghana *	7 June 1983	Yes		16 November 1994	
Greece *	21 July 1995	Yes	29 July 1994	16 November 1994	21 July 1995
Grenada *	25 April 1991	Yes	14 November 1994	16 November 1994	28 July 1995 <sup>3/</sup>
Guatemala *		-			
Guinea *	6 September 1985	-	26 August 1994	16 November 1994	28 July 1995 <sup>3/</sup>
Guinea-Bissau *	25 August 1986	-			
Guyana *	16 November 1993	Yes		16 November 1994	
Haiti *		-			

		<b>Agreement relating to the implementation of Part XI of the Convention</b>			
<b>State or entity</b> <sup>1/</sup>	<b>United Nations Convention on the Law of the Sea</b> Date of ratification / accession <sup>(a)</sup> / succession <sup>(s)</sup>	<b>Resolution 48/263 (Vote)</b>	<b>Signature</b>	<b>Provisional application <sup>2/</sup> as of</b>	<b>Ratification; accession, <sup>(a)</sup> definitive signature; participation <sup>(p)</sup></b>
<i>Holy See</i> <sup>5/</sup>					
Honduras *	5 October 1993	Yes		16 November 1994	
Hungary *		Yes		16 November 1994	
Iceland *	21 June 1985	Yes	29 July 1994	16 November 1994	28 July 1995 <sup>2/</sup>
India *	29 June 1995	Yes	29 July 1994	16 November 1994	29 June 1995
Indonesia *	3 February 1986	Yes	29 July 1994	16 November 1994	
Iran (Islamic Republic of) *		Yes		No	
Iraq *	30 July 1985	Yes		16 November 1994	
Ireland *		Yes	29 July 1994	No	
Israel		-			
Italy *	13 January 1995	Yes	29 July 1994	16 November 1994	13 January 1995
Jamaica *	21 March 1983	Yes	29 July 1994	16 November 1994	28 July 1995 <sup>2/</sup>
Japan *		Yes	29 July 1994	16 November 1994	
Jordan	27 November 1995 <sup>(a)</sup>	Yes		27 November 1995	27 November 1995 <sup>(p)4/</sup>
Kazakhstan		-			

State or entity <sup>1/</sup>	United Nations Convention on the Law of the Sea Date of ratification / accession <sup>(a)</sup> / succession <sup>(s)</sup>	Agreement relating to the implementation of Part XI of the Convention			
		Resolution 48/263 (Vote)	Signature	Provisional application <sup>2/</sup> as of	Ratification; accession; <sup>(a)</sup> definitive signature; participation <sup>(s)</sup>
Kenya *	2 March 1989	Yes		16 November 1994	29 July 1994 <sup>(s)</sup>
<i>Kiribati</i> <sup>5/</sup>					
Kuwait *	2 May 1986	Yes		16 November 1994	
Kyrgyzstan		-			
Lao People's Democratic Republic *		Yes	27 October 1994	16 November 1994	
Latvia		-			
Lebanon *	5 January 1995	-		5 January 1995	5 January 1995 <sup>(p)4/</sup>
Lesotho *		-			
Liberia *		-			
Libyan Arab Jamahiriya *		Yes		16 November 1994	
Liechtenstein *		Yes		16 November 1994	
Lithuania		-			
Luxembourg *		Yes	29 July 1994	16 November 1994	
Madagascar *		Yes		16 November 1994	
Malawi *		-			



		Agreement relating to the implementation of Part XI of the Convention			
State or entity <sup>1/</sup>	United Nations Convention on the Law of the Sea Date of ratification / accession <sup>(a)</sup> / succession <sup>(s)</sup>	Resolution 48/263 (Vote)	Signature	Provisional application <sup>2/</sup> as of	Ratification; accession; <sup>(a)</sup> definitive signature; participation <sup>(p)</sup> <sup>(s)</sup>
Malaysia *		Yes	2 August 1994	16 November 1994	
Maldives *		Yes	10 October 1994	16 November 1994	
Mali *	16 July 1985	-			
Malta *	20 May 1993	Yes	29 July 1994	16 November 1994	
Marshall Islands	9 August 1991 <sup>(a)</sup>	Yes		16 November 1994	
Mauritania *		-	2 August 1994	16 November 1994	
Mauritius *	4 November 1994	Yes		16 November 1994	4 November 1994 <sup>(p)4/</sup>
Mexico *	18 March 1983	Yes		No	
Micronesia (Fed. States of)	29 April 1991 <sup>(a)</sup>	Yes	10 August 1994	16 November 1994	6 September 1995
Monaco *		Yes	30 November 1994	16 November 1994	
Mongolia *		Yes	17 August 1994	16 November 1994	
Morocco *		Yes	19 October 1994	No	
Mozambique *		Yes		16 November 1994	
Myanmar *		Yes		16 November 1994	
Namibia *	18 April 1983	Yes	29 July 1994	16 November 1994	28 July 1995 <sup>3/</sup>

		<b>Agreement relating to the implementation of Part XI of the Convention</b>			
<b>State or entity 1/</b>	<b>United Nations Convention on the Law of the Sea Date of ratification / accession (a) / succession (s)</b>	<b>Resolution 48/263 (Vote)</b>	<b>Signature</b>	<b>Provisional application 2/ as of</b>	<b>Ratification; accession; (a) definitive signature; (s) participation (b)</b>
<i>Nauru</i> * 5/	23 January 1996			23 January 1996	23 January 1996 (b) 4/
<i>Nepal</i> *		Yes		16 November 1994	
<i>Netherlands</i> *		Yes	29 July 1994	16 November 1994	
<i>New Zealand</i> *		Yes	29 July 1994	16 November 1994	
<i>Nicaragua</i> *		Abstain			
<i>Niger</i> *		-			
<i>Nigeria</i> *	14 August 1986	Yes	25 October 1994	16 November 1994	28 July 1995 3/
<i>Niue</i> * 5/					
<i>Norway</i> *		Yes		16 November 1994	
<i>Oman</i> *	17 August 1989	Yes		16 November 1994	
<i>Pakistan</i> *		Yes	10 August 1994	16 November 1994	
<i>Palau</i> *					
<i>Panama</i> *		Abstain			
<i>Papua New Guinea</i> *		Yes		16 November 1994	
<i>Paraguay</i> *	26 September 1986	Yes	29 July 1994	16 November 1994	10 July 1995

State or entity <sup>1/</sup>	United Nations Convention on the Law of the Sea Date of ratification / accession <sup>(a)</sup> / succession <sup>(s)</sup>	Agreement relating to the implementation of Part XI of the Convention			Ratification, accession, <sup>(a)</sup> definitive signature, <sup>(s)</sup> participation <sup>(p)</sup>
		Resolution 48/263 (Vote)	Signature	Provisional application <sup>2/</sup> as of	
Peru		Abstain			
Philippines *	8 May 1984	Yes	15 November 1994	16 November 1994	
Poland *		Yes	29 July 1994	23 February 1995	
Portugal *		Yes	29 July 1994	No	
Qatar *		Yes		16 November 1994	
Republic of Korea *	29 January 1996	Yes	7 November 1994	16 November 1994	29 January 1996
Republic of Moldova		Yes		16 November 1994	
Romania *		Yes		No	
Russian Federation *		Abstain		11 January 1995 <sup>6/</sup>	
Rwanda *		-			
Saint Kitts and Nevis *	7 January 1993	-			
Saint Lucia *	27 March 1985	-			
Saint Vincent and the Grenadines *	1 October 1993	-			
Samoa *	14 August 1995	Yes	7 July 1995	16 November 1994	14 August 1995 <sup>(p)4/</sup>
San Marino		-			

		Agreement relating to the implementation of Part XI of the Convention			
State or entity 1/	United Nations Convention on the Law of the Sea Date of ratification / accession (a) / succession (s)	Resolution 48/263 (Vote)	Signature	Provisional application 2/ as of	Ratification; accession; (a) definitive signature; (s) participation (p)
Sao Tome and Principe *	3 November 1987	-			
Saudi Arabia *		Yes		No	
Senegal *	25 October 1984	Yes	9 August 1994	16 November 1994	25 July 1995
Seychelles *	16 September 1991	Yes	29 July 1994	16 November 1994	15 December 1994
Sierra Leone *	12 December 1994	-		12 December 1994	12 December 1994 (p) 2/
Singapore *	17 November 1994	Yes		16 November 1994	17 November 1994 (p) 4/
Slovakia *		Yes	14 November 1994	16 November 1994	
Slovenia	16 June 1995 (s)	Yes	19 January 1995	16 June 1995	16 June 1995
Solomon Islands *		-		8 February 1995 5/	
Somalia *	24 July 1989	-			
South Africa *		Yes	3 October 1994	16 November 1994	
Spain *		Yes	29 July 1994	No	
Sri Lanka *	19 July 1994	Yes	29 July 1994	16 November 1994	28 July 1995 3/
Sudan *	23 January 1985	Yes	29 July 1994	16 November 1994	
Suriname *		Yes		16 November 1994	

State or entity <sup>1/</sup>		United Nations Convention on the Law of the Sea		Agreement relating to the implementation of Part XI of the Convention			Ratification; accession, <sup>(a)</sup> definitive signature, <sup>(s)</sup> participation <sup>(p)</sup>
		Date of ratification / accession <sup>(a)</sup> / succession <sup>(s)</sup>	Resolution 48/263 (Vote)	Signature	Provisional application <sup>2/</sup> as of		
Swaziland *			-	12 October 1994	16 November 1994		
Sweden *			Yes	29 July 1994	No		
Switzerland * <sup>5/</sup>			-	26 October 1994	16 November 1994		
Syrian Arab Republic			-				
Tajikistan			-				
Thailand *			Abstain				
The former Yugoslav Republic of Macedonia		19 August 1994 <sup>(s)</sup>	-		16 November 1994		19 August 1994 <sup>(p)4/</sup>
Togo *		16 April 1985	Yes	3 August 1994	16 November 1994		28 July 1995 <sup>3/</sup>
Tonga <sup>5/</sup>		2 August 1995 <sup>(a)</sup>			2 August 1995		2 August 1995 <sup>(p)4/</sup>
Trinidad and Tobago *		25 April 1986	Yes	10 October 1994	16 November 1994		28 July 1995 <sup>3/</sup>
Tunisia *		24 April 1985	Yes	15 May 1995	16 November 1994		
Turkey			-				
Turkmenistan			-				
Tuvalu * <sup>5/</sup>							
Uganda *		9 November 1990	Yes	9 August 1994	16 November 1994		28 July 1995 <sup>3/</sup>

		<b>Agreement relating to the implementation of Part XI of the Convention</b>			
<b>State or entity <sup>1/</sup></b>	<b>United Nations Convention on the Law of the Sea Date of ratification / accession <sup>(a)</sup> / succession <sup>(s)</sup></b>	<b>Resolution 48/263 (Vote)</b>	<b>Signature</b>	<b>Provisional application <sup>2/</sup> as of</b>	<b>Ratification; accession, <sup>(a)</sup> definitive signature, <sup>(s)</sup> participation <sup>(p)</sup></b>
Ukraine *		Yes	28 February 1995	16 November 1994	
United Arab Emirates *		Yes		16 November 1994	
United Kingdom		Yes	29 July 1994	16 November 1994	
United Republic of Tanzania *	30 September 1985	Yes	7 October 1994	16 November 1994	
United States of America		Yes	29 July 1994	16 November 1994	
Uruguay *	10 December 1992	Yes	29 July 1994	No	
Uzbekistan		-			
Vanuatu *		Yes	29 July 1994	16 November 1994	
Venezuela		Abstain			
Viet Nam *	25 July 1994	Yes			
Yemen *	21 July 1987	-		16 November 1994	
Yugoslavia *	5 May 1986	-	12 May 1995	12 May 1995	28 July 1995 <sup>3/</sup>

		Agreement relating to the implementation of Part XI of the Convention			
State or entity <sup>1/</sup>	United Nations Convention on the Law of the Sea Date of ratification / accession <sup>(a)</sup> / succession <sup>(s)</sup>	Resolution 48/263 (Vote)	Signature	Provisional application <sup>2/</sup> as of	Ratification; accession, <sup>(a)</sup> definitive signature, <sup>(s)</sup> participation <sup>(p)</sup>
Zaire *	17 February 1989	-			
Zambia *	7 March 1983	-	13 October 1994	16 November 1994	28 July 1995 <sup>3/</sup>
Zimbabwe *	24 February 1993	Yes	28 October 1994	16 November 1994	28 July 1995 <sup>3/</sup>
<b>TOTALS:</b>	85	121/0/7	79	126	45

NOTES

- <sup>1/</sup> States or entities which have signed the United Nations Convention on the Law of the Sea are indicated by an asterisk (\*).
- <sup>2/</sup> "No" refers to States or entities which had consented to the adoption of the Agreement or had signed it, but notified the depositary in writing that they would not apply the Agreement provisionally in accordance with its article 7, paragraph 1(a) or (b).
- <sup>3/</sup> State bound by the Agreement under the simplified procedure set out in article 5 of the Agreement.
- <sup>4/</sup> State bound by the Agreement by having ratified, acceded or succeeded to the Convention under article 4, paragraph 1, of the Agreement.
- <sup>5/</sup> Non-member State of the United Nations.
- <sup>6/</sup> By notification in accordance with article 7, paragraph 1(c), of the Agreement.

