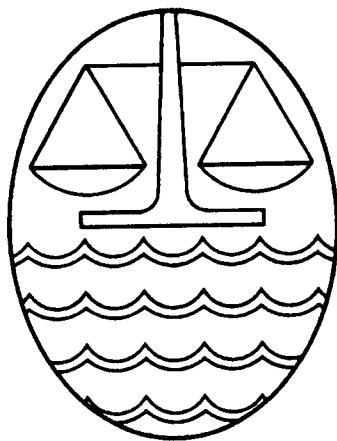


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Office of Legal Affairs

Law of the Sea



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I. UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

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

1. Chronological list of ratifications, accessions and successions to the Convention and their regional groups, as of 12 June 1996 ^{1/}

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

^{1/} 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	Zaire	African
40	2 March 1989	Kenya	African
41	24 July 1989	Somalia	African
42	17 August 1989	Oman	Asian
43	2 May 1990	Botswana	African
44	9 November 1990	Uganda	African
45	5 December 1990	Angola	African
46	25 April 1991	Grenada	Latin America/Caribbean
47	29 April 1991	Micronesia (Federated States of) ^{2/}	Asian
48	9 August 1991	Marshall Islands ^{2/}	Asian
49	16 September 1991	Seychelles	African
50	8 October 1991	Djibouti	African
51	24 October 1991	Dominica	Latin America/Caribbean

^{2/} 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 ^{3/}	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 ^{3/}	Eastern European
66	5 October 1994	Australia	Western European and Other
67	14 October 1994	Germany ^{2/}	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 ^{3/}	Eastern European
75	25 April 1995	Bolivia	Latin America/Caribbean
76	16 June 1995	Slovenia ^{3/}	Eastern European
77	29 June 1995	India	Asian

^{3/} 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 ^{2/}	Asian
81	14 August 1995	Samoa	Asian
82	27 November 1995	Jordan ^{2/}	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 ^{2/}	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	Africa

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

2. Alphabetical list of States Parties to the Convention

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

Uruguay	Yugoslavia	Zimbabwe
Viet Nam	Zaire	
Yemen	Zambia	

3. Algeria

Declaration made upon ratification ^{4/}

[Original: French]

Declaration 1

The People's Democratic Republic of Algeria does not consider itself bound by the provisions of article 287, paragraph 1 (b), of the United Nations Convention on the Law of the Sea dealing with the submission of disputes to the International Court of Justice.

The People's Democratic Republic of Algeria declares that, in order to submit a dispute to the International Court of Justice, prior agreement between all the parties concerned is necessary in each case.

Declaration 2

The Algerian Government declares that, in conformity with the provisions of Part II, section 3, subsections A and C, of the Convention, the passage of warships in the territorial sea of Algeria is subject to an authorization fifteen (15) days in advance, except in cases of force majeure as provided for in the Convention.

^{4/} Declaration transmitted at the time of ratification by the Permanent Mission of Algeria to the United Nations.

4. China

Declaration made upon ratification ^{5/}

[Original: Chinese]

In accordance with the decision of the Standing Committee of the Eighth National People's Congress of the People's Republic of China at its nineteenth session, the President of the People's Republic of China has hereby ratified the United Nations Convention on the Law of the Sea of 10 December 1982 and at the same time made the following statement:

1. In accordance with the provisions of the United Nations Convention on the Law of the Sea, the People's Republic of China shall enjoy sovereign rights and jurisdiction over an exclusive economic zone of 200 nautical miles and the continental shelf.
2. The People's Republic of China will effect, through consultations, the delimitation of the boundary of the maritime jurisdiction with the States with coasts opposite or adjacent to China respectively on the basis of international law and in accordance with the principle of equitability.
3. The People's Republic of China reaffirms its sovereignty over all its archipelagos and islands as listed in article 2 of the Law of the People's Republic of China on the territorial sea and the contiguous zone, which was promulgated on 25 February 1992.
4. The People's Republic of China reaffirms that the provisions of the United Nations Convention on the Law of the Sea concerning innocent passage through the territorial sea shall not prejudice the right of a coastal State to request, in accordance with its laws and regulations, a foreign State to obtain advance approval from or give prior notification to the coastal State for the passage of its warships through the territorial sea of the coastal State.

^{5/} Declaration transmitted at the time of ratification by the Permanent Mission of the People's Republic of China to the United Nations.

5. France

Declaration made upon ratification ^{6/}

[Original: French]

1. France recalls that, as a State member of the European Community, it has transferred competence to the Community in certain matters covered under the Convention. A detailed statement of the nature and scope of the areas of competence transferred to the European Community will be made in due course in accordance with the provisions of Annex IX of the Convention.

2. France rejects declarations or reservations that are contrary to the provisions of the Convention. France also rejects unilateral measures or measures resulting from an agreement between States which would have effects contrary to the provisions of the Convention.

3. With reference to the provisions of article 298, paragraph 1, France does not accept any of the procedures provided for in Part XV, section 2, with respect to the following disputes:

- Disputes concerning the interpretation or application of articles 15, 74 and 83 relating to sea boundary delimitations, or those involving historic bays or titles;
- Disputes concerning military activities, including military activities by government vessels and aircraft engaged in non-commercial service, and disputes concerning law enforcement activities in regard to the exercise of sovereign rights or jurisdiction excluded from the jurisdiction of a court or tribunal under article 297, paragraph 2 or 3;
- 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, unless the Security Council decides to remove the matter from its agenda or calls upon the parties to settle it by the means provided for in the Convention.

^{6/} Declaration transmitted at the time of ratification by the Permanent Mission of France to the United Nations.

6. Saudi Arabia

Declaration made upon ratification ^{7/}

[Original: Arabic]

1. The Government of the Kingdom of Saudi Arabia is not bound by any domestic legislation or by any declaration issued by other States upon signature or ratification of this Convention. The Kingdom reserves the right to state its position concerning all such legislation or declarations at the appropriate time. In particular, the Kingdom's ratification of the Convention in no way constitutes recognition of the maritime claims of any other State having signed or ratified the Convention, where such claims are inconsistent with the provisions of the Convention on the Law of the Sea and prejudicial to the sovereign rights and jurisdiction of the Kingdom in its maritime areas.
2. The Government of the Kingdom of Saudi Arabia is not bound by any international treaty or agreement which contains provisions that are inconsistent with the Convention on the Law of the Sea and prejudicial to the sovereign rights and jurisdiction of the Kingdom in its maritime areas.
3. The Government of the Kingdom of Saudi Arabia considers that application of the provisions of Part IX of the Convention concerning the cooperation of States bordering enclosed or semi-enclosed areas is subject to the acceptance of the Convention by all States concerned.
4. The Government of the Kingdom of Saudi Arabia considers that the provisions of the Convention relating to application of the system for transit passage through straits used for international navigation which connect one part of the high seas or an exclusive economic zone with another part of the high seas or an exclusive economic zone also apply to navigation between islands adjacent or contiguous to such straits, particularly where the sea lanes used for entrance to or exit from the strait, as designated by the competent international organization, are situated near such islands.
5. The Government of the Kingdom of Saudi Arabia considers that innocent passage does not apply to its territorial sea where there is a route to the high seas or an exclusive economic zone which is equally suitable as regards navigational and hydrographic features.
6. In view of the inherent danger entailed in the passage of nuclear-powered vessels or vessels carrying nuclear material or other material of a similar nature and in view of the provision of article 22, paragraph 2, of the Convention on the Law of the Sea concerning the right of the coastal State to confine the passage of such vessels to sea lanes designated by the State within its territorial sea, as well as that of article 23 of the Convention, which requires such vessels to carry documents and observe special precautionary measures as specified by international agreements, the Kingdom of Saudi Arabia, with all of the above in mind, requires the aforesaid vessels to obtain prior authorization of passage before entering the territorial sea of the Kingdom until such time as the international agreements referred to in article 23 are concluded and the Kingdom becomes a party thereto. Under all circumstances, the flag State of such vessels shall assume all responsibility for any loss or damage resulting from the innocent passage of such vessels within the territorial sea of the Kingdom of Saudi Arabia.
7. The Kingdom of Saudi Arabia shall issue its internal procedures for the maritime areas subject to its sovereignty and jurisdiction, so as to affirm the sovereign rights and jurisdiction and guarantee the interests of the Kingdom in those areas.

^{7/} Declaration transmitted at the time of ratification by the Permanent Mission of Saudi Arabia to the United Nations.

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

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

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

Uganda	Zambia
Yugoslavia	Zimbabwe

Total number of States as of 12 June 1996: 54

2. Table recapitulating the status of the Convention and of the Agreement, as of 12 June 1996

State or entity ¹	United Nations Convention on the Law of the Sea Date of ratification / accession ^(a) / succession ^(s)	Agreement relating to the implementation of Part XI of the Convention			
		Resolution 48/263 (Vote)	Signature	Provisional application ² as of	Ratification; accession; ^(a) definitive signature; ^(s) participation; ^(p)
Afghanistan *		Yes		16 November 1994	
Albania		Yes		16 November 1994	
Algeria *	11 June 1996	Yes	29 July 1994	16 November 1994	11 June 1996 ^{(p)3}
Andorra		Yes		16 November 1994	
Angola *	5 December 1990	-			
Antigua and Barbuda *	2 February 1989	-			
Argentina *	1 December 1995	Yes	29 July 1994	16 November 1994	1 December 1995
Armenia		Yes		16 November 1994	
Australia *	5 October 1994	Yes	29 July 1994	16 November 1994	5 October 1994
Austria *	14 July 1995	Yes	29 July 1994	16 November 1994	14 July 1995
Azerbaijan		-			
Bahamas *	29 July 1983	Yes	29 July 1994	16 November 1994	28 July 1995 ⁴
Bahrain *	30 May 1985	Yes		16 November 1994	
Bangladesh *		Yes		16 November 1994	
Barbados *	12 October 1993	-	15 November 1994	16 November 1994	28 July 1995 ^{4/}
Belarus *		Yes		16 November 1994	
Belgium *		Yes	29 July 1994	16 November 1994	
Belize *	13 August 1983	Yes		16 November 1994	21 October 1994 ^(a)
Benin *		Yes		16 November 1994	
Bhutan *		Yes		16 November 1994	
Bolivia *	28 April 1995	Yes		16 November 1994	28 April 1995 ^{(p)2/}
Bosnia and Herzegovina	12 January 1994 ^(s)	-			
Botswana *	2 May 1990	Yes		16 November 1994	
Brazil *	22 December 1988	Yes	29 July 1994	No	

State or entity ¹	United Nations Convention on the Law of the Sea Date of ratification / accession ^(a) / succession ^(s)	Agreement relating to the implementation of Part XI of the Convention			
		Resolution 48/263 (Vote)	Signature	Provisional application ² as of	Ratification; accession; ^(a) definitive signature; ^(s) participation; ^(p)
Brunei Darussalam *		Yes		16 November 1994	
Bulgaria *	15 May 1996	Yes		15 May 1996	15 May 1996 ^(a)
Burkina Faso *		-	30 November 1994	30 November 1994	
Burundi *		Yes		16 November 1994	
Cambodia *		Yes		16 November 1994	
Cameroon *	19 November 1985	Yes	24 May 1995	24 May 1995	
Canada *		Yes	29 July 1994	16 November 1994	
Cape Verde *	10 August 1987	Yes	29 July 1994	16 November 1994	
Central African Republic *		-			
Chad *		-			
Chile *		Yes		16 November 1994	
China *	7 June 1996	Yes	29 July 1994	16 November 1994	7 June 1996 ^{(p)2/}
Colombia *		Abstain			
Comoros *	21 June 1994	-			
Congo *		Yes		16 November 1994	
Cook Islands * ⁵	15 February 1995			15 February 1995	15 February 1995 ^(a)
Costa Rica *	21 September 1992	-			
Côte d'Ivoire *	26 March 1984	Yes	25 November 1994	16 November 1994	28 July 1995 ^{4/}
Croatia	5 April 1995 ^(s)	-		5 April 1995	5 April 1995 ^{(p)2/}
Cuba *	15 August 1984	Yes		16 November 1994	
Cyprus *	12 December 1988	Yes	1 November 1994	27 July 1995	27 July 1995
Czech Republic *		Yes	16 November 1994	16 November 1994	
Democratic People's Republic of Korea *		-			
Denmark *		Yes	29 July 1994	No	
Djibouti *	8 October 1991	-			

State or entity ¹	United Nations Convention on the Law of the Sea Date of ratification / accession ^(a) / succession ^(s)	Agreement relating to the implementation of Part XI of the Convention			
		Resolution 48/263 (Vote)	Signature	Provisional application ² as of	Ratification; accession; ^(a) definitive signature; ^(s) participation; ^(p)
Dominica *	24 October 1991	-			
Dominican Republic *		-			
Ecuador		-			
Egypt *	26 August 1983	Yes	22 March 1995	16 November 1994	
El Salvador *		-			
Equatorial Guinea *		-			
Eritrea		Yes		16 November 1994	
Estonia		Yes		16 November 1994	
Ethiopia *		Yes		16 November 1994	
European Community *			29 July 1994	16 November 1994	
Fiji *	10 December 1982	Yes	29 July 1994	16 November 1994	28 July 1995
Finland *		Yes	29 July 1994	16 November 1994	
France *	11 April 1996	Yes	29 July 1994	16 November 1994	11 April 1996
Gabon *		Yes	4 April 1995	16 November 1994	
Gambia *	22 May 1984	-			
Georgia	21 March 1996 ^(a)	-		21 March 1996	21 March 1996 ^{(p)2/}
Germany	14 October 1994 ^(a)	Yes	29 July 1994	16 November 1994	14 October 1994
Ghana *	7 June 1983	Yes		16 November 1994	
Greece *	21 July 1995	Yes	29 July 1994	16 November 1994	21 July 1995
Grenada *	25 April 1991	Yes	14 November 1994	16 November 1994	28 July 1995 ^{2/}
Guatemala *		-			
Guinea *	6 September 1985	-	26 August 1994	16 November 1994	28 July 1995 ^{2/}
Guinea-Bissau *	25 August 1986	-			
Guyana *	16 November 1993	Yes		16 November 1994	
Haiti *		-			
Holy See ^{2/}					

State or entity ¹	United Nations Convention on the Law of the Sea Date of ratification / accession ^(a) / succession ^(s)	Agreement relating to the implementation of Part XI of the Convention			
		Resolution 48/263 (Vote)	Signature	Provisional application ² as of	Ratification; accession; ^(a) definitive signature; ^(s) participation; ^(p)
Honduras *	5 October 1993	Yes		16 November 1994	
Hungary *		Yes		16 November 1994	
Iceland *	21 June 1985	Yes	29 July 1994	16 November 1994	28 July 1995 ^{d/}
India *	29 June 1995	Yes	29 July 1994	16 November 1994	29 June 1995
Indonesia *	3 February 1986	Yes	29 July 1994	16 November 1994	
Iran (Islamic Republic of) *		Yes		No	
Iraq *	30 July 1985	Yes		16 November 1994	
Ireland *		Yes	29 July 1994	No	
Israel		-			
Italy *	13 January 1995	Yes	29 July 1994	16 November 1994	13 January 1995
Jamaica *	21 March 1983	Yes	29 July 1994	16 November 1994	28 July 1995 ^{d/}
Japan *		Yes	29 July 1994	16 November 1994	
Jordan	27 November 1995 ^(a)	Yes		27 November 1995	27 November 1995 ^{(p)z/}
Kazakstan		-			
Kenya *	2 March 1989	Yes		16 November 1994	29 July 1994 ^(s)
<i>Kiribati</i> ^{z/}					
Kuwait *	2 May 1986	Yes		16 November 1994	
Kyrgyzstan		-			
Lao People's Democratic Republic *		Yes	27 October 1994	16 November 1994	
Latvia		-			
Lebanon *	5 January 1995	-		5 January 1995	5 January 1995 ^{(p)z/}
Lesotho *		-			
Liberia *		-			
Libyan Arab Jamahiriya *		Yes		16 November 1994	
Liechtenstein *		Yes		16 November 1994	

State or entity ¹	United Nations Convention on the Law of the Sea Date of ratification / accession ^(a) / succession ^(b)	Agreement relating to the implementation of Part XI of the Convention			
		Resolution 48/263 (Vote)	Signature	Provisional application ² as of	Ratification; accession; ^(a) definitive signature; ^(s) participation; ^(p)
Lithuania		-			
Luxembourg *		Yes	29 July 1994	16 November 1994	
Madagascar *		Yes		16 November 1994	
Malawi *		-			
Malaysia *		Yes	2 August 1994	16 November 1994	
Maldives *		Yes	10 October 1994	16 November 1994	
Mali *	16 July 1985	-			
Malta *	20 May 1993	Yes	29 July 1994	16 November 1994	
Marshall Islands	9 August 1991 ^(a)	Yes		16 November 1994	
Mauritania *		-	2 August 1994	16 November 1994	
Mauritius *	4 November 1994	Yes		16 November 1994	4 November 1994 ^{(p)2/}
Mexico *	18 March 1983	Yes		No	
Micronesia (Federated States of)	29 April 1991 ^(a)	Yes	10 August 1994	16 November 1994	6 September 1995
Monaco *	20 March 1996	Yes	30 November 1994	16 November 1994	20 March 1996 ^{(p)3/}
Mongolia *		Yes	17 August 1994	16 November 1994	
Morocco *		Yes	19 October 1994	No	
Mozambique *		Yes		16 November 1994	
Myanmar *	21 May 1996	Yes		16 November 1994	21 May 1996 ^(a)
Namibia *	18 April 1983	Yes	29 July 1994	16 November 1994	28 July 1995 ^{4/}
Nauru * ^{5/}	23 January 1996			23 January 1996	23 January 1996 ^{(p)3/}
Nepal *		Yes		16 November 1994	
Netherlands *		Yes	29 July 1994	16 November 1994	
New Zealand *		Yes	29 July 1994	16 November 1994	
Nicaragua *		Abstain			
Niger *		-			
Nigeria *	14 August 1986	Yes	25 October 1994	16 November 1994	28 July 1995 ^{4/}

