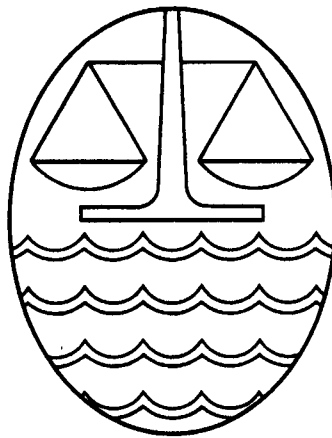


Division for Ocean Affairs and the Law of the Sea  
Office of Legal Affairs

# *Law of the Sea*



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#### NOTE

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## CONTENTS

	<u>Page</u>
<b>I. UNITED NATIONS CONVENTION ON THE LAW OF THE SEA</b> . . . . .	<b>1</b>
<b>A. Status of the United Nations Convention on the Law of the Sea</b> . . . . .	<b>1</b>
1. Chronological list of ratifications, accessions and successions to the Convention and their regional groups, as at 30 May 1997 . . . . .	<b>1</b>
2. Alphabetical list of States having ratified, acceded or succeeded to the Convention, as at 30 May 1997 . . . . .	<b>6</b>
3. Italy: Declaration made upon ratification . . . . .	<b>7</b>
4. Pakistan: Declaration made upon ratification . . . . .	<b>7</b>
5. Russian Federation: Declaration made upon ratification . . . . .	<b>9</b>
<b>B. Status of the Agreement relating to the implementation of Part XI of the Convention, adopted by the General Assembly of the United Nations on 28 July 1994</b> . . . . .	<b>10</b>
1. Alphabetical list of States having consented to be bound by the Agreement, as at 30 May 1997 . . . . .	<b>10</b>
2. Table recapitulating the status of the Convention and of the Agreement, as at 30 May 1997 . . . . .	<b>11</b>
<b>C. Status of the Agreement for the implementation of the provisions of the Convention relating to the conservation and management of straddling fish stocks and highly migratory fish stocks, adopted by the United Nations Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks on 4 August 1995</b> . . . . .	<b>21</b>
1. Status of the Agreement as at 30 May 1997 . . . . .	<b>21</b>
2. Mauritius: Declaration made upon accession . . . . .	<b>28</b>
<b>II. LEGAL INFORMATION RELEVANT TO THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA</b> . . . . .	<b>29</b>
<b>A. Recent national legislation received from Governments</b> . . . . .	<b>29</b>
1. Jamaica: . . . . .	<b>29</b>
(a) Maritime Areas Act of 1996 . . . . .	<b>29</b>
(b) Geographical coordinates . . . . .	<b>44</b>
2. Pakistan: Government defines territorial maritime boundaries . . . . .	<b>45</b>

CONTENTS (continued)

	<u>Page</u>
B. Protest from a State .....	46
Note verbale dated 24 February 1997 from the Permanent Mission of India to the United Nations addressed to the Secretary-General .....	46
C. Claims to maritime zones by region .....	47
1. African States .....	47
2. Asian States .....	51
3. European and North American States .....	57
4. Latin American and Caribbean States .....	61
D. Treaties .....	64
1. Bilateral treaties .....	64
(a) Agreement between the Government of Jamaica and the Government of the Republic of Cuba on the delimitation of the maritime boundary between the two States .....	64
(b) Agreement between the Republic of Finland and the Kingdom of Sweden on the delimitation of the boundary between the continental shelf and fishery zone of Finland and the economic zone of Sweden in the Åland Sea and the northern Baltic Sea .....	69
2. Regional treaties .....	71
(a) Protocol to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972, and resolutions adopted by the special meeting, 7 November 1996 .....	71
(b) Havana Declaration of the Twelfth Conference of Ministers of the Latin American Fisheries Development Organization (OLDEPESCA) .....	86
III. OTHER INFORMATION .....	90
A. Election of members of the Commission on the Limits of the Continental Shelf .....	90
B. Settlement of disputes mechanisms: Choice of procedure by States Parties under article 287 of the Convention .....	91

# I. UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

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

### 1. Chronological list of ratifications, accessions and successions to the Convention and their regional groups, as at 30 May 1997

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

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

Number	Date of ratification/ accession/succession	State/Entity	Regional group
25	19 November 1985	Cameroon	African
26	3 February 1986	Indonesia	Asian
27	25 April 1986	Trinidad and Tobago	Latin America/Caribbean
28	2 May 1986	Kuwait	Asian
29	5 May 1986	Yugoslavia	Eastern European
30	14 August 1986	Nigeria	African
31	25 August 1986	Guinea-Bissau	African
32	26 September 1986	Paraguay	Latin America/Caribbean
33	21 July 1987	Yemen	Asian
34	10 August 1987	Cape Verde	African
35	3 November 1987	Sao Tome and Principe	African
36	12 December 1988	Cyprus	Asian
37	22 December 1988	Brazil	Latin America/Caribbean
38	2 February 1989	Antigua and Barbuda	Latin America/Caribbean
39	17 February 1989	Democratic Republic of the Congo	African
40	2 March 1989	Kenya	African
41	24 July 1989	Somalia	African
42	17 August 1989	Oman	Asian
43	2 May 1990	Botswana	African
44	9 November 1990	Uganda	African
45	5 December 1990	Angola	African
46	25 April 1991	Grenada	Latin America/Caribbean
47	29 April 1991	Micronesia (Federated States of) <sup>2/</sup>	Asian
48	9 August 1991	Marshall Islands <sup>2/</sup>	Asian
49	16 September 1991	Seychelles	African
50	8 October 1991	Djibouti	African
51	24 October 1991	Dominica	Latin America/Caribbean

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



Number	Date of ratification/ accession/succession	State/Entity	Regional group
52	21 September 1992	Costa Rica	Latin America/Caribbean
53	10 December 1992	Uruguay	Latin America/Caribbean
54	7 January 1993	Saint Kitts and Nevis	Latin America/Caribbean
55	24 February 1993	Zimbabwe	African
56	20 May 1993	Malta	Western European and Other
57	1 October 1993	Saint Vincent and the Grenadines	Latin America/Caribbean
58	5 October 1993	Honduras	Latin America/Caribbean
59	12 October 1993	Barbados	Latin America/Caribbean
60	16 November 1993	Guyana	Latin America/Caribbean
61	12 January 1994	Bosnia and Herzegovina <sup>3/</sup>	Eastern European
62	21 June 1994	Comoros	African
63	19 July 1994	Sri Lanka	Asian
64	25 July 1994	Viet Nam	Asian
65	19 August 1994	The former Yugoslav Republic of Macedonia <sup>3/</sup>	Eastern European
66	5 October 1994	Australia	Western European and Other
67	14 October 1994	Germany <sup>2/</sup>	Western European and Other
68	4 November 1994	Mauritius	African
69	17 November 1994	Singapore	Asian
70	12 December 1994	Sierra Leone	African
71	5 January 1995	Lebanon	Asian
72	13 January 1995	Italy	Western European and Other
73	15 February 1995	Cook Islands	Asia
74	5 April 1995	Croatia <sup>3/</sup>	Eastern European
75	25 April 1995	Bolivia	Latin America/Caribbean
76	16 June 1995	Slovenia <sup>3/</sup>	Eastern European
77	29 June 1995	India	Asian

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<sup>3/</sup> Succession.

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

Number	Date of ratification/ accession/succession	State/Entity	Regional group
105	31 July 1996	Haiti	Latin America/Caribbean
106	13 August 1996	Mongolia	Asian
107	30 September 1996	Palau	Asian
108	14 October 1996	Malaysia	Asian
109	5 November 1996	Brunei Darussalam	Asian
110	17 December 1996	Romania	Eastern European
111	14 January 1997	Papua New Guinea	Asian
112	15 January 1997	Spain	Western European and Other
113	11 February 1997	Guatemala	Latin America/Caribbean
114	26 February 1997	Pakistan	Asian
115	12 March 1997	Russian Federation	Eastern European
116	13 March 1997	Mozambique	Africa

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

2. Alphabetical list of States having ratified, acceded or succeeded to the Convention, as at 30 May 1997

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

3. Italy

Declaration made upon ratification

In implementation of article 287 of the United Nations Convention on the Law of the Sea, the Government of Italy has the honour to declare that, for the settlement of disputes concerning the application or interpretation of the Convention and of the Agreement adopted on 28 July 1994 relating to the Implementation of Part XI, it chooses the International Tribunal for the Law of the Sea and the International Court of Justice, without specifying that one has precedence over the other.

In making this declaration under article 287 of the Convention on the Law of the Sea, the Government of Italy is reaffirming its confidence in the existing international judicial organs. In accordance with article 287, paragraph 4, Italy considers that it has chosen "the same procedure" as any other State Party that has chosen the International Tribunal for the Law of the Sea or the International Court of Justice.

4. Pakistan

Declaration made upon ratification

**Whereas** the United Nations Convention on the Law of the Sea was adopted on 10 December 1982 at Montego Bay and was opened for signature immediately thereafter;

**Whereas** article 306 of the Convention provides that the present Convention shall be ratified and the instrument of ratification deposited with the Secretary-General of the United Nations;

**And whereas** the Government of the Islamic Republic of Pakistan has decided to ratify the said Convention subject to the following declarations:

- (i) The Government of the Islamic Republic of Pakistan shall, at an appropriate time, make declarations provided for in articles 287 and 298 relating to the settlement of disputes;
- (ii) The Law of the Sea Convention, while dealing with transit through the territory of the transit State, fully safeguards the sovereignty of the transit State. Consequently, in accordance with article 125, the rights and facilities of transit to the land-locked State ensure that it shall not in any way infringe upon the sovereignty and the legitimate interest of the transit State. The precise content of the freedom of transit consequently, in each case, has to be agreed upon by the transit State and the land-locked State concerned.

In the absence of such an agreement concerning the terms and modalities for exercising the right of transit, through the territory of the Islamic Republic of Pakistan shall be regulated only by national laws of Pakistan;

- (iii) It is the understanding of the Government of the Islamic Republic of Pakistan that the provisions of the Convention on the Law of the Sea do not in any way authorize the carrying out in the exclusive economic zone and in the continental shelf of any coastal State military exercises or manoeuvres by other States, in particular where the use of weapons or explosives is involved, without the consent of the coastal State concerned.

**Now, therefore,** be it known that I, Farooq Ahmad Khan Leghari, President of the Islamic Republic of Pakistan, do by this instrument of ratification confirm that the Government of Pakistan has ratified the said Convention subject to the declarations above-quoted.

**In witness whereof,** I have signed this instrument and affixed thereto the seal of the Islamic Republic of Pakistan.

**Done** at Islamabad, this 4th day of February in the year one thousand nine hundred ninety-seven.

**5. Russian Federation**

**Declaration made upon ratification**

The Russian Federation declares that, in accordance with article 298 of the United Nations Convention on the Law of the Sea, it does not accept the procedures, provided for in section 2 of Part XV of the Convention, entailing binding decisions with respect to disputes concerning the interpretation or application of articles 15, 74 and 83 of the Convention, relating to sea boundary delimitations, or those involving historic bays or titles; disputes concerning military activities, including military activities by government vessels and aircraft, and disputes concerning law-enforcement activities in regard to the exercise of sovereign rights or jurisdiction; and disputes in respect of which the Security Council of the United Nations is exercising the functions assigned to it by the Charter of the United Nations.

The Russian Federation, bearing in mind articles 309 and 310 of the Convention, declares that it objects to any declarations and statements made in the past or which may be made in future when signing, ratifying or acceding to the Convention, or made for any other reason in connection with the Convention, that are not in keeping with the provisions of article 310 of the Convention. The Russian Federation believes that such declarations and statements, however phrased or named, cannot exclude or modify the legal effect of the provisions of the Convention in their application to the party to the Convention that made such declarations or statements, and for this reason they shall not be taken into account by the Russian Federation in its relations with that party to the Convention.

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

**1. Alphabetical list of States (78) having consented to be bound by the Agreement, as at 30 May 1997**

Algeria	Iceland	Palau
Argentina	India	Panama
Australia	Ireland	Papua New Guinea
Austria	Italy	Paraguay
Bahamas	Jamaica	Republic of Korea
Barbados	Japan	Romania
Belize	Jordan	Russian Federation
Bolivia	Kenya	Samoa
Brunei Darussalam	Lebanon	Saudi Arabia
Bulgaria	Malaysia	Senegal
China	Malta	Seychelles
Cook Islands	Mauritania	Sierra Leone
Côte d'Ivoire	Mauritius	Singapore
Croatia	Micronesia (Federated States of)	Slovakia
Cyprus	Monaco	Slovenia
Czech Republic	Mongolia	Spain
Fiji	Mozambique	Sri Lanka
Finland	Myanmar	Sweden
France	Namibia	The former Yugoslav Republic of Macedonia
Georgia	Nauru	Togo
Germany	Netherlands	Tonga
Greece	New Zealand	Trinidad and Tobago
Grenada	Nigeria	Uganda
Guatemala	Norway	Yugoslavia
Guinea	Oman	Zambia
Haiti	Pakistan	Zimbabwe



2. Table recapitulating the status of the Convention and of the Agreement, as at 30 May 1997

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		
	Date of ratification / accession <sup>(a)</sup> / succession <sup>(s)</sup>	Signature	Ratification; accession; <sup>(a)</sup> definitive signature; <sup>(s)</sup> participation <sup>(p)</sup>	Provisional membership in the Authority until <sup>2</sup>
Afghanistan *				
Albania				
Algeria *	11 June 1996	29 July 1994	11 June 1996 <sup>(p)3</sup>	
Andorra				
Angola *	5 December 1990			
Antigua and Barbuda *	2 February 1989			
Argentina *	1 December 1995	29 July 1994	1 December 1995	
Armenia				
Australia *	5 October 1994	29 July 1994	5 October 1994	
Austria *	14 July 1995	29 July 1994	14 July 1995	
Azerbaijan				
Bahamas *	29 July 1983	29 July 1994	28 July 1995 <sup>4</sup>	
Bahrain *	30 May 1985			
Bangladesh *				16 November 1998 <sup>5</sup>
Barbados *	12 October 1993	15 November 1994	28 July 1995 <sup>4/</sup>	
Belarus *				16 November 1998 <sup>6</sup>
Belgium *		29 July 1994		16 November 1998 <sup>5/</sup>
Belize *	13 August 1983		21 October 1994 <sup>(s)</sup>	
Benin *				
Bhutan *				
Bolivia *	28 April 1995		28 April 1995 <sup>(p)3/</sup>	

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		
	Date of ratification / accession <sup>(a)</sup> / succession <sup>(s)</sup>	Signature	Ratification; accession; <sup>(a)</sup> definitive signature; <sup>(s)</sup> participation <sup>(p)</sup>	Provisional membership in the Authority until <sup>2</sup>
Bosnia and Herzegovina	12 January 1994 <sup>(s)</sup>			
Botswana *	2 May 1990			
Brazil *	22 December 1988	29 July 1994		
Brunei Darussalam *	5 November 1996		5 November 1996 <sup>(p)3/</sup>	
Bulgaria *	15 May 1996		15 May 1996 <sup>(a)</sup>	
Burkina Faso *		30 November 1994		
Burundi *				
Cambodia *				
Cameroon *	19 November 1985	24 May 1995		
Canada *		29 July 1994		16 November 1997 <sup>2/</sup>
Cape Verde *	10 August 1987	29 July 1994		
Central African Republic *				
Chad *				
Chile *				16 November 1998 <sup>2/</sup>
China *	7 June 1996	29 July 1994	7 June 1996 <sup>(p)3/</sup>	
Colombia *				
Comoros *	21 June 1994			
Congo *				
Cook Islands * <sup>7</sup>	15 February 1995		15 February 1995 <sup>(a)</sup>	
Costa Rica *	21 September 1992			
Côte d'Ivoire *	26 March 1984	25 November 1994	28 July 1995 <sup>4/</sup>	
Croatia	5 April 1995 <sup>(s)</sup>		5 April 1995 <sup>(p)3/</sup>	
Cuba *	15 August 1984			
Cyprus *	12 December 1988	1 November 1994	27 July 1995	
Czech Republic *	21 June 1996	16 November 1994	21 June 1996	

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		
	Date of ratification / accession <sup>(a)</sup> / succession <sup>(a)</sup>	Signature	Ratification; accession; <sup>(a)</sup> definitive signature; <sup>(b)</sup> participation <sup>(b)</sup>	Provisional membership in the Authority until <sup>2</sup> _
Democratic People's Republic of Korea *				
Democratic Republic of the Congo	17 February 1989			
Denmark *		29 July 1994		
Djibouti *	8 October 1991			
Dominica *	24 October 1991			
Dominican Republic *				
Ecuador				
Egypt *	26 August 1983	22 March 1995		
El Salvador *				
Equatorial Guinea *				
Eritrea				
Estonia				
Ethiopia *				
European Community *		29 July 1994		16 November 1998 <sup>5/</sup>
Fiji *	10 December 1982	29 July 1994	28 July 1995	
Finland *	21 June 1996	29 July 1994	21 June 1996	
France *	11 April 1996	29 July 1994	11 April 1996	
Gabon *		4 April 1995		16 November 1998 <sup>5/</sup>
Gambia *	22 May 1984			
Georgia	21 March 1996 <sup>(a)</sup>		21 March 1996 <sup>(b)3/</sup>	
Germany	14 October 1994 <sup>(a)</sup>	29 July 1994	14 October 1994	
Ghana *	7 June 1983			
Greece *	21 July 1995	29 July 1994	21 July 1995	
Grenada *	25 April 1991	14 November 1994	28 July 1995 <sup>4/</sup>	

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		
	Date of ratification / accession <sup>(a)</sup> / succession <sup>(s)</sup>	Signature	Ratification; accession; <sup>(a)</sup> definitive signature; <sup>(s)</sup> participation <sup>(p)</sup>	Provisional membership in the Authority until <sup>2</sup> _
Guatemala *	11 February 1997		11 February 1997 <sup>(p)3/</sup>	
Guinea *	6 September 1985	26 August 1994	28 July 1995 <sup>4/</sup>	
Guinea-Bissau *	25 August 1986			
Guyana *	16 November 1993			
Haiti *	31 July 1996		31 July 1996 <sup>(p)3/</sup>	
Holy See <sup>7/</sup>				
Honduras *	5 October 1993			
Hungary *				
Iceland *	21 June 1985	29 July 1994	28 July 1995 <sup>4/</sup>	
India *	29 June 1995	29 July 1994	29 June 1995	
Indonesia *	3 February 1986	29 July 1994		
Iran (Islamic Republic of) *				
Iraq *	30 July 1985			
Ireland *	21 June 1996	29 July 1994	21 June 1996	
Israel				
Italy *	13 January 1995	29 July 1994	13 January 1995	
Jamaica *	21 March 1983	29 July 1994	28 July 1995 <sup>4/</sup>	
Japan *	20 June 1996	29 July 1994	20 June 1996	
Jordan	27 November 1995 <sup>(a)</sup>		27 November 1995 <sup>(p)3/</sup>	
Kazakstan				
Kenya *	2 March 1989		29 July 1994 <sup>(s)</sup>	
Kiribati <sup>7/</sup>				
Kuwait *	2 May 1986			
Kyrgyzstan				

