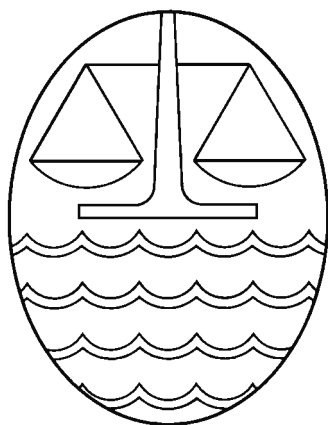


Division for Ocean Affairs and the Law of the Sea
Office of Legal Affairs

Law of the Sea



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NOTE

The designations employed and the presentation of the material in this publication do not imply the expression of any opinion whatsoever on the part of the Secretariat of the United Nations concerning the legal status of any country, territory, city or area or of its authorities, or concerning the delimitation of its frontiers or boundaries.

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.

IF ANY MATERIAL CONTAINED IN THE BULLETIN IS REPRODUCED IN PART OR IN WHOLE, DUE ACKNOWLEDGEMENT SHOULD BE GIVEN.

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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 Stocks¹

1. *Table recapitulating the status of the Convention and of the related Agreements, as at 31 July 2013*

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 (i) that a declaration or statement was made at the time of signature; at the time of ratification/accession or anytime thereafter, or (ii) 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
TOTALS	157	166	Declaration	79	145	59	81
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	□		07/09/2010(p)		
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 □
Azerbaijan							
Bahamas	10/12/82	29/07/83		29/07/94	28/07/95(sp)		16/01/97(a)

¹ 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	Declaration	Signature dd/mm/yy	Ratification/ accession; dd/mm/yy	Signature dd/mm/yy	Ratification/ accession; dd/mm/yy
Bahrain	10/12/82	30/05/85					
Bangladesh	10/12/82	27/07/01	<input type="checkbox"/>		27/07/01(a)	04/12/95	05/11/12
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	<input type="checkbox"/>		30/08/06(a)		
Belgium	05/12/84	13/11/98	<input type="checkbox"/>	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	<input type="checkbox"/>	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	<input type="checkbox"/>	29/07/94	07/11/03	04/12/95	03/08/99
Cabo Verde	10/12/82	10/08/87	<input type="checkbox"/>	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	<input type="checkbox"/>		25/08/97(a)		
China	10/12/82	07/06/96	<input type="checkbox"/>	29/07/94	07/06/96(p)	06/11/96	
Colombia	10/12/82						
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)

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
Côte d'Ivoire	10/12/82	26/03/84		25/11/94	28/07/95(sp)	24/01/96	
Croatia		05/04/95(s)	<input type="checkbox"/>		05/04/95(p)		10/09/13(a)
Cuba	10/12/82	15/08/84	<input type="checkbox"/>		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	<input type="checkbox"/>	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	<input type="checkbox"/>	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		24/09/12(a)	<input type="checkbox"/>		24/09/12(p)		
Egypt	10/12/82	26/08/83	<input type="checkbox"/>	22/03/95		05/12/95	
El Salvador	05/12/84						
Equatorial Guinea	30/01/84	21/07/97	<input type="checkbox"/>		21/07/97(p)		
Eritrea							
Estonia		26/08/05(a)	<input type="checkbox"/>		26/08/05(a)		07/08/06(a)
Ethiopia	10/12/82						
European Union	07/12/84	01/04/98(fc)	<input type="checkbox"/>	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	<input type="checkbox"/>	29/07/94	21/06/96	27/06/96	19/12/03
France	10/12/82	11/04/96	<input type="checkbox"/>	29/07/94	11/04/96	04/12/96	19/12/03
Gabon	10/12/82	11/03/98	<input type="checkbox"/>	04/04/95	11/03/98(p)	07/10/96	
Gambia	10/12/82	22/05/84					
Georgia		21/03/96(a)			21/03/96(p)		
Germany		14/10/94(a)	<input type="checkbox"/>	29/07/94	14/10/94	28/08/96	19/12/03
Ghana	10/12/82	7/06/83	<input type="checkbox"/>				
Greece	10/12/82	21/07/95	<input type="checkbox"/>	29/07/94	21/07/95	27/06/96	19/12/03
Grenada	10/12/82	25/04/91	<input type="checkbox"/>	14/11/94	28/07/95(sp)		

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
Guatemala	08/07/83	11/02/97	<input type="checkbox"/>		11/02/97(p)		
Guinea	04/10/84	06/09/85	<input type="checkbox"/>	26/08/94	28/07/95(sp)		16/09/05(a)
Guinea-Bissau	10/12/82	25/08/86	<input type="checkbox"/>			04/12/95	
Guyana	10/12/82	16/11/93			25/09/08(a)		
Haiti	10/12/82	31/07/96			31/07/96(p)		
<i>Holy See</i>							
Honduras	10/12/82	05/10/93	<input type="checkbox"/>		28/07/03(a)		
Hungary	10/12/82	05/02/02	<input type="checkbox"/>		05/02/02(a)		16/05/08(a)
Iceland	10/12/82	21/06/85	<input type="checkbox"/>	29/07/94	28/07/95(sp)	04/12/95	14/02/97
India	10/12/82	29/06/95	<input type="checkbox"/>	29/07/94	29/06/95		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	<input type="checkbox"/>	29/07/94	21/06/96	27/06/96	19/12/03
Israel						04/12/95	
Italy	07/12/84	13/01/95	<input type="checkbox"/>	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)	<input type="checkbox"/>		24/02/03(p)		15/09/05(a)
Kuwait	10/12/82	02/05/86	<input type="checkbox"/>		02/08/02(a)		
Kyrgyzstan							
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)
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)

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
Libya	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 ¹	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	<input type="checkbox"/>		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 ¹	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	19/09/2012	
Mozambique	10/12/82	13/03/97			13/03/97(a)		10/12/08(a)	
Myanmar	10/12/82	21/05/96			21/05/96(a)			
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	<input type="checkbox"/>	29/07/94	28/06/96	28/06/96	19/12/03	<input type="checkbox"/>
New Zealand	10/12/82	19/07/96		29/07/94	19/07/96	04/12/95	18/04/01	
Nicaragua	09/12/84 ¹	03/05/00	<input type="checkbox"/>		03/05/00(p)			
Niger	10/12/82	07/08/13			07/08/13(p)			
Nigeria	10/12/82	14/08/86		25/10/94	28/07/95(sp)		02/11/09(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
<i>Niue</i>	05/12/84	11/10/06			11/10/06(p)	04/12/95	11/10/06
Norway	10/12/82	24/06/96	<input type="checkbox"/>		24/06/96(a)	04/12/95	30/12/96
Oman	01/07/83 <input type="checkbox"/>	17/08/89	<input type="checkbox"/>		26/02/97(a)		14/05/08(a)
Pakistan	10/12/82	26/02/97	<input type="checkbox"/>	10/08/94	26/02/97(p)	15/02/96	
Palau		30/09/96(a)	<input type="checkbox"/>		30/09/96(p)		26/03/08(a)
Panama	10/12/82	01/07/96	<input type="checkbox"/>		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 <input type="checkbox"/>	08/05/84	<input type="checkbox"/>	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	<input type="checkbox"/>	29/07/94	03/11/97	27/06/96	19/12/03
Qatar	27/11/84 <input type="checkbox"/>	09/12/02			09/12/02(p)		
Republic of Korea	14/03/83	29/01/96	<input type="checkbox"/>	07/11/94	29/01/96	26/11/96	01/02/08
Republic of Moldova		06/02/07(a)	<input type="checkbox"/>		06/02/07(p)		
Romania	10/12/82 <input type="checkbox"/>	17/12/96	<input type="checkbox"/>		17/12/96(a)		16/07/07(a)
Russian Federation	10/12/82 <input type="checkbox"/>	12/03/97	<input type="checkbox"/>		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	<input type="checkbox"/>				29/10/10(a)
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 <input type="checkbox"/>	03/11/87					
Saudi Arabia	07/12/84	24/04/96	<input type="checkbox"/>		24/04/96(p)		

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
Senegal	10/12/82	25/10/84		09/08/94	25/07/95	04/12/95	30/01/97	
Serbia		12/03/01(s)	<input type="checkbox"/>	12/05/95	28/07/95(sp) ¹			
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)	<input type="checkbox"/>
Slovenia		16/06/95(s)	<input type="checkbox"/>	19/01/95	16/06/95		15/06/06(a)	<input type="checkbox"/>
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	<input type="checkbox"/>	03/10/94	23/12/97		14/08/03(a)	
South Sudan								
Spain	04/12/84	15/01/97	<input type="checkbox"/>	29/07/94	15/01/97	03/12/96	19/12/03	<input type="checkbox"/>
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	23/01/85		29/07/94				
Suriname	10/12/82	09/07/98			09/07/98(p)			
Swaziland	18/01/84	24/09/12		12/10/94	24/09/12(p)			
Sweden	10/12/82	25/06/96	<input type="checkbox"/>	29/07/94	25/06/96	27/06/96	19/12/03	<input type="checkbox"/>
Switzerland	17/10/84	01/05/09	<input type="checkbox"/>	26/10/94	01/05/09			
Syrian Arab Republic								
Tajikistan								
Thailand	10/12/82	15/05/11	<input type="checkbox"/>		15/05/11(a)			
The former Yugoslav Republic of Macedonia		19/08/94 (s)			19/08/94(p)			
Timor-Leste		08/01/13(a)	<input type="checkbox"/>		08/01/13(p)			
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	

² For further details, see Chapter XXI of the publication entitled "Multilateral Treaties deposited with the Secretary-General" (<http://untreaty.un.org/ENGLISH/bible/englishinternetbible/part1/chapterXXI/chapterXXI.asp>).

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
Trinidad and Tobago	10/12/82	25/04/86	<input type="checkbox"/>	10/10/94	28/07/95(sp)		13/09/06(a)	
Tunisia	10/12/82	24/04/85	<input type="checkbox"/>	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	<input type="checkbox"/>	09/08/94	28/07/95(sp)	10/10/96		
Ukraine	10/12/82	26/07/99	<input type="checkbox"/>	28/02/95	26/07/99	04/12/95	27/02/03	
United Arab Emirates	10/12/82							
United Kingdom		25/07/97(a)	<input type="checkbox"/>	29/07/94	25/07/97	04/12/95	10/12/01 19/12/03 ²	<input type="checkbox"/>
United Republic of Tanzania	10/12/82	30/09/85	<input type="checkbox"/>	07/10/94	25/06/98			
United States of America				29/07/94		04/12/95	21/08/96	<input type="checkbox"/>
Uruguay	10/12/82	10/12/92	<input type="checkbox"/>	29/07/94	07/08/07	16/01/96	10/09/99	<input type="checkbox"/>
Uzbekistan								
Vanuatu	10/12/82	10/08/99		29/07/94	10/08/99(p)	23/07/96		
Venezuela (Bolivian Republic of)								
Viet Nam	10/12/82	25/07/94	<input type="checkbox"/>		27/04/06(a)			
Yemen	10/12/82	21/07/87	<input type="checkbox"/>					
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)			
TOTALS	157	166		79	145	59	81	

2. *Chronological lists of ratifications of, accessions and successions to the Convention and the related Agreements, as at 31 July 2013*

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. Cabo 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)
162. Thailand (15 May 2011)
163. Ecuador (24 September 2012)
164. Swaziland (24 September 2012)
165. Timor-Leste (8 January 2013)
166. Niger (7 August 2013)

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. Cabo 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)
141. Thailand (15 May 2011)
142. Ecuador (24 September 2012)
143. Swaziland (24 September 2012)
144. Timor-Leste (8 January 2013)
145. Niger (7 August 2013)

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 of Great Britain and Northern Ireland (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)
79. Morocco (19 September 2012)
80. Bangladesh (5 November 2012)
81. Croatia (10 September 2013)

3. *Declarations by States*¹

a. Communications related to the Declaration made by Ecuador upon accession

i. *Spain*²

The Kingdom of Spain recalls that in accordance with articles 309 and 310 of the United Nations Convention on the Law of the Sea, reservations or exceptions to the Convention are not permitted and that the Declaration of the Republic of Ecuador cannot exclude or modify the application of the provisions of the Convention for that State. In particular, Spain does not recognize the drawing of baselines that were not made as required by the Convention.

ii. *United Kingdom of Great Britain and Northern Ireland*³

“The Government of the United Kingdom notes from discussions between representatives of the European Union and of Ecuador that Ecuador does not intend that the Declaration should exclude or modify the legal effect of the provisions of the Convention.

In view of this clarification, the United Kingdom is content that the Convention should enter into force between Ecuador and the United Kingdom.”

iii. *European Union*⁴

“The European Union has carefully examined the declaration made by Ecuador upon accession to the United Nations Convention on the Law of the Sea.

The European Union recalls that, according to Article 309 of the Convention, ‘no reservations or exceptions may be made to this Convention, unless expressly permitted by other articles of this Convention’.

The European Union is concerned that certain elements of that Declaration may be incompatible with the prohibition of reservations to the Convention or incompatible with particular provisions of the Convention, and which could have an effect on the exercise of the rights of others.

However, the European Union notes that Ecuador has declared, in its discussions with representatives of the European Union, that it did not intend to exclude or modify the legal effects of the provisions of the Convention through its Declaration.

In view of this clarification, the European Union is content that the Convention should enter into force between the European Union and Ecuador without the Declaration excluding or modifying the legal effects of the provisions of the Convention.”

¹ Refer to depositary notification C.N.595.2012.TREATIES-XXI-6 of 24 October 2012 (Accession: Ecuador). Attention: Treaty Services of Ministries of Foreign Affairs and of international organizations concerned. Depositary notifications are issued in electronic format only. Depositary notifications are made available to the Permanent Missions to the United Nations in the United Nations Treaty Collection on the Internet at <http://treaties.un.org>, under "Depositary Notifications (CNs)". In addition, the Permanent Missions, as well as other interested individuals, can subscribe to receive depositary notifications by e-mail through the Treaty Section's "Automated Subscription Services", which is also available at <http://treaties.un.org>.

² C.N.839.2013.TREATIES-XXI.6 (Depositary Notification), effected on 17 October 2013.

³ C.N.875.2013.TREATIES-XXI.6 (Depositary Notification), effected on 17 October 2013.

⁴ C.N.862.2013.TREATIES-XXI.6 (Depositary Notification), effected on 23 October 2013.

iv. *Greece*⁵

“The Government of the Hellenic Republic has examined the Declaration submitted by Ecuador upon accession to the 1982 United Nations Convention on the Law of the Sea.

In this respect, the Government of the Hellenic Republic notes from discussions between representatives of the European Union and of Ecuador that Ecuador does not intend that the Declaration should exclude or modify the legal effect of the provisions of the Convention.

In view of this clarification and with this understanding, the Hellenic Republic is content that the Convention should enter into force between Ecuador and the Hellenic Republic.”

b. Objections related to the Declaration made by Ecuador upon accession

i. *Sweden*⁶

“The Government of Sweden has examined the declaration made by Ecuador upon accession to the United Nations Convention on the Law of the Sea, UNCLOS.

The Government of Sweden recalls that the designation assigned to a statement whereby the legal effect of certain provisions of a treaty is excluded or modified does not determine its status as a reservation to the treaty. The Government of Sweden considers that significant parts of the declaration made by Ecuador in substance aims at constituting a reservation limiting or modifying the scope of the Convention.