State or entity ¹	United Nations Convention on the Law of the Sea Date of ratification / accession ^(a) / succession ^(s)	Agreement relating to the implementation of Part XI of the Convention			
		Resolution 48/263 (Vote)	Signature	Provisional application ² as of	Ratification; accession; ^(a) definitive signature; ^(s) participation; ^(p)
Niue * ^{5/}		-			
Norway *		Yes		16 November 1994	
Oman *	17 August 1989	Yes		16 November 1994	
Pakistan *		Yes	10 August 1994	16 November 1994	
Palau *					
Panama *		Abstain			
Papua New Guinea *		Yes		16 November 1994	
Paraguay *	26 September 1986	Yes	29 July 1994	16 November 1994	10 July 1995
Peru		Abstain			
Philippines *	8 May 1984	Yes	15 November 1994	16 November 1994	
Poland *		Yes	29 July 1994	23 February 1995	
Portugal *		Yes	29 July 1994	No	
Qatar *		Yes		16 November 1994	
Republic of Korea *	29 January 1996	Yes	7 November 1994	16 November 1994	29 January 1996
Republic of Moldova		Yes		16 November 1994	
Romania *		Yes		No	
Russian Federation *		Abstain		11 January 1995 ⁶	
Rwanda *		-			
Saint Kitts and Nevis *	7 January 1993	-			
Saint Lucia *	27 March 1985	-			
Saint Vincent and the Grenadines *	1 October 1993	-			
Samoa *	14 August 1995	Yes	7 July 1995	16 November 1994	14 August 1995 ^{(p)3/}
San Marino		-			
Sao Tome and Principe *	3 November 1987	-			
Saudi Arabia *	24 April 1996	Yes		24 April 1996	24 April 1996 ^{(p)3/}
Senegal *	25 October 1984	Yes	9 August 1994	16 November 1994	25 July 1995

State or entity ¹	United Nations Convention on the Law of the Sea Date of ratification / accession ^(a) / succession ^(b)	Agreement relating to the implementation of Part XI of the Convention			
		Resolution 48/263 (Vote)	Signature	Provisional application ² as of	Ratification; accession; ^(a) definitive signature; ^(b) participation; ^(p)
Seychelles *	16 September 1991	Yes	29 July 1994	16 November 1994	15 December 1994
Sierra Leone *	12 December 1994	-		12 December 1994	12 December 1994 ^{(p)3/}
Singapore *	17 November 1994	Yes		16 November 1994	17 November 1994 ^{(p)3/}
Slovakia *	8 May 1996	Yes	14 November 1994	16 November 1994	8 May 1996
Slovenia	16 June 1995 ^(b)	Yes	19 January 1995	16 June 1995	16 June 1995
Solomon Islands *		-		8 February 1995 ^{6/}	
Somalia *	24 July 1989	-			
South Africa *		Yes	3 October 1994	16 November 1994	
Spain *		Yes	29 July 1994	No	
Sri Lanka *	19 July 1994	Yes	29 July 1994	16 November 1994	28 July 1995 ^{4/}
Sudan *	23 January 1985	Yes	29 July 1994	16 November 1994	
Suriname *		Yes		16 November 1994	
Swaziland *		-	12 October 1994	16 November 1994	
Sweden *		Yes	29 July 1994	No	
Switzerland * ^{5/}			26 October 1994	16 November 1994	
Syrian Arab Republic		-			
Tajikistan		-			
Thailand *		Abstain			
The former Yugoslav Republic of Macedonia	19 August 1994 ^(b)	-		16 November 1994	19 August 1994 ^{(p)3/}
Togo *	16 April 1985	Yes	3 August 1994	16 November 1994	28 July 1995 ^{4/}
Tonga ^{5/}	2 August 1995 ^(a)			2 August 1995	2 August 1995 ^{(p)3/}
Trinidad and Tobago *	25 April 1986	Yes	10 October 1994	16 November 1994	28 July 1995 ^{4/}
Tunisia *	24 April 1985	Yes	15 May 1995	16 November 1994	
Turkey		-			
Turkmenistan		-			
Tuvalu * ^{5/}					

State or entity ¹	United Nations Convention on the Law of the Sea Date of ratification / accession ^(a) / succession ^(s)	Agreement relating to the implementation of Part XI of the Convention			
		Resolution 48/263 (Vote)	Signature	Provisional application ² as of	Ratification; accession; ^(a) definitive signature; ^(s) participation; ^(p)
Uganda *	9 November 1990	Yes	9 August 1994	16 November 1994	28 July 1995 ^{d/}
Ukraine *		Yes	28 February 1995	16 November 1994	
United Arab Emirates *		Yes		16 November 1994	
United Kingdom		Yes	29 July 1994	16 November 1994	
United Republic of Tanzania *	30 September 1985	Yes	7 October 1994	16 November 1994	
United States of America		Yes	29 July 1994	16 November 1994	
Uruguay *	10 December 1992	Yes	29 July 1994	No	
Uzbekistan		-			
Vanuatu *		Yes	29 July 1994	16 November 1994	
Venezuela		Abstain			
Viet Nam *	25 July 1994	Yes		16 November 1994	
Yemen *	21 July 1987	-			
Yugoslavia *	5 May 1986	-	12 May 1995	12 May 1995	28 July 1995 ^{d/}
Zaire *	17 February 1989	-			
Zambia *	7 March 1983	-	13 October 1994	16 November 1994	28 July 1995 ^{d/}
Zimbabwe *	24 February 1993	Yes	28 October 1994	16 November 1994	28 July 1995 ^{d/}

TOTALS:

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1. States or entities which have signed the United Nations Convention on the Law of the Sea are indicated by an asterisk (*).
2. "No" refers to States or entities which had consented to the adoption of the Agreement or had signed it, but notified the depositary in writing that they would not apply the Agreement provisionally in accordance with its article 7, paragraph 1(a) or (b).
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. Non-member State of the United Nations.
6. By notification in accordance with article 7, paragraph 1(c), of the Agreement.

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

1. Alphabetical list of States signatories to the Agreement

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

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

2. Status of the Agreement as of 12 June 1996

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

State or entity ^{1/}	Final Act: Signature	Signature of the Agreement	Provisional application	Ratification; accession ^(a)
Burkina Faso				
Burundi ♠				
Cambodia				
Cameroon ♦ ♠				
Canada ♠	●	4 December 1995		
Cape Verde ♦ ♠				
Central African Republic				
Chad				
Chile ♠	●			
China ♦ ♠				
Colombia ♠				
Comoros ♦				
Congo ♠				
Cook Islands ^{2/} ♦ ♠				
Costa Rica ♦ ♠				
Côte d'Ivoire ♦ ♠		24 January 1996		
Croatia ♦				
Cuba ♦ ♠	●			
Cyprus ♦ ♠				
Czech Republic				
Democratic People's Republic of Korea ♠				
Denmark ♠	●			
Djibouti ♦ ♠				
Dominica ♦				
Dominican Republic				
Ecuador ♠	●			
Egypt ♦ ♠	●	5 December 1995		

State or <i>entity</i> ^{1/}	Final Act: Signature	Signature of the Agreement	Provisional application	Ratification; accession ^(a)
El Salvador ♠				
Equatorial Guinea				
Eritrea ♠				
Estonia ♠				
Ethiopia				
<i>European Community</i> ♠	●			
Fiji ♦ ♠	●	4 December 1995		
Finland ♠	●			
France ♦ ♠				
Gabon ♠				
Gambia ♦ ♠				
Georgia ♦				
Germany ♦ ♠				
Ghana ♦ ♠				
Greece ♦ ♠				
Grenada ♦ ♠	●			
Guatemala ♠				
Guinea ♦ ♠				
Guinea-Bissau ♦ ♠	●	4 December 1995		
Guyana ♦ ♠				
Haiti				
Holy See ^{1, 2/}				
Honduras ♦ ♠				
Hungary ♠				
Iceland ♦ ♠	●	4 December 1995		
India ♦ ♠	●			
Indonesia ♦ ♠	●	4 December 1995		

State or entity ^{1/}	Final Act: Signature	Signature of the Agreement	Provisional application	Ratification; accession ^(a)
Iran (Islamic Republic of) ♠				
Iraq ♦				
Ireland ♠	●			
Israel ♠	●	4 December 1995		
Italy ♦ ♠	●			
Jamaica ♦ ♠	●	4 December 1995		
Japan ♠	●			
Jordan ♦				
Kazakstan ♠				
Kenya ♦ ♠				
Kiribati ^{4, 2/} ♠				
Kuwait ♦				
Kyrgyzstan				
Lao People's Democratic Republic				
Latvia ♠				
Lebanon ♦ ♠				
Lesotho ♠				
Liberia				
Libyan Arab Jamahiriya ♠				
Liechtenstein ♠				
Lithuania ♠				
Luxembourg ♠				
Madagascar ♠				
Malawi				
Malaysia ♠				
Maldives ♠				
Mali ♦ ♠				

State or entity ^{1/}	Final Act: Signature	Signature of the Agreement	Provisional application	Ratification; accession ^(a)
Malta ♦ ♠				
Marshall Islands ♦ ♠	●	4 December 1995		
Mauritania ♠		21 December 1995		
Mauritius ♦ ♠				
Mexico ♦ ♠				
Micronesia (Federated States of) ♦ ♠	●	4 December 1995		
Monaco ♦				
Mongolia				
Morocco ♠	●	4 December 1995		
Mozambique				
Myanmar ♠				
Namibia ♦ ♠	●	19 April 1996		
Nauru ^{4, 2/} ♦				
Nepal				
Netherlands ♠	●			
New Zealand ♠	●	4 December 1995		
Nicaragua ♠				
Niger ♠				
Nigeria ♦ ♠				
Niue ^{4, 2/} ♠	●	4 December 1995		
Norway ♠	●	4 December 1995		
Oman ♦				
Pakistan ♠		15 February 1996		
Palau ♠				
Panama ♠				
Papua New Guinea ♠	●	4 December 1995		
Paraguay ♦				

State or <i>entity</i> ^{1/}	Final Act: Signature	Signature of the Agreement	Provisional application	Ratification; accession ^(a)
Peru ♠	●			
Philippines ♦ ♠				
Poland ♠	●			
Portugal ♠	●			
Qatar ♠				
Republic of Korea ♦ ♠	●			
Republic of Moldova				
Romania ♠				
Russian Federation ♠	●	4 December 1995		
Rwanda				
Saint Kitts and Nevis ♦				
Saint Lucia ♦ ♠	●	12 December 1995		
Saint Vincent and the Grenadines ♦				
Samoa ♦ ♠	●	4 December 1995		
San Marino				
Sao Tome and Principe ♦				
Saudi Arabia ♦ ♠				
Senegal ♦ ♠	●	4 December 1995		
Seychelles ♦ ♠				
Sierra Leone ♦ ♠				
Singapore ♦ ♠				
Slovakia ♦				
Slovenia ♦				
Solomon Islands ♠				
Somalia ♦				
South Africa ♠				
Spain ♠	●			

State or entity ^{1/}	Final Act: Signature	Signature of the Agreement	Provisional application	Ratification; accession ^(a)
Sri Lanka ♦ ♣				
Sudan ♦				
Suriname ♣				
Swaziland				
Sweden ♣	●			
Switzerland ^{4, 2/} ♣				
Syrian Arab Republic ♣				
Tajikistan				
Thailand ♣				
The former Yugoslav Republic of Macedonia ♦				
Togo ♦ ♣				
Tonga ^{4, 2/} ♦ ♣	●	4 December 1995		
Trinidad and Tobago ♦ ♣				
Tunisia ♦ ♣				
Turkey ♣				
Turkmenistan				
Tuvalu ^{4, 2/} ♣				
Uganda ♦ ♣				
Ukraine ♣	●	4 December 1995		
United Arab Emirates ♣				
United Kingdom ♣	●	4 December 1995 ^{3/}		
United Republic of Tanzania ♦ ♣				
United States of America ♣	●	4 December 1995		
Uruguay ♦ ♣	●	16 January 1996		
Uzbekistan				
Vanuatu ♣				
Venezuela ♣				

State or <i>entity</i> ^{1/}	Final Act: Signature	Signature of the Agreement	Provisional application	Ratification; accession ^(a)
Viet Nam ♦ ♣				
Yemen ♦				
Yugoslavia ♦				
Zaire ♦				
Zambia ♦ ♣				
Zimbabwe ♦ ♣				

TOTALS:

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^{1/} ♦ States or *entities* which are Parties to the United Nations Convention on the Law of the Sea of 10 December 1982.

▨ Land-locked States.

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

^{2/} Non-member State of the United Nations.

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

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

A. Recent national legislation received from Governments

Bahamas

An Act (No. 37 of 1993) respecting the territorial sea, archipelagic waters,
internal waters and the exclusive economic zone ^{1/}

Enacted by the Parliament of The Bahamas.

1. Short title and commencement

This Act may be cited as the Archipelagic Waters and Maritime Jurisdiction Act, 1993 and shall come into operation on such date as the Minister responsible for the Law of the Sea may appoint by notice published in the Gazette.

2. Interpretation

In this Act:

"**archipelagic baselines**" means the baselines drawn under section 3(2);

"**baseline**" means the line from which the width of the territorial sea of The Bahamas is measured;

"**Convention**" means the United Nations Convention on the Law of the Sea signed on 10 December 1982;

"**exclusive economic zone**" means the exclusive economic zone of The Bahamas as defined in section 8;

"**innocent passage**" means passage which is not deemed to be prejudicial to the peace, good order or security of The Bahamas and is in conformity with the provisions of the Convention and such other relevant rules of international law;

"**island**" means a naturally formed area of land which is surrounded by and above water at mean high-water;

"**miles**" means international nautical miles of 1,852 metres each;

"**Minister**" means the Minister responsible for Lands and Surveys;

"**passage**" means the navigation of a ship in the territorial sea or archipelagic waters of The Bahamas without stopping or hovering, but includes stopping, hovering and anchoring in so far as the same are rendered necessary by force majeure or by reason of distress or for the purpose of affording assistance to persons, ships or aircraft in danger or distress;

^{1/} Communicated by the Permanent Mission of the Commonwealth of the Bahamas to the United Nations in a note verbale dated 10 January 1996. Entered into force on 4 January 1996.

3. Archipelagic waters

(1) The archipelagic waters of The Bahamas comprise those areas of the sea enclosed by the baselines established by this section.

(2) The Governor-General may by Order issue one or more lists by reference to physical features marked on official charts or to geographical coordinates of points between which archipelagic baselines may be drawn in accordance with international law for the purpose of determining the inner limits of the territorial sea of The Bahamas, and may as he deems necessary amend those lists.

(3) In respect of any area for which physical features marked on official charts or geographical coordinates of points have been listed in a list issued pursuant to subsection (2), subject to any exceptions in the list for the use of the low-water line along the coast as the baseline between given points, baselines are straight lines joining the consecutive geographical coordinates of points as listed.

(4) In respect of any other area, and until such time as physical features marked on official charts, or geographical coordinates of points have, for such other area, been listed in a list issued pursuant to subsection (2), baselines remain those applicable immediately before the coming into force of this Act.

4. Territorial sea

(1) The territorial sea of The Bahamas comprises those areas of the sea having as their inner limits the baselines described in this section and as their outer limits a line established seaward from those baselines every point of which is at a distance of twelve miles from the nearest point of the appropriate baseline.

(2) Where archipelagic baselines are drawn under section 3, those baselines shall be the baselines from which the breadth of the territorial sea of The Bahamas shall be measured.

(3) In all other cases the baselines from which the breadth of the territorial sea of The Bahamas is measured shall be the low-water line along the coast of each island.

(4) Where a low-tide elevation lies wholly or partly within the breadth of sea which would be the territorial sea of The Bahamas if all low-tide elevations were disregarded for the purpose of measurement of the breadth thereof, the low-tide elevation shall be treated as an island.

(5) For the purposes of this section, a low-tide elevation is a naturally formed area of land which is surrounded by and is above water at mean low-water but is submerged at mean high-water.

5. Right of innocent passage

(1) Subject to subsections (2) and (3) and section 13 and without prejudice to sections 7 or 11, a foreign ship shall be entitled to enjoy the right of innocent passage through the archipelagic waters and territorial sea of The Bahamas.

(2) The passage of a foreign ship shall be deemed to be prejudicial to the peace, good order or security of The Bahamas if the ship while in the archipelagic waters or territorial sea of The Bahamas, engages in any of the following activities:

- (a) Any threat or use of force against the sovereignty, territorial integrity or political independence of The Bahamas, or 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 aimed at collecting information relating to the defence or security of The Bahamas;
- (d) Any act of propaganda aimed at affecting the defence or security of The Bahamas;
- (e) The conveyance, taking on board or off-loading of any person, commodity or currency in breach of any law relating to exchange control, customs, immigration, health or drugs;
- (f) Any act of pollution calculated or likely to cause damage or harm to The Bahamas, its resources or its marine environment;
- (g) Any fishing activities other than in accordance with the Fisheries Resources (Jurisdiction and Conservation) Act;
- (h) Any act aimed at interfering with systems of communication or telecommunication of The Bahamas;
- (i) Such other activity as the Governor-General may by Order prescribe.

(3) Without prejudice to subsection (2) the passage of a foreign ship shall also be deemed to be prejudicial to the peace, good order or security of The Bahamas if without the prior permission of the Minister obtained by the captain or person in charge of the ship, the ship while in the archipelagic waters or territorial sea of The Bahamas, engages in any of the following activities:

- (a) The launching, landing or taking on board of any aircraft;
- (b) The launching, landing or taking on board of any military device;
- (c) The carrying out of research or survey activities;
- (d) Being a submarine or other underwater ship, underwater navigation.

6. Power of law enforcement officers to search foreign ships etc.

(1) Where a foreign ship engages in any of the activities specified in subsections (2) and (3) of section 5 or prescribed under paragraph (i) of section 5(2), as the case may be, or where a law enforcement officer suspects on reasonable grounds that a foreign ship is engaged in any such activity, such law enforcement officer may in the course of his duty:

- (a) Stop, board and search the ship for the purpose of carrying out enquiries and investigations;
- (b) Without warrant or other process seize and detain the ship and bring it into a port of The Bahamas;
- (c) Without warrant or other process arrest the captain and any person on board the ship whom he reasonably suspects to be participating in the activity of the ship which is deemed to be prejudicial to the peace, good order or security of The Bahamas.

(2) Where a foreign ship is seized or detained or any person is arrested under this section, such ship or person shall forthwith be taken:

- (a) To the nearest or most convenient place in The Bahamas and delivered into the custody of the most senior police officer; or
- (b) Before a magistrate to be dealt with according to law.

(3) Where the passage of a foreign ship is deemed to be prejudicial to the peace, good order or security of The Bahamas, the captain or other person in charge of such ship and any person participating in the activity of the ship which is deemed to be so prejudicial, is guilty of an offence and liable on summary conviction to a fine of ten thousand dollars or imprisonment for a term of five years or both.

(4) The Court may in addition to any penalty which it may impose under subsection (3) order the forfeiture to the Crown of any ship engaged, or equipment used, in any activity which is the subject of the offence.

(5) Any person who assaults or obstructs a law enforcement officer acting under the authority of this section is guilty of an offence and liable on summary conviction to a fine of ten thousand dollars or imprisonment for a term of five years or both.

(6) In this section:

"Law enforcement officer" means any peace officer, a member of the Royal Bahamas Defence Force, an officer of Customs or an officer of the Department of Immigration.

7. Internal waters

(1) The internal waters of The Bahamas comprise those areas of the sea that are on the landward side of the closing lines referred to in this section.

(2) The Governor-General may by Order issue one or more lists of geographical coordinates of points from which the closing lines of the internal waters may be determined in accordance with international law and may, as he deems necessary, amend those lists.