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		
	Date of ratification / accession <sup>(a)</sup> / succession <sup>(s)</sup>	Signature	Ratification; accession; <sup>(a)</sup> definitive signature; <sup>(a)</sup> participation <sup>(p)</sup>	Provisional membership in the Authority until <sup>2</sup>
Lao People's Democratic Republic *		27 October 1994		16 November 1998 <sup>5/</sup>
Latvia				
Lebanon *	5 January 1995		5 January 1995 <sup>(p)3/</sup>	
Lesotho *				
Liberia *				
Libyan Arab Jamahiriya *				
Liechtenstein *				
Lithuania				
Luxembourg *		29 July 1994		
Madagascar *				
Malawi *				
Malaysia *	14 October 1996	2 August 1994	14 October 1996 <sup>(p)3/</sup>	
Maldives *		10 October 1994		
Mali *	16 July 1985			
Malta *	20 May 1993	29 July 1994	26 June 1996	
Marshall Islands	9 August 1991 <sup>(a)</sup>			
Mauritania *	17 July 1996	2 August 1994	17 July 1996 <sup>(p)3/</sup>	
Mauritius *	4 November 1994		4 November 1994 <sup>(p)3/</sup>	
Mexico *	18 March 1983			
Micronesia (Federated States of)	29 April 1991 <sup>(a)</sup>	10 August 1994	6 September 1995	
Monaco *	20 March 1996	30 November 1994	20 March 1996 <sup>(p)3/</sup>	
Mongolia *	13 August 1996	17 August 1994	13 August 1996 <sup>(p)3/</sup>	
Morocco *		19 October 1994		
Mozambique *	13 March 1997		13 March 1997 <sup>(a)</sup>	12 April 1997 <sup>6/</sup>

State or entity <sup>1</sup>	United Nations Convention on the Law of the Sea  Date of ratification / accession <sup>(a)</sup> / succession <sup>(s)</sup>	Agreement relating to the implementation of Part XI of the Convention		
		Signature	Ratification; accession; <sup>(a)</sup> definitive signature; <sup>(s)</sup> participation <sup>(p)</sup>	Provisional membership in the Authority until <sup>2</sup>
Myanmar *	21 May 1996		21 May 1996 <sup>(a)</sup>	
Namibia *	18 April 1983	29 July 1994	28 July 1995 <sup>2/</sup>	
Nauru * <sup>2/</sup>	23 January 1996		23 January 1996 <sup>(p)3/</sup>	
Nepal *				16 November 1998 <sup>5/</sup>
Netherlands *	28 June 1996	29 July 1994	28 June 1996	
New Zealand *	19 July 1996	29 July 1994	19 July 1996	
Nicaragua *				
Niger *				
Nigeria *	14 August 1986	25 October 1994	28 July 1995 <sup>4/</sup>	
Niue * <sup>2/</sup>				
Norway *	24 June 1996		24 June 1996 <sup>(a)</sup>	
Oman *	17 August 1989		26 February 1997 <sup>(a)</sup>	
Pakistan *	26 February 1997	10 August 1994	26 February 1997 <sup>(p)3/</sup>	
Palau *	30 September 1996 <sup>(a)</sup>		30 September 1996 <sup>(p)3/</sup>	
Panama *	1 July 1996		1 July 1996 <sup>(p)3/</sup>	
Papua New Guinea *	14 January 1997		14 January 1997 <sup>(p)3/</sup>	
Paraguay *	26 September 1986	29 July 1994	10 July 1995	
Peru				
Philippines *	8 May 1984	15 November 1994		
Poland *		29 July 1994		16 November 1998 <sup>5/</sup>
Portugal *		29 July 1994		
Qatar *				16 November 1998 <sup>6/</sup>
Republic of Korea *	29 January 1996	7 November 1994	29 January 1996	
Republic of Moldova				
Romania *	17 December 1996		17 December 1996 <sup>(a)</sup>	
Russian Federation *	12 March 1997		12 March 1997 <sup>(a)</sup>	11 April 1997 <sup>5/</sup>

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		
	Date of ratification / accession <sup>(a)</sup> / succession <sup>(s)</sup>	Signature	Ratification; accession; <sup>(a)</sup> definitive signature; <sup>(s)</sup> participation <sup>(p)</sup>	Provisional membership in the Authority until <sup>2</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	7 July 1995	14 August 1995 <sup>(p)3/</sup>	
San Marino				
Sao Tome and Principe *	3 November 1987			
Saudi Arabia *	24 April 1996		24 April 1996 <sup>(p)3/</sup>	
Senegal *	25 October 1984	9 August 1994	25 July 1995	
Seychelles *	16 September 1991	29 July 1994	15 December 1994	
Sierra Leone *	12 December 1994		12 December 1994 <sup>(p)3/</sup>	
Singapore *	17 November 1994		17 November 1994 <sup>(p)3/</sup>	
Slovakia *	8 May 1996	14 November 1994	8 May 1996	
Slovenia	16 June 1995 <sup>(s)</sup>	19 January 1995	16 June 1995	
Solomon Islands *				16 November 1998 <sup>6/</sup>
Somalia *	24 July 1989			
South Africa *		3 October 1994		16 November 1998 <sup>5/</sup>
Spain *	15 January 1997	29 July 1994	15 January 1997	
Sri Lanka *	19 July 1994	29 July 1994	28 July 1995 <sup>4/</sup>	
Sudan *	23 January 1985	29 July 1994		
Suriname *				
Swaziland *		12 October 1994		
Sweden *	25 June 1996	29 July 1994	25 June 1996	
Switzerland * <sup>7/</sup>		26 October 1994		16 November 1998 <sup>5/</sup>

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		
	Date of ratification / accession <sup>(a)</sup> / succession <sup>(s)</sup>	Signature	Ratification; accession; <sup>(a)</sup> definitive signature; <sup>(s)</sup> participation <sup>(p)</sup>	Provisional membership in the Authority until <sup>2</sup>
Syrian Arab Republic				
Tajikistan				
Thailand *				
The former Yugoslav Republic of Macedonia	19 August 1994 <sup>(s)</sup>		19 August 1994 <sup>(p)3/</sup>	
Togo *	16 April 1985	3 August 1994	28 July 1995 <sup>4/</sup>	
Tonga <sup>7/</sup>	2 August 1995 <sup>(a)</sup>		2 August 1995 <sup>(p)3/</sup>	
Trinidad and Tobago *	25 April 1986	10 October 1994	28 July 1995 <sup>4/</sup>	
Tunisia *	24 April 1985	15 May 1995		
Turkey				
Turkmenistan				
Tuvalu * <sup>7/</sup>				
Uganda *	9 November 1990	9 August 1994	28 July 1995 <sup>4/</sup>	
Ukraine *		28 February 1995		16 November 1997 <sup>5/</sup>
United Arab Emirates *				16 November 1998 <sup>5/</sup>
United Kingdom		29 July 1994		16 November 1997 <sup>5/</sup>
United Republic of Tanzania *	30 September 1985	7 October 1994		
United States of America		29 July 1994		16 November 1998 <sup>5/</sup>
Uruguay *	10 December 1992	29 July 1994		
Uzbekistan				
Vanuatu *		29 July 1994		
Venezuela				
Viet Nam *	25 July 1994			





NOTES

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

2. In accordance with article 6, paragraph 1, the Agreement entered into force on 28 July 1996. On the same date, in accordance with its article 7, paragraph 3, the provisional application of the Agreement terminated. In accordance with the provisions of section 1, paragraph 12 (a), of the Annex to the Agreement, States and entities referred to in article 3 of the Agreement which had been applying it provisionally and for which it was not in force were able to continue to be members of the Authority on a provisional basis, pending its entry into force for such States and entities, by sending a written notification to the depositary to that effect. The following States and entity made such notification: Bangladesh, Belgium, Cambodia, Canada, Chile, Congo, *European Community*, Gabon, Lao People's Democratic Republic, Luxembourg, Malaysia, Nepal, New Zealand, Papua New Guinea, Poland, Russian Federation, South Africa, Suriname, Switzerland, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland and United States of America.

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

At the resumed second session of the International Seabed Authority, held at Kingston from 5 to 16 August 1996, the Council of the Authority approved requests for the extension of membership on a provisional basis of the following States: Bangladesh, Canada, Nepal, Poland and United States of America (document ISBA/C/9). With regard to the extension of provisional membership beyond 16 November 1996 for the other States and one entity which, in accordance with article 7, paragraph 1, of the Agreement, had applied the Agreement provisionally before its entry into force and which had subsequently notified the depositary of their intention to continue the provisional membership, the Council decided that those States or entities which submitted requests for an extension of membership beyond 16 November 1996 prior to the next session of the Council should be deemed to be members of the Authority on a provisional basis until the end of the next session of the Council, at which the Council would deliberate on such requests. The following States and entity have submitted requests for an extension: Belarus, Belgium, Chile, *European Community*, Gabon, Lao People's Democratic Republic, Mozambique, Qatar, Russian Federation, Solomon Islands, South Africa, Switzerland, Ukraine, United Arab Emirates and United Kingdom of Great Britain and Northern Ireland. At the third session of the International Seabed Authority, held at Kingston from 17 to 27 March 1997, the Council of the Authority approved those requests (document ISBA/3/C/3).

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

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

5. States which continue to be members of the Authority on a provisional basis after 16 November 1996, as decided by the Council of the Authority, in accordance with section 1, paragraph 12(a), of the Annex to the Agreement (see note 2). The Russian Federation became a State Party as of 11 April 1997.

6. States which have not notified the depositary in accordance with section 1, paragraph 12(a), of the Annex to the Agreement (see note 2) but are considered to be members of the Authority on a provisional basis after 16 November 1996, as decided by the Council of the Authority on 18 March 1997. Mozambique became a State Party as of 12 April 1997.

7. Non-member State of the United Nations.

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

1. Status of the Agreement as at 30 May 1997

State or entity <sup>1/</sup>	Signature of the Agreement <sup>2/</sup>	Provisional application as of	Ratification; <sup>3/</sup> accession <sup>(a)</sup>
Afghanistan			
Albania			
Algeria ♦			
Andorra			
Angola ♦			
Antigua and Barbuda ♦			
Argentina ♦	4 December 1995		
Armenia			
Australia ♦	4 December 1995		
Austria ♦	27 June 1996		
Azerbaijan			
Bahamas ♦			16 January 1997 <sup>(a)</sup>
Bahrain ♦			
Bangladesh	4 December 1995		
Barbados ♦			
Belarus			
Belgium	3 October 1996		
Belize ♦	4 December 1995		
Benin			
Bhutan			
Bolivia ♦			
Bosnia and Herzegovina ♦			
Botswana ♦			
Brazil ♦	4 December 1995		
Brunei Darussalam ♦			

State or entity <sup>1/</sup> —	Signature of the Agreement <sup>2/</sup> —	Provisional application as of	Ratification; <sup>3/</sup> accession <sup>(a)</sup> —
Bulgaria ♦			
Burkina Faso	15 October 1996		
Burundi			
Cambodia			
Cameroon ♦			
Canada	4 December 1995		
Cape Verde ♦			
Central African Republic			
Chad			
Chile			
China ♦	6 November 1996		
Colombia			
Comoros ♦			
Congo			
Cook Islands <sup>4/</sup> ♦			
Costa Rica ♦			
Côte d'Ivoire ♦	24 January 1996		
Croatia ♦			
Cuba ♦			
Cyprus ♦			
Czech Republic ♦			
Democratic People's Republic of Korea ♦			
Democratic Republic of the Congo			
Denmark	27 June 1996		
Djibouti ♦			
Dominica ♦			
Dominican Republic			

State or entity <sup>1/</sup> <u>        </u>	Signature of the Agreement <sup>2/</sup> <u>        </u>	Provisional application as of	Ratification; <sup>3/</sup> <u>        </u> accession <sup>(a)</sup>
Ecuador			
Egypt ♦	5 December 1995		
El Salvador			
Equatorial Guinea			
Eritrea			
Estonia			
Ethiopia			
<i>European Community</i>	27 June 1996		
Fiji ♦	4 December 1995		12 December 1996
Finland ♦	27 June 1996		
France ♦	4 December 1996		
Gabon	7 October 1996		
Gambia ♦			
Georgia ♦			
Germany ♦	28 August 1996		
Ghana ♦			
Greece ♦	27 June 1996		
Grenada ♦			
Guatemala ♦			
Guinea ♦			
Guinea-Bissau ♦	4 December 1995		
Guyana ♦			
Haiti ♦			
Holy See <sup>4/</sup>			
Honduras ♦			
Hungary			
Iceland ♦	4 December 1995		14 February 1997
India ♦			

State or entity <sup>1/</sup> -	Signature of the Agreement <sup>2/</sup> -	Provisional application as of	Ratification; <sup>3/</sup> accession <sup>(a)</sup> -
Indonesia ♦	4 December 1995		
Iran (Islamic Republic of)			
Iraq ♦			
Ireland ♦	27 June 1996		
Israel	4 December 1995		
Italy ♦	27 June 1996		
Jamaica ♦	4 December 1995		
Japan ♦	19 November 1996		
Jordan ♦			
Kazakhstan			
Kenya ♦			
Kiribati <sup>4/</sup>			
Kuwait ♦			
Kyrgyzstan			
Lao People's Democratic Republic			
Latvia			
Lebanon ♦			
Lesotho			
Liberia			
Libyan Arab Jamahiriya			
Liechtenstein			
Lithuania			
Luxembourg	27 June 1996		
Madagascar			
Malawi			
Malaysia ♦			
Maldives	8 October 1996		
Mali ♦			

State or <i>entity</i> <sup>1/</sup> <u>        </u>	Signature of the Agreement <sup>2/</sup> <u>        </u>	Provisional application as of	Ratification; <sup>3/</sup> accession <sup>(a)</sup> <u>        </u>
Malta ♦			
Marshall Islands ♦	4 December 1995		
Mauritania ♦	21 December 1995		
Mauritius ♦			25 March 1997 <sup>(a)</sup>
Mexico ♦			
Micronesia (Federated States of) ♦	4 December 1995		23 May 1997
Monaco ♦			
Mongolia ♦			
Morocco	4 December 1995		
Mozambique ♦			
Myanmar ♦			
Namibia ♦	19 April 1996		
Nauru <sup>4/</sup> ♦			10 January 1997 <sup>(a)</sup>
Nepal			
Netherlands ♦	28 June 1996		
New Zealand ♦	4 December 1995		
Nicaragua			
Niger			
Nigeria ♦			
Niue <sup>4/</sup>	4 December 1995		
Norway ♦	4 December 1995		30 December 1996
Oman ♦			
Pakistan ♦	15 February 1996		
Palau ♦			
Panama ♦			
Papua New Guinea	4 December 1995		
Paraguay ♦			
Peru			

State or entity <sup>1/</sup> -	Signature of the Agreement <sup>2/</sup> -	Provisional application as of	Ratification; accession <sup>3/</sup> (a) -
Philippines ♦	30 August 1996		
Poland			
Portugal	27 June 1996		
Qatar			
Republic of Korea ♦	26 November 1996		
Republic of Moldova			
Romania ♦			
Russian Federation ♦	4 December 1995		
Rwanda			
Saint Kitts and Nevis ♦			
Saint Lucia ♦	12 December 1995		9 August 1996
Saint Vincent and the Grenadines ♦			
Samoa ♦	4 December 1995		25 October 1996
San Marino			
Sao Tome and Principe ♦			
Saudi Arabia ♦			
Senegal ♦	4 December 1995		30 January 1997
Seychelles ♦	4 December 1996		
Sierra Leone ♦			
Singapore ♦			
Slovakia ♦			
Slovenia ♦			
Solomon Islands			13 February 1997
Somalia ♦			
South Africa			
Spain ♦	3 December 1996		
Sri Lanka ♦	9 October 1996		24 October 1996
Sudan ♦			



State or entity <sup>1/</sup> <u>        </u>	Signature of the Agreement <sup>2/</sup> <u>        </u>	Provisional application as of	Ratification; <sup>3/</sup> <u>        </u> accession <sup>(a)</sup>
Suriname			
Swaziland			
Sweden ♦	27 June 1996		
Switzerland <sup>4/</sup>			
Syrian Arab Republic			
Tajikistan			
Thailand			
The former Yugoslav Republic of Macedonia ♦			
Togo ♦			
Tonga <sup>4/</sup> ♦	4 December 1995		31 July 1996
Trinidad and Tobago ♦			
Tunisia ♦			
Turkey			
Turkmenistan			
Tuvalu <sup>4/</sup>			
Uganda ♦	10 October 1996		
Ukraine	4 December 1995		
United Arab Emirates			
United Kingdom	27 June 1996		
United Republic of Tanzania ♦			
United States of America	4 December 1995		21 August 1996
Uruguay ♦	16 January 1996		
Uzbekistan			
Vanuatu	23 July 1996		
Venezuela			
Viet Nam ♦			
Yemen ♦			

State or <i>entity</i> <sup>1/</sup> <sub>—</sub>	Signature of the Agreement <sup>2/</sup> <sub>—</sub>	Provisional application as of	Ratification; <sup>3/</sup> <sub>—</sub> accession <sup>(a)</sup>
Yugoslavia ♦			
Zambia ♦			
Zimbabwe ♦			
<b>TOTALS:</b>	<b>59</b>		<b>14</b>

NOTES

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

▒ Land-locked States.

<sup>2/</sup> <sub>—</sub> In accordance with its article 37, the Agreement was opened for signature at United Nations Headquarters from 4 December 1995 until 4 December 1996 by all States and the other entities referred to in article 305 (1) (a), (c), (d), (e) and (f) of the United Nations Convention on the Law of the Sea of 10 December 1982.

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

<sup>4/</sup> <sub>—</sub> Non-member State of the United Nations.

2. Mauritius

Declaration made upon accession

The Republic of Mauritius rejects the inclusion of and any reference to the so-called British Indian Ocean Territory by the United Kingdom of Great Britain and Northern Ireland as territories on whose behalf it could sign the said Agreement, and reaffirms its sovereignty over these islands namely the Chagos Archipelago which form an integral part of the national territory of Mauritius, and over their surrounding maritime spaces.

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

A. Recent national legislation received from Governments

1. Jamaica

(a) Maritime Areas Act of 1996

Arrangement of sections

*Preliminary*

1. Short title.
2. Interpretation.

*Declaration of Archipelagic State*

3. Declaration of Archipelagic State

*Internal Waters*

4. Internal Waters.

*Archipelagic Waters*

5. Sovereignty in archipelagic waters.
6. Archipelagic baselines.
7. Status of existing submarine cables.
8. Right of innocent passage in archipelagic waters.
9. Right of archipelagic sea lanes passage.

