

*Bulletin No. 74*

# *Law of the Sea*



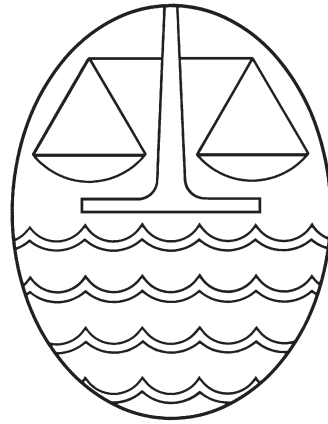
*Division for Ocean Affairs  
and the Law of the Sea  
Office of Legal Affairs*



**United Nations**

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

# *Law of the Sea*



*Bulletin No. 74*



United Nations  
New York, 2011



NOTE

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Furthermore, publication in the *Bulletin* of information concerning developments relating to the law of the sea emanating from actions and decisions taken by States does not imply recognition by the United Nations of the validity of the actions and decisions in question.

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## CONTENTS

	<u>Page</u>
I. UNITED NATIONS CONVENTION ON THE LAW OF THE SEA.....	1
Status of the United Nations Convention on the Law of the Sea, of the Agreement relating to the Implementation of Part XI of the Convention and of the Agreement for the Implementation of the Provisions of the Convention relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks.....	1
1. Table recapitulating the status of the Convention and of the related Agreements, as at 30 November 2010.....	1
2. Chronological lists of ratifications of, accessions and successions to the Convention and the related Agreements, as at 30 November 2010 .....	10
(a) The Convention .....	10
(b) Agreement relating to the Implementation of Part XI of the Convention .....	11
(c) Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks.....	14
3. Declarations by States.....	15
Saint Vincent and the Grenadines – Declaration under article 287 of the Convention, 22 November 2010.....	15
II. LEGAL INFORMATION RELEVANT TO THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA .....	16
A. National Legislation .....	16
1. Comoros.....	16
Presidential Decree No. 10-092 of 13 August 2010 establishing the limits of the territorial sea of the Union of the Comoros.....	16
2. The Netherlands.....	18
Decree of 10 June 2010 determining the outer limit of the EEZ of the part of the Kingdom of the Netherlands situated in the Caribbean.....	18

## CONTENTS (continued)

3. Dominican Republic .....	27
Resolution 478-08 adopting the United Nations Convention on the Law of the Sea, and its annexes, signed by the States Members of the United Nations at Montego Bay, Jamaica, on 10 December 1982, and the interpretative declarations authorized by article 310 of the Convention.....	27
4. Lebanon .....	30
List of Geographical Coordinates of points for the delimitation of the Exclusive Economic Zone – the Southern Part of the Western Median Line (Lebanon – Cyprus).....	30
5. Guyana.....	32
Maritime Zones Act 2010 – Act no. 18 of 2010 .....	32
6. France .....	63
Decree No. 78-147 of 3 February 1978 establishing, pursuant to the Law of 16 July 1976, an economic zone off the coast of Île Clipperton.....	63
B. Bilateral Treaties.....	69
Agreement on the delimitation of the maritime boundaries in the Gulf of Aqaba between the Kingdom of Saudi Arabia and the Hashemite Kingdom of Jordan, 16 December 2007...	69
III. COMMUNICATIONS BY STATES .....	72
Arab Republic of Egypt: Declaration concerning the establishment by Saudi Arabia of the baselines for the Kingdom's maritime zones in the Red Sea, the Gulf of Aqaba and the Arabian Gulf .....	72
IV. OTHER INFORMATION RELEVANT TO THE LAW OF THE SEA.....	73
A. Relevant Resolutions from the Security Council of the United Nations concerning the situation in Somalia.....	73
Resolution 1950 (2010) adopted by the Security Council at its 6429th meeting, on 23 November 2010.....	73
B. List of conciliators and arbitrators: Nominations made under articles 2 of annexes V and VII to the Convention as at 30 November 2010.....	80
CORRIGENDUM .....	86
Saudi Arabia: Royal Decree No. (M/4) dated 26 January 2010 ( <i>Law of the Sea Bulletin</i> No. 72, page 82).....	86

I. UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

Status of the United Nations Convention on the Law of the Sea, of the Agreement relating to the Implementation of Part XI of the Convention and of the Agreement for the Implementation of the Provisions of the Convention relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks<sup>1</sup>

1. Table recapitulating the status of the Convention and of the related Agreements, as at 30 November 2010

This consolidated table, prepared by the Division for Ocean Affairs and the Law of the Sea, Office of the Legal Affairs, provides unofficial, quick reference information related to the participation in UNCLOS and the two implementing Agreements. For official information on the status of these treaties, please refer to the publication entitled “*Multilateral Treaties deposited with the Secretary-General*” (<http://untreaty.un.org/>). The symbol “□” indicates that a declaration or statement was made at the time of signature; at the time of ratification/accession or anytime thereafter or declarations confirmed upon succession. A double icon (□□) indicates that two declarations were made by the State. The abbreviation (fc) indicates a formal confirmation; (a) an accession; (s) a succession; (ds) a definitive signature; (p) the consent to be bound; (sp) a simplified procedure. Names of States in *italics* indicate non-members of the United Nations; shaded rows indicate landlocked States.

State or entity	UNCLOS (in force as from 16/11/1994)			Agreement on Part XI (in force as from 28/07/1996)		UN Fish Stocks Agreement (in force as from 11/12/2001)		
	Signature dd/mm/yy	Ratification/ accession; dd/mm/yy	Declaration	Signature dd/mm/yy	Ratification/ accession; dd/mm/yy	Signature dd/mm/yy	Ratification/ accession; dd/mm/yy	Declaration
<b>TOTALS</b>	157	161	72	79	140	59	78	33
Afghanistan	18/03/83							
Albania		23/06/03(a)			23/06/03(p)			
Algeria	10/12/82□	11/06/96	□	29/07/94	11/06/96(p)			
Andorra								
Angola	10/12/82□	05/12/90	□		07/09/10(a)			
Antigua and Barbuda	07/02/83	02/02/89						
Argentina	05/10/84□	01/12/95	□	29/07/94	01/12/95	04/12/95		
Armenia		09/12/02(a)			09/12/02(a)			
Australia	10/12/82	05/10/94	□	29/07/94	05/10/94	04/12/95	23/12/99	
Austria	10/12/82	14/07/95	□	29/07/94	14/07/95	27/06/96	19/12/03	□

<sup>1</sup> Source: Chapter XXI.6 of the publication entitled “*Multilateral Treaties Deposited with the Secretary-General*” at <http://treaties.un.org/>.

State or entity	UNCLOS (in force as from 16/11/1994)		Agreement on Part XI (in force as from 28/07/1996)		UN Fish Stocks Agreement (in force as from 11/12/2001)	
	Signature dd/mm/yy	Ratification/ accession; dd/mm/yy	Signature dd/mm/yy	Ratification/ accession; dd/mm/yy	Signature dd/mm/yy	Ratification/ accession; dd/mm/yy
Azerbaijan						Declaration
Bahamas	10/12/82	29/07/83	29/07/94	28/07/95(sp)		16/01/97(a)
Bahrain	10/12/82	30/05/85				
Bangladesh	10/12/82	27/07/01		27/07/01(a)	04/12/95	
Barbados	10/12/82	12/10/93	15/11/94	28/07/95(sp)		22/09/00(a)
Belarus	10/12/82	30/08/06		30/08/06(a)		
Belgium	05/12/84	13/11/98	29/07/94	13/11/98(p)	03/10/96	19/12/03
Belize	10/12/82	13/08/83		21/10/94(ds)	04/12/95	14/07/05
Benin	30/08/83	16/10/97		16/10/97(p)		
Bhutan	10/12/82					
Bolivia (Plurinational State of)	27/11/84	28/04/95		28/04/95(p)		
Bosnia and Herzegovina		12/01/94(s)				
Botswana	05/12/84	02/05/90		31/01/05(a)		
Brazil	10/12/82	22/12/88	29/07/94	25/10/07	04/12/95	08/03/00
Brunei Darussalam	05/12/84	05/11/96		05/11/96(p)		
Bulgaria	10/12/82	15/05/96		15/05/96(a)		13/12/06(a)
Burkina Faso	10/12/82	25/01/05	30/11/94	25/01/05(p)	15/10/96	
Burundi	10/12/82					
Cambodia	01/07/83					
Cameroon	10/12/82	19/11/85	24/05/95	28/08/02		
Canada	10/12/82	07/11/03	29/07/94	07/11/03	04/12/95	03/08/99
Cape Verde	10/12/82	10/08/87	29/07/94	23/04/08		
Central African Republic	04/12/84					
Chad	10/12/82	14/08/09		14/08/09(p)		
Chile	10/12/82	25/08/97		25/08/97(a)		
China	10/12/82	07/06/96	29/07/94	07/06/96(p)	06/11/96	
Colombia	10/12/82					

State or entity	UNCLOS (in force as from 16/11/1994)			Agreement on Part XI (in force as from 28/07/1996)		UN Fish Stocks Agreement (in force as from 11/12/2001)	
	Signature dd/mm/yy	Ratification/ accession; dd/mm/yy	Declaration	Signature dd/mm/yy	Ratification/ accession; dd/mm/yy	Signature dd/mm/yy	Ratification/ accession; dd/mm/yy
Comoros	06/12/84	21/06/94					
Congo	10/12/82	09/07/08			09/07/08(p)		
Cook Islands	10/12/82	15/02/95			15/02/95(a)		01/04/99(a)
Costa Rica	10/12/82	21/09/92			20/09/01(a)		18/06/01(a)
Côte d'Ivoire	10/12/82	26/03/84		25/11/94	28/07/95(sp)	24/01/96	
Croatia		05/04/95(s)			05/04/95(p)		
Cuba	10/12/82	15/08/84			17/10/02(a)		
Cyprus	10/12/82	12/12/88		01/11/94	27/07/95		25/09/02(a)
Czech Republic	22/02/93	21/06/96		16/11/94	21/06/96		19/03/07(a)
Democratic People's Republic of Korea	10/12/82						
Democratic Republic of the Congo	22/08/83	17/02/89					
Denmark	10/12/82	16/11/04		29/07/94	16/11/04	27/06/96	19/12/03
Djibouti	10/12/82	08/10/91					
Dominica	28/03/83	24/10/91					
Dominican Republic	10/12/82	10/07/09			10/07/09(p)		
Ecuador							
Egypt	10/12/82	26/08/83		22/03/95		05/12/95	
El Salvador	05/12/84						
Equatorial Guinea	30/01/84	21/07/97			21/07/97(p)		
Eritrea							
Estonia		26/08/05(a)			26/08/05(a)		07/08/06(a)
Ethiopia	10/12/82						
European Union	07/12/84	01/04/98(fc)		29/07/94	01/04/98(fc)	27/06/96	19/12/03
Fiji	10/12/82	10/12/82		29/07/94	28/07/95	04/12/95	12/12/96
Finland	10/12/82	21/06/96		29/07/94	21/06/96	27/06/96	19/12/03
France	10/12/82	11/04/96		29/07/94	11/04/96	04/12/96	19/12/03
Gabon	10/12/82	11/03/98		04/04/95	11/03/98(p)	07/10/96	
Gambia	10/12/82	22/05/84					

State or entity	UNCLOS (in force as from 16/11/1994)		Agreement on Part XI (in force as from 28/07/1996)		UN Fish Stocks Agreement (in force as from 11/12/2001)		
	Signature dd/mm/yy	Ratification/ accession; dd/mm/yy	Declaration	Signature dd/mm/yy	Ratification/ accession; dd/mm/yy	Signature dd/mm/yy	Ratification/ accession; dd/mm/yy
Georgia		21/03/96(a)			21/03/96(p)		
Germany		14/10/94(a)	☐	29/07/94	14/10/94	28/08/96	19/12/03
Ghana	10/12/82	7/06/83	☐				
Greece	10/12/82	21/07/95	☐	29/07/94	21/07/95	27/06/96	19/12/03
Grenada	10/12/82	25/04/91	☐	14/11/94	28/07/95(sp)		
Guatemala	08/07/83	11/02/97	☐		11/02/97(p)		
Guinea	04/10/84	06/09/85	☐	26/08/94	28/07/95(sp)	04/12/95	16/09/05(a)
Guinea-Bissau	10/12/82	25/08/86	☐		25/09/08(a)		
Guyana	10/12/82	16/11/93			31/07/96(p)		
Haiti	10/12/82	31/07/96					
Holy See							
Honduras	10/12/82	05/10/93	☐		28/07/03(a)		
Hungary	10/12/82	05/02/02	☐		05/02/02(a)		16/05/08(a)
Iceland	10/12/82	21/06/85	☐	29/07/94	28/07/95(sp)	04/12/95	14/02/97
India	10/12/82	29/06/95	☐	29/07/94	29/06/95	04/12/95	19/08/03(a)
Indonesia	10/12/82	03/02/86		29/07/94	02/06/00	04/12/95	28/09/09
Iran (Islamic Republic of)	10/12/82						17/04/98(a)
Iraq	10/12/82	30/07/85					
Ireland	10/12/82	21/06/96	☐	29/07/94	21/06/96	27/06/96	19/12/03
Israel						04/12/95	
Italy	07/12/84	13/01/95	☐	29/07/94	13/01/95	27/06/96	19/12/03
Jamaica	10/12/82	21/03/83		29/07/94	28/07/95(sp)	04/12/95	
Japan	07/02/83	20/06/96		29/07/94	20/06/96	19/11/96	07/08/06
Jordan		27/11/95(a)			27/11/95(p)		
Kazakhstan							
Kenya	10/12/82	02/03/89			29/07/94(ds)		13/07/04(a)
Kiribati		24/02/03(a)	☐		24/02/03(p)		15/09/05(a)
Kuwait	10/12/82	02/05/86	☐		02/08/02(a)		
Kyrgyzstan							

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	Signature dd/mm/yy	Ratification/ accession; dd/mm/yy	Declaration	Signature dd/mm/yy	Ratification/ accession; dd/mm/yy	Signature dd/mm/yy	Ratification/ accession; dd/mm/yy	Declaration
Lao People's Democratic Republic	10/12/82	05/06/98		27/10/94	05/06/98(p)			
Latvia		23/12/04(a)	<input type="checkbox"/>		23/12/04(a)		05/02/07(a)	<input type="checkbox"/>
Lebanon	07/12/84	05/01/95			05/01/95(p)			
Lesotho	10/12/82	31/05/07			31/05/07(p)			
Liberia	10/12/82	25/09/08			25/09/08(p)		16/09/05(a)	
Libyan Arab Jamahiriya	03/12/84							
Liechtenstein	30/11/84							
Lithuania		12/11/03(a)	<input type="checkbox"/>		12/11/03(a)		01/03/07(a)	<input type="checkbox"/>
Luxembourg	05/12/84	05/10/00		29/07/94	05/10/00	27/06/96	19/12/03	<input type="checkbox"/>
Madagascar	25/02/83	22/08/01			22/08/01(p)			
Malawi	07/12/84	28/09/10			28/09/10(p)			
Malaysia	10/12/82	14/10/96	<input type="checkbox"/>	02/08/94	14/10/96(p)			
Maldives	10/12/82	07/09/00		10/10/94	07/09/00(p)	08/10/96	30/12/98	
Mali	19/10/83	16/07/85						
Malta	10/12/82	20/05/93	<input type="checkbox"/>	29/07/94	26/06/96		11/11/01(a)	<input type="checkbox"/>
Marshall Islands		09/08/91(a)				04/12/95	19/03/03	
Mauritania	10/12/82	17/07/96		02/08/94	17/07/96(p)	21/12/95		
Mauritius	10/12/82	04/11/94			04/11/94(p)		25/03/97(a)	<input type="checkbox"/>
Mexico	10/12/82	18/03/83	<input type="checkbox"/>		10/04/03(a)			
Micronesia (Federated States of)		29/04/91(a)		10/08/94	06/09/95	04/12/95	23/05/97	
Monaco	10/12/82	20/03/96		30/11/94	20/03/96(p)		09/06/99(a)	
Mongolia	10/12/82	13/08/96		17/08/94	13/08/96(p)			
Montenegro		23/10/06(d)	<input type="checkbox"/>		23/10/06(d)			
Morocco	10/12/82	31/05/07	<input type="checkbox"/>	19/10/94	31/05/07	04/12/95		
Mozambique	10/12/82	13/03/97			13/03/97(a)		10/12/08(a)	
Myanmar	10/12/82	21/05/96	<input type="checkbox"/>		21/05/96(a)			







State or entity	UNCLOS (in force as from 16/11/1994)			Agreement on Part XI (in force as from 28/07/1996)		UN Fish Stocks Agreement (in force as from 11/12/2001)	
	Signature dd/mm/yy	Ratification/ accession; dd/mm/yy	Declaration	Signature dd/mm/yy	Ratification/ accession; dd/mm/yy	Signature dd/mm/yy	Ratification/ accession; dd/mm/yy
Namibia	10/12/82	18/04/83		29/07/94	28/07/95(sp)	19/04/96	08/04/98
Nauru	10/12/82	23/01/96			23/01/96(p)		10/01/97(a)
Nepal	10/12/82	02/11/98			02/11/98(p)		
Netherlands	10/12/82	28/06/96	☐	29/07/94	28/06/96	28/06/96☐	19/12/03
New Zealand	10/12/82	19/07/96		29/07/94	19/07/96	04/12/95	18/04/01
Nicaragua	09/12/84☐	03/05/00	☐		03/05/00(p)		
Niger	10/12/82						
Nigeria	10/12/82	14/08/86		25/10/94	28/07/95(sp)		02/11/09(a)
Niue	05/12/84	11/10/06			11/10/06(p)	04/12/95	11/10/06
Norway	10/12/82	24/06/96	☐		24/06/96(a)	04/12/95	30/12/96
Oman	01/07/83☐	17/08/89	☐		26/02/97(a)		14/05/08(a)
Pakistan	10/12/82	26/02/97	☐	10/08/94	26/02/97(p)	15/02/96	
Palau		30/09/96(a)	☐		30/09/96(p)		26/03/08(a)
Panama	10/12/82	01/07/96	☐		01/07/96(p)		16/12/08(a)
Papua New Guinea	10/12/82	14/01/97			14/01/97(p)	04/12/95	04/06/99
Paraguay	10/12/82	26/09/86		29/07/94	10/07/95		
Peru							
Philippines	10/12/82☐	08/05/84	☐	15/11/94	23/07/97	30/08/96	
Poland	10/12/82	13/11/98		29/07/94	13/11/98(p)		14/03/06(a)
Portugal	10/12/82	03/11/97	☐	29/07/94	03/11/97	27/06/96	19/12/03
Qatar	27/11/84☐	09/12/02			09/12/02(p)		
Republic of Korea	14/03/83	29/01/96	☐	07/11/94	29/01/96	26/11/96	01/02/08
Republic of Moldova		06/02/07(a)	☐		06/02/07(p)		
Romania	10/12/82☐	17/12/96	☐		17/12/96(a)		16/07/07(a)
Russian Federation	10/12/82☐	12/03/97	☐		12/03/97(a)	04/12/95	04/08/97
Rwanda	10/12/82						
Saint Kitts and Nevis	07/12/84	07/01/93					
Saint Lucia	10/12/82	27/03/85				12/12/95	09/08/96
Saint Vincent and the Grenadines	10/12/82	01/10/93	☐				29/10/10(a)

State or entity	UNCLOS (in force as from 16/11/1994)		Agreement on Part XI (in force as from 28/07/1996)		UN Fish Stocks Agreement (in force as from 11/12/2001)	
	Signature dd/mm/yy	Ratification/ accession; dd/mm/yy	Signature dd/mm/yy	Ratification/ accession; dd/mm/yy	Signature dd/mm/yy	Ratification/ accession; dd/mm/yy
Samoa	28/09/84	14/08/95	07/07/95	14/08/95(p)	04/12/95	25/10/96
San Marino						
Sao Tome and Principe	13/07/83 <sup>2</sup>	03/11/87				
Saudi Arabia	07/12/84	24/04/96		24/04/96(p)		
Senegal	10/12/82	25/10/84	09/08/94	25/07/95	04/12/95	30/01/97
Serbia		12/03/01(s)	12/05/95	28/07/95(sp) <sup>2</sup>		
Seychelles	10/12/82	16/09/91	29/07/94	15/12/94	04/12/96	20/03/98
Sierra Leone	10/12/82	12/12/94		12/12/94(p)		
Singapore	10/12/82	17/11/94		17/11/94(p)		
Slovakia	28/05/93	08/05/96	14/11/94	08/05/96		06/11/08(a)
Slovenia		16/06/95(s)	19/01/95	16/06/95		15/06/06(a)
Solomon Islands	10/12/82	23/06/97		23/06/97(p)		13/02/97(a)
Somalia	10/12/82	24/07/89				
South Africa	05/12/84	23/12/97	03/10/94	23/12/97		14/08/03(a)
Spain	04/12/84 <sup>2</sup>	15/01/97	29/07/94	15/01/97	03/12/96	19/12/03
Sri Lanka	10/12/82	19/07/94	29/07/94	28/07/95(sp)	09/10/96	24/10/96
Sudan	10/12/82 <sup>2</sup>	23/01/85	29/07/94			
Suriname	10/12/82	09/07/98		09/07/98(p)		
Swaziland	18/01/84		12/10/94			
Sweden	10/12/82 <sup>2</sup>	25/06/96	29/07/94	25/06/96	27/06/96	19/12/03
Switzerland	17/10/84	01/05/09	26/10/94	01/05/09		
Syrian Arab Republic						
Tajikistan						
Thailand	10/12/82					