8. Exclusive economic zone

(1) Subject to this section, the exclusive economic zone of The Bahamas comprises those areas of the sea, having as their inner limits the outer limits of the territorial sea of The Bahamas and, as their outer limits, a line drawn seaward from the baselines every point of which is at a distance of two hundred miles from the nearest point of the appropriate baseline.

(2) The Governor-General may by Order, for the purpose of implementing any international agreement or the award of any international body, or otherwise, declare that the outer limits of the exclusive economic zone of The Bahamas extend to such line, any point or which may be at a distance of less than two hundred miles from the nearest point of the appropriate baseline, as may be specified in such Order.

(3) Where the median line, as defined in subsection (4), is less than two hundred miles from the nearest baseline, and no other line is for the time being specified under the provisions of subsection (2), the outer limits of the exclusive economic zone of The Bahamas extend to the median line.

(4) The median line is a line every point of which is equidistant from the nearest points of the baselines from which the breadths of the territorial sea of The Bahamas and of any neighbouring state are measured.

9. Sovereignty

(1) The sovereignty of The Bahamas extends over the territorial sea, the archipelagic waters, the internal waters, the seabed and subsoil thereof as well as the airspace over such sea and waters.

- (2) Within the exclusive economic zone The Bahamas has:
- (a) Sovereign rights for the purpose of exploring and exploiting, conserving and managing the natural resources, whether living or non-living of the seabed and subsoil and superjacent waters;
 - (b) Exclusive rights for the purpose of constructing and authorizing and regulating the construction, operation and use of artificial islands; and
 - (c) Exclusive jurisdiction over artificial islands including jurisdiction with regard to customs, fiscal, health, drugs, safety and immigration laws.

10. Baselines charts

The Minister may cause charts to be issued indicating baselines referred to in sections 3 and 4.

11. Sea lanes and air routes

(1) The Governor-General may by Order prescribe sea lanes and air routes above archipelagic waters suitable for the continuous and expeditious passage of foreign ships and aircraft through or over the archipelagic waters and the adjacent territorial sea.

(2) Subject to section 5 all ships and aircraft shall enjoy the right of archipelagic sea lanes passage in the sea lanes and air routes prescribed under subsection (1).

(3) Archipelagic sea lane passage shall be the exercise in accordance with international law and with any laws of The Bahamas of the rights 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 and another part of the high seas or an exclusive economic zone.

(4) Sea lanes shall be defined by a series of continuous axis lines from the entry points of passage routes to the exit points and ships and aircraft in archipelagic sea lanes passage shall not deviate more than twenty-five miles to either side of such axis lines during passage nor navigate closer to the coast of the islands of The Bahamas than ten percent of the distance between the nearest points on islands bordering the sea lane or air route.

(5) Where there is no designation made pursuant to subsection (1) the right of archipelagic sea lane passage may be exercised through the routes normally used for international navigation.

12. Traffic separation routes

The Governor-General may by Order prescribe traffic separation routes within archipelagic sea lanes for the passage of ships and make alterations to those routes.

13. Ships to use prescribed sea lanes and traffic

Where sea lanes and traffic separation routes have been prescribed under sections 11 and 12:

- (a) Foreign ships exercising the right of innocent passage through the archipelagic waters and territorial sea of The Bahamas; and

(b) Ships exercising archipelagic sea lane passage,

shall use the sea lanes and traffic separation routes so prescribed.

14. Alteration of seaward limit

The Governor-General may, whenever he considers it necessary or expedient so to do having regard to international law, by Order alter the seaward limit of the territorial sea of The Bahamas.

15. Territorial sea of The Bahamas meets with territorial sea, etc., of another State

Where the territorial sea of The Bahamas meets with the territorial sea of another State to the extent only to which such limits are recognized by The Bahamas to be validly established pursuant to international law, the Governor-General may initiate and conduct negotiations with that State to establish the boundary of the territorial sea of The Bahamas and in the absence of agreement the boundary of the territorial sea of The Bahamas shall not extend beyond the median line every point of which is equidistant from the nearest points on the baselines from which the breadths of the territorial seas of The Bahamas and that other State are measured.

16. Charts

(1) The Minister may cause charts to be issued delineating the territorial sea of The Bahamas as settled by agreement under section 15 or any portion thereof as may be delineated consistent with the nature and scale of the charts.

(2) In any proceedings in any court a certificate purporting to be signed by the Minister or a person authorized by him that the chart issued pursuant to section 10 or to this section is for the time being an authorized and accurate chart shall be admissible as conclusive evidence of the matter stated in the certificate.

(3) Every person signing any such certificate shall, in the absence of proof to the contrary, be presumed to be duly authorized to sign it.

17. Savings

(1) Nothing in this Act shall be construed or have the effect of prejudicing the prerogative powers or privileges of the Crown, including any authority conferred by any treaty or agreement concluded thereby by the Commonwealth of The Bahamas with any foreign State or agency of such State prior to or after the commencement of this Act.

(2) For the purpose of any law, references to the territorial sea or the waters of The Bahamas shall, unless the context otherwise requires, be construed and have effect as including the archipelagic waters of The Bahamas.

18. Repeal

The Territorial Waters Jurisdiction Act 1878 enacted by the Parliament of The United Kingdom in so far as that Act is applicable to The Bahamas is repealed.

B. Communications from States

1. Islamic Republic of Iran

Note No. 641/1206 dated 3 May 1995 addressed to the Embassy of the French Republic at Tehran, in response to the protest filed by Germany on behalf of the European Union concerning the Act of 2 May 1993 on the Marine Areas of the Islamic Republic of Iran in the Persian Gulf and in the Sea of Oman^{2/}

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to the Embassy of France in Tehran. Referring to note No. 961 (94 c), dated 14 December 1994, filed by the Embassy of the Federal Republic of Germany in Tehran on behalf of the European Union,^{3/} the Ministry has the honour to make the following statement.

While every State unquestionably possesses the right to formulate laws and regulations with a view to determining how it shall exercise its sovereignty and jurisdiction over its territory and the adjacent waters, the Ministry of Foreign Affairs none the less deems it necessary, for purposes of removing some ambiguities raised by the European Union, to clarify a number of points.

In view of the fact that the above-mentioned note refers repeatedly to the United Nations Convention on the Law of the Sea of 1982 and uses that Convention as a basis for evaluation of the Act of 1993 on the Marine Areas of the Islamic Republic of Iran in the Persian Gulf and the Sea of Oman, dated 2 May 1993,^{4/} it is necessary to draw the Embassy's attention to the fact that the Islamic Republic of Iran does not regard all the relevant provisions of the Convention as customary in nature, but rather considers that many of them, reflecting as they do the outcome of lengthy negotiations at the Third United Nations Conference on the Law of the Sea and having been assembled into a single text (a package deal), are contractual in nature, and as such are binding only on States parties.

Indeed, when signing the Convention on the Law of the Sea on 10 December 1982, the Islamic Republic of Iran stated expressly that "certain of its provisions are merely the product of quid pro quo which do not necessarily purport to codify the existing customs or established usage (practice) regarded as having an obligatory character". Consequently, upon the entry into force of the Convention, it is clear that only States parties can invoke, in their relations, the resultant contractual rights.

Even before the adoption of the Act on the Marine Areas of the Islamic Republic of Iran in the Persian Gulf and the Sea of Oman, various other Acts and decrees pertaining to the Islamic Republic of Iran's rights and jurisdiction over those areas had been adopted. While each of these dealt with one or more issues involving the law of the sea, none of them took into consideration the recent change in that law in the matter of the extension of the limits of States' jurisdiction. Accordingly, the Marine Areas Act was drafted and adopted for the purpose of consolidating all the relevant legislative provisions into a single statutory instrument designed to supplement previous statutes while also taking the progressive development of the law of the sea into account.

^{2/} Communicated by the Permanent Mission of the Islamic Republic of Iran to the United Nations in a note verbale dated 13 March 1996.

^{3/} Law of the Sea Bulletin, No. 30 (1996), p. 59.

^{4/} Ibid., No. 24 (1994), p. 10.

One of these statutes was Decree No. 2/250-67 of 22 July 1973, which was adopted and put into force over 20 years ago. The method of straight baselines, as described in that Decree, cannot be regarded as in any way unusual, inasmuch as other States have also used the same method under comparable circumstances. Consequently, the provisions of the 1973 Decree were incorporated unchanged into the 1993 Act.

It is noteworthy that the text of the above-mentioned Decree, which was published internationally, notably in the United Nations Legislative Series, National Legislation and Treaties relating to the Law of the Sea (ST/LEG/SER.B/19, p. 55), did not elicit any protests during the entire period that elapsed between its promulgation and the adoption of the recent Act.

Furthermore, as the *démarche* by the German Embassy itself states, the Convention on the Law of the Sea does not stipulate any maximum length for baseline segments. Consequently, it is the view of the Islamic Republic of Iran that there are no legal grounds for regarding those baselines as excessively long.

As regards the use of straight baselines to connect islands less than 24 nautical miles apart and the designation of the marine areas separating them as internal waters, we note that there is nothing in international law to prohibit the use of that method, and we invite the Embassy's attention to the fact that the same method was used in the Act establishing the limits of the territorial sea and the exclusive zone of Iran, dated 18 July 1934 (ST/LEG/SER.B/6, p. 24) and the Act amending that Act, dated 11 April 1959 (ST/LEG/SER.B/15, p. 88). In the new Act, the criterion of the distance between islands has been adjusted to take account of the extension of the breadth of the territorial sea.

As regards the other points mentioned by the European Union, the Islamic Republic of Iran wishes to direct the Embassy's attention to the Persian Gulf's unique ecological situation and to the high level of economic activity in that region. In view of the small area of this semi-enclosed sea, its shallow water and the intensity of the economic activities that take place within it, especially fishing and hydrocarbon extraction, it is a highly vulnerable zone which has been designated a "special zone" in some international instruments. That is the reason why the Marine Areas Act does not consider innocent the passage of ships that pollute the marine environment or engage in the collection of information prejudicial to the interests of the Islamic Republic of Iran. The requirement of prior authorization for the passage of warships, submarines, nuclear-powered ships and other submersible craft, and for the passage of vessels or submarines carrying nuclear or other dangerous or noxious substances harmful to the environment through the territorial sea of the Islamic Republic of Iran is to be explained by the above-mentioned considerations and is justified by the need to ensure that the principle of innocent passage is observed.

Lastly, it is appropriate to add that on 26 April 1982 the President of the [Third United Nations] Conference on the Law of the Sea emphasized the right of coastal States to take such measures as they deem essential to safeguard their interests in the matter of their security, in accordance with articles 19 and 25 of the Convention on the Law of the Sea. ^{5/}

^{5/} Official Records of the Third United Nations Conference on the Law of the Sea, vol. XVI (United Nations publication, Sales No. E.84.V.2), Summary records of meetings, Plenary meetings, 176th meeting, para. 1.

2. United States of America

Communication regarding its understanding of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal ^{6/}

With regard to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, done at Basel, 22 March 1989, and signed by the United States of America on 22 March 1990:

(1) It is the understanding of the United States of America that, as the Convention does not apply to vessels and aircraft that are entitled to sovereign immunity under international law, in particular to any warship, naval auxiliary, and other vessels or aircraft owned or operated by a State and in use on government, non-commercial service, each State shall ensure that such vessels or aircraft act in a manner consistent with this Convention, so far as is practicable and reasonable, by adopting appropriate measures that do not impair the operations or operational capabilities of sovereign immune vessels.

(2) It is the understanding of the United States of America that a State is a "transit State" within the meaning of the Convention only if wastes are moved, or are planned to be moved, through its inland waterways, inland waters or land territory.

(3) It is the understanding of the United States of America that an exporting State may decide that it lacks the capacity to dispose of wastes in an "environmentally sound and efficient manner" if disposal in the importing country would be both environmentally sound and economically efficient.

(4) It is the understanding of the United States of America that article 9 (2) does not create obligations for the exporting State with regard to cleanup, beyond taking such wastes back or otherwise disposing of them in accordance with the Convention. Further obligations may be determined by the parties pursuant to article 12.

Further, at the time the United States of America deposits its instrument of ratification of the Basel Convention, the United States will formally object to the declaration of any State which asserts the right to require its prior permission or authorization for the passage of a vessel transporting hazardous wastes while exercising, under international law, its right of innocent passage through the territorial sea or freedom of navigation in an exclusive economic zone.

^{6/} Communicated by the United States Mission to the United Nations in a note verbale dated 13 March 1996.

C. Treaties

1. Bilateral treaties

(a) Management and cooperation agreement between the Government of the Republic of Senegal and the Government of the Republic of Guinea-Bissau, 14 October 1993

[Original: French]

The Government of the Republic of Guinea-Bissau, on the one hand, and

The Government of the Republic of Senegal, on the other hand,

Desiring to develop further the good-neighbourly relations and cooperation between their countries, have agreed as follows:

Article 1

The parties hereto shall jointly exploit a maritime zone situated between the 268° and 220° azimuths drawn from Cape Roxo.

The respective territorial seas of Guinea-Bissau and Senegal shall be excluded from this joint exploitation zone. However, small-scale fishing from canoes shall be authorized within the zone and in those parts of the territorial seas lying between 268° and 220°.

Article 2

Resources produced from the exploitation of this zone shall be shared in the following proportions:

Fishery resources

50 per cent to Senegal;

50 per cent to Guinea-Bissau.

Resources of the continental shelf

85 per cent to Senegal;

15 per cent to Guinea-Bissau.

In the event of discovery of additional resources, these proportions shall be reviewed, having regard to the magnitude of such discoveries.

Article 3

Expenditure previously incurred by the Parties out of State funds for oil prospecting in the area shall be refunded to each Party in accordance with its percentage contribution, under such conditions and subject to such terms as shall be determined before the entry into force of this Agreement.

Article 4

The Parties agree to establish an International Agency for the exploitation of the zone.

The organization and operation of the said agency shall be the subject of a joint agreement to be reached within not more than twelve months after the signing of the present instrument.

Article 5

Upon its establishment, the Agency shall succeed Guinea-Bissau and Senegal with respect to the rights and obligations arising out of the agreements concluded by each of the States Parties relating to exploitation of the resources of the zone.

Article 6

By the present Agreement, the Parties shall pool the exercise of their respective rights, without prejudice to legal titles previously acquired by each of them and confirmed by judicial decisions, and without prejudice to claims previously formulated by them in respect of non-delimited areas.

Article 7

The present Agreement shall enter into force upon conclusion of the agreement concerning the establishment and functioning of the International Agency and with the exchange of instruments of ratification of both agreements by the States Parties.

Article 8

The present Agreement shall remain in force for a period of twenty years and shall be automatically renewable.

Article 9

Disputes concerning the present Agreement or the international agency shall be resolved initially by direct negotiations and, should these fail, after a period of six months, arbitration or by the International Court of Justice.

In the event of suspension of the present Agreement, or upon its expiry, the States Parties shall have recourse to direct negotiation, arbitration or the International Court of Justice in respect of any delimitations remaining unsettled.

DONE at Dakar on 14 October 1993.

ANNEXED PROVISIONS

Negotiations pertaining to the organization and operation of the International Agency referred to in article 7 above shall begin 15 days after the signing of the cooperation agreement by the two Heads of State.

DONE at Dakar on 14 October 1993.

Protocol of agreement relating to the organization and operation of the agency for management and cooperation between the Republic of Guinea-Bissau and the Republic of Senegal instituted by the Agreement of 14 October 1993

SUMMARY

This document seeks to reflect, following the meeting held at Lisbon in January 1994, the initial exchanges of views between the delegations of the two States Parties to the Agreement of 14 October 1993 concerning the form, organization and operation of the Agency established under that Agreement.

Part I of this draft Protocol deals, in title II, with the form and purpose of the Agency; part II deals with the Agency, which shall comprise two organs:

- The Authority, made up of the Heads of State, Heads of Government, or persons delegated by them, and the Secretariat of the Agency.

- The Enterprise is the organ through which the Agency shall execute the mission assigned to it by the Agreement of 14 October 1993.

The Authority shall be the Agency's policy-setting organ, while the Enterprise shall be the instrument for implementing that policy and managing the resources in the area.

The Enterprise shall be a private corporation with a Board of Directors and an Administration assisted by two departments in charge of the two main types of activity and an administrative and financial department.

During his term of office as head of the Authority, the President of the Authority shall serve concurrently as Chairman of the Board of Directors.

Title IV deals with the operation and jurisdiction of the Authority; title V is devoted to the areas of competence of the Secretary-General.

The powers and prerogatives of the Board of Directors shall be set forth in the Statutes of the Enterprise.

Part III indicates, in broad outline, the various fields of cooperation between the States Parties and the Agency.

Part IV deals with the law applicable to resource prospecting, exploration and exploitation activities in the zone and with the settlement of disputes.

Part V is concerned with interim provisions aimed at enabling the Agency to begin operating as soon as this Protocol enters into force, pending the definitive establishment of the Enterprise.

Part VI deals with the final clauses, i.e. procedures for amending this Protocol and its date of entry into force.

The above is a brief survey of the contents of the text.

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PROTOCOL OF AGREEMENT

PREAMBLE

This Protocol deals with the organization and operation of the Agency provided for in article 4 of the Agreement concluded at Dakar on 14 October 1993 between the Republic of Guinea-Bissau and the Republic of Senegal with a view to the joint exploitation of a maritime zone situated between the 268° and 220° azimuths drawn from Cape Roxo.

PART I

TITLE I

DEFINITIONS

Article 1

For the purposes of this Protocol:

1.1. The expression "fishery agreement" means an instrument and annexes appended thereto constituting a contract between the Enterprise and one of the States Parties, or between the Enterprise and one or more third States, together with every addition or amendment to such instrument that has been duly approved by the Parties, for the purpose of regulating conditions relating to access to and the identification, evaluation and harvesting of the zone's fish stocks by the said States.

1.2. The expression "mining or hydrocarbon resource development activities" means all prospecting, exploration, evaluation, development, production, recovery, exploitation, transport and marketing activities connected with mineral or hydrocarbon resources (crude oil and natural gas), including all treatment of natural gas other than refining, and the distribution of petroleum products.

1.3. The term "Agency" means the Agency for management and cooperation established under the Management and Cooperation Agreement between the Government of the Republic of Guinea-Bissau and the Government of the Republic of Senegal, concluded at Dakar on 14 October 1993, with a view to joint exploitation of a maritime zone between the 268° and 220° azimuths drawn from Cape Roxo.

1.4. The expression "fishing contract" means an instrument and annexes appended thereto constituting a contract between the Enterprise and a company or group of companies, together with every addition or amendment to such instrument that has been duly approved by the Parties, for the purpose of regulating conditions relating to access to and the identification, evaluation and harvesting of the zone's fish resources by the said companies.