*Jurisdiction of courts in relation to territory of Jamaica*

10. Jurisdiction of courts.

*Territorial Sea*

11. Sovereignty in the territorial sea.
12. Limits of territorial sea and application of laws with reference thereto.
13. Innocent passage in the territorial sea.
14. Criminal jurisdiction.

15. Civil jurisdiction.
16. Ships of war and other government vessels operated for non-commercial purposes.

*Provisions relating to archipelagic waters and the territorial sea*

17. Vessel carrying nuclear or other dangerous or noxious substances.
18. Non-innocent passage.

*Contiguous Zones*

19. Limit of contiguous zone.
20. Criminal jurisdiction in contiguous zone.

*Continental Shelf*

21. Limit of continental shelf.
22. Rights in and jurisdiction over continental shelf.

*General*

23. Ship or person having immunity of State of registration or nationality.
24. Powers of Marine Officer.
25. Proceedings against the Crown or Marine Officer.
26. Power of Minister.
27. Offences.
28. Regulations.
29. Repeal of certain enactments.

AN ACT to declare Jamaica to be an archipelagic State and to make provision with respect to certain Maritime Areas of Jamaica and to provide for matters incidental thereto or connected therewith.

[28 November 1996]

BE IT ENACTED by The Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Representatives of Jamaica, and by the authority of the same, as follows:

Preliminary

1. Short title:

This Act may be cited as the Maritime Areas Act, 1996.

2. Interpretation

In this Act:

"archipelagic waters" means the archipelagic waters of Jamaica as defined in section 5(a);

"competent authority" means the Minister or any person designated by him as such for the purposes of this Act;

"contiguous zone" means the contiguous zone of Jamaica as defined in section 19;

"continental shelf" means the continental shelf of Jamaica as defined in section 21;

"foreign vessel" means a vessel the nationality or registration of which is not Jamaican;

"internal waters" means the internal waters of Jamaica as defined in section 4;

"Jamaica" has the same meaning as in the Jamaica Independence Act;

"Marine Officer" means any officer employed to the Customs Department, any game warden approved as such under the Wild Life Protection Act, any member or officer of the Jamaica Constabulary Force, any member or officer of the Jamaica Defence Force or any public officer designated by a Fishery Inspector under the Fishing Industry Act and any other public officer designated a Marine Officer by the Minister;

"Montego Bay Convention" means the United Nations Convention on the Law of the Sea signed at Montego Bay on 1 December 1982;

"nautical mile" means the International Nautical Mile of 1,852 metres;

"territorial sea" means the territorial sea of Jamaica as defined in section 12;

"vessel" includes any ship, canoe, lighter, floating platform, decked boat, carrier vessel, vessel equipped with inboard or outboard motor or other seagoing vessel, whether surface craft or submarine or any other underwater vessel.

3. Declaration of archipelagic State

Jamaica is hereby declared to be an archipelagic State.

4. Internal waters

The internal waters comprise the areas of the sea which are on the landward side of the closing lines within the archipelagic waters which may be prescribed for the purposes of defining the internal waters.

5. Sovereignty in archipelagic waters

The sovereignty of Jamaica as an archipelagic State extends to:

- (a) the waters enclosed by archipelagic baselines, drawn pursuant to section 6, and described as archipelagic waters, regardless of the depth or distance from the coast; and
- (b) the airspace over the archipelagic waters as well as their bed and subsoil and the resources, living and non-living, contained therein.

6. Archipelagic baselines

- (1) The archipelagic baselines shall consist of straight baselines joining the outermost points of the outermost islands and drying reefs of Jamaica.
- (2) The breadth of the territorial sea, the contiguous zone and the continental shelf shall be measured from the archipelagic baselines.

7. Status of existing submarine cables

Where, at the commencement of this Act, there are submarine cables which have been laid by a foreign State and which pass through the archipelagic waters without making a landfall, such cables shall remain in place; and the maintenance and replacement thereof shall be authorized by the competent authority upon the competent authority being notified of their location and the intention to repair or replace them.

8. Right of innocent passage in archipelagic waters

- (1) Subject to the power of the Minister to designate sea lanes passage or air routes pursuant to section 26 (1) (b) and without prejudice to his power under section 26 (1) (a) to prescribe closing lines for defining internal waters, all vessels enjoy the right of innocent passage through the archipelagic waters in accordance with the provisions of section 13.
- (2) The competent authority may by order published in the Gazette, suspend temporarily, in any area of the archipelagic waters specified in the Order, the innocent passage of foreign vessels if such suspension is essential for the protection of the security of Jamaica.

9. Right of archipelagic sea lanes passage

- (1) The sea lanes passage and air routes referred to in section 8 shall be suitable for the continuous and expeditious passage of all vessels and aircraft through or over the archipelagic waters and the adjacent territorial sea.
- (2) Subject to the provisions of this Act, all foreign vessels and aircraft enjoy the right of archipelagic sea lanes passage, that is to say, the right of navigation and overflight in the normal mode solely for the purpose of continuous, expeditious and unobstructed transit between one part of the high seas or an exclusive economic zone.
- (3) A foreign vessel shall, in exercising the right of archipelagic sea lanes passage:
  - (a) observe international regulations, procedures and practices for safety at sea and the prevention, reduction and control of pollution from ships; and

- (b) comply with the provisions of any enactment having effect with regard to the archipelagic waters in relation to:
- (i) the safety of navigation and the regulation of marine traffic including the operation of traffic separation schemes;
  - (ii) fishing vessels and the control of fishing including the stowage of fishing gear; and
  - (iii) customs, excise, immigration or sanitation controls in respect of the loading or unloading of any commodity, currency or person.

(4) The right of archipelagic sea lanes passage shall be exercised only through sea lanes or air routes designated pursuant to section 26 (1) (b), so, however, that until such sea lanes or air routes are designated, the right of such passage may be exercised through the routes normally used for international navigation.

#### 10. Jurisdiction of courts in relation to territory of Jamaica

For the purpose of the exercise of the jurisdiction of the courts of Jamaica, the territory of Jamaica shall include the internal waters and the archipelagic waters.

#### 11. Sovereignty in the territorial sea

There is vested in the Crown sovereignty over the territorial sea, the airspace over it and the bed and subsoil thereof.

#### 12. Limits of territorial sea and application of laws with reference thereto

- (1) The territorial sea comprises the waters of so much of the sea adjacent to Jamaica and having:
- (a) as its landward limit the archipelagic baselines referred to in section 6 (1); and
  - (b) as its seaward limit a line measured from those baselines every point of which is twelve nautical miles from the nearest point of the baselines.

(2) Any reference in enactments to the territorial waters of Jamaica as were expressed in whatever terms or implied immediately before the commencement of this Act, being enactments continuing in force or brought into operation in Jamaica on or after that date, shall, in relation to any period commencing thereon or thereafter, be construed as the territorial sea.

#### 13. Innocent passage in the territorial sea

(1) Subject to the provisions of this Act, vessels of all States enjoy the right of innocent passage through the territorial sea.

(2) Passage referred to in subsection (1) shall be continuous and expeditious, but shall allow for stopping and anchoring in so much as stopping and anchoring are incidental to ordinary navigation or are rendered necessary by *force majeure* or distress or for the purpose of rendering assistance to persons, vessels or aircraft in danger or distress.

(3) For the purposes of subsections (1) and (2) "passage" means navigation through the territorial sea for the purpose of:

- (a) traversing that sea without entering the internal waters or calling at a roadstead or port facility outside the internal waters; or
- (b) proceeding to or from the internal waters or calling at such roadstead or port facility as is mentioned in paragraph (a).

(4) An underwater vessel which is in the territorial sea in exercise of its right of innocent passage shall be required while in such sea to navigate on the surface thereof and fly its flag.

(5) Foreign vessels exercising the right of innocent passage through the territorial sea may be required, in the interest of safety of navigation and the regulation of the passage of vessels, to use designated sea lanes or such traffic separation schemes as may be prescribed.

(6) The Minister may, by order published in the Gazette, suspend temporarily the right of innocent passage in such areas of the territorial sea as are specified in the Order if such suspension is essential for the protection of the security of Jamaica.

(7) A captain or person in charge of an underwater vessel who contravenes the provisions of subsection (4), commits an offence and is liable on conviction on indictment in a Circuit Court to a fine not exceeding five hundred thousand dollars or to imprisonment for a term not exceeding five years or to both such fine and imprisonment.

(8) A foreign vessel which contravenes the provisions of subsection (5), commits an offence and is liable on conviction on indictment in a Circuit Court to a fine not exceeding five hundred thousand dollars.

#### 14. Criminal jurisdiction

(1) An Act:

- (a) committed by a person, whether or not a citizen of Jamaica, on or in the territorial sea; and
- (b) being of such a description as would, if committed on land within a parish in Jamaica, be punishable on indictment according to the law of Jamaica for the time being in force,

is an offence punishable on indictment in Jamaica in like manner notwithstanding that it may have been committed on board a foreign vessel, and, subject to subsection (3), the person who is reasonably suspected of having committed such offence may be arrested and may be tried or otherwise dealt with in reference to any charge against him in connection with that offence, due regard being had to the interest of navigation.

(2) No person shall be arrested on board a foreign vessel which is passing through the territorial sea nor shall any investigation be conducted into any crime committed on board such foreign vessel:

(a) during such passage except where:

- (i) the consequences of the crime extend to Jamaica; or
- (ii) the crime is of a kind which disturbs the peace of Jamaica or the good order of the territorial sea; or
- (iii) the assistance of a Marine Officer has been requested by the master of the foreign vessel or by a diplomatic or consular representative of the State of registration of the foreign vessel; or



- (iv) such measures are necessary for the suppression of the illicit traffic in narcotic drugs and psychotropic substances; or
- (b) where the crime is committed before the foreign vessel entered the territorial sea, if the foreign vessel is proceeding from a foreign port and has not entered the internal waters, so, however, that this paragraph shall not apply:
  - (i) where the foreign vessel in the exclusive economic zone contravenes:
    - (A) an international rule or standard for the prevention, reduction or control of pollution from ships; or
    - (B) any provision of an enactment or regulations made thereunder which gives effect to such rule or standard; and
  - (ii) where the contravention mentioned in subparagraph (i):
    - (A) results in substantial discharge causing or threatening significant pollution of the marine environment; and
    - (B) results in a discharge causing damage or the threat thereof to the coastline of Jamaica of any resources of its territorial sea or exclusive economic zone:

Provided that an arrest may be made or an investigation conducted on board a foreign vessel which is passing through the territorial sea after leaving the internal waters.

(3) For the purposes of this section, all offences under the Dangerous Drugs Act, whether or not they are only summary offences, shall be treated as if they are offences punishable on indictment.

(4) Without prejudice to the provisions of subsection (7), for the purpose of arresting any person charged with an offence declared by this section to be indictable, the territorial sea shall be deemed to be within the jurisdiction of any person authorized by law for the time being in force in Jamaica to arrest persons acting in breach of the law or to issue warrants for the arrest of persons charged with indictable offences committed within his jurisdiction.

(5) Nothing in this section shall:

- (a) except as provided by subsection (7), restrict or prejudice the exercise of any powers or authority by, for, or on behalf, or in the name or service of Her Majesty in right of Her Government of Jamaica pursuant to international law or any provisions contained immediately before the commencement of this Act, in any law having effect thereafter as part of the law of Jamaica;
- (b) abrogate or abridge any criminal jurisdiction conferred on any court by virtue of any provisions contained as aforesaid;
- (c) preclude any act of piracy (as defined by any such law or provisions as aforesaid) from being tried or other dealt with in like manner as such an act might, before the commencement of this Act, have been dealt with pursuant to any law or custom hitherto applicable to Jamaica, but without prejudice to it being lawful to deal in any other manner hereinbefore authorized by this section with any such act declared to be indictable as aforesaid,

and references in this section to provisions contained in any law immediately before the commencement of this Act, include references to provisions to be construed in accordance with section 12 (2).

(6) Where pursuant to subsection (2) an arrest is to be made or investigations are to be conducted on board a foreign vessel, then if the master thereof so requests, the competent authority shall ensure that a diplomatic or consular representative of the State of registration of the foreign vessel is so notified and steps are taken to facilitate communication between such representative and the crew of the foreign vessel, so, however, that where it is expedient that an arrest be made or investigations commenced immediately, notification to the representative may be made at the time the arrest is being made or the investigations are being conducted.

(7) No exercise of power or authority in any manner described in paragraph (a) of subsection (5) shall be such as to constitute a breach of article 27 of the Montego Bay Convention.

(8) No prosecution for an offence punishable under subsection (1) shall be instituted except by or with the consent of the Director of Public Prosecutions:

Provided that this subsection shall not prevent the arrest or the issue of a warrant for the arrest, of any person in respect of such offence, or the remanding in custody or on bail of any person charged with such an offence.

#### 15. Civil jurisdiction

(1) No foreign vessel passing through the territorial sea shall be intercepted only for the purpose of the execution of civil process or the exercise of civil jurisdiction in relation to any person on board such vessel.

(2) No writ of execution shall be levied against any foreign vessel [nor shall any foreign vessel be] arrested for the purpose of any civil proceedings except in respect of any obligation or liability assumed or incurred by such vessel in the course of or for the purpose of its voyage through internal waters, archipelagic waters, territorial sea or exclusive economic zone.

(3) Subsection (2) is without prejudice to the right to levy execution against or to arrest for the purposes of any civil proceedings, a foreign vessel lying in the territorial sea or passing through the territorial sea after leaving the internal waters.

#### 16. Ships of war and other government vessels operated for non-commercial purposes

(1) Where the officer in command of a foreign ship of war fails to comply:

- (a) with any law or regulation relating to the ship's passage through the territorial sea; and
- (b) with any request for compliance therewith;

the competent authority may require that the foreign ship of war leave the territorial sea with immediate effect.

(2) Where any loss or damage is occasioned as a result of the non-compliance by a foreign ship of war or other government vessel operated for non-commercial purposes with any law or regulation made thereunder in respect of passage through the territorial sea or with any provision of the Montego Bay Convention or other rules of international law, the State of registration of that foreign ship of war or other government vessel shall bear responsibility for such loss or damage.

(3) The provisions of this Act shall not affect any immunity attached to a foreign ship of war or other government vessel operated for non-commercial purposes.

PROVISIONS RELATING TO ARCHIPELAGIC WATERS AND THE TERRITORIAL SEA

17. Vessels carrying nuclear or other dangerous or noxious substances

(1) Where any foreign nuclear-powered vessel or foreign vessel carries nuclear or other inherently dangerous or noxious substances while exercising the right of innocent passage through the archipelagic waters or the territorial sea, the captain or person in charge of the vessel shall, in relation to the vessel and substances, carry such documentation as is necessary and shall take such precautionary measures as are established for such vessels by any international agreement applicable to the carrying of such substances or any enactment for the time being in force.

(2) A vessel to which subsection (1) refers may be required to confine its passage to such sea lanes as may be designated.

(3) Any person who contravenes subsection (1) commits an offence and is liable on conviction on indictment in a Circuit Court to a fine or to imprisonment for a term not exceeding twenty-five years or to both such fine and imprisonment.

18. Non-innocent passage

(1) The passage of a foreign vessel shall be considered to be prejudicial to the peace, good order or security of Jamaica, that is to say, the passage is not innocent if, while in the archipelagic waters or the territorial sea, such vessel engages in:

- (a) any threat or use of force against the sovereignty, territorial integrity or political independence of Jamaica or acts in any other manner in violation of the principles of international law;
- (b) any exercise or practice with weapons of any kind;
- (c) any act in contemplation of collecting information which would be prejudicial to the defence or security of Jamaica;
- (d) any act of propaganda calculated to affect the defence or security of Jamaica;
- (e) the launching of, landing on or taking on board of any aircraft or military device;
- (f) the loading or unloading of any commodity, currency or person contrary to any laws relating to customs, excise, immigration or sanitation or regulations made thereunder;
- (g) the wilful discharge of any substance which causes pollution, in contravention of the Montego Bay Convention;
- (h) any fishing activities;
- (i) the carrying out of research or surveying activities;
- (j) any act designed to interfere with any system of communication or any other facility or installation in Jamaica; or
- (k) any other activity not directly related to its passage.

(2) The captain or person in charge of a foreign vessel or an underwater vessel who takes part in or causes his vessel to be engaged in, or any other person on board who takes part in, any activity specified in subsection (1):

- (a) commits an offence and is liable on conviction on indictment in a Circuit Court to a fine or to imprisonment for a term not exceeding twenty-five years or to both such fine and imprisonment; and
- (b) where the offence is continued after conviction, the captain or other person as aforesaid commits a further offence and is liable on conviction thereof to a fine of three hundred thousand dollars for each day on which the offence is so continued,

and, in addition, the Court may order the forfeiture of any such vessel as aforesaid.

#### 19. Limit of contiguous zone

The contiguous zone comprises those areas of the sea that are beyond and adjacent to the territorial sea and having as its seaward limit a line measured seaward from the baselines referred to in section 6 (2) every point of which is twenty-four nautical miles from the nearest point of the baselines.

#### 20. Criminal jurisdiction in contiguous zone

(1) There is vested in the Crown authority in the contiguous zone to take such measures as are necessary to prevent in Jamaica, the archipelagic waters or the territorial sea thereof, the infringement, by any person or vessel, of the provisions of any enactment relating to customs, fiscal matters, immigration or sanitation and to arrest any person who or vessel which contravenes such laws or regulations.

(2) A Marine Officer shall have, pursuant to the jurisdiction vested in the Crown under subsection (1), power to arrest for any infringement of the provisions of any enactment relating to the matters specified therein.

#### 21. Limit of continental shelf

(1) Subject to subsection (3), the continental shelf comprises those areas of the seabed and subsoil of the submarine areas that are beyond and adjacent to the territorial sea throughout the natural prolongation of the land territory of Jamaica to the outer edge of the continental margin, or to a distance of two hundred nautical miles from the nearest point of the baselines established in accordance with section 6 where the outer edge of the continental margin does not extend to that distance.

(2) Where the continental margin referred to in subsection (1) extends beyond two hundred nautical miles from the nearest point of the baselines of the territorial sea, the outer limits of the continental shelf shall be established having regard to the principles of international law relevant to the establishment and delineation of the continental shelf beyond that point.

(3) For the purposes of subsections (1) and (2), the continental margin comprises the submerged prolongation of the land mass of Jamaica consisting of the seabed and subsoil of the continental shelf, the slope and the rise, but does not include the deep ocean floor with its oceanic ridge or the subsoil thereof.

(4) Where the outer edge of the continental shelf intersects the outer edge of the continental shelf of another State whose coast is opposite or adjacent to Jamaica, delimitation of the boundaries of the continental shelf for Jamaica and that State shall be effected by agreement on the basis of international law as referred to in Article 38 of the Statute of the International Court of Justice in order to achieve an equitable solution.