The Government of Sweden recalls that according to article 309 of UNCLOS no reservations or exceptions may be made to the Convention unless expressly permitted in the Convention. Already on this ground, those parts of the Declaration that in any way deviate from the provisions of the Convention have no effect on the content and extent to which Ecuador is bound by the Convention.

It is worth recalling that the sovereignty of a State extends, beyond its land territory and internal waters, to the territorial sea and, in the case of an archipelagic state, its archipelagic waters, the airspace over the territorial sea as well as to its bed and subsoil. This general rule is reflected in UNCLOS art 2. Under International Law, ‘territory’ cannot be defined otherwise and the sovereignty of a State does not extend beyond these areas.

The rights and duties of States in the EEZ are expressly described by UNCLOS. The Convention is also clear on the fact that for residual rights, those rights that are not attributed, there is no presumption in favour of either the Coastal State or other States. Any conflict between the interests of the coastal State and any other State or States shall be resolved on the basis of equity and in light of all relevant circumstances.

The freedom of navigation is a longstanding rule and principle recognized in international law, including in UNCLOS. On the high seas and exclusive economic zone, all States enjoy the freedom of navigation. The right of a ship to navigate is subject only to the jurisdiction of their flag State and the coastal States jurisdiction as determined by UNCLOS. Navigation cannot be restricted in any other way by the coastal State. Hence, no vessels or aircraft need to notify or seek prior authorization from the coastal State when exercising its right under the principle of the freedom of the high seas, including the freedom of navigation outside the territorial sea. The Government of Sweden would like to stress its firm conviction that the freedom of navigation encompasses all activities by ships, including warships and naval auxiliaries, which are lawful under international law and conducted in accordance with UNCLOS.

Furthermore, no vessels or aircraft need to notify or seek prior authorization from the coastal State to exercise the right of innocent passage in accordance with the provisions of UNCLOS.

⁵ C.N.861.2013.TREATIES-XXI.6 (Depositary Notification), effected on 23 October 2013.

⁶ C.N.872.2013.TREATIES-XXI.6 (Depositary Notification), effected on 18 October 2013.

The Government of Sweden has studied the baselines described by Ecuador in its Declaration. According to the provisions of UNCLOS the normal baseline is the low-water line along the coast. Straight baselines may be employed if the coast is deeply indented or cut into, or if there is a fringe of islands along the coast in its immediate vicinity. The drawing of straight baselines must not depart to any appreciable extent from the general direction of the coast. The Ecuadorian coastline is stable and even, and the baselines described by Ecuador deviates from the main rules included in UNCLOS provisions. The baselines of islands shall be drawn according to the same criteria. The baselines surrounding the Galapagos Islands, creating a large area of internal waters not connected to the mainland is not in accordance with UNCLOS.

According to customary international law, as codified in the Vienna Convention on the Law of Treaties, a reservation that is prohibited by the treaty against which it is formulated or that is incompatible with the object and purpose of the Treaty shall not be permitted. It is in the common interest of States that treaties to which they have chosen to become parties are respected as to their object and purpose, by all parties, and that States are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties.

The Government of Sweden therefore objects to the aforesaid declaration made by Ecuador to the United Nations Convention on the Law of the Sea. The Government of Sweden is particularly concerned that the elements of the declaration referred to above, in substance aims at constituting a reservation with the aim of limiting the scope of the Convention.

This objection shall not preclude the entry into force of the Convention between Sweden and Ecuador.”

ii. *Germany*⁷

“The Federal Republic of Germany would like to point out that under Articles 309 and 310 of the United Nations Convention on the Law of the Sea, the formulation of reservations or exceptions to the Convention is prohibited, and that the Republic of Ecuador is not permitted to exclude or modify the legal effect of the provisions of the Convention in their application to the Republic of Ecuador.

The Federal Republic of Germany is of the view that the declaration made by the Republic of Ecuador is unclear in important respects and in substance may constitute a reservation that excludes or modifies the legal effects of the provisions of the Convention in their application to the Republic of Ecuador, in particular with regard to freedom of navigation, the establishment of maritime zones and the exercise of jurisdiction and sovereign rights within them.

The Federal Republic of Germany therefore objects to the declaration to the extent that any part of it constitutes a reservation not otherwise permitted by the Convention or purports to exclude or modify the legal effects of the provisions of the Convention in their application to the Republic of Ecuador.

This objection shall not preclude the entry into force of the Convention between the Federal Republic of Germany and the Republic of Ecuador.”

iii. *Ireland*⁸

"1. The Government of Ireland has examined the declaration made by Ecuador upon accession to the United Nations Convention on the Law of the Sea and deposited with the Secretary-General of the United Nations on 24 September 2012.

2. The Government of Ireland recalls that Article 309 of the Convention prohibits reservations and exceptions to the Convention, unless expressly permitted by other articles of the Convention, and that Article 310 of the Convention further provides that declarations and statements made by a State when signing, ratifying or acceding to

⁷ C.N.854.2013.TREATIES-XXI.6 (Depositary Notification), effected on 21 October 2013.

⁸ C.N.855.2013.TREATIES-XXI.6 (Depositary Notification), effected on 21 October 2013.

it cannot exclude or modify the legal effects of the provisions of the Convention in their application to the State concerned.

3. The Government of Ireland is of the view that the declaration made by Ecuador is unclear in important respects and in substance may constitute a reservation that excludes or modifies the legal effects of the provisions of the Convention in their application to Ecuador, in particular with regard to freedom of navigation, the establishment of maritime zones and the exercise of jurisdiction and sovereign rights within them.

4. The Government of Ireland therefore objects to the declaration to the extent that any part of it constitutes a reservation not otherwise permitted by the Convention or purports to exclude or modify the legal effects of the provisions of the Convention in their application to Ecuador.

5. This objection shall not preclude the entry into force of the Convention between Ireland and Ecuador."

iv. *Latvia*⁹

"The Government of the Republic of Latvia has carefully examined the declaration made by the Republic of Ecuador upon accession.

The Government of the Republic of Latvia wishes to note that Article 309 of the Convention sets out that no reservations or expectations to this Convention can be made unless it is explicitly permitted by the Convention. As well as Article 310 of the Convention stipulates that declarations or statements may not exclude or modify the legal effect of the provisions of this Convention in their application to that State.

The Government of the Republic of Latvia recalls that, according to Article 27 of the Vienna Convention on the Law of Treaties, the State Party to an international agreement may not invoke the provisions of its internal law as justification for its failure to perform a treaty. On the contrary, it should be deemed a rule that a State Party adjusts its internal law to the treaty which it decides to be bound by.

Therefore, the Government of the Republic of Latvia is of the view that the declaration made by the Republic of Ecuador is inconsistent with the Convention, *inter alia*, regarding the freedom of navigation. Furthermore, the declaration is unclear in its purpose and intent, particularly regarding its effect on the national legislation, which currently is incompatible with the object and purpose of the Convention.

Therefore, the Government of the Republic of Latvia holds the opinion that the declaration contains provisions limiting the application of the Convention. Thus, it should be considered as a reservation as stipulated in Article 2(1)(d) of the Vienna Convention on the Law of Treaties.

Consequently, The Government of the Republic of Latvia objects to the declaration of Republic of Ecuador made upon the accession to the United Nations Convention on the Law of the Sea.

At the same time, this objection shall not preclude the entry into force of the Convention between the Republic of Latvia and the Republic of Ecuador. Thus, the Convention will become operative without the Republic of Ecuador benefiting from its declaration."

v. *Netherlands*¹⁰

"The Government of the Kingdom of the Netherlands has carefully examined the declaration made by Ecuador upon accession to the United Nations Convention on the Law of the Sea.

The Government of the Kingdom of the Netherlands is particularly concerned that certain elements of that declaration, such as the statements relating to the interpretation of the rights of coastal States in the exclusive

⁹ C.N.856.2013.TREATIES-XXI.6 (Depositary Notification), effected on 21 October 2013.

¹⁰ C.N.857.2013.TREATIES-XXI.6 (Depositary Notification), effected on 21 October 2013.

economic zone and in relation to the marine environment as well as statements pertaining to the freedom of navigation, in substance constitute reservations limiting the scope of the Convention.

The Government of the Kingdom of the Netherlands recalls that, according to Article 309 of the Convention, ‘no reservations or exceptions may be made to this Convention, unless expressly permitted by other articles of this Convention.’

The Government of the Kingdom of the Netherlands therefore objects to the reservation of Ecuador to the United Nations Convention on the Law of the Sea.

This objection shall not preclude the entry into force of the Convention between the Kingdom of the Netherlands and Ecuador.”

vi. *Belgium*¹¹

Belgium has reviewed the declaration made by Ecuador upon its accession to the United Nations Convention on the Law of the Sea. Having analysed the content of this declaration, the Belgian Government believes that it includes aspects which amount to reservations. However, article 309 prohibits reservations and exceptions other than those expressly permitted by other articles of the Convention.

Belgium, when it signed the Convention, drew attention to the points regulated by the Convention which it considered particularly crucial, namely the right of innocent passage and the limit of the territorial sea at 12 nautical miles.

The Belgian Government is therefore particularly disturbed by the parts of the declaration concerning sovereignty, which seems to go beyond 12 nautical miles, and concerning the right of innocent passage and freedom of navigation. In its declaration, Ecuador seems also to be claiming residual rights in the exclusive economic zone, which is inconsistent with article 59. Belgium is also concerned about the references to the baselines around the Galapagos islands, which do not correspond to the prescriptions of the Convention.

Belgium therefore objects to this declaration but specifies that this objection shall not preclude the entry into force of the Convention between Ecuador and Belgium.

vii. *Finland*¹²

“The Government of Finland has carefully examined the contents of the declaration made by the Ecuadorian State to the United Nations Convention on the Law of the Sea. In view of the Government of Finland, this declaration may in substance constitute a reservation, because certain of its elements are unclear and seem to limit the scope of the Convention in its application to Ecuador, such as statements regarding the freedom of navigation, the establishment of maritime zones and the exercise of jurisdiction and sovereign rights within them.

The Government of Finland wishes to recall that according to Article 309 no reservations or exceptions may be made to the Convention unless expressly permitted by other articles of the Convention. Article 310 of the Convention further provides that declarations and statements made by a State when signing, ratifying or acceding to it cannot purport to exclude or to modify the legal effects of the provisions of the Convention in their application to the State concerned.

Therefore, the Government of Finland objects to the declaration made by Ecuador to the extent that any part of it constitutes a reservation not permitted by the Convention or purports to exclude or modify the legal effects of the provisions of the Convention in their application to Ecuador.

This objection does not preclude the entry into force of the Convention between Finland and Ecuador. The Convention will thus become operative between the two States without Ecuador benefitting from its reservations.”

¹¹ C.N.886.2013.TREATIES-XXI.6 (Depositary Notification), effected on 22 October 2013.

¹² C.N.887.2013.TREATIES-XXI.6 (Depositary Notification), effected on 23 October 2013.

viii. *Italy*¹³

“The Government of Italy has examined the declaration made by Ecuador upon accession to the United Nations Convention on the Law of the Sea (UNCLOS).

The Government of Italy considers that the declaration made by Ecuador constitutes in substance a reservation limiting or modifying the scope of the Convention and according to article 309 of UNCLOS no reservations or exceptions may be made to the Convention unless expressly permitted in the Convention.

The Government of Italy recalls that according to the Convention, the coastal State does not enjoy residual rights in the exclusive economic zone. In particular, the rights and jurisdiction of the coastal State in such zone do not include the right to obtain notification of military exercises or manoeuvres or to authorize them. None of the provisions of the Convention, which corresponds on this matter to customary international law, can be regarded as entitling the coastal State to make innocent passage of particular categories of foreign ships dependent on prior consent or notification.

For these reasons the Government of Italy objects to the abovementioned declaration formulated by the Republic of Ecuador.

This objection shall not preclude the entry into force of the Convention between Italy and the Republic of Ecuador.”

¹³ C.N.866.2013.TREATIES-XXI.6 (Depositary Notification), effected on 23 October 2013.

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

A. National Legislation

1. *Tuvalu*¹

a. Maritime Zones Act 2012

**AN ACT TO PROVIDE FOR THE INTERNAL WATERS, THE ARCHIPELAGIC WATERS,
THE TERRITORIAL SEA, THE CONTIGUOUS ZONE, THE EXCLUSIVE ECONOMIC ZONE AND
THE CONTINENTAL SHELF OF TUVALU**

ENACTED BY THE PARLIAMENT OF TUVALU
Commencement [4th May, 2012]

1. Short Title

This Act may be cited as the Maritime Zones Act 2012.

2. Commencement

This Act shall commence on the date of publication.

3. Interpretation

(1) In this Act –

“**archipelago**” means a group of islands, including parts of islands, interconnecting waters and other natural features, which are so closely interrelated that they form an intrinsic geographical, economic and political entity, or have historically been regarded as such;

“**lagoon**” means the waters lying within the reef of an atoll;

“**low-water line**” means the line of low water at the lowest astronomical tide;

“**nautical mile**” means an international nautical mile of 1,852 metres.

(2) For the purposes of this Act, permanent harbour works that form an integral part of a harbour system shall be regarded as forming part of the coast, but this subsection does not apply to off-shore installations or artificial islands.

4. References to international law

Where in this Act it is provided that anything shall be done, or any law or order shall be made, in accordance with international law, the question, whether it was so done or made, is non-justiciable.

5. Application of this Act

The provisions of this Act shall be read subject to the provisions of any treaty or other international obligation which is ratified or finally accepted by Tuvalu.

**PART 1
TERRITORIAL SEA**

6. The territorial sea

¹ Transmitted by note verbale dated 29 August 2013 from the Permanent Mission of Tuvalu to the United Nations addressed to the Secretariat of the United Nations.

Annexed lists of geographical coordinates of points were deposited with the Secretary-General under article 16(2), 47(9), 75(2) and 84(2) of the Convention (see Maritime Zone Notification M.Z.N.98.2013.LOS of 4 September 2013).

- (1) Subject to subsection (2), the territorial sea comprises those areas of the sea having –
 - (a) as their inner limits, the baseline described in section 7(1), and
 - (b) as their outer limits, a line measured seaward from that baseline, every point of which is distant 12 nautical miles from the nearest point of that baseline.
- (2) Where archipelagic baselines are declared under section 7(3), the territorial sea comprises those areas of the sea having –
 - (a) as their inner limits, the baseline described in section 7(2), and
 - (b) as their outer limits, a line measured seaward from that baseline, every point of which is distant 12 nautical miles from the nearest point of that baseline.

7. Baselines of the territorial sea

- (1) Subject to subsection (2), the baseline from which the breadth of the territorial sea is measured shall be the low-water line of the seaward side of the reef fringing the coast of any part of Tuvalu or bounding any lagoon waters adjacent to any part of that coast, or where a reef is not present, the low-water line of the coast itself.
- (2) Where there is an archipelago, the baselines from which the breadth of the territorial sea is measured shall be archipelagic baselines, declared in accordance with subsection (3).
- (3) The Minister may, by order, declare, in accordance with international law, the geographic coordinates of points between which archipelagic baselines are to be drawn.

8. Internal waters

- (1) The internal waters of Tuvalu comprise –
 - (a) all waters on the landward side of the baseline described in section 7(1) and
 - (b) the lagoons of any atoll.
- (2) The internal waters of Tuvalu are inland waters for the purpose of section 2(1)(a) of the Constitution of Tuvalu.