<sup>2</sup> For further details, see Chapter XXI.6 of the publication entitled "Multilateral Treaties deposited with the Secretary-General"

State or entity	UNCLOS (in force as from 16/11/1994)		Agreement on Part XI (in force as from 28/07/1996)		UN Fish Stocks Agreement (in force as from 11/12/2001)	
	Signature dd/mm/yy	Ratification/ accession; dd/mm/yy	Signature dd/mm/yy	Ratification/ accession; dd/mm/yy	Signature dd/mm/yy	Ratification/ accession; dd/mm/yy
The former Yugoslav Republic of Macedonia		19/08/94 (s)		19/08/94 (p)		
Timor-Leste						
Togo	10/12/82	16/04/85	03/08/94	28/07/95(sp)		
Tonga		02/08/95(a)		2/08/95(p)	04/12/95	31/07/96
Trinidad and Tobago	10/12/82	25/04/86	10/10/94	28/07/95(sp)		13/09/06(a)
Tunisia	10/12/82	24/04/85	15/05/95	24/05/02		
Turkey						
Turkmenistan						
Tuvalu	10/12/82	09/12/02		09/12/02 (p)		02/02/09(a)
Uganda	10/12/82	09/11/90	09/08/94	28/07/95(sp)	10/10/96	
Ukraine	10/12/82	26/07/99	28/02/95	26/07/99	04/12/95	27/02/03
United Arab Emirates	10/12/82					
United Kingdom		25/07/97(a)	29/07/94	25/07/97	04/12/95	10/12/01 19/12/03 <sup>3</sup>
United Republic of Tanzania	10/12/82	30/09/85	07/10/94	25/06/98		
United States of America			29/07/94		04/12/95	21/08/96
Uruguay	10/12/82	10/12/92	29/07/94	07/08/07	16/01/96	10/09/99
Uzbekistan						
Vanuatu	10/12/82	10/08/99	29/07/94	10/08/99 (p)	23/07/96	

<sup>3</sup> For further details, see Chapter XXI.7 of the publication entitled "Multilateral Treaties deposited with the Secretary-General"

State or entity	UNCLOS (in force as from 16/11/1994)			Agreement on Part XI (in force as from 28/07/1996)		UN Fish Stocks Agreement (in force as from 11/12/2001)		
	Signature dd/mm/yy	Ratification/ accession; dd/mm/yy	Declaration	Signature dd/mm/yy	Ratification/ accession; dd/mm/yy	Signature dd/mm/yy	Ratification/ accession; dd/mm/yy	Declaration
Venezuela (Bolivarian Republic of)								
Viet Nam	10/12/82	25/07/94			27/04/06(a)			
Yemen	10/12/82 	21/07/87						
Zambia	10/12/82	07/03/83		13/10/94	28/07/95(sp)			
Zimbabwe	10/12/82	24/02/93		28/10/94	28/07/95(sp)			
<b>TOTALS</b>	157 (  34)	161	72	79	140	59(5)	78	33

2. Chronological lists of ratifications of, accessions and successions to the Convention and the related Agreements, as at 30 November 2010

(a) The Convention

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

88. Saudi Arabia (24 April 1996)
89. Slovakia (8 May 1996)
90. Bulgaria (15 May 1996)
91. Myanmar (21 May 1996)
92. China (7 June 1996)
93. Algeria (11 June 1996)
94. Japan (20 June 1996)
95. Czech Republic (21 June 1996)
96. Finland (21 June 1996)
97. Ireland (21 June 1996)
98. Norway (24 June 1996)
99. Sweden (25 June 1996)
100. Netherlands (28 June 1996)
101. Panama (1 July 1996)
102. Mauritania (17 July 1996)
103. New Zealand (19 July 1996)
104. Haiti (31 July 1996)
105. Mongolia (13 August 1996)
106. Palau (30 September 1996)
107. Malaysia (14 October 1996)
108. Brunei Darussalam (5 November 1996)
109. Romania (17 December 1996)
110. Papua New Guinea (14 January 1997)
111. Spain (15 January 1997)
112. Guatemala (11 February 1997)
113. Pakistan (26 February 1997)
114. Russian Federation (12 March 1997)
115. Mozambique (13 March 1997)
116. Solomon Islands (23 June 1997)
117. Equatorial Guinea (21 July 1997)
118. United Kingdom of Great Britain and Northern Ireland (25 July 1997)
119. Chile (25 August 1997)
120. Benin (16 October 1997)
121. Portugal (3 November 1997)
122. South Africa (23 December 1997)
123. Gabon (11 March 1998)
124. European Union (1 April 1998)
125. Lao People's Democratic Republic (5 June 1998)
126. Suriname (9 July 1998)
127. Nepal (2 November 1998)
128. Belgium (13 November 1998)
129. Poland (13 November 1998)
130. Ukraine (26 July 1999)
131. Vanuatu (10 August 1999)
132. Nicaragua (3 May 2000)
133. Maldives (7 September 2000)
134. Luxembourg (5 October 2000)
135. Serbia (12 March 2001)
136. Bangladesh (27 July 2001)
137. Madagascar (22 August 2001)
138. Hungary (5 February 2002)
139. Armenia (9 December 2002)
140. Qatar (9 December 2002)
141. Tuvalu (9 December 2002)
142. Kiribati (24 February 2003)
143. Albania (23 June 2003)
144. Canada (7 November 2003)
145. Lithuania (12 November 2003)
146. Denmark (16 November 2004)
147. Latvia (23 December 2004)
148. Burkina Faso (25 January 2005)
149. Estonia (26 August 2005)
150. Belarus (30 August 2006)
151. Niue (11 October 2006)
152. Montenegro (23 October 2006)
153. Republic of Moldova (6 February 2007)
154. Lesotho (31 May 2007)
155. Morocco (31 May 2007)
156. Congo (9 July 2008)
157. Liberia (25 September 2008)
158. Switzerland (1 May 2009)
159. Dominican Republic (10 July 2009)
160. Chad (14 August 2009)
161. Malawi (28 September 2010)

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

1. Kenya (29 July 1994)
2. The former Yugoslav Republic of Macedonia (19 August 1994)
3. Australia (5 October 1994)
4. Germany (14 October 1994)
5. Belize (21 October 1994)
6. Mauritius (4 November 1994)
7. Singapore (17 November 1994)
8. Sierra Leone (12 December 1994)
9. Seychelles (15 December 1994)
10. Lebanon (5 January 1995)
11. Italy (13 January 1995)
12. Cook Islands (15 February 1995)
13. Croatia (5 April 1995)
14. Bolivia (Plurinational State of) (28 April 1995)
15. Slovenia (16 June 1995)
16. India (29 June 1995)
17. Paraguay (10 July 1995)
18. Austria (14 July 1995)
19. Greece (21 July 1995)
20. Senegal (25 July 1995)
21. Cyprus (27 July 1995)
22. Bahamas (28 July 1995)
23. Barbados (28 July 1995)

24. Côte d'Ivoire (28 July 1995)
25. Fiji (28 July 1995)
26. Grenada (28 July 1995)
27. Guinea (28 July 1995)
28. Iceland (28 July 1995)
29. Jamaica (28 July 1995)
30. Namibia (28 July 1995)
31. Nigeria (28 July 1995)
32. Sri Lanka (28 July 1995)
33. Togo (28 July 1995)
34. Trinidad and Tobago (28 July 1995)
35. Uganda (28 July 1995)
36. Serbia (28 July 1995)
37. Zambia (28 July 1995)
38. Zimbabwe (28 July 1995)
39. Tonga (2 August 1995)
40. Samoa (14 August 1995)
41. Micronesia (Federated States of)  
(6 September 1995)
42. Jordan (27 November 1995)
43. Argentina (1 December 1995)
44. Nauru (23 January 1996)
45. Republic of Korea (29 January 1996)
46. Monaco (20 March 1996)
47. Georgia (21 March 1996)
48. France (11 April 1996)
49. Saudi Arabia (24 April 1996)
50. Slovakia (8 May 1996)
51. Bulgaria (15 May 1996)
52. Myanmar (21 May 1996)
53. China (7 June 1996)
54. Algeria (11 June 1996)
55. Japan (20 June 1996)
56. Czech Republic (21 June 1996)
57. Finland (21 June 1996)
58. Ireland (21 June 1996)
59. Norway (24 June 1996)
60. Sweden (25 June 1996)
61. Malta (26 June 1996)
62. Netherlands (28 June 1996)
63. Panama (1 July 1996)
64. Mauritania (17 July 1996)
65. New Zealand (19 July 1996)
66. Haiti (31 July 1996)
67. Mongolia (13 August 1996)
68. Palau (30 September 1996)
69. Malaysia (14 October 1996)
70. Brunei Darussalam (5 November 1996)
71. Romania (17 December 1996)
72. Papua New Guinea (14 January 1997)
73. Spain (15 January 1997)
74. Guatemala (11 February 1997)
75. Oman (26 February 1997)
76. Pakistan (26 February 1997)
77. Russian Federation (12 March 1997)
78. Mozambique (13 March 1997)
79. Solomon Islands (23 June 1997)
80. Equatorial Guinea (21 July 1997)
81. Philippines (23 July 1997)
82. United Kingdom of Great Britain  
and Northern Ireland (25 July 1997)
83. Chile (25 August 1997)
84. Benin (16 October 1997)
85. Portugal (3 November 1997)
86. South Africa (23 December 1997)
87. Gabon (11 March 1998)
88. European Union (1 April 1998)
89. Lao People's Democratic Republic  
(5 June 1998)
90. United Republic of Tanzania (25 June 1998)
91. Suriname (9 July 1998)
92. Nepal (2 November 1998)
93. Belgium (13 November 1998)
94. Poland (13 November 1998)
95. Ukraine (26 July 1999)
96. Vanuatu (10 August 1999)
97. Nicaragua (3 May 2000)
98. Indonesia (2 June 2000)
99. Maldives (7 September 2000)
100. Luxembourg (5 October 2000)
101. Bangladesh (27 July 2001)
102. Madagascar (22 August 2001)
103. Costa Rica (20 September 2001)
104. Hungary (5 February 2002)
105. Tunisia (24 May 2002)
106. Cameroon (28 August 2002)
107. Kuwait (2 August 2002)
108. Cuba (17 October 2002)
109. Armenia (9 December 2002)
110. Qatar (9 December 2002)
111. Tuvalu (9 December 2002)
112. Kiribati (24 February 2003)
113. Mexico (10 April 2003)
114. Albania (23 June 2003)
115. Honduras (28 July 2003)
116. Canada (7 November 2003)
117. Lithuania (12 November 2003)
118. Denmark (16 November 2004)
119. Latvia (23 December 2004)
120. Botswana (31 January 2005)
121. Burkina Faso (25 January 2005)
122. Estonia (26 August 2005)
123. Viet Nam (27 April 2006)
124. Belarus (30 August 2006)
125. Niue (11 October 2006)
126. Montenegro (23 October 2006)

127. Republic of Moldova (6 February 2007)  
128. Lesotho (31 May 2007)  
129. Morocco (31 May 2007)  
130. Uruguay (7 August 2007)  
131. Brazil (25 October 2007)  
132. Cape Verde (23 April 2008)  
133. Congo (9 July 2008)

134. Liberia (25 September 2008)  
135. Guyana (25 September 2008)  
136. Switzerland (1 May 2009)  
137. Dominican Republic (10 July 2009)  
138. Chad (14 August 2009)  
139. Angola (7 September 2010)  
140. Malawi (28 September 2010)



(c) Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks

1. Tonga (31 July 1996)
2. Saint Lucia (9 August 1996)
3. United States of America (21 August 1996)
4. Sri Lanka (24 October 1996)
5. Samoa (25 October 1996)
6. Fiji (12 December 1996)
7. Norway (30 December 1996)
8. Nauru (10 January 1997)
9. Bahamas (16 January 1997)
10. Senegal (30 January 1997)
11. Solomon Islands (13 February 1997)
12. Iceland (14 February 1997)
13. Mauritius (25 March 1997)
14. Micronesia (Federated States of) (23 May 1997)
15. Russian Federation (4 August 1997)
16. Seychelles (20 March 1998)
17. Namibia (8 April 1998)
18. Iran (Islamic Republic of) (17 April 1998)
19. Maldives (30 December 1998)
20. Cook Islands (1 April 1999)
21. Papua New Guinea (4 June 1999)
22. Monaco (9 June 1999)
23. Canada (3 August 1999)
24. Uruguay (10 September 1999)
25. Australia (23 December 1999)
26. Brazil (8 March 2000)
27. Barbados (22 September 2000)
28. New Zealand (18 April 2001)
29. Costa Rica (18 June 2001)
30. Malta (11 November 2001)
31. United Kingdom (10 December 2001),  
(19 December 2003)
32. Cyprus (25 September 2002)
33. Ukraine (27 February 2003)
34. Marshall Islands (19 March 2003)
35. South Africa (14 August 2003)
36. India (19 August 2003)
37. European Union (19 December 2003)
38. Austria (19 December 2003)
39. Belgium (19 December 2003)
40. Denmark (19 December 2003)
41. Finland (19 December 2003)
42. France (19 December 2003)
43. Germany (19 December 2003)
44. Greece (19 December 2003)
45. Ireland (19 December 2003)
46. Italy (19 December 2003)
47. Luxembourg (19 December 2003)
48. Netherlands (19 December 2003)
49. Portugal (19 December 2003)
50. Spain (19 December 2003)
51. Sweden (19 December 2003)
52. Kenya (13 July 2004)
53. Belize (14 July 2005)
54. Kiribati (15 September 2005)
55. Guinea (16 September 2005)
56. Liberia (16 September 2005)
57. Poland (14 March 2006)
58. Slovenia (15 June 2006)
59. Estonia (7 August 2006)
60. Japan (7 August 2006)
61. Trinidad and Tobago (13 September 2006)
62. Niue (11 October 2006)
63. Bulgaria (13 December 2006)
64. Latvia (5 February 2007)
65. Lithuania (1 March 2007)
66. Czech Republic (19 March 2007)
67. Romania (16 July 2007)
68. Republic of Korea (1 February 2008)
69. Palau (26 March 2008)
70. Oman (14 May 2008)
71. Hungary (16 May 2008)
72. Slovakia (6 November 2008)
73. Mozambique (10 December 2008)
74. Panama (16 December 2008)
75. Tuvalu (2 February 2009)
76. Indonesia (28 September 2009)
77. Nigeria (2 November 2009)
78. Saint Vincent and the Grenadines  
(29 October 2010)

3. Declarations by States

(a) Saint Vincent and the Grenadines

*Declarations under article 287 of the Convention, 22 November 2010*

“In accordance with Article 287, of the 1982 United Nations Convention on the Law of the Sea of 10 December 1982, ... the Government of Saint Vincent and the Grenadines declares that it chooses the International Tribunal for the Law of the Sea established in accordance with Annex VI, as the means of settlement of disputes concerning the arrest or detention of its vessels.”

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

A. National Legislation

1. Comoros

Presidential Decree No. 10-092 of 13 August 2010 establishing the limits of  
the territorial sea of the Union of the Comoros<sup>1</sup>

THE PRESIDENT OF THE UNION

CONSIDERING the Constitution of the Union of the Comoros of 23 December 2001,

CONSIDERING the Referendum Act of 23 December 2001 amending the Constitution of the Union of the Comoros, which was promulgated by Decree No. 09-066/PR of 23 May 2009,

CONSIDERING the Declaration on the African Union Border Programme and its implementation modalities<sup>2</sup> in its eleventh ordinary session held at Accra, Ghana, from 25 to 29 June 2007,

CONSIDERING Act No. 82-005 of 6 May 1982, concerning the delimitation of the maritime areas of the Federal Islamic Republic of the Comoros,

DECREES THAT

**Article 1:** The outer limit of the territorial sea of the Union of the Comoros is comprised of lines every point of which is at a distance of twelve (12) nautical miles from the nearest point of the archipelagic baseline as defined in article 2.

**Article 2:** The straight archipelagic baseline from which the breadth of the territorial sea is measured is an irregular polygon, whose vertices are defined by the geographical coordinates of the outermost points of the islands of Grand Comore, Mohéli, Anjouan, Mayotte and the following drying reefs:

<sup>1</sup> Original: French. Text transmitted by the Permanent Mission of the Union of the Comoros through note verbale No. 275/09/MP/NY-10 dated 7 September 2010.

<sup>2</sup> Editor's note: Translated "as is". It appears that the French text was meant to refer to the endorsement by the Executive Council at its eleventh ordinary session held at Accra, Ghana, from 25 to 29 June 2007.

<i>Points</i>	<i>Latitude" South</i>	<i>Longitude" East</i>
A: Mitsamiouli Beach, on North-West of Grand Comore	11°23'30"S	43°16'00"E
B: Banc Vailheu South-West of Grand Comore	11°48'00"S	43°1'15"E
C: South-West of Magnougni islet, Mohéli	12°23'54"S	43°38'15"E
D: South-West of the reef South of Mayotte	13°03'00"S	45°03'40"E
E: Southern point of Mayotte	13°04'24"S	45°08'46"E
F: South-Eastern point of Mayotte	13°00'30"S	45°14'30"E
G: Outer edge of reef east of Mayotte	12°51'00"S	45°17'30"E
H: Pamadzi Island	12°46'40"S	45°18'00"E
I: North-Eastern point of Mayotte	12°37'30"S	45°11'00"E
J: North of Anjouan	12°04'00"S	44°28'30"E
K: North-East of Grand Comore	11°22'00"S	43°23'00"E
L: North of Grand Comore	11°21'36"S	43°20'00"E
M: North of Grand Comore	11°22'12"S	43°17'00"E

**Article 3:** The baseline between two consecutive points is the straight line that joins them and that does not exceed one hundred (100) nautical miles.

**Article 4:** This decree shall be registered, published in the official gazette of the Union of the Comoros and communicated wherever necessary.

(Signed) Ahmed Abdallah Mohamed **Sambi**  
(Seal of Union of the Comoros)

Note by the editor: At the time of the publication of this *Bulletin*, information on the geodetic datum in relation to this list of geographical coordinates of points was not available.

## 2. The Netherlands

Decree of 10 June 2010 determining the outer limit of the exclusive economic zone of the part of the Kingdom of the Netherlands situated in the Caribbean<sup>1</sup>

(Exclusive Economic Zone of the Part of the Kingdom of the Netherlands Situated in the Caribbean (Outer Limits) Decree)

We Beatrix, by the grace of God Queen of the Netherlands, Princess of Orange-Nassau, etc., etc., etc.

On the recommendation of Our Minister of Foreign Affairs of 9 April 2010, no. DJZ-IR 2010- 034;

Having regard to sections 2 and 4 of the Exclusive Economic Zone (Establishment) Act;

Having heard the Council of State (advisory opinion of 12 May 2006, no. W02. 10.0140/II/K);

Having seen the further report of Our Minister of Foreign Affairs of 21 May 2010, no. DJZ-IR 2010-113;

Having taken the provisions of the Charter for the Kingdom of the Netherlands into account;

*Have approved and decreed:*

### **Article 1**

Without prejudice to article 2, the outer limit of the Kingdom's exclusive economic zone for Aruba and the Netherlands Antilles is formed by the line of which every point is at a distance of 200 nautical miles, being 370 kilometres and 400 metres, on the seaward side from the baseline from which the breadth of the territorial sea is measured.

### **Article 2**

1. Where a boundary agreed with other States lies completely or partially landwards of the line referred to in article 1, this boundary is the outer limit of the exclusive economic zone.