1.5. The term "convention" means an instrument and annexes appended thereto constituting a contract between the Enterprise and a company or group of companies, together with every addition or amendment to such instrument that has been duly approved by the Parties, for the purpose of regulating all mining or hydrocarbon resource development activities in the zone.

1.6. The expression "applicable law" means the several statutory instruments and schedules appended thereto, together with every addition or amendment to every such statutory instrument that has been duly approved by the Parties, containing the rules, regulations and procedures applicable to the activities set forth in article 5 of this Protocol, in so far as they are not incompatible with the Agreement of 14 October 1993 or with this Protocol.

1.7. The expression "the Enterprise" means the organ through which the Agency executes the mission entrusted to it by the Agreement of 14 October 1993.

The expression "the Enterprise(s)" means one or more juridical persons that are subsidiaries of the Enterprise or have been established by the Agency in the course of diversifying its activities.

1.8. The expression "States Parties" means the Republic of Guinea-Bissau and/or the Republic of Senegal, which are parties to the Agreement of 14 October 1993.

1.9. The expression "third State(s)" means one or more States other than those referred to in article 1.8 above.

1.10. The expression "fishing licence" means a permit to engage in fishing activities issued by the Enterprise to an operator from a State, company or group of companies and valid for a specific term, vessel or type of catch, in accordance with the regulations in force in the zone.

1.11. The expression "mining or hydrocarbon development licence" means an exclusive mineral or petroleum exploration permit issued by the Enterprise to a company or group of companies or to a subsidiary enterprise in accordance with the prescribed procedures, and valid within the perimeter delimited in annex A appended to the relevant Convention.

1.12. The expression "percentage share" means the percentage interest held by any entity in the Enterprise or in association with the Enterprise in resource prospecting, evaluation and exploitation activities in the zone.

1.13. The expression "additional oil tax" means the tax payable to the Enterprise under the Convention for hydrocarbon resource development activities, the amount of which increases progressively with the profitability of such activities.

1.14. The term "royalty" means:

(a) In the field of mineral or hydrocarbon resource development, percentage payment(s) or contribution(s), the amount of which, together with details of the basis of calculation and terms of payment, is set forth in the Convention appended to the mineral or hydrocarbon resource development concession;

(b) In the field of fish harvesting activities, the amount payable by an operator working under a fishery agreement and/or fishing contract and in possession of a fishing licence issued by the Enterprise for his vessel, subject to such rates, conditions and terms of payment as may be specified in accordance with the regulations in force in the zone.

1.15. The term "company" means one or more juridical persons that have entered into a fishing contract or mineral or hydrocarbon resource development convention with the Enterprise, and any juridical person to which an interest has been assigned and which may validly be described as a company under the provisions of the applicable law.

1.16. The expression "area-based tax" means a yearly tax per square kilometre which a company pays to the Enterprise and which is based on the size of the area specified in its mining licence.

1.17. The expression "mineral or oil title" means all the mineral or oil rights held by the Agency in the zone under the Agreement of 14 October 1993, the management of which it delegates to the Enterprise.

1.18. The term "zone" means the cooperation zone defined in article 1 of the Agreement of 14 October 1993.

TITLE II

NAME, HEADQUARTERS, FORM AND PURPOSE

Article 2

Name

The Agency shall be known as the "Agency for Management and Cooperation", or "AMC".

Article 3

Headquarters

The Agency's headquarters shall be located in Dakar, but shall be transferable to Bissau.

Article 4

Form

The Agency shall be an international organization entrusted with responsibility for managing the resources of the zone, either directly by means of the Enterprise or its subsidiaries, or indirectly through other companies.

The Agency shall also be entrusted with responsibility for promoting cooperation between States.

Article 5

Purpose

The functions of the Agency shall be as follows:

(a) In the field of mineral and petroleum resource development:

To carry out all relevant geological and geophysical studies, drilling operations and other activities with a view to prospecting for and the exploration and exploitation of mineral and petroleum resources in the zone, or to make arrangements to have them carried out;

To promote mineral and petroleum resource prospecting, exploration and exploitation activities in the zone;

To market all or part of its share of minerals or petroleum resources produced;

(b) In the field of marine fisheries:

To evaluate and manage fish stocks, monitor the marine ecosystem and develop fisheries in the zone, either alone or in cooperation with other States or other bodies;

To exercise or authorize the exercise of fishing rights, inter alia, by establishing and enforcing conditions for access to and exploitation of fish stocks in the zone;

To promote fish stock identification, exploration and exploitation activities in the zone;

To market all or part of its share of catches;

(c) In general:

To monitor the rational exploitation of the zone's resources;

To cooperate with the States Parties and the competent international organizations in enforcing within the zone the terms of articles 16 to 23 of this Protocol as regards:

Safety;

Monitoring of regulations and supervision of resource prospecting, exploration and exploitation activities;

Protection of the marine environment;

Pollution prevention and control.

To perform these functions with respect to all activities in the zone, the Agency may act alone or in association with other companies or international organizations.

PART II

TITLE III

THE AGENCY

Article 6

Jurisdiction

The Agency shall hold exclusive mineral or oil titles and fishing rights in the zone.

It shall act in this connection through the Enterprise.

The Enterprise:

May carry out such work or activities as it may deem appropriate and monitor the execution thereof, or arrange for such execution and monitoring to be carried out by holders of mining or hydrocarbon resource development licences or fishing licences;

Shall take all appropriate action with a view to facilitating the mustering of such financial support as may be required for purposes of its activities;

In particular, shall assist holders of mining or hydrocarbon resource development licences or fishing agreements, contracts or licences in their administrative dealings with each State Party with a view to the successful prosecution of their resource prospecting, exploration and exploitation operations in the zone;

Shall organize promotion campaigns with a view to attracting the interest of other companies in resource prospecting, exploration and exploitation operations in the zone.

Article 7

Organization

The Agency shall comprise:

The Authority and the Secretariat, whose operation and areas of competence are defined below.

Article 8

Privileges and immunities

The States Parties shall grant the Agency, its staff members and the Enterprise the privileges and immunities that are ordinarily granted to international organizations and their officers.

TITLE IV

THE AUTHORITY

Article 9

Operation

The Authority shall consist of the Heads of State or of Government or of persons delegated by them.

The Presidency of the Authority shall be assumed on a rotating basis, alternately by the Heads of State or Government or by their representatives.

The term of office of the President of the Authority shall be two years.

The first presidency shall be assumed by the host country; likewise, the first meeting of the Authority shall take place in the host country.

Meetings of the Authority shall take place as necessary, and at least once a year, in one or the other of the States Parties.

The Authority shall establish, as needed, the rules of procedure that it requires for its decision-making process.

During his term of office, the President of the Authority shall serve concurrently as Chairman of the Board of Directors of the Enterprise.

The Secretariat of the Authority shall be provided by the Secretary-General of the Agency, who shall be responsible for organizing the meetings of the Authority.

The President of the Authority may call upon any qualified person capable of providing advice on topics under study.

Article 10

Areas of competence

10.1. The Authority shall define the general policy of the Agency.

10.2. It shall meet in regular session once a year to examine and approve general administrative and cooperation policies proposed by the Secretary-General.

10.3. It shall appoint the Secretary-General and his Deputy.

10.4. It shall have, inter alia, the following functions:

(a) Providing the Enterprise with guidance and instructions regarding the performance of its functions;

(b) Upon the recommendation of the Board of Directors of the Enterprise, and in a manner not incompatible with the aims of this Protocol and of the Agreement of 14 October 1993, amending regulations governing prospecting, exploration and exploitation of the resources of the area, as well as those governing monitoring and scientific research;

(c) Supervising the application of this Protocol, the Agreement of 14 October 1993 and the regulations applicable to the Enterprise, and recommending to the Board of Directors any necessary modifications;

(d) Exercising and determining the scope of police powers in the zone.

10.5. In the exercise of its functions, the Authority shall ensure that resource prospecting, exploration and exploitation in the zone are carried out in an optimal manner, in conformity with good mining or oil-industry practices as well as with regard to the marine environment and to conservation of fisheries resources.

TITLE V

THE SECRETARY-GENERAL OF THE AGENCY

Article 11

Areas of competence

11.1. The Secretary-General of the Agency, a natural person appointed by the Authority as its representative, shall have a general executive role and personal administrative authority. In the exercise of his functions, he shall be assisted by a Deputy Secretary-General.

11.2. Within limits defined by the Authority, the Secretary-General shall be empowered to contract for, acquire and dispose of movable and immovable property, and to represent the Agency in all legal proceedings.

11.3. The Secretary-General shall report to the Authority on the performance of the duties assigned to him by that body.

11.4. The Secretary-General shall be responsible for the management of resource prospecting, exploration and exploitation activities within the area, and especially for the following activities:

(a) Evaluating proposals and making recommendations to the Board of Directors with a view to the conclusion of conventions and fishery agreements;

(b) Concluding conventions and fishery agreements, upon the recommendation of the Board of Directors and subject to the approval of the Authority. The conclusion of fishing contracts shall not be subject to this procedure;

(c) Supervising the activities of companies in conformity with the requirements of the regulations applicable to the zone concerning exploitation of mineral, oil and fishery resources;

(d) Ensuring the enforcement of rules and directives promulgated under the regulations applicable to the zone, and of the correct implementation of conventions, fishery agreements or fishing contracts;

(e) Suspending or cancelling fishing contracts when the companies or the owners of the vessels do not comply with their terms;

(f) Terminating conventions or fishing contracts, with the consent of the Board of Directors and the approval of the Authority;

(g) Effecting payment of the shares of the States Parties in the proceeds of resource exploitation activities in the zone, in conformity with the terms of the Agreement of 14 October 1993;

(h) Ensuring or, with the assistance of the States Parties as necessary, participating in the control of the entry into and movement within the zone of ships, aircraft, structures and other matériel to be used in the prospecting for and the exploration and exploitation of resources in the zone;

(i) Establishing safety and limited-access sectors, in conformity with international law, so as to guarantee the safety of navigation and of resource prospecting, exploration and exploitation operations in the zone;

(j) Formulating rules and directives concerning all questions arising in connection with the supervision and direction of resource prospecting, exploration and exploitation in the zone, under the regulations governing such operations;

(k) Formulating rules and directives under the regulations in force in the areas of health, safety, environmental protection, environmental impact assessment and work practices;

(l) Recommending to the Authority, in conformity with the objectives of this Protocol and of the Agreement of 14 October 1993, amendments to the regulations governing resource prospecting, exploration and exploitation in the zone, and modifications to conventions and fishery agreements;

(m) Requesting the Authority to take measures compatible with this Protocol and with the Agreement of 14 October 1993, as well as with the regulations applicable to the zone:

For purposes of prospecting, monitoring and rescue operations in the zone;

In the event of dangers to ships, structures, platforms or artificial islands used in resource prospecting, exploration and exploitation operations in the zone;

(n) Requesting the assistance of the States Parties or other bodies or persons in order to prevent or combat pollution and all other disasters involving the environment or resources;

(o) Modifying, at the request of or with the agreement of the States or companies concerned, the provisions of the convention or fishery agreement related especially to contractual fees or compensation and/or the volume of licences, upon approval of the Board of Directors and with the agreement of the Authority.

TITLE VI

THE ENTERPRISE

Article 12

Structure

The Enterprise shall be administered by:

A Board of Directors composed of at least 3 and of at most 11 members, appointed by the General Assembly from among:

On the one hand, the representatives of the States Parties in the Authority, and

On the other hand, those natural persons or legal entities holding shares; and by

A Director General's office responsible for all administrative, organizational and management functions of the Enterprise. The Director General's office shall be assisted by three departments, as follows:

A mineral and oil resources prospecting, exploration and exploitation department;

A fisheries, monitoring and research department;

An administrative and financial department.

The heads of the departments shall be appointed by the Director General after consultation with the Board of Directors.

The Director General shall be appointed by the Board of Directors upon the recommendation of the Authority.

The Director General shall have the following areas of competence:

(a) Approval of the transfer by companies of rights and obligations to other companies, which then become "companies" within the meaning of article 1.15 above;

(b) Establishment of the provisional budgets of the Enterprise;

(c) Authorization of entry into the zone of the employees of enterprises, their subcontractors and other persons;

(d) Conduct, as necessary, of the sale of all or part of the mineral, petroleum or fishery production reverting to the Enterprise in accordance with agreed programmes;

(e) Exercise of all other functions the Authority or the Board of Directors may assign to him which are not in conflict either with the Agreement of 14 October 1993 or with the terms of this Protocol.

Article 13

Capital

The share capital of the Enterprise shall be set at US\$ 100,000 and shall be fully paid up by the two States.

Article 14

Apportionment of capital

The percentages of capital participation in the Enterprise shall be as follows:

The Republic of Senegal 67.5 per cent

The Republic of Guinea-Bissau 32.5 per cent

Fifty-one per cent of the shares shall be Class A shares held by the States, and shall be non-transferable.

Forty-nine per cent of the shares shall be Class B shares transferable to the private sector.

At each sale, 67.5 per cent of the shares sold shall be applied to the capital of the Republic of Senegal and 32.5 per cent shall be applied to that of the Republic of Guinea-Bissau.

The form of these shares and the entitlements to which they give rise shall be determined in the by-laws of the Enterprise.

Article 15

Resources

In addition to the equity capital (capital-share funding, "advances" from shareholders, contributions from States, subsidies) resulting from operations, the other resources of the Agency shall be as follows:

(a) In the area of minerals or oil:

The area tax;

The ad valorem mineral production charge;

The rent oil production charge or royalty;

The profits tax payable by enterprises exploiting mineral and/or oil resources of the zone;

The additional oil levy;

The share of the Agency's revenues from the sale of mineral or oil products (crude oil and natural gas) derived from the exploitation of the resources of the zone;

(b) In the area of fishing:

Revenues derived from the sale of fisheries products;

Licence fees;

Fines resulting from the inspection of vessels;

Considerations incorporated in agreements or contracts;

Proceeds derived from seizure of catches;

All specific taxes, contributions or levies that the Enterprise may establish with regard to fishing.

(c) In the area of training and scientific research:

Contributions to the Enterprise's training and research activities from oil or marine fishery companies and international organizations for cooperation in scientific, mining, petroleum or marine fishery research, in conformity with past conventions, agreements and contracts;

(d) More generally:

All financial resources the Agency is able to obtain in the framework of policy cooperation with States and/or international aid or financial organizations, other similar organizations or State bodies;

All financial revenues resulting from funds placed at the disposal of the Enterprise.

PART III

TITLE VII

COOPERATION

Article 16

Obligation to cooperate

For the purposes of this Protocol, the States Parties and the Agency shall undertake to cooperate in the areas of scientific research, safety, monitoring, rescue, protection of the marine environment and transport within the area. To this end, they will regularly exchange information obtained in the course of activities conducted by one or another of the Parties in the areas enumerated above.

Article 17

Safety

17.1. In the area of safety operations, the States Parties shall exercise control and police powers on behalf of the Agency within the zone.

17.2. The States Parties and the Agency shall exchange information on everything capable of affecting resource prospecting, exploration and exploitation within the zone, as well as on incidents that might impair the safety of its activities.

Article 18

Monitoring

The States Parties and the Agency shall cooperate in the area of monitoring activities within the zone.

Article 19

Search and rescue

The States Parties and the Agency shall cooperate in making arrangements for search and rescue operations within the zone.

Article 20

Transport services

The States Parties and the Agency shall cooperate in providing transport services within the zone.

Article 21

Bibliography, documentation and data banks

21.1. At the request of the Agency, which shall underwrite the associated reproduction costs, the States Parties shall provide to the Agency, free of charge and under conditions of confidentiality, with bibliographic material and all existing documentation relative to the zone, especially data on geology, geophysics (including geological strata), drilling data and data on fisheries resources and the marine environment.

21.2. The States Parties guarantee to the Agency free access to the said data, free of charge and under conditions of confidentiality.

Article 22

Scientific and marine research

22.1. The States Parties shall cooperate directly or through international organizations in the area of scientific, technical and technological research in the zone, and shall coordinate their activities in this area.

22.2. The States Parties shall also allow the Agency the possibility of undertaking for itself, alone or in association with other States, organizations or companies, any studies or research of a scientific nature.

22.3. In return, the Agency shall, at the request of the States Parties and subject to the conditions of confidentiality relating to such studies, undertake to provide them with the data, samples and/or results obtained from this research.

Article 23

Protection of the marine environment

23.1. The States Parties shall cooperate with the Agency to prevent or minimize pollution and all other forms of degradation of the marine environment resulting from resource prospecting, exploration and exploitation activities in the zone, and in particular:

The States Parties shall provide the Agency with such assistance as may be requested of them under article 11.4 (m) and (n) of this Protocol;

When pollution of the marine environment in the zone extends beyond it or presents the risk of doing so (because of currents, winds or direction), the States Parties shall cooperate in taking measures to prevent, reduce and eliminate this pollution.

23.2. In conformity with article 11.4 (j), (k), (l), (m) and (n) of this Protocol, the Agency shall enact regulations to protect the marine environment in the area. It shall establish an emergency or management plan for combating pollution or any form of degradation resulting from resource prospecting, exploration and exploitation operations in the zone.

23.3. Companies shall be liable for the damage and expense caused by pollution or any form of degradation of the marine environment resulting from their resource prospecting, exploration and exploitation activities in the zone, in conformity with the regulations in force.

PART IV

TITLE VIII

APPLICABLE LAW AND SETTLEMENT OF DISPUTES

Article 24

Applicable law

24.1. With regard to mineral or oil resource prospecting, exploration and exploitation and to monitoring and scientific research in the mining and petroleum domain, the applicable law shall be the law of Senegal as amended and modified in conformity with the terms of article 10.4 (b) above, as at the date of signature of this Protocol.

24.2. With regard to fisheries resource prospecting, exploration and exploitation and to monitoring and scientific research in the domain of fishing, the applicable law shall be the law of Guinea-Bissau, as at the date of signature of this Protocol.

24.3. In conformity with article 11.4 (1) of this Protocol and with the objectives of the Agreement of 14 October 1993, the Authority may propose to the States Parties any necessary modifications or amendments to the aforementioned regulations.

Article 2

If natural resources are discovered in or on the continental shelf of one of the Parties and the other Party is of the opinion that the said resources extend onto its continental shelf, the latter Party may by presenting the evidence on which the opinion is based, e.g. geological or geophysical data, submit this opinion to the first-mentioned Party.

If such an opinion is put forward, the Parties shall institute deliberations, at which the information available to both of the Parties is submitted, on the extent of the resources and the possibility of exploitation. If it is established in the course of these deliberations that the resources extend across both Parties' parts of the continental shelf and that the resources in one of the Parties' areas are exploitable, wholly or in part, from that of the other Party or that the exploitation of the resources in one of the Parties' areas would affect the possibility of exploiting the resources in that of the other Party, an agreement shall be made, at the request of either of the Parties, concerning exploitation of the said resources.