**PART 2
ARCHIPELAGIC WATERS**

9. Archipelagic waters

- (1) The archipelagic waters of Tuvalu comprise all waters enclosed by the archipelagic baselines declared under section 7(3).
- (2) The archipelagic waters of Tuvalu are part of the area of Tuvalu for the purpose of section 2(1)(b) of the Constitution of Tuvalu.

**PART 3
CONTIGUOUS ZONE**

10. Contiguous zone

- (1) Subject to subsection (2), the contiguous zone of Tuvalu comprises those areas of the sea that are beyond and adjacent to the territorial sea, having as their outer limits a line measured seaward from the baseline described in section 7(1), every point of which is distant 24 nautical miles from the nearest point of that baseline.
- (2) Where an archipelagic baseline is declared under section 7(3), the outer limits of the contiguous zone are a line measured seaward from that archipelagic baseline, every point of which is distant 24 nautical miles from the nearest point of that archipelagic baseline.

**PART 4
EXCLUSIVE ECONOMIC ZONE**

11. Exclusive economic zone

- (1) Subject to subsections (2) and (3), the exclusive economic zone of Tuvalu comprises those areas of the sea, seabed and subsoil that are beyond and adjacent to the territorial sea, having as their outer limits a line measured seaward from the baseline described in section 7(1), every point of which is not more than 200 nautical miles from the nearest point of that baseline.
- (2) Where an archipelagic baseline is declared under section 7(3), the outer limits of the exclusive economic zone are a line measured seaward from that archipelagic baseline, every point of which is not more than 200 nautical miles from the nearest point of that archipelagic baseline.
- (3) The Minister may, by order, for the purpose of implementing any international agreement or the award of any international body, declare that the outer limits of the exclusive economic zone of Tuvalu are such as are specified in the order.

**PART 5
CONTINENTAL SHELF**

12. Continental shelf

- (1) Subject to subsections (2) and (3), the continental shelf of Tuvalu comprises those parts of the seabed and subsoil of the submarine areas beyond and adjacent to the territorial sea, having as their outer limits a line measured seaward from the baseline described in section 7(1), every point of which is not more than 200 nautical miles from the nearest point of that baseline.
- (2) Where an archipelagic baseline is declared under section 7(3), the outer limits of the continental shelf are a line measured seaward from that archipelagic baseline, every point of which is not more than 200 nautical miles from the nearest point of that archipelagic baseline.
- (3) The Minister may, by order, for the purpose of implementing any international agreement, the award of any international body or the recommendations of the Commission on the Limits of the Continental Shelf, declare that the outer limits of the continental shelf of Tuvalu are such as are specified in the order.

**PART 6
RIGHTS IN THE MARITIME ZONES**

13. Legal character of maritime zones

The sovereignty of Tuvalu extends to its land areas, internal waters, archipelagic waters and territorial sea, and to the airspace over them and the seabed and subsoil under them, and the resources contained in them.

14. Rights in the contiguous zone

Within the contiguous zone, Tuvalu has all rights necessary –

- (a) to prevent infringement of its customs, fiscal, immigration and sanitary laws and regulations within its land areas, territorial sea and archipelagic waters, and
- (b) to punish any such infringement, and

all relevant laws of Tuvalu extend to the contiguous zone accordingly.

15. Rights in the exclusive economic zone and continental shelf

- (1) Within the exclusive economic zone, Tuvalu has sovereign rights –
 - (a) for the purposes of exploring and exploiting, conserving and managing the natural resources, whether living or non-living, of –
 - (i) the seabed;
 - (ii) the subsoil under the seabed, and

- (iii) the waters over the seabed, and
 - (b) with regard to other activities for the economic exploitation and exploration of the zone, such as the production of energy from the water, currents and winds.
- (2) Within the continental shelf, Tuvalu has –
 - (a) sovereign rights for the purpose of exploring it and exploiting its natural resources, and
 - (b) exclusive rights to authorise and regulate drilling on it for all purposes.
- (3) Within the exclusive economic zone and the continental shelf, Tuvalu has the exclusive right to construct, authorise and regulate the construction, operation and use of:
 - (a) artificial islands;
 - (b) installations and structures for the purposes provided in subsection (1), marine scientific research, the protection and preservation of the marine environment and other economic purposes, and
 - (c) installations and structures which may interfere with Tuvalu’s exercise of its rights in the exclusive economic zone or continental shelf.
- (4) Within the exclusive economic zone and continental shelf, Tuvalu has exclusive jurisdiction over the artificial islands, installations and structures referred to in subsection (3), including jurisdiction with regard to customs, fiscal, health, safety and immigration laws and regulations.
- (5) Within the exclusive economic zone and continental shelf, Tuvalu:
 - (a) has jurisdiction with respect to protection and preservation of the marine environment, and
 - (b) has the right to regulate, authorise and conduct marine scientific research..
- (6) Within the contiguous zone, the exclusive economic zone and the continental shelf, Tuvalu has such other rights as are conferred or recognised by international law.

16. Rights of other States in maritime zones

- (1) The Minister may, by order –
 - (a) designate sea lanes and air routes suitable for the continuous and expeditious passage of foreign ships and aircraft through and over the archipelagic waters and the adjacent territorial sea;
 - (b) prescribe traffic separation schemes for the purpose of ensuring the safe passage of ships through narrow channels in any such sea lanes, and
 - (c) prescribe sea lanes and traffic separation schemes for foreign ships exercising the right of innocent passage through the territorial sea.
- (2) In sea lanes and air routes designated under subsections (1)(a) and (1)(b), all ships and aircraft may, in accordance with international law, enjoy the right of navigation and overflight, in their normal modes, for the purpose of continuous, expeditious and unobstructed transit through and over the archipelagic waters and the adjacent territorial sea, from one part of the high seas or exclusive economic zone to another part of the high seas or exclusive economic zone.
- (3) Until sea lanes and air routes are designated under subsections (1)(a) and (1)(b), the rights of navigation and overflight referred to in subsection (2) may be exercised through and over all routes normally used for international navigation and overflight.
- (4) Subject to subsections (2) and (3), ships of all States have, in accordance with international law, the right of innocent passage through the territorial sea and the archipelagic waters of Tuvalu.
- (5) Subject to this Act, any other law of Tuvalu, and international law, all States shall enjoy in the exclusive economic zone the high seas freedoms of navigation and overflight and of the laying of

submarine cables and pipelines, and all other internationally lawful uses of the sea related to those freedoms.

- (6) Subject to this Act and any other law of Tuvalu, all States may lay submarine cables and pipelines on the continental shelf in accordance with international law.

PART 7

DECLARATIONS, REPEAL OF MARINE ZONES (DECLARATION) ACT AND REGULATIONS

17. Declarations and official charts

- (1) The Minister may, by order, declare:
- (a) the geographic coordinates of the points on the baseline described in s 7(1); or
 - (b) the geographic coordinates of the limits of the whole or any part of the territorial sea, the contiguous zone, the exclusive economic zone and the continental shelf.
- (2) The Minister may cause the points declared under sections 7(3), 11(3), 12(3) and 17(1), to be clearly indicated on charts of a scale or scales adequate for them to be readily determined.

18. Evidentiary provisions

In any proceedings before a court or person acting judicially, a certificate signed by the Minister stating that a specified nautical chart is a chart to which section 17(2) applies is evidence of the matters stated in the certificate, and the chart is evidence of the matters set out in it.

19. Repeal of Marine Zones (Declaration) Act

The Marine Zones (Declaration) Act is repealed.

20. Consequential amendments

A reference to the Marine Zones Declaration Act in any laws of Tuvalu shall be read as a reference to this Act.

21. Regulations

The Minister may make regulations to give effect to this Act, including but not limited to the following :—

- (a) regulating the conduct of marine scientific research within the exclusive economic zone and continental shelf;
- (b) regulating the exploration and exploitation, conservation and management of the natural resources within the exclusive economic zone;
- (c) regulating the exploration and exploitation of the exclusive economic zone for the production of energy from the water, currents and winds, and for other economic purposes;
- (d) regulating the construction, operation and use of artificial islands, installations and structures within the exclusive economic zone and the continental shelf, including requirements for the establishment of safety zones around any such island, installation or structure;
- (e) prescribing measures for the protection and preservation of the marine environment of the exclusive economic zone and continental shelf;
- (f) regulating the exploration and exploitation of the continental shelf and of its natural resources;
- (g) regulating drilling on the continental shelf and
- (h) providing for such other matters as are necessary or expedient to give effect to the rights and obligations of Tuvalu in relation to its internal waters, archipelagic waters, territorial sea, contiguous zone, exclusive economic zone and continental shelf, or as are necessary to give full effect to the provisions of this Act.

b. Declaration of Archipelagic Baselines 2012

LN No. 7 of 2012

MADE UNDER SECTION 7(3) AND SECTION 16(1) OF THE MARITIME ZONES ACT

Commencement [22nd November, 2012]

1. Citation

This Order may be cited as the Declaration of Archipelagic Baselines 2012.

2. Commencement

This Declaration shall come into force on the date of publication.

3. Archipelagic baselines

- (1) The points between which straight archipelagic baselines are to be drawn, for the purpose of sections 7(2) and 7(3) of the Maritime Zones Act, are specified in Schedule 1.
- (2) The archipelagic baselines join to form an archipelago comprising Nukufetau, Funafuti and Nukulaelae.

4. Guide to reading Schedule 1

In the table in Schedule 1:

- (a) lines are generated by reference to points,
- (b) the first column sets out the point identifier,
- (c) the second and third columns set out the geographic coordinates for each point and
- (d) the fourth column describes the location of the point.

5. Geodetic framework

In this Declaration, points defined by geographic coordinates are determined by reference to the World Geodetic System 1984 (WGS 84). Points are connected by geodesic lines realised in the WGS 84.

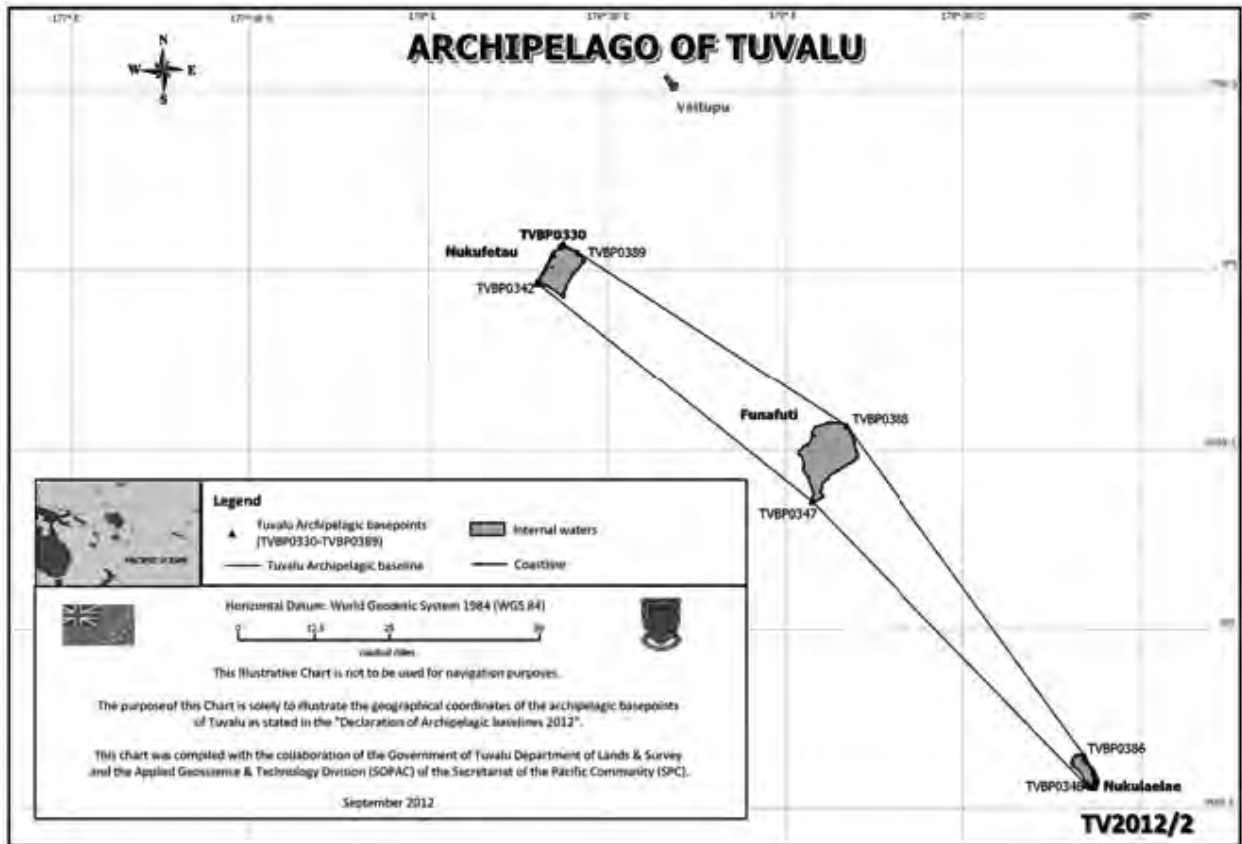
6. Illustrative chart

The chart in Schedule 2 provides a general illustration of the archipelagic baselines specified in Schedule 1.

SCHEDULE 1 - GEOGRAPHIC COORDINATES²

² Note by the editor: For a complete list of geographic coordinates see <http://www.un.org/Depts/los/LEGISLATIONANDTREATIES/STATEFILES/TUV.htm>.

**SCHEDULE 2 - ILLUSTRATIVE CHART
GENERAL ILLUSTRATION OF THE ARCHIPELAGIC BASELINES**



Note: This chart is provided as a general illustration of the archipelagic baselines specified in Part 1 of the Schedule.

c. Declaration of Territorial Sea Baselines 2012

LN No. 6 of 2012**MADE UNDER SECTION 17(1) (A) OF THE MARITIME ZONES ACT**

Commencement [22nd November, 2012]

1. Citation

This Order may be cited as the Declaration Territorial Sea Baselines 2012.

2. Commencement

This Declaration shall come into force on the date of its publication.

3. Territorial sea baselines

- (1) The points on the baseline from which the breadth of the territorial sea of Tuvalu is measured, described in section 7(1) of the Maritime Zones Act, are specified in the tables in Schedule 1.
- (2) The table in Part 1 specifies the points on the baseline from which the breadth of the territorial sea around Nanumea is measured.
- (3) The table in Part 2 specifies the points on the baseline from which the breadth of the territorial sea around Nanumanga is measured.
- (4) The table in Part 3 specifies the points on the baseline from which the breadth of the territorial sea around Niutao is measured.
- (5) The table in Part 4 specifies the points on the baseline from which the breadth of the territorial sea around Nui is measured.
- (6) The table in Part 5 specifies the points on the baseline from which the breadth of the territorial sea around Vaitupu is measured.
- (7) The table in Part 6 specifies the points on the baseline from which the breadth of the territorial sea around Niulakita is measured.

4. Guide to reading Schedule 1

- (1) In the tables in Schedule 1:
 - (a) lines are generated by reference to points,
 - (b) the first column sets out the point identifier,
 - (c) the second and third columns set out the geographic coordinates for each point and
 - (d) the fourth column sets out the zone(s) measured from the point.
- (2) In the fourth column:
 - (a) TS stands for territorial sea,
 - (b) CZ stands for contiguous zone and
 - (c) EEZ stands for exclusive economic zone and continental shelf.