2. Where no boundary has yet been agreed with other States, and the line referred to in article 1 is situated further from the baselines than from the median line every point of which is equidistant from the nearest points on the baselines from which the breadth of the territorial seas of each of the two States is measured, the outer limit of the exclusive economic zone is this median line.

### **Article 3**

If sections I and 11 of the Bill, submitted by Royal Message of 11 November 2009, amending the Charter for the Kingdom of the Netherlands in connection with the changes to the constitutional status of the island territories of the

<sup>1</sup> Transmitted by the Permanent Mission of the Kingdom of the Netherlands through note verbale No. NYV/2010/1972 dated 2 September 2010.

Netherlands Antilles (Act amending the Charter in connection with the dissolution of the Netherlands Antilles) (Parliamentary Papers 11 2009/10, 32 213 (R 1902), nos.1-3) enter into force, the words 'Aruba and the Netherlands Antilles' in article 1 of this Decree is replaced by: Aruba, Curaçao, Sint Maarten and the public bodies Bonaire, Sint Eustatius and Saba.

**Article 4**

1. The Exclusive Economic Zone (Establishment) Act enters into force for Aruba and the Netherlands Antilles on the date when this Decree enters into force.

2. This Decree enters into force on the first day of the second calendar month after the date of publication of the Bulletin of Acts and Decrees in which it appears.

**Article 5**

This Decree may be cited as the Exclusive Economic Zone of the Part of the Kingdom of the Netherlands Situated in the Caribbean (Outer Limits) Decree.

We order and command that this Decree and the explanatory memorandum pertaining to it be published in the Bulletin of Acts and Decrees, the Official Bulletin of the Netherlands Antilles and the Official Bulletin of Aruba.

The Hague, 10 June 2010

Beatrix

M.J.M. Verhagen

Minister of Foreign Affairs

Published on the thirteenth of July 2010

E.M.H. Hirsch Ballin

Minister of Justice

## **EXPLANATORY MEMORANDUM**

### **General**

This Decree establishes the outer limit of the exclusive economic zone for Aruba and the Netherlands Antilles. It also provides for the entry into force of the Exclusive Economic Zone (Establishment) Act for Aruba and the Netherlands Antilles. It implements sections 2 and 4 of the Act. These provisions of the Act are implemented for the Netherlands in the Exclusive Economic Zone of the Netherlands (Outer Limits) Decree.

The Exclusive Economic Zone (Establishment) Act implements the wish of all countries of the Kingdom to make optimal use of the jurisdiction assigned to coastal states by international law, including the United Nations Convention on the Law of the Sea (UNCLOS), with annexes, concluded at Montego Bay on 10 December 1982 (Treaty Series 1983, 83). Within the exclusive economic zone the coastal state has sovereign rights for the purpose of exploring and exploiting, conserving and managing the natural resources, whether living or non-living, of the waters superjacent to the sea bed and of the sea bed and its subsoil including energy produced from water, currents and wind. The coastal state also has the jurisdiction, for example, to establish and use artificial islands and installations, and to protect and preserve the marine environment (see in particular article 56 of UNCLOS and section 3 of the Exclusive Economic Zone (Establishment) Act).

On 2 March 2007 the Antillean national ordinance on maritime management came into being (Official Bulletin of the Netherlands Antilles 2007, no. 18). The ordinance specified the rules for implementing the relevant UNCLOS provisions on the exclusive economic zone. The ordinance entered into force on 26 January 2008 (Official Bulletin 2008, no. 1), with the exception of the articles awarding jurisdiction in the exclusive economic zone. The enactment of the present Decree means the outstanding articles of the national ordinance on maritime management can enter into force by Antillean national decree.

Article 57 of UNCLOS determines the maximum size of the exclusive economic zone. Under article 55, the zone's border with the coastal state is formed by the outer limit of the territorial sea. The outer limit is determined by the baselines from which the breadth of the territorial sea is measured. Under article 57 the exclusive economic zone may not extend beyond 200 nautical miles from these baselines (see also section 1, subsection 2 of the Exclusive Economic Zone (Establishment) Act).

The exclusive economic zone of Aruba and the Netherlands Antilles is described in the article-specific part of this explanatory memorandum and shown on the maps in the annexes. These maps show the situation at the time this Decree was drafted. Any change to the baselines, for example due to geological developments, may be indicated on official maps without necessitating any change in the relevant legislation. Having regard to article 2 of this Decree, this also applies to maritime borders with other States which have not yet been agreed, and to which the median line (or line of equidistance) between the two baselines applies.

## **Article-by-article explanation**

### **Article 1**

This article determines the outer limit of the exclusive economic zone of Aruba and the Netherlands Antilles. In principle, the maximum size of the exclusive economic zone may not extend beyond that specified in UNCLOS and in section 1, subsection 2, of the Exclusive Economic Zone (Establishment) Act. States whose baselines lie opposite those of Aruba and the Netherlands Antilles at a minimum distance of less than 400 nautical miles delimit the exclusive economic zone of Aruba and the Netherlands Antilles. This applies to the entire outer limit of the exclusive economic zone of Aruba and the Netherlands Antilles in the context of the rights or titles to rights other States have under UNCLOS or bilateral treaties. Accordingly, the exclusive economic zone of Aruba and the Netherlands Antilles is limited to a distance of less than 200 nautical miles from the baselines (see article 2 below).

The baselines from which the breadth of the territorial sea is measured are laid down for Aruba and the Netherlands Antilles in article 1 of the Decree of 23 October 1985, implementing section 1 of the Territorial Sea of the Kingdom (Extension in the Netherlands Antilles) Act (Bulletin of Acts and Decrees 1985, 559; Official Bulletin 1985, no. 174). These baselines are the low-water lines along the coast (normal baseline), the straight baselines or the closing lines of bays which are drawn seawards of that. The low-water line is the zero-metre isobath, as indicated on official charts or, where these isobaths are absent, the coastline or the edge of the drying reefs (seaward low-water line of the reef).

### **Article 2**

This article determines the outer limit of the exclusive economic zone of Aruba and the Netherlands Antilles in relation to maritime zones in which other States have rights or titles to rights under UNCLOS or bilateral treaties. If a treaty establishing sea borders has been concluded with another State, the borderline agreed in that document is the outer limit of the exclusive economic zone (paragraph 1). If a treaty on establishing sea borders has not yet been concluded with another State, the outer limit is unilaterally established in this Decree on the basis of equidistance (paragraph 2).

These States' baselines lie partly at a distance of less than 24 nautical miles from the baselines of Aruba or the Netherlands Antilles. This applies to all or part of the baselines of Sint Eustatius (part of lines H and I), Sint Maarten (line F and part of line E), Saba (part of line G) (see annex 1), Bonaire (parts of line R) and Aruba (line N) (see annex 2). In these cases the Kingdom makes no claim to an exclusive economic zone, but exclusively to a territorial sea. The outer limit of the territorial sea is, in those instances, established in article 5 of the Decree of 23 October 1985, implementing section 1 of the Territorial Sea of the Kingdom (Extension in the Netherlands Antilles) Act (Bulletin of Acts and Decrees 559; Official Bulletin 1985, no. 174).

Venezuela is the only country with which a boundary treaty has been concluded. Article 2 of the Boundary Delimitation Treaty between the Kingdom of the Netherlands and the Republic of Venezuela, concluded in Willemstad on 31 March 1978 (Treaty Series 1978, 61) specifies the coordinates of the sea borders in question. The treaty applies to all sea borders



which the parties have set or could set in accordance with international law (article 1, paragraph 1). The boundary line established in the treaty therefore also applies to the boundary of the exclusive economic zone. Article 2, paragraph 1 of the Decree applies.

All other outer limits of the exclusive economic zone of Aruba and the Netherlands Antilles, with the exception of the internal sea border between Aruba and the Netherlands Antilles (Curaçao), are determined on the basis of the median line with adjacent States in accordance with article 2, paragraph 2.

The internal sea border between the Netherlands Antilles (Curaçao) and Aruba is set by the Kingdom Act of 12 December 1985 establishing a sea border between the Netherlands Antilles and Aruba (Bulletin of Acts and Decrees 1985, 664; Official Bulletin 1986, no. 23; Official Bulletin of Aruba 1986, no. 7). This internal border divides the exclusive economic zone between the Netherlands Antilles (Curaçao) and Aruba in two. The establishment of this internal sea border is important in terms of determining the geographic scope of the two countries' national ordinances relating to UNCLOS articles on the exclusive economic zone.

The exclusive economic zone of the Netherlands Antilles' Windward Islands is divided into three parts (see annex 1). The outer limit of zone 1, with the exception of the southern border with Venezuela (Aves Island), is formed by the median line with the adjacent States. To the west of Saba this zone is bordered by the median line with the United States (American Virgin Islands (Saint Croix)) (line B), to the south of Sint Eustatius by the median line with Saint Kitts and Nevis (Saint Kitts) (line I), to the northwest of Saba and to the south of Sint Maarten by the median line with France (Collectivité Outre Mer Guadeloupe (Saint Martin)) (line D and part of line E) and to the northwest of Saba also by the median line with the United Kingdom (Anguilla) (line C). To the south of Saba and Sint Eustatius this zone is bordered by the boundary specified in the treaty with Venezuela (lines A and J).

To the northeast of Saba and northwest of Sint Eustatius there is a small exclusive economic zone (zone 2) of only a few square kilometres. It is bordered by the median line with France (Collectivité Outre Mer Guadeloupe (Saint Barthélemy)).

There is another small exclusive economic zone located to the northeast of Sint Eustatius (zone 3) of about the same size. It is bordered by the median lines with France (Collectivité Outre Mer Guadeloupe (Saint Barthélemy)) and Saint Kitts and Nevis (Saint Kitts).

Annex 1 also gives the Kingdom lines of equidistance between Saba, Sint Eustatius and Sint Maarten. Sint Maarten's exclusive economic zone is currently located in zone 1, has an area of a few square kilometres and is bordered by the median lines with France (Collectivité Outre Mer Guadeloupe (Saint Martin)) (line E) and the Kingdom line of equidistance with Saba (line L).

The outer limit of the exclusive economic zone of Aruba (zone 6, annex 2) is formed by the boundary specified in the treaty with Venezuela (line N), the median line with the Dominican Republic (line O and the Kingdom line of equidistance with the Netherlands Antilles (Curaçao) (line S).

The exclusive economic zone of the Leeward Islands of the Netherlands Antilles is divided into two parts (see annex 2). The outer limit of zone 4 is formed by the boundary specified in the treaty with Venezuela (lines M, Q and R), the median line with the Dominican Republic to the north of Curaçao (line P) and the Kingdom line of equidistance with Aruba to the west of Curaçao (line S). To the east of Bonaire there is another small exclusive economic zone with an area of a few square kilometres (zone 5), bordered by the boundary specified in the treaty with Venezuela (line R).

Annex 2 also shows the Kingdom line of equidistance between Curaçao and Bonaire (line T).

### **Article 3**

This Decree is not related to the constitutional reform of the Kingdom of the Netherlands intended to dissolve the Netherlands Antilles. However, with this reform in mind, this article provides for the necessary changes to the names of the existing island territories.

M.J.M. Verhagen

Minister of Foreign Affairs

Annex 2

Exclusive Economic Zone of the Leeward Netherlands Antilles and Aruba

*Dominican Republic*

[alle andere plaatsnamen onveranderd]

line O [etc.]

**territorial sea**

**contiguous zone**

nautical miles

kilometres

© Royal Netherlands Navy

Hydrographic Department

EEZ Netherlands Antilles, zones 4-5

EEZ Aruba, zone 6

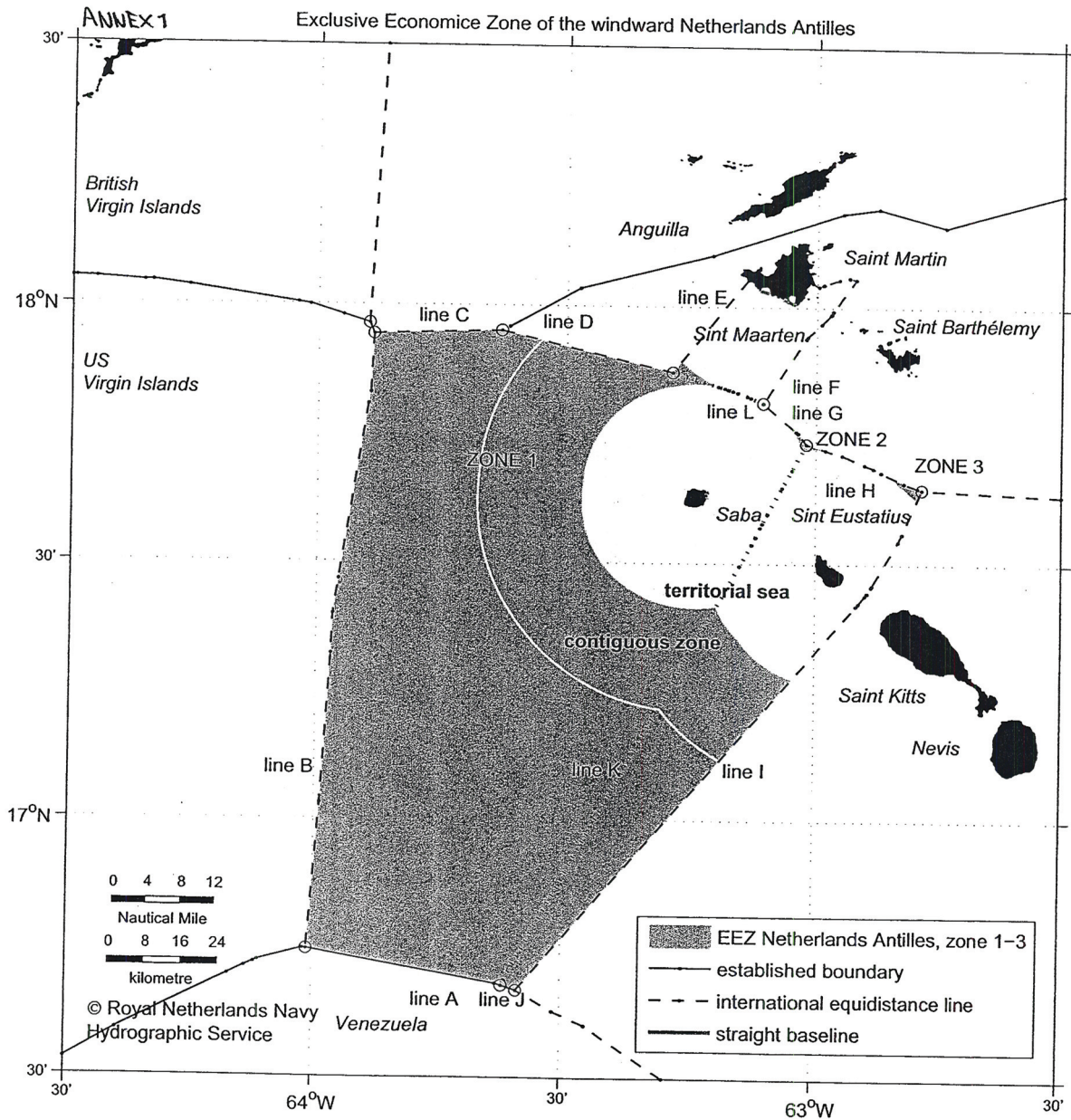
established boundary

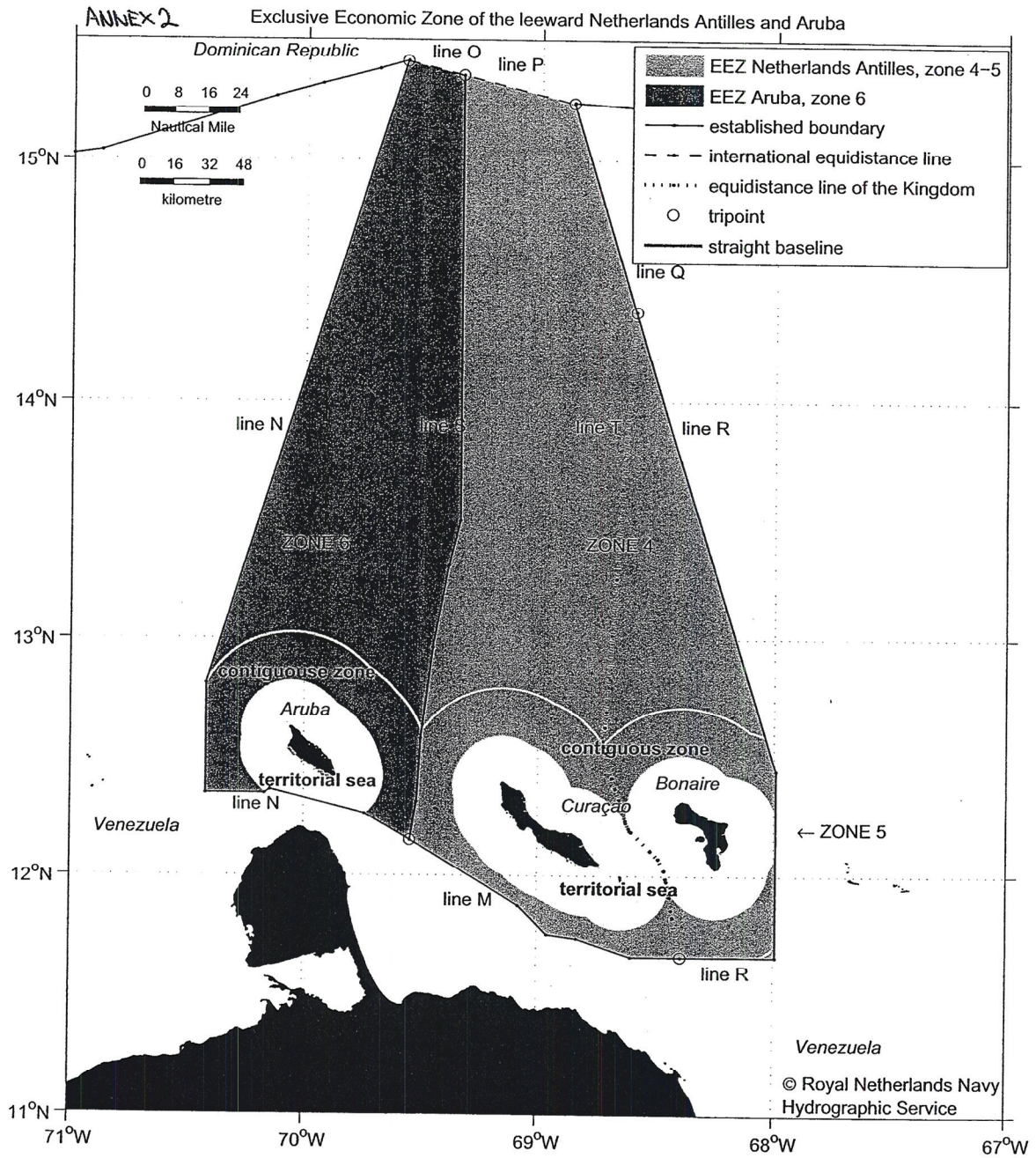
international line of equidistance

Kingdom line of equidistance

tripoint

straight baseline





### 3. Dominican Republic

Resolution 478-08 adopting the United Nations Convention on the Law of the Sea, and its annexes, signed by the States Members of the United Nations at Montego Bay, Jamaica, on 10 December 1982, and the interpretative declarations authorized by article 310 of the Convention <sup>2</sup>

#### *The National Congress*

#### On behalf of the Republic

Res. 478-08

*Having regard to* article 37, paragraphs 14 and 19, of the Constitution of the Republic,

*Having regard to* the United Nations Convention on the Law of the Sea, signed by the States Members of the United Nations at Montego Bay, Jamaica, on 10 December 1982,

*Having regard to* article 310 of the aforementioned United Nations Convention on the Law of the Sea,

*Hereby resolves:*

*Single Article: To adopt* the United Nations Convention on the Law of the Sea, and its annexes, signed by the States Members of the United Nations at Montego Bay, Jamaica, on 10 December 1982, and the following interpretative declarations authorized by article 310 of the Convention:

1. The Dominican Republic, in keeping with the spirit of the Convention, favours the criterion of equity over that of equidistance as an essential instrument for establishing the maritime limits of areas under the jurisdiction of coastal States and for determining the maritime boundary lines between States with opposite and/or adjacent coasts.
2. The Dominican Republic, in keeping with the principle of special circumstances and in view of the impact of climate change on present and future variations in sea level, as well as the existence of geomorphological, historical, economic, cultural and other particularities, fully and flexibly accepts, as it did the earlier practices for the delimitation of archipelagic States, the arithmetical, geological and geomorphological considerations established by the Convention for determining archipelagic baselines.