22. Rights in and jurisdiction over continental shelf

- (1) In the continental shelf there is vested in the Rights in Crown:
  - (a) sovereign rights for the purpose of exploring and exploiting its natural resources;
  - (b) exclusive rights to authorize and regulate drilling for all purposes;
  - (c) exclusive rights and jurisdiction in respect of the authorization and regulation of the construction, operation, maintenance and use of artificial islands, installations and structures used for economic purposes; and
  - (d) the right to prevent, reduce or control pollution from pipelines.

(2) The natural resources referred to in subsection (1) (a) consist of the mineral and other non-living resources of the seabed and subsoil together with living organisms belonging to sedentary species, that is to say, organisms which, at the harvestable stage, either are immobile on or under the seabed or are unable to move except in constant physical contact with the seabed or the subsoil.

GENERAL

23. Ship or person having immunity of State of registration or nationality

(1) Where, pursuant to section 18 (1), the passage of a foreign vessel is considered to be prejudicial to the peace, good order or security of Jamaica, and that vessel or any person on board such vessel who participates in any activity considered to be so prejudicial is entitled to state or other immunity recognized by law, then the State of such vessel or the State of nationality of that person shall be deemed to have international responsibility for the activity of the vessel or person, as the case may be.

(2) Where under subsection (1) the State of a foreign vessel or the State of nationality of a person is deemed to have international responsibility, the Minister shall take such steps as are necessary to obtain all remedies which are available under international law.

24. Powers of Marine Officer

(1) Where a foreign vessel is being used to carry out any activity specified in section 18 (1) or where a Marine Officer has reasonable cause to suspect that a foreign vessel is being so used, it shall be lawful for the Marine Officer to stop and board such vessel for the purpose of

- (a) carrying out investigations into the activity;
- (b) giving directions to the captain or person in charge of such vessel, or any other person on board in pursuance of the provisions of this Act;
- (c) requiring any person on board such vessel to produce any licence which is relevant to any activity being carried out;
- (d) requiring any person on board such vessel to give an explanation in relation to any activity being carried out;

- (2) A Marine Officer may, for the purposes of this Act, with or without a warrant, arrest:
- (a) any foreign vessel which carries out any activity prejudicial to the peace, good order or security of Jamaica;
  - (b) the captain or person in charge of this foreign vessel which is being so used;
  - (c) any person on board such vessel who participates in any such activity;
  - (d) any underwater vessel which contravenes the provisions of section 13 (4);
  - (e) any person who in the continental shelf:
    - (i) explores or exploits its natural resources;
    - (ii) drills for any purpose;
    - (iii) constructs, operates, maintains and uses any artificial islands, installations or structures, without being so authorized in writing by the competent authority;
  - (f) any vessel used to explore or exploit the natural resources pursuant to paragraph (e) (i) and seize any equipment used to carry out any of the activities specified in paragraph (e) (ii) and (iii);
  - (g) any person who:
    - (i) fails to comply with a directive for the prevention, reduction or control of pollution from pipelines in the continental shelf;
    - (ii) aids and abets such person;
  - (h) any person who obstructs a Marine Officer in the carrying out of his functions under this Act.

(3) A Marine Officer acting pursuant to subsection (1) or (2) shall ensure that the safety of navigation is not endangered or that no hazard is created in respect of any foreign vessel or underwater vessel or that such foreign vessel or underwater vessel is not brought to an unsafe port or anchorage or that the marine environment is not exposed to unreasonable risk.

(4) A Marine Officer shall while on duty in the capacity of a Marine Officer have, exercise and enjoy all the powers, authority, privileges and immunities of a Constable under the Constabulary Force Act.

#### 25. Proceedings against the Crown or Marine Officer

In any action or legal proceedings brought against any Marine Officer or person acting in his aid in respect of any act done in pursuance or execution or intended execution of this Act or any regulations made thereunder, the plaintiff shall not recover unless he alleges in his pleading and proves at his trial that such act was done either maliciously or without reasonable or probable cause.

26. Power of Minister

- (1) The Minister may by order published in the Gazette:
  - (a) prescribe closing lines for the purpose of defining the internal waters;
  - (b) designate:
    - (i) sea lanes or air routes to be used for or in connection with the exercise of the right of innocent passage; or
    - (ii) archipelagic sea lanes;
  - (c) prescribe traffic separation schemes for the regulation of the passage of ships.
- (2) The Minister shall cause to be prepared charts of a scale adequate for ascertaining geographical coordinates or lists of such coordinates specifying:
  - (a) closing lines or baselines from which the breadth of the territorial sea, the contiguous zone and the continental shelf are measured;
  - (b) the seaward limits of the territorial sea, the contiguous zone or the continental shelf;
  - (c) the axis of sea lanes or traffic separation schemes.
- (3) The Minister shall:
  - (a) by notification in the Gazette publish, whether by way of charts or lists, the baselines referred to in subsection (2) (a); and
  - (b) cause a copy of such charts or lists to be deposited with the Secretary-General of the United Nations.

27. Offences

- (1) Any person who:
    - (a) refuses, neglects or fails to comply with any direction given to him by a Marine Officer for the purposes of this Act;
    - (b) subject to subsection (2), refuses or fails to produce any licence which he is required by a Marine Officer to produce;
    - (c) refuses, without reasonable cause, to give any explanation which he is required by a Marine Officer to give for the purposes of this Act; or
    - (d) assaults or obstructs any Marine Officer in the execution of his duty,
- commits an offence and is liable on summary conviction before a Resident Magistrate to a fine not exceeding two thousand dollars or to imprisonment for a term not exceeding twelve months or to both such fine and imprisonment; and in addition the Court may order the forfeiture of any vessel or equipment which is used to carry out such activity.

(2) Any person:

(a) who is in charge of a foreign vessel which is used to carry out any activity which is prejudicial to the peace, good order or security of Jamaica; or

(b) who on board such foreign vessel participates in any such activity,

commits an offence and is liable on conviction on indictment in a Circuit Court to a fine or to imprisonment for a term not exceeding five years or to both such fine and imprisonment.

(3) Where under subsection (1) (b) a person is unable to produce to a Marine Officer a licence when so required but is able to satisfy the Marine Officer by other means as to his name, address and identity, the Marine Officer may, if otherwise satisfied as to the credibility of that person, permit him to produce such licence in person within five days thereafter at such place as may be specified by the Marine Officer; and if the licence is so produced that person shall not be convicted of an offence under that subsection.

## 28. Regulations

The Minister may make regulations for the purpose of giving effect to the provisions of this Act, and, in particular, but without prejudice to the generality of the foregoing, may make regulations for:

- (a) charts or geographical coordinates to be officially recognized as indicating archipelagic baselines and the admission in evidence of such charts or geographical lists or copies thereof certified in the prescribed manner;
- (b) defining the limits of the internal waters, archipelagic waters, territorial sea, contiguous zone and continental shelf;
- (c) regulating the construction, maintenance and removal of artificial islands, installations and structures on the continental shelf;
- (d) regulating customs, excise, health, safety and immigration matters in the contiguous zone;
- (e) regulating the steps to be taken to inform interested parties of the arrest or detention of any foreign vessels or underwater vessels and persons thereon and the imposition of penalties;
- (f) determining the nationality of vessels for the purposes of any provisions of the regulations;
- (g) regulating any activity relating to economic exploration or exploitation of the internal waters, archipelagic waters, territorial sea, contiguous zone and continental shelf;
- (h) regulating the authorization, control and supervision of scientific research in the internal waters, archipelagic waters, territorial sea, contiguous zone and continental shelf;
- (i) the preservation and protection of the marine environment and the prevention and control of marine pollution;
- (j) the safety of navigation and regulation of marine traffic;
- (k) the conservation of living resources in the internal waters, archipelagic waters, territorial sea, contiguous zone and continental shelf;



- (l) the regulation of the use of the internal waters, archipelagic waters, territorial sea, contiguous zone and continental shelf;
- (m) the fees to be paid in relation to any activity taking place in the internal waters, archipelagic waters, territorial sea, contiguous zone and continental shelf;
- (n) the levying of fees in respect of services rendered to foreign vessels passing through the territorial sea;
- (o) the manner in which payment is to be made in respect of the exploitation of non-living resources of the continental shelf beyond two hundred nautical miles;
- (p) matters relating to innocent passage through the territorial sea;
- (q) the exercise of the right of archipelagic sea lanes passage;
- (r) prescribing anything authorized by this Act to be prescribed.

29. Repeal of certain enactments

The following enactments are hereby repealed:

- (a) the Territorial Sea Act; and
- (b) the Jamaica (Alteration of Boundaries) Order in Council, 1948.

PASSED in the House of Representatives this 3rd day of July, 1996.

(b) Geographical coordinates <sup>1/</sup>

The Ministry of Foreign Affairs and Foreign Trade presents its compliments to the Secretary-General of the United Nations and has the honour to refer to article 47, paragraph 9, of the United Nations Convention on the Law of the Sea under which an archipelagic State is required to give due publicity to its charts or lists of geographical coordinates and to deposit a copy of each such chart or list with the Secretary-General of the United Nations.

In accordance with this obligation, the Ministry of Foreign Affairs and Foreign Trade hereby deposits with the Secretary-General the undermentioned list of the geographical coordinates specifying Jamaica's archipelagic basepoints:

<u>Point No.</u>	<u>Latitude (N)</u>	<u>Longitude (W)</u>
1. ... ..	18 15 51	78 22 06
2. ... ..	18 16 09	78 22 06
3. ... ..	18 21 23	78 20 43
4. ... ..	18 21 57	78 20 19
5. ... ..	18 22 06	78 20 12
6. ... ..	18 26 23	78 14 15
7. ... ..	18 27 20	78 12 48
8. ... ..	18 27 21	78 12 46
9. ... ..	18 31 09	77 53 25
10. ... ..	18 31 15	77 52 45
11. ... ..	18 31 25	77 51 34
12. ... ..	18 31 30	77 50 49
13. ... ..	18 31 30	77 50 08
14. ... ..	18 31 28	77 49 21
15. ... ..	18 31 26	77 48 59
16. ... ..	18 28 22	77 18 49
17. ... ..	18 24 43	76 53 54
18. ... ..	18 10 05	76 21 37
19. ... ..	18 09 20	76 20 18
20. ... ..	18 09 10	76 20 09
21. ... ..	17 55 02	76 10 48
22. ... ..	17 24 39	75 57 48
23. ... ..	17 24 16	75 57 53
24. ... ..	17 23 42	75 58 19
25. ... ..	17 23 22	75 58 53
26. ... ..	17 23 01	76 00 00
27. ... ..	17 02 28	77 31 05
28. ... ..	16 47 26	78 11 30

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<sup>1/</sup> Communicated by the Permanent Mission of Jamaica to the United Nations in a note verbale dated 14 October 1996.

2. Pakistan

Government defines territorial maritime boundaries<sup>2/</sup>

Pursuant to the United Nations Convention on the Law of Sea of 1982, as well as Pakistan's Territorial Waters and Maritime Zones Act 1976, the Government of Pakistan has issued a notification specifying its baseline from which limits of the territorial waters, the contiguous zone, the exclusive economic zone and continental shelf shall be measured in accordance with the following coordinates:

(a)	25 02.20 N	61 35.50 E
(b)	25 00.95 N	61 46.80 E
(c)	25 05.30 N	62 21.00 E
(d)	25 06.30 N	63 51.01 E
(e)	25 09.00 N	64 35.20 E
(f)	25 18.20 N	65 11.60 E
(g)	24 49.45 N	66 40.00 E
(h)	23 52.80 N	67 26.80 E
(i)	23 47.30 N	67 35.90 E
(k)	23 33.90 N	68 07.80 E

The waters within the aforesaid straight baselines shall form the internal waters of Pakistan. This was part of the process of delimiting the maritime boundaries with countries with adjacent (India and Islamic Republic of Iran) and opposite (Oman) coasts. It was essential for Pakistan to first establish the baseline as all the zones of sovereignty and national jurisdictions shall be measured from the baseline to be established by Pakistan pursuant to section 2, paragraph (3), of the Territorial Waters and Maritime Zones Act 1976.

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<sup>2/</sup> Notification of the Ministry of Foreign Affairs published in the Gazette of Pakistan on 29 August 1996.

B. Protest from a State

Note verbale dated 24 February 1997 from the Permanent Mission of India to the United Nations  
addressed to the Secretary-General

The Permanent Mission of India to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honour to state that the attention of the Government of India has been drawn to press reports regarding Pakistan's notification specifying baselines to measure Pakistan's territorial waters, the contiguous zone, the exclusive economic zone and continental shelf in the Arabian Sea. While the Government of India reserves its right to seek suitable revision of the baselines as notified by Pakistan insofar as they impinge upon India's sovereign jurisdiction, the Government of India unequivocally rejects as unacceptable the coordinate point (k) 23 33.90 N.....68 07.80 E referred to in the notification as it encroaches upon the territorial waters of India which are within its sovereign jurisdiction.

C. Claims to maritime zones by region

1. African States

State	Convention ratification/ accession <sup>1/</sup> / succession <sup>2/</sup>	Territorial sea (nm)	Contiguous zone (nm)	Exclusive economic zone (nm)	Fishery zone (nm)	Continental shelf
ALGERIA	11 June 1996	12			32/52 <sup>1/</sup>	
ANGOLA	5 December 1990	20			200	
BENIN		200				
BOTSWANA <sup>2/</sup>	2 May 1990	-	-	-	-	-
BURKINA FASO*		-	-	-	-	-
BURUNDI*		-	-	-	-	-
CAMEROON	19 November 1985	50				
CAPE VERDE	10 August 1987	12	24	200		200
CENTRAL AFRICAN REPUBLIC*		-	-	-	-	-
CHAD*		-	-	-	-	-
COMOROS	23 June 1994	12		200		
CONGO		200				
COTE D'IVOIRE	26 March 1984	12		200		200 <sup>3/</sup>
DEMOCRATIC REPUBLIC OF THE CONGO	17 February 1989	12		Limits to be determined by agreement		
DJIBOUTI	8 October 1991	12	24	200		
EGYPT	26 August 1983	12	24	Limits to be determined <sup>4/</sup>		200m/EXP

<sup>1/</sup> Two limits have been established: 32 nautical miles (nm) from the West maritime boundary up to Ras Ténès, and 52 nm from Ras Ténès up to the East maritime boundary.

<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.

State	Convention ratification/ accession <sup>4/</sup> or succession <sup>5/</sup>	Territorial sea (nm)	Contiguous zone (nm)	Exclusive economic zone (nm)	Fishery zone (nm)	Continental shelf
EQUATORIAL GUINEA		12		200		
ERITREA <sup>5/</sup>		12				
ETHIOPIA *		-	-	-	-	-
GABON		12	24	200		
GAMBIA	22 May 1984	12	18		200	
GHANA	7 June 1983	12	24	200		200 (58) <sup>6/</sup>
GUINEA	6 September 1985	12		200		
GUINEA-BISSAU	25 August 1986	12		200		
KENYA	2 March 1989	12		200		200m/EXP (58)
LESOTHO*		-	-	-	-	(58)
LIBERIA		200				
LIBYAN ARAB JAMAHIRIYA		12				
MADAGASCAR		12	24	200		200/iso (58)
MALAWI*		-	-	-	-	(58)
MALI*	16 July 1985	-	-	-	-	-
MAURITANIA	17 July 1996	12	24	200		200/CM
MAURITIUS	4 November 1994	12		200		200/CM (58)
MOROCCO		12	24	200		
MOZAMBIQUE	13 March 1997	12		200		
NAMIBIA	18 April 1983	12	24	200		

<sup>4/</sup> To be established in accordance with the United Nations Convention on the Law of the Sea.

<sup>5/</sup> Eritrea, which was previously part of Ethiopia, became a Member of the United Nations on 28 May 1993. Ethiopia is no longer a coastal State.

<sup>6/</sup> States indicated by (58) are States parties to the 1958 Convention on the Continental Shelf.

State	Convention ratification/ accession $\frac{a}{}$ succession $\frac{v}{}$	Territorial sea (nm)	Contiguous zone (nm)	Exclusive economic zone (nm)	Fishery zone (nm)	Continental shelf
NIGER*		-	-	-	-	-
NIGERIA	14 August 1986	30		200		200m/EXP (58)
RWANDA*		-	-	-	-	-
SAO TOME AND PRINCIPE	3 November 1987	12		200		
SENEGAL	25 October 1984	12	24	200		200/CM (58)
SEYCHELLES	16 September 1991	12		200		200/CM
SIERRA LEONE	12 December 1994	200				200m/EXP (58)
SOMALIA	24 July 1989	200				
SOUTH AFRICA		12	24	200		200/CM (58)
SUDAN	23 January 1985	12	18			200m/EXP
SWAZILAND*		-	-	-	-	(58)
TOGO	16 April 1985	30		200		
TUNISIA	24 April 1985	12	24			
UGANDA*	9 November 1990	-	-	-	-	(58)
UNITED REPUBLIC OF TANZANIA	30 September 1985	12		200		
ZAMBIA*	7 March 1983	-	-	-	-	-
ZIMBABWE*	24 February 1993	-	-	-	-	-

SUMMARY OF CLAIMS TO MARITIME ZONES - AFRICAN STATES

Coastal States	38
<u>Land-locked States</u>	<u>15</u>
Total	<u>53</u>

Territorial sea

<u>Breadth</u> (miles)	<u>Number of States</u>
12	29
20	1
30	2
50	1
200	5

Contiguous zone

<u>Outer limit</u> (miles from territorial sea baseline)	
18	2
24	12

Exclusive economic zone

<u>Outer limit</u>	
200 miles from territorial sea baseline	23
Up to a line to be determined by agreement	2

Fishery zone

<u>Outer limit</u> (miles from territorial sea baseline)	
200	2
32/52	1

Continental shelf

Outer limit criteria

Depth (200 metres) plus exploitability (200m/EXP)	5
Breadth (200 miles) plus continental margin (200/CM)	5
Breadth (200 miles) (200)	3
Breadth (200 miles or 100 miles from the 2,500 metre isobath) (200/iso)	1



2. Asian States

(a) East and South Asia

State	Convention ratification/ accession <sup>a/</sup> / succession <sup>b/</sup>	Territorial sea (nm)	Contiguous zone (nm)	Exclusive economic zone (nm)	Fishery zone (nm)	Continental shelf
AFGHANISTAN*		-	-	-	-	-
BANGLADESH		12	18	200		CM
BRUNEI DARUSSALAM	5 November 1996	12		200		
BHUTAN*		-	-	-	-	-
CAMBODIA		12	24	200		200 (58)
CHINA	7 June 1996	12	24	200		
DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA		12		200		
INDIA	29 June 1995	12	24	200		200/CM
INDONESIA	3 February 1986	12		200		
JAPAN	20 June 1996	3/12 <sup>7/</sup>	24	200		200/CM
KAZAKHSTAN*		-	-	-	-	-
KYRGYZSTAN*		-	-	-	-	-
LAO PEOPLE'S DEMOCRATIC REPUBLIC*		-	-	-	-	-
MALAYSIA	14 October 1996	12		200		200m/EXP (58)
MALDIVES <sup>8/</sup>		12		Defined by coordinates		

<sup>7/</sup> 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 <u>a</u> / succession <u>g</u>	Territorial sea (nm)	Contiguous zone (nm)	Exclusive economic zone (nm)	Fishery zone (nm)	Continental shelf
MONGOLIA*	13 August 1996	-	-	-	-	-
MYANMAR	21 May 1996	12	24	200		200/CM
NEPAL*		-	-	-	-	-
PAKISTAN	26 February 1997	12	24	200		200/CM
PHILIPPINES	8 May 1984			200		EXP
REPUBLIC OF KOREA	29 January 1996	12	24	200		
SINGAPORE	17 November 1994	3				
SRI LANKA	19 July 1994	12	24	200		200/CM
TAJIKISTAN*		-	-	-	-	-
THAILAND		12	24	200		200m/EXP (58)
TURKMENISTAN*		-	-	-	-	-
UZBEKISTAN*		-	-	-	-	-
VIET NAM	25 July 1994	12	24	200		200/CM

g/ Maldives has proclaimed an exclusive economic zone which is defined by coordinates; see The Law of the Sea: National Legislation on the Exclusive Economic Zone (United Nations publication, Sales No. E.93.V.10), p. 204.