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

1. Alphabetical list of States signatories to the Agreement

<u>State</u>	<u>Date of signature</u>
1. Argentina	4 December 1995
2. Australia	4 December 1995
3. Bangladesh	4 December 1995
4. Belize	4 December 1995
5. Brazil	4 December 1995
6. Canada	4 December 1995
7. Côte d'Ivoire	24 January 1996
8. Egypt	5 December 1995
9. Fiji	4 December 1995
10. Guinea-Bissau	4 December 1995
11. Iceland	4 December 1995
12. Indonesia	4 December 1995
13. Israel	4 December 1995
14. Jamaica	4 December 1995
15. Marshall Islands	4 December 1995
16. Mauritania	21 December 1995
17. Micronesia	4 December 1995
18. Morocco	4 December 1995
19. New Zealand	4 December 1995
20. Niue	4 December 1995
21. Norway	4 December 1995
22. Pakistan	15 February 1996
23. Papua New Guinea	4 December 1995
24. Russian Federation	4 December 1995
25. Saint Lucia	12 December 1995
26. Samoa	4 December 1995
27. Senegal	4 December 1995
28. Tonga	4 December 1995
29. Ukraine	4 December 1995
30. United Kingdom <sup>1/</sup>	4 December 1995
31. United States of America	4 December 1995
32. Uruguay	16 January 1996

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<sup>1/</sup> On behalf of Bermuda, British Indian Ocean Territory, the British Virgin Islands, Falkland Islands, Pitcairn Islands, South Georgia and the South Sandwich Islands, Saint Helena including Ascension Island, and the Turks and Caicos Islands.



2. Status of the Agreement as at 29 February 1996

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

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

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

State or entity <sup>1/</sup>	Final Act: Signature	Signature of the Agreement	Provisional application as of	Ratification; accession <sup>(2)</sup>
Jordan ♦				
Kazakhstan ♦				
Kenya ♦ ♦				
Kiribati <sup>2/</sup> ♦				
Kuwait ♦				
Kyrgyzstan				
Lao People's Democratic Republic				
Latvia ♦				
Lebanon ♦ ♦				
Lesotho ♦				
Liberia				
Libyan Arab Jamahiriya ♦				
Liechtenstein ♦				
Lithuania ♦				
Luxembourg ♦				
Madagascar ♦				
Malawi				
Malaysia ♦				
Maldives ♦				
Mali ♦ ♦				
Malta ♦ ♦				
Marshall Islands ♦ ♦	●	4 December 1995		
Mauritania ♦		21 December 1995		
Mauritius ♦ ♦				
Mexico ♦ ♦				
Micronesia (Federated States of) ♦ ♦	●	4 December 1995		
Monaco				
Mongolia				
Morocco ♦	●	4 December 1995		
Mozambique				

State or entity <sup>1/</sup>	Final Act: Signature	Signature of the Agreement	Provisional application as of	Ratification; accession <sup>(*)</sup>
Myanmar ♦				
Namibia ♦ ♦	●			
Nauru <sup>2/</sup>				
Nepal				
Netherlands ♦	●			
New Zealand ♦	●	4 December 1995		
Nicaragua ♦				
Niger ♦				
Nigeria ♦ ♦				
Niue <sup>2/</sup> ♦	●	4 December 1995		
Norway ♦	●	4 December 1995		
Oman ♦				
Pakistan ♦		15 February 1996		
Palau ♦				
Panama ♦				
Papua New Guinea ♦	●	4 December 1995		
Paraguay ♦				
Peru ♦	●			
Philippines ♦ ♦				
Poland ♦	●			
Portugal ♦	●			
Qatar ♦				
Republic of Korea ♦	●			
Republic of Moldova				
Romania ♦				
Russian Federation ♦	●	4 December 1995		
Rwanda				
Saint Kitts and Nevis ♦				
Saint Lucia ♦ ♦	●	12 December 1995		
Saint Vincent and the Grenadines ♦				

State or entity <sup>1/</sup>	Final Act: Signature	Signature of the Agreement	Provisional application as of	Ratification; accession <sup>(*)</sup>
Samoa ♦ ♦	●	4 December 1995		
San Marino				
Sao Tome and Principe ♦				
Saudi Arabia ♦				
Senegal ♦ ♦	●	4 December 1995		
Seychelles ♦ ♦				
Sierra Leone ♦ ♦				
Singapore ♦ ♦				
Slovakia				
Slovenia ♦				
Solomon Islands ♦				
Somalia ♦				
South Africa ♦				
Spain ♦	●			
Sri Lanka ♦ ♦				
Sudan ♦				
Suriname ♦				
Swaziland				
Sweden ♦	●			
Switzerland <sup>2/</sup> ♦				
Syrian Arab Republic ♦				
Tajikistan				
Thailand ♦				
The former Yugoslav Republic of Macedonia ♦				
Togo ♦ ♦				
Tonga <sup>2/</sup> ♦ ♦	●	4 December 1995		
Trinidad and Tobago ♦ ♦				
Tunisia ♦ ♦				
Turkey ♦				

State or entity <sup>1/</sup>	Final Act: Signature	Signature of the Agreement	Provisional application as of	Ratification; accession <sup>(a)</sup>
Turkmenistan				
Tuvalu <sup>2/</sup> ♦				
Uganda ♦ ♦				
Ukraine ♦	●	4 December 1995		
United Arab Emirates ♦				
United Kingdom ♦	●	4 December 1995 <sup>3/</sup>		
United Republic of Tanzania ♦ ♦				
United States of America ♦	●	4 December 1995		
Uruguay ♦ ♦	●	16 January 1996		
Uzbekistan				
Vanuatu ♦				
Venezuela ♦				
Viet Nam ♦ ♦				
Yemen ♦				
Yugoslavia ♦				
Zaire ♦				
Zambia ♦ ♦				
Zimbabwe ♦ ♦				

TOTALS:

51

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NOTES

<sup>1/</sup> ♦ States or *entities* which are Parties to the United Nations Convention on the Law of the Sea of 10 December 1982.

▨ Land-locked States.

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

<sup>2/</sup> Non-member State of the United Nations.

<sup>3/</sup> On behalf of Bermuda, British Indian Ocean Territory, the British Virgin Islands, Falkland Islands, Pitcairn Islands, South Georgia and the South Sandwich Islands, Saint Helena including Ascension Island, and the Turks and Caicos Islands.

3. Argentina

Declaration made in regard to the signature of the Agreement by the United Kingdom of Great Britain and Northern Ireland <sup>1/</sup>

The Argentine Republic rejects the inclusion of and reference to the Malvinas, South Georgian and South Sandwich Islands by the United Kingdom of Great Britain and Northern Ireland as dependent Territories in its signing of the [said] Agreement, and reaffirms its sovereignty over those islands, which form an integral part of its national territory, and over their surrounding maritime spaces.

The Argentine Republic recalls that the United Nations General Assembly has adopted resolutions 2065 (XX), 3160 (XXVIII), 31/49, 37/9, 39/6, 40/21, 41/40, 42/19 and 43/25, in which it recognizes the existence of a sovereignty dispute and requests the Governments of the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland to initiate negotiations with a view to finding the means to resolve peacefully and definitively the problems pending between both countries, including all aspects on the future of the Malvinas Islands, in accordance with the Charter of the United Nations.

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<sup>1/</sup> Communicated by the Government of Argentina on 4 December 1995.



4. Uruguay

Declaration made at the time of signature <sup>2/</sup>

1. The objective of the Agreement, as set out in article 2, is to establish an appropriate legal framework and a comprehensive and effective set of measures for the conservation and management of straddling fish stocks and highly migratory fish stocks.
2. The effectiveness of the regime established will depend, inter alia, on whether the conservation and management measures that are applied in areas beyond national jurisdiction take duly into account and are compatible with, those adopted by the relevant coastal States with respect to the same stocks in areas under their national jurisdiction, as provided for in article 7.
3. Among the biological characteristics of a fish stock as a factor of which special account must be taken in determining compatible conservation and management measures, in accordance with article 7, paragraph 2(d), Uruguay attaches particular importance to the reproduction period of the fish stock in question, in order to ensure a sound and balanced approach to protection.
4. Moreover, in order for the above-mentioned regime to be fully effective, in accordance with the objective and purpose of the Agreement, it is necessary to adopt emergency conservation and management measures, as stated in article 6, paragraph 7, where a serious threat exists to the survival of one or more straddling fish stocks or highly migratory fish stocks as a result of a natural phenomenon or human activity.
5. Uruguay is of the view that, if an inspection carried out by a port State on a fishing vessel which is voluntarily present in one of its ports reveals that there are evident grounds for believing that the said fishing vessel has been involved in an activity that is contrary to the sub-regional or regional conservation and management measures on the high seas, then, in exercise of its right and duty to cooperate in conformity with article 23 of the Agreement, the port State should so inform the flag State and request that it take over responsibility for the vessel for the purpose of ensuring compliance with the said measures.

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<sup>2/</sup> Communicated by the Government of Uruguay on 16 January 1996.

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

A. United Nations General Assembly resolutions of interest

1. General Assembly resolution 49/28 of 6 December 1994

Law of the sea <sup>1/</sup>

The General Assembly,

Conscious of the fundamental importance of the United Nations Convention on the Law of the Sea <sup>2/</sup> for the maintenance and strengthening of international peace and security,

Recognizing the universal character of the Convention and the establishment through it of a legal order for the seas and oceans which will facilitate international communication and promote the peaceful uses of the seas and oceans, the equitable and efficient utilization of their resources, the conservation of their living resources and the study, protection and preservation of the marine environment,

Considering that, in its resolution 2749 (XXV) of 17 December 1970, it proclaimed that the seabed and ocean floor, and the subsoil thereof, beyond the limits of national jurisdiction (hereinafter referred to as "the Area"), as well as the resources of the Area, are the common heritage of mankind, and considering also that the Convention provides the regime to be applied to the Area and its resources,

Welcoming the adoption on 28 July 1994 of the Agreement relating to the implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 <sup>3/</sup> (hereinafter referred to as "the Agreement"), aimed at facilitating universal participation in the Convention,

Recognizing that the entry into force of the Convention on 16 November 1994 marks an historic event in international relations and in the development of international law,

Welcoming also the holding of the first meeting of the International Seabed Authority at its headquarters in Jamaica,

Noting with satisfaction the convening, on 21 and 22 November 1994 in New York, of a meeting of States parties to the Convention concerning the establishment of the International Tribunal for the Law of the Sea,

Noting that the Agreement provides that the institutions established by the Convention should be cost-effective,

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<sup>1/</sup> Document A/RES/49/28.

<sup>2/</sup> Official Records of the Third United Nations Conference on the Law of the Sea, vol. XVII (United Nations publication, Sales No. E.84.V.3), document A/CONF.62/122.

<sup>3/</sup> General Assembly resolution 48/263, annex.