<sup>2</sup> Original: Spanish. Published in "Gaceta Oficial", Year CXLVI, 10496, 30 November 2008. Transmitted through a letter dated 13 September 2010 from the Permanent Representative of the Dominican Republic addressed to the Secretary-General of the United Nations.

3. The Dominican Republic, in keeping with the practice of coastal States and with case law, agrees to grant overseas land-locked countries and territories an area of maritime jurisdiction corresponding to the territorial sea, of a breadth of up to 12 nautical miles from the baseline towards the high seas, but excluding the spaces corresponding to the contiguous zone, the exclusive economic zone and the continental shelf.
4. The Dominican Republic considers living and non-living marine resources, including those of the seabed and the subsoil thereof, in areas under national oceanic jurisdiction to be essential for its development and, accordingly, considers unauthorized extraction or any other action taken by parties without express authorization to explore or exploit those resources to be contrary to national integrity and security.
5. The Dominican Republic does not regard the transboundary transport of nuclear and/or highly toxic materials in quantities such as to threaten the environment and human life as constituting innocent passage of vessels through all the oceanic spaces under its jurisdiction.
6. The Dominican Republic believes that the time-limits for requesting an extension of the continental shelf must be as flexible as possible and take into account the particular circumstances of each State.
7. The Dominican Republic considers that the provisions of the Convention do not authorize other States to conduct military exercises or manoeuvres, particularly those involving the use of weapons or explosives, in the exclusive economic zone without the consent of the coastal State.
8. The Dominican Republic considers that the provisions of article 307<sup>3</sup> prohibiting “any threat or use of force against the territorial integrity [...] of any State or in any other manner inconsistent with the principles of international law embodied in the Charter of the United Nations” apply, in particular, to maritime areas under the sovereignty or jurisdiction of the coastal State.
9. The Dominican Republic considers that the provisions of article 301 prohibiting the “threat of use of force against the territorial integrity or political independence of any State or in any other manner inconsistent with the principles of international law enshrined in the Charter of the United Nations” apply, in particular, to maritime territories under the sovereignty or jurisdiction of the coastal State.
10. The Dominican Republic reaffirms the Convention’s general principle of peaceful settlement of disputes and adheres to its spirit of favouring negotiation between the parties in accordance with articles 280, 281 and 283 or, failing that, chooses the jurisdiction of the International Tribunal for the Law of the Sea pursuant to articles 287 and 288.
11. The Dominican Republic declares that it does not recognize the rights of any other State to maritime spaces beyond the 12-nautical-mile territorial sea that are based on the exercise of authority under a trusteeship agreement pursuant to Chapter XII of the Charter of the United Nations.

<sup>3</sup> Editor’s note: As contained in the original text. Article 307 deals with accession. Peaceful uses of the seas are addressed in Article 301.

12. The Dominican Republic declares that, without prejudice to article 303 of the Convention on the Law of the Sea, no object of an archaeological or historical nature found in the maritime areas over which it exercises sovereignty or jurisdiction may be removed without prior notification and without its consent.

This Convention will allow the Dominican Republic to plan and develop an effective use of its maritime and fisheries resources, as elements of its economy. This instrument, the text of which is reproduced below, will also enable the Dominican Republic to develop the necessary infrastructure to protect the species and the environment of its territorial sea and contiguous zones.

The Law of the Sea

Official Text of the United Nations Convention on the Law of the Sea

[Not reproduced in the present Bulletin for technical reasons <sup>4</sup>]

<sup>4</sup> See United Nations, *Treaty Series*, vol. 1833, No. 31363.



4. Lebanon

List of Geographical Coordinates of points for the delimitation of the  
Exclusive Economic Zone – the Southern Part of the Western Median Line  
(Lebanon – Cyprus) <sup>5</sup>

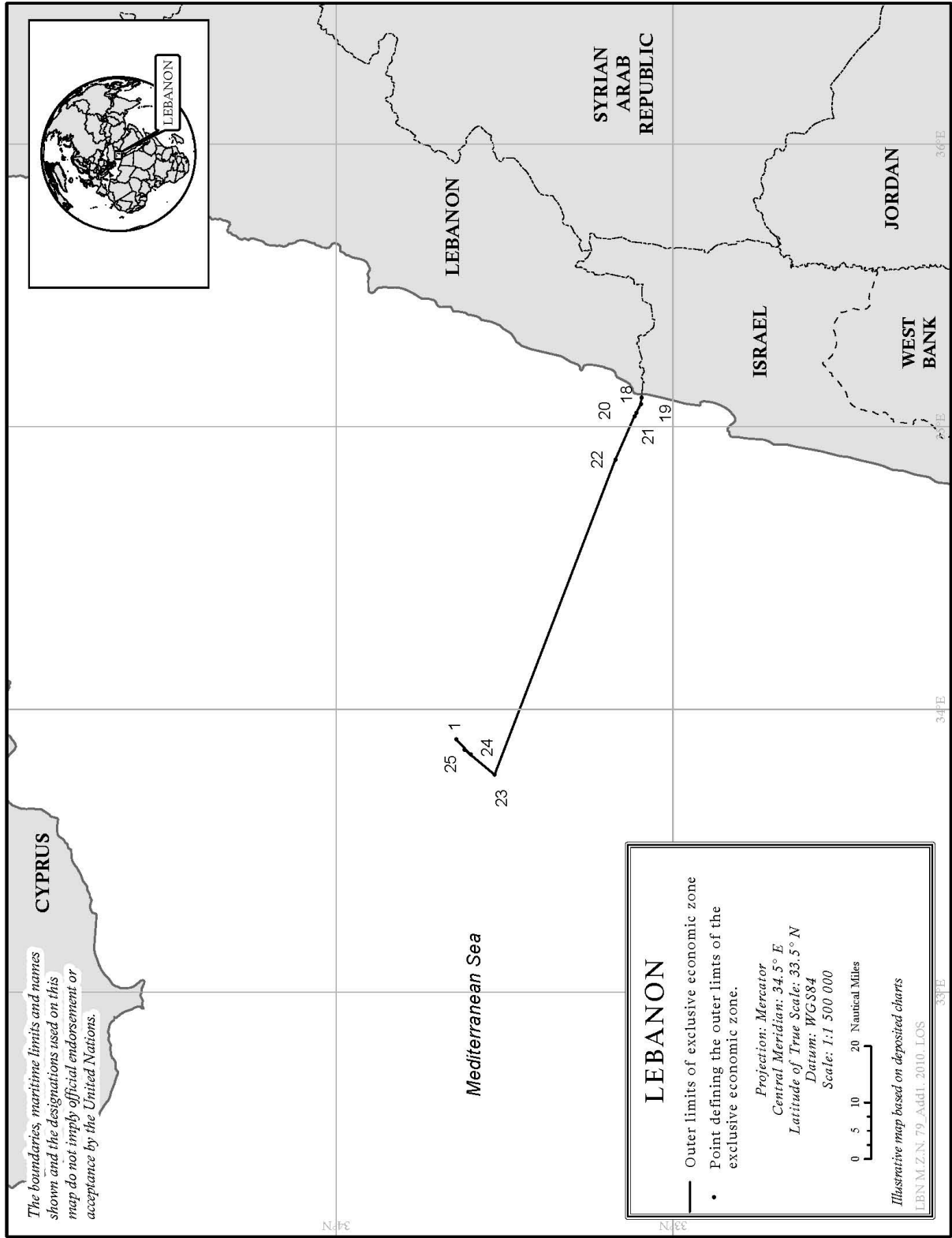
All positions are referred to WGS 84 joined consecutively by geodesic lines.

Points	Degrees	Minutes	Seconds		Degrees	Minutes	Seconds	
23	33	46	8.78	E	33	31	51.17	N
24	33	51	30.31	E	33	37	13.10	N
25	33	50	25.30	E	33	36	8.01	N
1	33	53	40.00	E	33	38	40.00	N

<sup>5</sup> Transmitted through a note verbale from the Permanent Mission of Lebanon to the United Nations dated 19 October 2010 addressed to the Secretary-General of the United Nations.

See also *Law of the Sea Bulletin* No. 73, page 39).

Charts and the lists of geographical coordinates of points defining the Southern limit of Lebanon's exclusive economic zone (*Bulletin* No. 73) and the Southern Part of the Western Median Line of Lebanon's exclusive economic zone (*Bulletin* No. 74) were deposited by Lebanon with the Secretary-General of the United Nations, pursuant to article 75, paragraph 2, of the United Nations Convention on the Law of the Sea. Deposited charts have not been reproduced in the present *Bulletin* for technical reasons. The illustrative map on the next page shows the points published in *Bulletin* No. 73 and in the present *Bulletin*.



5. Guyana

Maritime Zones Act 2010 – Act no. 18 of 2010<sup>1</sup>

**ARRANGEMENT OF SECTIONS**

**SECTION**

**PART 1  
PRELIMINARY**

1. Short title and commencement.
2. Interpretation.

<sup>1</sup> In force as of 18 September 2010. Transmitted through a letter dated 5 November 2010 from the Permanent Mission of Guyana to the United Nations addressed to Under-Secretary-General for Legal Affairs, The Legal Counsel of the United Nations.

**PART II  
TERRITORIAL SEA**

3. Limits of the territorial sea.
4. Rights over the territorial sea.
5. Baselines of the territorial sea.
6. Low-water line.

**PART III  
INTERNAL WATERS**

7. Limits of the internal waters.
8. Rights over the internal waters.
9. Closing lines.

**PART IV  
INNOCENT PASSAGE**

10. Right of innocent passage in the territorial sea.
11. Regulating innocent passage.
12. Non-innocent passage.
13. Security measures.
14. Foreign vessels carrying nuclear or other hazardous wastes.
15. Discharge of harmful substances and hazardous wastes.
16. Law applicable to rights of hot pursuit.

**PART V  
THE CONTIGUOUS ZONE**

17. Limits of the contiguous zone.
18. Grounds for denial of entry into Guyana.
19. Commission of offences in the contiguous zone.

**PART VI  
THE CONTINENTAL SHELF**

20. Limits of the continental shelf.
  21. Rights in the continental shelf.
-

22. Licence or authority to explore or exploit resources.
23. Declaration of designated area.
24. Submarine cables and pipelines in the continental shelf.
25. Exercise of jurisdiction in the continental shelf.

**PART VII**  
**THE EXCLUSIVE ECONOMIC ZONE**

26. Limits of the exclusive economic zone.
27. Rights in the exclusive economic zone.
28. Rights of navigation and over flight.
29. Licence or authority to explore or exploit resources in the exclusive economic zone.
30. Declaration of designated areas in the exclusive economic zone.
31. Exercise of jurisdiction in the exclusive economic zone.
32. Extension of norms to the exclusive economic zone.
33. Application of other rights not provided in this Act.

**PART VIII**  
**DELIMITATION OF MARITIME BOUNDARIES**

34. Delimitation of the boundaries of the territorial sea.
35. Delimitation of the boundaries of the continental shelf and the exclusive economic zone.
36. Settlement of disputes.
37. Publication of agreement.

**PART IX**  
**CHARTS AND GEOGRAPHICAL COORDINATES**

38. Preparation of charts and geographical coordinates.
38. Publication of charts and list of geographical coordinates.
40. Evidence of charts or lists of geographical coordinates.

**PART X**  
**MARINE SCIENTIFIC RESEARCH**

41. Regulation of marine scientific research in the maritime zones.

**PART XI**  
**MARITIME CULTURAL AREA**

- 42. Limits of the maritime cultural area.
- 43. Rights in the maritime cultural area.
- 44. Underwater cultural heritage.

**PART XII**  
**ECO-TOURISM, MARINE PARKS AND RESERVES AND MARICULTURE**

- 45. Eco-tourism, marine parks and reserves and mariculture operations.
- 46. Designated areas for eco-tourism, marine parks and reserves and mariculture operations.
- 47. Establishment and regulation of eco-tourism, marine parks and reserves and mariculture operations.

**PART XIII**  
**THE PROTECTION AND PRESERVATION OF THE MARINE ENVIRONMENT**

- 48. Regulations for the protection and preservation of the marine environment.
- 49. Measures to protect marine environment.

**PART XIV**  
**GENERAL**

- 50. Maritime safety and security in the maritime zones.
- 51. Sovereign rights of self defence in the maritime zones.
- 52. Power to make subsidiary legislation.
- 53. Order to extend law.
- 54. Amendments and savings.
- 55. Repeal.

**SCHEDULE - Amended Laws**

AN ACT to repeal and replace the Maritime Boundaries Act 1977, to incorporate certain provisions of the United Nations Convention on the Law of the Sea and the UNESCO Convention on the Protection of the Underwater Cultural Heritage 2001, to provide for marine scientific research, maritime cultural area, ecotourism, marine parks and reserves and mariculture, the protection and preservation of the marine environment and for related matters.

A.D. 2010

Enacted by the Parliament of Guyana:-

**PART 1**  
**PRELIMINARY**

Short title and commencement.

1. This Act may be cited as the Maritime Zones Act 2010 and shall come into operation in whole or in parts on a date appointed by Order of the Minister.

Interpretation.

2. In this Act –

- (a) “artificial island” means any man made extension of the seabed or a feature, whether or not the extension breaks the surface of the superjacent waters;
- (b) “baselines” means the baselines of the territorial sea determined in accordance with section 5;
- (c) “continental shelf” means the continental shelf of Guyana as defined in section 20 (1);
- (d) “continental margin” means the continental margin of Guyana as defined in section 20 (3);
- (e) “Convention”, means the United Nations Convention on the Law of the Sea signed on 10 December 1982, at Montego Bay, Jamaica;
- (f) “exclusive economic zone” means the exclusive economic zone of Guyana established under section 27 (1);
- (g) “high seas” has the same meaning assigned to it in the Convention;
- (h) “installations” includes –
  - (i) a moored vessel;
  - (ii) a communication cable;
  - (iii) an oil pipeline;
  - (iv) a military surveillance installation;



Cap. 47:01

- (v) a pipeline which is used for the transfer of any substance to or from a vessel, a research, exploration or production platform, or the coast of Guyana;
  - (vi) an exploration or production platform used in the prospecting for or mining of any substance;
  - (vii) an exploration or production vessel used in the prospecting for or mining of any substance;
  - (viii) a telecommunications line as defined in section 1 of the Posts and Telecommunications Act;
  - (ix) a vessel or equipment used for the exploration or exploitation of the seabed;
  - (x) an area situated within the distance of 500 metres measured from any point on the exterior side of an installation referred to in subparagraph (i) or (ii) other than a pipeline;
  - (xi) an area situated under or above an installation referred to in subparagraph (i) or (ii); or
  - (xii) any other structure whether permanent or temporary within the maritime zone, which is being or intended to be used for or in connection with the exploration and exploitation and conservation and management of the natural resources.
- (i) "internal waters" means the internal waters of Guyana as defined in section 7;
  - (j) "island" means a naturally formed area of land, surrounded by water, which is above water at high tide;
  - (k) "lowest astronomical tide" means the mean height of high water as marked on large scale maps recognised by the Government;
  - (l) "maritime zones" means the internal waters, territorial sea, contiguous zone, the continental shelf and the exclusive economic zone;
  - (m) "master" includes every person lawfully having for the time being, command or charge of any vessel or submarine;
  - (n) "miles" means international nautical miles of 1,852 metres each;
  - (o) "Minister" means the Minister of Foreign Affairs, unless otherwise indicated;
  - (p) "natural resources" has the same meaning as assigned to it under the Environment Protection Act 1996;



- (q) “nautical miles” has the same meaning as “miles”;
- (r) “resources” means the living and non-living resources of the seabed and its subsoil, and of the waters superjacent to the seabed; as well as resources for the production of energy from tides, currents and winds;
- (s) “right of innocent passage” means the right of innocent passage referred to in section 10;
- (t) “sea” means the water of the sea, as well as the seabed and its subsoil;
- (u) “submarine” includes any underwater vessel however propelled;
- (v) “straight line” means the shortest distance between two points on a surface;
- (w) “territorial sea” means the territorial sea of Guyana referred to in section 3;
- (x) “UNESCO” means the United Nations Educational, Scientific and Cultural Organisation;
- (y) “UNESCO Convention” means the UNESCO Convention on the Protection of the Underwater Cultural Heritage 2001;
- (z) “vessel” includes ship, boat or any other mode of water transport employed in navigation but does not include a foreign warship;
- (aa) “waste” includes any matter prescribed to be waste and any matter, whether liquid, solid, gaseous or radioactive, which is discharged, emitted or deposited in the environment in such volume, composition or manner as to cause an adverse effect.

## PART II TERRITORIAL SEA

Limits of the territorial sea.

3. (1) The territorial sea comprises those areas of the sea having as their inner limits the baselines referred to in section 5 and as their outer limits a line, measured from the baselines, every point of which is twelve nautical miles from the nearest point of the baselines.

(2) For the purpose of delimiting the territorial sea, the outermost permanent harbour works which form an integral part of any harbour system shall be treated as forming part of the coast, but for that purpose offshore installation and artificial islands shall not be considered as permanent harbour works.

---

Rights over the territorial sea.

4. (1) The sovereignty of Guyana extends to the territorial sea, the seabed and its subsoil under and the airspace over that sea.

(2) Guyana, in the exercise of its sovereignty, has exclusive jurisdiction over the territorial sea subject to international law and the Convention.

Baselines of the territorial sea.

5. The baselines from which the territorial sea shall be measured shall be the low-water line along the coast and, where the coast line is broken by a river, a straight line joining the two points where the low-water line on the coast ends on either side of the river.

Low-water line.

6. For the purposes of section 5, the low-water line in any specified area is the lowest astronomical tide level on the coast of Guyana that can be predicted to occur under average meteorological conditions and under any combination of astronomical conditions.

### PART III INTERNAL WATERS

Limits of the internal waters.

7. The internal waters comprise –
- (a) the areas of the sea that are on the landward side of the baselines which form the inner limits of the territorial sea; and
  - (b) all rivers, bays, historic bays, ports, harbours and waters lying landward of the baselines.

Rights over the internal waters.

8. (1) The sovereignty of Guyana extends beyond its land territory to the internal waters, the seabed and its subsoil under and the air space over the internal waters.

(2) Guyana, in the exercise of its sovereignty, has exclusive jurisdiction over the internal waters.

Closing lines.

9. (1) The Minister in consultation with the Minister responsible for lands and surveys may, by regulations, prescribe closing lines to delimit internal waters.

(2) In this section, “closing lines” means the straight lines, drawn in accordance with the provisions of the Convention, that –

- (a) cross the mouth of a river;
- (b) enclose a bay; or
- (c) delimit the waters of a harbour.

**PART IV**  
**INNOCENT PASSAGE**

Right of  
innocent  
passage in the  
territorial sea.

10. (1) Subject to sections 12 and 13 and any other relevant law, all foreign vessels shall enjoy the right of innocent passage through the territorial sea.

(2) Innocent passage, to which subsection (1) refers, shall be continuous and expeditious and not prejudicial to the peace, good order or security of Guyana and includes stopping and anchoring, but only in so far as they are incidental to ordinary navigation or are rendered necessary by *force majeure* or distress or for the purpose of rendering assistance to persons, vessels or aircraft in danger or distress.

(3) For the purposes of this section, “innocent passage” means navigation through the territorial sea for the purpose of –

- (a) crossing those waters without entering the internal waters or calling at a roadstead or port facility outside the internal waters;  
or
- (b) proceeding to or from the internal waters or calling at a roadstead or port facility outside the internal waters.

(4) In exercising the right of innocent passage, a foreign vessel shall comply with the laws of Guyana, any order, direction, licence or any other other authority relating to the exercise of innocent passage through the territorial sea.

Regulating  
innocent  
passage.

11. (1) A foreign warship, including a submarine and any other underwater vessel of war, may enter or pass through the territorial sea after giving prior notice to the President.

(2) A submarine or any other underwater vehicle, whether or not a vessel of war exercising the right of innocent passage through the territorial sea shall navigate on the surface and show its flag while passing through the territorial sea.

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(3) The Minister responsible for transport and harbours may by order designate sea lanes and prescribe traffic separation schemes for the regulation of the passage of vessels through the internal waters and territorial sea and in the interest of safety of navigation.

(4) A master of a submarine, not being a vessel of war, who contravenes subsection (2) commits an offence and is liable on conviction on indictment to a fine of five million dollars and to imprisonment for five years, and in addition the Court may order the forfeiture of the submarine.

Non-innocent  
passage.