(b) South Pacific

State	Convention ratification/ accession a/ succession g/	Territorial sea (nm)	Contiguous zone (nm)	Exclusive economic zone (nm)	Fishery zone (nm)	Continental shelf
AUSTRALIA	5 October 1994	12	24	200		200/CM (58)
COOK ISLANDS	15 February 1995	12		200		200/CM
FIJI	10 December 1982	12		200		200m/EXP (58)
KIRIBATI		12		200		
MARSHALL ISLANDS	9 August 1991 a/	12	24	200		
MICRONESIA (Federated States of)	2 <sup>o</sup> April 1991 a/	12		200		
NAURU	23 January 1996	12			200	
NEW ZEALAND	19 July 1996	12	24	200		200/CM (58)
NIUE		12		200		
PALAU	30 September 1996	3			200	
PAPUA NEW GUINEA	14 January 1997	12			200	200m/EXP
SAMOA	14 August 1995	12		200		
SOLOMON ISLANDS		12		200		200 (58)
TONGA	2 August 1995 a/	12		200		200m/EXP (58)
TUVALU		12	24	200		
VANUATU		12	24	200		200/CM

(c) Gulf States

State	Convention ratification/ accession g/ accession g/	Territorial sea (nm)	Contiguous zone (nm)	Exclusive economic zone (nm)	Fishery zone (nm)	Continental shelf
BAHRAIN	30 May 1985	12	24			
IRAN (Islamic Republic of)		12	24	Up to a line determined by agreement		Up to a line determined by agreement
IRAQ	30 July 1985	12				
KUWAIT	7 May 1986	12				
OMAN	17 August 1989	12	24	200		Up to a line determined by agreement
QATAR		12	24	Up to equidistant line with neighbouring States or international agreement		
SAUDI ARABIA	24 April 1996	12	18			
UNITED ARAB EMIRATES		12	24	200		200/CM

(d) East Mediterranean and the Red Sea States

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
CYPRUS	12 December 1988	12				EXP (58)
ISRAEL		12				EXP (58)
JORDAN	27 November 1995	3				
LEBANON	5 January 1995	12				
SYRIAN ARAB REPUBLIC		35	41			200m/EXP
TURKEY <sup>9/</sup>		6/12		200		
YEMEN	21 July 1987	12	24	200		200/CM

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<sup>9/</sup> A limit of 12 nm applies in the Mediterranean Sea and the Black Sea. Turkey's exclusive economic zone claim applies to the Black Sea.

SUMMARY OF CLAIMS TO MARITIME ZONES - ASIAN STATES

Coastal States	49
<u>Land-locked States</u>	<u>10</u>
Total	<u>59</u>

Territorial sea

<u>Breadth</u> (miles)	<u>Number of States</u>
12 .....	43
6/12 .....	1
35 .....	1
3 .....	3
No claims .....	1

Contiguous zone

<u>Outer limit</u>	
24 .....	21
41 .....	1
18 .....	2

Exclusive economic zone

<u>Outer limit</u>	
200 .....	33
Median line .....	2
Defined by coordinates .....	1

Fishery zone

<u>Outer limit</u>	
200 .....	3

Continental shelf

<u>Outer limit criteria</u>	
Breadth (200 miles) plus continental margin (200/CM) .....	12
Depth (200 metres) plus exploitability (200m/EXP) .....	6
Criteria of 200nm .....	1
Line to be determined .....	2
Criteria EXP alone .....	1
Criterion CM alone .....	3

3. European and North American States

State	Convention ratification/ accession g/ succession s/	Territorial sea (nm)	Contiguous zone (nm)	Exclusive economic zone (nm)	Fishery zone (nm)	Continental shelf
ALBANIA		12				200m/EXP (58)
ANDORRA*		-	-	-	-	-
ARMENIA*		-	-	-	-	-
AUSTRIA*	14 July 1995	-	-	-	-	-
AZERBAIJAN*		-	-	-	-	-
BELARUS*		-	-	-	-	-
BELGIUM		12			Up to equidistant line with neighbouring States	Delimitation with opposite and adjacent States in conformity with article 83 of the Convention <sup>10/</sup>
BOSNIA AND HERZEGOVINA	12 January 1994 s/					
BULGARIA	15 May 1996	12	24	200		(58)
CANADA		12	24	200		200/CM (58)
CROATIA	5 April 1995 s/	12				Up to limits with neighbouring countries (58)
CZECH REPUBLIC*	21 June 1996	-	-	-	-	-
DENMARK		3	4	200		200m/EXP (58)
ESTONIA		12		Limits to be determined in coordination with neighbouring States		Defined by coordinates
FINLAND	21 June 1996	12			12	200m/EXP (58)

<sup>10/</sup> Agreements concluded with France on 8 October 1990 and with the United Kingdom of Great Britain and Northern Ireland on 29 May 1991.

State	Convention ratification/ accession a/ succession s/	Territorial sea (nm)	Contiguous zone (nm)	Exclusive economic zone (nm)	Fishery zone (nm)	Continental shelf
FRANCE	11 April 1996	12	24	200		200m/EXP (58)
GEORGIA	21 March 1996 a/					
GERMANY	14 October 1994 a/	12		Line connecting with geographical coordinates		200m/EXP
GREECE	21 July 1995	6/10 <sup>11/</sup>				200m/EXP (58)
HOLY SEE*		-	-	-	-	-
HUNGARY*		-	-	-	-	-
ICELAND	21 June 1985	12		200		200/CM
IRELAND	21 June 1996	12			200	
ITALY	13 January 1995	12				200m/EXP
LATVIA		12				
LIECHTENSTEIN*		-	-	-	-	-
LITHUANIA		12				
LUXEMBOURG*		-	-	-	-	-
MALTA	20 May 1993	12	24		25	200m/EXP (58)
MONACO	20 March 1996	12				
NETHERLANDS	28 June 1996	12				
NORWAY	24 June 1996	4	10	200	200	200m/EXP (58)
POLAND		12		Up to a line to be determined by treaties		200 + np (58)

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



State	Convention ratification/ accession g/ succession s/	Territorial sea (nm)	Contiguous zone (nm)	Exclusive economic zone (nm)	Fishery zone (nm)	Continental shelf
PORTUGAL		12		200		200m/EXP (58)
REPUBLIC OF MOLDOVA*		-	-	-	-	-
ROMANIA	17 December 1996	12	24	200		200m/EXP (58)
RUSSIAN FEDERATION	12 March 1997	12		200		200/CM (58)
SAN MARINO*		-	-	-	-	-
SLOVAKIA*	8 May 1996	-	-	-	-	-
SLOVENIA	15 June 1995					
SPAIN	15 January 1997	12	24	200		200m/EXP (58)
SWEDEN	25 June 1996	12		Up to equidistant line with neighbouring States		200m/EXP (58)
SWITZERLAND*		-	-	-	-	-
THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA*	19 August 1994 s/	-	-	-	-	-
UKRAINE		12		200		(58)
UNITED KINGDOM		12			200	200m/EXP (58)
UNITED STATES OF AMERICA		12		200		200m/EXP (58)
YUGOSLAVIA	5 May 1986	12				200m/EXP (58)

SUMMARY OF CLAIMS TO MARITIME ZONES - EUROPEAN AND NORTH AMERICAN STATES

Coastal States	33
<u>Land-locked States</u>	<u>15</u>
<b>Total</b>	<b><u>48</u></b>

Territorial sea

<u>Breadth</u> (miles)	<u>Number of States</u>
3 .....	1
4 .....	1
12 .....	27
6/10 .....	1

Contiguous zone

<u>Outer limit</u> (miles from territorial sea baseline)	
4 .....	1
10 .....	1
24 .....	6

Exclusive economic zone

<u>Outer limit</u>	
200 miles from territorial sea baseline .....	12
Up to equidistant line with neighbouring States or to be determined by agreement .....	4

Fishery zone

<u>Outer limit</u> (miles from territorial sea baseline)	
12 .....	1
25 .....	1
200 .....	4
Up to equidistant line with neighbouring States .....	1

Continental shelf

<u>Outer limit criteria</u>	
Depth (200 metres) plus exploitability (200m/EXP) .....	16
Breadth (200 miles) plus continental margin (200/CM) .....	3
Breadth (200 miles) plus natural prolongation (200+np) .....	1
Delimitation in conformity with article 83 of the Convention .....	1
Defined by coordinates .....	1
Up to limits with neighbouring countries .....	1

4. Latin American and Caribbean States

State	Convention ratification/ accession a/ succession g/	Territorial sea (nm)	Contiguous zone (nm)	Exclusive economic zone (nm)	Fishery zone (nm)	Continental shelf
ANTIGUA AND BARBUDA	2 February 1989	12	24	200		200/CM
ARGENTINA	1 December 1995	12	24	200		200/CM
BAHAMAS	29 July 1983	12		200		
BARBADOS	12 October 1993	12		200		
BELIZE	13 August 1983	3/12 <sup>12/</sup>		200		
BOLIVIA	25 April 1995	-	-	-	-	-
BRAZIL	22 December 1988	12	24	200		200/CM
CHILE		12	24	200		200/350
COLOMBIA		12		200		200m/EXP (58)
COSTA RICA	21 September 1992	12		200		200m/EXP (58)
CUBA	15 August 1984	12		200		
DOMINICA	2 <sup>o</sup> October 1991	12	24	200		
DOMINICAN REPUBLIC		6	24	200		200/CM (58)
ECUADOR		200				200/iso
EL SALVADOR		200				
GRENADA	25 April 1991	12		200		
GUATEMALA	11 February 1997	12		200		200m/EXP (58)
GUYANA	16 November 1993	12			200	200/CM
HAITI	31 July 1996	12	24	200		EXP <sup>3, 6, 8, 11/</sup> (58)
HONDURAS	5 October 1993	12	24	200		200m/EXP
JAMAICA	21 March 1983	12	24	200		200/CM (58)

<sup>12/</sup> The limit of 3 miles applies from the mouth of Sarstoon River to Ranguana Caye.

State	Convention ratification/ accession g/ succession s/	Territorial sea (nm)	Contiguous zone (nm)	Exclusive economic zone (nm)	Fishery zone (nm)	Continental shelf
MEXICO	18 March 1983	12	24	200		200/CM (58)
NICARAGUA		200				
PANAMA	1 July 1996	200				
PARAGUAY*	26 September 1986	-	-	-	-	-
PERU		200				
SAINT KITTS AND NEVIS	7 January 1993	12	24	200		200
SAINT LUCIA	27 March 1985	12	24	200		200/CM
SAINT VINCENT AND THE GRENADINES	1 October 1993	12	24	200		200/CM
SURINAME		12		200		200
TRINIDAD AND TOBAGO	25 April 1986	12	24	200		200m/EXP (58)
URUGUAY	10 December 1992	12		200		200/CM
VENEZUELA		12	15	200		200m/EXP (58)

SUMMARY OF CLAIMS TO MARITIME ZONES - LATIN AMERICAN AND CARIBBEAN STATES

Coastal States	31
<u>Land-locked States</u>	<u>2</u>
Total	<u>33</u>

Territorial sea

<u>Breadth</u> (miles)	<u>Number of States</u>
6 .....	1
12 .....	24
200 .....	5
3/12 .....	1

Contiguous zone

<u>Outer limit</u> (miles from territorial sea baseline)	
15 .....	1
24 .....	14

Exclusive economic zone

<u>Outer limit</u>	
200 miles from territorial sea baseline .....	25

Fishery zone

<u>Outer limit</u> (miles from territorial sea baseline)	
200 .....	1

Continental shelf

Outer limit criteria

Depth (200 metres) plus exploitability (200m/EXP) .....	6
Breadth (200 miles) plus continental margin (200/CM) .....	10
Breadth (200 miles) (200) .....	2
Exploitability (EXP) .....	1
Breadth (200 miles or 100 miles from the 2,500-metre isobath) (200/iso) .....	1
Breadth (200/350 miles) (200/350) .....	1

D. Treaties

1. Bilateral treaties

(a) Agreement between the Government of Jamaica and the Government of the Republic of Cuba on the delimitation of the maritime boundary between the two States

The Government of Jamaica and the Government of the Republic of Cuba;

Reaffirming the close and traditional bonds of friendship, mutual respect and understanding existing between the two Caribbean States;

Conscious of the duty to safeguard for their peoples the renewable and non-renewable natural resources, found in marine and submarine areas, subject to their respective sovereignty, sovereign rights and jurisdiction;

Acknowledging that cooperation between States, particularly between States in the same region, is necessary for the exploration, exploitation, conservation and rational and optimal management of living and non-living resources;

Taking into account the relevant provisions of the United Nations Convention on the Law of the Sea, adopted in Montego Bay, Jamaica on December 10, 1982 to which Cuba and Jamaica are Parties, and which will enter into force on 16 November 1994;

Prompted by the desire to establish limits between their respective maritime zones on the bases of the principles of mutual respect and sovereign equality;

Agree as follows:

Article 1

The Government of Jamaica and the Government of the Republic of Cuba agree that the equidistance method is the equitable solution for the establishment of the delimitation line between their Exclusive Economic Zones and Continental Shelves.

Article 2

(1) The delimitation line referred to in Article 1 is constituted by geodesic lines determined by the following points:

<u>Latitude (North)</u>	<u>Longitude (West)</u>
1. 18°49'56"	75°30'23"
2. 18°50'45"	75°31'41"
3. 18°51'40"	75°32'36"
4. 18°51'10"	75°34'09"
5. 18°55'06"	75°41'55"
6. 18°55'40"	75°43'19"
7. 18°58'28"	75°50'24"
8. 18°58'43"	75°51'02"
9. 18°59'52"	75°53'57"
10. 19°00'40"	75°56'05"
11. 19°01'00"	75°57'03"

<u>Latitude (North)</u>	<u>Longitude (West)</u>
12. 19°01'19"	75°57'53"
13. 19°01'27"	75°58'31"
14. 19°01'33"	75°58'53"
15. 19°01'44"	75°59'46"
16. 19°02'03"	76°01'15"
17. 19°02'34"	76°03'31"
18. 19°03'08"	76°05'45"
19. 19°03'37"	76°07'31"
20. 19°03'44"	76°07'59"
21. 19°04'8"	76°09'25"
22. 19°04'20"	76°10'12"
23. 19°04'40"	76°11'25"
24. 19°04'49"	76°12'30"
25. 19°05'10"	76°14'51"
26. 19°05'33"	76°17'11"
27. 19°05'59"	76°19'29"
28. 19°06'08"	76°20'10"
29. 19°06'26"	76°21'47"
30. 19°06'34"	76°22'28"
31. 19°06'53"	76°24'05"
32. 19°07'01"	76°24'46"
33. 19°07'19"	76°26'24"
34. 19°07'24"	76°26'47"
35. 19°07'42"	76°28'19"
36. 19°07'46"	76°28'42"
37. 19°07'50"	76°29'04"
38. 19°08'10"	76°30'53"
39. 19°08'12"	76°31'00"
40. 19°09'00"	76°35'17"
41. 19°09'23"	76°37'34"
42. 19°09'30"	76°38'24"

<u>Latitude (North)</u>	<u>Longitude (West)</u>
43. 19°09'31"	76°38'37"
44. 19°09'31"	76°40'59"
45. 19°09'31"	76°43'20"
46. 19°09'31"	76°45'52"
47. 19°09'25"	76°47'53"
48. 19°09'22"	76°50'19"
49. 19°09'22"	76°52'05"
50. 19°09'21"	76°52'38"
51. 19°09'24"	76°55'31"
52. 19°09'25"	76°55'57"
53. 19°09'27"	76°56'45"
54. 19°09'35"	76°59'31"
55. 19°09'45"	77°01'48"
56. 19°09'51"	77°02'49"
57. 19°09'57"	77°04'04"
58. 19°10'00"	77°04'42"
59. 19°10'05"	77°05'37"
60. 19°10'04"	77°06'22"
61. 19°10'04"	77°07'09"
62. 19°10'01"	77°08'41"
63. 19°10'01"	77°09'28"
64. 19°09'59"	77°11'00"
65. 19°09'59"	77°11'38"
66. 19°09'55"	77°14'30"
67. 19°09'54"	77°15'10"
68. 19°09'53"	77°16'03"
69. 19°09'50"	77°16'35"
70. 19°09'50"	77°18'21"
71. 19°09'51"	77°20'39"
72. 19°09'55"	77°22'56"
73. 19°10'00"	77°24'30"



<u>Latitude (North)</u>	<u>Longitude (West)</u>
74. 19°10'01"	77°25'05"
75. 19°10'01"	77°25'10"
76. 19°10'06"	77°26'52"
77. 19°10'07"	77°27'38"
78. 19°10'10"	77°28'31"
79. 19°10'11"	77°29'13"
80. 19°10'11"	77°29'46"
81. 19°10'11"	77°29'47"
82. 19°10'09"	77°32'04"
83. 19°10'09"	77°32'05"
84. 19°10'07"	77°34'02"
85. 19°10'06"	77°34'23"
86. 19°10'05"	77°36'41"
87. 19°10'08"	77°38'58"
88. 19°10'14"	77°41'15"
89. 19°10'24"	77°43'32"

Article 4

For illustrative purposes only, the delimitation line appears on the nautical chart which is attached to this Agreement. <sup>1/</sup>

Article 5

(1) The parties agree to cooperate in the development and the implementation of programmes in the following areas:

- (a) navigational safety;
- (b) search and rescue;
- (c) hydrographic surveys;
- (d) scientific research;
- (e) preservation and protection of the marine environment;
- (f) any other areas of common interest.