Article 3

The boundary between the fishery zone around Jan Mayen and the fishery zone around Greenland coincides with the delimitation line specified in article 1.

Article 4

This Agreement shall be signed and enters into force upon signature.

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

DONE in duplicate at Oslo on 18 December 1995 in the Norwegian and Danish languages, both texts being equally authoritative.

(b) Agreement between the Kingdom of Denmark and the Kingdom of Norway concerning the delimitation of the continental shelf in the area between Jan Mayen and Greenland and concerning the boundary between the fishery zones in the area, 18 December 1995^{8/}

[Original: Danish and Norwegian]

The Government of the Kingdom of Norway and the Government of the Kingdom of Denmark,

Referring to the Judgment of the International Court of Justice of 14 June 1993 in the case concerning maritime delimitation in the area between Greenland and Jan Mayen,^{9/}

Having agreed to draw the delimitation line between the fishery zones and to delimit the continental shelf in accordance with that judgment,

Having in this connection completed a geodetic calculation of the delimitation criteria laid down by the Court,

Desiring to continue cooperation on reciprocal fisheries and on the flexible exploitation of the living marine resources in the area,

Having also agreed that a final determination of the further course of the delimitation line south of point No. 4 as specified in the Agreement must be effected in consultation with Iceland,

Have agreed as follows:

Article 1

The delimitation line between the Parties' parts of the continental shelf in the area between Greenland and Jan Mayen is established as straight lines between the following points, in the order indicated below:

Point No. 1:	74° 21' 46.9"N	05° 00' 27.7" W
Point No. 2:	72° 49' 22.2"N	11° 28' 28.7" W
Point No. 3:	71° 52' 50.8"N	12° 46' 01.3" W
Point No. 4:	69° 54' 34.4"N	13° 37' 46.4" W

All straight lines are geodetic lines.

The points listed above are defined by geographic latitude and longitude in accordance with the World Geodetic System 1984 (WGS84).

By way of illustration, the delimitation line and the points listed above have been drawn on the sketch-map annexed to this Agreement.

^{8/} Communicated by the Permanent Mission of Norway to the United Nations in a note verbale dated 21 March 1996.

^{9/} I.C.J. Reports 1993, p. 38.

Or as a long-term loan or as start-up costs repayable in five (5) equal yearly instalments, the first due date falling no later than during the fifth year counting from the date on which the Enterprise commences operations.

PART VI

TITLE X

FINAL CLAUSES

Article 27

Amendment

27.1. This Protocol, which forms an integral part of the Agreement of 14 October 1993, may be amended by the States Parties.

27.2. These amendments or modifications may not result in costs to the Agency not compensated for by supplementary sources.

Article 28

Entry into force

This Protocol shall enter into force on the date of exchange of the instruments of ratification. ^{7/}

DONE at Bissau on 12 June 1995.

^{7/} The Protocol entered into force December 1995.

Article 25

Settlement of disputes

25.1. All disputes between States Parties concerning the interpretation or application of this Protocol shall be resolved in conformity with the terms of article 9 of the Management and Cooperation Agreement of 14 October 1993.

25.2. All disputes between the Agency and one or the other of the contracting States regarding the interpretation or application of this Protocol shall be resolved initially through direct negotiation.

If the dispute has not been resolved after three months, it shall be settled by arbitration.

25.3. The States Parties shall ensure the execution of arbitration awards.

25.4. All conventions, fishery agreements and fishing contracts concluded by the Enterprise must contain specific regulations stipulating the means of settling disputes, concerning the interpretation or application of the said conventions, fishery agreements or fishing contracts.

PART V

TITLE IX

TRANSITIONAL PROVISIONS

Article 26

Advances

The States Parties undertake to provide the Agency with the funds necessary for its operations for a period of one (1) year.

The total amount of these advances is set at US\$ 250,000, of which 67.5 per cent shall be payable by the Republic of Senegal and 32.5 per cent by the Republic of Guinea-Bissau. This period may be extended by the Authority at the request of the Secretary-General.

The total amount of these advances is set on the basis of an annual budget presented by the Secretary-General.

Contributions shall be paid according to the following schedule:

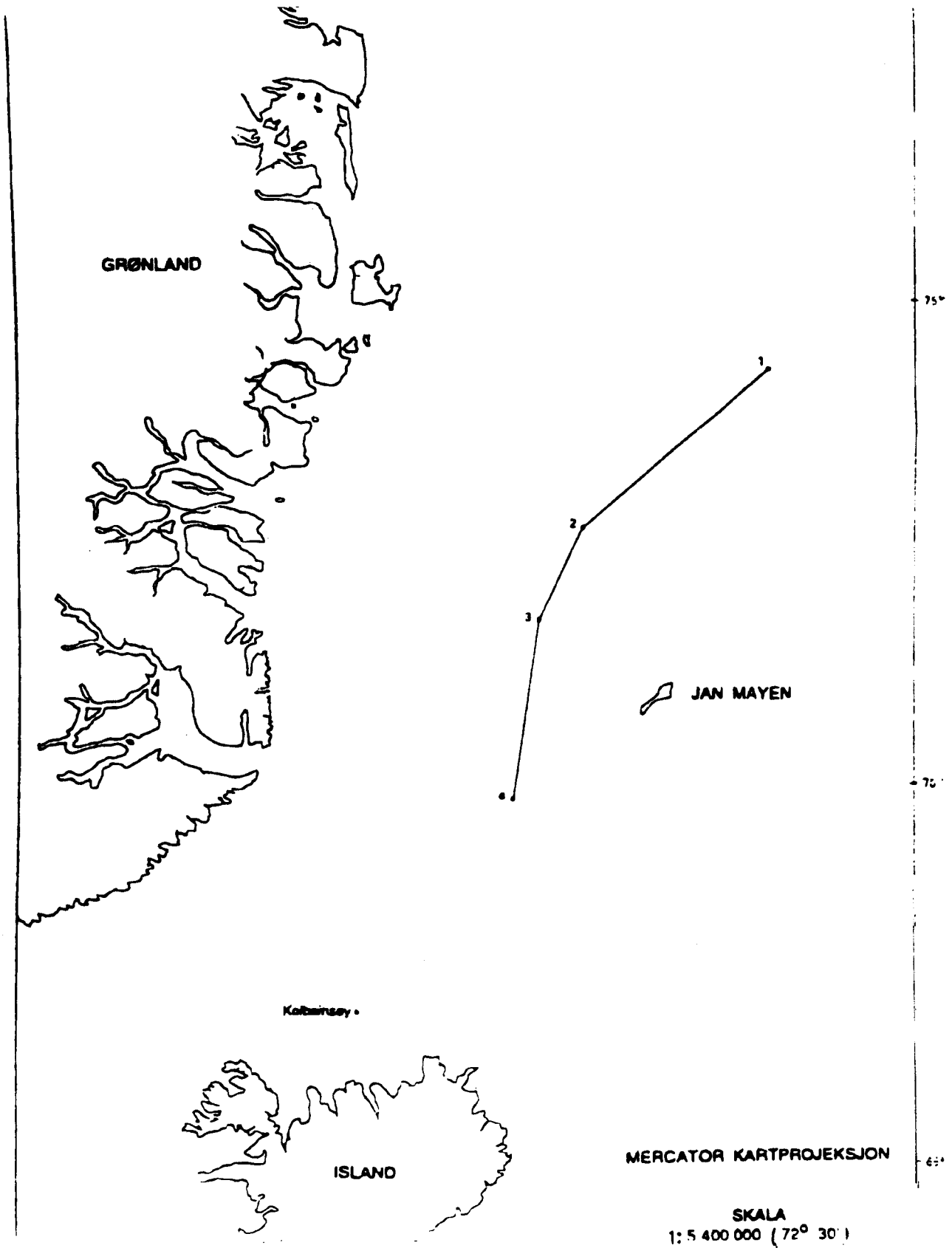
Fifty per cent of the share of each State Party sixty (60) days from the date of entry into force of this Protocol as provided in article 28 below:

The balance, i.e. 50 per cent, six (6) months from the date of entry into force of this Protocol.

These funds shall be entered in the accounts:

Either as a shareholder advance to be consolidated up to the amount of the participation by the States Parties in the capital of the Enterprise, the balance being regarded as a long-term loan repayable in five (5) equal yearly instalments counting from the year in which the Enterprise commences operations;

Annex



GRØNLAND

JAN MAYEN

Koltarsøy

ISLAND

MERCATOR KARTPROJEKSJON

SKALA
1:5 400 000 (72° 30')

2. Regional treaties

(a) Agreement between the Republic of Estonia, the Republic of Finland and the Kingdom of Sweden regarding the M/S Estonia, 23 February 1995^{10/}

The Republic of Estonia, the Republic of Finland and the Kingdom of Sweden, hereinafter referred to as the Contracting Parties,

Recalling the disaster on the night of 28 September 1994 when the M/S Estonia sank in the Baltic Sea on its way from Tallinn to Stockholm,

Wishing to protect the M/S Estonia, as a final place of rest for victims of the disaster, from any disturbing activities,

Urging the public and all other States to afford appropriate respect to the site of the M/S Estonia for all time,

Have agreed as follows:

Article 1

The wreck of the M/S Estonia and the surrounding area, as defined in article 2, shall be regarded as a final place of rest for victims of the disaster, and as such shall be afforded appropriate respect.

Article 2

The area constituting the final place of rest shall for the purpose of this Agreement be delimited by straight lines from point No. 1 through points Nos. 2, 3, 4 and back to point No. 1:

Point No. 1 (Upper left)	59° 23,500' N, 21° 40,000' E
Point No. 2 (Upper right)	59° 23,500' N, 21° 42,000' E
Point No. 3 (Lower right)	59° 22,500' N, 21° 42,000' E
Point No. 4 (Lower left)	59° 22,500' N, 21° 40,000' E;

all positions defined by geographical coordinates in the World Geodetic System 1984 (WGS 84).

Article 3

The Contracting Parties hereby agree that the M/S Estonia shall not be raised.

Article 4

1. The Contracting Parties undertake to institute legislation, in accordance with their national procedures, aiming at the criminalization of any activities disturbing the peace of the final place of rest, in particular any diving or other activities with the purpose of recovering victims or property from the wreck or the seabed.

^{10/} Communicated by the International Maritime Organization by circular letter No. 1859 of 16 November 1995.

2. The Contracting Parties undertake to make it possible to punish the commission of an offence, established in accordance with paragraph 1 of this article, by imprisonment.

3. Notwithstanding the above provisions, a Contracting Party may take measures to cover the wreck or to prevent pollution of the marine environment from the wreck.

Article 5

Each Contracting Party undertakes to submit information to another Contracting Party on pending or on-going activities having been criminalized in conformity with article 4 and involving a vessel flying the flag of that Contracting Party.

Article 6

This Agreement shall enter into force thirty days after the date when the Contracting Parties have notified the other Contracting Parties in writing that the necessary constitutional procedures for its entry into force have been completed.

IN WITNESS WHEREOF the undersigned, duly authorized, have signed this Agreement.

DONE at Tallinn on 23 February 1995 in three originals, each in the English language.

(b) Resolution II of 10 June 1995 by the Conference of the Contracting Parties to the Convention for the Protection of the Mediterranean Sea against Pollution and its Protocol for the Prevention of Pollution of the Mediterranean Sea by Dumping from Ships and Aircraft

The Conference,

Recalling the decisions of the Eighth Ordinary Meeting of the Contracting Parties held at Antalya from 12 to 15 October 1993 as well as the recommendation of the Bureau at their meeting in Rabat in June 1994 calling upon the Contracting Parties to examine amendments to the Mediterranean Action Plan and the Convention and its Protocols,

Recalling further the recommendation of the Ninth Ordinary Meeting of the Contracting Parties held at Barcelona from 5 to 8 June 1995 to approve the amendments to the Convention for the Protection of the Mediterranean Sea against Pollution (hereinafter referred to as "the Barcelona Convention") and to the Protocol for the Prevention of Pollution of the Mediterranean Sea by Dumping from Ships and Aircraft (hereinafter referred to as "the Dumping Protocol"),

Having adopted on this tenth day of June 1995 amendments to the Barcelona Convention and the Dumping Protocol, the texts of which are contained in the annex to this Resolution,

Desirous of ensuring that the amendments to the Barcelona Convention and the Dumping Protocol shall begin to produce beneficial effects at the earliest possible moment,

Having regard to article 16 of the Convention providing for the amendment of the Convention or Protocols,

Having regard furthermore to article 29 of the Barcelona Convention, in which the Government of Spain has been designated Depositary of the Convention and of any protocol thereto,

1. **Adopts** amendments to the Barcelona Convention consisting of:
 - (a) Amendment to the title;
 - (b) Amendments to the preamble;
 - (c) Amendments to articles 1, 2, 3, 4, 5, 6, 7, 8, 11, 12, 13, 14, 15, 18, 20 and 21;
 - (d) The addition of new articles 9A, 9B, 11A, 11B, 14A, 14B;
 - (e) Consequential renumbering of articles 10 to 29.
2. **Also adopts** amendments to the Dumping Protocol consisting of:
 - (a) Amendment to the title;
 - (b) Amendments to the preamble;
 - (c) Amendments to articles 1, 2, 3, 4, 5, 6, 7, 9, 10, 11 and 14;
 - (d) Deletion of annexes I and II;

- (e) Amendment to annex III;
- (f) Consequential change to the annex number.

3. **Invites** the Government of Spain to deposit the adopted amendments to the Barcelona Convention and the Dumping Protocol in accordance with article 16 of the Convention and to receive instruments of acceptance as provided for in this article.

4. **Also invites** the Contracting Parties to accept these amendments at the earliest possible date after receiving copies thereof by notifying the appropriate instrument of acceptance to the Depositary in accordance with article 16 of the Convention.

ANNEX

I. AMENDMENTS TO THE CONVENTION FOR THE PROTECTION OF THE MEDITERRANEAN SEA AGAINST POLLUTION

A. TITLE

The title of the Convention is amended as follows:

CONVENTION FOR THE PROTECTION OF THE MARINE ENVIRONMENT AND THE COASTAL REGION OF THE MEDITERRANEAN

B. PREAMBULAR PARAGRAPHS

The second preambular paragraph of the Convention is amended as follows:

Fully aware of their responsibility to preserve and sustainably develop this common heritage for the benefit and enjoyment of present and future generations,

The following paragraphs are added to the preamble:

Fully aware that the Mediterranean Action Plan, since its adoption in 1975 and through its evolution, has contributed to the process of sustainable development in the Mediterranean region and has represented a substantive and dynamic tool for the implementation of the activities related to the Convention and its Protocols by the Contracting Parties,

Taking into account the results of the United Nations Conference on Environment and Development, held at Rio de Janeiro from 3 to 14 June 1992,

Also taking into account the Declaration of Genoa of 1985, the Charter of Noicosia of 1990, the Declaration of Cairo of 1992 on Euro-Mediterranean Cooperation on the Environment within the Mediterranean Basin, the recommendations of the Conference of Casablanca of 1993 and the Declaration of Tunis of 1994 on the Sustainable Development of the Mediterranean,

Bearing in mind the relevant provisions of the United Nations Convention on the Law of the Sea, done at Montego Bay on 10 December 1982 and signed by many Contracting Parties,

C. ARTICLE 1:
GEOGRAPHICAL COVERAGE

Paragraph 2 of article 1 is amended as follows:

2. The application of the Convention may be extended to coastal areas as defined by each Contracting Party within its own territory.

The following paragraph is added to article 1 as new paragraph 3:

3. Any protocol to this Convention may extend the geographical coverage to which that particular protocol applies.

D. ARTICLE 2:
DEFINITIONS

Paragraph (a) of article 2 is amended as follows:

- (a) "Pollution" means the introduction by man, directly or indirectly, of substances or energy into the marine environment, including estuaries, which results, or is likely to result, in such deleterious effects as harm to living resources and marine life, hazards to human health, hindrance to marine activities, including fishing and other legitimate uses of the sea, impairment of quality for use of seawater and reduction of amenities.

E. ARTICLE 3:
GENERAL PROVISIONS

Paragraphs 1 and 2 of article 3 are amended as follows:

1. (*renumbered as 2*) The Contracting Parties may enter into bilateral or multilateral agreements, including regional or subregional agreements for the promotion of sustainable development, the protection of the environment, the conservation and preservation of natural resources in the Mediterranean Sea Area, provided that such agreements are consistent with this Convention and the Protocols and conform to international law. Copies of such agreements shall be communicated to the Organization. As appropriate, Contracting Parties should make use of existing organizations, agreements or arrangements in the Mediterranean Sea Area.

2. (*renumbered as 3*) Nothing in this Convention and its Protocols shall prejudice the rights and positions of any State concerning the United Nations Convention on the Law of the Sea of 1982.

The following new paragraphs are added to article 3:

0. (*renumbered as 1*) The Contracting Parties, when applying this Convention and its related Protocols, shall act in conformity with international law.

3. (*renumbered as 4*) The Contracting Parties shall take individual or joint initiatives compatible with international law through the relevant international organizations to encourage the implementation of the provisions of this Convention and its Protocols by all the non-party States.

3bis. (*renumbered as 5*) Nothing in this Convention and its Protocols shall affect the sovereign immunity of warships or other ships owned or operated by a State while engaged in government non-commercial service. However, each Contracting Party shall ensure that its vessels and aircraft, entitled to sovereign immunity under international law, act in a manner consistent with this Protocol.

F. ARTICLE 4: GENERAL OBLIGATIONS

Article 4 is amended as follows:

1. The Contracting Parties shall individually or jointly take all appropriate measures in accordance with the provisions of this Convention and those Protocols in force to which they are party to prevent, abate, combat and to the fullest possible extent eliminate pollution of the Mediterranean Sea Area and to protect and enhance the marine environment in that Area so as to contribute towards its sustainable development.

2. The Contracting Parties pledge themselves to take appropriate measures to implement the Mediterranean Action Plan and, further, to pursue the protection of the marine environment and the natural resources of the Mediterranean Sea Area as an integral part of the development process, meeting the needs of present and future generations in an equitable manner. For the purpose of implementing the objectives of sustainable development the Contracting Parties shall take fully into account the recommendations of the Mediterranean Commission on Sustainable Development established within the framework of the Mediterranean Action Plan.

3. In order to protect the environment and contribute to the sustainable development of the Mediterranean Sea Area, the Contracting Parties shall:

(a) Apply, in accordance with their capabilities, the precautionary principle, by virtue of which where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation;

(b) Apply the polluter-pays principle, by virtue of which the costs of pollution prevention, control and reduction measures are to be borne by the polluter, with due regard to the public interest;

(c) Undertake environmental impact assessment for proposed activities that are likely to cause a significant adverse impact on the marine environment and are subject to an authorization by competent national authorities;

(d) Promote cooperation between and among States in environmental impact assessment procedures related to activities under their jurisdiction or control which are likely to have a significant adverse effect on the marine environment of other States or areas beyond the limits of national jurisdiction, on the basis of notification, exchange of information and consultation;

(e) Commit themselves to promote the integrated management of the coastal zones, taking into account the protection of areas of ecological and landscape interest and the rational use of natural resources.