12. (1) The passage of a foreign vessel is prejudicial to the peace, good order or security of Guyana, that is to say, the passage is not innocent if, while in the territorial sea, the vessel engages in –

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

(2) The master of a foreign vessel or submarine, not being a vessel of war, who takes part in or causes the vessel or submarine to be engaged in, and any other person on board who takes part in, any activity specified in subsection (1) –

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- (a) each commits an offence and is liable on conviction on indictment to a fine of not less than one million dollars nor more than ten million dollars and to imprisonment for five years; and
- (b) where the offence is continued after conviction, the master and the other person who were convicted, each commits a further offence and is liable on conviction to a fine of three hundred thousand dollars for each day on which the offence is continued,

and in addition the Court may order the forfeiture of the vessel or submarine.

Security  
measures.

13. The President may make orders and exercise powers and take measures in relation to the territorial sea as is necessary in the interest of the peace, good order or security of Guyana or any part of Guyana, and the measures may include the suspension, whether absolutely or subject to any exceptions and qualifications as the President thinks fit, of the right of innocent passage of all or any class of foreign vessels through any area of the territorial sea.

Foreign vessels  
carrying nuclear  
or other  
hazardous  
wastes.

14. (1) A master of a foreign vessel shall not store, transport or permit to store or transport any nuclear or other inherently dangerous or noxious substances, harmful substances and hazardous wastes in the internal waters and territorial sea except with the prior written permission, agreement or consent of, and prior notification to, the Minister responsible for the environment.

(2) Where any foreign nuclear-powered vessel or foreign vessel carries nuclear or other inherently dangerous or noxious substances while exercising the right of innocent passage through the territorial sea, the master of the vessel shall, in relation to the vessel and substances, carry the necessary documents and shall observe the precautionary measures that are established for those vessels by any international agreement applicable to the carrying of those substances or any law for the time being in force.

(3) A vessel carrying radioactive materials shall not pass through any part of the internal waters or territorial sea unless prior notification of intended passage and the route to be taken by the vessel through those waters or the sea has been given in accordance with regulations that may be prescribed.

(4) In this section, "radioactive materials" means waste that, as a result of being radioactive, is subject to an international control system or international instrument applying specifically to radioactive materials.

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(5) A vessel to which subsections (2) and (3) refer may be required to confine its passage to such sea lanes as may be prescribed.

(6) A master of a vessel who contravenes this section commits an offence and is liable on summary conviction to a fine of not less than ten million dollars nor more than twenty million dollars and to imprisonment for not less than seven years nor more than twenty-five years.

(7) The Minister in consultation with the Minister responsible for the environment may make regulations regulating the passage of vessels carrying hazardous waste, and nuclear and radioactive materials through all or any part of the internal waters and territorial sea.

(8) Regulations made under this section shall provide for the action that may be taken, including stopping and boarding vessels, to ensure compliance with the regulations.

Discharge of harmful substances and hazardous wastes.

15. (1) A master of a foreign vessel shall not discharge or permit to discharge any nuclear or other inherently dangerous or noxious substances, harmful substances and hazardous wastes in the internal waters and territorial sea except with the prior written permission, agreement or consent of, and prior notification to, the Minister responsible for the environment.

(2) A master of a vessel who contravenes this section commits an offence and is liable on summary conviction to a fine of not less than twenty million dollars nor more than forty million dollars and to imprisonment for not less than ten years nor more than twenty-five years.

Laws applicable to rights of hot pursuit.

16. (1) The laws of Guyana shall apply with respect to the execution of official and defence duties by Guyanese public officials and defence forces in relation to hot pursuit from within the internal waters, territorial sea, contiguous zone, exclusive economic zone and continental shelf, including safety zones around continental shelf installations, undertaken in accordance with Article 111 of the Convention and the conduct obstructing such execution.

(2) A person who does any act in pursuance or intended pursuance of the functions conferred on him by or under this Act shall not be subject to any civil or criminal liability in respect of such act, whether on the ground of want of jurisdiction, mistake of law or fact or on any other ground, unless that person has acted or omitted to act, in bad faith.

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**PART V**  
**THE CONTIGUOUS ZONE**

Limits of the contiguous zone.

17. The contiguous zone comprises the area of the sea that has as its inner limit the outer limit of the territorial sea and as its outer limit the line every point of which is a distance of twenty-four nautical miles from the nearest points of the baselines of the territorial sea.

Grounds for denial of entry into Guyana.

18. Where the Minister has reasonable grounds to believe that a person in the contiguous zone would, if that person were to enter Guyana, commit an offence in relation to a customs, fiscal, immigration or sanitary law, the Minister may, subject to Guyana's international obligations, deny that person entry into Guyana.

Commission of offences in the contiguous zone.

19. (1) Subject to subsection (2), where there is reasonable ground to believe that a person has committed an offence in the contiguous zone in respect of any customs, fiscal, immigration or sanitary law, every power of arrest, entry, search or seizure or other power that could be exercised in Guyana in respect of that offence may also be exercised in the contiguous zone.

(2) A power of arrest shall not be exercised in the contiguous zone on board any vessel registered outside Guyana without the consent of the Attorney General of Guyana.

(3) Without limiting subsections (1) and (2), the Minister may exercise other powers and take measures in or in relation to the contiguous zone as the Minister considers necessary for the security of Guyana.

(4) Any person who commits an offence in Guyana from the contiguous zone or enters Guyana having committed an offence in the contiguous zone is liable on conviction on indictment to a fine of seven million dollars and to imprisonment for seven years.

(5) Guyana has and may exercise in respect of the contiguous zone such powers and authority as may be necessary to prevent or punish the infringement within Guyana, including its internal waters and territorial sea, of any written law with respect to customs, fiscal, immigration or sanitation.



(6) The Minister may make regulations that permit, in the contiguous zone, the exercise of controls necessary to –

- (a) prevent infringement of any customs, fiscal, immigration or sanitary laws within Guyana, its internal waters and territorial sea; and
- (b) punish the infringement of those laws committed within Guyana, its internal waters and territorial sea.

## PART VI THE CONTINENTAL SHELF

Limits of the  
continental  
shelf.

20. (1) The continental shelf comprises the seabed and its subsoil of the submarine areas that extend beyond and adjacent to the territorial sea throughout the natural prolongation of Guyana's land territory –

- (a) subject to Article 76(2) of the Convention, to the outer edge of the continental margin; or
- (b) to a distance of two hundred nautical miles from the baselines of the territorial sea where the outer edge of the continental margin does not extend up to that distance.

(2) Where the outer edge of the continental margin extends beyond two hundred nautical miles from the baselines, the President may, by regulation, establish the outer limits of the continental shelf having regard to the principles and methods of delineation of the continental shelf beyond that point specified in Article 76 of the Convention.

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

Rights in the  
continental  
shelf.

21. (1) In the continental shelf there is vested in Guyana –

- (a) sovereign and exclusive rights for the purpose of exploring, exploiting, conserving and managing its natural resources;
- (b) exclusive rights and jurisdiction for the authorisation and regulation of the construction, operation, maintenance and use of artificial islands, off-shore terminals, installations and other



structures and devices necessary for the exploration and exploitation of the resources of the continental shelf or for the convenience of shipping or for any other economic purpose;

- (c) exclusive right to authorize and regulate drilling for any purposes;
- (d) jurisdiction to authorise, regulate and control marine scientific research; and
- (e) jurisdiction to preserve and protect the marine environment and to prevent and control marine pollution.

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

Licence or authority to explore or exploit resources.

22. (1) A person, including a foreign government and an international organization, shall not, in the continental shelf, except under and in accordance with the terms of a licence or a letter of authority granted by the President –

- (a) explore or exploit its resources;
- (b) carry out any search or excavation or conduct any research; or
- (c) drill or construct, maintain or operate any artificial island, offshore terminal, installation or other structure or device for any purpose.

(2) Any person who contravenes subsection (1) commits an offence and is liable on summary conviction to a fine of three million dollars and on conviction on indictment to a fine of five million dollars, and in addition the court before which the person was convicted may order the forfeiture of any vessel and equipment used in the commission of the offence.

Declaration of designated area.

23. The President may by order —

- (a) declare any area of the continental shelf and its superjacent waters to be a designated area for any purpose; and
- (b) make any provisions as the President considers necessary with respect to –
  - (i) the exploration, exploitation and protection of the resources of the continental shelf within the designated area;

- (ii) the safety and protection of artificial islands, off-shore terminals, installations, and other structures and devices in the designated area;
- (iii) the preservation and protection of the marine environment of the designated area;
- (iv) customs and other fiscal matters in relation to the designated area;
- (v) the entry into and passage through the designated area by foreign vessels by the establishment of fairways, sea lanes, traffic separation schemes or any other mode of ensuring freedom of navigation which is not prejudicial to the interests of Guyana; and
- (vi) the conduct of marine scientific research in the designated area.

Submarine cables and pipelines in the continental shelf.

24. Without limiting the provisions of section 23 and subject to any measures that may be necessary for protecting the interests of Guyana, the Government shall not impede the laying or maintenance of any submarine cables or pipelines on the continental shelf by other States except that the consent of the Minister shall be necessary for the delineation of the course for the laying of the cables or pipelines.

Exercise of jurisdiction in the continental shelf.

25. (1) Guyana has jurisdiction with regard to customs, fiscal, health, security and immigration laws in relation to the continental shelf.

- (2) (a) To enable Guyana to exercise the sovereign rights and jurisdiction it has in the continental shelf there is extended to the continental shelf, to the extent recognised by international law, the laws in Guyana.
- (b) In particular, the laws of Guyana shall apply to artificial islands, installations and structures on the continental shelf as if they were in the territorial sea.

(3) In rights enjoyed by Guyana in the continental shelf and the continental margin that are not stipulated in this Act shall be exercised in accordance with the Convention, international law and the laws of Guyana.

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(4) In exercising its rights and performing its duties in the continental shelf, Guyana shall have due regard to the right and duties of other States and shall act in a manner compatible with international law.

**PART VII**  
**THE EXCLUSIVE ECONOMIC ZONE**

Limits of the  
exclusive  
economic zone.

26. (1) The exclusive economic zone comprises an area of the sea beyond and adjacent to the territorial sea extending to a line every point of which is a distance of two hundred nautical miles from the nearest points of the baselines of the territorial sea and is so designated as the exclusive economic zone of Guyana.

(2) The Minister may by regulations, prescribe the line of the outer limit of the exclusive economic zone.

Rights in the  
exclusive  
economic zone.

27. In the exclusive economic zone, there is vested in Guyana –
- (a) sovereign rights for the purpose of exploration, exploitation, conservation and management of the natural resources, both living and non-living as well as for producing energy from tides, currents and winds;
  - (b) exclusive rights and jurisdiction for the construction, maintenance or operation of artificial island, off-shore terminals, installations and other structures and devices necessary for the exploration and exploitation of the resources of the zone or for the convenience of shipping or for any other purpose;
  - (c) jurisdiction to authorise, regulate and control marine scientific research;
  - (d) jurisdiction to preserve and protect the marine environment and to prevent and control marine pollution;
  - (e) jurisdiction with regards to customs, fiscal, health, security and immigration laws; and
  - (f) any other rights that are recognised by international law.

Rights of  
navigation and  
over flight.

28. In the exclusive economic zone and the air space over the zone, every State shall, subject to the exercise by Guyana of its rights within the zone, enjoy freedom of navigation and over flight.

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Licence or authority to explore or exploit resources in the exclusive economic zone.

29. (1) A person, including a foreign government and an international organization, shall not, in the exclusive economic zone, except under and in accordance with the terms of any written agreement with the Government of Guyana or of a licence or letter of authority granted by the President –

- (a) explore or exploit any resources;
- (b) carry out any search or excavation or conduct any research; or
- (c) drill or construct, maintain or operate any artificial island, offshore terminal, installation or other structure or device for any purpose.

(2) Nothing in this section shall apply in relation to fishing by a citizen of Guyana.

(3) Any person who contravenes subsection (1) commits an offence and is liable on summary conviction to a fine of three million dollars and on conviction on indictment to a fine of five million dollars, and in addition the court before which the person was convicted may order the forfeiture of any vessel and equipment used in the commission of the offence.

Declaration of designated areas in the exclusive economic zone.

30. The President may by order –

- (a) declare any area of the exclusive economic zone to be a designated area for any purpose; and
  - (b) make provisions as the President considers necessary with respect to –
    - (i) the exploration, exploitation and protection of the resources of the designated area;
    - (ii) any other activities for the economic exploitation and exploration of the designated area such as the production of energy from tides, currents and winds;
    - (iii) the safety and protection of artificial islands, offshore terminals, installations and any other structure and devices in the designated area;
    - (iv) the protection of the marine environment of the designated area;
    - (v) customs and other fiscal matters in relation to the designated area; or
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- (vi) entry into and passage through the designated area of foreign vessels by the establishment of fairways, sea lanes, traffic separation schemes or any other mode of ensuring freedom of navigation which is not prejudicial to the interests of Guyana.

Exercise of jurisdiction in the exclusive economic zone.

31. (1) To enable Guyana to exercise the sovereign rights and jurisdiction it has in the exclusive economic zone there is extended to that zone, to the extent recognised by international law, the laws of Guyana.

(2) In particular, the law of Guyana shall apply to artificial islands, installations and structures in the exclusive economic zone as if they were in the territorial sea.

(3) In exercising its rights and performing its duties in the exclusive economic zone, Guyana shall have due regard to the rights and duties of any other state and shall act in a manner compatible with international law.

Extension of norms to the exclusive economic zone.

32. The norms, regulations and measures for the prevention, reduction and control of pollution from vessels, aircraft, artificial islands, scientific research stations, installations and structures which are in effect within the limits of the internal waters, territorial sea and the contiguous zone shall extend to the exclusive economic zone, taking into account international rules and standards, international treaties and conventions to which Guyana is a party.

Application of other rights not provided in this Act.

33. Rights enjoyed by Guyana in the exclusive economic zone that are not stipulated in this Act shall be exercised in accordance with the Convention, international law and the laws of Guyana.

## PART VIII DELIMITATION OF MARITIME BOUNDARIES

Delimitation of the boundaries of the territorial sea.

34. (1) In accordance with Article 15 of the Convention and international law, delimitation of the territorial sea between Guyana and any State opposite or adjacent shall be by agreement between Guyana and that State and failing agreement the territorial sea shall not be extended beyond the median line every point of which is equidistant from the nearest points on the baselines from which the breadth of the territorial sea of each of the two States is measured.

(2) Subsection (1) shall not apply where it is necessary by reason of historic title or other special circumstances to delimit the territorial sea of Guyana in a way which is at variance with subsection (1).

Delimitation of the boundaries of the continental shelf and the exclusive economic zone.

35. Delimitation of the boundaries of the continental shelf and the exclusive economic zone between Guyana and any State opposite or adjacent to Guyana shall be by agreement on the basis of international law, as referred to in Article 38 of the Statute of the International Court of Justice, in order to achieve an equitable solution.

Settlement of disputes.

36. If no agreement can be reached under sections 34 and 35, Guyana shall resort to the procedures provided for in Part XV of the Convention.

Publication of agreement.

37. Every agreement entered into under sections 34 and 35 shall, as soon as after it is entered into, be published in the *Gazette*.

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**PART IX**  
**CHARTS AND GEOGRAPHICAL COORDINATES**

Preparation of charts and geographical coordinates.

38. (1) The Minister responsible for Lands and Surveys shall, in consultation with competent authorities, prepare charts of an adequate scale for ascertaining the positions of the following matters —

- (a) the baselines of the territorial sea;
- (b) the outer limit lines of the territorial sea, the continental shelf and the exclusive economic zone;
- (c) the lines of delimitation of the territorial sea, the continental shelf and the exclusive economic zone;
- (d) sea lanes or traffic separation schemes.

(2) A list of geographical coordinates of points specifying the geodetic datum for the baselines, outer limit lines or lines of delimitation may be substituted for a chart under subsection (1).

Publication of charts and geographical coordinates.

39. The Minister responsible for Lands and Surveys shall —

- (a) in consultation with the Guyana Lands and Surveys Commission, publish the charts and lists of geographical coordinates prepared; and
- (b) provide a copy of each chart and list of geographical coordinates to be deposited with the Secretary-General of the United Nations.

Evidence of charts or lists of geographical coordinates.

40. (1) The Minister responsible for Lands and Surveys may issue charts or lists of geographical coordinates prepared under section 38 on payment of the prescribed fees.

(2) A document certified by the Minister responsible for Lands and Surveys to be a true copy of a chart or list of geographical coordinates shall be accepted in any proceedings as evidence of any matter shown in the document, but without prejudice to the right to adduce evidence in rebuttal.

(3) In any proceedings in any court a certificate purporting to be signed by the Minister responsible for Lands and Surveys that the chart is for the time being an authorised and accurate chart shall be admissible as conclusive evidence of the matter stated in the certificate.

(4) A person other than the Minister responsible for lands and surveys, referred to in subsection (3), who signs the certificate shall, in the absence of proof to the contrary, be presumed to be duly authorised to sign it.

**PART X**  
**MARINE SCIENTIFIC RESEARCH**

Regulation of  
marine  
scientific  
research in the  
maritime  
zones.

41. (1) Guyana has sovereign rights, as provided by international law and in particular Article 245 of the Convention to regulate, authorise and conduct marine scientific research in the territorial sea.

(2) Guyana, in the exercise of its jurisdiction, has the right, as provided for by international law and in particular Article 246 of the Convention, to regulate, authorise and conduct marine scientific research in the exclusive economic zone and on the continental shelf in accordance with the relevant provisions of the Convention.

(3) Without limiting the generality of subsections (1) and (2), the Minister, in consultation with the Minister responsible for the environment may make regulations regulating the conduct of marine scientific research in conformity with Articles 245 to 253 of the Convention so far as they relate to any proposed marine scientific research.

(4) A person, entity, foreign government or international organization carrying out any marine scientific research under this section shall, in accordance with Articles 245 to 253 of the Convention, make available to Guyana preliminary reports as soon as practicable, and full reports after the completion of the research consisting of any research results, all data, samples and specimen derived from the research or any other requirement as may be prescribed.

(5) Any person who contravenes subsection (4) commits an offence and is liable on summary conviction to a fine of five million dollars and in addition the court may order the forfeiture of any vessel and equipment used in the commission of the offence.



**PART XI**  
**MARITIME CULTURAL AREA**

Limits of the  
maritime  
cultural area.

42. The Minister may by order declare an area within the territorial sea and the contiguous zone to be known as the maritime cultural area.

Rights in the  
maritime  
cultural area.

43. (1) Guyana has sovereign rights and exclusive jurisdiction in its maritime cultural area.

(2) Subject to any other law or international treaty to which Guyana is a party, Guyana has, in respect of objects of an archaeological or historical nature found in the maritime cultural area, the same rights and powers as it has in respect of its internal waters and territorial sea.

Underwater  
cultural  
heritage.

44. (1) The Minister responsible for Culture may authorise activities directed at underwater cultural heritage within the territorial sea and contiguous zone.

(2) A person, entity, foreign government or international organization shall not engage in any underwater cultural heritage activity within the territorial sea or contiguous zone, except under and in accordance with the terms of a licence or letter of authority granted by the Minister responsible for culture or any written agreement of the Government of Guyana.

(3) A person, entity, foreign government or international organization shall not engage in any commercial exploitation of underwater cultural heritage for trade or speculation or its irretrievable dispersal within the territorial sea or contiguous zone.

(4) A person who contravenes subsection (2) or (3) commits an offence and is liable on summary conviction to a fine of five million dollars and in addition the court may order the forfeiture of any vessel and equipment used in the commission of the offence.

(5) The Minister in consultation with the Minister responsible for culture may make regulations to regulate and authorise activities directed at underwater cultural heritage within the territorial sea and contiguous zone in accordance with Articles 7 and 8 of the UNESCO Convention.

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(6) The regulations made under subsection (5) shall, in particular ensure that the Rules Concerning Activities Directed at the Underwater Cultural Heritage set out in the Annex to the UNESCO Convention are applied.

(7) The Minister responsible for culture may by order provide for the protection, management, ownership, preservation, collection, custody and for other matters incidental to cultural maritime heritage, historic wrecks, sites of interests and objects of archaeological and historic nature found at sea and its specific sites in the maritime cultural sea.

## PART XII

### ECO-TOURISM, MARINE PARKS AND RESERVES AND MARICULTURE

Eco-tourism,  
marine parks  
and reserves  
and mari-  
culture  
operations.

45. (1) A person shall not establish or operate any eco-tourism, marine parks and reserves, and mariculture operations within any of the maritime zones except with a permit issued by the Minister responsible for transport and harbours.

(2) A person shall not operate any eco-tourism, marine parks and reserves and mariculture operations in such a way as to have any significant adverse effects on any of the marine species.