(2) The programmes referred to in paragraph 1 shall be elaborated in subsequent agreements.

Article 6

Both parties agree that neither shall make claims nor exercise any sovereign rights or jurisdiction over the waters, the seabed and subsoil which are found in the exclusive economic zone and continental shelf of the other Party, as have been delimited in this Agreement.

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<sup>1/</sup> Chart not available.

Article 7

The Parties agree to resolve any dispute which may arise in the application or interpretation of this Agreement, in conformity with the procedures for the peaceful settlement of disputes set out in Article 33 of the Charter of the United Nations.

Article 8

This Agreement shall be signed and ratified by the Parties, in accordance with the existing constitutional rules in their respective countries, and will take effect immediately after the exchange of the instruments of ratification.

DONE at Kingston, Jamaica, on this 18th day of February, 1994, in duplicate in English and Spanish, each text being equally authentic.

(b) Agreement between the Republic of Finland and the Kingdom of Sweden on the delimitation of the boundary between the continental shelf and fishery zone of Finland and the economic zone of Sweden in the Åland Sea and the northern Baltic Sea<sup>2/</sup>

The Government of the Republic of Finland and the Government of the Kingdom of Sweden,

Having decided to reach agreement on the delimitation of the boundary between the continental shelf and fishery zone of Finland and the economic zone of Sweden, in the Åland Sea and the northern Baltic Sea,

Having regard to the boundary lines established: on the one hand in the year 1811 in the topographic description of the frontier drawn up after the Peace of Fredrikshamn (Hamina) and, on the other hand, in the Convention of 20 October 1921 relating to the Non-Fortification and Neutralization of the Åland Islands,

Have agreed as follows:

Article 1

The demarcation line between the areas of the continental shelf in which Finland exercises sovereign rights for the purposes of the exploration and utilization of natural resources and the fishery zone of Finland on the one hand and the economic zone of Sweden on the other hand shall consist of straight lines (geodetic lines) connecting the points specified in article 2.

The positions of these points have been established in terms of geographic longitude and latitude in accordance with the World Geodetic System 1984.

The demarcation line is shown in a chart attached to this Agreement.<sup>3/</sup>

Article 2

The northern starting point of the demarcation line shall be the point south of Märket where the territorial seas of Finland and Sweden cease to be contiguous. The coordinates of the point are: 60°14.115'N 19°06.162'E (point 1).

From point 1 the demarcation line passes through the following points in the order indicated below.

	<u>Latitude</u>	<u>Longitude</u>
Point 2	60°11.501'N	19°04.992'E
Point 3	59°47.501'N	19°39.497'E
Point 4	59°26.701'N	20°09.200'E
Point 5	58°51.776'N	20°28.276'E

South of point 5 the demarcation line shall extend to the point agreed upon with a third State concerned.

Points 2, 3 and 4 as defined in this article correspond to the points designated respectively as 15, 14 and 13 in the 1921 Åland Convention.

Article 3

The Government of Finland and the Government of Sweden undertake not to extend the territorial seas of their respective countries in the Åland Sea north of Svenska Björn without consulting each other first.

Finland undertakes not to extend its territorial sea off Bogskär west of the demarcation line agreed upon in article 2.

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<sup>2/</sup> Entered into force on 30 July 1995.

<sup>3/</sup> Chart not available.

Article 4

This Agreement shall enter into force thirty days after the date on which the Contracting Parties inform each other that the Agreement has been approved.

Upon the entry into force of this Agreement the following shall cease to have effect:

- The Agreement of 29 September 1972 between Finland and Sweden concerning the delimitation of the continental shelf in the Gulf of Bothnia, the Bothnian Sea, the Åland Sea and the northernmost part of the Baltic Sea, insofar as the Agreement pertains to the area south of Märket, and

- The Agreement of 2 December 1977 between Finland and Sweden concerning certain frontier questions.

PROTOCOL

In connection with the Agreement signed today between the Government of the Republic of Finland and the Government of the Kingdom of Sweden on the delimitation of the boundary between the continental shelf and fishery zone of Finland and the economic zone of Sweden in the Åland Sea and the northern Baltic Sea, the two Parties have agreed upon the following provisions pending a technical revision of the demarcation line north of Märket:

From point 65°31.8'N 24°08.4'E to point 60°22.3'N 19°09.5'E (points 1 and 10 of the Agreement of 29 September 1972 concerning the delimitation of the continental shelf in the Gulf of Bothnia, the Bothnian Sea, the Åland Sea and the northernmost part of the Baltic Sea) the boundary of the fishery zone of Finland and the economic zone of Sweden shall follow the boundary of the continental shelf agreed upon in the Agreement of 29 September 1972.

DONE at Stockholm on 2 June 1994, in duplicate in the Finnish and Swedish languages, both texts being equally authentic.

## 2. Regional treaties

- (a) Protocol to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972, and resolutions adopted by the special meeting, 7 November 1996<sup>4/</sup>

### **The Contracting Parties to this Protocol,**

**Stressing** the need to protect the marine environment and to promote the sustainable use and conservation of marine resources,

**Noting** in this regard the achievements within the framework of the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972,<sup>5/</sup> and especially the evolution towards approaches based on precaution and prevention,

**Noting further** the contribution in this regard by complementary regional and national instruments which aim to protect the marine environment and which take account of specific circumstances and needs of those regions and States,

**Reaffirming** the value of a global approach to these matters and in particular the importance of continuing cooperation and collaboration between Contracting Parties in implementing the Convention and the Protocol,

**Recognizing** that it may be desirable to adopt, on a national or regional level, more stringent measures with respect to prevention and elimination of pollution of the marine environment from dumping at sea than are provided for in international conventions or other types of agreements with a global scope,

**Taking into account** relevant international agreements and actions, especially the United Nations Convention on the Law of the Sea, 1982, the Rio Declaration on Environment and Development and Agenda 21,

**Recognizing also** the interests and capacities of developing States and in particular small island developing States,

**Being convinced** that further international action to prevent, reduce and where practicable eliminate pollution of the sea caused by dumping can and must be taken without delay to protect and preserve the marine environment and to manage human activities in such a manner that the marine ecosystem will continue to sustain the legitimate uses of the sea and will continue to meet the needs of present and future generations,

**Have agreed** as follows:

### Article 1 Definitions

For the purposes of this Protocol:

1. "Convention" means the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972, as amended.
2. "Organization" means the International Maritime Organization.
3. "Secretary-General" means the Secretary-General of the Organization.
4. "Dumping" means:
  - .1 any deliberate disposal into the sea of wastes or other matter from vessels, aircraft, platforms or other man-made structures at sea;
  - .2 any deliberate disposal into the sea of vessels, aircraft, platforms or other man-made structures at sea;

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<sup>4/</sup> International Maritime Organization, Special Meeting of Contracting Parties to Consider and Adopt the 1996 Protocol to the London Convention 1972, 28 October-8 November 1996 (see IMO document C77/8/Add.1).

<sup>5/</sup> United Nations, Treaty Series, vol. 1046, p. 120.

- .3 any storage of wastes or other matter in the seabed and the subsoil thereof from vessels, aircraft, platforms or other man-made structures at sea; and
- .4 any abandonment or toppling at site of platforms or other man-made structures at sea, for the sole purpose of deliberate disposal.

.2 "Dumping" does not include:

- .1 the disposal into the sea of wastes or other matter incidental to, or derived from the normal operations of vessels, aircraft, platforms or other man-made structures at sea and their equipment, other than wastes or other matter transported by or to vessels, aircraft, platforms or other man-made structures at sea, operating for the purpose of disposal of such matter or derived from the treatment of such wastes or other matter on such vessels, aircraft, platforms or other man-made structures;
- .2 placement of matter for a purpose other than the mere disposal thereof, provided that such placement is not contrary to the aims of this Protocol; and
- .3 notwithstanding paragraph 4.1.4, abandonment in the sea of matter (e.g., cables, pipelines and marine research devices) placed for a purpose other than the mere disposal thereof.

.3 The disposal or storage of wastes or other matter directly arising from, or related to the exploration, exploitation and associated offshore processing of seabed mineral resources is not covered by the provisions of this Protocol.

5. .1 "Incineration at sea" means the combustion on board a vessel, platform or other man-made structure at sea of wastes or other matter for the purpose of their deliberate disposal by thermal destruction.

.2 "Incineration at sea" does not include the incineration of wastes or other matter on board a vessel, platform, or other man-made structure at sea if such wastes or other matter were generated during the normal operation of that vessel, platform or other man-made structure at sea.

6. "Vessels and aircraft" means waterborne or airborne craft of any type whatsoever. This expression includes air-cushioned craft and floating craft, whether self-propelled or not.

7. "Sea" means all marine waters other than the internal waters of States, as well as the seabed and the subsoil thereof; it does not include sub-seabed repositories accessed only from land.

8. "Wastes or other matter" means material and substance of any kind, form or description.

9. "Permit" means permission granted in advance and in accordance with relevant measures adopted pursuant to article 4.1.2 or 8.2.

10. "Pollution" means the introduction, directly or indirectly, by human activity, of wastes or other matter into the sea which results or is likely to result in such deleterious effects as harm to living resources and marine ecosystems, hazards to human health, hindrance to marine activities including fishing and other legitimate uses of the sea, impairment of quality for use of sea water and reduction of amenities.

## Article 2 Objectives

Contracting Parties shall individually and collectively protect and preserve the marine environment from all sources of pollution and take effective measures, according to their scientific, technical and economic capabilities, to prevent, reduce and where practicable eliminate pollution caused by dumping or incineration at sea of wastes or other matter. Where appropriate, they shall harmonize their policies in this regard.

## Article 3 General obligations

1. In implementing this Protocol, Contracting Parties shall apply a precautionary approach to environmental protection from dumping of wastes or other matter whereby appropriate preventative measures are taken when there is reason to believe that wastes or other matter introduced into the marine environment are likely to cause harm even when there is no conclusive evidence to prove a causal relation between inputs and their effects.

2. Taking into account the approach that the polluter should, in principle, bear the cost of pollution, each Contracting Party shall endeavour to promote practices whereby those it has authorized to engage in dumping or incineration at sea bear the cost of meeting the pollution prevention-and-control requirements for the authorized activities, having due regard to the public interest.
3. In implementing the provisions of this Protocol, Contracting Parties shall act so as not to transfer, directly or indirectly, damage or likelihood of damage from one part of the environment to another or transform one type of pollution into another.
4. No provision of this Protocol shall be interpreted as preventing Contracting Parties from taking, individually or jointly, more stringent measures in accordance with international law with respect to the prevention, reduction and where applicable elimination of pollution.

Article 4  
Dumping of wastes or other matter

1. .1 Contracting Parties shall prohibit the dumping of any wastes or other matter with the exception of those listed in annex 1.
  - .2 The dumping of wastes or other matter listed in annex 1 shall require a permit. Contracting Parties shall adopt administrative or legislative measures to ensure that issuance of permits and permit conditions comply with provisions of annex 2. Particular attention shall be paid to opportunities to avoid dumping in favour of environmentally preferable alternatives.
2. No provision of this Protocol shall be interpreted as preventing a Contracting Party from prohibiting, insofar as that Contracting Party is concerned, the dumping of wastes or other matter mentioned in annex 1. That Contracting Party shall notify the Organization of such measures.

Article 5  
Incineration at sea

Contracting Parties shall prohibit incineration at sea of wastes or other matter.

Article 6  
Export of wastes or other matter

Contracting Parties shall not allow the export of wastes or other matter to other countries for dumping or incineration at sea.

Article 7  
Internal waters

1. Notwithstanding any other provision of this Protocol, this Protocol shall relate to internal waters only to the extent provided for in paragraphs 2 and 3.
2. Each Contracting Party shall at its discretion either apply the provisions of this Protocol or adopt other effective permitting and regulatory measures to control the deliberate disposal of wastes or other matter in marine internal waters where such disposal would be "dumping" or "incineration at sea" within the meaning of article 1, if conducted at sea.
3. Each Contracting Party should provide the Organization with information on legislation and institutional mechanisms regarding implementation, compliance and enforcement in marine internal waters. Contracting Parties should also use their best efforts to provide on a voluntary basis summary reports on the type and nature of the materials dumped in marine internal waters.

Article 8  
Exceptions

1. The provisions of articles 4.1 and 5 shall not apply when it is necessary to secure the safety of human life or of vessels, aircraft, platforms or other man-made structures at sea in cases of *force majeure* caused by stress of weather, or in any case which constitutes a danger to human life or a real threat to vessels, aircraft, platforms or other man-made structures at sea, if dumping appears to be the only way of averting the threat and if there is

every probability that the damage consequent upon such dumping will be less than would otherwise occur. Such dumping shall be conducted so as to minimize the likelihood of damage to human or marine life and shall be reported forthwith to the Organization.

2. A Contracting Party may issue a permit as an exception to articles 4.1 and 5, in emergencies posing an unacceptable threat to human health, safety, or the marine environment and admitting of no other feasible solution. Before doing so the Contracting Party shall consult any other country or countries that are likely to be affected and the Organization which, after consulting other Contracting Parties, and competent international organizations as appropriate, shall, in accordance with article 18.6, promptly recommend to the Contracting Party the most appropriate procedures to adopt. The Contracting Party shall follow these recommendations to the maximum extent feasible consistent with the time within which action must be taken and with the general obligation to avoid damage to the marine environment and shall inform the Organization of the action it takes. The Contracting Parties pledge themselves to assist one another in such situations.

3. Any Contracting Party may waive its rights under paragraph 2 at the time of, or subsequent to ratification of, or accession to this Protocol.

#### Article 9 Issuance of permits and reporting

1. Each Contracting Party shall designate an appropriate authority or authorities to:

- .1 issue permits in accordance with this Protocol;
- .2 keep records of the nature and quantities of all wastes or other matter for which dumping permits have been issued and where practicable the quantities actually dumped and the location, time and method of dumping; and
- .3 monitor individually, or in collaboration with other Contracting Parties and competent international organizations, the condition of the sea for the purposes of this Protocol.

2. The appropriate authority or authorities of a Contracting Party shall issue permits in accordance with this Protocol in respect of wastes or other matter intended for dumping or, as provided for in article 8.2, incineration at sea:

1. loaded in its territory; and
2. loaded onto a vessel or aircraft registered in its territory or flying its flag, when the loading occurs in the territory of a State not a Contracting Party to this Protocol.

3. In issuing permits, the appropriate authority or authorities shall comply with the requirements of article 4, together with such additional criteria, measures and requirements as they may consider relevant.

4. Each Contracting Party, directly or through a secretariat established under a regional agreement, shall report to the Organization and where appropriate to other Contracting Parties:

- .1 the information specified in paragraphs 1.2 and 1.3;
- .2 the administrative and legislative measures taken to implement the provisions of this Protocol, including a summary of enforcement measures; and
- .3 the effectiveness of the measures referred to in paragraph 4.2 and any problems encountered in their application.

The information referred to in paragraphs 1.2 and 1.3 shall be submitted on an annual basis. The information referred to in paragraphs 4.2 and 4.3 shall be submitted on a regular basis.

5. Reports submitted under paragraphs 4.2 and 4.3 shall be evaluated by an appropriate subsidiary body as determined by the Meeting of Contracting Parties. This body will report its conclusions to an appropriate Meeting or Special Meeting of Contracting Parties.



Article 10  
Application and enforcement

1. Each Contracting Party shall apply the measures required to implement this Protocol to all:
  - .1 vessels and aircraft registered in its territory or flying its flag;
  - .2 vessels and aircraft loading in its territory the wastes or other matter which are to be dumped or incinerated at sea; and
  - .3 vessels, aircraft and platforms or other man-made structures believed to be engaged in dumping or incineration at sea in areas within which it is entitled to exercise jurisdiction in accordance with international law.
2. Each Contracting Party shall take appropriate measures in accordance with international law to prevent and if necessary punish acts contrary to the provisions of this Protocol.
3. Contracting Parties agree to cooperate in the development of procedures for the effective application of this Protocol in areas beyond the jurisdiction of any State, including procedures for the reporting of vessels and aircraft observed dumping or incinerating at sea in contravention of this Protocol.
4. This Protocol shall not apply to those vessels and aircraft entitled to sovereign immunity under international law. However, each Contracting Party shall ensure by the adoption of appropriate measures that such vessels and aircraft owned or operated by it act in a manner consistent with the object and purpose of this Protocol and shall inform the Organization accordingly.
5. A State may, at the time it expresses its consent to be bound by this Protocol, or at any time thereafter, declare that it shall apply the provisions of this Protocol to its vessels and aircraft referred to in paragraph 4, recognizing that only that State may enforce those provisions against such vessels and aircraft.

Article 11  
Compliance procedures

1. No later than two years after the entry into force of this Protocol, the Meeting of Contracting Parties shall establish those procedures and mechanisms necessary to assess and promote compliance with this Protocol. Such procedures and mechanisms shall be developed with a view to allowing for the full and open exchange of information, in a constructive manner.
2. After full consideration of any information submitted pursuant to this Protocol and any recommendations made through procedures or mechanisms established under paragraph 1, the Meeting of Contracting Parties may offer advice, assistance or cooperation to Contracting Parties and non-Contracting Parties.

Article 12  
Regional cooperation

In order to further the objectives of this Protocol, Contracting Parties with common interests to protect the marine environment in a given geographical area shall endeavour, taking into account characteristic regional features, to enhance regional cooperation including the conclusion of regional agreements consistent with this Protocol for the prevention, reduction and where practicable elimination of pollution caused by dumping or incineration at sea of wastes or other matter. Contracting Parties shall seek to cooperate with the parties to regional agreements in order to develop harmonized procedures to be followed by Contracting Parties to the different conventions concerned.

Article 13  
Technical cooperation and assistance

1. Contracting Parties shall, through collaboration within the Organization and in coordination with other competent international organizations, promote bilateral and multilateral support for the prevention, reduction and where practicable elimination of pollution caused by dumping as provided for in this Protocol to those Contracting Parties that request it for:
  - .1 training of scientific and technical personnel for research, monitoring and enforcement, including as appropriate the supply of necessary equipment and facilities, with a view to strengthening national capabilities;

- .2 advice on implementation of this Protocol;
- .3 information and technical cooperation relating to waste minimization and clean production processes;
- .4 information and technical cooperation relating to the disposal and treatment of waste and other measures to prevent, reduce and where practicable eliminate pollution caused by dumping; and
- .5 access to and transfer of environmentally sound technologies and corresponding know-how, in particular to developing countries and countries in transition to market economies, on favourable terms, including on concessional and preferential terms, as mutually agreed, taking into account the need to protect intellectual property rights as well as the special needs of developing countries and countries in transition to market economies.