5. Geodetic framework

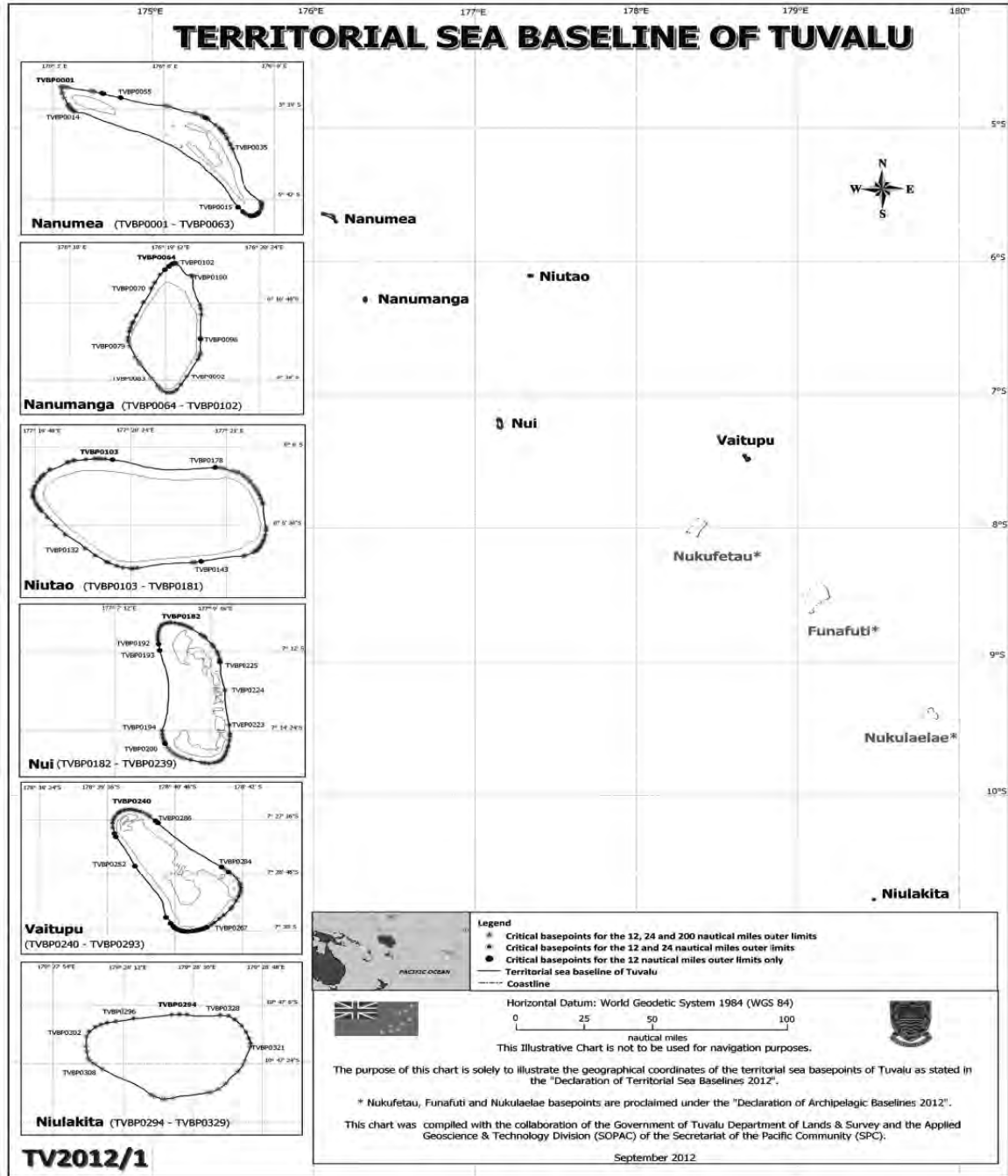
In this Declaration, points defined by geographic coordinates are determined by reference to the World Geodetic System 1984 (WGS 84). Points are connected by geodesic lines realised in the WGS 84.

6. Illustrative chart

The chart in Schedule 2 provides a general illustration of the points on the baseline specified in Schedule 1, and the baseline.

SCHEDULE 1- GEOGRAPHICAL COORDINATES³

SCHEDULE 2 - ILLUSTRATIVE CHART
 CHART ILLUSTRATING THE TERRITORIAL SEA BASELINE OF TUVALU



Note: This chart is provided as a general illustration of the points on the baseline specified in Part 1 of the Schedule, and the baseline.

³ Ibid.

d. Declaration of the Outer Limits of the Continental Shelf 2012

LN No. 11 of 2012**MADE UNDER SECTION 12(3) OF THE MARITIME ZONES ACT**Commencement [24th December, 2012]**1. Citation**

This Order may be cited as the Declaration of the Outer Limits of the Continental Shelf 2012.

2. Commencement

This Declaration shall come into force on the date of its publication.

3. Continental shelf boundary with high seas

- (1) The outer limit of the continental shelf of Tuvalu in the area east of Niutao, Vaitupu and the archipelago consisting of Nukufetau, Funafuti and Nukulaelae bordering the high seas is the line specified in Part 1 of Schedule 1.
- (2) The outer limit of the continental shelf of Tuvalu in the area west of Nanumea, Nanumanga, and Nui bordering the high seas is the line specified in Part 4 of Schedule 1.

4. Continental shelf boundary with the Islands of Wallis and Futuna

The provisional outer limit of the continental shelf of Tuvalu in the area located between Tuvalu and the Islands of Wallis and Futuna is the line specified in Part 2 of Schedule 1.

5. Continental shelf boundary with Fiji

The provisional outer limit of the continental shelf of Tuvalu in the area located between Tuvalu and Fiji is the line specified in Part 3 of Schedule 1.

6. Continental shelf boundary with Kiribati

The outer limit of the continental shelf of Tuvalu in the area located between Tuvalu and Kiribati is the line specified in Part 5 of Schedule 1.

7. Guide to reading Schedule 1

In the tables in Schedule 1:

- (a) lines are generated by reference to points,
- (b) the first column sets out the point identifier,
- (c) the second and third columns set out the geographic coordinates for each point and
- (d) the fourth column sets out the following information about the point:
 - (i) a treaty reference point, which is a reference to how the point is referred to in a treaty (for the relevant treaty for a point, see section 8; or
 - (ii) a provisional status (P), where, subject to final delimitation, an interim point creating the outer limit line has been produced by the creation of a provisional median line between Tuvalu and an adjacent State; or
 - (iii) 200 nm, where the outer limit line faces the high seas and the EEZ and is defined by measuring a distance of 200 nautical miles from the baseline.

8. Relevant treaties

The relevant treaty for a point is as follows:

Part 5 of Schedule 1 – AGREEMENT BETWEEN TUVALU AND KIRIBATI CONCERNING THEIR MARITIME BOUNDARY made on Wednesday 29th August 2012.

9. Status of limits with other States where no treaty exists

Where a treaty between a neighbouring State and Tuvalu remains to be finalised, Tuvalu has chosen to declare a provisional median line along its border with that State. This line is based upon the best information available to Tuvalu at this time. The line defined in this proclamation is made without prejudice to a future delimitation with that State or the rights of Tuvalu or that State under international law. If information becomes available that refines the determination of this median line before the finalisation of a treaty with that neighbouring State, Tuvalu reserves the right to redefine that part of the line by amending this Declaration or under a new declaration.

10. Geodetic framework

In this Declaration, points defined by geographic coordinates are determined by reference to the World Geodetic System 1984 (WGS 84). Points are connected by geodesic lines realised in the WGS 84.

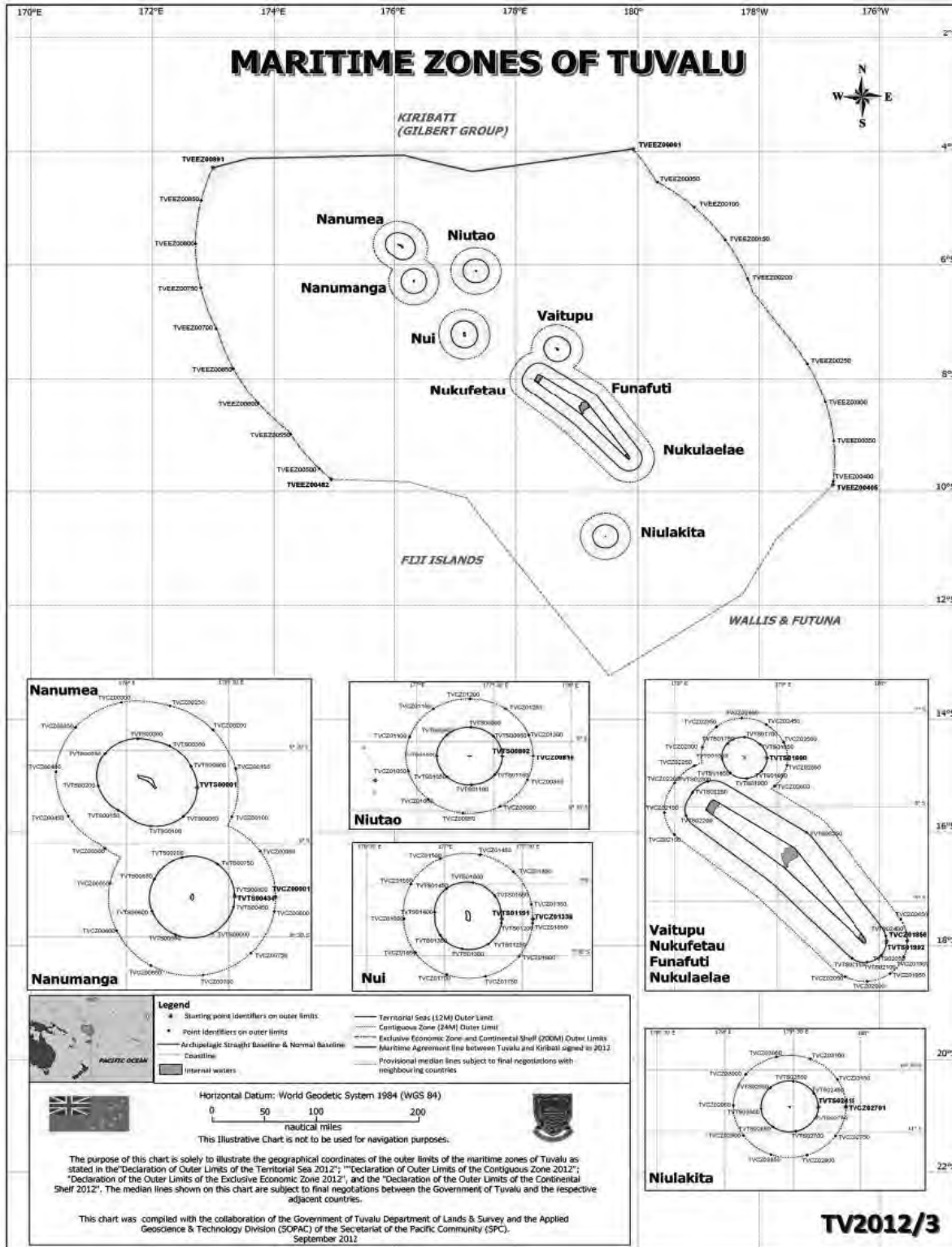
11. Illustrative chart

The chart in Schedule 2 provides a general illustration of the line specified in Schedule 1.

SCHEDULE 1 - GEOGRAPHIC COORDINATES OF OUTER LIMITS OF CONTINENTAL SHELF⁴

⁴ Ibid.

SCHEDULE 2 - ILLUSTRATIVE CHART



Note: This chart is provided as a general illustration of the line specified in Schedule 1.

e. Declaration of the Outer Limits of the Exclusive Economic Zones 2012

LN No. 12 of 2012**MADE UNDER SECTION 11(3) OF THE MARITIME ZONES ACT**Commencement [24th December, 2012]**1. Citation**

This Order may be cited as the Declaration of the Outer Limits of the Exclusive Economic Zones 2012.

2. Commencement

This Declaration shall come into force on the date of its publication.

3. Exclusive economic zone boundary with high seas

- (1) The outer limit of the continental shelf of Tuvalu in the area east of Niutao, Vaitupu and the archipelago consisting of Nukufetau, Funafuti and Nukulaelae bordering the high seas is the line specified in Part 1 of Schedule 1.
- (2) The outer limit of the continental shelf of Tuvalu in the area west of Nanumea, Nanumanga, and Nui bordering the high seas is the line specified in Part 4 of Schedule 1.

4. Exclusive economic zone boundary with the Islands of Wallis and Futuna

The provisional outer limit of the exclusive economic zone of Tuvalu in the area located between Tuvalu and the Islands of Wallis and Futuna is the line specified in Part 2 of Schedule 1.

5. Exclusive economic zone boundary with Fiji

The provisional outer limit of the exclusive economic zone of Tuvalu in the area located between Tuvalu and Fiji is the line specified in Part 3 of Schedule 1.

6. Exclusive economic zone boundary with Kiribati

The outer limit of the exclusive economic zone of Tuvalu in the area located between Tuvalu and Kiribati is the line specified in Part 5 of Schedule 1.

7. Guide to reading Schedule 1

In the tables in Schedule 1:

- (a) lines are generated by reference to points,
- (b) the first column sets out the point identifier,
- (c) the second and third columns set out the geographic coordinates for each point and
- (d) the fourth column sets out the following information about the point:
 - (i) a treaty reference point, which is a reference to how the point is referred to in a treaty (for the relevant treaty for a point, see section 8 or
 - (ii) a provisional status (P), where, subject to final delimitation, an interim point creating the outer limit line has been produced by the creation of a provisional median line between Tuvalu and an adjacent State or
 - (iii) 200 nm, where the outer limit line faces the high seas and the EEZ and is defined by measuring a distance of 200 nautical miles from the baseline.

8. Relevant treaties

The relevant treaty for a point is as follows:

Part 5 of Schedule 1 – AGREEMENT BETWEEN TUVALU AND KIRIBATI
CONCERNING THEIR MARITIME BOUNDARY made on Wednesday 29th August
2012.

9. Status of limits with other States where no treaty exists

Where a treaty between a neighbouring State and Tuvalu remains to be finalised, Tuvalu has chosen to declare a provisional median line along its border with that State. This line is based upon the best information available to Tuvalu at this time. The line defined in this proclamation is made without prejudice to a future delimitation with that State or the rights of Tuvalu or that State under international law. If information becomes available that refines the determination of this median line before the finalisation of a treaty with that neighbouring State, Tuvalu reserves the right to redefine that part of the line by amending this Declaration or under a new declaration.

10. Geodetic framework

In this Declaration, points defined by geographic coordinates are determined by reference to the World Geodetic System 1984 (WGS 84). Points are connected by geodesic lines realised in the WGS 84.

11. Illustrative chart

The chart in Schedule 2 provides a general illustration of the line specified in Schedule 1

**SCHEDULE 1 – GEOGRAPHIC COORDINATES OF OUTER LIMITS OF
EXCLUSIVE ECONOMIC ZONE⁵**

SCHEDULE 2 - ILLUSTRATIVE CHART

**CHART ILLUSTRATING THE OUTER LIMITS OF THE
EXCLUSIVE ECONOMIC ZONE OF TUVALU⁶**

⁵ Ibid.