Noting also that the Agreement provides that the International Seabed Authority shall have its own budget and that the administrative expenses of the Authority shall initially be met from the regular budget of the United Nations, <sup>4/</sup> \_

Acknowledging that the International Seabed Authority is an autonomous organization under the Convention,

Emphasizing the principle stated in the Convention that the problems of ocean space are closely interrelated and need to be considered as a whole,

Convinced, therefore, of the importance of the annual consideration and review of the overall developments relating to the law of the sea by the General Assembly, as the global institution having the competence to undertake such a review,

Conscious of the strategic importance of the Convention as a framework for national, regional and global action in the marine sector, as recognized also by the United Nations Conference on Environment and Development in chapter 17 of Agenda 21, <sup>5/</sup> \_

Aware of the importance of the effective implementation of the Convention and its uniform and consistent application, as well as the need to promote harmonious interaction in the uses of the ocean and to create favourable conditions for peace and order in the oceans,

Recalling that in its resolution 37/66 of 3 December 1982 it approved the assumption by the Secretary-General of the responsibilities entrusted to him under the Convention and related resolutions of the Third United Nations Conference on the Law of the Sea, as well as the functions resulting therefrom which were subsequently elaborated in the report of the Secretary-General and approved by the General Assembly, <sup>6/</sup> \_

Noting the additional responsibilities of the Secretary-General arising from the entry into force of the Convention,

Recognizing the impact on States of the entry into force of the Convention in the light of the rights and obligations arising therefrom and the increasing needs of States, especially developing States, for advice and assistance in the implementation of the Convention and to develop and strengthen their capabilities in order to enable them to benefit fully from the legal regime for the seas and oceans established by the Convention,

Conscious of the need to promote and facilitate international cooperation, especially at subregional and regional levels, in order to ensure the orderly and sustainable development of the uses and resources of the seas and oceans,

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<sup>4/</sup> See General Assembly resolution 48/263, paragraph 8, and also Section 1, paragraph 14, of the Annex to the Agreement relating to the implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982.

<sup>5/</sup> Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992 (A/CONF.151/26/Rev.1 (Vol. I and Vol. I/Corr.1, Vol. II, Vol. III and Vol. III/Corr.1)) (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: Resolutions Adopted by the Conference, resolution 1, annex II.

<sup>6/</sup> A/38/570, paras. 41 and 42.

1. Recalls the historic significance of the United Nations Convention on the Law of the Sea as an important contribution to the maintenance of peace, justice and progress for all peoples of the world;
2. Expresses its profound satisfaction at the entry into force of the Convention;
3. Calls upon all States that have not done so to become parties to the Convention and the Agreement relating to the implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 in order to achieve the goal of universal participation;
4. Expresses its satisfaction at the establishment of the International Seabed Authority;
5. Welcomes the first meeting of States parties to the Convention concerning the establishment of the International Tribunal for the Law of the Sea;
6. Expresses its satisfaction also at the progress being made in the establishment of the International Tribunal for the Law of the Sea and the Commission on the Limits of the Continental Shelf;
7. Reaffirms the unified character of the Convention;
8. Calls upon States to harmonize their national legislation with the provisions of the Convention and to ensure consistent application of those provisions;
9. Requests the Secretary-General to implement its decision contained in paragraph 8 of resolution 48/263 of 28 July 1994, taking into account the decisions and recommendations of the Preparatory Commission for the International Seabed Authority and for the International Tribunal for the Law of the Sea (hereinafter referred to as "the Preparatory Commission");
10. Also requests the Secretary-General to provide, from within existing resources, such services as may be required for the meetings of States parties to the Convention and for the Commission on the Limits of the Continental Shelf;
11. Further requests the Secretary-General, from within existing resources, to convene a meeting of States parties relating to the organization of the International Tribunal for the Law of the Sea in New York from 15 to 19 May 1995 and, pursuant to the recommendations of the Preparatory Commission and the decision of the meeting of States parties of 22 November 1994, to designate before 16 May 1995 a United Nations staff member with secretariat support to be charged with making preparations of a practical nature for the organization of the Tribunal, including the establishment of a library;
12. Decides to undertake an annual review and evaluation of the implementation of the Convention and other developments relating to ocean affairs and the law of the sea;
13. Expresses its appreciation to the Secretary-General for his report of 16 November 1994, <sup>7/</sup> prepared pursuant to paragraph 24 of Assembly resolution 48/28 of 9 December 1993, and requests him to carry out the activities outlined therein, as well as those aimed at the strengthening of the legal regime of the seas and oceans;
14. Notes with appreciation the functions and role of the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the Secretariat, which has contributed to the wider acceptance and rational and consistent application of the provisions of the Convention;

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<sup>7/</sup> A/49/631 and Corr.1.

15. Requests the Secretary-General to continue to carry out the responsibilities entrusted to him upon the adoption of the Convention <sup>8/</sup> and to fulfil the functions consequent upon the entry into force of the Convention, in particular by:

(a) Preparing annually a comprehensive report, for the consideration of the Assembly, on developments relating to the law of the sea, taking into account relevant scientific and technological developments, which could also serve as a basis for reports to all States parties to the Convention, the International Seabed Authority and competent international organizations, and which the Secretary-General is required to provide under the Convention; <sup>9/</sup>

(b) Formulating recommendations for the consideration of, and for action by, the Assembly or other appropriate intergovernmental forums, and undertaking special studies, including through the convening of meetings of groups of experts, aimed at a better understanding of the provisions of the Convention and facilitating their effective implementation;

(c) Preparing periodically special reports on specific topics of current interest, including those requested by intergovernmental conferences and bodies, and providing secretariat services to such conferences in accordance with decisions of the Assembly;

(d) Strengthening the existing system for the collection, compilation and dissemination of information on the law of the sea and related matters and developing, in cooperation with the relevant international organizations, a centralized system with integrated databases for providing coordinated information and advice, inter alia, on legislation and marine policy, taking into account chapter 17, paragraph 17.117 (e), of Agenda 21, <sup>10/</sup> as well as establishing a system for notifying Member States and relevant international organizations and bodies of information of general interest submitted by States and intergovernmental bodies;

(e) Ensuring that the institutional capacity of the Organization can respond to requests of States, in particular developing States, and competent international organizations for advice and assistance and identify additional sources of support for national, subregional and regional efforts to implement the Convention, taking into account the special needs of developing countries; <sup>11/</sup>

(f) Establishing appropriate facilities, as required by the Convention, for the deposit by States of maps, charts and geographic coordinates concerning national maritime zones and establishing a system for their recording and publicity as part of an integrated programme on the law of the sea and ocean affairs, distinct from the usual depositary functions of the Secretary-General; <sup>12/</sup>

(g) Preparing for and convening the meetings of States parties to the Convention and providing the necessary services for such meetings, in accordance with the Convention; <sup>13/</sup>

(h) Preparing for the meetings of the Commission on the Limits of the Continental Shelf and providing the necessary services to the Commission, in accordance with the Convention; <sup>14/</sup>

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<sup>8/</sup> See General Assembly resolution 37/66.

<sup>9/</sup> Article 319 (2) (a) and 3 (a) (i) of the Convention.

<sup>10/</sup> See also chapter 17, para. 17.116, of Agenda 21.

<sup>11/</sup> See A/38/570, para. 42, and General Assembly resolution 48/28, para. 14.

<sup>12/</sup> See articles 16 (2), 47 (9), 75 (2), 76 (9) and 84 (2) of the Convention.

<sup>13/</sup> Article 319 (2) (e) of the Convention.

<sup>14/</sup> Article 76 (8) and Annex II of the Convention.

16. Also requests the Secretary-General to make the necessary arrangements within the integrated programme for administering and supporting the conciliation and arbitration procedures for the resolution of disputes, as required of him under the Convention; <sup>15/</sup>

17. Calls upon all States and competent international organizations to cooperate fully with the Secretary-General in the discharge of his mandate;

18. Invites the competent international organizations to assess the implications of the entry into force of the Convention in their respective fields of competence and to identify additional measures that may need to be taken as a consequence of its entry into force with a view to ensuring a uniform, consistent and coordinated approach to the implementation of the provisions of the Convention throughout the United Nations system; <sup>16/</sup>

19. Requests the Secretary-General to prepare a comprehensive report on the impact of the entry into force of the Convention on related existing or proposed instruments and programmes throughout the United Nations system, and to submit the report to the Assembly at its fifty-first session;

20. Invites the competent international organizations, as well as development and funding institutions, to take specific account in their programmes and activities of the impact of the entry into force of the Convention on the needs of States, especially developing States, for technical and financial assistance, and to support subregional or regional initiatives aimed at cooperation in the effective implementation of the Convention;

21. Invites Member States and others in a position to do so to contribute to the further development of the fellowship programme and educational activities on the law of the sea established by the Assembly in its resolution 35/116 of 10 December 1980;

22. Also requests the Secretary-General to take fully into account the requirements under the Convention and the present resolution in the preparation of an integrated programme on ocean affairs and the law of the sea, which should be duly reflected in the proposed programme budget for 1996-1997 and the medium-term plan for 1998-2003;

23. Further requests the Secretary-General to report, in accordance with paragraph 15 (a) above, to the Assembly annually as from its fiftieth session on developments pertaining to the implementation of the Convention, as well as on other developments relating to ocean affairs and the law of the sea, and on the implementation of the present resolution;

24. Decides to include in the provisional agenda of its fiftieth session the item entitled "Law of the sea".

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<sup>15/</sup> See Annexes V, VII and VIII of the Convention.

<sup>16/</sup> See chapter 17 of Agenda 21, in particular paras. 17.116 and 17.117.

2. General Assembly resolution 50/23 of 5 December 1995

Law of the sea<sup>1/</sup>

The General Assembly,

Emphasizing the universal character of the United Nations Convention on the Law of the Sea<sup>2/</sup> and its fundamental importance for the maintenance and strengthening of international peace and security, as well as for the sustainable use and development of the seas and oceans and their resources,

Considering that, in its resolution 2749 (XXV) of 17 December 1970, it proclaimed that the seabed and ocean floor, and the subsoil thereof, beyond the limits of national jurisdiction (hereinafter referred to as "the Area"), as well as the resources of the Area, are the common heritage of mankind, and considering also that the Convention, together with the Agreement relating to the implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982,<sup>3/</sup> provides the regime to be applied to the Area and its resources,

Recalling its resolution 49/28 of 6 December 1994 on the law of the sea, adopted consequent to the entry into force of the Convention on 16 November 1994,

Aware of the importance of the effective implementation of the Convention and its uniform and consistent application, as well as of the growing need to promote and facilitate international cooperation on the law of the sea and ocean affairs at the global, regional and subregional levels,

Conscious of the strategic importance of the Convention as a framework for national, regional and global action in the marine sector, as recognized also by the United Nations Conference on Environment and Development in chapter 17 of Agenda 21,<sup>4/</sup>

Recognizing the impact on States of the entry into force of the Convention and the increasing need, particularly of developing States, for advice and assistance in its implementation in order to benefit thereunder,

Noting the responsibilities of the Secretary-General and competent international organizations under the Convention, in particular pursuant to its entry into force and as required by resolution 49/28,

Reaffirming the importance of the annual consideration and review by the General Assembly of the overall developments pertaining to the implementation of the Convention, as well as of other developments relating to the law of the sea and ocean affairs,

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<sup>1/</sup> Document A/RES/50/23.

<sup>2/</sup> Official Records of the Third United Nations Conference on the Law of the Sea, vol. XVII (United Nations publication, Sales No. E.84.V.3), document A/CONF.62/122.

<sup>3/</sup> General Assembly resolution 48/263, annex.

<sup>4/</sup> Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992 (A/CONF.151/26/Rev.1 (Vol. I and Vol. I/Corr.1, Vol. II, Vol. III and Vol. III/Corr.1)) (United Nations publication, Sales No. E.93.I.8 and corrigenda), Vol. I: Resolutions Adopted by the Conference, resolution 1, annex II.

Noting the decisions taken by States parties to the Convention to convene meetings of States parties to deal with the initial budget and organizational and other related matters of the International Tribunal for the Law of the Sea in preparation for its establishment and the election of its members, <sup>5/</sup> as well as to prepare for and organize the election of the members of the Commission on the Limits of the Continental Shelf,

Noting also that the Assembly of the International Seabed Authority has concluded its first session and has scheduled two meetings of the Authority for 1996, from 11 March for up to three weeks, if necessary, and from 5 August for up to two weeks, in Kingston, <sup>6/</sup>

Noting further that the Assembly of the Authority requested arrangements for the interim secretariat of the Authority, authorizing the Secretary-General to administer the interim secretariat until the Secretary-General of the Authority is able to assume effectively the responsibility of the Authority's secretariat, <sup>7/</sup>

Recalling that the Agreement relating to the implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 provides that the institutions established by the Convention shall be cost-effective, <sup>8/</sup> and recalling also that the meeting of States parties to the Convention decided that this principle would apply to all aspects of the work of the Tribunal, <sup>9/</sup>

Emphasizing the importance of making adequate provisions for the efficient functioning of the institutions established by the Convention,

1. Calls upon all States that have not done so to become parties to the United Nations Convention on the Law of the Sea and to ratify, confirm formally or accede to the Agreement relating to the implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 in order to achieve the goal of universal participation;

2. Calls upon States to harmonize their national legislation with the provisions of the Convention and to ensure the consistent application of those provisions;

3. Reaffirms the unified character of the Convention;

4. Recalls its decision to fund the budget for the administrative expenses of the International Seabed Authority initially from the regular budget of the United Nations, in accordance with the provisions of the Agreement; <sup>10/</sup>

5. Approves the provision by the Secretary-General of such services as may be required for the two meetings of the Authority to be held in 1996, from 11 to 22 March and from 5 to 16 August;

6. Approves also the request of the Assembly of the Authority to continue the staff and facilities previously available to the Kingston Office for the Law of the Sea as the interim secretariat of the Authority, and authorizes the Secretary-General to administer the interim secretariat until the Secretary-General of the

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<sup>5/</sup> See SPLOS/4, para. 38.