(3) A person who contravenes subsection (1) or (2) commits an offence and is liable on summary conviction to a fine of five million dollars, and in addition the court may order the forfeiture of any vessel and equipment used in the commission of the offence.

Designated  
areas for eco-  
tourism,  
marine parks  
and reserves  
and mari-  
culture  
operations.

46. The Minister may by order designate –

- (a) any area of any maritime zone for the establishment or creation of eco-tourism operations;
  - (b) any area of any maritime zone for the establishment or creation of marine park operations or temporary marine protected areas;
  - (c) any area of any maritime zone or any island within any maritime zone for the establishment or creation of marine reserve operations; and
  - (d) any area of any maritime zone for the establishment or creation of mariculture operations.
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Establishment and regulation of eco-tourism, marine parks and reserves and mariculture operations.

47. (1) The Minister in collaboration with the relevant ministries and agencies may make regulations for any of the operations referred to in section 46.

- (2) Regulations providing for mariculture operations shall apply –
- (a) to all mariculture boats of Guyana, and activities done with those boats and their crews wherever they may be; and
  - (b) to all foreign mariculture boats and activities done with those boats and their crews, in waters within the mariculture area.

### PART XIII

## THE PROTECTION AND PRESERVATION OF THE MARINE ENVIRONMENT

Regulations for the protection and preservation of the marine environment.

48. The Minister in consultation with the Minister responsible for the environment may make regulations for the protection and preservation of the marine environment including regulations for –

- (a) the prevention, reduction and control of pollution of the marine environment —
    - (i) from land-based sources, including rivers, estuaries, pipelines and outfall structures;
    - (ii) from or in connection with seabed activities subject to Guyana's jurisdiction;
    - (iii) from artificial islands, installations and structures under Guyana's jurisdiction in accordance with Articles 60 and 80 of the Convention;
    - (iv) from dumping;
    - (v) from or through the atmosphere, applicable to the air space under Guyana's sovereignty; and
    - (vi) from vessels flying Guyana's flag or vessels or aircrafts under its registry;
  - (b) regulating conduct in, and safeguarding the maritime zones;
  - (c) environmental assessment of economic and other activities in the maritime zones;
  - (d) environmental control in the maritime zones;
  - (e) monitoring of the condition of the maritime zones;
  - (f) protection and preservation of areas used as eco-tourism areas, marine reserves, marine parks, mariculture areas and scientific research areas; and
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- (g) any other matters relating to the protection and preservation of the marine environment.

Measures to prevent marine environment

49. (1) Any person who engages in any activity that results in pollution of the marine environment commits an offence and is liable on summary conviction to a fine of twenty million dollars and to imprisonment for ten years.

(2) Notwithstanding anything in this Act or any other law, the Minister responsible for the Environment may by order prescribe any measure necessary to be taken against any vessel or aircraft in any area of the sea or the airspace above the sea, in order to protect the coastline of Guyana or related interests, including fishing, from pollution or any threat of pollution resulting from a maritime casualty or an act or omission relating to such casualty and which may reasonably be expected to result in any major harmful consequences.

#### PART XIV GENERAL

Maritime safety and security in the maritime zones.

50. (1) The President may take any action that is necessary in the internal waters, territorial sea or contiguous zone to preserve and maintain security in accordance with any obligations under international law.

(2) The President may establish safety zones around the artificial islands, installations and structures in the exclusive economic zone and continental shelf in which appropriate measures may be taken to ensure the safety of navigation, of the artificial islands, installations and structures.

Sovereign rights of self defence in the maritime zones.

51. Notwithstanding any other law, the President may take any action in any area of the sea or in the airspace above the sea as is necessary to maintain national sovereignty and territorial integrity in the exercise of the principle of self defence contained in Article 51 of the Charter of the United Nations.

Power to make subsidiary legislation.

52. (1) The Minister may make regulations for the purpose of giving effect to the provisions of this Act, and, in particular but without limiting the general power, may make regulations for –

- (a) providing the manner of giving prior notification of intended passage and of the route to be taken by ships carrying radioactive materials through the internal waters or territorial sea;



- (b) permitting the exercise of controls necessary to prevent or punish the infringement of the customs, fiscal, immigration or sanitary laws within Guyana, its internal waters and territorial sea;
- (c) establishing the outer limits of the continental shelf and exclusive economic zone;
- (d) fees in relation to licences and letters of authority referred to in sections 22 (1) and 29 (1) or for any other purposes;
- (e) regulating the conduct of any person in the maritime zones;
- (f) regulating the exploration and exploitation, conservation and management of the resources of the continental shelf and the exclusive economic zone;
- (g) regulating the construction, maintenance and operation of artificial islands, off-shore terminals, installations and other structures and devices of the continental shelf and the exclusive economic zone;
- (h) regulating and authorising activities directed at underwater cultural heritage within the contiguous zone;
- (i) establishing or creating and regulating the conduct of, and safeguarding any of the operations referred to in section 47, including regulations with respect to the identification and markings of the boundaries of the operations, boats and gear;
- (j) preserving and protecting the marine environment and prevention and control of marine pollution including any of the related matters referred to in section 49 (2);
- (k) authorising, regulating and controlling the conduct of scientific research.

(2) The powers under subsection (1) are in addition to those conferred on the Minister to make other subsidiary legislation under the other provisions of this Act.

(3) In making any subsidiary legislation with respect to provisions under this Act, the Minister vested with the authority to do so may prescribe offences and penalties that may be imposed in respect of those offences that are necessary for giving full effect to those provisions under this Act.

Order to  
extend law.

53. The President may by order extend, with exceptions and modifications as may be specified in the order, the application of any law in force in Guyana or any part of the law to the continental shelf and the exclusive economic zone (including any area declared to be a designated area) and make provisions as the President may consider necessary for facilitating the enforcement of the law and the law, so extended, shall have effect in relation to the continental shelf and the exclusive economic zone as if those maritime zones to which it had been extended are parts of the territory of Guyana.

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Amendments,  
transitional  
and savings.

54. (1) The laws referred to in the first column of the Schedule are amended to the extent set out in the second column of the Schedule.

(2) Any reference to the internal waters, contiguous zone, territorial sea, exclusive economic zone and continental shelf in any law shall, in relation to any period after the commencement of this Act, be construed as reference to those waters and zones referred to in this Act.

(3) Any reference to the fishery or fishing zone in this Act or in any other law in relation to conservation, management or exploitation of living marine resources shall be construed as reference to the exclusive economic zone referred to in this Act.

(4) Any reference to fishery or fishing zone in any other law in relation to fiscal matters or matters concerning customs, emigration, immigration or sanitation shall be construed as reference to the contiguous zone referred to in this Act.

(5) With effect from the commencement of this Act, any reference to any provision of the Maritime Boundaries Act 1977 in any law shall be construed with such modifications, adaptations, qualifications and exceptions as may be necessary to bring them into conformity with this Act.

No. 10  
of 1977

(6) Until other baselines are determined in accordance with this Act, the baselines, the territorial sea, the continental shelf and the exclusive economic zone shall, for the purposes of this Act, be taken to be those that existed under the Maritime Boundaries Act 1977 immediately before the commencement of this Act.

No. 10  
of 1977

(7) Notwithstanding section 55, any agreement or subsidiary legislation made for the purposes of the Maritime Boundaries Act 1977 and in force immediately before the commencement of this Act shall continue in force as if made under this Act to the extent the agreement or subsidiary legislation are not inconsistent with this Act, and may be repealed or replaced in accordance with this Act.

Repeal.  
No. 10 of  
1977

55. The Maritime Boundaries Act 1977 is repealed.

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**SCHEDULE**  
**AMENDED LAWS**

section 54

LAW	PROVISION	AMENDMENT
Customs Act, Cap 82:01	Section 2	By the substitution for the definition of "waters of Guyana" of the following – <p style="text-align: center;">“ “waters of Guyana” means the internal waters, territorial sea and the contiguous zone of Guyana as defined in the Maritime Zones Act 2010;”.</p>
Defence Act Cap. 15:01	Section 208A(2)  Section 208A(3)(v)  Third Schedule paragraph 16	By the deletion of the words "on and under the high seas and waters".  By the insertion immediately before the words "territorial sea" of the words "internal waters,".  By the substitution –  (a) for the words "Maritime Boundaries Act 1977" of the words "Maritime Zones Act 2010"; and  (b) for the words "Act No. 10 of 1977" of the words "Act No. 18 of 2010".

<p>Environmental Protection (Water Quality) Regulations 2000 (No. 6 of 2000)</p>	<p>Section 2(j)</p>	<p>By the substitution for the words “any part of the sea abutting the foreshore” of the words “any part of the sea that are on the landward side of the territorial baselines”.</p>
<p>Fisheries Act 2002 (Act No. 12 of 2002)</p>	<p>Section 2(1)(k)</p>	<p>By the substitution for the definition of “fisheries waters” of the following –  “ “fisheries waters” means the internal waters, territorial sea, contiguous zone, continental margin, the exclusive economic zone as defined by the maritime Zones Act 2010;”.</p>
<p>Guyana Shipping Act 1998 (Act 7 of 1998)</p>	<p>Section 2(s)</p>	<p>By the substitution for the words “Maritime Boundaries Act 1977” of the words “Maritime Zones Act 2010”.</p>
<p>Mining Act 1989 (Act No. 20 of 1989)</p>	<p>Section 2(1)(b)</p> <p>Section 2(1)(1)</p> <p>Section 2(2)(b)</p>	<p>Immediately after the word “seabed”, by the insertion of the words “in the maritime zones of Guyana”.</p> <p>By the insertion, immediately after the word “seabed” wherever that word appears of the words “in the maritime zones of Guyana”.</p> <p>By the substitution for the set of words beginning with the words “the territorial sea” and ending with the words “the exclusive economic zone” of the words –  “internal waters, territorial sea, contiguous zone, continental shelf, continental margin and exclusive economic zone”.</p>



<p>Petroleum (Exploration and Production) Act 1986 (Act No. 3 of 1986)</p>	<p>Section 1(2)</p>	<p>By the substitution for the set of words beginning with the words "land in Guyana" and ending with the words "economic zone of Guyana." of the words –</p> <p style="padding-left: 40px;">"land in Guyana, including the internal waters, territorial sea, contiguous zone, continental shelf, continental margin and exclusive economic zone of Guyana."</p>
	<p>Section 2(1)(n)</p> <p>Section 2(2)(a)</p>	<p>By the insertion, immediately after the word "seabed", where that word appears for the first time, of the words "in the maritime zones of Guyana".</p> <p>By the substitution for the set of words beginning with the words "the territorial sea" and ending with the words "the exclusive economic zone" of the words –</p> <p style="padding-left: 40px;">"internal waters, territorial sea, contiguous zone, continental shelf, continental margin and exclusive economic zone".</p>

*Passed by the National Assembly on 9<sup>th</sup> August, 2010.*



S.E. Isaacs,

Clerk of the National Assembly.

(Bill No. 36/2009)

## 6. France

Decree No. 78-147 of 3 February 1978 establishing, pursuant to the Law of 16 July 1976, an economic zone off the coast of Île Clipperton<sup>1</sup>

*The Prime Minister,*

On the report of the Keeper of the Seals and Minister of Justice, the Minister for Foreign Affairs, the Minister of the Interior, the Minister of Defence, the Minister of Culture and Environment, the Minister-Delegate to the Economy and Finance Minister, the Minister of Public Works and Regional Planning, and the Minister of Industry and Commerce;

*Having regard* to the Constitution, in particular article 37 thereof;

*Having regard* to the Decree of 9 January 1852 on maritime fishing, as amended by the Law of 12 February 1930, Ordinance No. 58-1297 of 23 December 1958, Decree No. 69-576 of 12 June 1969 and Law No. 70-1302 of 31 December 1970;

*Having regard* to the Law of 1 March 1888 prohibiting foreign vessels from fishing in French territorial waters, as amended by the Laws of 30 March 1928, 16 April 1933, No. 64-438 of 25 May 1964 and No. 67-1086 of 15 December 1967, and Decree No. 67-451 of 7 June 1967;

*Having regard* to Decree No. 71-360 of 6 May 1971 implementing Law No. 68-1181 of 30 December 1968 on exploration of the continental shelf and exploitation of its natural resources;

*Having regard* to the Mining Code and all its implementing regulations;

*Having regard* to Law No. 71-1060 of 24 December 1971 on the delimitation of French territorial waters;

*Having regard* to Law No. 76-655 of 16 July 1976 on the economic zone off the coasts of the territory of the Republic, in particular article 5 thereof;

*Having regard* to articles 1, 9, 464 and 466 of the Penal Code in force in the overseas territories;

*Having regard* to the Decree of 12 June 1936, which established Île Clipperton as a dependency of the Government of the French Establishments of Oceania;

*Having regard* to Decree No. 63-766 of 30 July 1963, in particular article 21 thereof (penultimate paragraph);

*Having heard* the Council of State (Public Works Section);

*Hereby decrees:*

*Article 1* - The economic zone defined in article 1 of the Law of 16 July 1976 shall extend off the coast of Île Clipperton from the outer limit of the territorial waters to 188 nautical miles beyond that limit.

The provisions of the aforementioned Law shall enter into force in respect of this zone on the date of publication of the present Decree.

*Article 2* - In the economic zone referred to above, as an exception to the provisions of the aforementioned Law of 1 March 1888, as amended, fishing permits may be issued to certain foreign vessels under the terms stipulated in international agreements and French domestic law.

*Article 3* - With regard to fishing violations committed in the economic zone referred to in article 1, a fine of 600 to 1,000 francs shall replace the penalties stipulated:

<sup>1</sup> Original: French. Official Gazette of the French Republic, 11 February 1978. Transmitted by a note verbale from the Permanent Mission of France to the United Nations dated 26 November 2010.

In article 5, first paragraph; article 6, sixth paragraph; article 7, first paragraph; and articles 8 and 9 of the aforementioned decree of 9 January 1852, as amended;

In article 11, paragraph 2, of the aforementioned Law of 1 March 1888.

*Article 4* - Bearing in mind the special administrative structure of Clipperton, the following modifications shall be made to the instruments referred to above:

The minister responsible for the merchant navy may delegate to the State representative for this island the powers that he holds under article 2, and the first paragraph of article 3, of the Decree of 9 January 1852, as amended;

Should the representatives of the authorities referred to in article 31 of Decree No. 71-360 of 6 May 1971 be unable to sit on the commission for programme consideration, the relevant minister shall replace them with representatives of the authorities concerned or the scientific organizations with territorial competence.

*Article 5* - The Keeper of the Seals and Minister of Justice, the Minister for Foreign Affairs, the Minister of the Interior, the Minister of Defence, the Minister of Culture and Environment, the Minister-Delegate to the Economy and Finance Minister, the Minister of Public Works and Regional Planning, the Minister of Industry and Commerce, the Secretary of State to the Minister of the Interior (Overseas Departments and Territories) and the Secretary of State to the Minister of Public Works and Regional Planning (Transport) shall be responsible, in their respective areas of competence, for the implementation of this Decree, which will be published in the Official Gazette of the French Republic.

Done at Paris on 3 February 1978

By the Prime Minister: Raymond Barre

[...]

The outer limit of the French exclusive economic zone off Île Clipperton is defined by the lines described below.

All coordinates are referenced to the World Geodetic System of 1984 (WGS84).

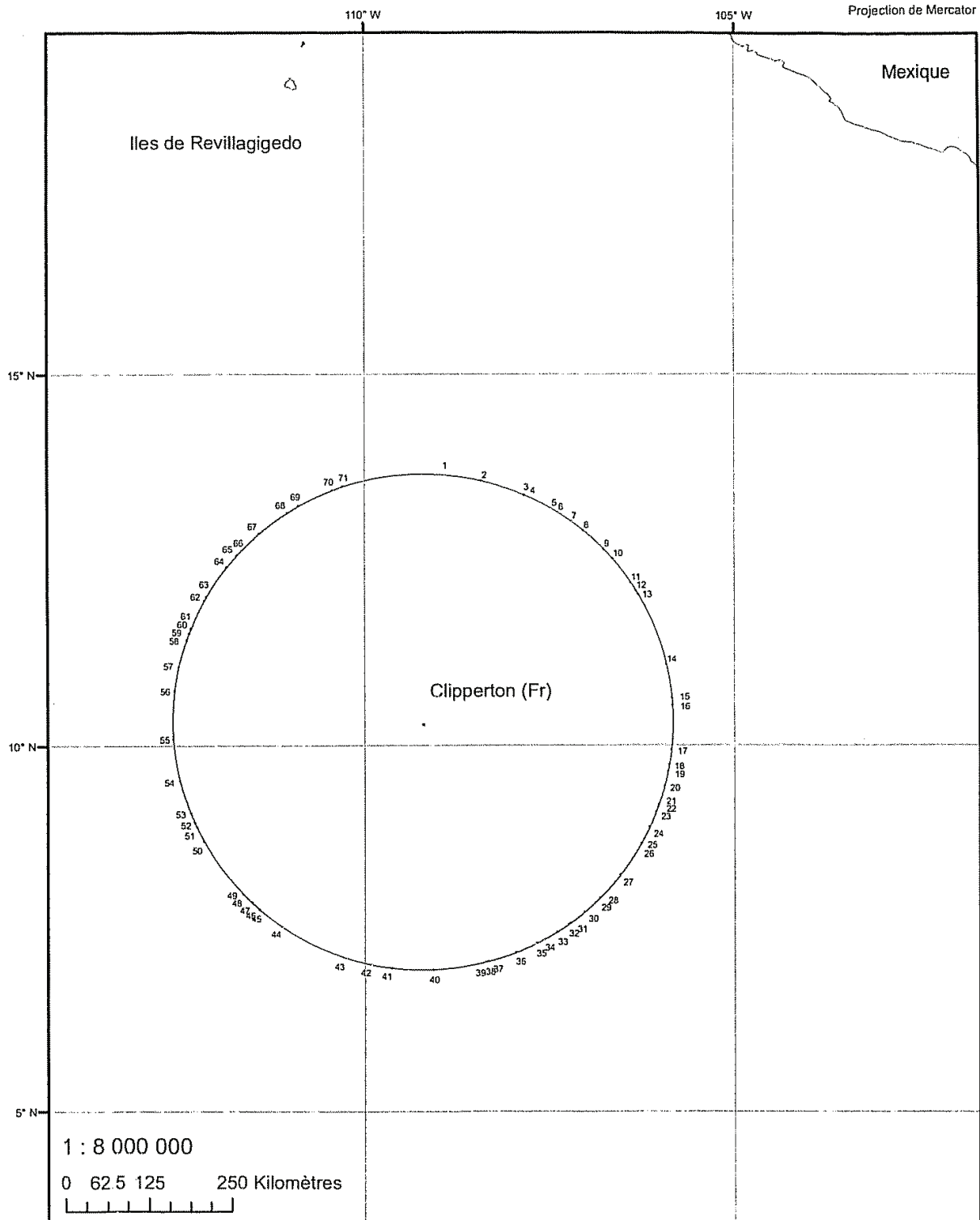
The arcs of 200-mile radius whose extremities and centres are described in the table below:

Point	Extrémité		Centre	
	Latitude °N	Longitude °W	Latitude °N	Longitude °W
1	13.6545753	108.9255837		
			10.3193319	109.2259757
2	13.5751044	108.4318123		
			10.3191807	109.2253357
3	13.3813602	107.8500674		
			10.3112903	109.2070617
4	13.3789614	107.8444918		
			10.3107743	109.2058625
5	13.2026196	107.4926842		
			10.3104830	109.2053549
6	13.1487896	107.4024668		
			10.3098625	109.2043465
7	13.0287500	107.2213584		
			10.3092865	109.2035313
8	12.9025495	107.0547710		
			10.3088106	109.2029384
9	12.6493962	106.7750503		
			10.3081879	109.2023186
10	12.5209405	106.6547634		
			10.3071315	109.2013709
11	12.1992233	106.4025163		
			10.3068068	109.2011441
12	12.0875024	106.3288186		
			10.3065755	109.2009958
13	12.0424367	106.3008800		
			10.3056503	109.2004232
14	11.0892688	105.9085728		
			10.3043871	109.2001087
15	10.6349459	105.8332920		
			10.3038133	109.2000481
16	10.5418456	105.8257730		
			10.3028859	109.1999762
17	9.9332837	105.8410265		
			10.3026546	109.2000009
18	9.7242488	105.8722603		
			10.3019874	109.2001155
19	9.6356319	105.8896062		
			10.3002082	109.2004703
20	9.4377681	105.9373312		
			10.2991007	109.2007623
21	9.1903190	106.0153520		
			10.2979864	109.2011508
22	9.1541366	106.0285381		
			10.2939031	109.2026240
23	9.0829444	106.0557623		