⁶ See Chart published above on page 31.

f. Declaration of the Outer Limits of the Territorial Sea 2012

LN No. 13 of 2012**MADE UNDER SECTION 17(2) OF THE MARITIME ZONES ACT**Commencement [24th December, 2012]**1. Citation**

This Order may be cited as the Declaration of the Outer Limits of the Territorial Sea 2012.

2. Commencement

This Declaration shall come into force on the date of its publication.

3. Outer limits of the territorial sea

- (1) The outer limits of the territorial sea of Tuvalu are the lines specified in the tables in Schedule 1.
- (2) The table in Part 1 specifies the outer limit of the territorial sea around Nanumea.
- (3) The table in Part 2 specifies the outer limit of the territorial sea around Nanumanga
- (4) The table in Part 3 specifies the outer limit of the territorial sea around Niutao
- (5) The table in Part 4 specifies the outer limit of the territorial sea around Nui.
- (6) The table in Part 5 specifies the outer limit of the territorial sea around Vaitupu.
- (7) The table in Part 6 specifies the outer limit of the territorial sea around the archipelago comprising Nukufetau, Funafuti and Nukulaelae.
- (8) The table in Part 7 specifies the outer limit of the territorial sea around Niulakita.

4. Guide to reading Schedule 1

In the tables in Schedule 1:

- (a) lines are generated by reference to points,
- (b) the first column sets out the point identifier and
- (c) the second and third columns set out the geographic coordinates for each point.

5. Geodetic framework

In this Declaration, points defined by geographic coordinates are determined by reference to the World Geodetic System 1984 (WGS 84). Points are connected by geodesic lines realised in the WGS 84.

6. Illustrative chart

The chart in Schedule 2 provides a general illustration of the line specified in Schedule 1.

SCHEDULE 1- GEOGRAPHICAL COORDINATES⁷**SCHEDULE 2 - ILLUSTRATIVE CHART****CHART ILLUSTRATING THE OUTER LIMITS OF THE TERRITORIAL SEA OF TUVALU⁸**

⁷ Note by the editor: For a complete list of geographic coordinates see <http://www.un.org/Depts/los/LEGISLATIONANDTREATIES/STATEFILES/TUV.htm>.

⁸ See Chart published above on page 31.

2. *Nicaragua**Decree No. 33-2013*⁹

The President of the Republic
Comandante Daniel Ortega Saavedra,

Considering**I**

That in accordance with Article 10 of the Political Constitution of the Republic of Nicaragua, the sovereignty, jurisdiction and rights of Nicaragua extend to the adjacent islands, cays and banks, as well as the internal waters, the territorial sea, the contiguous zone, the continental shelf, the exclusive economic zone and the corresponding airspace, in accordance with the law and the standards of international law,

II

That on 3 May 2000 the Republic of Nicaragua ratified the United Nations Convention on the Law of the Sea, an instrument that brings together the essential principles guaranteeing the rights of States in their marine areas,

III

That on 5 March 2002 the Republic of Nicaragua, in the interests of strengthening international law and its commitment to international law, adopted Law No. 420 on Marine Areas of Nicaragua,

IV

That the Caribbean coast of Nicaragua has a special configuration owing to the presence of numerous coastal islands closely linked by their history and economy to the mainland, and also owing to the fact that the coastline is deeply indented and cut into, and that it is of vital importance to maintain the territorial integrity, peace and security of the nation,

V

That the International Court of Justice issued a historic judgement on 19 November 2012 regarding the Territorial and Maritime Delimitation between Nicaragua and Colombia in the Caribbean Sea, in which it found that the islands adjacent to the coast of Nicaragua in the Caribbean Sea are part of the respective coast and contribute to the establishment of the baselines,

VI

That in view of the foregoing, the Republic of Nicaragua in the exercise of its full sovereignty over its marine areas and in accordance with the provisions of the United Nations Convention on the Law of the Sea and Law No. 420 on Marine Areas of Nicaragua, is proceeding to determine the straight baselines from which to measure the breadth of its marine areas in the Caribbean Sea,

⁹ Original: Spanish. Transmitted by note verbale no. MINIC-NU-037-13, dated 23 September 2013 from the Permanent Mission of Nicaragua to the United Nations addressed to the Secretary-General of the United Nations. Annexed lists of geographical coordinates of points were deposited with the Secretary-General under article 16(2) of the Convention (see Maritime Zone Notification M.Z.N.99.2013.LOS of 11 October 2013). Text as contained in the Official Journal "*La Gaceta*". Year CXVII. 27 August 2013. No. 161, Page 6701.

In the exercise of the powers granted to him by the Political Constitution,

Has issued the following:

Decree

Baselines of the Marine Areas of the Republic of Nicaragua in the Caribbean Sea

Article 1. The straight baselines of the Republic of Nicaragua to be used to measure the breadth of its territorial sea, contiguous zone, exclusive economic zone and continental shelf in the Caribbean Sea shall be established.

Article 2. The baselines shall be determined by the geographical coordinates set forth in Annex I, as indicated in the chart that is included as Annex II to this Decree. Both annexes shall constitute an integral part of this Decree.

Article 3. The waters located within the interior of the baselines established under Article 1 of this Decree shall form part of the internal waters of the Republic of Nicaragua in accordance with the provisions of the United Nations Convention on the Law of the Sea.

Article 4. In compliance with the provisions of Article 16, paragraph 2, of the United Nations Convention on the Law of the Sea, this decree shall be duly publicized and a copy thereof, together with the annexes, shall be deposited with the Office of the Secretary-General of the United Nations.

Article 5. All legal provisions or regulations that contradict this decree shall be repealed.

Article 6. This decree shall enter into force on the date of its publication in the official journal La Gaceta. DONE in the City of Managua, Government House, Republic of Nicaragua, on 19 August 2013.

Daniel Ortega Saavedra,
President of the Republic of Nicaragua

Paul Oquist Kelley,
Private Secretary for National Policies

Annex I

**Straight baselines of Nicaragua in the Caribbean Sea
WGS84 datum geographical coordinates**

<i>Item No.</i>	<i>Latitude (N)</i>		<i>Longitude (W)</i>		<i>Name</i>
	<i>Deg.</i>	<i>Min. Sec.</i>	<i>Deg.</i>	<i>Min. Sec.</i>	
1	15	00 05.9	083	07 43.0	Cabo Gracias a Dios
2	14	49 15.8	082	41 00.0	Edinburgh Cay
3	14	22 31.2	082	44 06.1	Miskito Cays
4	14	08 40.6	082	48 29.0	Ned Thomas Cay
5	13	03 11.6	083	20 38.6	Man of War Cays
6	12	56 10.8	083	17 31.9	East of Great Tyra Cay
7	12	16 55.5	082	57 54.0	Isla del Maiz Pequeña (Little Corn Island)
8	12	10 39.3	083	01 49.9	Isla del Maiz Grande (Great Corn Island)
9	10	55 52.0	083	39 58.1	Harbour Head

B. Bilateral Treaties*Tuvalu and Kiribati**Agreement between Tuvalu and Kiribati concerning their Maritime boundary, 29 August 2012¹⁰*

The sovereign States of Tuvalu and Kiribati,

DESIRING to strengthen the bonds of friendship between the two States,

RECOGNISING the need to effect a precise and equitable delimitation of the respective maritime areas in which the two States exercise sovereign rights, and

ACKNOWLEDGING the rules and principles of international law as reflected in the *United Nations Convention on the Law of the Sea*, done at Montego Bay on 10 December 1982, to which both Tuvalu and Kiribati are party, and, in particular, Articles 74 and 83 which provide that the delimitation of the exclusive economic zone and continental shelf between States with opposite or adjacent coasts shall be effected by agreement on the basis of international law in order to achieve an equitable solution,

HAVE AGREED AS FOLLOWS:

ARTICLE 1
Boundary between Tuvalu and Kiribati

(1) The boundary between the exclusive economic zones and continental shelves of Tuvalu and Kiribati lies seaward of Nanumea and Niutao in Tuvalu on the one hand and Tabiteuea, Tamana and Arorae in Kiribati on the other hand, along the geodesics connecting the following points, defined by their coordinates, in the order stated:

Point Identifier	Latitude	Longitude
1	4° 17' 49.25" S	172° 58' 44.44" E
2	4° 17' 32.56" S	172° 59' 45.09" E
3	4° 07' 52.74" S	173° 34' 31.07" E
4	4° 06' 35.94" S	174° 23' 40.51" E
5	4° 06' 24.42" S	174° 33' 23.74" E
6	4° 05' 37.24" S	175° 12' 58.04" E
7	4° 05' 15.68" S	175° 31' 12.29" E
8	4° 04' 50.79" S	175° 51' 52.69" E
9	4° 04' 30.72" S	176° 08' 51.89" E
10	4° 07' 46.81" S	176° 21' 02.32" E
11	4° 09' 42.69" S	176° 28' 25.32" E
12	4° 11' 14.84" S	176° 34' 31.13" E
13	4° 13' 30.88" S	176° 43' 40.38" E
14	4° 17' 27.37" S	176° 59' 41.16" E
15	4° 21' 42.11" S	177° 16' 58.11" E
16	4° 17' 03.38" S	177° 48' 17.68" E
17	4° 12' 44.47" S	178° 17' 11.74" E

¹⁰ Transmitted by note verbale dated 29 August 2013 from the Permanent Mission of Tuvalu to the United Nations addressed to the Secretariat of the United Nations. Registration pending.

Point Identifier	Latitude	Longitude
18	4° 09' 32.47" S	178° 38' 31.34" E
19	3° 57' 56.03" S	179° 55' 23.82" E
20	3° 57' 47.21" S	179° 56' 23.79" E

- (2) The geographical coordinates given in this Agreement are determined by reference to the geodetic reference system WGS 84 (World Geodetic System 1984).
- (3) This Agreement shall define the boundary between the exclusive economic zones and continental shelves over which the Parties exercise, or will exercise, sovereign rights and jurisdiction in accordance with international law.
- (4) The boundary line drawn on the chart in the Annex to this Agreement is drawn for illustrative purposes only.

ARTICLE 2
Dispute Resolution

Any dispute between the Parties concerning the interpretation or application of this Agreement shall be settled peacefully by consultation and negotiation, in accordance with international law.

ARTICLE 3
Hydrocarbon and Mineral Resources Straddling the Boundary

If any single accumulation or deposit of liquid hydrocarbon, natural gas, or other mineral extends across the maritime boundary line described in Article 1, and if one Party by exploiting that accumulation or deposit would withdraw, deplete, or draw down the portion of the accumulation or deposit that is on the other Party's side of the boundary line, then before the accumulation or deposit is exploited, the Parties shall consult with a view toward reaching an agreement on the manner in which the accumulation or deposit may be most effectively exploited and on the equitable sharing of the benefits from such exploitation.

ARTICLE 4
Entry into Force

Each Party shall notify the other of the completion of its national procedures to bring this Agreement into force. The Agreement shall enter into force on the later of those notifications.

ARTICLE 5
Agreement Deposit

Upon completion of the national procedures bringing this Agreement into force, each Party shall take all the required steps to lodge this Agreement, including the coordinates in Article 1, with the appropriate International Bodies.

IN WITNESS WHEREOF, the representatives of the two States, being duly authorized for this purpose, have signed this Agreement.

DONE IN DUPLICATE at **Rarotonga, Cook Islands** this **Wednesday 29th August 2012**.

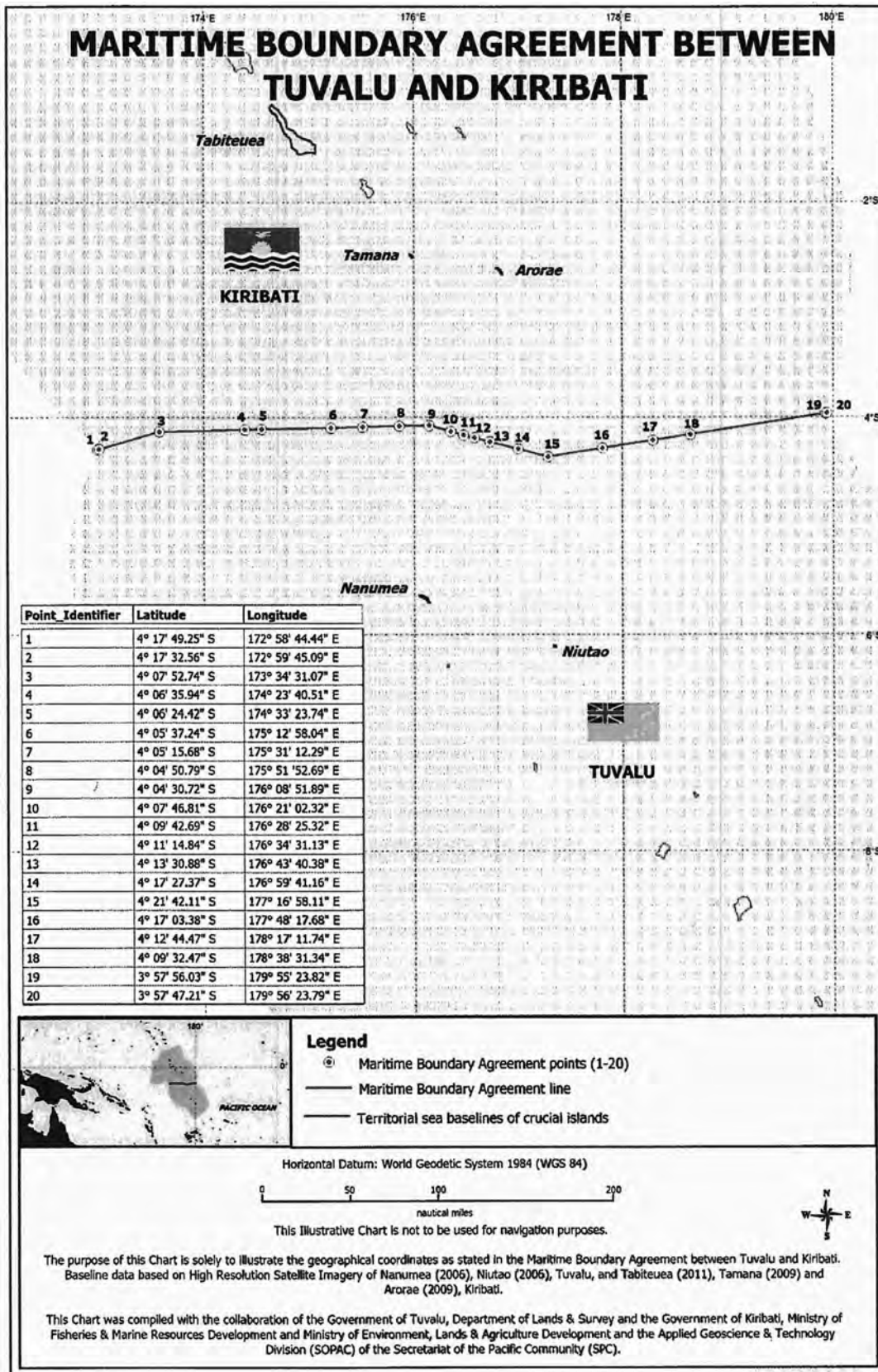
FOR TUVALU

Signed
Hon. Willy Telavi
Prime Minister

FOR KIRIBATI

Signed
HE Anote Tong
President

Annex



III. COMMUNICATIONS BY STATES

1. Cyprus

*Letter dated 17 October 2013 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General*¹

Upon instructions from my Government, I draw your attention to an incident which took place within the exclusive economic zone of the Republic of Cyprus.