<sup>6/</sup> See ISBA/A/L.7/Rev.1, para. 35.

<sup>7/</sup> See ISBA/A/L.5 and ISBA/A/L.7/Rev.1, para. 33.

<sup>8/</sup> See General Assembly resolution 48/263, annex: Annex to the Agreement, sect. 1, para. 2.

<sup>9/</sup> See SPLOS/4, para. 25 (e).

<sup>10/</sup> See General Assembly resolution 48/263, para. 8; and *ibid.*, annex: Annex to the Agreement, sect. 1, para. 14.



Authority is able to assume effectively the responsibility of the Authority's secretariat;

7. Requests the Secretary-General to convene the meetings of States parties to the Convention from 4 to 8 March, from 6 to 10 May and from 29 July to 2 August 1996;

8. Notes with appreciation the progress made in practical arrangements for the establishment of the International Tribunal for the Law of the Sea and in preparations for the establishment of the Commission on the Limits of the Continental Shelf;

9. Expresses its appreciation to the Secretary-General for the annual comprehensive report on the law of the sea <sup>11/</sup> and the activities of the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the Secretariat, in accordance with the provisions of the Convention and the mandate set forth in resolution 49/28;

10. Reaffirms the importance of ensuring the uniform and consistent application of the Convention and a coordinated approach to its effective implementation, and of strengthening technical cooperation and financial assistance for this purpose, stresses once again the continuing importance of the Secretary-General's efforts to these ends, and reiterates its invitation to the competent international organizations and other international bodies to support these objectives;

11. Requests the Secretary-General to ensure that the institutional capacity of the Organization adequately responds to the needs of States and competent international organizations by providing advice and assistance, taking into account the special needs of developing countries;

12. Invites Member States and others in a position to do so to contribute to the further development of the fellowship programme on the law of the sea and training and educational activities on the law of the sea and ocean affairs established by the Assembly in its resolution 35/116 of 10 December 1980, and advisory services in support of effective implementation of the Convention;

13. Requests the Secretary-General to report to the Assembly at its fifty-first session on the implementation of the present resolution, in connection with his annual comprehensive report on the law of the sea;

14. Decides to include in the provisional agenda of its fifty-first session the item entitled "Law of the sea".

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<sup>11/</sup> A/50/713.

3. General Assembly resolution 50/24 of 5 December 1995

Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks<sup>1/</sup>

The General Assembly,

Recalling its resolutions 47/192 of 22 December 1992, 48/194 of 21 December 1993 and 49/121 of 19 December 1994, concerning the United Nations Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks,

Taking note of resolutions I and II adopted by the Conference,<sup>2/</sup>

Recognizing the importance of the regular consideration and review of developments relating to the conservation and management of straddling fish stocks and highly migratory fish stocks,

Taking note also of the report of the Secretary-General of 12 October 1995 on the work of the Conference,<sup>3/</sup>

1. Expresses its appreciation to the United Nations Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks for discharging its mandate under resolution 47/192 with the adoption of the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks;<sup>4/</sup>
2. Welcomes the opening for signature of the Agreement on 4 December 1995;
3. Emphasizes the importance of the early entry into force and effective implementation of the Agreement;
4. Calls upon all States and the other entities referred to in article 1, paragraph 2 (b), of the Agreement that have not done so to sign and ratify or accede to it and to consider applying it provisionally;
5. Requests the Secretary-General to report to the General Assembly on developments relating to the conservation and management of straddling fish stocks and highly migratory fish stocks at its fifty-first session and biennially thereafter, taking into account information provided by States, relevant specialized agencies, in particular the Food and Agriculture Organization of the United Nations, and other appropriate organs, organizations and programmes of the United Nations system, regional and subregional organizations and arrangements for the conservation and management of straddling fish stocks and highly migratory fish stocks, as well as other relevant intergovernmental bodies and non-governmental organizations;

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<sup>1/</sup> Document A/RES/50/24.

<sup>2/</sup> A/50/550, annex II; see also A/CONF.164/38, annex.

<sup>3/</sup> A/50/550.

<sup>4/</sup> Ibid., annex I; see also A/CONF.164/37.

6. Also requests the Secretary-General to ensure that reporting on all major fisheries-related activities and instruments is effectively coordinated and duplication of activities and reporting minimized and that relevant scientific and technical studies are disseminated to the international community, and invites the relevant specialized agencies, including the Food and Agriculture Organization of the United Nations, as well as regional and subregional fisheries organizations and arrangements, to cooperate with the Secretary-General to that end;

7. Decides to include in the provisional agenda of its fifty-first session, under the item entitled "Law of the sea", a sub-item entitled "Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks".

4. General Assembly resolution 50/25 of 5 December 1995

Large-scale pelagic drift-net fishing and its impact on the living marine resources of the world's oceans and seas; unauthorized fishing in zones of national jurisdiction and its impact on the living marine resources of the world's oceans and seas; and fisheries by-catch and discards and their impact on the sustainable use of the world's living marine resources <sup>1/</sup>

The General Assembly,

Reaffirming its resolutions 44/225 of 22 December 1989, 45/197 of 21 December 1990 and 46/215 of 20 December 1991, as well as its decisions 47/443 of 22 December 1992, 48/445 of 21 December 1993 and 49/436 of 19 December 1994, on large-scale pelagic drift-net fishing and its impact on the living marine resources of the world's oceans and seas,

Recalling its resolution 49/116 of 19 December 1994 on unauthorized fishing in zones of national jurisdiction and its impact on the living marine resources of the world's oceans and seas,

Recalling also its resolution 49/118 of 19 December 1994 on fisheries by-catch and discards and their impact on the sustainable use of the world's living marine resources,

Recognizing the efforts that international organizations and members of the international community have made to reduce by-catch and discards in fishing operations,

Conscious of the need to promote and facilitate international cooperation, especially at the regional and subregional levels, in order to ensure the sustainable development and use of the living marine resources of the world's oceans and seas, consistent with the present resolution,

Noting that the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, <sup>2/</sup> adopted by the United Nations Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks, provides in its general principles that States shall minimize pollution, waste, discards, catch by lost or abandoned gear, catch of non-target species, both fish and non-fish species, and impacts on associated or dependent species, in particular endangered species, through measures including, to the extent practicable, the development and use of selective, environmentally safe and cost-effective fishing gear and techniques, and further provides that States shall take measures, including the establishment of regulations, to ensure that vessels flying their flags do not conduct unauthorized fishing within areas under the national jurisdiction of other States,

Noting also that the Food and Agriculture Organization of the United Nations has adopted a Code of Conduct for Responsible Fisheries, which sets out principles and global standards of behaviour for responsible practices to conserve, manage and develop fisheries, including guidelines for fishing on the high seas and in areas under the national jurisdiction of other States, and on fishing gear selectivity and practices, with the aim of reducing by-catch and discards,

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<sup>1/</sup> Document A/RES/50/25.

<sup>2/</sup> A/CONF.164/37; see also A/50/550, annex I.

Expressing deep concern at the detrimental impact of unauthorized fishing in areas under national jurisdiction, where the overwhelming proportion of the global fish catch is harvested, on the sustainable development of the world's fishery resources and on the food security and economies of many States, particularly developing States,

Reaffirming the rights and duties of coastal States to ensure proper conservation and management measures with respect to the living resources in areas under their national jurisdiction, in accordance with international law as reflected in the United Nations Convention on the Law of the Sea, <sup>3/</sup>

Taking note of the reports of the Secretary-General on large-scale pelagic drift-net fishing and its impact on the living marine resources of the world's oceans and seas, <sup>4/</sup> and unauthorized fishing in zones of national jurisdiction and its impact on the living marine resources of the world's oceans and seas, <sup>5/</sup>

Taking note also of the report of the Food and Agriculture Organization of the United Nations on fisheries by-catch and discards and their impact on the sustainable use of the world's living marine resources, <sup>6/</sup>

Acknowledging with appreciation the measures taken and the progress made by members of the international community, international organizations and regional economic integration organizations to implement and support the objectives of resolution 46/215,

Expressing deep concern that there are continuing reports of activities inconsistent with the terms of resolution 46/215 and unauthorized fishing inconsistent with the terms of resolution 49/116,

1. Reaffirms the importance it attaches to compliance with its resolution 46/215, in particular to those provisions of the resolution calling for full implementation of a global moratorium on all large-scale pelagic drift-net fishing on the high seas of the world's oceans and seas, including enclosed seas and semi-enclosed seas;
2. Urges all authorities of members of the international community to take greater enforcement responsibility to ensure full compliance with resolution 46/215 and to impose appropriate sanctions, consistent with their obligations under international law, against acts contrary to the terms of that resolution;
3. Calls upon States to take the responsibility, consistent with their obligations under international law as reflected in the United Nations Convention on the Law of the Sea and resolution 49/116, to take measures to ensure that no fishing vessels entitled to fly their national flags fish in areas under the national jurisdiction of other States unless duly authorized by the competent authorities of the coastal State or States concerned; such authorized fishing operations should be carried out in accordance with the conditions set out in the authorization;
4. Urges States, relevant international organizations and regional and subregional fisheries management organizations and arrangements to take action to adopt policies, apply measures, collect and exchange data and develop techniques to reduce by-catches, fish discards and post-harvest losses consistent with international law and relevant international instruments, including the Code of Conduct for Responsible Fisheries;

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<sup>3/</sup> Official Records of the Third United Nations Conference on the Law of the Sea, vol. XVII (United Nations publication, Sales No. E.84.V.3), document A/CONF.62/122.

<sup>4/</sup> A/50/553.

<sup>5/</sup> A/50/549.

<sup>6/</sup> A/50/552, annex.

5. Calls upon development assistance organizations to make it a high priority to support, including through financial and/or technical assistance, efforts of developing coastal States, in particular the least developed countries and the small island developing States, to improve the monitoring and control of fishing activities and the enforcement of fishing regulations;

6. Requests the Secretary-General to bring the present resolution to the attention of all members of the international community, relevant intergovernmental organizations, the organizations and bodies of the United Nations system, regional and subregional fisheries management organizations, and relevant non-governmental organizations, and invites them to provide the Secretary-General with information relevant to the implementation of the present resolution;

7. Also requests the Secretary-General to ensure that reporting on all major fisheries-related activities and instruments is effectively coordinated and duplication of activities and reporting minimized and that relevant scientific and technical studies are disseminated to the international community, and invites the relevant specialized agencies, including the Food and Agriculture Organization of the United Nations, as well as regional and subregional fisheries organizations and arrangements, to cooperate with the Secretary-General to that end;

8. Further requests the Secretary-General to submit to the General Assembly at its fifty-first session a report on further developments relating to the implementation of resolutions 46/215, 49/116 and 49/118, taking into account the information provided by States, relevant specialized agencies, in particular the Food and Agriculture Organization of the United Nations, and other appropriate organs, organizations and programmes of the United Nations system, regional and subregional organizations and arrangements and other relevant intergovernmental and non-governmental organizations;

9. Decides to include in the provisional agenda of its fifty-first session, under the item entitled "Law of the sea", a sub-item entitled "Large-scale pelagic drift-net fishing and its impact on the living marine resources of the world's oceans and seas; unauthorized fishing in zones of national jurisdiction and its impact on the living marine resources of the world's oceans and seas; and fisheries by-catch and discards and their impact on the sustainable use of the world's living marine resources".

B. Recent national legislation received from Governments

UKRAINE

Law of Ukraine on the exclusive (marine) economic zone of 16 May 1995 <sup>1/</sup>

[Original: Russian]

Taking into consideration the relevant provisions of the 1982 United Nations Convention on the Law of the Sea, Ukraine hereby adopts this Law establishing the legal framework for the exclusive (marine) economic zone of Ukraine.

Article 1

Legislation pertaining to the exclusive (marine) economic zone of Ukraine

The legislation pertaining to the exclusive (marine) economic zone of Ukraine consists of this Law and other relevant legislative instruments of Ukraine which regulate matters pertaining to the legal framework of the exclusive (marine) economic zone of Ukraine.