2. The Organization shall perform the following functions:

- .1 forward requests from Contracting Parties for technical cooperation to other Contracting Parties, taking into account such factors as technical capabilities;
- .2 coordinate requests for assistance with other competent international organizations, as appropriate; and
- .3 subject to the availability of adequate resources, assist developing countries and those in transition to market economies, which have declared their intention to become Contracting Parties to this Protocol, to examine the means necessary to achieve full implementation.

Article 14  
Scientific and technical research

1. Contracting Parties shall take appropriate measures to promote and facilitate scientific and technical research on the prevention, reduction and where practicable elimination of pollution by dumping and other sources of marine pollution relevant to this Protocol. In particular, such research should include observation, measurement, evaluation and analysis of pollution by scientific methods.

Contracting Parties shall, to achieve the objectives of this Protocol, promote the availability of relevant information to other Contracting Parties who request it on:

- .1 scientific and technical activities and measures undertaken in accordance with this Protocol;
- .2 marine scientific and technological programmes and their objectives; and
- .3 the impacts observed from the monitoring and assessment conducted pursuant to article 9.1.3.

Article 15  
Responsibility and liability

In accordance with the principles of international law regarding State responsibility for damage to the environment of other States or to any other area of the environment, the Contracting Parties undertake to develop procedures regarding liability arising from the dumping or incineration at sea of wastes or other matter.

Article 16  
Settlement of disputes

1. Any disputes regarding the interpretation or application of this Protocol shall be resolved in the first instance through negotiation, mediation or conciliation, or other peaceful means chosen by parties to the dispute.
2. If no resolution is possible within twelve months after one Contracting Party has notified another that a dispute exists between them, the dispute shall be settled, at the request of a party to the dispute, by means of the arbitral procedure set forth in annex 3, unless the parties to the dispute agree to use one of the procedures listed in paragraph 1 of article 287 of the 1982 United Nations Convention on the Law of the Sea. The parties to the dispute may so agree, whether or not they are also States parties to the 1982 United Nations Convention on the Law of the Sea.
3. In the event an agreement to use one of the procedures listed in paragraph 1 of Article 287 of the 1982 United Nations Convention on the Law of the Sea is reached, the provisions set forth in Part XV of that Convention that are related to the chosen procedure would also apply, *mutatis mutandis*.

4. The twelve-month period referred to in paragraph 2 may be extended for another twelve months by mutual consent of the parties concerned.

5. Notwithstanding paragraph 2, any State may, at the time it expresses its consent to be bound by this Protocol, notify the Secretary-General that, when it is a party to a dispute about the interpretation or application of article 3.1 or 3.2, its consent will be required before the dispute may be settled by means of the arbitral procedure set forth in annex 3.

#### Article 17 International cooperation

Contracting Parties shall promote the objectives of this Protocol within the competent international organizations.

#### Article 18 Meetings of Contracting Parties

1. Meetings of Contracting Parties or Special Meetings of Contracting Parties shall keep under continuing review the implementation of this Protocol and evaluate its effectiveness with a view to identifying means of strengthening action, where necessary, to prevent, reduce and where practicable eliminate pollution caused by dumping and incineration at sea of wastes or other matter. To these ends, Meetings of Contracting Parties or Special Meetings of Contracting Parties may:

- .1 review and adopt amendments to this Protocol in accordance with articles 21 and 22;
  - .2 establish subsidiary bodies, as required, to consider any matter with a view to facilitating the effective implementation of this Protocol;
  - .3 invite appropriate expert bodies to advise the Contracting Parties or the Organization on matters relevant to this Protocol;
  - .4 promote cooperation with competent international organizations concerned with the prevention and control of pollution;
  - .5 consider the information made available pursuant to article 9.4;
  - .6 develop or adopt, in consultation with competent international organizations, procedures referred to in article 8.2, including basic criteria for determining exceptional and emergency situations, and procedures for consultative advice and the safe disposal of matter at sea in such circumstances;
  - .7 consider and adopt resolutions; and
  - .8 consider any additional action that may be required.
2. The Contracting Parties at their first Meeting shall establish rules of procedure as necessary.

#### Article 19 Duties of the Organization

1. The Organization shall be responsible for secretariat duties in relation to this Protocol. Any Contracting Party to this Protocol not being a member of this Organization shall make an appropriate contribution to the expenses incurred by the Organization in performing these duties.

2. Secretariat duties necessary for the administration of this Protocol include:

- .1 convening Meetings of Contracting Parties once per year, unless otherwise decided by Contracting Parties, and Special Meetings of Contracting Parties at any time on the request of two thirds of the Contracting Parties;
- .2 providing advice on request on the implementation of this Protocol and on guidance and procedures developed thereunder;

- .3 considering enquiries by, and information from Contracting Parties, consulting with them and with the competent international organizations, and providing recommendations to Contracting Parties on questions related to, but not specifically covered by, this Protocol;
  - .4 preparing and assisting, in consultation with Contracting Parties and the competent international organizations, in the development and implementation of procedures referred to in article 18.6;
  - .5 conveying to the Contracting Parties concerned all notifications received by the Organization in accordance with this Protocol; and
  - .6 preparing, every two years, a budget and a financial account for the administration of this Protocol which shall be distributed to all Contracting Parties.
3. The Organization shall, subject to the availability of adequate resources, in addition to the requirements set out in article 13.2.3:
- .1 collaborate in assessments of the state of the marine environment; and
  - .2 cooperate with competent international organizations concerned with the prevention and control of pollution.

Article 20  
Annexes

Annexes to this Protocol form an integral part of this Protocol.

Article 21  
Amendment of the Protocol

1. Any Contracting Party may propose amendments to the articles of this Protocol. The text of a proposed amendment shall be communicated to Contracting Parties by the Organization at least six months prior to its consideration at a Meeting of Contracting Parties or a Special Meeting of Contracting Parties.
2. Amendments to the articles of this Protocol shall be adopted by a two-thirds majority vote of the Contracting Parties which are present and voting at the Meeting of Contracting Parties or Special Meeting of Contracting Parties designated for this purpose.
3. An amendment shall enter into force for the Contracting Parties which have accepted it on the sixtieth day after two thirds of the Contracting Parties shall have deposited an instrument of acceptance of the amendment with the Organization. Thereafter the amendment shall enter into force for any other Contracting Party on the sixtieth day after the date on which that Contracting Party has deposited its instrument of acceptance of the amendment.
4. The Secretary-General shall inform Contracting Parties of any amendments adopted at Meetings of Contracting Parties and of the date on which such amendments enter into force generally and for each Contracting Party.
5. After entry into force of an amendment to this Protocol, any State that becomes a Contracting Party to this Protocol shall become a Contracting Party to this Protocol as amended, unless two thirds of the Contracting Parties present and voting at the Meeting or Special Meeting of Contracting Parties adopting the amendment agree otherwise.

Article 22  
Amendment of the annexes

1. Any Contracting Party may propose amendments to the annexes to this Protocol. The text of a proposed amendment shall be communicated to Contracting Parties by the Organization at least six months prior to its consideration by a Meeting of Contracting Parties or Special Meeting of Contracting Parties.
2. Amendments to the annexes other than annex 3 will be based on scientific or technical considerations and may take into account legal, social and economic factors as appropriate. Such amendments shall be adopted by a two-thirds majority vote of the Contracting Parties present and voting at a Meeting of Contracting Parties or Special Meeting of Contracting Parties designated for this purpose.
3. The Organization shall without delay communicate to Contracting Parties amendments to the annexes that have been adopted at a Meeting of Contracting Parties or Special Meeting of Contracting Parties.

4. Except as provided in paragraph 7, amendments to the annexes shall enter into force for each Contracting Party immediately on notification of its acceptance to the Organization or 100 days after the date of their adoption at a Meeting of Contracting Parties, if that is later, except for those Contracting Parties which before the end of the 100 days make a declaration that they are not able to accept the amendment at that time. A Contracting Party may at any time substitute an acceptance for a previous declaration of objection and the amendment previously objected to shall thereupon enter into force for that Contracting Party.

5. The Secretary-General shall without delay notify Contracting Parties of instruments of acceptance or objection deposited with the Organization.

6. A new annex or an amendment to an annex which is related to an amendment to the articles of this Protocol shall not enter into force until such time as the amendment to the articles of this Protocol enters into force.

7. With regard to amendments to annex 3 concerning the arbitral procedure and with regard to the adoption and entry into force of new annexes, the procedures on amendments to the articles of this Protocol shall apply.

#### Article 23

#### Relationship between the Protocol and the Convention

This Protocol will supersede the Convention as between Contracting Parties to this Protocol which are also Parties to the Convention.

#### Article 24

#### Signature, ratification, acceptance, approval and accession

1. This Protocol shall be open for signature by any State at the headquarters of the Organization from 1 April 1997 to 31 March 1998 and shall thereafter remain open for accession by any State.

2. States may become Contracting Parties to this Protocol by:

- .1 signature not subject to ratification, acceptance or approval; or
- .2 signature subject to ratification, acceptance or approval, followed by ratification, acceptance or approval; or
- .3 accession.

3. Ratification, acceptance, approval or accession shall be effected by the deposit of an instrument to that effect with the Secretary-General.

#### Article 25

#### Entry into force

1. This Protocol shall enter into force on the thirtieth day following the date on which:

- .1 at least 26 States have expressed their consent to be bound by this Protocol in accordance with article 24; and
- .2 at least 15 Contracting Parties to the Convention are included in the number of States referred to in paragraph 1.1.

2. For each State that has expressed its consent to be bound by this Protocol in accordance with article 24 following the date referred to in paragraph 1, this Protocol shall enter into force on the thirtieth day after the date on which such State expressed its consent.

#### Article 26

#### Transitional period

1. Any State that was not a Contracting Party to the Convention before 31 December 1996 and that expresses its consent to be bound by this Protocol prior to its entry into force or within five years after its entry into force may, at the time it expresses its consent, notify the Secretary-General that, for reasons described in the notification, it will not be able to comply with specific provisions of this Protocol other than those provided in paragraph 2, for a transitional period that shall not exceed that described in paragraph 4.

2. No notification made under paragraph 1 shall affect the obligations of a Contracting Party to this Protocol with respect to incineration at sea or the dumping of radioactive wastes or other radioactive matter.

3. Any Contracting Party to this Protocol that has notified the Secretary-General under paragraph 1 that, for the specified transitional period, it will not be able to comply, in part or in whole, with article 4.1 or article 9 shall nonetheless during that period prohibit the dumping of wastes or other matter for which it has not issued a permit, use its best efforts to adopt administrative or legislative measures to ensure that issuance of permits and permit conditions comply with the provisions of annex 2, and notify the Secretary-General of any permits issued.

4. Any transitional period specified in a notification made under paragraph 1 shall not extend beyond five years after such notification is submitted.

5. Contracting Parties that have made a notification under paragraph 1 shall submit to the first Meeting of Contracting Parties occurring after deposit of their instrument of ratification, acceptance, approval or accession a programme and timetable to achieve full compliance with this Protocol, together with any requests for relevant technical cooperation and assistance in accordance with article 13 of this Protocol.

6. Contracting Parties that have made a notification under paragraph 1 shall establish procedures and mechanisms for the transitional period to implement and monitor submitted programmes designed to achieve full compliance with this Protocol. A report on progress towards compliance shall be submitted by such Contracting Parties to each Meeting of Contracting Parties held during their transitional period for appropriate action.

#### Article 27 Withdrawal

1. Any Contracting Party may withdraw from this Protocol at any time after the expiry of two years from the date on which this Protocol enters into force for that Contracting Party.

2. Withdrawal shall be effected by the deposit of an instrument of withdrawal with the Secretary-General.

3. A withdrawal shall take effect one year after receipt by the Secretary-General of the instrument of withdrawal or such longer period as may be specified in that instrument.

#### Article 28 Depositary

1. This Protocol shall be deposited with the Secretary-General.

2. In addition to the functions specified in articles 10.5, 16.5, 21.4, 22.5 and 26.5, the Secretary-General shall:

.1 inform all States which have signed this Protocol or acceded thereto of:

.1 each new signature or deposit of an instrument of ratification, acceptance, approval or accession, together with the date thereof;

.2 the date of entry into force of this Protocol; and

.3 the deposit of any instrument of withdrawal from this Protocol together with the date on which it was received and the date on which the withdrawal takes effect.

.2 transmit certified copies of this Protocol to all States which have signed this Protocol or acceded thereto.

3. As soon as this Protocol enters into force, a certified true copy thereof shall be transmitted by the Secretary-General to the Secretariat of the United Nations for registration and publication in accordance with Article 102 of the Charter of the United Nations.

**Article 29**  
**Authentic texts**

This Protocol is established in a single original in the Arabic, Chinese, English, French, Russian and Spanish languages, each text being equally authentic.

IN WITNESS WHEREOF the undersigned, being duly authorized by their respective Governments for that purpose, have signed this Protocol.

DONE at London, this seventh day of November, one thousand nine hundred and ninety-six.

**ANNEX 1**

**Wastes or other matter that may be considered for dumping**

1. The following wastes or other matter are those that may be considered for dumping being mindful of the Objectives and General Obligations of this Protocol set out in articles 2 and 3:

- .1 dredged material;
- .2 sewage sludge;
- .3 fish waste, or material resulting from industrial fish processing operations;
- .4 vessels and platforms or other man-made structures at sea;
- .5 inert, inorganic geological material;
- .6 organic material of natural origin; and
- .7 bulky items primarily comprising iron, steel, concrete and similarly unharmed materials for which the concern is physical impact, and limited to those circumstances where such wastes are generated at locations, such as small islands with isolated communities having no practicable access to disposal options other than dumping.

2. The wastes or other matter listed in paragraphs 1.4 and 1.7 may be considered for dumping, provided that material capable of creating floating debris or otherwise contributing to pollution of the marine environment has been removed to the maximum extent and provided that the material dumped poses no serious obstacle to fishing or navigation.

3. Notwithstanding the above, materials listed in paragraphs 1.1 to 1.7 containing levels of radioactivity greater than *de minimis* (exempt) concentrations and defined by the International Atomic Energy Agency (IAEA) and adopted by Contracting Parties, shall not be considered eligible for dumping; provided further that within 25 years of 20 February 1994, and at each 25-year interval thereafter, Contracting Parties shall complete a scientific study relating to all radioactive wastes and other radioactive matter other than high-level wastes or matter, taking into account such other factors as Contracting Parties consider appropriate, and shall review the prohibition on dumping of such substances in accordance with the procedures set forth in article 22.

**ANNEX 2**

**Assessment of wastes or other matter that may be considered for dumping**

**General**

1. The acceptance of dumping under certain circumstances shall not remove the obligations under this annex to make further attempts to reduce the necessity for dumping.

**Waste prevention audit**

2. The initial stages in assessing alternatives to dumping should, as appropriate, include an evaluation of:

- .1 types, amounts and relative hazard of wastes generated;
- .2 details of the production process and the sources of wastes within that process; and
- .3 feasibility of the following waste reduction/prevention techniques:
  - .1 product reformulation;
  - .2 clean production technologies;
  - .3 process modification;
  - .4 input substitution; and
  - .5 on-site, closed-loop recycling.

3. In general terms, if the required audit reveals that opportunities exist for waste prevention at source, an applicant is expected to formulate and implement a waste prevention strategy, in collaboration with relevant local and national agencies, which includes specific waste reduction targets and provision for further waste prevention audits to ensure that these targets are being met. Permit issuance or renewal decisions shall assure compliance with any resulting waste reduction and prevention requirements.

4. For dredged material and sewage sludge, the goal of waste management should be to identify and control the sources of contamination. This should be achieved through implementation of waste prevention strategies and requires collaboration between the relevant local and national agencies involved with the control of point and non-point sources of pollution. Until this objective is met, the problems of contaminated dredged material may be addressed by using disposal management techniques at sea or on land.

#### Consideration of waste management options

5. Applications to dump wastes or other matter shall demonstrate that appropriate consideration has been given to the following hierarchy of waste management options, which implies an order of increasing environmental impact:

- .1 reuse;
- .2 off-site recycling;
- .3 destruction of hazardous constituents;
- .4 treatment to reduce or remove the hazardous constituents; and
- .5 disposal on land, into air and in water.

6. A permit to dump wastes or other matter shall be refused if the permitting authority determines that appropriate opportunities exist to reuse, recycle or treat the waste without undue risks to human health or the environment or disproportionate costs. The practical availability of other means of disposal should be considered in the light of a comparative risk assessment involving both dumping and the alternatives.

#### Chemical, physical and biological properties

7. A detailed description and characterization of the waste is an essential precondition for the consideration of alternatives and the basis for a decision as to whether a waste may be dumped. If a waste is so poorly characterized that proper assessment cannot be made of its potential impacts on human health and the environment, that waste shall not be dumped.

8. Characterization of the wastes and their constituents shall take into account:

- .1 origin, total amount, form and average composition;
- .2 properties: physical, chemical, biochemical and biological;
- .3 toxicity;
- .4 persistence: physical, chemical and biological; and
- .5 accumulation and biotransformation in biological materials or sediments.

#### Action List

9. Each Contracting Party shall develop a national Action List to provide a mechanism for screening candidate wastes and their constituents on the basis of their potential effects on human health and the marine environment. In selecting substances for consideration in an Action List, priority shall be given to toxic, persistent and bioaccumulative substances from anthropogenic sources (e.g., cadmium, mercury, organohalogens, petroleum hydrocarbons, and, whenever relevant, arsenic, lead, copper, zinc, beryllium, chromium, nickel and vanadium, organosilicon compounds, cyanides, fluorides and pesticides or their by-products other than organohalogens). An Action List can also be used as a trigger mechanism for further waste prevention considerations.

10. An Action List shall specify an upper level and may also specify a lower level. The upper level should be set so as to avoid acute or chronic effects on human health or on sensitive marine organisms representative of the marine ecosystem. Application of an Action List will result in three possible categories of waste:

- .1 wastes which contain specified substances, or which cause biological responses, exceeding the relevant upper level shall not be dumped, unless made acceptable for dumping through the use of management techniques or processes;



- .2 wastes which contain specified substances, or which cause biological responses, below the relevant lower levels should be considered to be of little environmental concern in relation to dumping; and
- .3 wastes which contain specified substances, or which cause biological responses, below the upper level but above the lower level require more detailed assessment before their suitability for dumping can be determined.

#### Dump-site selection

11. Information required to select a dump-site shall include:
  - .1 physical, chemical and biological characteristics of the water-column and the seabed;
  - .2 location of amenities, values and other uses of the sea in the area under consideration;
  - .3 assessment of the constituent fluxes associated with dumping in relation to existing fluxes of substances in the marine environment; and
  - .4 economic and operational feasibility.