In particular, on 4 and 5 June 2013, while the seismic vessel *Ramform Sovereign* was sailing, under the flag of Singapore and the ownership of the Norwegian company Petroleum Geo-Services, in the south-western part of the exclusive economic zone of the Republic of Cyprus, it was harassed by the Turkish navy.

It should be underlined that the *Ramform Sovereign* was duly licensed by the competent authorities of the Republic of Cyprus to perform seismic surveys in block 12 of the exclusive economic zone of the Republic of Cyprus.

The incident was reported to the authorities of the Republic of Cyprus by the shipowning company Petroleum Geo-Services. According to the information contained in the logbook of the *Ramform Sovereign* and confirmed by the investigation carried out by the police of Cyprus, the incident occurred as follows:

- On 4 June 2013, at 0600 UTC, the vessel *Ramform Sovereign* entered the western part of the exclusive economic zone of the Republic of Cyprus (33°59.202'N 030°05.322'E) and started the deployment of streamers, in view of the seismic survey which was scheduled to be carried out in exploration block 12, in the southern part of the exclusive economic zone of the Republic of Cyprus.
- At 2335, the *Ramform Sovereign* received a Fleet 77 (Inmarsat) call from the Turkish navy requesting the *Ramform Sovereign* to clear out the area by moving 5 nautical miles south, to steer on course 120° and “remain south of N33°56'7" E031°21'5"/N33°47'2' E032°16'3””.
- At 0020, on 5 June, the Turkish navy called the *Ramform Sovereign*, instructed its captain to turn to starboard and steer upon the given track; otherwise, a warship would be sent to the spot within two minutes.
- At 0408, a Turkish military vessel called the captain of the *Ramform Sovereign* by VHF 12 and asked for the vessel’s details.
- At 0429, the *Ramform Sovereign* received another VHF call from the same Turkish military vessel asking it to alter course to 180°.
- At 0431, the *Ramform Sovereign* started a slow turn to the right and continued on its way towards its planned seismic survey area in block 12 of the exclusive economic zone of the Republic of Cyprus.

The *Ramform Sovereign* was accompanied by two supportive vessels, the *Flying Enterprise* and the *EDT Argonaut*, both sailing under the flag of Cyprus and belonging to the company EDT Offshore. Even though these supportive vessels were not directly harassed by the Turkish navy, they confirm the presence of a Turkish military vessel during the incident.

The Republic of Cyprus proclaimed its exclusive economic zone in 2004 through the enactment of the Exclusive Economic Zone Law (law No. 64(I)/2004). Furthermore, with regard to its continental shelf, Cyprus enacted the Continental Shelf Law (law No. 8/74). At all times during the incident described above, the *Ramform Sovereign* and its accompanying vessels were within the exclusive economic zone of the

¹ A/68/537-S/2013/622.

Republic of Cyprus and preparing to carry out a survey with the purpose of exploring the Cypriot continental shelf for hydrocarbons.

The Republic of Turkey, through the actions of its navy against the *Ramform Sovereign*, violated the sovereign right of the Republic of Cyprus to carry out and authorize the carrying out of actions for the exploration of its exclusive economic zone and continental shelf for natural resources, pursuant to articles 56.1 (a) and 77.1, respectively, of the United Nations Conference on the Law of the Sea.

The Turkish navy, of which at least one vessel was involved in the incident, had no jurisdiction or right to either intervene or instruct the *Ramform Sovereign* in any way.

It is evident that Turkey has once again opted to operate outside international law and to demonstrate in an unequivocal way its hostile intentions against the Republic of Cyprus.

I would be grateful if the present letter were circulated as a document of the General Assembly, under agenda item 76, and of the Security Council and published in the next issue of the Law of the Sea Bulletin.

(Signed) Nicholas Emiliou

2. *Costa Rica**Letter dated 23 October 2013 from the Permanent Representative of Costa Rica to the United Nations addressed to the Secretary-General²*

I have the honour to address you with respect to the list of geographical coordinates defining Nicaragua's straight baselines set forth in Nicaragua's Decree No. 33-2013 of 19 August 2013, deposited with the Secretary-General on 26 September 2013 and notified by M.Z.N.99.2013.LOS on 11 October 2013.

In this regard, Costa Rica would like to recall that, as reflected in the 1982 United Nations Convention on the Law of the Sea, which in this respect codifies customary international law, unless exceptional circumstances exist, baselines are to conform to the low-water line along the coast as marked on a State's official large-scale charts. Pursuant to article 7 of the Convention, straight baselines may be employed only in localities where the coastline is deeply indented and cut into, or where there is a fringe of islands along the immediate vicinity of the coast. Additionally, baselines must not depart to any appreciable extent from the general direction of the coast, and the sea areas lying within the lines must be sufficiently closely linked to the land domain to be subject to the regime of internal waters. These exceptions are not applicable, *inter alia*, to the southernmost segment of Nicaragua's straight baseline connecting Great Corn Island (point 8) to Harbour Head (point 9) (segment 8-9). Segment 8-9 is inconsistent with the Convention and therefore invalid.

In particular, segment 8-9 would transform waters considered to be Costa Rican territorial sea and exclusive economic zone into Nicaraguan internal waters. Nicaragua's straight baseline claim would detract from the rights of other States, notably Costa Rica, to use the oceans. Furthermore, the coastline of the Costa Rican territory of Isla Portillos and other territorial rights mean that maritime zones generated therefrom are entirely subsumed within Nicaragua's unlawful internal waters claim, thus denying to Costa Rica its maritime entitlements derived from this coastal territory. On these grounds, the claim to a baseline joining points 8 and 9 is a violation of Costa Rica's sovereignty, sovereign rights and jurisdiction claimed pursuant to Costa Rica's Constitution in conformity with international law.

The Government of Costa Rica therefore objects to the claim described above as made by Nicaragua's Decree No. 33-2013 of 19 August 2013, which is not valid in international law, and reserves its rights in this regard.

In that regard, I would be grateful if the present letter could be circulated as a document of the General Assembly, under agenda items 76 (a) and 85. Upon instructions from my Government, I also request that this letter be sent to all relevant organs, bodies and entities of the United Nations, be posted on the website of the Division for Ocean Affairs and the Law of the Sea and be included in the next Law of the Sea Bulletin.

(Signed) Eduardo Ulibarri
Ambassador
Permanent Representative

² A/68/548.

3. *Cyprus*

Letter dated 29 October 2013 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General³

Upon instructions from my Government, I have the honour to draw your attention to the fact that the Republic of Turkey issued, through Navarea III, a navigational warning numbered 401/13 (see annex I) announcing the launch of seismic survey operations from 5 September to 18 November 2013 in an area which includes part of the exclusive economic zone and of the continental shelf of the Republic of Cyprus. A map which depicts the reserved area is also attached hereto as annex II.

The Republic of Cyprus considers that, with this action, Turkey violates customary international law as expressed in the United Nations Convention on the Law of the Sea and in particular in articles 56 and 77, which clearly grant to the Republic of Cyprus exclusive sovereign rights for the purpose of exploring and exploiting natural resources of the seabed and subsoil of its exclusive economic zone and continental shelf respectively.

Moreover, this action of the Republic of Turkey constitutes violation of the exclusive economic zone and continental shelf legislation of the Republic of Cyprus.

It is recalled that the Republic of Cyprus proclaimed its exclusive economic zone in 2004 through the enactment of the Exclusive Economic Zone Law (Law No. 64(I)/2004). Furthermore, with regard to its continental shelf Cyprus enacted the Continental Shelf Law (Law No. 8/74). I should therefore be grateful if you would have the present letter circulated as a document of the General Assembly under agenda item 76 and of the Security Council and have it published in the next Law of the Sea Bulletin.

(Signed) Nicholas Emiliou

³ A/68/555-S/2013/634.

Annex I to the letter dated 29 October 2013 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

NAVAREA III warnings (In force)

1 Item

NAVAREA III 401/13

EASTERN MEDITERRANEAN SEA — TURKEY

1. Seismic survey operations by “BARBAROS HAYREDDIN PASA”, M/V “BRAVO SUPPORTER” and M/V “DEEP SUPPORTER” from 05 SEP13 to 18 NOV13, in area bounded by:

36-39.3N 034-36.6E

36-26.8N 034-19.6E

36-14.7N 034-33.0E

36-10.2N 034-26.9E

35-57.3N 034-41.3E

36-19.3N 035-11.3E

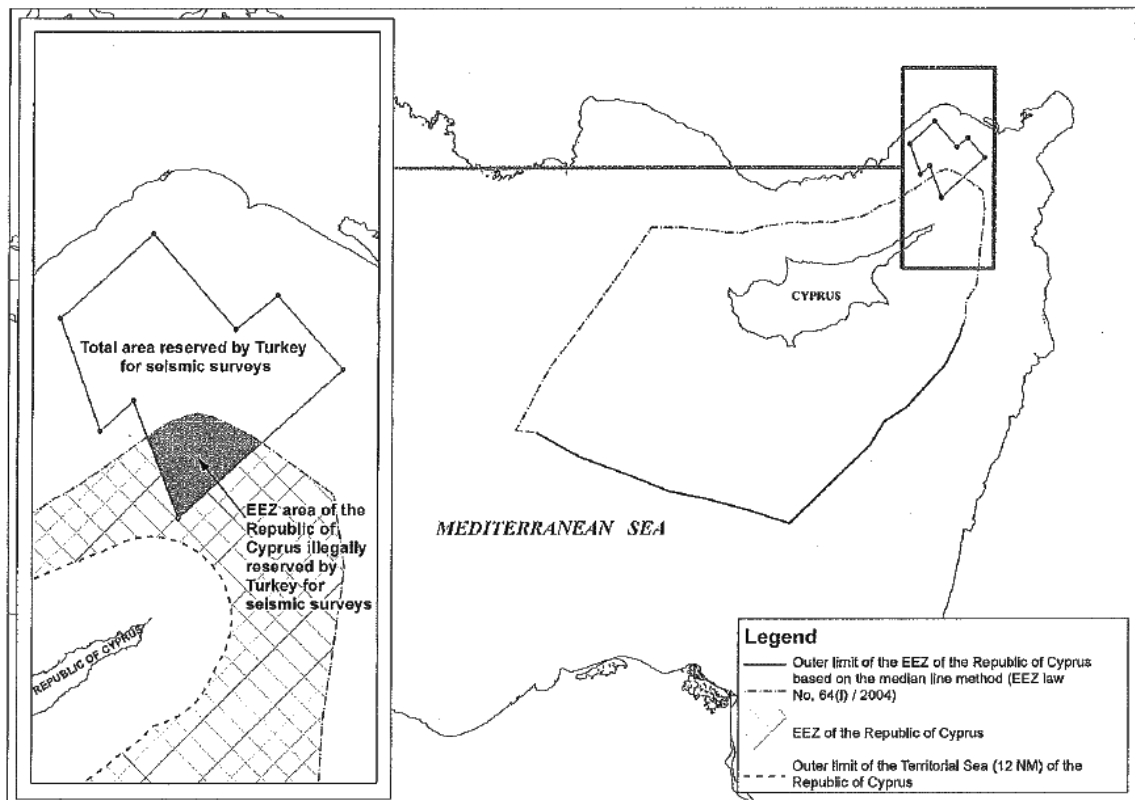
36-30.2N 034-59.4E

36-25.2N 034-51.8E.

5 NM berth requested.

2. Cancel this message on 182359 UTC NOV13.

Annex II to the letter dated 29 October 2013 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General



4. *Colombia*

*Letter dated 1 November 2013 from the Minister for Foreign Affairs
addressed to the Secretary-General⁴*

Bogota, D.C., 1st November 2013

Excellency,

I have the honour to refer to document M.Z.N.99.2013.L0S (Maritime Zone Notification) dated 11 October 2013 under the title “Circular Communications from the Division for the Ocean Affairs and the Law of the Sea, Office of Legal Affairs”.

In the aforementioned document, the Secretary-General of the United Nations communicated that on, 26 September 2013, pursuant to Article 16, paragraph 2, of the United Nations Convention on the Law of the Sea, the Republic of Nicaragua deposited a list of geographical coordinates of points defining the straight baselines from which the breadth of the territorial sea of Nicaragua in the Caribbean Sea is measured, as contained in Decree No, 33-2013 of 19 August 2013.

The Republic of Colombia is not a Party to the United Nations Convention on the Law of the Sea. Accordingly, the information submitted by Nicaragua pursuant to the Convention, and any other provision or procedure invoked under the Convention, are not opposable to Colombia.

The Republic of Colombia wishes to inform the United Nations and its Member States that the straight baselines now claimed by Nicaragua are wholly contrary to international law.

The straight baselines notified by Nicaragua do not relate to a coastline that is deeply indented and cut into or to a fringe of islands along the coast; they depart from the general direction of the coastline; and the sea areas lying within the lines are not sufficiently linked to the land domain to be subject to the regime of internal waters. They therefore lacking any legal basis, and they cannot be deemed to be valid baselines from which the breadth of Nicaragua’s marine and submarine areas can be measured under international law.

Colombia will continue to exercise its rights in the Caribbean in conformity with international law. However, it does not recognise the legality or legal value of any unilateral measures adopted by Nicaragua that are not in accordance with international law or that are inconsistent with Nicaragua’s previously expressed positions.

Please accept the assurances of my highest consideration.

Signed

Maria Angela Holguin Cuellar
Minister of Foreign Affairs

⁴ Original: Spanish. Transmitted through note verbale dated 1 November 2013 from the Permanent Mission of Colombia to the United Nations addressed to the Secretary-General of the United Nations.

5. *Cyprus**Letter dated 12 November 2013 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General²*

Upon instructions from my Government, I have the honour to bring to your attention another incident which took place during the past months, within the exclusive economic zone (EEZ) and the continental shelf of the Republic of Cyprus.

On 25 July 2013, while the research vessel *RV Odin Finder*, under Italian flag, was conducting a survey in the south-west part of Cyprus' EEZ, in relation to the future installation of an undersea cable system that will provide advanced telecommunications facilities to the offshore oil and gas industry in the Eastern Mediterranean, its activity was obstructed by the Turkish Navy and it was forced to leave the area.

It should be underlined that *RV Odin Finder* was duly licensed by the competent authorities of the Republic of Cyprus for the purposes of said survey.

According to the results of the relevant investigation carried out by the Cyprus Police, the incident occurred as follows:

- On 25 July 2013, 1440 UTC, while the *RV Odin Finder* was sailing between exploration blocks 1 and 7 (34°13'16"N, 32°00'43"E) in the EEZ of the Republic of Cyprus, it was approached to a distance of 500 metres by a vessel of the Turkish Navy.
- The Turkish military vessel called the captain of the *RV Odin Finder* via VHF 16 and later 72 and asked for the vessel's details and intentions.
- When all the requested information was conveyed, the Turkish Navy requested the *RV Odin Finder* to clear the area, on the pretext that it was a contested area, and instructed it to steer on course 192° (this route would lead *RV Odin Finder* to the exclusive economic zone of Egypt).
- *RV Odin Finder*, after contacting the companies involved in the project, remained in the area until 1700 UTC, when it decided to enter the territorial waters of the Republic of Cyprus and continue its survey there. While the *RV Odin Finder* was sailing in Cyprus' EEZ the Turkish Navy followed its movements from a distance of approximately one nautical mile.