Article 2

Definition of the exclusive (marine) economic zone of Ukraine

The exclusive (marine) economic zone of Ukraine shall be comprised of maritime areas beyond and adjacent to the territorial sea of Ukraine, including areas surrounding islands belonging to Ukraine.

The breadth of the exclusive (marine) economic zone of Ukraine shall not exceed a distance of 200 nautical miles measured from the same baselines as the territorial sea of Ukraine.

Article 3

Delimitation of the exclusive (marine) economic zone of Ukraine

The delimitation of the exclusive (marine) economic zone between Ukraine and States with coasts opposite or adjacent to the coast of Ukraine shall be effected, taking into consideration the legislation of Ukraine, by agreement on the basis of the principles and criteria generally recognized under international law, in order to achieve an equitable solution.

Article 4

Sovereign rights and jurisdiction of Ukraine in the exclusive (marine) economic zone of Ukraine

In its exclusive (marine) economic zone, Ukraine shall have:

Sovereign rights for the purpose of exploring, exploiting and conserving the natural resources, whether living or non-living, situated on the seabed, in its subsoil and in the superjacent waters and sovereign rights with

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<sup>1/</sup> Communicated by the Permanent Mission of Ukraine to the United Nations in a note verbale dated 26 October 1995.

regard to the management of other activities for the economic exploration and exploitation of the zone, including the production of energy by the use of water, currents or wind;

Jurisdiction, as provided for in the relevant provisions of this Law and in the norms of international law, with regard to the establishment and use of artificial islands, installations and structures, marine scientific research and the protection and preservation of the marine environment;

Other rights provided for in this Law, in other relevant legislative instruments of Ukraine and in the generally recognized norms of international law.

The sovereign rights and jurisdiction of Ukraine with respect to the seabed of the exclusive (marine) economic zone of Ukraine and its subsoil shall be exercised in accordance with the legislation of Ukraine concerning the continental shelf of Ukraine and the Mineral Resources Code of Ukraine.

#### Article 5

##### Cooperation between Ukraine and other States

In order to ensure coordination in the management, protection, exploration and optimal use of the living resources and of scientific research and the protection and conservation of the marine environment in its exclusive (marine) economic zone, Ukraine shall cooperate with other States on the basis of international agreements.

#### Article 6

##### Rights and obligations of other States in the exclusive (marine) economic zone of Ukraine

Ukraine, in exercising its rights and fulfilling its obligations in the exclusive (marine) economic zone, shall take into consideration the rights and obligations of other States.

In the exclusive (marine) economic zone of Ukraine, all States, whether coastal or land-locked, shall enjoy, subject to the provisions of this Statute and other relevant legislative instruments of Ukraine, as well as the generally recognized norms of international law, the freedoms of navigation and overflight and of the laying of submarine cables and pipelines, and other internationally lawful uses of the sea related to those freedoms.

#### Article 7

##### Conservation and utilization of fish and other living resources

Ukraine shall ensure the optimum use of fish and other living resources in its exclusive (marine) economic zone through the adoption of proper conservation and management measures.

The harvesting of fish and of other living resources, as well as research, exploration and other operations connected with such harvesting, may be performed by foreign juridical or natural persons in the exclusive (marine) economic zone of Ukraine only on the basis of international agreements.

Foreign juridical or natural persons engaging in fishing in the exclusive (marine) economic zone of Ukraine in accordance with this article shall comply with the requirements for the conservation of fish and other living resources and with the other provisions and conditions established by this Law and by other relevant legislative instruments of Ukraine.



Article 8

Anadromous fish stocks

Ukraine shall exercise the rights stemming from its primary interest in and responsibility for anadromous fish stocks which originate in its rivers.

The competent Ukrainian authorities shall ensure the conservation of such anadromous stocks by the adoption of appropriate measures and by the establishment of rules regulating their fishing in the exclusive (marine) economic zone, including the establishment of total allowable catches, and, to this end, shall cooperate with the competent authorities of other States concerned if those fish stocks migrate beyond the limits of the exclusive (marine) economic zone of Ukraine.

Article 9

Enforcement of the legislation of Ukraine on the exclusive (marine) economic zone

In order to protect its sovereign rights with respect to the exploration, exploitation, conservation and management of the living resources in its exclusive (marine) economic zone, Ukraine shall adopt appropriate measures, including investigation, inspection, arrest and judicial proceedings, for the enforcement of the Ukrainian legislation.

The terms and conditions of the utilization of fish and other living resources of the exclusive (marine) economic zone shall be determined by the Cabinet of Ministers of Ukraine.

Article 10

Artificial islands, installations and structures

In its exclusive (marine) economic zone, Ukraine shall have the exclusive right to construct and to authorize and regulate the construction, operation and use of artificial islands, installations and structures for the purpose of conducting scientific research, exploration and exploitation of the natural resources and for other economic purposes in accordance with the legislation of Ukraine.

Article 11

Ukrainian jurisdiction over artificial islands, installations and structures

Ukraine shall have exclusive jurisdiction in its exclusive (marine) economic zone over artificial islands, installations and structures, including jurisdiction with regard to customs, fiscal, health, safety and immigration laws and regulations.

Ukraine may establish safety zones around such artificial islands, installations and structures and determine in these zones appropriate measures to ensure the safety both of navigation and of the artificial islands, installations and structures. The breadth of such safety zones shall not exceed a distance of 500 metres around them, measured from each point of their outer edge, except as authorized by generally recognized international standards or recommendations of the competent international organization.

## Article 12

### Maintenance and operation of artificial islands, installations and structures

Juridical or natural persons of Ukraine and of other States and international organizations responsible for the maintenance and operation of artificial islands, installations and structures shall provide for the maintenance in good working order of permanent means for giving warning of their presence.

Any installations, structures and equipment which are abandoned or disused shall be removed as soon as possible and to such an extent as to create no obstacle to navigation and fishing and no danger of polluting the marine environment.

The construction of artificial islands, the erection of installations and structures, the establishment of safety zones around them, as well as the complete or partial removal of these installations and structures, shall be announced as decided by the Cabinet of Ministers of Ukraine.

## Article 13

### Marine scientific research

Marine scientific research in the exclusive (marine) economic zone of Ukraine may be conducted only with the consent of the specially designated Ukrainian authorities in accordance with the legislation of Ukraine and with international treaties concluded by Ukraine.

Marine scientific research in the exclusive (marine) economic zone of Ukraine may be carried out by all States, regardless of their geographical location, by their juridical and natural persons and by international organizations, subject to compliance with the legislation of Ukraine.

In exercise of its jurisdiction, Ukraine shall have the right to regulate and authorize marine scientific research in its exclusive (marine) economic zone. The specially designated Ukrainian authorities shall grant their consent for marine scientific research in the exclusive (marine) economic zone of Ukraine on condition that this research is carried out exclusively for peaceful purposes and in order to increase scientific knowledge of the marine environment for the benefit of mankind and that it does not endanger the natural environment.

Ukraine may withhold its consent for marine scientific research to be carried out in its exclusive (marine) economic zone by other States, their juridical or natural persons, or international organizations if that research:

- (1) Is of direct significance for the exploration and exploitation of natural resources, whether living or non-living;
- (2) Involves drilling into the seabed, the use of explosives or the introduction of harmful substances into the marine environment;
- (3) Involves the construction, operation or use of artificial islands, installations and structures.

Foreign States, their juridical and natural persons, and competent international organizations which intend to conduct marine scientific research in the exclusive (marine) economic zone of Ukraine shall, not less than six months in advance of the expected starting date of the marine scientific research, provide the specially designated Ukrainian authorities with complete information about the nature and purpose of the research, the methodology and means to be employed, the precise geographic coordinates of the areas in which the research is to be carried out and other relevant data.

If the information provided is inaccurate, or the foreign State, its juridical or natural persons, or the competent international organization carrying out the research have outstanding obligations towards Ukraine stemming from previous marine scientific research, the specially designated Ukrainian authorities may withhold consent for such marine research.

#### Article 14

##### Conditions for the conduct of marine scientific research

Foreign States and their juridical and natural persons and international organizations which have received authorization from the competent Ukrainian authorities to conduct marine scientific research in the exclusive (marine) economic zone of Ukraine shall be obliged, when conducting such research, to comply with the following conditions:

- (1) To ensure the participation of representatives of Ukraine in the marine scientific research, especially on board scientific research vessels and other craft and on scientific research installations, and to provide the competent Ukrainian authorities, at their request, with preliminary reports and other materials and research results;
- (2) To provide for access by the specially designated Ukrainian authorities, at their request, to all data and samples derived from the marine scientific research and likewise to furnish them with materials which may be copied and samples which may be divided without detriment to their scientific value, and also to provide information containing an assessment of such data, samples and test results, or to render assistance in their analysis and interpretation;
- (3) Not to obstruct activity carried out in exercise of the sovereign rights and jurisdiction of Ukraine envisaged in articles 4, 7 and 8 of this Statute;
- (4) To inform the specially designated Ukrainian authorities immediately of any major change in the research programme;
- (5) Unless otherwise agreed, to remove the scientific research installations or equipment as quickly as possible once the research is completed.

#### Article 15

##### Prohibition (suspension) of marine scientific research

Marine scientific research in the exclusive (marine) economic zone which is conducted in violation of the provisions of articles 13 and 14 of this Statute may be temporarily prohibited (suspended) by the specially designated Ukrainian authorities. The decision to temporarily prohibit (suspend) research may be reversed by those authorities, and research may be resumed, as soon as the other State, its juridical and natural person or the international organization conducting the research eliminates the violation and provides guarantees that it will comply with the procedures set forth in this Law.

Marine scientific research in the exclusive (marine) economic zone of Ukraine which is conducted without the consent of the specially designated Ukrainian authorities, or with a departure from the provisions of article 13 of this Statute, or with a substantial departure from the original research plan, shall be liable to immediate termination.

Article 16

Prevention of pollution of the marine environment

The prevention of pollution of the marine environment resulting from activity in the exclusive (marine) economic zone shall be effected in accordance with the legislation of Ukraine and with international treaties concluded by Ukraine.

The specially designated Ukrainian authorities may, in the manner determined by the legislation of Ukraine, establish regulations for the prevention of pollution of the marine environment and for the safety of navigation, and enforce such regulations in areas with special natural characteristics, where pollution of the marine environment could cause major harm to or irreversible disturbance of the ecological balance.

Article 17

Sphere of competence of the designated Ukrainian authorities in the prevention of pollution of the marine environment

Where there are clear grounds for believing that a vessel navigating in the exclusive (marine) economic zone has committed a violation of the legislation of Ukraine or of applicable international regulations for the prevention of pollution of the marine environment, the specially designated Ukrainian authorities may require the vessel to provide the information necessary to establish whether a violation has occurred, and may undertake an inspection of the vessel if it has refused to provide the necessary information or if the information is at variance with the evident factual situation.

When there is clear objective evidence that a vessel navigating in the exclusive (marine) economic zone of Ukraine has committed a violation of the legislation of Ukraine or of the applicable international regulations mentioned in the first paragraph of this article through a discharge of polluting substances causing major damage or threat of major damage to the coastline or to interests of Ukraine relating to that coastline or to any resources of the exclusive (marine) economic zone, proceedings may be instituted in respect of this vessel in accordance with the legislation of Ukraine.

When a foreign vessel enters a Ukrainian port, the specially designated Ukrainian authorities may institute proceedings in respect of any violation of the laws of Ukraine or of norms of international law committed by the vessel in the exclusive (marine) economic zone of Ukraine.

If a collision of vessels, the stranding of a vessel or other maritime casualty occurring in the exclusive (marine) economic zone of Ukraine, or acts relating to such a casualty, may result in seriously harmful consequences for the coastline of Ukraine and related interests, including fishing, the specially designated authorities of Ukraine shall be entitled, pursuant to international law, to take the necessary measures to prevent pollution or the threat of pollution, taking into account the scale of the actual or threatened damage.

Article 18

Burial of wastes or other materials and objects

It is forbidden to bury wastes or other materials and objects within the limits of the exclusive (marine) economic zone of Ukraine.

Article 19

Right to pursue offenders

Where there is good reason to believe that a foreign ship has violated the provisions of this Law or other relevant legislative instruments of Ukraine and when it attempts to flee, the right to pursue the offender with a view to detaining the vessel and establishing the liability of the offender shall be exercised in the manner established by the Cabinet of Ministers of Ukraine. Such pursuit shall commence when the offending vessel or one of its boats is within the limits of the exclusive (marine) economic zone of Ukraine, after a signal to stop has been given, and shall cease as soon as the vessel enters the territorial waters of its own country or of a third State.