#### Assessment of potential effects

12. Assessment of potential effects should lead to a concise statement of the expected consequences of the sea or land disposal options, i.e., the "Impact Hypothesis". It provides a basis for deciding whether to approve or reject the proposed disposal option and for defining environmental monitoring requirements.
13. The assessment for dumping should integrate information on waste characteristics, conditions at the proposed dump-site(s), fluxes and proposed disposal techniques and specify the potential effects on human health, living resources, amenities and other legitimate uses of the sea. It should define the nature, temporal and spatial scales and duration of expected impacts based on reasonably conservative assumptions.
14. An analysis of each disposal option should be considered in the light of a comparative assessment of the following concerns: human health risks, environmental costs, hazards (including accidents), economics and exclusion of future uses. If this assessment reveals that adequate information is not available to determine the likely effects of the proposed disposal option then this option should not be considered further. In addition, if the interpretation of the comparative assessment shows the dumping option to be less preferable, a permit for dumping should not be given.
15. Each assessment should conclude with a statement supporting a decision to issue or refuse a permit for dumping.

#### Monitoring

16. Monitoring is used to verify that permit conditions are met - compliance monitoring - and that the assumptions made during the permit review and site selection process were correct and sufficient to protect the environment and human health - field monitoring. It is essential that such monitoring programmes have clearly defined objectives.

#### Permit and permit conditions

17. A decision to issue a permit should only be made if all impact evaluations are completed and the monitoring requirements are determined. The provisions of the permit shall ensure, as far as practicable, that environmental disturbance and detriment are minimized and the benefits maximized. Any permit issued shall contain data and information specifying:
  - .1 the types and sources of materials to be dumped;
  - .2 the location of the dump-site(s);
  - .3 the method of dumping; and
  - .4 monitoring and reporting requirements.
18. Permits should be reviewed at regular intervals, taking into account the results of monitoring and the objectives of monitoring programmes. Review of monitoring results will indicate whether field programmes need to be continued, revised or terminated and will contribute to informed decisions regarding the continuance, modification or revocation of permits. This provides an important feedback mechanism for the protection of human health and the marine environment.

ANNEX 3

ARBITRAL PROCEDURE

Article 1

1. An Arbitral Tribunal (hereinafter referred to as the "Tribunal") shall be established upon the request of a Contracting Party addressed to another Contracting Party in application of article 16 of this Protocol. The request for arbitration shall consist of a statement of the case together with any supporting documents.
2. The requesting Contracting Party shall inform the Secretary-General of:
  - .1 its request for arbitration; and
  - .2 the provisions of this Protocol the interpretation or application of which is, in its opinion, the subject of disagreement.
3. The Secretary-General shall transmit this information to all Contracting States.

Article 2

1. The Tribunal shall consist of a single arbitrator if so agreed between the parties to the dispute within 30 days from the date of receipt of the request for arbitration.
2. In the case of the death, disability or default of the arbitrator, the parties to a dispute may agree upon a replacement within 30 days of such death, disability or default.

Article 3

1. Where the parties to a dispute do not agree upon a Tribunal in accordance with article 2 of this annex, the Tribunal shall consist of three members:
  - .1 one arbitrator nominated by each party to the dispute; and
  - .2 a third arbitrator who shall be nominated by agreement between the two first named and who shall act as its Chairman.
2. If the Chairman of a Tribunal is not nominated within 30 days of nomination of the second arbitrator, the parties to a dispute shall, upon the request of one party, submit to the Secretary-General within a further period of 30 days an agreed list of qualified persons. The Secretary-General shall select the Chairman from such list as soon as possible. He shall not select a Chairman who is or has been a national of one party to the dispute except with the consent of the other party to the dispute.
3. If one party to a dispute fails to nominate an arbitrator as provided in paragraph 1.1 within 60 days from the date of receipt of the request for arbitration, the other party may request the submission to the Secretary-General within a period of 30 days of an agreed list of qualified persons. The Secretary-General shall select the Chairman of the Tribunal from such list as soon as possible. The Chairman shall then request the party which has not nominated an arbitrator to do so. If this party does not nominate an arbitrator within 15 days of such request, the Secretary-General shall, upon request of the Chairman, nominate the arbitrator from the agreed list of qualified persons.
4. In the case of the death, disability or default of an arbitrator, the party to the dispute who nominated him shall nominate a replacement within 30 days of such death, disability or default. If the party does not nominate a replacement, the arbitration shall proceed with the remaining arbitrators. In the case of the death, disability or default of the Chairman, a replacement shall be nominated in accordance with the provision of paragraphs 1.2 and 2 within 90 days of such death, disability or default.
5. A list of arbitrators shall be maintained by the Secretary-General and composed of qualified persons nominated by the Contracting Parties. Each Contracting Party may designate for inclusion in the list four persons who shall not necessarily be its nationals. If the parties to the dispute have failed within the specified time limits to submit to the Secretary-General an agreed list of qualified persons as provided for in paragraphs 2, 3 and 4, the Secretary-General shall select from the list maintained by him the arbitrator or arbitrators not yet nominated.

Article 4

The Tribunal may hear and determine counter-claims arising directly out of the subject matter of the dispute.

Article 5

Each party to the dispute shall be responsible for the costs entailed by the preparation of its own case. The remuneration of the members of the Tribunal and of all general expenses incurred by the arbitration shall be borne equally by the parties to the dispute. The Tribunal shall keep a record of all its expenses and shall furnish a final statement thereof to the parties.

Article 6

Any Contracting Party which has an interest of a legal nature which may be affected by the decision in the case may, after giving written notice to the parties to the dispute which have originally initiated the procedure, intervene in the arbitration procedure with the consent of the Tribunal and at its own expense. Any such intervenor shall have the right to present evidence, briefs and oral argument on the matters giving rise to its intervention, in accordance with procedures established pursuant to article 7 of this annex, but shall have no rights with respect to the composition of the Tribunal.

Article 7

A Tribunal established under the provisions of this annex shall decide its own rules of procedure.

Article 8

1. Unless a Tribunal consists of a single arbitrator, decisions of the Tribunal as to its procedure, its place of meeting and any question related to the dispute laid before it shall be taken by majority vote of its members. However, the absence or abstention of any member of the Tribunal who was nominated by a party to the dispute shall not constitute an impediment to the Tribunal reaching a decision. In case of equal voting, the vote of the Chairman shall be decisive.
2. The parties to the dispute shall facilitate the work of the Tribunal and in particular shall, in accordance with their legislation and using all means at their disposal:
  - .1 provide the Tribunal with all necessary documents and information; and
  - .2 enable the Tribunal to enter their territory, to hear witnesses or experts and to visit the scene.
3. The failure of a party to the dispute to comply with the provisions of paragraph 2 shall not preclude the Tribunal from reaching a decision and rendering an award.

Article 9

The Tribunal shall render its award within five months from the time it is established unless it finds it necessary to extend that time limit for a period not to exceed five months. The award of the Tribunal shall be accompanied by a statement of reasons for the decision. It shall be final and without appeal and shall be communicated to the Secretary-General who shall inform the Contracting Parties. The parties to the dispute shall immediately comply with the award.

(b) Havana Declaration of the Twelfth Conference of Ministers of the Latin American Fisheries Development Organization (OLDEPESCA)

[Original: Spanish]

Welcoming the fact that Costa Rica and Uruguay have joined OLDEPESCA, countries which strengthen the Organization and whose contribution will be very beneficial in achieving its objectives of promoting the development of fishing in the region; and also welcoming the presence at this Twelfth Conference of Ministers of observer delegations from Belize, Brazil and Dominica;

Having noted the forthcoming World Food Summit, to be held from 13 to 17 November 1996, the objective of which is to develop a plan of action to bring about universal food security;

Satisfied with the successful results of the negotiation process begun in 1994 within the Organization itself, with a view to providing the region with an effective instrument for the protection and conservation of sea turtles;

Concerned by the failure of the United States of America to honour the commitments which it undertook in the Panama Declaration, with the result that the embargo on tuna exports and the "dolphin-friendly" concept, which adversely affects biodiversity and causes imbalances in the marine ecosystem, have continued;

Concerned also by the fact that, despite the existence of an international legal system guaranteeing free trade and the major efforts undertaken in the region to that end, some developed countries still tend to impose technical as well as non-customs barriers on Latin American exports, such as those affecting the shrimp turtle, sardines, fish meal and others, the application of which adversely affects food security, investments and the fisheries industry;

Preoccupied by the actions initiated by radical United States animal rights groups advocating a boycott of Latin American exports of shrimp, whether a product of fishing or aquaculture, supposedly in order to protect sea turtles and salt-water swamps;

Aware of the radical positions adopted by environmental groups in the region, which are attempting to usurp the responsibilities of States for regulating, managing, monitoring and certifying the fisheries industry, establishing their own unlawful supranational policies without considering the social realities and economic needs of our peoples;

Recognizing that the efforts undertaken to promote the integrated development of artisanal fishing communities remain insufficient, given the extent of the problem of extreme poverty faced by many of them;

Having taken note of the favourable opinion expressed by the Inter-American Development Bank with regard to supporting the Organization in its efforts to contribute, with the member countries, to putting into practice the provisions of the Agreement on Straddling Fish Stocks and Highly Migratory Fish Stocks, the Code of Conduct for Responsible Fishing and other instruments arising from the progressive development of international law in the area of fisheries;

Taking into account the significant progress made by the Latin American Association of Fishing Enterprises (ALEP);

Deeply grateful to the people and Government of Cuba for having hosted this Twelfth Conference of Ministers of OLDEPESCA.

Hereby agree to:

i. Express their deep satisfaction that Costa Rica and Uruguay have become members of OLDEPESCA;

Also express their pleasure that delegations from Belize, Brazil and Dominica have attended this Twelfth Conference as observers;

Call on the other countries of Latin America and the Caribbean which are not yet members of OLDEPESCA to consider joining the Organization as a means of strengthening the region's negotiating position and their own national positions in order to protect their common interests;

2. Welcome the forthcoming World Food Summit, to be held from 13 to 17 November 1996 in Rome at the headquarters of the Food and Agriculture Organization of the United Nations, at which the plan of action to achieve universal food security will be considered for adoption, an objective to which the Latin American fisheries sector hopes to make a positive contribution by implementing a regional fisheries emergency food programme;

3. Express their satisfaction at the adoption of the Inter-American Convention on the Protection and Conservation of the Sea Turtle, which could become an effective instrument in the conservation of this resource and its habitats; and reaffirm the desire of Latin American people to spare no efforts to achieve sustainable development in the fishing industry in general, while respecting the principles of environmental protection;

Likewise recognize the laudable efforts made by the Organization and the countries which took an active part in the negotiation process concluded in Salvador (Bahia, Brazil) on 5 September 1996;

4. Urge the United States Government to honour its commitments under the Panama Declaration by lifting the embargo on tuna fish and redefining the "dolphin-friendly" concept;

Denounce the irresponsible practices permitted under certain provisions of United States fisheries legislation, which undermine environmental protection and biodiversity;

Likewise reaffirm the region's commitment to preserving biodiversity and ecosystems and the viability of the tuna-fishing industry;

5. Reiterate their serious concern at the use of trade practices which are contrary to the relevant provisions of international law, have no scientific basis, and do not take into account the resolute efforts of our countries to develop their fishing industries in a sustainable and responsible way as a means of promoting the development and well-being of our peoples;

6. Likewise express their concern at the implications of the Helms-Burton Act, one of the effects of which is to destabilize the food security of the people of Cuba as well as trade and foreign investment in the fisheries sector of that country;

7. Support the declaration adopted at the conclusion of the first meeting of the Latin American shrimping industry in Cancun, organized by the Latin American Association of Fishing Enterprises (ALEP), which establishes the strategy to be followed by the productive regional fisheries sector in defence of its interests;

8. Reject the attempt by the non-governmental organization World Wildlife Fund and the transnational corporation Unilever to create a "marine stewardship council" whose task would be to certify whether a fishing activity was using responsible methods, considering that such an attempt is an infringement of the sovereignty of our countries and that the responsibilities in that area are the concern of our Governments alone;

9. Reaffirm their commitment to the poorest fishermen in the region, and resolve to put pressure on the Inter-American Development Bank and other sources of cooperation to provide the funds needed to carry forward the model regional project for social and fishery development of artisanal fishing communities living in poverty or extreme poverty;

10. Express their gratitude to the Inter-American Development Bank for its readiness to collaborate in organizing the start-up of a regional project on the legal and scientific aspects of the regional fisheries system;

11. Reaffirm their support for ALEP and for the work plans it intends to develop;

12. Offer their sincere thanks to the Government of Cuba for its generous hospitality and the contribution it has made to the success of the Twelfth Conference of Ministers of OLDEPESCA.

This Declaration, having been read and approved, was signed on 6 November 1996 at Havana, Cuba.

Resolution No. 129-CM-96

Fishing and nutrition

The Conference of Ministers,

Having regard to:

- Article 14 of the Constituent Agreement of the Organization;
- The documentation submitted to the Twelfth Conference by the Executive Management Board;

Whereas:

According to recent figures, the problem of hunger and malnutrition in the region, far from eliciting solutions, seems to be worsening day by day and to be posing a threat to the security of the countries of Latin America and the Caribbean;

The participation of all sectors of Latin American society is indispensable to the fight against hunger and malnutrition;

The magnitude of the food crisis in the world has led to an international awareness of the need for global commitments in order to find immediate, urgent solutions within a long-term perspective;

Greater availability of protein-rich foods depends on improvements in production, distribution, arrangements for access and patterns of consumption, requiring a great effort on the part of Governments, enterprises, the business sector and workers' organizations;

The international community has given that need global expression by convening the World Food Summit, to be held in Rome from 13 to 17 November 1996, at which the draft of a plan of action to achieve universal food security will be submitted to the participants for consideration;

Fishing and aquiculture are vital activities in the implementation of solutions that can contribute to food security, and it is therefore necessary to lay the foundations for concerted Latin American action in this area, with a view to contributing to the Plan of Action to be considered by the World Food Summit;

Resolves:

Article 1

To approve the bases for a regional food emergency fishing programme, the main purposes of which are:

- To contribute to the large-scale supply of fish products to the low-income population of the countries of the region;
- To encourage the use of smaller pelagic species in production processes geared to direct human consumption;
- To promote diversified aquaculture projects, with particular regard to rural aquiculture;
- To contribute to the improvement of systems for marketing and the promotion of fish consumption in domestic markets;
- To promote the development of applied technological research for the preparation of fish products for mass consumption;
- To contribute to the integrated development of artisanal fishing communities;
- To support the development of micro- and small enterprises in the fishing communities of the region.

Article 2

To entrust the Executive Management Board with the task of formulating the proposed regional food emergency fishing programme, in which account will have to be taken, inter alia, of:

- (a) Its compatibility with the legislation of the various countries concerned;
- (b) The relevant provisions of international fisheries law;
- (c) The outcome of the World Food Summit.

Article 3

To entrust the Executive Management Board with the task of taking the necessary steps to implement the programme, particularly with regard to its financing.

Article 4

To entrust the Executive Management Board with the task of taking the necessary steps to initiate a sustained process of exchange of information between the countries of the region, concerning the contribution of fishing and aquaculture to food security.

III. OTHER INFORMATION

A. Election of members of the Commission on the Limits of the Continental Shelf

The 21 members of the Commission on the Limits of the Continental Shelf are:

<b>ALBUQUERQUE, Alexandre Tagore Medeiros de</b>	<b>(Brazil)</b>
<b>ASTIZ, Osvaldo Pedro</b>	<b>(Argentina)</b>
<b>AWOSIKA, Lawrence Folajimi</b>	<b>(Nigeria)</b>
<b>BELTAGY, Aly I.</b>	<b>(Egypt)</b>
<b>BETAH, Samuel Sona</b>	<b>(Cameroon)</b>
<b>BREKKE, Harald</b>	<b>(Norway)</b>
<b>CARRERA HURTADO, Galo</b>	<b>(Mexico)</b>
<b>CHAN CHIM YUK, André C.W.</b>	<b>(Mauritius)</b>
<b>CROKER, Peter F.</b>	<b>(Ireland)</b>
<b>FRANCIS, Noel Newton St. Claver</b>	<b>(Jamaica)</b>
<b>HAMURO, Kazuchika</b>	<b>(Japan)</b>
<b>HINZ, Karl H.F.</b>	<b>(Germany)</b>
<b>JAAFAR, A. Bakar</b>	<b>(Malaysia)</b>
<b>KAZMIN, Yuri Borisovitch</b>	<b>(Russian Federation)</b>
<b>JURAČIĆ, Mladen</b>	<b>(Croatia)</b>
<b>LAMONT, Iain C.</b>	<b>(New Zealand)</b>
<b>LU, Wenzheng</b>	<b>(China)</b>
<b>M'DALA, Chisengu Leo</b>	<b>(Zambia)</b>
<b>PARK, Yong-Ahn</b>	<b>(Republic of Korea)</b>
<b>RIO, Daniel</b>	<b>(France)</b>
<b>SRINIVASAN, K.R.</b>	<b>(India)</b>



B. Settlement of disputes mechanisms

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

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

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

Arbitral tribunal under Annex VII
7. **Finland**

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

International Tribunal for the Law of the Sea

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<sup>1/</sup> As of 14 April 1997, there were 116 States Parties to the United Nations Convention on the Law of the Sea, 41 of which had made written declarations at the time when they expressed their consent to be bound by the Convention.

10. **Guinea-Bissau** rejects the jurisdiction of the International Court of Justice for any types of disputes.
11. **Italy**  
International Court of Justice and the International Tribunal for the Law of the Sea
12. **Netherlands**  
International Court of Justice
13. **Norway**  
International Court of Justice
14. **Oman**
  - (a) International Tribunal for the Law of the Sea
  - (b) International Court of Justice
15. **Spain**  
International Court of Justice
16. **Sweden**  
International Court of Justice
17. **United Republic of Tanzania**  
International Tribunal for the Law of the Sea
18. **Uruguay**  
International Tribunal for the Law of the Sea

DIVISION FOR OCEAN AFFAIRS AND THE LAW OF THE SEA  
OFFICE OF LEGAL AFFAIRS



THE LAW OF THE SEA BULLETIN NO. 34

Errata

Page 67

1. Article 2

After item 89 add the following:

90.	19°10'34"	77°45'15"
91.	19°10'43"	77°46'47"
92.	19°10'48"	77°47'54"
93.	19°10'53"	77°48'56"
94.	19°10'59"	77°50'29"
95.	19°11'21"	77°56'05"
96.	19°11'32"	77°58'24"
97.	19°11'39"	77°59'47"
98.	19°11'57"	78°02'54"
99.	19°12'11"	78°04'56"
100.	19°12'32"	78°07'27"
101.	19°12'55"	78°09'52"
102.	19°13'22"	78°12'18"
103.	19°13'53"	78°14'44"
104.	19°14'27"	78°17'12"
105.	19°15'05"	78°19'40"
106.	19°15'47"	78°22'09"

/...

(2) From point 106, the delimitation line proceeds by a geodesic line in a westerly direction to a point to be determined by subsequent agreement.

2. Insert Article 3:

Article 3

The coordinates are based on Clarks Ellipsoid 1866 and North American Datum 1927.

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