4. In implementing the Convention and the related Protocols, the Contracting Parties shall:

(a) Adopt programmes and measures which contain, where appropriate, time-limits for their completion;

(b) Utilize the best available techniques and the best environmental practices and promote the application of, access to and transfer of environmentally sound technology, including clean production technologies, taking into account the social, economic and technological conditions.

5. The Contracting Parties shall cooperate in the formulation and adoption of Protocols, prescribing agreed measures, procedures and standards for the implementation of this Convention.

6. The Contracting Parties further pledge themselves to promote, within the international bodies considered to be competent by the Contracting Parties, measures concerning the implementation of programmes of sustainable development, the protection, conservation and rehabilitation of the environment and of the natural resources in the Mediterranean Sea Area.

G. ARTICLE 5 AND ITS TITLE ARE AMENDED AS FOLLOWS:

**ARTICLE 5:
POLLUTION CAUSED BY DUMPING FROM SHIPS AND AIRCRAFT
OR INCINERATION AT SEA**

The Contracting Parties shall take all appropriate measures to prevent, abate and to the fullest possible extent eliminate pollution of the Mediterranean Sea Area caused by dumping from ships and aircraft or incineration at sea.

**H. ARTICLE 6:
POLLUTION FROM SHIPS**

Article 6 is amended as follows:

The Contracting Parties shall take all measures in conformity with international law to prevent, abate, combat and to the fullest possible extent eliminate pollution of the Mediterranean Sea Area caused by discharges from ships and to ensure the effective implementation in that Area of the rules which are generally recognized at the international level relating to the control of this type of pollution.

**I. ARTICLE 7:
POLLUTION RESULTING FROM EXPLORATION AND EXPLOITATION OF
THE CONTINENTAL SHELF AND THE SEABED AND ITS SUBSOIL**

Article 7 is amended as follows:

The Contracting Parties shall take all appropriate measures to prevent, abate, combat and to the fullest possible extent eliminate pollution of the Mediterranean Sea Area resulting from exploration and exploitation of the continental shelf and the seabed and its subsoil.

**J. ARTICLE 8:
POLLUTION FROM LAND-BASED SOURCES**

Article 8 is amended as follows:

The Contracting Parties shall take all appropriate measures to prevent, abate, combat and to the fullest possible extent eliminate pollution of the Mediterranean Sea Area and to draw up and implement plans for the reduction and phasing out of substances that are toxic, persistent and liable to bioaccumulate arising from land-based sources. These measures shall apply:

- (a) To pollution from land-based sources originating within the territories of the Parties, and reaching the sea:
- directly from outfalls discharging into the sea or through coastal disposal;
 - indirectly through rivers, canals or other watercourses, including underground watercourses, or through run-off;
- (b) To pollution from land-based sources transported by the atmosphere.

K. THE FOLLOWING NEW ARTICLE 9A IS ADOPTED:

ARTICLE 9A (*renumbered as article 10*):
CONSERVATION OF BIOLOGICAL DIVERSITY

The Contracting Parties shall, individually or jointly, take all appropriate measures to protect and preserve biological diversity, rare or fragile ecosystems, as well as species of wild fauna and flora which are rare, depleted, threatened or endangered and their habitats, in the area to which this Convention applies.

L. THE FOLLOWING NEW ARTICLE 9B IS ADOPTED:

ARTICLE 9B (*renumbered as article 10*):
CONSERVATION OF BIOLOGICAL DIVERSITY

The Contracting Parties shall take all appropriate measures to prevent, abate and to the fullest possible extent eliminate pollution of the environment which can be caused by transboundary movements and disposal of hazardous wastes, and to reduce to a minimum, and if possible eliminate, such transboundary movements.

ARTICLES 9A AND 9B ARE RENUMBERED AS ARTICLES 10 AND 11

M. ARTICLE 11 (*renumbered as article 13*):
SCIENTIFIC AND TECHNOLOGICAL COOPERATION

Paragraph 2 is amended as follows:

2. The Contracting Parties undertake to promote the research on, access to and transfer of environmentally sound technology, including clean production technologies, and to cooperate in the formulation, establishment and implementation of clean production processes.

N. THE FOLLOWING NEW ARTICLE 11A IS ADOPTED:

ARTICLE 11A (*renumbered as article 14*):
ENVIRONMENTAL LEGISLATION

1. The Contracting Parties shall adopt legislation implementing the Convention and the Protocols.
2. The Secretariat may, upon request from a Contracting Party, assist that Party in the drafting of environmental legislation in compliance with the Convention and the Protocols.

O. THE FOLLOWING NEW ARTICLE 11B IS ADOPTED:

ARTICLE 11B (*renumbered as article 15*):
PUBLIC INFORMATION AND PARTICIPATION

1. The Contracting Parties shall ensure that their competent authorities shall give to the public appropriate access to information on the environmental state in the field of application of the Convention and the Protocols on activities or measures adversely affecting or likely to affect it and on activities carried out or measures taken in accordance with the Convention and the Protocols.
2. The Contracting Parties shall ensure that the opportunity is given to the public to participate in decision-making processes relevant to the field of application of the Convention and the Protocols, as appropriate.
3. The provision of paragraph 1 of this article shall not prejudice the right of Contracting Parties to refuse, in accordance with their legal systems and applicable international regulations, to provide access to such information on the ground of confidentiality, public security or investigation proceedings, stating the reasons for such a refusal.

P. ARTICLE 12 (*renumbered as article 16*):
LIABILITY AND COMPENSATION

Article 12 is amended as follows:

The Contracting Parties undertake to cooperate in the formulation and adoption of appropriate rules and procedures for the determination of liability and compensation for damage resulting from pollution of the marine environment in the Mediterranean Sea Area.

Q. ARTICLE 13 (*renumbered as article 17*):
INSTITUTIONAL ARRANGEMENTS

Paragraph (iii) of article 13 is amended as follows:

- (iii) To receive, consider and reply to inquiries and information from Contracting Parties;

The following new subparagraphs are added to article 13:

(iii bis) (*renumbered as (iv)*)

To receive, consider and reply to inquiries and information from non-governmental organizations and the public when they relate to subjects of common interest or to activities carried out at the regional level; in this case, the Contracting Parties concerned shall be informed;

(iv bis) (*renumbered as (vi)*)

To regularly report to the Contracting Parties on the implementation of the Convention and of the Protocols;

Paragraphs (iv), (v) and (vi) are renumbered as paragraphs (v), (vii) and (viii) respectively.

R. ARTICLE 14 (*renumbered as article 18*):
MEETINGS OF THE CONTRACTING PARTIES

The following new subparagraph is added to article 14, paragraph 2:

- (vii) To approve the Programme Budget.

S. THE FOLLOWING NEW ARTICLE 14A IS ADOPTED:

ARTICLE 14A (*renumbered as article 19*): BUREAU

1. The Bureau of the Contracting Parties shall be composed of representatives of the Contracting Parties elected by the Meetings of the Contracting Parties. In electing the members of the Bureau, the Meetings of the Contracting Parties shall observe the principle of equitable geographical distribution.
2. The functions of the Bureau and the terms and conditions upon which it shall operate shall be set in the Rules of Procedure adopted by the Meetings of the Contracting Parties.

T. THE FOLLOWING NEW ARTICLE 14B IS ADOPTED:

ARTICLE 14B (*renumbered as article 20*): OBSERVERS

1. The Contracting Parties may decide to admit as observers at their meetings and conferences:
 - (a) Any State which is not a Contracting Party to the Convention;
 - (b) Any international governmental organization or any non-governmental organization the activities of which are related to the Convention.
2. Such observers may participate in meetings without the right to vote and may present any information or report relevant to the objectives of the Convention.
3. The conditions for the admission and participation of observers shall be established in the Rules of Procedure adopted by the Contracting Parties.

Articles 14A and 14B are renumbered as articles 19 and 20.

U. ARTICLE 15 (*renumbered as article 21*): ADOPTION OF ADDITIONAL PROTOCOLS

Paragraph 3 of article 1 is deleted.

V. ARTICLE 18 (*renumbered as article 24*):
RULES OF PROCEDURE AND FINANCIAL RULES

Paragraph 2 of article 18 is amended as follows:

2. The Contracting Parties shall adopt financial rules, prepared in consultation with the Organization, to determine, in particular, their financial participation in the Trust Fund.

W. ARTICLE 20 (*renumbered as article 26*): REPORTS

Article 20 is amended as follows:

1. The Contracting Parties shall transmit to the Organization reports on:
 - (a) The legal, administrative or other measures taken by them for the implementation of this Convention, the Protocols and of the recommendations adopted by their meetings;
 - (b) The effectiveness of the measures referred to in subparagraph (a) and problems encountered in the implementation of the instruments as mentioned above.
2. The reports shall be submitted in such form and at such intervals as the Meetings of Contracting Parties may determine.

X. ARTICLE 21 (*renumbered as article 27*): COMPLIANCE CONTROL

Article 21 is amended as follows:

The meetings of the Contracting Parties shall, on the basis of periodical reports referred to in article 20 and any other report submitted by the Contracting Parties, assess the compliance with the Convention and the Protocols as well as the measures and recommendations. They shall recommend, when appropriate, the necessary steps to bring about full compliance with the Convention and the Protocols and promote the implementation of the decisions and recommendations.

Articles 10, 16, 17, 19, 22, 23, 24, 25, 26, 27, 28 and 29 are renumbered as articles 12, 22, 23, 25, 28, 29, 30, 31, 32, 33, 34 and 35 respectively.

II. AMENDMENTS TO THE PROTOCOL FOR THE PREVENTION OF POLLUTION OF THE MEDITERRANEAN SEA BY DUMPING FROM SHIPS AND AIRCRAFT

A. TITLE

The title of the Protocol is amended as follows:

PROTOCOL FOR THE PREVENTION AND ELIMINATION OF POLLUTION OF THE MEDITERRANEAN SEA BY DUMPING FROM SHIPS AND AIRCRAFT OR INCINERATION AT SEA

B. PREAMBULAR PARAGRAPHS

The second preambular paragraph of the Protocol is amended as follows:

Recognizing the danger posed to the marine environment by dumping or incineration of wastes or other matter,

The fourth preambular paragraph of the Protocol is amended as follows:

Bearing in mind that Chapter 17 of Agenda 21 of UNCED calls on the Contracting Parties to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter (London, 1972) to take the necessary measures to end dumping in the ocean and the incineration of hazardous substances,

The following paragraph is added to the preamble:

Taking into account resolutions LC 49(16) and LC 50(16), approved by the 16th Consultative Meeting of the 1972 London Convention, which prohibit the dumping and incineration of industrial wastes at sea,

C. ARTICLE 1

Article 1 is amended as follows:

The Contracting Parties to this Protocol (hereinafter referred to as "the Parties") shall take all appropriate measures to prevent, abate and eliminate to the fullest extent possible pollution of the Mediterranean Sea caused by dumping from ships and aircraft or incineration at sea.

D. ARTICLE 2

Article 2 is amended as follows:

The area to which this Protocol applies shall be the Mediterranean Sea Area as defined in article 1 of the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (hereinafter referred to as "the Convention").

E. ARTICLE 3

The following new subparagraphs are added to article 3:

- 3(c) Any deliberate disposal or storage and burial of wastes or other matter on the seabed or in the marine subsoil from ships or aircraft;
- 4(bis) (renumbered as 5) "Incineration at sea" means the deliberate combustion of wastes or other matter in the maritime waters of the Mediterranean Sea, with the aim of thermal destruction, and does not include activities incidental to the normal operations of ships or aircraft;

Paragraph 5 is renumbered as paragraph 6.

F. ARTICLE 4

Article 4 is amended as follows:

1. The dumping of wastes or other matter, with the exception of those listed in paragraph 2 of this article, is prohibited.
2. The following is the list referred to in the preceding paragraph:
 - (a) Dredged material;
 - (b) Fish waste or organic materials resulting from the processing of fish and other marine organisms;
 - (c) Vessels, until 31 December 2000;
 - (d) Platforms and other man-made structures at sea, provided that material capable of creating

floating debris or otherwise contributing to pollution of the marine environment has been removed to the maximum extent, without prejudice to the provisions of the Protocol concerning Pollution resulting from Exploration and Exploitation of the Continental Shelf, the Seabed and its Subsoil.

(e) Inert uncontaminated ecological materials the chemical constituents of which are unlikely to be released into the marine environment.

G. ARTICLE 5

Article 5 is amended as follows:

The dumping of wastes or other matter listed in article 4.2 requires a prior special permit from the competent national authorities.

H. ARTICLE 6

Article 6 is amended as follows:

1. The permit referred to in article 5 shall be issued only after careful consideration of the factors set forth in the annex to this Protocol or the criteria, guidelines and relevant procedures adopted by the meeting of the Contracting Parties pursuant to paragraph 2 below:
2. The Contracting Parties shall draw up and adopt criteria, guidelines and procedures for the dumping of wastes or other matter listed in article 4.2 so as to prevent, abate and eliminate pollution.

I. ARTICLE 7

Article 7 is amended as follows:

Incineration at sea is prohibited.

J. ARTICLE 9

Article 9 is amended as follows:

If a Party in critical situation of an exceptional nature considers that wastes or other matter not listed in article 4.2 of this Protocol cannot be disposed of on land without unacceptable danger or damage, above all for the safety of human life, the Party concerned shall forthwith consult the Organization. The Organization, after consulting the Parties to this Protocol, shall recommend methods of storage or the most satisfactory means of destruction or disposal under the prevailing circumstances. The Party shall inform the Organization of the steps adopted in pursuance of these recommendations. The Parties pledge themselves to assist one another in such situations.

K. ARTICLE 10

Subparagraph 1(a) of article 10 is amended as follows:

- (a) Issue the permits provided for in article 5;

Subparagraph 1(b) of article 10 is deleted.

Subparagraph 1(c) is renumbered as subparagraph 1(b).

Paragraph 2 is amended as follows:

2. The competent authorities of each Party shall issue the permits provided for in article 5 in respect of the wastes or other matter intended for dumping.

L. ARTICLE 11

Paragraph 2 of article 11 is deleted.

M. ARTICLE 14

Paragraph 3 of article 14 is amended as follows:

3. The adoption of amendments to the annex to this Protocol pursuant to article 17 of the Convention shall require a three-fourths majority vote of the Parties.

N. ANNEX I

Annex I is deleted.

O. ANNEX II

Annex II is deleted.

P. ANNEX III

Annex III is changed to Annex and is amended as follows:

ANNEX

The factors to be considered in establishing criteria governing the issue of permits for the dumping of matter at sea taking into account article 6 include:

...

D. Other instruments

Washington Declaration on Protection of the Marine Environment from Land-based Activities,
1 November 1995^{11/}

The representatives of Governments and the European Commission participating in the Conference held in Washington from 23 October to 3 November 1995,

Affirming the need and will to protect and preserve the marine environment for present and future generations,

Reaffirming the relevant provisions of chapters 17, 33 and 34 of Agenda 21 and the Rio Declaration on Environment and Development,

Recognizing the interdependence of human populations and the coastal and marine environment, and the growing and serious threat from land-based activities, to both human health and well-being and the integrity of coastal and marine ecosystems and biodiversity,

Further recognizing the importance of integrated coastal area management and the catchment-area-based approach as means of coordinating programmes aimed at preventing marine degradation from land-based activities with economic and social development programmes,

Also recognizing that the alleviation of poverty is an essential factor in addressing the impacts of land-based activities on coastal and marine areas,

Noting that there are major differences among the different regions of the world and the States which they comprise in terms of environmental, economic and social conditions and level of development which will lead to different judgements on priorities in addressing problems related to the degradation of the marine environment by land-based activities,

Acknowledging the need to involve major groups in national, regional and international activities to address degradation of the marine environment by land-based activities,

Strongly supporting the processes set forth in decisions 18/31 and 18/32 of the Governing Council of the United Nations Environment Programme for addressing at the global level the priority issues of persistent organic pollutants and adequate treatment of waste water,

Having therefore adopted the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities,

Hereby declare their commitment to protect and preserve the marine environment from the impacts of land-based activities, and

Declare their intention to do so by:

1. Setting as their common goal sustained and effective action to deal with all land-based impacts upon the marine environment, specifically those resulting from sewage, persistent organic pollutants, radioactive substances, heavy metals, oils (hydrocarbons), nutrients, sediment mobilization, litter, and physical alteration and destruction of habitat;

^{11/} A/51/116, annex I, appendix II.

2. Developing or reviewing national action programmes within a few years on the basis of national priorities and strategies;
3. Taking forward action to implement these programmes in accordance with national capacities and priorities;
4. Cooperating to build capacities and mobilize resources for the development and implementation of such programmes, in particular for developing countries, especially the least developed countries, countries with economies in transition and small island developing States (hereinafter referred to as "countries in need of assistance");
5. Taking immediate preventive and remedial action, wherever possible, using existing knowledge, resources, plans and processes;
6. Promoting access to cleaner technologies, knowledge and expertise to address land-based activities that degrade the marine environment, in particular for countries in need of assistance;
7. Cooperating on a regional basis to coordinate efforts for maximum efficiency and to facilitate action at the national level, including, where appropriate, becoming parties to and strengthening regional cooperative agreements and creating new agreements where necessary;
8. Encouraging cooperative and collaborative action and partnerships, among governmental institutions and organizations, communities, the private sector and non-governmental organizations which have relevant responsibilities and/or experience;
9. Encouraging and/or making available external financing, given that funding from domestic sources and mechanisms for the implementation of the Global Programme of Action by countries in need of assistance may be insufficient;
10. Promoting the full range of available management tools and financing options in implementing national or regional programmes of action, including innovative managerial and financial techniques, while recognizing the differences between countries in need of assistance and developed States;
11. Urging national and international institutions and the private sector, bilateral donors and multilateral funding agencies to accord priority to projects within national and regional programmes to implement the Global Programme of Action and encouraging the Global Environment Facility to support these projects;
12. Calling upon the United Nations Environment Programme, the United Nations Development Programme, the World Bank, the regional development banks, as well as the agencies within the United Nations system to ensure that their programmes support (through, *inter alia*, financial cooperation, capacity-building and institutional-strengthening mechanisms) the regional structures in place for the protection of the marine environment;
13. According priority to implementation of the Global Programme of Action within the United Nations system, as well as in other global and regional institutions and organizations with responsibilities and capabilities for addressing marine degradation from land-based activities, and specifically:
 - (a) Securing formal endorsement of those parts of the Global Programme of Action that are relevant to such institutions and organizations and incorporating the relevant provisions into their work programmes;
 - (b) Establishing a clearing-house mechanism to provide decision makers in all States with direct access to relevant sources of information, practical experience and scientific and technical expertise and to facilitate effective scientific, technical and financial cooperation as well as capacity-building; and

- (c) Providing for periodic intergovernmental review of the Global Programme of Action, taking into account regular assessments of the state of the marine environment;
14. Promoting action to deal with the consequences of sea-based activities, such as shipping, offshore activities and ocean dumping, which require national and/or regional actions on land, including establishing adequate reception and recycling facilities;
15. Giving priority to the treatment and management of waste water and industrial effluents, as part of the overall management of water resources, especially through the installation of environmentally and economically appropriate sewage systems, including studying mechanisms to channel additional resources for this purpose expeditiously to countries in need of assistance;
16. Requesting the Executive Director of the United Nations Environment Programme, in close partnership with the World Health Organization, the United Nations Centre for Human Settlements (Habitat), the United Nations Development Programme and other relevant organizations, to prepare proposals for a plan to address the global nature of the problem of inadequate management and treatment of waste water and its consequences for human health and the environment, and to promote the transfer of appropriate and affordable technology drawn from the best available techniques;
17. Acting to develop, in accordance with the provisions of the Global Programme of Action, a global, legally binding instrument for the reduction and/or elimination of emissions, discharges and, where appropriate, the elimination of the manufacture and use of the persistent organic pollutants identified in decision 18/32 of the Governing Council of the United Nations Environment Programme. The nature of the obligations undertaken must be developed recognizing the special circumstances of countries in need of assistance. Particular attention should be devoted to the potential need for the continued use of certain persistent organic pollutants to safeguard human health, sustain food production and to alleviate poverty in the absence of alternatives and the difficulty of acquiring substitutes and transferring of technology for the development and/or production of those substitutes; and
18. Elaborating the steps relating to institutional follow-up, including the clearing-house mechanism, in a resolution of the United Nations General Assembly at its fifty-first session, and in that regard, States should coordinate with the United Nations Environment Programme, as secretariat of the Global Programme of Action, and other relevant agencies within the United Nations system in the development of the resolution and include it in the agenda of the Commission on Sustainable Development at its inter-sessional meeting in February 1996 and its session in April 1996.