			10.2928267	109.2030395
24	8.8768286	106.1452586		
			10.2925131	109.2031855
25	8.6566635	106.2598073		
			10.2913565	109.2038323
26	8.6559415	106.2602171		
			10.2910674	109.2039940
27	8.2289793	106.5476789		
			10.2902667	109.2046205
28	7.9140614	106.8300571		
			10.2901689	109.2047193
29	7.9138702	106.8302513		
			10.2898842	109.2050068
30	7.7240031	107.0400194		
			10.2878736	109.2074098
31	7.5699348	107.2395178		
			10.2873710	109.2081105
32	7.5537821	107.2623097		
			10.2871730	109.2083912
33	7.4482369	107.4219100		
			10.2865948	109.2093187
34	7.3418088	107.6056400		
			10.2863101	109.2098465
35	7.2948441	107.6961102		
			10.2862167	109.2100329
36	7.1745323	107.9653081		
			10.2861321	109.2102462
37	7.0512589	108.3389641		
			10.2859008	109.2111131
38	7.0438776	108.3671097		
			10.2857474	109.2117082
39	7.0418146	108.3751511		
			10.2852203	109.2137699
40	6.9389611	109.0771123		
			10.2851669	109.2150837
41	6.9622744	109.6346689		
			10.2852269	109.2155643
42	7.0074067	109.9058925		
			10.2852714	109.2157776
43	7.0955619	110.2416130		
			10.2858808	109.2176933
44	7.5275720	111.1278160		
			10.2873999	109.2199099
45	7.7636209	111.4345161		
			10.2949684	109.2286460
46	7.7643850	111.4354055		
			10.2950596	109.2287515
47	7.8593640	111.5413328		
			10.2957313	109.2294657
48	7.9154380	111.5999028		
			10.2968433	109.2305931
49	7.9727803	111.6570529		

			10.2978374	109.2315543
50	8.7006117	112.1965820		
			10.3020920	109.2338652
51	8.8865185	112.2919301		
			10.3023766	109.2339977
52	8.9513292	112.3218417		
			10.3048920	109.2351049
53	9.0814002	112.3770831		
			10.3051677	109.2352127
54	9.5153826	112.5174079		
			10.3072538	109.2357135
55	10.0837189	112.6085801		
			10.3085126	109.2357921
56	10.7450996	112.5908749		
			10.3089351	109.2357337
57	11.0561369	112.5360659		
			10.3095045	109.2355989
58	11.4370099	112.4256361		
			10.3101227	109.2353721
59	11.5207757	112.3945165		
			10.3106765	109.2351520
60	11.5818490	112.3701908		
			10.3110879	109.2349791
61	11.5920967	112.3659718		
			10.3111991	109.2349319
62	11.9671481	112.1822278		
			10.3118641	109.2345457
63	12.0112605	112.1565972		
			10.3121554	109.2343705
64	12.4149629	111.8754018		
			10.3124067	109.2341639
65	12.5682819	111.7427848		
			10.3178152	109.2291535
66	12.5765661	111.7351734		
			10.3186336	109.2283922
67	12.8667514	111.4319220		
			10.3187070	109.2283046
68	13.1416738	111.0558327		
			10.3188916	109.2280104
69	13.2365928	110.8955347		
			10.3189650	109.2278779
70	13.4466577	110.4418000		
			10.3192007	109.2272513
71	13.4987204	110.2934150		
			10.3193920	109.2266629
1	13.6545753	108.9255837		

Outer limit of the French exclusive economic zone off Île Clipperton



● Point de la limite extérieure de la ZEE française  
— Limite extérieure de la ZEE française

## A. Bilateral Treaties

Agreement on the delimitation of the maritime boundaries in the Gulf of Aqaba between the Kingdom of Saudi Arabia and the Hashemite Kingdom of Jordan, 16 December 2007<sup>1</sup>

Drawing on the fraternal bonds between the kindred peoples and countries of the Kingdom of Saudi Arabia and the Hashemite Kingdom of Jordan, under the leadership of the Custodian of the Two Holy Mosques King Abdullah Bin Abdulaziz Al Saud of Saudi Arabia and His Majesty King Abdullah II Bin Al Hussein of Jordan; seeking to reaffirm those special bonds; desirous to realize and preserve the shared interests of both countries, promoting strong and lasting neighbourly relations; and acting on the basis of the Agreement on the delimitation of boundaries concluded by the two countries on 12 Rabi` II, A.H. 1385, corresponding to 9 August, A.D. 1965; the Government of the Kingdom of Saudi Arabia and the Government of the Hashemite Kingdom of Jordan have agreed to delimit the maritime boundary in the Gulf of Aqaba between the two countries as follows.

*Article I*

1. The maritime boundaries in the Gulf of Aqaba between the Kingdom of Saudi Arabia and the Hashemite Kingdom of Jordan shall begin from boundary point No. 1, the point at which the land border extending towards the sea at the Gulf of Aqaba intersects with the lowest low-water line along the coast. Its geographic coordinates are as follows:

29° 21' 26.599" North

34° 57' 38.486" East

2. The maritime boundaries between the two countries shall then extend in a straight line from boundary point No. 1 to boundary point No. 2, whose geographic coordinates are as follows:

29° 21' 32.735" North

34° 56' 57.915" East.

3. The maritime boundaries shall then extend in a straight line from boundary point No. 2 to boundary point No. 3, whose geographic coordinates are as follows:

29° 22' 28.257" North

34° 53' 17.136" East.

4. The maritime boundaries shall then extend in a straight line from boundary point No. 3. until the end of the maritime boundary in the Gulf of Aqaba between the two countries.

5. The geographic coordinates established above shall be referenced to the World Geodetic System of 1984 (WGS 84).

*Article II*

1. Attached to this Agreement is an illustrative map at a scale of 1:25,000 signed by both parties, showing the locations and geographic coordinates of the boundary points and the delimitation of the maritime boundaries in the Gulf of Aqaba between the two countries. The map shall constitute an integral part of this Agreement.

<sup>1</sup> Entry into force: 10 June 2010. Registered with the Secretariat of the United Nations on 22 November 2010, under registration number 47974.



2. The geographic coordinates of the boundary points established in article I shall constitute the fundamental reference delimiting the maritime boundaries in the Gulf of Aqaba between the two countries. The map is for explanatory purposes only.

*Article III*

This Agreement shall be subject to ratification by both States and shall enter into force thirty days after the exchange of instruments of ratification.

Done and signed at Jeddah, Kingdom of Saudi Arabia, in two original copies in the Arabic language, on Sunday, 6 Dhu 'l-Hijjah A.H. 1428, corresponding to 16 December A.D. 2007.

(Signed) For the Government of the Kingdom of Saudi Arabia:

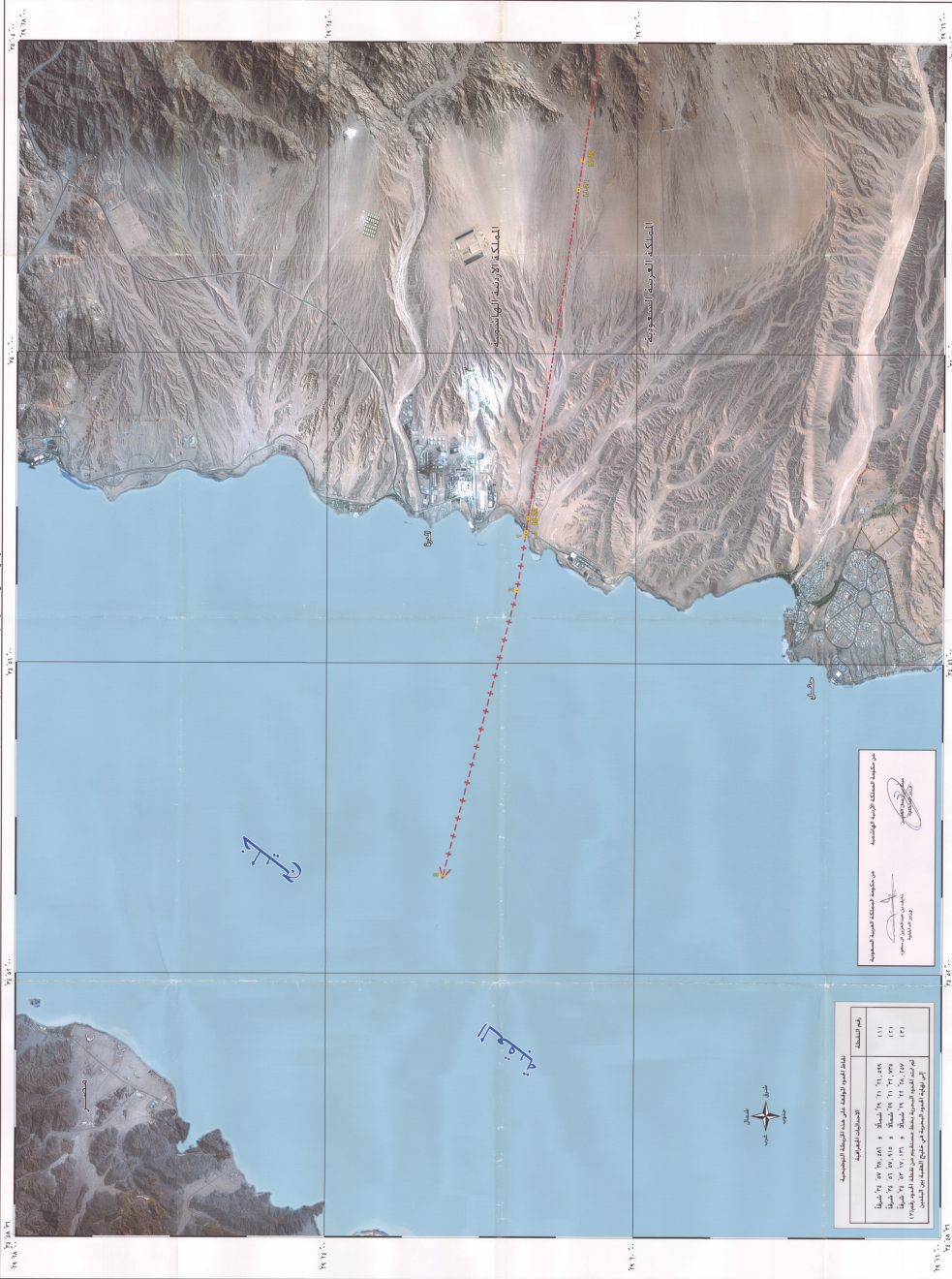
Nayif Bin Abdulaziz  
Minister of the Interior

(Signed) For the Government of the Hashemite Kingdom of Jordan:

Ayd Bin Za`al Al-Fayiz  
Minister of the Interior



خارطة مضمونة لتوضيحية الحدود البحرية بين المملكة الأردنية الهاشمية والمملكة العربية السعودية



تم إعداد هذه الخارطة لتوضيحية الحدود البحرية بين المملكة الأردنية الهاشمية والمملكة العربية السعودية. الخارطة هي وثيقة توضيحية ولا تعتبر وثيقة قانونية.

مديرية الشؤون البحرية  
البحرية  
البحرية

رقم المنطقة	مساحة المنطقة (كم <sup>2</sup> )	إحداثيات المنطقة
1	1,1	33° 00' 00" شمالاً - 35° 00' 00" شرقاً
2	1,1	33° 00' 00" شمالاً - 35° 00' 00" شرقاً
3	1,1	33° 00' 00" شمالاً - 35° 00' 00" شرقاً

تم إعداد هذه الخارطة لتوضيحية الحدود البحرية بين المملكة الأردنية الهاشمية والمملكة العربية السعودية. الخارطة هي وثيقة توضيحية ولا تعتبر وثيقة قانونية.



مقياس الرسم 1:100,000  
مقياس الرسم 1:100,000



تم إعداد هذه الخارطة لتوضيحية الحدود البحرية بين المملكة الأردنية الهاشمية والمملكة العربية السعودية. الخارطة هي وثيقة توضيحية ولا تعتبر وثيقة قانونية.

## III. COMMUNICATIONS BY STATES

Arab Republic of EgyptDeclaration concerning the establishment by Saudi Arabia of the baselines for the Kingdom's maritime zones in the Red Sea, the Gulf of Aqaba and the Arabian Gulf<sup>1</sup>

Egypt  
Ministry of Foreign Affairs  
Office of the Minister for Foreign Affairs

Reference is made to United Nations Secretariat note verbale M.Z.N.LOS.2010.77 dated 25 March 2010, concerning the establishment by Saudi Arabia of the baselines for the Kingdom's maritime zones in the Red Sea, the Gulf of Aqaba and the Arabian Gulf, as set forth in Council of Ministers Resolution No. 15 of 11 January 2010 and Royal Decree No. M/4 of 12 January 2010.

The Arab Republic of Egypt declares that, with respect to the baselines set forth in table No. 1 annexed to Royal Decree No. M/4 of 12 January 2010 concerning the boundary line in the Red Sea opposite the Egyptian coast, north of latitude 22, which represents the southern border of Egypt, it will operate in a manner that does not impact on its position in the current negotiations with Saudi Arabia over the determination of the maritime borders between the two countries.

<sup>1</sup> Original: Arabic. Transmitted through a note verbale dated 15 September 2010 from the Permanent Mission of the Arab Republic of Egypt to the United Nations addressed to the Secretary-General of the United Nations.

## IV. OTHER INFORMATION RELEVANT TO THE LAW OF THE SEA

A. Relevant Resolutions from the Security Council of the United Nations concerning the situation in Somalia

## Resolution 1950 (2010)

Adopted by the Security Council at its 6429th meeting, on  
23 November 2010

*The Security Council,*

*Recalling* its previous resolutions concerning the situation in Somalia, especially resolutions 1814 (2008), 1816 (2008), 1838 (2008), 1844 (2008), 1846 (2008), 1851 (2008), 1897 (2009), and 1918 (2010), as well as the Statement of its President (S/PRST/2010/16) of 25 August 2010,

*Continuing* to be gravely concerned by the ongoing threat that piracy and armed robbery at sea against vessels pose to the prompt, safe, and effective delivery of humanitarian aid to Somalia and the region, to the safety of seafarers and other persons, to international navigation and the safety of commercial maritime routes, and to other vulnerable ships, including fishing activities in conformity with international law, and also gravely concerned by the extended range of the piracy threat into the western Indian Ocean and the increase in pirate capacities,

*Expressing* concern about the reported involvement of children in piracy off the coast of Somalia,

*Recognizing* that the ongoing instability in Somalia contributes to the problem of piracy and armed robbery at sea off the coast of Somalia, and stressing the need for a comprehensive response to tackle piracy and its underlying causes by the international community,

*Reaffirming* its respect for the sovereignty, territorial integrity, political independence and unity of Somalia, including Somalia's rights with respect to offshore natural resources, including fisheries, in accordance with international law, and stressing the importance of preventing, in accordance with international law, illegal fishing and illegal dumping, including toxic substances,

*Further reaffirming* that international law, as reflected in the United Nations Convention on the Law of the Sea of 10 December 1982 ("The Convention"), sets out the legal framework applicable to combating piracy and armed robbery at sea, as well as other ocean activities,

*Again taking into account* the crisis situation in Somalia, and the limited capacity of the Transitional Federal Government (TFG) to interdict, or upon interdiction to prosecute

pirates or to patrol or secure the waters off the coast of Somalia, including the international sea lanes and Somalia's territorial waters,

*Noting* the several requests from the TFG for international assistance to counter piracy off its coast, including the letter of 20 October 2010 from the Permanent Representative of Somalia to the United Nations expressing the appreciation of the TFG to the Security Council for its assistance, expressing the TFG's willingness to consider working with other States and regional organizations to combat piracy and armed robbery at sea off the coast of Somalia, and requesting that the provisions of resolution 1897 (2009) be renewed for an additional twelve months,

*Commending* the efforts of the EU operation Atalanta, North Atlantic Treaty Organization operations Allied Protector and Ocean Shield, Combined Maritime Forces' Combined Task Force 151, and other States acting in a national capacity in cooperation with the TFG and each other, to suppress piracy and to protect vulnerable ships transiting through the waters off the coast of Somalia, and *welcoming* the efforts of individual countries, including China, India, Islamic Republic of Iran, Japan, Malaysia, Republic of Korea, Russian Federation, Saudi Arabia, and Yemen, which have deployed ships and/or aircraft in the region, as stated in the Secretary-General's report (S/2010/394),

*Welcoming* the capacity building efforts made by the International Maritime Organization (IMO) Djibouti Code Trust Fund (Multi-donor trust fund — Japan initiated), and the Trust Fund Supporting Initiatives of States Countering Piracy off the Coast of Somalia, and recognizing the need for all engaged international and regional organizations to cooperate fully,

*Noting* with concern that the continuing limited capacity and domestic legislation to facilitate the custody and prosecution of suspected pirates after their capture has hindered more robust international action against the pirates off the coast of Somalia, and in some cases has led to pirates being released without facing justice, regardless of whether there is sufficient evidence to support prosecution, and *reiterating* that, consistent with the provisions of the Convention concerning the repression of piracy, the 1988 Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation ("SUA Convention") provides for parties to create criminal offences, establish jurisdiction, and accept delivery of persons responsible for or suspected of seizing or exercising control over a ship by force or threat thereof or any other form of intimidation,

*Underlining* the importance of continuing to enhance the collection, preservation and transmission to competent authorities of evidence of acts of piracy and armed robbery at sea off the coast of Somalia, and *welcoming* the ongoing work of IMO, INTERPOL and industry groups to develop guidance to seafarers on preservation of crime scenes following acts of piracy, and noting the importance for the successful prosecution of acts of piracy of enabling seafarers to give evidence in criminal proceedings,

*Commending* the Republic of Kenya and the Republic of Seychelles' efforts to prosecute suspected pirates in their national courts, welcoming the engagement of the Republic of Mauritius, and *noting* with appreciation the assistance being provided by the United Nations Office of Drugs and Crime (UNODC), the Trust Fund Supporting Initiatives of States Countering Piracy off the Coast of Somalia, and other international organizations and donors, in coordination with the Contact Group on Piracy off the Coast of Somalia ("CGPCS"), to support Kenya, Seychelles, Somalia, and other States in the region, including Yemen, to take steps to prosecute, or incarcerate in a third state after

prosecution elsewhere, captured pirates consistent with applicable international human rights law, and emphasizing the need for States and international organizations to further enhance international efforts in this regard,

*Welcoming* the readiness of the national and regional administrations of Somalia to cooperate with each other and with States who have prosecuted suspected pirates with a view to enabling convicted pirates to be repatriated back to Somalia under suitable prisoner transfer arrangements, consistent with applicable international law including international human rights law,

*Welcoming* the report of the Secretary General (S/2010/394), as requested by resolution 1918 (2010), and the ongoing efforts within the CGPCS and the United Nations Secretariat to explore possible additional mechanisms to effectively prosecute persons suspected of piracy and armed robbery at sea off the coast of Somalia,

*Stressing* the need for States to consider possible methods to assist the seafarers who are victims of pirates, and welcoming in this regard the ongoing work within the CGPCS and the International Maritime Organization on developing guidelines for the care of seafarers and other persons who have been subjected to acts of piracy,

*Further noting* with appreciation the ongoing efforts by UNODC and UNDP to support efforts to enhance the capacity of the corrections system in Somalia, including regional authorities notably with the support of the Trust Fund Supporting Initiatives of States Countering Piracy off the Coast of Somalia, to incarcerate convicted pirates consistent with applicable international human rights law,

*Bearing in mind* the Djibouti Code of Conduct concerning the Repression of Piracy and Armed Robbery against Ships in the Western Indian Ocean and the Gulf of Aden, and *recognizing* the efforts of signatory States to develop the appropriate regulatory and legislative frameworks to combat piracy, enhance their capacity to patrol the waters of the region, interdict suspect vessels, and prosecute suspected pirates,

*Emphasizing* that peace and stability within Somalia, the strengthening of State institutions, economic and social development and respect for human rights and the rule of law are necessary to create the conditions for a durable eradication of piracy and armed robbery at sea off the coast of Somalia, and *further emphasizing* that Somalia's long-term security rests with the effective development by the TFG of the National Security Force and Somali Police Force, in the framework of the Djibouti Agreement and in line with a national security strategy,

*Determining* that the incidents of piracy and armed robbery at sea off the coast of Somalia exacerbate the situation in Somalia, which continues to constitute a threat to international peace and security in the region,