Article 20

Suppression of violations and detention of violators of the legislation pertaining to the exclusive (marine) economic zone of Ukraine

In response to the use of force and in certain exceptional cases, measures deemed necessary under the circumstances to suppress the violation and to detain the offenders shall be taken against vessels violating the legislation of Ukraine and of its exclusive (marine) economic zone, in accordance with the procedure established by the Cabinet of Ministers of Ukraine.

In cases of arrest or detention of foreign vessels, the relevant competent authorities shall promptly notify the flag State of the action taken and of any penalties subsequently imposed. Detained vessels and their crews shall be promptly released upon the posting of reasonable security.

Article 21

Liability for violations of the laws pertaining to the exclusive (marine) economic zone of Ukraine

Citizens of Ukraine, foreign nationals and stateless persons shall bear disciplinary, civil, administrative or criminal liability for violations of the laws pertaining to the exclusive (marine) economic zone of Ukraine in accordance with the legislation of Ukraine.

Juridical persons shall bear liability as established in articles 22 through 26 of this Law for violations of the laws pertaining to the exclusive (marine) economic zone of Ukraine.

The establishment of the liability of offenders in accordance with this Law shall not absolve them from their obligation, in accordance with the existing legislation of Ukraine, to compensate for damage caused by them to living and other resources in the exclusive (marine) economic zone of Ukraine.

Article 22

Unlawful fishing activity

Unlawful exploration or exploitation of the natural resources of the exclusive (marine) economic zone of Ukraine and the construction of artificial islands, installations and structures, as well as the establishment of safety zones around them without the consent of the specially designated Ukrainian authorities:

Shall be punishable by a fine of between 500 and 1,500 times the minimum monthly wage or by confiscation of the means and equipment used to commit the violation.

If the said violations have been repeated within a one-year period or have caused a casualty, destruction of a vessel, loss of property or significant pollution to the marine environment:

They shall be punishable by a fine of between 1,500 and 5,000 times the minimum monthly wage, and may be accompanied by confiscation of the means and equipment used to commit the violation.

Article 23

Violation of the regulations for the safe operation of structures

Failure to provide installations and other structures in the exclusive (marine) economic zone of Ukraine with permanent means for giving warning of their presence and a violation of the regulations pertaining to the maintenance of those means in good working order or of regulations pertaining to the removal of structures which have ceased to operate:

Shall be punishable by a fine of between 300 and 1,000 times the minimum monthly wage.

If the said violations have been repeated within a one-year period or have caused a casualty or the destruction of a vessel:

They shall be punishable by a fine of between 1,500 and 5,000 times the minimum monthly wage.

Article 24

Unlawful exploitation of natural resources

The unlawful extraction of natural resources from within the limits of the exclusive (marine) economic zone:

Shall be punishable by a fine of between 500 and 1,500 times the minimum monthly wage or by confiscation of the means and equipment used to commit the violation and the seizure without compensation of the unlawfully extracted resources.

If the said violations have been repeated within a one-year period or if they are extensive, or have caused considerable deterioration to the reproductive conditions of fish or of other living resources of the sea:

They shall be punishable by a fine of between 1,500 and 7,500 times the minimum monthly wage and by seizure without compensation of the unlawfully extracted resources, and may be accompanied by confiscation of the means and equipment used to commit the violation.

Article 25

Unlawful marine scientific research

The unlawful conduct of marine scientific research in the exclusive (marine) economic zone of Ukraine:

Shall be punishable by a fine of between 100 and 500 times the minimum monthly wage.

If the said violations have been repeated within a one-year period or have caused damage to the State interests of Ukraine:

They shall be punishable by a fine of between 1,500 and 3,000 times the minimum monthly wage.

Article 26

Unlawful pollution of the marine environment

The unlawful pollution by any method of the marine environment of the exclusive (marine) economic zone of Ukraine resulting from the discharge of substances harmful to human health or to the living resources of the sea, or of other wastes, materials and objects which may cause damage or obstruct other lawful forms of utilization of the sea, as well as any other violation of the regulations protecting against pollution of the marine environment:

Shall be punishable by a fine of between 750 and 1,500 times the minimum monthly wage or by confiscation of the sea-going vessel, aircraft or structure that caused the pollution.

If the said violations have been repeated within a one-year period or have caused harm to human health, to the living resources of the sea, or to recreational areas, or have prevented other lawful forms of utilization of the sea:

They shall be punishable by a fine of between 1,500 and 7,500 times the minimum monthly wage, and may be accompanied by confiscation of the vessel, aircraft or structure that caused the pollution.

Article 27

Bodies and officials authorized to impose sanctions

The right to impose the fines provided for in this Law shall be conferred:

For the violations provided for in the first paragraph of article 22, article 23 and the first paragraph of article 26, on the head of the relevant regional office of the Ministry of Environmental Protection and Nuclear Safety of Ukraine;

For the violations provided for in the first paragraph of article 24, on the protection bodies of the Ministry of Fisheries of Ukraine, represented by the head of the relevant basin office for the protection and reproduction of fishery resources and regulation of fishing;

For the violations provided for in the first paragraph of article 25, on the commander (master) of the vessel of the Border Forces of Ukraine which discovered the violation and detained the offender.

If the offender is detained at a location situated at a distance from the coastline, and has voluntarily agreed to pay the fine promptly, fines for the violations covered by the first paragraphs of articles 22, 24 and 26 and by article 23 shall be imposed by the commander (master) of the vessel of the Border Forces of Ukraine which discovered the violation and detained the offender.

The district (municipal) courts of the location where the offender was detained shall have the right to impose the fines provided for under the second paragraphs of articles 22, 24 and 26 and to effect confiscation as provided for in articles 22, 24 and 26 of this Law.

The decision to seize extracted resources without compensation shall be made by the body which is authorized to impose fines for the corresponding violation.

#### Article 28

##### Procedure and time limits for establishing liability

Officials of the Border Forces of Ukraine shall draw up an official report establishing that a violation has been committed, which together with the other documents pertaining to the case shall be sent, within three days of the date on which the violation was committed, to the body that is authorized to impose penalties. When confiscation is deemed appropriate, the above-mentioned documents shall be sent for consideration to the district (municipal) court of the location where the offender was detained.

Bodies authorized to impose penalties shall adopt decisions regarding the imposition of penalties within five days of receiving the documents mentioned in the first paragraph of this article. The decision shall be issued in the form of an official ruling of the relevant body or authorities.

In the cases provided for in the second paragraph of article 27, the imposition and levying of fines may occur directly at the location of the violation.

Legal proceedings in cases involving the violations provided for in this Law shall be conducted in the presence of representatives of the offender and the bodies responsible for protecting the exclusive (marine) economic zone of Ukraine.

#### Article 29

##### Appeal of decisions to impose penalties

Decisions to impose penalties adopted by the authorities mentioned in the first and second paragraphs of article 27 may be appealed, within 10 days following receipt of the ruling by the offender, at the district (municipal) court of the location of the authority concerned.

Decisions to impose fines and confiscate property that have been adopted by the relevant district (municipal) court may be appealed within 10 days following their public notification in the appropriate regional court and the municipal courts of Kyiv and Sevastopol.

#### Article 30

##### Execution of decisions establishing liability

Payment of fines that have been imposed in accordance with articles 22 to 26 of this Law shall be made in the currency that is in circulation in the territory of Ukraine.



Foreign legal entities shall pay fines in freely convertible currency calculated at the rate of exchange of the National Bank of Ukraine on the date of the violation.

Payment of fines by the offender shall take place on a voluntary basis within one month following the date of the violation, and in the case of an appeal, within one month following the date of the court's decision to deny the appeal.

If a fine is not paid within the time limit established under the third paragraph of this article, it shall be levied by the court in accordance with the procedures established under the existing legislation of Ukraine regarding the execution of judicial rulings that have entered into force.

If a fine is not paid within the time limit established for foreign juridical persons, the district (municipal) court may, upon notification by the relevant body responsible for protecting the exclusive (marine) economic zone, rule to impose in place of a fine the confiscation, in full or in part, of property that has been held or taken for safe keeping or of the financial resources of the juridical person that committed the offence.

The confiscation of property provided for in this Law shall be effected in accordance with the procedure established under existing legislation.

#### Article 31

##### Protection of the sovereign rights of Ukraine in the exclusive (marine) economic zone

The protection of the sovereign rights of Ukraine in the exclusive (marine) economic zone and verification that the rights and obligations of other States, and of Ukrainian and foreign legal entities and natural persons and international organizations in that zone are being fulfilled shall be carried out by the Border Forces of Ukraine, the bodies responsible for the protection of fisheries of the Ministry of Fisheries and the bodies of the Ministry of Environmental Protection and Nuclear Safety of Ukraine in accordance with the procedure established by the Cabinet of Ministers of Ukraine, taking into account the interests of other States in accordance with the norms of international law.

#### Article 32

##### International treaties

If the 1982 United Nations Convention on the Law of the Sea or an international treaty concluded by Ukraine has established norms other than those contained in this Statute, then the norms of the Convention or of the relevant treaty shall apply.

C. Communications from States

GERMANY

Démarche of 14 December 1994 by the German Embassy in Tehran concerning provisions of Iranian national law not compatible with international law of the sea <sup>1/</sup>

"The Embassy of the Federal Republic of Germany in Tehran presents its compliments to the Ministry of Foreign Affairs of the Islamic Republic of Iran and, on behalf of the European Union, has the honour to invite its attention to the following:

The European Union has examined the Act on the Marine Areas of the Islamic Republic of Iran in the Persian Gulf and in the Oman Sea adopted by the Islamic Republic of Iran on 2 May 1993. <sup>2/</sup> The Act refers, in the matter of baselines, to Decree No. 2/250-67 dated 31 Tir 1352 (22 July 1973) of the Council of Ministers.

The European Union notes that the Islamic Republic of Iran has employed the method of straight baselines along practically the entire coastline, even where it is not deeply indented and cut into and there is no fringe of islands along the coast in its immediate vicinity.

The European Union considers that although the United Nations Convention on the Law of the Sea, which entered into force on 16 November 1994, does not stipulate any maximum length for baseline segments, several of the segments where the straight baseline method has been employed by the Islamic Republic of Iran are excessively long.

The European Union would further recall that the islands may only be used in defining internal waters where they form part of a genuine system of straight baselines or where they constitute the line which delimits a bay.

It also notes that the Islamic Republic of Iran does not consider the passage of foreign vessels through its territorial sea to be innocent if they engage in any act aimed at collecting information prejudicial to the economic interests of the Islamic Republic of Iran (although article 19, paragraph 2 (c), of the United Nations Convention on the Law of the Sea merely refers to the collecting of information to the prejudice of the defence or security of the coastal State) or any act of pollution of the marine environment contrary to the rules and regulations of the Islamic Republic of Iran (although article 19, paragraph 2 (h), of the United Nations Convention on the Law of the Sea merely refers to any act of wilful and serious pollution contrary to this Convention); that the Islamic Republic of Iran is subjecting the entry into its territorial sea of warships, submarines, nuclear-powered ships and vessels or any other floating objects or vessels carrying nuclear or other dangerous or noxious substances harmful to the environment to prior authorization, and that the Islamic Republic of Iran prohibits any activity in its exclusive economic zone and continental shelf that is inconsistent with its rights and interests.

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<sup>1/</sup> Text communicated by the Permanent Mission of Germany to the United Nations in a note verbale dated 11 September 1995.

<sup>2/</sup> Law of the Sea Bulletin, No. 24 (1994), p. 10.

**The European Union considers that the aforementioned provisions of the Act of 2 May 1993 are not in conformity with the rules of international law, in particular articles 5, 7, 19, 56, 58 and 78 of the United Nations Convention on the Law of the Sea. Consequently, the States members of the Union reserve their position and their rights in respect of those provisions.**

**The acceding States, namely Austria, Finland and Sweden, endorse this démarche".**

D. Treaties

1. Joint Declaration: Cooperation over offshore activities in the South-West Atlantic between the United Kingdom of Great Britain and Northern Ireland and Argentina<sup>1/</sup>

1. The Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Argentine Republic agreed that the following formula on sovereignty, based on that contained in the Joint Statement issued at Madrid on 19 October 1989, applies to this Joint Declaration and its results:

(a) Nothing in the content of the present Joint Declaration or of any similar subsequent Joint Statements and meetings shall be interpreted as:

- (i) A change in the position of the United Kingdom with regard to sovereignty or territorial sea maritime jurisdiction over the Falkland Islands, South Georgia and the South Sandwich islands and the surrounding maritime areas;
- (ii) A change in the position of the Argentine Republic with regard to sovereignty or territorial and maritime jurisdiction over the Falkland Islands, South Georgia and the South Sandwich Islands and the surrounding maritime areas;
- (iii) Recognition of or support for the position of the United Kingdom or the Argentine Republic with regard to sovereignty or territorial and maritime jurisdiction over the Falkland Islands, South Georgia and the South Sandwich Islands and the surrounding maritime areas.