III. OTHER INFORMATION

A. "Competent or relevant international organizations" under the United Nations Convention on the Law of the Sea

Introductory note

1. States are required under the United Nations Convention on the Law of the Sea of 10 December 1982 to cooperate at the global, regional and subregional levels in such areas as navigation, the conservation and utilization of living marine resources, the protection and preservation of the marine environment, the conduct of marine scientific research, the suppression of illegal activities on the high seas, as well as the development and transfer of marine technology. The Convention provides that such cooperation should be undertaken particularly through international organizations competent in the activities concerned.
2. Numerous provisions in the Convention make reference to "competent" or "appropriate" international organizations. Some others refer just to "international organizations" or "specialized agencies" or more broadly to "multilateral programmes" or "international channels". Only in a few cases are such organizations expressly identified. The expression "competent international organizations" is used with respect to all these organizations and bodies for the purposes of the table presented hereinbelow.
3. In order to avoid potential confusion regarding which organization or organizations are primarily responsible for the activities set forth in those specific provisions, the table lists the subjects, in the sequence in which they appear in the Convention, together with the corresponding "competent international organizations" in such subject areas. In preparing the table, due account has been given to the suggestions made by the relevant international organizations. None the less, the table is not authoritative, but merely indicative. Some organizations may become "competent" in the future with respect to certain provisions of the Convention, while others not formally named but considered to be competent in an advisory or another capacity may cooperate with the organizations listed in the table.
4. It should be noted as well that some international organizations are competent also with respect to other provisions of the Convention where no explicit reference is made to them or to the term "organization", especially those provisions dealing with "generally accepted international rules and standards" and similar expressions. Such is the case, for example, for the International Maritime Organization (IMO) regarding "generally accepted international regulations relating to the prevention of collisions at sea" in article 21(4) of the Convention.
5. The Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs, acting as the secretariat responsible for the United Nations Convention on the Law of the Sea under the General Assembly resolution 49/28 of 6 December 1994, has prepared the present table in order to assist States and to contribute to a better understanding of the implications of the Convention for the organizations and bodies both within and outside the United Nations system dealing with marine affairs within their respective fields of competence.

Acronyms and abbreviations

FAO	Food and Agriculture Organization of the United Nations
IAEA	International Atomic Energy Agency
ICAO	International Civil Aviation Organization
IHO	International Hydrographic Organization
ILO	International Labour Organisation
IMO	International Maritime Organization
IOC	Intergovernmental Oceanographic Commission of UNESCO
ISBA	International Seabed Authority
IWC	International Whaling Commission
UNCTAD	United Nations Conference on Trade and Development
UNDP	United Nations Development Programme
UNEP	United Nations Environment Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNIDO	United Nations Industrial Development Organization
WHO	World Health Organization
WIPO	World Intellectual Property Organization
WMO	World Meteorological Organization
WTO	World Trade Organization

**"Competent or relevant international organizations" under the
United Nations Convention on the Law of the Sea**

SUBJECT AND PROVISION(S)	ARTICLE	INTERNATIONAL ORGANIZATIONS
TERRITORIAL SEA AND CONTIGUOUS ZONE		
Charts and lists of geographical coordinates		
Duty of coastal States to deposit with the Secretary-General of the <i>United Nations</i> copies of charts showing their straight baselines, straight lines closing mouths of rivers or bays, roadsteads and agreed lines of delimitation of their territorial seas, or lists of geographical coordinates thereof	16(2)	United Nations (<u>named</u>)
Innocent passage through the territorial sea		
Duty of coastal States establishing sea lanes and traffic separation schemes to take into account the recommendations of the <i>competent international organization</i>	22(3)(a)	IMO
STRAITS USED FOR INTERNATIONAL NAVIGATION		
Duties of ships and aircraft during transit passage		
Compliance by aircraft in transit passage with the Rules of the Air established by the <i>International Civil Aviation Organization</i> applicable to civil aircraft and normal compliance of State aircraft with such safety measures	39(3)(a)	ICAO (<u>named</u>)
Sea lanes and traffic separation schemes		
Duty of States bordering straits to refer proposals concerning designation, prescription or substitution of sea lanes and traffic separation schemes to the <i>competent international organization</i> with a view to their adoption	41(4)	IMO
Duty of States bordering straits to cooperate in formulating proposals for sea lanes or traffic separation schemes in consultation with the <i>competent international organization</i>	41(5)	IMO
ARCHIPELAGIC STATES		
Right of archipelagic sea lanes passage		
Duty of archipelagic States to refer proposals concerning designation, prescription or substitution of sea lanes or traffic separation schemes to the <i>competent international organization</i> with a view to their adoption	53(9)	IMO

SUBJECT AND PROVISION(S)	ARTICLE	INTERNATIONAL ORGANIZATIONS
EXCLUSIVE ECONOMIC ZONE		
Artificial islands, installations and structures in the exclusive economic zone		
Duty of coastal States to remove abandoned or disused installations or structures, taking into account any generally accepted international standards established by the <i>competent international organization</i>	60(3)	IMO
Limitation of the breadth of safety zones to 500 metres around artificial islands, installations or structures, except as authorized by generally accepted international standards or as recommended by the <i>competent international organization</i>	60(5)	IMO
Conservation of the living resources		
Duty of coastal States and <i>competent international organizations</i> to cooperate, as appropriate, for conservation purposes	61(2)	FAO, regional and subregional fisheries bodies
Duty of all States concerned to exchange, where appropriate, fishery data and information through <i>competent international organizations</i> , whether <i>subregional, regional or global</i>	61(5)	FAO, regional and subregional fisheries bodies, IOC
Highly migratory species		
Duty of coastal and fishing States to cooperate directly or through <i>appropriate international organizations</i> with a view to ensuring conservation and promoting the objective of optimum utilization of highly migratory species throughout the region	64(1)	FAO, regional and subregional fisheries bodies
Marine mammals		
Duty of States to work through the <i>appropriate international organizations</i> for the conservation, management and study of cetaceans	65	FAO, IWC, UNEP
Restrictions on transfer of rights		
Right of land-locked and geographically disadvantaged States to obtain assistance from third States or <i>international organizations</i> in order to facilitate the exercise of their rights pursuant to articles 69 and 70	72(2)	FAO, regional and subregional fisheries bodies, World Bank
Charts and lists of geographical coordinates		
Duty of the coastal States to deposit charts or lists of geographical coordinates with the <i>Secretary-General of the United Nations</i>	75(2)	United Nations (named)

SUBJECT AND PROVISION(S)	ARTICLE	INTERNATIONAL ORGANIZATIONS
CONTINENTAL SHELF		
Definition of the continental shelf		
Duty of coastal States to submit to the <i>Commission on the Limits of the Continental Shelf</i> information concerning limits of their continental shelf beyond 200 nautical miles from the baselines	76(8)	United Nations (<u>named</u>)
Duty of coastal States to deposit with the <i>Secretary-General of the United Nations</i> charts and other relevant information permanently describing the outer limits of their continental shelf	76(9)	United Nations (<u>named</u>)
Payments and contributions with respect to the exploitation of the continental shelf beyond 200 nautical miles		
Duty of coastal States to make those payments and contributions through the <i>Authority</i>	82(4)	ISBA (<u>named</u>)
Charts and lists of geographical coordinates		
<p>- Duty of coastal States to deposit with the <i>Secretary-General of the United Nations</i> and with the <i>Secretary-General of the Authority</i> charts or lists of geographical coordinates showing or describing the outer limits of their continental shelves</p> <p>- Duty of coastal States to deposit with the <i>Secretary-General of the United Nations</i> charts or lists of geographical coordinates showing or describing the lines of delimitation drawn in accordance with article 83 of the Convention</p>	84(2)	<p>- ISBA(<u>named</u>), United Nations (<u>named</u>)</p> <p>- United Nations (<u>named</u>)</p>
Definition of the continental shelf		
Possibility for the Commission on the Limits of the Continental Shelf to cooperate with <i>IOC, IHO</i> and <i>other competent international organizations</i> with a view to exchanging scientific and technical information	Annex II, 3(2)	IHO (<u>named</u>), IOC (<u>named</u>), ISBA
HIGH SEAS		
Conservation of the living resources of the high seas		
Duty of all States concerned to contribute and exchange scientific information, catch and fishing effort statistics and other data on a regular basis, where appropriate, through <i>competent international organizations, whether subregional, regional or global</i>	119(2)	FAO, regional fisheries bodies, IOC

SUBJECT AND PROVISION(S)	ARTICLE	INTERNATIONAL ORGANIZATIONS
ENCLOSED OR SEMI-ENCLOSED SEAS		
Cooperation of States bordering enclosed or semi-enclosed seas		
Duty of States bordering an enclosed or semi-enclosed sea to endeavour to cooperate directly or through an appropriate regional organization : (...) (d) to invite, as appropriate, other interested States or <i>international organizations</i> to cooperate with them in furtherance of the provisions of this article	123	FAO, IAEA, IHO, IMO, IOC, UNDP, UNEP, WMO, World Bank
THE AREA ^{1/}		
Marine scientific research		
Duty of States Parties to promote cooperation in marine scientific research by ensuring that programmes are developed through <i>the Authority</i> or <i>other international organizations</i> as appropriate for the benefit of developing States and technologically less developed States	143 (3)(b)	IAEA, IHO, IOC, ISBA (<u>named</u>), UNEP, UNESCO, WMO
Duty of States Parties to promote cooperation in marine scientific research by effectively disseminating the results of research and analysis when available, through the <i>Authority</i> or <i>other international channels</i> when appropriate	143 (3)(c)	IAEA, IHO, IOC, ISBA (<u>named</u>), UNEP, UNESCO, WMO
Production policies		
Duty of the Authority to take measures of economic adjustment assistance, including cooperation with <i>specialized agencies and other international organizations</i> , to assist developing countries which suffer serious adverse effects caused by activities in the Area	151(10)	UNCTAD, UNDP, World Bank, WTO
Organs of the Council		
The Economic Planning Commission and the Legal and Technical Commission may, where appropriate, consult <i>any competent organ of the United Nations or of its specialized agencies</i> or <i>any international organizations with competence in the subject-matter of such consultation</i>	163(13)	IAEA, ILO, IMO, IOC, United Nations (<u>named</u>), UNCTAD, UNDP, UNEP, WMO, World Bank, WTO

^{1/} It should be noted that the provisions of Part XI have to be interpreted and applied together as a single instrument with the Agreement relating to the implementation of Part XI of the United Nations Convention on the Law of the Sea, which was adopted by the General Assembly in its resolution 48/263 of 28 July 1994, and that in the event of any inconsistency between the two, the provisions of the Agreement prevail (article 2, paragraph 1, of the Agreement).

SUBJECT AND PROVISION(S)	ARTICLE	INTERNATIONAL ORGANIZATIONS
Consultation and cooperation with international and non-governmental organizations		
Duty of the Secretary-General of the Authority to make suitable arrangements, with the approval of the Council, for consultation and cooperation with <i>international and non-governmental organizations recognized by the Economic and Social Council of the United Nations</i> , which, in such cases, may designate representatives to attend meetings of the organs of the Authority as observers	169 (1), (2)	ILO, IMO, IOC, United Nations, UNCTAD, UNDP, UNEP, WMO, World Bank, WTO
PROTECTION AND PRESERVATION OF THE MARINE ENVIRONMENT		
Cooperation on a global or regional basis		
Duty of States to cooperate on a global basis and, as appropriate, on a regional basis, directly or through <i>competent international organizations</i> , in elaborating rules, standards and recommended practices and procedures consistent with the Convention, taking into account particular regional features	197	FAO, IAEA, ICAO, IHO, IMO, IOC, ISBA, UNEP, UNIDO, WHO, WMO
Notification of imminent or actual damage		
Duty of States aware of cases of imminent or actual damage to notify other States likely to be affected by such damage and <i>the competent international organizations</i>	198	FAO, IAEA, IHO, IMO, IOC, ISBA, UNEP,
Contingency plans against pollution		
Duty of States in the area affected and the <i>competent international organizations</i> to cooperate, to the extent possible, in eliminating the effects of pollution and preventing or minimizing the damage	199	FAO, IAEA, IHO, IMO, IOC, ISBA, UNEP, WMO
Studies, research programmes and exchange of information and data		
Duty of States to cooperate, directly or through <i>competent international organizations</i> , for the purpose of promoting studies, undertaking programmes of scientific research and encouraging the exchange of information and data acquired about pollution of the marine environment	200	FAO, IAEA, ICAO, IHO, IMO, IOC, UNEP, UNESCO, UNIDO, WHO, WMO
Scientific criteria for regulations		
Duty of States to cooperate, directly or through <i>competent international organizations</i> , in establishing appropriate scientific criteria for the formulation and elaboration of rules, standards and recommended practices and procedures for the prevention, reduction and control of pollution of the marine environment	201	FAO, IAEA, ICAO, IHO, IMO, IOC, UNEP, UNESCO, WHO, WMO

SUBJECT AND PROVISION(S)	ARTICLE	INTERNATIONAL ORGANIZATIONS
Scientific and technical assistance to developing States		
Duty of States to provide scientific and technical assistance to developing States for the protection and preservation of the marine environment and the prevention, reduction and control of marine pollution, directly or through <i>competent international organizations</i>	202	FAO, IAEA, ICAO, IHO, IMO, IOC, UNCTAD, UNEP, UNIDO, UNESCO, WHO, WMO
Preferential treatment for developing States		
Granting of preferential treatment to developing States by <i>international organizations</i> in the allocation of funds, technical assistance and the utilization of specialized services for the purposes of prevention, reduction and control of pollution of the marine environment or minimization of its effects	203	FAO, IAEA, ICAO, IHO, IMO, IOC, UNCTAD, UNDP, UNEP, World Bank,
Monitoring of the risks or effects of pollution		
Duty of States to endeavour, as far as practicable, directly or through the <i>competent international organizations</i> , to observe, measure, evaluate and analyse the risks or effects of pollution of the marine environment	204	FAO, IAEA, IHO, IMO, IOC, UNEP, UNIDO WHO, WMO
Publication of reports		
Duty of States to publish reports regarding monitoring of the risks or effects of pollution or to provide them to the <i>competent international organizations</i>	205	FAO, IAEA, ICAO, IHO, IMO, IOC, UNEP
Assessment of potential effects of activities		
Duty of States to assess, in certain cases, the potential effects on the marine environment of planned activities under their national jurisdiction and to report on the results to the <i>competent international organizations</i>	206	FAO, IAEA, IHO, IMO, UNEP, UNIDO, WHO
Pollution from land-based sources		
Duty of States, acting especially through <i>competent international organizations</i> or diplomatic conference, to endeavour to establish global and regional rules, standards and recommended practices and procedures to prevent, reduce and control pollution of the marine environment from land-based sources	207(4)	IAEA, ICAO, IHO, ILO, IMO, IOC, UNEP, UNIDO, WHO
Pollution from seabed activities subject to national jurisdiction		
Duty of States, acting especially through <i>competent international organizations</i> or diplomatic conference, to establish global and regional rules, standards and recommended practices and procedures to prevent, reduce and control pollution of the marine environment from seabed activities subject to their national jurisdiction	208(5)	IAEA, IHO, ILO, IMO, IOC, UNEP, UNIDO

SUBJECT AND PROVISION(S)	ARTICLE	INTERNATIONAL ORGANIZATIONS
Pollution by dumping		
Duty of States, acting especially through <i>competent international organizations</i> or diplomatic conference, to endeavour to establish global and regional rules, standards and recommended practices and procedures to prevent, reduce and control pollution by dumping	210(4)	IAEA, ICAO, IMO, IOC, UNEP, WHO
Pollution from vessels		
Duty of States, acting through the <i>competent international organization</i> or general diplomatic conference, to establish international rules and standards to prevent, reduce and control pollution from vessels and promote, wherever appropriate, the adoption of routing systems designed to minimize the threats of accidents which might cause pollution	211(1)	IMO
Duty of States to adopt laws and regulations for the prevention, reduction and control of pollution from vessels flying their flag or registry, which have at least the same effect as that of generally accepted international rules and standards established through the <i>competent international organization</i> or general diplomatic conference	211(2)	IMO
Duty of States to communicate to the <i>competent international organization</i> their particular requirements, if any, for the prevention, reduction and control of pollution as a condition for the entry of foreign vessels into their ports or internal waters or for calling at their offshore terminals	211(3)	IMO
Right of coastal States, for the purpose of enforcement in respect of their exclusive economic zones, to adopt laws and regulations for the prevention, reduction and control of pollution from vessels giving effect to generally accepted international rules and standards established through the <i>competent international organization</i> or general diplomatic conference	211(5)	IMO
Right of coastal States, after consultation through and with the approval of the <i>competent international organization</i> , to adopt in special circumstances laws and regulations concerning clearly defined areas of their exclusive economic zones, for the prevention, reduction and control of pollution from vessels implementing such international rules and standards or navigational practices as are made applicable, through <i>the organization</i> , for special areas	211 (6)(a)	IMO
Duty of coastal States to notify the <i>competent international organization</i> of additional laws and regulations for the same special areas on pollution from vessels, which shall not require foreign vessels to observe design, construction, manning or equipment standards other than generally accepted international rules and standards	211 (6)(c)	IMO