*Acting* under Chapter VII of the Charter of the United Nations,

1. *Reiterates* that it condemns and deplores all acts of piracy and armed robbery against vessels in the waters off the coast of Somalia;

2. *Recognizes* that the ongoing instability in Somalia is one of the underlying causes of the problem of piracy and contributes to the problem of piracy and armed robbery at sea off the coast of Somalia, and *stresses* the need for a comprehensive response to tackle piracy and its underlying causes by the international community;

3. *Notes again* its concern regarding the findings contained in the 20 November 2008 report of the Monitoring Group on Somalia (S/2008/769, page 55) that escalating ransom payments and the lack of enforcement of the arms embargo established by resolution 733 (1992) are fuelling the growth of piracy off the coast of Somalia, and *calls upon* all States to fully cooperate with the Somalia and Eritrea Monitoring Group including on information sharing regarding possible arms embargo violations;

4. *Renews* its call upon States and regional organizations that have the capacity to do so, to take part in the fight against piracy and armed robbery at sea off the coast of Somalia, in particular, consistent with this resolution and international law, by deploying naval vessels, arms and military aircraft and through seizures and disposition of boats, vessels, arms and other related equipment used in the commission of piracy and armed robbery at sea off the coast of Somalia, or for which there are reasonable grounds for suspecting such use;

5. *Commends the work* of the CGPCS to facilitate coordination in order to deter acts of piracy and armed robbery at sea off the coast of Somalia, in cooperation with the IMO, flag States, and the TFG and *urges* States and international organizations to continue to support these efforts;

6. *Acknowledges* Somalia's rights with respect to offshore natural resources, including fisheries, in accordance with international law, *recalls* the importance of preventing, in accordance with international law, illegal fishing and illegal dumping, including toxic substances, and *calls upon* States and interested organizations, including the IMO, to provide technical assistance to Somalia, including regional authorities, and nearby coastal States upon their request to enhance their capacity to ensure coastal and maritime security, including combating piracy and armed robbery at sea off the Somali and nearby coastlines, and stresses the importance of coordination in this regard through the CGPCS;

7. *Encourages* Member States to continue to cooperate with the TFG in the fight against piracy and armed robbery at sea, notes the primary role of the TFG in the fight against piracy and armed robbery at sea, and *decides* that for a further period of twelve months from the date of this resolution to renew the authorizations as set out in paragraph 10 of resolution 1846 (2008) and paragraph 6 of resolution 1851 (2008), as renewed by resolution 1897 (2009), granted to States and regional organizations cooperating with the TFG in the fight against piracy and armed robbery at sea off the coast of Somalia, for which advance notification has been provided by the TFG to the Secretary-General;

8. *Affirms* that the authorizations renewed in this resolution apply only with respect to the situation in Somalia and shall not affect the rights or obligations or responsibilities of Member States under international law, including any rights or obligations, under the Convention, with respect to any other situation, and underscores in particular that this resolution shall not be considered as establishing customary international law; and *affirms further* that such authorizations have been renewed only following the receipt of the 20 October 2010 letter conveying the consent of the TFG;

9. *Further affirms* that the measures imposed by paragraph 5 of resolution 733 (1992) and further elaborated upon by paragraphs 1 and 2 of resolution 1425 (2002) do not apply to weapons and military equipment destined for the sole use of Member States and regional organizations undertaking measures in accordance with paragraph 7 above or to supplies of technical assistance to Somalia solely for the purposes set out in paragraph

6 above which have been exempted from those measures in accordance with the procedure set out in paragraphs 11 (b) and 12 of resolution 1772 (2007);

10. *Requests* that cooperating States take appropriate steps to ensure that the activities they undertake pursuant to the authorizations in paragraph 7 do not have the practical effect of denying or impairing the right of innocent passage to the ships of any third State;

11. *Calls on* Member States to assist Somalia, at the request of the TFG and with notification to the Secretary-General, to strengthen capacity in Somalia, including regional authorities, to bring to justice those who are using Somali territory to plan, facilitate, or undertake criminal acts of piracy and armed robbery at sea, and *stresses* that any measures undertaken pursuant to this paragraph shall be consistent with applicable international human rights law;

12. *Calls upon* all States, and in particular flag, port, and coastal States, States of the nationality of victims, and perpetrators of piracy and armed robbery, and other States with relevant jurisdiction under international law and national legislation, to cooperate in determining jurisdiction, and in the investigation and prosecution of all persons responsible for acts of piracy and armed robbery off the coast of Somalia, including anyone who incites or facilitates an act of piracy, consistent with applicable international law including international human rights law to ensure that all pirates handed over to judicial authorities are subject to a judicial process, and to render assistance by, among other actions, providing disposition and logistics assistance with respect to persons under their jurisdiction and control, such as victims and witnesses and persons detained as a result of operations conducted under this resolution;

13. *Calls upon* all States to criminalize piracy under their domestic law and to favourably consider the prosecution of suspected, and imprisonment of convicted, pirates apprehended off the coast of Somalia, consistent with applicable international law including international human rights law;

14. *Reaffirms* its interest in the continued consideration of all seven options for prosecuting suspected pirates described in the Secretary-General's report (S/2010/394) which provide for different levels of international participation, taking into account further new information and observations from the Secretary-General based on the consultations being conducted by his Special Adviser on Legal Issues Related to Piracy off the Coast of Somalia, with a view to taking further steps to ensure that pirates are held accountable, emphasizing the need for strengthened cooperation of States, regional, and international organizations in achieving this goal, and encourages the CGPCS to continue its discussions in this regard;

15. *Urges* all States to take appropriate actions under their existing domestic law to prevent the illicit financing of acts of piracy and the laundering of its proceeds;

16. *Urges* States, in cooperation with INTERPOL and Europol, to further investigate international criminal networks involved in piracy off the coast of Somalia, including those responsible for illicit financing and facilitation;

17. *Stresses* in this context the need to support the investigation and prosecution of those who illicitly finance, plan, organize, or unlawfully profit from pirate attacks off the coast of Somalia;



18. *Commends* the establishment of the Trust Fund Supporting the Initiatives of States Countering Piracy off the Coast of Somalia and the International Maritime Organization (IMO) Djibouti Code Trust Fund (Multi-donor trust fund — Japan initiated) and *urges* both state and non-state actors affected by piracy, most notably the international shipping community, to contribute to them;

19. *Urges* States parties to the Convention and the SUA Convention to fully implement their relevant obligations under these Conventions and customary international law and cooperate with the UNODC, IMO, and other States and other international organizations to build judicial capacity for the successful prosecution of persons suspected of piracy and armed robbery at sea off the coast of Somalia;

20. *Welcomes* the revisions by the IMO to its recommendations and guidance on preventing and suppressing piracy and armed robbery against ships, *underlines* the importance of implementing such recommendations and guidance by all stakeholders, including the shipping industry, and *urges* States, in collaboration with the shipping and insurance industries, and the IMO, to continue to develop and implement avoidance, evasion, and defensive best practices and advisories to take when under attack or when sailing in the waters off the coast of Somalia, and further *urges* States to make their citizens and vessels available for forensic investigation as appropriate at the first port of call immediately following an act or attempted act of piracy or armed robbery at sea or release from captivity;

21. *Requests* States and regional organizations cooperating with the TFG to inform the Security Council and the Secretary-General in 9 months of the progress of actions undertaken in the exercise of the authorizations provided in paragraph 7 above and further requests all States contributing through the CGPCS to the fight against piracy off the coast of Somalia, including Somalia and other States in the region, to report by the same deadline on their efforts to establish jurisdiction and cooperation in the investigation and prosecution of piracy;

22. *Requests* the Secretary-General to report to the Security Council within 11 months of the adoption of this resolution on the implementation of this resolution and on the situation with respect to piracy and armed robbery at sea off the coast of Somalia;

23. *Expresses* its intention to review the situation and consider, as appropriate, renewing the authorizations provided in paragraph 7 above for additional periods upon the request of the TFG;

24. *Decides* to remain seized of the matter.

B. List of conciliators and arbitrators: Nominations made under articles 2 of annexes V and VII to the Convention<sup>1</sup>

State Party	Nominations:	Date of deposit of notification with the Secretary-General:
Argentina	Dr. Frida María Armas Pfirter, Arbitrator	28 September 2009
Argentina	Dr. Frida María Armas Pfirter, Conciliator	28 September 2009
Australia	Sir Gerard Brennan AC KBE, Arbitrator	19 August 1999
Australia	Mr. Henry Burmester QC, Arbitrator	19 August 1999
Australia	Professor Ivan Shearer AM, Arbitrator	19 August 1999
Austria	Professor Dr. Gerhard Hafner, Department of International Law and International Relations, University of Vienna, Member of the Permanent Court of Arbitration, The Hague, Conciliator at the OSCE Court of Conciliation and Arbitration, Former Member of the International Law Commission, Conciliator and Arbitrator	9 January 2008
Austria	Professor Dr. Gerhard Loibl, Professor at the Diplomatic Academy of Vienna, Conciliator and Arbitrator	9 January 2008
Austria	Ambassador Dr. Helmut Tichy, Deputy Head of the Office of the Legal Adviser, Austrian Federal Ministry for European and International Affairs, Conciliator and Arbitrator	9 January 2008
Austria	Ambassador Dr. Helmut Türk, Judge at the International Tribunal for the Law of the Sea, Member of the Permanent Court of Arbitration, The Hague, Conciliator and Arbitrator	9 January 2008
Brazil	Walter de Sá Leitão, Conciliator and Arbitrator	10 September 2001
Chile	Helmut Brunner Nöer, Conciliator	18 November 1998
Chile	Rodrigo Díaz Albónico, Conciliator	18 November 1998
Chile	Carlos Martínez Sotomayor, Conciliator	18 November 1998
Chile	Eduardo Vío Grossi, Conciliator	18 November 1998

<sup>1</sup> Source: *Multilateral Treaties Deposited with the Secretary-General*.  
[http://treaties.un.org/Pages/Treaties.aspx?id=21&subid=0&lang=en&clang=\\_en](http://treaties.un.org/Pages/Treaties.aspx?id=21&subid=0&lang=en&clang=_en)

State Party	Nominations:	Date of deposit of notification with the Secretary-General:
Chile	José Miguel Barros Franco, Arbitrator	18 November 1998
Chile	María Teresa Infante Caffi, Arbitrator	18 November 1998
Chile	Edmundo Vargas Carreño, Arbitrator	18 November 1998
Chile	Fernando Zegers Santa Cruz, Arbitrator	18 November 1998
Costa Rica	Carlos Fernando Alvarado Valverde, Conciliator and Arbitrator	15 March 2000
Cyprus	Ambassador Andrew JACOVIDES, Conciliator and Arbitrator	23 February 2007
Czech Republic	Dr. Vladimír Kopal, Conciliator and Arbitrator	18 December 1996
Estonia	Mrs. Ene Lillipuu, Head of the Legal Department of the Estonian Maritime Administration, and Mr. Heiki Lindpere, the Director of the Institute of Law of the University of Tartu, as the Conciliators of the United Nations Convention of the Law of the Sea.	18 December 2006
Estonia	Mrs. Ene Lillipuu, Head of the Legal Department of the Estonian Maritime Administration, and Mr. Heiki Lindpere, the Director of the Institute of Law of the University of Tartu, as the Arbitrators	18 December 2006
Finland	Professor Kari Hakapää, Conciliator and Arbitrator	25 May 2001
Finland	Professor Martti Koskenniemi, Conciliator and Arbitrator	25 May 2001
Finland	Justice Gutav Möller, Conciliator and Arbitrator	25 May 2001
Finland	Justice Pekka Vihervuori, Conciliator and Arbitrator	25 May 2001
France	Daniel Bardonnnet, Arbitrator	4 February 1998
France	Pierre-Marie Dupuy, Arbitrator	4 February 1998
France	Jean-Pierre Queneudec, Arbitrator	4 February 1998
France	Laurent Lucchini, Arbitrator	4 February 1998
Germany	Dr. (Ms.) Renate Platzoeder, Arbitrator	25 March 1996
Indonesia	Prof. Dr. Hasjim Djalal, M.A., Conciliator and Arbitrator	3 August 2001
Indonesia	Dr. Etty Roesmaryati Agoes, SH, LLM, Conciliator and Arbitrator	3 August 2001

State Party	Nominations:	Date of deposit of notification with the Secretary-General:
Indonesia	Dr. Sudirman Saad, D.H., M.Hum, Conciliator and Arbitrator	3 August 2001
Indonesia	Lieutenant Commander Kresno Bruntoro, SH, LL.M., Conciliator and Arbitrator	3 August 2001
Italy	Professor Umberto Leanza, Conciliator and Arbitrator	21 September 1999
Italy	Ambassador Luigi Vittorio Ferraris, Conciliator	21 September 1999
Italy	Ambassador Giuseppe Jacoangeli, Conciliator	21 September 1999
Italy	Professor Tullio Scovazzi, Arbitrator	21 September 1999
Japan	Ambassador Hisashi Owada, President of the Japan Institute of International Affairs, Arbitrator	28 September 2000
Japan	Ambassador Chusei Yamada, Professor, Waseda University, Japan, Arbitrator	28 September 2000
Japan	Dr. Soji Yamamoto, Professor Emeritus, Tohoku University, Japan, Arbitrator	28 September 2000
Japan	Dr. Nisuke Ando, Professor, Doshisha University, Japan, Arbitrator	28 September 2000
Japan	Dr. Soji Yamamoto; Professor Emeritus, Tohoku University, Japan, Conciliator	2 May 2006
Japan	Ambassador Chusei Yamada; Member of the UN International Law Commission, Conciliator	2 May 2006
Mexico	Ambassador Alberto Székely Sánchez, Special Adviser to the Secretary for International Waters Affairs, Arbitrator	9 December 2002
Mexico	Dr. Alonso Gómez Robledo Verduzco, Researcher, Institute of Legal Research, National Autonomous University of Mexico, Member of the Inter-American Legal Committee of the Organization of American States, Arbitrator	9 December 2002
Mexico	Frigate Captain JN. LD. DEM. Agustín Rodríguez Malpica Esquivel, Chief, Legal Unit, Secretariat of the Navy, Arbitrator	9 December 2002
Mexico	Frigate Lieutenant SJN.LD. Juan Jorge Quiroz Richards, Secretariat of the Navy, Arbitrator	9 December 2002

State Party	Nominations:	Date of deposit of notification with the Secretary-General:
Mexico	Ambassador José Luis Vallarta Marrón, Former Permanent Representative of Mexico to the International Seabed Authority, Conciliator	9 December 2002
Mexico	Dr. Alejandro Sobarzo, Member of the national delegation to the Permanent Court of Arbitration, Conciliator	9 December 2002
Mexico	Joel Hernández García, Deputy Legal Adviser, Ministry of Foreign Affairs, Conciliator	9 December 2002
Mexico	Dr. Erasmo Lara Cabrera, Director of International Law III, Legal Adviser, Ministry of Foreign Affairs, Conciliator	9 December 2002
Mongolia	Professor Rüdiger Wolfrum, Arbitrator	22 February 2005
Mongolia	Professor Jean-Pierre Cot, Arbitrator	22 February 2005
Netherlands	E. Hey, Arbitrator	9 February 1998
Netherlands	Professor A. Soons, Arbitrator	9 February 1998
Netherlands	A. Bos, Arbitrator	9 February 1998
Netherlands	Professor Dr. Barbara Kwiatkowska, Arbitrator	29 May 2002
Norway	Carsten Smith, President of the Supreme Court, Conciliator and Arbitrator	22 November 1999
Norway	Karin Bruzelius, Supreme Court Judge, Conciliator and Arbitrator	22 November 1999
Norway	Hans Wilhelm Longva, Director General, Department of Legal Affairs, Ministry of Foreign Affairs, Conciliator and Arbitrator	22 November 1999
Norway	Ambassador Per Tresselt, Conciliator and Arbitrator	22 November 1999
Poland	Mr. Janusz Symonides, Conciliator and Arbitrator	14 May 2004
Poland	Mr. Stanislaw Pawlak, Conciliator and Arbitrator	14 May 2004
Poland	Mrs. Maria Dragun-Gertner, Conciliator and Arbitrator	14 May 2004
Romania	Mr. Bogdan Aurescu, Secretary of State, Ministry of Foreign Affairs, Member of the Permanent Court of Arbitration, Arbitrator	2 October 2009

State Party	Nominations:	Date of deposit of notification with the Secretary-General:
Romania	Mr. Cosmin Dinescu, Director General for Legal Affairs, Ministry of Foreign Affairs, Arbitrator	2 October 2009
Russian Federation	Vladimir S. Kotliar, Arbitrator	26 May 1997
Russian Federation	Professor Kamil A. Bekyashev, Arbitrator	4 March 1998
Russian Federation	Mr. Alexander N. Vylegjanin, Director of the Legal Department of the Council for the Study of Productive Forces of the Russian Academy of Science, Arbitrator	17 January 2003
Slovakia	Dr. Marek Smid, International Law Department of the Ministry of Foreign Affairs of Slovakia, Conciliator	9 July 2004
Slovakia	Dr. Peter Tomka, Judge of the International Court of Justice, Arbitrator	9 July 2004
Spain	José Antonio de Yturriaga Barberán, Arbitrator	23 June 1999
Spain	José Manuel Lacleta Muñoz, Ambassador of Spain, Conciliator and Arbitrator	7 February 2002
Spain	José Antonio de Yturriaga Barberán, Ambassador at large, Conciliator	7 February 2002
Spain	Juan Antonio Yáñez-Barnuevo García, Ambassador at large, Conciliator	7 February 2002
Spain	Aurelio Pérez Giralda, Chief, International Legal Advisory Assistance, Ministry of Foreign Affairs, Conciliator	7 February 2002
Spain	José Antonio Pastor Ridruejo, Judge, European Court of Human Rights, Arbitrator	7 February 2002
Spain	Julio D. González Campos, Professor of Private International Law, Universidad Autónoma de Madrid, former Constitutional Court Judge, Arbitrator	7 February 2002
Sri Lanka	Hon. M.S. Aziz, P.C., Conciliator and Arbitrator	17 January 1996
Sri Lanka	C. W. Pinto, Secretary-General of the Iran-US Tribunal in the Hague, Conciliator and Arbitrator	17 September 2002
Sudan	Sayed/Shawgi Hussain, Arbitrator	8 September 1995
Sudan	Dr. Ahmed Elmufi, Arbitrator	8 September 1995
Sudan	Dr. Abd Elrahman Elkhalifa, Conciliator	8 September 1995
Sudan	Sayed/Eltahir Hamadalla, Conciliator	8 September 1995

State Party	Nominations:	Date of deposit of notification with the Secretary-General:
Sudan	Prof. Elihu Lauterpacht CBE QC, Arbitrator	8 September 1995
Sudan	Sir Arthur Watts KCMG QC, Arbitrator	8 September 1995
Sweden	Dr. Marie Jacobsson, Principal Legal Advisor on International Law, Ministry for Foreign Affairs, Arbitrator	2 June 2006
Sweden	Dr. Said Mahmoudi, Professor of International Law, University of Stockholm, Arbitrator	2 June 2006
Trinidad and Tobago	Mr. Justice Cecil Bernard, Judge of the Industrial Court of the Republic of Trinidad and Tobago, Arbitrator	17 Nov 2004
United Kingdom of Great Britain and Northern Ireland	Sir Michael Wood, Arbitrator and Conciliator	2 November 2010
United Kingdom of Great Britain and Northern Ireland	Sir Elihu Lauterpacht QC, Arbitrator and Conciliator	2 November 2010
United Kingdom of Great Britain and Northern Ireland	Professor Vaughan Lowe QC, Arbitrator and Conciliator	2 November 2010
United Kingdom of Great Britain and Northern Ireland	Mr. David Anderson, Arbitrator and Conciliator	2 November 2010

CORRIGENDUMSaudi Arabia: Royal Decree No. (M/4) dated 26 January 2010*Law of the Sea Bulletin* No. 72, page 82

In table No. (2) (Baseline in the Arabian Gulf), page 85, a footnote was inadvertently omitted in respect to baseline point No. 11 (9).

The footnote reads: “\* Border Point (No.9) between the Kingdom of Saudi Arabia and the Kingdom of Bahrain on the furthestmost east side of the Saudi Island of Lubainah Al Kabirah. (Clarke 1880 system - Datum Nahrawan)”

In table No. (3) (Baseline in the Arabian Gulf), page 85, a footnote was inadvertently omitted in respect to baseline point No. 4 (á).

The footnote reads: “\* Border Point (a) between the Kingdom of Saudi Arabia and the United Arab Emirates. (Clarke 1866 system - Umm Arras)”

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