The Republic of Cyprus proclaimed its EEZ in 2004 through the enactment of the Exclusive Economic Zone Law, Law No. 64(I)/2004. Furthermore with regard to its continental shelf, Cyprus enacted the Continental Shelf Law, Law No. 8/74. At all times during the incident described above, *RV Odin Finder* was within the EEZ of the Republic of Cyprus, carrying out the survey for which it was duly licensed.

The actions of the Turkish military vessel described above, in relation to *RV Odin Finder*, constitute unlawful acts attributable to the Republic of Turkey, aiming at scaring away said vessel from the area and disrupting its licensed activities, thus interfering with the lawful exercise by the Republic of Cyprus of its rights with regard to its continental shelf and EEZ, including its rights under articles 56.3 and 79 of the United Nations Convention on the Law of the Sea, which reflect customary international law.

It is evident that Turkey has once again operated outside international law. In the light of the above incident, Turkey is once again called upon to abide by international law and respect the rights of coastal States in accordance with customary international law.

I should thus be grateful if the present letter could be circulated as a document of the General Assembly under agenda item 76, and of the Security Council, and published in the next Law of the Sea Bulletin.

(Signed) Nicholas Emiliou

² A/68/593-S/2013/662.

6. *Republic of Korea*

Letter dated 13 November 2013 from the Permanent Representative of the Republic of Korea to the United Nations addressed to the Secretary-General⁶

I have the honour to transmit herewith the Yeosu Declaration on the theme “Living Ocean and Coast”, the outcome document of the International Exposition Yeosu, Republic of Korea 2012, held in Yeosu, Republic of Korea, from 12 May to 12 August 2012 (see annex).

I should be grateful if the present letter and its annex could be circulated as a document of the sixty-eighth session of the General Assembly, under agenda item 19 (a).

(Signed) Oh Joon
Permanent Representative

⁶ A/C.2/68/9

Annex to the letter dated 13 November 2013 from the Permanent Representative of the Republic of Korea to the United Nations addressed to the Secretary-General

Yeosu Declaration on the theme “Living Ocean and Coast”

(Adopted on 12 August 2012 in Yeosu, Republic of Korea)

Under the theme “Living Ocean and Coast”, we, the organizers, participating countries, international organizations, specialized agencies and experts, gathered at the International Exposition Yeosu, Republic of Korea 2012, held in Yeosu, Republic of Korea, from 12 May to 12 August 2012 under the auspices of the International Expositions Bureau,

Respecting the objectives embodied in the sub-themes “Coastal Development and Preservation”, “New Resources Technology” and “Creative Maritime Activities”,

Recalling the principles set forth in the Declaration of the United Nations Conference on the Human Environment, held in Stockholm in 1972, the Nairobi Declaration of the Governing Council of the United Nations Environment Programme on the state of the worldwide environment (1982), the Rio Declaration on Environment and Development (1992), the Johannesburg Declaration on Sustainable Development (2002) and the outcome document of the United Nations Conference on Sustainable Development, held in Rio de Janeiro, Brazil, in 2012,

Noting the relevant provisions in the United Nations Convention on the Law of the Sea, the United Nations Framework Convention on Climate Change, the United Nations Millennium Development Goals, the Code of Conduct for Responsible Fisheries, the Convention on Biological Diversity, the International Convention for the Prevention of Pollution from Ships, the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities, and other important multilateral conventions, agreements and action plans related to the ocean and coasts,

Emphasizing that the ocean covers more than 70 per cent of the planet’s surface, is crucial to sustaining life, provides food and income to billions of people who depend on marine ecosystems for their livelihood, and connects people, markets and communities as the silk road for over 90 per cent of the world’s trade,

Mindful of the pressures and threats facing the ocean, seabed, regional seas, coasts and islands, such as unsustainable fishing practices and resource exploitation, discharge of marine pollutants and debris, habitat destruction, introduction of invasive alien species, ocean acidification and climate change phenomena, including extreme weather events, rising sea levels and melting of polar glaciers,

Understanding that such impacts have global ramifications and are not confined to a single country or region and that collaborative international efforts are required to minimize the detrimental impacts of humankind on marine ecosystems, and,

Having discussed the role of the ocean in meeting the sustainable environmental, social and economic goals of the global community through a new vision of “green growth from the sea”,

Declare the following:

1. The ocean is a vital part of our planet and an essential element of human civilization. We call for global leadership to raise the awareness of Governments about the need to better protect the marine environment, and to elevate ocean-related issues to the top of the global policy agenda;
2. We call for the international community to preserve and develop maritime cultures in order to enlighten all elements of civil society regarding the need for greater stewardship of the marine environment;
3. We call upon all nations of the world to cooperate in halting illegal practices on the sea, including piracy and hijacking, to preserve the ocean as a safe and effective transportation network linking the global community;

4. We call for concerted international efforts to undertake “integrated ecosystem-based management” of marine resources, particularly global fish stocks, to manage them in a sustainable manner for the benefit of all humankind;

5. We call for the overall scientific community to enhance our understanding of the ocean through expanded real-time ocean observing systems to provide resource managers and policymakers with timely and reliable data, enabling rapid responses to the impacts of climate change and natural disasters such as tsunamis;

6. We look towards the ocean as a new engine of sustainable economic growth, in the light of the gradual depletion of many land-based resources and the food security concerns of a growing global population. We call upon all nations to increase investment in advanced science and technologies and innovative industries that use marine resources and renewable energy in an environmentally friendly manner for the prosperity of all humankind;

7. We call for increased assistance to developing nations, including small island developing States, in addressing their ocean-related concerns and sustainably utilizing their marine resources through development assistance and investment, and international cooperation projects;

8. In this regard, we welcome the Yeosu Project, aimed at providing developing nations with capacity-building support on ocean-related issues through professional training and technology transfer, as an important legacy of the International Exposition Yeosu, Republic of Korea 2012;

9. We also welcome the launch of the Oceans Compact by the Secretary-General of the United Nations, aimed at strengthening the capacity of the United Nations system to act in a coordinated manner in delivering its ocean-related mandates, with a view to achieving the goal of “Healthy oceans for prosperity”;

10. In the spirit of this Declaration to provide the world with a new vision of “green growth from the sea”, we call upon all Governments and civil society to work together in achieving our common goals for the ocean.

IV. OTHER INFORMATION RELEVANT TO THE LAW OF THE SEA

A. Relevant Documents of the Security Council of the United Nations

1. *Statement by the President of the Security Council*¹

At the 7016th meeting of the Security Council, held on 14 August 2013, in connection with the Council's consideration of the item entitled "Peace consolidation in West Africa", the President of the Security Council made the following statement on behalf of the Council:

"The Security Council reaffirms its primary responsibility for the maintenance of international peace and security, in accordance with the Charter of the United Nations, and recognizes the primary responsibility of States in the eradication of piracy and armed robbery at sea.

"The Security Council, in this regard, reiterates the primary role of States in the region to counter the threat and address the underlying causes of piracy and armed robbery at sea in the Gulf of Guinea, in close cooperation with organizations in the region, and their partners.

"The Security Council reaffirms its respect for the sovereignty, territorial integrity, and political independence of States concerned.

"The Security Council remains deeply concerned about the threat that piracy and armed robbery at sea in the Gulf of Guinea pose to international navigation, the security and economic development of States in the region, to the safety and welfare of seafarers and other persons, as well as the safety of commercial maritime routes.

"The Security Council expresses its deep concern at the reported number of incidents and level of violence of acts of piracy and armed robbery at sea in the Gulf of Guinea, in the first half of 2013.

"The Security Council recalls that international law, as reflected in the United Nations Convention on the Law of the Sea of 10 December 1982, sets out the legal framework applicable to activities in the ocean, including countering piracy and armed robbery at sea.

"The Security Council stresses that the coordination of efforts at the regional level is key for the development of a comprehensive strategy to counter the threat of piracy and armed robbery at sea, in order to enable the prevention and disruption of such criminal activities, and also notes the need for international assistance as part of a comprehensive strategy to support national and regional efforts to assist the Member States undertaking steps to address piracy and armed robbery at sea and the illegal activities connected therewith.

"The Security Council stresses the importance of adopting a comprehensive approach led by the countries of the region to counter the threat of piracy and armed robbery at sea in the Gulf of Guinea, as well as related criminal activities, and to address their underlying causes. The Security Council recognizes the efforts of the countries in the region in adopting relevant measures in accordance with international law to counter piracy and armed robbery at sea and to address transnational organized crime, such as drug trafficking, as well as other measures to enhance maritime safety and security.

"The Security Council welcomes the initiatives already taken by States in the region and regional organizations, including the Economic Community of Central African States (ECCAS), the Economic Community of West African States (ECOWAS), the Gulf of Guinea Commission (GGC)

¹ S/PRST/2013/13.

and the Maritime Organization for West and Central Africa, in cooperation with the African Union, to enhance maritime safety and security in the Gulf of Guinea.

“The Security Council welcomes the holding of the Heads of States and Governments of the Gulf of Guinea Summit on maritime safety and security which took place in Yaoundé, Cameroon on 24 and 25 June 2013.

“The Security Council welcomes the adoption, during the Summit, of the *Code of Conduct concerning the Prevention and Repression of Piracy, Armed Robbery against Ships, and Illegal Maritime Activities in West and Central Africa*, which defines the regional maritime security strategy and paves the way for a legally binding instrument. The Security Council encourages, in this regard, all States of the region to sign and implement the Code of Conduct as soon as possible, and calls upon them to undertake further effective measures at the national level to combat piracy and armed robbery at sea in the Gulf of Guinea.

“The Security Council also welcomes the adoption of a Political Declaration of the Gulf of Guinea Heads of State and Government on Maritime Safety and Security and the adoption of a Memorandum of Understanding among ECCAS, ECOWAS and the GGC on Maritime Safety and Security in West and Central Africa. The Security Council stresses the need to coordinate efforts at the national and regional levels for the implementation of the regional strategy on maritime safety and security.

“The Security Council further welcomes the decision to establish, in Cameroon, an inter-regional coordination centre responsible for coordinating the implementation of the regional strategy for maritime safety and security, which should contribute to the implementation of multi-national and trans-regional mechanisms covering the whole region of the Gulf of Guinea. The Security Council welcomes, in this regard, the support provided by the International Maritime Organization (IMO) to the States of the region, and encourages IMO to continue assisting States of the Gulf of Guinea.

“The Security Council reiterates its call upon States in the region to criminalize piracy and armed robbery at sea under their domestic law, and to prosecute perpetrators of piracy and armed robbery at sea, consistent with applicable international law including international human rights law. The Security Council further reiterates the urgent need to investigate and prosecute, consistent with applicable international law including international human rights law, not only suspects captured at sea, but also anyone who incites or intentionally facilitates such crimes, including key figures of criminal networks involved in piracy who illicitly plan, organize, facilitate, or finance and profit from such attacks.

“The Security Council urges States and international organizations, as well as the private sector to share evidence, information and intelligence, as appropriate, for law enforcement purposes related to piracy and armed robbery at sea, including for ensuring effective prosecution of suspected, and imprisonment of convicted, perpetrators and facilitators, and encourages existing and future initiatives in this regard.

“The Security Council welcomes the contributions by United Nations Member States and international organizations in support of ongoing national and regional efforts to secure Gulf of Guinea coastal areas and conduct maritime safety and security operations. The Security Council encourages bilateral and international partners to provide, upon request, support to States and regional organizations, taking into account the Yaoundé Summit outcomes, its implementation and follow up measures, in enhancing their capabilities to counter piracy and armed robbery at sea in the region, including their maritime capability to conduct regional patrols and operations in accordance with international law.

“The Security Council expresses its appreciation to the Secretary-General for the strong support provided through the United Nations Office for Central Africa (UNOCA) and the United Nations Office for West Africa (UNOWA) for the organization of the Summit and of the preparatory ministerial meeting held on 18 and 19 March 2013 in Benin. The Council encourages UNOCA and UNOWA to continue to assist States and sub-regional organizations in implementing the outcomes of the Yaoundé Summit, in accordance with their respective mandates.

“The Security Council requests the Secretary-General to support efforts towards mobilizing the necessary resources for the implementation of the outcomes of the Yaoundé Summit, and strengthening of national and regional capacities, in close consultation with Gulf of Guinea States and relevant regional organizations and other United Nations entities.

“The Security Council further requests the Secretary-General, through UNOCA and UNOWA, to keep it regularly informed on the situation of piracy and armed robbery at sea in the Gulf of Guinea, including on progress made in implementing the outcomes of the Yaoundé Summit.”

2. *Resolution 2125 (2013)*

*Adopted by the Security Council at its 7061st meeting, on
18 November 2013*

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), 1918 (2010), 1950 (2010), 1976 (2011), 2015 (2011), 2020 (2011) and 2077 (2012), as well as the Statement of its President (S/PRST/2010/16) of 25 August 2010 and (S/PRST/2012/24) of 19 November 2012,

Welcoming the report of the Secretary-General (S/2013/623), as requested by resolution 2077 (2012), on the implementation of that resolution and on the situation with respect to piracy and armed robbery at sea off the coast of Somalia,

Reaffirming its respect for the sovereignty, territorial integrity, political independence and unity of Somalia, including Somalia's sovereign rights in accordance with international law, with respect to offshore natural resources, including fisheries,

While welcoming the significant decrease in reported incidents of piracy off the coast of Somalia, which are at the lowest level since 2006, *continuing* to be gravely concerned by the on-going threat that piracy and armed robbery at sea 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 adjacent sea areas and increased pirate capacities,

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

Recognizing that the on-going instability in Somalia contributes to the problem of piracy and armed robbery at sea off the coast of Somalia, and stressing the need to continue the comprehensive response by the international community to repress piracy and armed robbery at sea and tackle its underlying causes, *recognizing* the need to undertake long-term and sustainable efforts to repress piracy and the need to create adequate economic opportunities for the citizens of Somalia,

Recognizing the need to investigate and prosecute not only suspects captured at sea, but also anyone who incites or intentionally facilitates piracy operations, including key figures of criminal networks involved in piracy who plan, organize, facilitate, or illicitly finance or profit from such attacks, and *reiterating its concern* over persons suspected of piracy having been released without facing justice, *reaffirming* that the failure to prosecute persons responsible for acts of piracy and armed robbery at sea off the coast of Somalia undermines anti-piracy efforts,

Noting the report of the Secretary-General (S/2013/623), particularly Section IX on "Allegations of illegal fishing and illegal dumping, including of toxic substances, off the coast of Somalia",

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 activities in the ocean, including countering piracy and armed robbery at sea,

Underlining the primary responsibility of the Somali authorities in the fight against piracy and armed robbery at sea off the coast of Somalia; *noting* the several requests from Somali authorities for international assistance to counter piracy off its coast, including the letter of 12 November 2013, from the Permanent Representative of Somalia to the United Nations expressing the appreciation of Somali authorities to the Security Council for its assistance, expressing their 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 2077 (2012) be renewed for an additional twelve months,

Encouraging implementation of the Somali Maritime Resource and Security Strategy, which was endorsed by the President of the Federal Government of Somalia and participating states at the 14th Plenary

of the Contact Group on Piracy off the Coast of Somalia (CGPCS) in New York on 1 May 2013; at the International Somalia Conference in London on 7 May 2013, and at the European Union's "New Deal for Somalia" Conference in Brussels on 16 September 2013,