(b) No act or activity carried out by the United Kingdom, the Argentine Republic or third parties as a consequence and in implementation of anything agreed to in the present Joint Declaration or in any similar subsequent joint statements and meetings shall constitute a basis for affirming, supporting or denying the position of the United Kingdom or the Argentine Republic regarding the sovereignty or territorial and maritime jurisdiction over the Falkland Islands, South Georgia and the South Sandwich Islands and the surrounding maritime areas. The areas subject to the controversy on sovereignty and jurisdiction will not be extended in any way as a consequence of this Joint Declaration or its implementation.

This Joint Declaration does not apply to the maritime areas surrounding South Georgia and the South Sandwich Islands.

2. The two Governments agreed to cooperate in order to encourage offshore activities in the South-West Atlantic in accordance with the provisions contained herein. Exploration for and exploitation of hydrocarbons by the offshore oil and gas industry will be carried out in accordance with sound commercial principles and good oilfield practice, drawing upon the Governments' experience both in the South-West Atlantic and in the North Sea. Cooperation will be furthered:

(a) By means of the establishment of a Joint Commission, composed of delegations from both sides;

(b) By means of coordinated activities in up to 6 tranches, each of about 3,00 square kilometres, the first ones to be situated within the sedimentary structure as identified in the Annex.

3. The Commission will be composed of a delegation from each of the two States, and will meet at least twice a year. Recommendations shall be reached by mutual agreement.

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<sup>1/</sup> Transmitted by the Permanent Mission of the United Kingdom to the United Nations by facsimile.

4. The Commission will have the following functions:

(a) To submit to both Governments recommendations and proposed standards for the protection of the marine environment of the South West Atlantic, taking into account relevant international conventions and recommendations of competent international organizations;

(b) To coordinate activities in the tranches referred to in paragraph 2(b) above, as areas for special cooperation. This will be done by the establishment of a subcommittee which shall meet regularly, subordinate to the Commission, charged with:

- (i) Encouraging commercial activities in each tranche by means such as joint ventures and consortia from the two sides;
- (ii) Seeking nominations from companies for each tranche, to be offered upon terms appropriate for a challenging environment;
- (iii) Making recommendations on proposals made to the two Governments by companies for development projects in each tranche, including the limits of the tranches;
- (iv) Seeking close coordination in regard to all aspects of future operations, including the overall level of fees, royalties, charges and taxes, the harmonization of timing, commercial terms and conditions, and compliance with recommended standards;
- (v) Recommending on the basis of geological data known to both sides, additional tranches either within the sedimentary structure referred to in the Annex or in a further area to be agreed by the Governments on the recommendation of the Commission;

(c) To promote the exploration for and exploitation of hydrocarbons in maritime areas of the South-West Atlantic subject to a controversy on sovereignty and jurisdiction, and to this end:

- (i) To promote cooperation between industry on both sides, including the formation of joint projects for exploration, production and use of infrastructure;
- (ii) To receive from both sides and from operating companies the available information on scientific research, development of activities and commercial operations relating to the seabed, while respecting commercial confidentiality;
- (iii) To propose to both Governments coordinated research work by commercial undertakings;
- (iv) To submit to both Governments recommendations for standards for offshore activities in safety, health and monitoring;

Both Governments will take the appropriate measures in order to ensure that the companies keep the Commission informed on the development of their activities;

(d) On the basis of geological data known to both sides, to propose to the two Governments at the appropriate time further areas of special cooperation, on terms similar to those contained in paragraph 4(b) above;

(e) To consider and submit recommendations to the two Governments on any related matter which may arise in the future, including the possible need to agree on the unitization of any discoveries in accordance with good oilfield practice, on pipeline operations and on the efficient use of infrastructure.

5. The arrangements regarding search and rescue set out in the joint statements of 25 September 1991 and 12 July 1993 or any future arrangements between the parties on the same subject will apply to offshore activities. Civilian helicopter traffic will be the subject of future discussion.

6. Each Government will take the appropriately related administrative measures in accordance with this Joint Declaration for the exploration for and exploitation of hydrocarbons in the areas referred to in paragraph 4 above. They agreed that such measures regulating the activities of companies would be subject to the formula on sovereignty in paragraph 1 above. The Parties will create the conditions for substantial participation in the activities by companies from the two sides. The Parties will communicate to each other relevant information relating to the conduct of exploration and exploitation activities in the areas. Both Parties agreed to abstain from taking action or imposing conditions designed or tending to inhibit or frustrate the possibility of carrying out hydrocarbons development in the areas.

7. In order to implement the different arrangements in this Joint Declaration, which form an interdependent whole, the two Governments agreed to cooperate throughout the different stages of offshore activities undertaken by commercial operators, including the regime for the eventual abandonment of installations.

Annex to Joint Declaration dated 27 September 1995

Special area

The area is bounded by lines of the type described in column 2 joining the points defined to the nearest minute of arc by coordinates of latitude and longitude on WGS 72 Datum specified in column 1.

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**Column 1**  
**Coordinates of latitude**  
**and longitude**

**Column 2**  
**Line type**

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1.	52° 00' S, 63° 36' W	1-2 meridian.
2.	53° 10' S, 63° 36' W	2-3 parallel of latitude.
3.	53° 10' S, 62° 48' W	3-4 meridian.
4.	53° 25' S, 62° 48' W	4-5 parallel of latitude.
5.	53° 25' S, 61° 48' W	5-6 meridian.
6.	53° 40' S, 61° 48' W	6-7 parallel of latitude.
7.	53° 40' S, 61° 00' W	7-8 meridian.
8.	53° 00' S, 61° 00' W	8-9 parallel of latitude.
9.	53° 00' S, 62° 00' W	9-10 meridian.
10.	52° 30' S, 62° 00' W	10-11 parallel of latitude.
11.	52° 30' S, 62° 36' W	11-12 meridian.
12.	52° 00' S, 62° 36' W	12-13 parallel of latitude.
13.	52° 00' S, 63° 36' W	





Article IV

Any dispute between the three Governments relating to the interpretation or implementation of this Agreement shall be settled peacefully by consultation or negotiation.

Article V

This Agreement shall be ratified in accordance with the constitutional requirements of each country. It shall enter into force on the date of the exchange of the instruments of ratification which will take place at Yangon as soon as possible.

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

DONE in triplicate at New Delhi on the 27th day of October, one thousand nine hundred ninety-three in the Myanmar, Hindi, Thai and English languages. In the event of any conflict between the texts, the English text shall prevail.

**E. Status of the Convention and table of claims to maritime zones worldwide <sup>1/</sup>**

**1. Table of claims to maritime zones worldwide**

State	Convention ratification/ accession <sup>2/</sup> / succession <sup>3/</sup>	Territorial sea (nm)	Contiguous zone (nm)	Exclusive economic zone (nm)	Fishery zone (nm)	Continental shelf
AFGHANISTAN <sup>2/</sup>		-	-	-	-	-
ALBANIA		12				200m/EXP <sup>3/</sup>
ALGERIA		12			32/52 <sup>4/</sup>	
ANDORRA*		-	-	-	-	-
ANGOLA	5 December 1990	20			200	
ANTIGUA AND BARBUDA	2 February 1989	12	24	200		200/CM <sup>3/</sup>
ARGENTINA		12	24	200		200/CM
ARMENIA*		-	-	-	-	-
AUSTRALIA	5 October 1994	12	24	200		200/CM
AUSTRIA*	14 July 1995	-	-	-	-	-
AZERBAIJAN*		-	-	-	-	-
BAHAMAS	29 July 1983	12		200		
BAHRAIN	30 May 1985	12	24			

<sup>1/</sup> On the basis of information available as at 4 January 1996.

<sup>2/</sup> States indicated by an asterisk (\*) are land-locked States.

<sup>3/</sup> For the nomenclature used for the limits of the continental shelf, see the summary of claims in section E. 2 below.

<sup>4/</sup> Two limits have been established 32 nm from the west maritime boundary up to Ras Ténès and 52 nm from Ras Ténès up to the east maritime boundary.

State	Convention ratification/ accession <u>a</u> / succession <u>s</u> /	Territorial sea (nm)	Contiguous zone (nm)	Exclusive economic zone (nm)	Fishery zone (nm)	Continental shelf
BANGLADESH		12	18	200		CM <sup>3/</sup>
BARBADOS	12 October 1993	12		200		
BELARUS*		-	-	-	-	-
BELGIUM		12			Up to median line with neighbouring States	Delimitation with opposite and adjacent States in conformity with article 83 of UNCLOS <sup>5/</sup>
BELIZE	13 August 1983	12/3 <sup>6/</sup>		200		
BENIN		200				
BHUTAN*		-	-	-	-	-
BOLIVIA*	25 April 1995	-	-	-	-	-
BOSNIA AND HERZEGOVINA	12 January 1994 <sup>s/</sup>					
BOTSWANA*	2 May 1990	-	-	-	-	-
BRAZIL	22 December 1988	12	24	200		200/CM
BRUNEI DARUSSALAM		12		200		
BULGARIA		12	24	200		
BURKINA FASO*		-	-	-	-	-
BURUNDI*		-	-	-	-	-
CAMBODIA		12	24	200		200 <sup>3/</sup>
CAMEROON	19 November 1985	50				

<sup>5/</sup> Agreements concluded with France on 8 October 1990 and with the United Kingdom on 29 May 1991.

<sup>6/</sup> The limit of 3 miles applies from the mouth of Sarstoon River to Ranguana Caye.

State	Convention ratification/ accession <u>a</u> / succession <u>s</u> /	Territorial sea (nm)	Contiguous zone (nm)	Exclusive economic zone (nm)	Fishery zone (nm)	Continental shelf
CANADA		12			200	200/CM
CAPE VERDE	10 August 1987	12	24	200		200
CENTRAL AFRICAN REPUBLIC*		-	-	-	-	-
CHAD*		-	-	-	-	-
CHILE		12	24	200		200/350 <u>z</u> / <u>z</u> /
CHINA		12	24			
COLOMBIA		12		200		200m/EXP
COMOROS	23 June 1994	12		200		
CONGO		200				
COOK ISLANDS	15 February 1995	12		200		200/CM
COSTA RICA	21 September 1992	12		200		200m/EXP
COTE D'IVOIRE	26 March 1984	12		200		200
CROATIA	5 April 1995 <u>s</u> /	12				Up to limits with neighbouring countries
CUBA	15 August 1984	12		200		
CYPRUS	12 December 1988	12				EXP <u>z</u> /
CZECH REPUBLIC*		-	-	-	-	-
DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA <u>s</u> /		12		200		

z/ The 350-mile limit applies to Sala y Gómez and Easter Island.

s/ A military zone of 50 miles is claimed in the Sea of Japan.



State	Convention ratification/ accession a/ succession s/	Territorial sea (nm)	Contiguous zone (nm)	Exclusive economic zone (nm)	Fishery zone (nm)	Continental shelf
GERMANY	14 October 1994 a/	12		Line connecting with geographical coordinates		200m/EXP
GHANA	7 June 1983	12	24	200		200
GREECE	21 July 1995	6/10 <sup>11/</sup>				200m/EXP
GRENADA	25 April 1991	12		200		
GUATEMALA		12		200		200m/EXP
GUINEA	6 September 1985	12		200		
GUINEA-BISSAU	25 August 1986	12		200		
GUYANA	16 November 1993	12			200	200/CM
HAITI		12	24	200		EXP
HOLY SEE*		-	-	-	-	-
HONDURAS	5 October 1993	12	24	200		200m/EXP
HUNGARY*		-	-	-	-	-
ICELAND	21 June 1985	12		200		200/CM
INDIA	29 June 1995	12	24	200		200/CM
INDONESIA	3 February 1986	12		200		
IRAN (Islamic Republic of)		12	24	Up to a line determined by agreement or equidistant line		Up to a line determined by agreement
IRAQ	30 July 1985	12				
IRELAND		12			200	
ISRAEL		12				EXP

<sup>11/</sup> The 10-mile limit applies for the purpose of regulating civil aviation.