SUBJECT AND PROVISION(S)	ARTICLE	INTERNATIONAL ORGANIZATIONS
Pollution from or through the atmosphere		
Duty of States, acting especially through <i>competent international organizations</i> or diplomatic conference, to endeavour to establish global and regional rules, standards and recommended practices and procedures to prevent, reduce and control such pollution	212(3)	IAEA, ICAO, IMO, IOC, UNEP, WMO
Enforcement with respect to pollution from land-based sources		
Duty of States to adopt laws and regulations and take other measures necessary to implement applicable international rules and standards established through <i>competent international organizations</i> or diplomatic conference to prevent, reduce and control pollution from land-based sources	213	IAEA, ICAO, IMO, UNEP, UNIDO
Enforcement with respect to pollution from seabed activities		
Duty of States to adopt laws and regulations and take other measures necessary to implement applicable international rules and standards established through <i>competent international organizations</i> or diplomatic conference to prevent, reduce and control pollution from seabed activities, artificial islands, installations and structures under their jurisdiction	214	IAEA, IMO, UNEP
Enforcement with respect to pollution by dumping		
Duty of States to enforce laws and regulations adopted in accordance with the Convention and applicable international rules and standards established through <i>competent international organizations</i> or diplomatic conference for the prevention, reduction and control of pollution of the marine environment by dumping	216(1)	ICAO, IMO, UNEP
Enforcement by flag States		
Duty of flag States to ensure compliance by their vessels with applicable international rules and standards, established through the <i>competent international organization</i> or general diplomatic conference, for the prevention, reduction and control of pollution from vessels	217(1)	IMO
Duty of flag States, in particular, to prohibit their vessels from sailing until they comply with the requirements of the international rules and standards established through the <i>competent international organization</i> or general diplomatic conference, including requirements in respect of design, construction, equipment and manning of vessels	217(2)	IMO
Duty of flag States to ensure that their vessels carry on board certificates required by and issued pursuant to international rules and standards established through the <i>competent international organization</i> or general diplomatic conference	217(3)	IMO
Duty of flag States to provide for immediate investigation and, where appropriate, institute proceedings in respect of alleged violation by their vessels of rules and standards established through the <i>competent international organization</i> or general diplomatic conference	217(4)	IMO
Duty of flag States to promptly inform the requesting State and the <i>competent international organization</i> of the action taken and its outcome	217(7)	IMO

SUBJECT AND PROVISION(S)	ARTICLE	INTERNATIONAL ORGANIZATIONS
Enforcement by port States		
Right of the port State to undertake investigations and proceedings against a vessel voluntarily within its port or offshore terminal in respect of any discharge from that vessel outside the internal waters, territorial sea or exclusive economic zone of that State in violation of applicable international rules and standards established through the <i>competent international organization</i> or general diplomatic conference	218(1)	IMO
Enforcement by coastal States		
Duty of the coastal State to allow the vessel to proceed, whenever appropriate procedures have been established binding that State, either through the <i>competent international organization</i> or as otherwise agreed, whereby compliance with requirements for bonding or other appropriate financial security has been assured	220(7)	IMO
Enforcement with respect to pollution from or through the atmosphere		
Duty of States to adopt laws and regulations and other measures necessary to implement applicable international rules and standards established through <i>competent international organizations</i> or diplomatic conference to prevent, reduce and control pollution from or through the atmosphere, in conformity with all relevant international rules and standards concerning the safety of air navigation	222	IAEA, ICAO, IMO, UNEP
Measures to facilitate proceedings		
Duty of States to facilitate the hearing of witnesses and the admission of evidence submitted by another State or by the <i>competent international organization</i> and to facilitate the attendance at the proceedings of official representatives of the <i>competent international organization</i> , the flag State and any State affected by pollution arising out of any violation	223	FAO, IAEA, ICAO, IHO, ILO, IMO, IOC, ISBA, UNEP, WHO, WMO
MARINE SCIENTIFIC RESEARCH		
Right to conduct marine scientific research		
Right of States and <i>competent international organizations</i> to conduct marine scientific research	238	FAO, IAEA, IHO, IMO, IOC, ISBA, UNEP, UNESCO, WMO

SUBJECT AND PROVISION(S)	ARTICLE	INTERNATIONAL ORGANIZATIONS
Promotion of marine scientific research		
Duty of States and <i>competent international organizations</i> to promote and facilitate the development and conduct of marine scientific research	239	FAO, IAEA, IHO, IMO, IOC, ISBA, United Nations, UNDP, UNEP, UNESCO, WHO, WMO, World Bank
Creation of favourable conditions		
Duty of States and <i>competent international organizations</i> to cooperate, through the conclusion of agreements, to create favourable conditions for the conduct of marine scientific research in the marine environment	243	FAO, IAEA, IHO, IMO, IOC, ISBA, United Nations, UNDP, UNEP, UNESCO, WHO, WMO, World Bank
Publication and dissemination of information and knowledge		
Duty of States and <i>competent international organizations</i> , in accordance with the Convention, to make available by publication and dissemination information resulting from marine scientific research	244(1)	FAO, IAEA, IHO, IMO, IOC, ISBA, UNEP, UNESCO, WHO, WMO
Duty of States, both individually and in cooperation with other States and with <i>competent international organizations</i> , to actively promote the flow of scientific data and information and the transfer of knowledge from marine scientific research, especially to developing States	244(2)	FAO, IAEA, IHO, IMO, IOC, ISBA, UNEP, UNESCO, WHO, WMO
Marine scientific research in the exclusive economic zone and on the continental shelf		
Duty of coastal States to grant, in normal circumstances, their consent for marine scientific research projects by other States or <i>competent international organizations</i> in their exclusive economic zone or on their continental shelf	246(3)	FAO, IAEA, IHO, IMO, IOC, UNEP, UNESCO, WMO
Right of coastal States to withhold in certain cases their consent to the conduct of a marine scientific research project of another State or <i>competent international organization</i>	246(5)	FAO, IAEA, IHO, IMO, IOC, UNEP, UNESCO, WMO

SUBJECT AND PROVISION(S)	ARTICLE	INTERNATIONAL ORGANIZATIONS
<p align="center">Marine scientific research projects undertaken by or under the auspices of international organizations</p>		
<p>A coastal State shall be deemed to have authorized a project for marine scientific research in its exclusive economic zone or on its continental shelf, undertaken by or under the auspices of an <i>international organization</i> of which it is a member or with which it has a bilateral agreement, if that State approved the project when the decision was made by the organization, or is willing to participate in it, and has not expressed any objection.</p>	247	FAO, IAEA, IHO, IMO, IOC, ISBA, UNEP, UNESCO, WMO
<p align="center">Duty to provide information to the coastal State</p>		
<p>Duty of States and <i>competent international organizations</i> which intend to undertake marine scientific research in the exclusive economic zone or on the continental shelf of a coastal State to provide that State with a full description of the project</p>	248	FAO, IAEA, IHO, IMO, IOC, UNEP, UNESCO, WMO
<p align="center">Duty to comply with certain conditions</p>		
<p>Duty of States and <i>competent international organizations</i> to comply with certain conditions when undertaking marine scientific research in the exclusive economic zone or on the continental shelf of a coastal State</p>	249(1)	FAO, IAEA, IHO, IMO, IOC, UNEP, UNESCO, WMO
<p align="center">General criteria and guidelines</p>		
<p>Duty of States to seek to promote through <i>competent international organizations</i> the establishment of general criteria and guidelines to assist States in ascertaining the nature and implications of marine scientific research</p>	251	FAO, IAEA, IHO, IMO, IOC, ISBA, United Nations, UNEP, UNESCO, WMO
<p align="center">Implied consent</p>		
<p>Right of States or <i>competent international organizations</i> to proceed with a marine scientific research project six months after the date upon which they provided the relevant information to the coastal State, except in certain given cases</p>	252	FAO, IAEA, IHO, IMO, IOC, UNEP, UNESCO, WMO
<p align="center">Suspension or cessation of marine scientific research activities</p>		
<p>Right of suspension by a coastal State of any marine scientific research activities undertaken by a State or a <i>competent international organization</i> which fails to fulfil its duty to comply with certain conditions</p>	253	FAO, IAEA, IHO, IMO, IOC, UNEP, UNESCO, WMO
<p align="center">Rights of neighbouring land-locked and geographically disadvantaged States</p>		
<p>Duty of States and <i>competent international organizations</i> to give notice to the neighbouring land-locked and geographically disadvantaged States of their proposed research projects, and to provide them, if appropriate, with relevant information, at their request, following consent by the coastal State concerned</p>	254 (1), (2)	FAO, IAEA, IHO, IMO, IOC, UNEP, UNESCO, WMO

SUBJECT AND PROVISION(S)	ARTICLE	INTERNATIONAL ORGANIZATIONS
Right of neighbouring land-locked and geographically disadvantaged States to participate, whenever feasible, in or receive information from marine scientific research undertaken by States and <i>competent international organizations</i> , with the consent of the coastal State	254 (3), (4)	FAO, IAEA, IHO, IMO, IOC, UNEP, UNESCO, WMO
Marine scientific research in the Area		
Right of States and <i>competent international organizations</i> to conduct marine scientific research in the Area, in conformity with the provisions of Part XI and of the Agreement relating to the implementation of Part XI of the United Nations Convention on the Law of the Sea	256	FAO, IAEA, IHO, IMO, IOC, ISBA, UNEP, UNESCO, WMO
Marine scientific research in the water column beyond the exclusive economic zone		
Right of States and <i>competent international organizations</i> to conduct marine scientific research in the water column beyond the limits of the exclusive economic zone	257	FAO, IAEA, IHO, IMO, IOC, UNEP, UNESCO, WMO
Identification markings and warning signals		
<p>- Duty of States and <i>international organizations</i> to place identification markings on installations or equipment indicating the State of registry or the international organization to which they belong</p> <p>- Duty of States and international organizations to use adequate internationally agreed warning signals to ensure safety at sea and the safety of air navigation, taking into account rules and standards established by <i>competent international organizations</i></p>	262	<p>- FAO, IAEA, IHO, IMO, IOC, ISBA, UNEP, UNESCO, WMO</p> <p>- ICAO, IMO</p>
Responsibility and liability		
Responsibility of States and <i>competent international organizations</i> for ensuring that marine scientific research undertaken by them or on their behalf is conducted in accordance with the Convention	263(1)	FAO, IAEA, IHO, IMO, IOC, ISBA, UNEP, UNESCO, WMO
Responsibility and liability of States and <i>competent international organizations</i> for the measures they take in contravention of the Convention in respect of marine scientific research conducted by other States, their natural or juridical persons or by <i>competent international organizations</i>	263(2)	FAO, IAEA, IHO, IMO, IOC, ISBA, UNEP, UNESCO, WMO
Responsibility and liability of States and <i>competent international organizations</i> pursuant to article 235 for damage caused by pollution of the marine environment arising out of marine scientific research undertaken by them or on their behalf	263(3)	FAO, IAEA, IHO, IMO, IOC, ISBA, UNEP, UNESCO, WMO

SUBJECT AND PROVISION(S)	ARTICLE	INTERNATIONAL ORGANIZATIONS
Interim measures		
Duty of the State or <i>competent international organization</i> authorized to conduct a marine scientific research project not to commence or continue its activities without the express consent of the coastal State concerned, while pending settlement of a dispute in accordance with the Convention	265	FAO, IAEA, IHO, IMO, IOC, ISBA, UNEP, UNESCO, WMO
DEVELOPMENT AND TRANSFER OF MARINE TECHNOLOGY		
Promotion of the development and transfer of marine technology		
Duty of States to cooperate actively, directly or through <i>competent international organizations</i> , for the promotion of the development and transfer of marine science and marine technology on fair and reasonable terms and conditions	266(1)	FAO, IAEA, IHO, IMO, IOC, ISBA, UNCTAD, UNDP, UNEP, UNESCO, UNIDO, WIPO, WMO, World Bank
Basic objectives		
Duty of States to promote, directly or through <i>competent international organizations</i> , marine technological knowledge, marine technology, marine technological infrastructure and the development of human resources and international cooperation in the marine field	268	FAO, IAEA, IHO, IMO, IOC, ISBA, UNCTAD, UNDP, UNEP, UNESCO, UNIDO, WIPO, WMO, World Bank
Measures to achieve the basic objectives		
Duty of States to endeavour, directly or through <i>competent international organizations</i> , to establish programmes of technical cooperation for the transfer of marine technology, to promote favourable conditions for the conclusion of agreements, to hold conferences, seminars and symposia on the subject, to promote the exchange of scientists and experts, and to undertake projects and promote joint ventures	269	FAO, IAEA, IHO, IMO, IOC, ISBA, UNCTAD, UNDP, UNEP, UNESCO, UNIDO, WIPO, WMO, World Bank
Ways and means of international cooperation		
Duty of States to carry out international cooperation, where feasible and appropriate, through existing <i>bilateral, regional or multilateral programmes</i> , and also through expanded and new programmes in order to facilitate marine scientific research, the transfer of marine technology, particularly in new fields, and appropriate international funding for ocean research and development	270	FAO, IAEA, IHO, IMO, IOC, ISBA, UNCTAD, UNDP, UNEP, UNESCO, UNIDO, WIPO, WMO, World Bank

SUBJECT AND PROVISION(S)	ARTICLE	INTERNATIONAL ORGANIZATIONS
Guidelines, criteria and standards		
Duty of States to promote, directly or through <i>competent international organizations</i> , the establishment of generally accepted guidelines, criteria and standards for the transfer of marine technology, on a bilateral basis or within the framework of <i>international organizations</i> and other forums	271	FAO, IAEA, IHO, IMO, IOC, ISBA, UNCTAD, UNEP, UNESCO, UNIDO, WIPO, WMO
Coordination of international programmes		
Duty of States to endeavour to ensure that <i>competent international organizations</i> coordinate their activities in the field of transfer of marine technology, taking into account the interests and needs of developing States	272	FAO, IAEA, IHO, IMO, IOC, ISBA, UNCTAD, UNDP, UNEP, UNESCO, UNIDO, WIPO, WMO, World Bank
Cooperation with international organizations and the International Seabed Authority		
Duty of States to cooperate actively with <i>competent international organizations</i> and the <i>Authority</i> to encourage and facilitate the transfer of skills and marine technology with regard to activities in the Area to developing States and to the Enterprise	273	IOC, ISBA (<i>named</i>), UNCTAD, UNDP, UNEP, UNESCO, UNIDO, WIPO, World Bank
Establishment of national centres		
Duty of States to promote and support, directly or through <i>competent international organizations</i> and the <i>Authority</i> , the establishment and strengthening of national marine scientific and technological research centres, in order to stimulate and advance marine scientific research in developing coastal States and enhance their capabilities	275	FAO, IAEA, IOC, ISBA (<i>named</i>), UNDP, UNEP, UNESCO, UNIDO, WMO, World Bank
Establishment of regional centres		
Duty of States to promote, in coordination with the <i>competent international organizations</i> , the <i>Authority</i> and national research institutes, the establishment of regional marine scientific and technological research centres, particularly in developing States	276(1)	FAO, IAEA, IOC, ISBA (<i>named</i>), UNDP, UNEP, UNESCO, UNIDO, WMO, World Bank

SUBJECT AND PROVISION(S)	ARTICLE	INTERNATIONAL ORGANIZATIONS
Cooperation among international organizations		
Duty of <i>competent international organizations</i> referred to in Parts XIII and XIV to take all appropriate measures to ensure the effective discharge of their functions and responsibilities under Part XIV	278	FAO, IAEA, IHO, IMO, IOC, ISBA, UNCTAD, UNDP, UNEP, UNESCO, UNIDO, WIPO, WMO, World Bank
SETTLEMENT OF DISPUTES		
Limitations on applicability of section 2 (dealing with compulsory procedures entailing binding decisions)		
Applicability of section 2 to disputes arising from allegation of contravention by a coastal State of specified international rules and standards for the protection and preservation of the marine environment applicable to the coastal State which have been established by the Convention or through a <i>competent international organization</i> or diplomatic conference in accordance with the Convention	297 (1)(c)	IMO, UNEP
Communication of the report of the conciliation commission to the <i>appropriate international organizations</i> in respect of a dispute submitted to conciliation under Annex V, section 2, in the cases referred to in article 297, paragraph 3	297 (3)(d)	FAO, regional and subregional fisheries bodies
Constitution of special arbitral tribunal		
Requirement that the appointment of the President and other members of the special arbitral tribunal by the Secretary-General of the United Nations be made from the appropriate list or lists of experts and in consultation with the parties to the dispute and the <i>appropriate international organization</i>	Annex VIII, art. 3(e)	FAO (<u>named</u>), IMO (<u>named</u>), IOC (<u>named</u>), UNEP (<u>named</u>)

B. List of arbitrators under Annex VII of the Convention

Nomination by Germany

Dr. (Ms.) Renate Platzoeder.

C. Formation of IHO/IAG advisory board on the law of the sea^{2/}

The International Hydrographic Organization (IHO) and the International Association of Geodesy (IAG)^{3/} have formed a joint Advisory Board to provide advice and guidance and, where applicable, offer expert interpretation of the hydrographic, geodetic and other technical aspects of the law of the sea to the parent organizations, their member States or to other organizations on request.

The Board is comprised of four representatives from each organization and one additional member representing the Division for Ocean Affairs and the Law of the Sea of the United Nations Office of Legal Affairs in an ex-officio capacity.

The formation of the joint Board follows from the activities of each organization in an individual capacity which led to their combined work in producing a "Manual on Technical Aspects of the United Nations Convention on the Law of the Sea - 1982". This is published by the International Hydrographic Bureau as Special Publication No. 51. Work is under way by the geodetic experts within the Board to add a special appendix discussing geodetic aspects.

Recently the Board has been cooperating with the Intergovernmental Oceanographic Commission (IOC) of the United Nations Educational, Scientific and Cultural Organization (UNESCO) to develop a publication to assist in the technical aspects of establishment of the outer limits of the continental shelf beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured, in accordance with article 76 of the United Nations Convention on the Law of the Sea.

Further information can be obtained from IHO or IAG at the following addresses:

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^{2/} Submitted by the International Hydrographic Bureau to the United Nations in a letter dated 5 February 1996.

^{3/} The International Association of Geodesy is a non-governmental organization founded in Berlin in 1864. In 1920 it became a constituent association of the International Union of Geodesy and Geophysics (IUGG), many members of which are national academies of sciences. IAG promotes and supports general documentation in the field of geodesy on, e.g., positioning, space techniques for geodesy and geodynamics, determination of the gravity field, and movements of the earth's crust and tides.