State	Convention ratification/ accession <u>2</u> / succession <u>3</u> /	Territorial sea (nm)	Contiguous zone (nm)	Exclusive economic zone (nm)	Fishery zone (nm)	Continental shelf
ITALY	13 January 1995	12				200m/EXP
JAMAICA	21 March 1983	12		200		200m/EXP
JAPAN		3/12 <u>12</u> /			200	
JORDAN		3				
KAZAKSTAN*		-	-	-	-	-
KENYA	2 March 1989	12		200		200m/EXP
KIRIBATI		12		200		
KUWAIT	2 May 1986	12				Up to a limit with neighbouring States
KYRGYZSTAN*		-	-	-	-	-
LAO PEOPLE'S DEMOCRATIC REPUBLIC*		-	-	-	-	-
LATVIA		12				
LEBANON	5 January 1995	12				
LESOTHO*		-	-	-	-	-
LIBERIA		200				
LIBYAN ARAB JAMAHIRIYA		12				
LIECHTENSTEIN*		-	-	-	-	-
LITHUANIA		12				
LUXEMBOURG*		-	-	-	-	-
MADAGASCAR		12	24	200		200/iso

12/ The 3-mile limit applies to the Soya Strait, the Tsugaru Strait, the eastern and western channels of the Tsushima Strait and the Osumi Straits only.

State	Convention ratification/ accession a/ succession s/	Territorial sea (nm)	Contiguous zone (nm)	Exclusive economic zone (nm)	Fishery zone (nm)	Continental shelf
MALAWI*		-	-	-	-	-
MALAYSIA		12		200		200m/EXP
MALDIVES		12		Defined by coordinates		
MALI*	16 July 1985	-	-	-	-	-
MALTA	20 May 1993	12	24		25	200m/EXP
MARSHALL ISLANDS	9 August 1991 a/	12	24	200		
MAURITANIA		12	24	200		200/CM
MAURITIUS	4 November 1994	12		200		200/CM
MEXICO	18 March 1983	12	24	200		200/CM
MICRONESIA (Federated States of)	29 April 1991 a/	12		200		
MONACO		12				
MONGOLIA*		-	-	-	-	-
MOROCCO		12	24	200		
MOZAMBIQUE		12		200		
MYANMAR		12	24	200		200/CM
NAMIBIA	18 April 1983	12	24	200		
NAURU		12			200	
NEPAL*		-	-	-	-	-
NETHERLANDS		12			200	200m/EXP
NEW ZEALAND		12		200		200/CM
NICARAGUA		200				



State	Convention ratification/ accession <u>a</u> / succession <u>s</u> / _____	Territorial sea (nm)	Contiguous zone (nm)	Exclusive economic zone (nm)	Fishery zone (nm)	Continental shelf
NIGER*		-	-	-	-	-
NIGERIA	14 August 1986	30		200		200m/EXP
NIUE		12		200		
NORWAY		4		200		200 + np <sup>3</sup>
OMAN	17 August 1989	12	24	200		
PAKISTAN		12	24	200		200/CM
PALAU		3			200	
PANAMA		200				
PAPUA NEW GUINEA		12			200	200m/EXP
PARAGUAY*	26 September 1986	-	-	-	-	-
PERU		200				200
PHILIPPINES	8 May 1984			200		EXP
POLAND		12		Up to a line to be determined by treaties		
PORTUGAL		12		200		200m/EXP
QATAR		12	24	Up to equidistant line or a line to be determined by agreement		
REPUBLIC OF KOREA	29 January 1996	12				
REPUBLIC OF MOLDOVA*		-	-	-	-	-
ROMANIA		12	24	200		200m/EXP
RUSSIAN FEDERATION		12		200		200m/EXP
RWANDA*		-	-	-	-	-

State	Convention ratification/ accession a/ succession s/	Territorial sea (nm)	Contiguous zone (nm)	Exclusive economic zone (nm)	Fishery zone (nm)	Continental shelf
SAINT KITTS AND NEVIS	7 January 1993	12	24	200		200/CM
SAINT LUCIA	27 March 1985	12	24	200		200/CM
SAINT VINCENT AND THE GRENADINES	1 October 1993	12	24	200		200
SAMOA	14 August 1995	12		200		
SAN MARINO*		-	-	-	-	-
SAO TOME AND PRINCIPE	3 November 1987	12		200		
SAUDI ARABIA		12	18			
SENEGAL	25 October 1984	12	24	200		200/CM
SEYCHELLES	16 September 1991	12		200		200/CM
SIERRA LEONE	12 December 1994	200				200m/EXP
SINGAPORE	17 November 1994	3				
SLOVAKIA*		-	-	-	-	-
SLOVENIA	16 June 1995					
SOLOMON ISLANDS		12		200		200
SOMALIA	24 July 1989	200				
SOUTH AFRICA		12			200	200m/EXP
SPAIN		12	24	200		200m/EXP
SRI LANKA	19 July 1994	12	24	200		200/CM
SUDAN	23 January 1985	12	18			200m/EXP
SURINAME		12		200		
SWAZILAND*		-	-	-	-	-

State	Convention ratification/ accession <u>a</u> / succession <u>s</u>	Territorial sea (nm)	Contiguous zone (nm)	Exclusive economic zone (nm)	Fishery zone (nm)	Continental shelf
SWEDEN		12		Up to equidistant line with neighbouring States		200m/EXP
SWITZERLAND*		-	-	-	-	-
SYRIAN ARAB REPUBLIC		35	41			200m/EXP
TAJKISTAN*		-	-	-	-	-
THAILAND		12		200		200m/EXP
THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA*	19 August 1994 <u>y</u>	-	-	-	-	-
TOGO	16 April 1985	30		200		
TONGA	2 August 1995 <u>z</u>	12		200		200m/EXP
TRINIDAD AND TOBAGO	25 April 1986	12	24	200		200m/EXP
TUNISIA	24 April 1985	12	24			
TURKEY		6/12 <u>13/</u>		200 <u>14/</u>		
TURKMENISTAN*		-	-	-	-	-
TUVALU		12	24	200		
UGANDA*	9 November 1990	-	-	-	-	-
UKRAINE		12		200		
UNITED ARAB EMIRATES		12	24	200		200/CM
UNITED KINGDOM		12			200	200m/EXP

13/ The 12-mile territorial sea is claimed in the Mediterranean Sea and the Black Sea.

14/ Claimed in the Black Sea.

State	Convention ratification/ accession g/ succession g/	Territorial sea (nm)	Contiguous zone (nm)	Exclusive economic zone (nm)	Fishery zone (nm)	Continental shelf
UNITED REPUBLIC OF TANZANIA	30 September 1985	12		200		
UNITED STATES OF AMERICA		12		200		200nm/EXP
URUGUAY	10 December 1992	12		200		200/CM
UZBEKISTAN*		-	-	-	-	-
VANUATU		12	24	200		200/CM
VENEZUELA		12	15	200		200nm/EXP
VIET NAM	25 July 1994	12	24	200		200/CM
YEMEN	21 July 1987	12	24	200		200/CM
YUGOSLAVIA	5 May 1986	12				200nm/EXP
ZAIRE	17 February 1989	12		Limits to be determined by agreement		
ZAMBIA*	7 March 1983	-	-	-	-	-
ZIMBABWE*	24 February 1993	-	-	-	-	-

2. Summary of claims to maritime zones worldwide

Number of coastal States <sup>15/</sup>	151
Number of land-locked States	42

TERRITORIAL SEA

<u>Breadth</u> (miles)	<u>Number of States</u>
3	4
4	1
6	3
12	122
20	1
30	2
35	1
50	1
200	10

<sup>15/</sup> Including Cook Islands and Niue, which have signed the United Nations Convention on the Law of the Sea under article 305 (1) (c). Legislation has been enacted by 145 States.

**CONTIGUOUS ZONE**

<u>Outer limit</u> (miles from territorial sea baseline))	<u>Number of States</u>
6	1
10	1
15	1
18	4
24	46
41	1

**EXCLUSIVE ECONOMIC ZONE**

<u>Outer limit</u>	<u>Number of States</u>
- 200 miles from territorial sea baseline	87
- Up to equidistant line with neighbouring States or to be determined by agreement	6
- To be determined in accordance with the United Nations Convention on the Law of the Sea	1
- Determined by coordinates	2
- Limits agreed by international law	1

**FISHERY ZONE**

<u>Outer limit</u> (miles from territorial sea baseline)	<u>Number of States</u>
12	1
25	1
32-52	1
200	14
Up to equidistant line with neighbouring State	1

**CONTINENTAL SHELF**

<u>Outer limit criteria</u>	<u>Number of States</u>
- Depth (200 metres) plus exploitability (200m/EXP)	36
- Breadth (200 miles) plus continental margin (200/CM)	26
- Breadth (200 miles) (200)	7
- Exploitability (EXP)	4
- Breadth (200 miles or 100 miles from the 2,500 metre isobath) (200/iso)	2
- Continental margin (CM)	1
- Breadth (200/350 miles) (200/350)	1
- Breadth (200 miles) plus natural prolongation (200+np)	1
- Delimitation in conformity with article 83 of UNCLOS	3
- Defined by coordinates	1

### III. OTHER INFORMATION

#### A. Settlement of disputes mechanisms

##### 1. Choice of procedure by States Parties under article 287 of the Convention<sup>1/</sup>

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

1. **Argentina**
  - (a) International Tribunal for the Law of the Sea
  - (b) Special arbitral tribunal under Annex VIII
2. **Austria**
  - (a) International Tribunal for the Law of the Sea
  - (b) Special arbitral tribunal under Annex VIII
  - (c) International Court of Justice
3. **Cape Verde**
  - (a) International Tribunal for the Law of the Sea
  - (b) International Court of Justice
4. **Cuba** rejects the jurisdiction of the International Court of Justice for any types of disputes.
5. **Germany**
  - (a) International Tribunal for the Law of the Sea
  - (b) Special arbitral tribunal under Annex VIII
  - (c) International Court of Justice
6. **Greece**

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

Arbitral tribunal under Annex VII

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<sup>1/</sup> As of 26 January 1996, there were 85 States Parties to the United Nations Convention on the Law of the Sea, 24 of which made written declarations at the time when they expressed their consent to be bound by the Convention.



9. **Oman**
- (a) International Tribunal for the Law of the Sea
  - (b) International Court of Justice

10. **United Republic of Tanzania**
- International Tribunal for the Law of the Sea

11. **Uruguay**
- International Tribunal for the Law of the Sea

2. Decisions taken by the *ad hoc* Meeting of States Parties held on 21 and 22 November 1994<sup>2/</sup>

On the recommendation of the Preparatory Commission for the International Seabed Authority and for the International Tribunal for the Law of the Sea, contained in the statement by the Chairman (LOS/PCN/L.115/Rev.1, para. 43), the Meeting decided that:

(a) Having regard to the recommendations of the Preparatory Commission for the International Seabed Authority and for the International Tribunal for the Law of the Sea, there would be a deferment of the first election of the members of the Tribunal. The date of this first election of all 21 members would be 1 August 1996. That would be a one-time deferment;

(b) The nominations would open on 16 May 1995. A State in the process of becoming a party to the Convention might nominate candidates. Such nominations would remain provisional and would not be included in the list to be circulated by the Secretary-General of the United Nations in accordance with article 4 (2) of annex VI, unless the State concerned had deposited its instrument of ratification or accession before 1 July 1996;

(c) The nominations would close on 17 June 1996;

(d) The list of candidates would be circulated by the Secretary-General on 5 July 1996;

(e) Subject to the above decisions, all procedures relating to the election of the members of the Tribunal as provided for in the Convention would apply;

(f) No changes would be made to that schedule unless the States Parties agreed by consensus;

(g) It approved the recommendation of the Preparatory Commission contained in document LOS/PCN/L.115/Rev.1, paragraph 43 (d).

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<sup>2/</sup> See SPLOS/3, para. 16.

**B. List of conciliators and arbitrators under Annexes V and VII of the Convention**

**1. Submitted by Sri Lanka**

**Hon. M.S. Aziz, arbitrator/conciliator**

**Mr. S. Sivarasan, arbitrator/conciliator**

**(Prof.) Dr. C.F. Amerasinghe, arbitrator/conciliator**

**Mr. A.R. Perera, arbitrator/conciliator**

**2. Submitted by Sudan**

**Sayed/ Shawgi Hussain, arbitrator**

**Dr. Ahmed Elmufti, arbitrator**

**Dr. Abd Elrahman Elkhalifa, conciliator**

**Sayed/ Eltahir Hamadalla, conciliator**

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