Recognizing the work of the CGPCS to facilitate the prosecution of suspected pirates and, in accordance with international law, to establish an on-going network and mechanism for sharing information and evidence between investigators and prosecutors, *welcoming* the development of the Capacity Building Coordination Group under Working Group 1 of the CGPCS, and *welcoming* the work by Working Group 5 of the CGPCS to disrupt illicit financial flows linked to piracy,

Welcoming the financing provided by the Trust Fund to Support Initiatives of States Combating Piracy off the Coast of Somalia (the Trust Fund) to strengthen regional ability to prosecute suspected pirates and imprison those convicted in accordance with applicable international human rights law, *noting* with appreciation the assistance provided by the United Nations Office of Drugs and Crime (UNODC) Counter-Piracy Programme, and *being determined* to continue efforts to ensure that pirates are held accountable,

Commending the efforts of the European Union operation ATALANTA, North Atlantic Treaty Organization Operation Ocean Shield, Combined Maritime Forces' Combined Task Force 151 commanded by Pakistan and the United Kingdom, as well as United States ships assigned to Combined Task Force 151 and NATO Task Force 508, the counter-piracy activities of the African Union onshore in Somalia and the naval activities of the Southern Africa Development Community, and other States acting in a national capacity in cooperation with Somali authorities and each other, to suppress piracy and to protect vulnerable ships transiting through the waters off the coast of Somalia, and *welcoming* the Shared Awareness and Deconfliction Initiative (SHADE) and the efforts of individual countries, including China, India, Indonesia, Japan, Republic of Korea, Malaysia, Pakistan, and the Russian Federation, which have deployed naval counter-piracy missions in the region, as stated in the Secretary-General's report (S/2013/623),

Noting the efforts of flag States for taking measures to permit vessels sailing under their flag transiting the High Risk Area (HRA) to embark vessel protection detachments and privately contracted armed security personnel (PCASP), and *encouraging* States to regulate such activities in accordance with applicable international law and permit charters to favour arrangements that make use of such measures,

Noting the request of some Member States on the need to review the boundaries of the HRA on an objective and transparent basis, taking into account actual incidents of piracy, and *noting* that the HRA is set and defined by the insurance and maritime industry,

Welcoming the capacity-building efforts in the region made by the International Maritime Organization-(IMO)-funded Djibouti Code of Conduct, the Trust Fund and the European Union's activities under EUCAP Nestor, which is working with the Federal Government of Somalia to strengthen its criminal justice system, and *recognizing* the need for all engaged international and regional organizations to coordinate and cooperate fully,

Supporting the development of a coastal police force, *noting with appreciation* the efforts made by the IMO and the shipping industry to develop and update guidance, best management practices, and recommendations to assist ships to prevent and suppress piracy attacks off the coast of Somalia, including in the Gulf of Aden, and the Indian Ocean area, and *recognizing* the work of the IMO and the CGPCS in this regard, *noting* the efforts of the International Organization for Standardization, which has developed industry standards of training and certification for Private Maritime Security Companies when providing privately contracted armed security personnel on board ships in high-risk areas, and *further welcoming* the European Union's EUCAP Nestor, which is working to develop the sea-going maritime security capacities of Somalia, Djibouti, Kenya, Seychelles and Tanzania,

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, too often 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 on-going work of the 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,

Further recognizing that pirate networks continue to rely on kidnapping and hostage-taking, and that these activities help generate funding to purchase weapons, gain recruits, and continue their operational activities, thereby jeopardizing the safety and security of civilians and restricting the flow of free commerce, and *welcoming* international efforts to collect and share information to disrupt the pirate enterprise, as exemplified by INTERPOL's Global Database on Maritime Piracy, and *taking note of* the on-going efforts of the Regional Fusion and Law Enforcement Centre for Safety and Security at Sea (formerly the Regional Anti Piracy Prosecution and Intelligence Coordination Centre), hosted by Seychelles to combat piracy,

Reaffirming international condemnation of acts of kidnapping and hostage-taking, including offences contained within the International Convention against the Taking of Hostages, *strongly condemning* the continuing practice of hostage-taking by pirates operating off the coast of Somalia, *expressing serious concern* at the inhuman conditions hostages face in captivity, *recognizing* the adverse impact on their families, *calling for* the immediate release of all hostages, and *noting* the importance of cooperation between Member States on the issue of hostage-taking and the prosecution of suspected pirates for taking hostages,

Commending Kenya, Mauritius, Seychelles and Tanzania for their efforts to prosecute suspected pirates in their national courts, and *noting* with appreciation the assistance provided by the UNODC Counter-Piracy Programme, the Trust Fund and other international organizations and donors, in coordination with the CGPCS, to support Kenya, Mauritius, Seychelles, Tanzania, Somalia, and other States in the region with their efforts to prosecute, or incarcerate in a third State after prosecution elsewhere, pirates, including facilitators and financiers ashore, 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, and *acknowledging* the return from Seychelles to Somalia of convicted prisoners willing and eligible to serve their sentences in Somalia,

Recalling the reports of the Secretary-General on the modalities for the establishment of specialized Somali anti-piracy courts (S/2011/360 and S/2012/50), prepared pursuant to paragraph 26 of resolution 1976 (2011) and paragraph 16 of resolution 2015 (2011),

Stressing the need for States to consider possible methods to assist the seafarers who are victims of pirates, and *welcoming* in this regard the Trust Fund's establishment in November 2012 of the "Hostage Support Programme" to provide support to hostages during their release and return home, as well as to their families throughout the hostage situation,

Recognizing the progress made by the CGPCS and UNODC in the use of public information tools to raise awareness of the dangers of piracy, highlight the best practices to eradicate this criminal phenomenon, and inform the public of the dangers posed by piracy,

Further noting with appreciation the on-going efforts by UNODC to support efforts to enhance Somalia's maritime security and law enforcement capacities, also noting efforts by UNODC and UNDP and the funding provided by the Trust Fund, the European Union, the United Kingdom, the United States, and other donors to develop regional judicial and law enforcement capacity to investigate, arrest, and prosecute suspected pirates and 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, *noting* the operations of information-sharing centres in Yemen, Kenya and Tanzania and the regional maritime training centre in Djibouti, 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 Somali authorities of the Somali National Security Forces,

Noting with appreciation recent high-level events on Somalia which have generated substantial pledges of support, and underlining the importance of delivering on any support pledged at these events,

Taking note with appreciation the intention expressed by the Indian Ocean Rim Association at the thirteenth meeting of its Council of Ministers to bolster maritime security and safety, including through the upcoming Indian Ocean Dialogue in India, which will explore concrete options to enhance counter-piracy cooperation, including through improved maritime information-sharing arrangements and stronger national legal capacity and laws, and *encouraging* the Indian Ocean Rim Association to pursue efforts that are complementary to and coordinated with the on-going work of the CGPCS,

Noting that the joint counter-piracy efforts of the international community and private sector have resulted in a sharp decline in pirate attacks as well as hijackings since 2011 and emphasizing that without further action, the significant progress made in reducing the number of successful pirate attacks is reversible,

Determining that the incidents of piracy and armed robbery at sea off the coast of Somalia are an important factor exacerbating 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 at sea off the coast of Somalia;
2. *Recognizes* that the on-going 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, while piracy, in turn, exacerbates instability by introducing large amounts of illicit cash that fuels additional crime and corruption in Somalia;
3. *Stresses* the need for a comprehensive response to repress piracy and tackle its underlying causes by the international community;
4. *Underlines* the primary responsibility of Somali authorities in the fight against piracy and armed robbery at sea off the coast of Somalia, and requests the Somali authorities, with assistance from the Secretary-General and relevant United Nations entities, to pass a complete set of anti-piracy laws without further delay, and *urges* Somalia to continue efforts, with the support of the international community, to adopt an exclusive economic zone in accordance with "The Convention";
5. *Recognizes* the need to continue investigating and prosecuting those who plan, organize or illicitly finance or profit from pirate attacks off the coast of Somalia, including key figures of criminal networks involved in piracy, *urges* States, working in conjunction with relevant international organizations, to adopt legislation to facilitate prosecution of suspected pirates off the coast of Somalia;
6. *Calls upon* the Somali authorities to interdict, and upon interdiction to investigate and prosecute pirates and to patrol the territorial waters off the coast of Somalia to suppress acts of piracy and armed robbery at sea;
7. *Calls upon* the Somali authorities to make all efforts 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 *calls*

upon Member States to assist Somalia, at the request of Somali authorities and with notification to the Secretary-General, to strengthen maritime capacity in Somalia, including regional authorities and *stresses* that any measures undertaken pursuant to this paragraph shall be consistent with applicable international law, in particular international human rights law;

8. *Calls upon* States to cooperate also, as appropriate, on the issue of hostage taking, and the prosecution of suspected pirates for taking hostages;

9. *Recognizes* the need for States, international and regional organizations, and other appropriate partners to exchange evidence and information for anti-piracy law enforcement purposes with a view to ensuring effective prosecution of suspected, and imprisonment of convicted, pirates and with a view to the arrest and prosecution of key figures of criminal networks involved in piracy who plan, organize, facilitate, or illicitly finance and profit from piracy operations, and keeps under review the possibility of applying targeted sanctions against individuals or entities that plan, organize, facilitate, or illicitly finance or profit from piracy operations if they meet the listing criteria set out in paragraph 8, resolution 1844 (2008); and *calls upon* all States to cooperate fully with the Somalia and Eritrea Monitoring Group including on information-sharing regarding possible violations of the arms embargo or charcoal ban;

10. *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, military aircraft, by providing basing and logistical support for counter-piracy forces, and by seizing and disposing 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;

11. *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 Somali authorities and *urges* States and international organizations to continue to support these efforts;

12. *Encourages* Member States to continue to cooperate with Somali authorities in the fight against piracy and armed robbery at sea, notes the primary role of Somali authorities in the fight against piracy and armed robbery at sea off the coast of Somalia, 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 paragraph 7 of resolution 1897 (2009), paragraph 7 of resolution 1950 (2010), paragraph 9 of resolution 2020 (2011), and paragraph 12 of resolution 2077 (2012) granted to States and regional organizations cooperating with Somali authorities in the fight against piracy and armed robbery at sea off the coast of Somalia, for which advance notification has been provided by Somali authorities to the Secretary-General;

13. *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 12 November 2013 letter conveying the consent of Somali authorities;

14. *Decides* that the arms embargo on Somalia imposed by paragraph 5 of resolution 733 (1992) and further elaborated upon by paragraphs 1 and 2 of resolution 1425 (2002) and modified by paragraphs 33 to 38 of resolution 2093 does not apply to supplies of weapons and military equipment or the provision of assistance destined for the sole use of Member States, international, regional and subregional organizations undertaking measures in accordance with paragraph 12 above;

15. *Requests* that cooperating States take appropriate steps to ensure that the activities they undertake pursuant to the authorizations in paragraph 12 do not have the practical effect of denying or impairing the right of innocent passage to the ships of any third State;

16. *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;

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

18. *Reiterates* its decision to continue its consideration of the establishment of specialized anti-piracy courts in Somalia and other States in the region with substantial international participation and/or support, as set forth in resolution 2015 (2011), and the importance of such courts having jurisdiction over not only suspects captured at sea, but also anyone who incites or intentionally facilitates piracy operations, including key figures of criminal networks involved in piracy who plan, organize, facilitate, or illicitly finance or profit from such attack, and *encourages* the CGPCS to continue its discussions in this regard;

19. *Welcomes*, in this context, the UNODC Counter-Piracy Programme's continued work with authorities in Somalia and in neighbouring States to ensure that individuals suspected of piracy are prosecuted and those convicted are imprisoned in a manner consistent with international law, including international human rights law;

20. *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;

21. *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;

22. *Commends* INTERPOL for operationalizing a global piracy database that consolidates information about piracy off the coast of Somalia and facilitates the development of actionable analysis for law enforcement, and *urges* all States to share such information with INTERPOL for use in the database, through appropriate channels;

23. *Commends* the contributions of the Trust Fund and the IMO-funded Djibouti Code of Conduct and *urges* both state and non-State actors affected by piracy, most notably the international shipping community, to contribute to them;

24. *Urges* States parties to "The Convention" and the SUA Convention to implement fully their relevant obligations under these conventions and customary international law and to 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;

25. *Acknowledges* the recommendations and guidance provided by the IMO on preventing and suppressing piracy and armed robbery at sea; 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 suitable port of call immediately following an act or attempted act of piracy or armed robbery at sea or release from captivity;

26. *Encourages* flag States and port States to further consider the development of safety and security measures on board vessels, including, where applicable, developing regulations for the use of PCASP on board ships, aimed at preventing and suppressing piracy off the coast of Somalia, through a consultative process, including through the IMO and ISO;

27. *Invites* the IMO to continue its contributions to the prevention and suppression of acts of piracy and armed robbery against ships in coordination, in particular, with the UNODC, the World Food Program (WFP), the shipping industry, and all other parties concerned, and *recognizes* the IMO's role concerning privately contracted armed security personnel on board ships in high-risk areas;

28. *Notes* the importance of securing the safe delivery of WFP assistance by sea, welcomes the on-going work by the WFP, EU operation ATALANTA and flag States with regard to Vessel Protection Detachments on WFP vessels;

29. *Requests* States and regional organizations cooperating with Somali authorities to inform the Security Council and the Secretary-General in nine months of the progress of actions undertaken in the exercise of the authorizations provided in paragraph 12 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;

30. *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;

31. *Expresses its intention* to review the situation and consider, as appropriate, renewing the authorizations provided in paragraph 12 above for additional periods upon the request of Somali authority;

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

B. List of conciliators, arbitrators and experts nominated under article 2 of Annexes V, VII and VIII to the Convention

1. *List of conciliators and arbitrators nominated under article 2 of annexes V and VII to the Convention (as of 30 November 2013²)*

State Party	Nominations	Date of deposit of notification with the Secretary-General
Argentina	Dr. Frida María Armas Pfirter, Arbitrator	28 September 2009
	Dr. Frida María Armas Pfirter, Conciliator	28 September 2009
	Ambassador Horacio Adolfo Basabe, Conciliator and Arbitrator	4 September 2013
	Professor Marcelo Gustavo Kohen, Conciliator and Arbitrator	4 September 2013
	Minister Holger Federico Martinsen, Conciliator and Arbitrator	4 September 2013
Australia	Sir Gerard Brennan AC KBE, Arbitrator	19 August 1999
	Mr. Henry Burmester QC, Arbitrator	19 August 1999
	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
	Professor Dr. Gerhard Loibl, Professor at the Diplomatic Academy of Vienna, Conciliator and Arbitrator	9 January 2008
	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
	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
	Rodrigo Díaz Albónico, Conciliator	18 November 1998
	Carlos Martínez Sotomayor, Conciliator	18 November 1998
	Eduardo Vío Grossi, Conciliator	18 November 1998

² Source: Chapter XXI.6 of the publication entitled “*Multilateral Treaties Deposited with the Secretary-General*” at <http://treaties.un.org/>.

State Party	Nominations	Date of deposit of notification with the Secretary-General
	José Miguel Barros Franco, Arbitrator	18 November 1998
	María Teresa Infante Caffi, Arbitrator	18 November 1998
	Edmundo Vargas Carreño, Arbitrator	18 November 1998
	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
	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
	Professor Martti Koskenniemi, Conciliator and Arbitrator	25 May 2001
	Justice Gutav Möller, Conciliator and Arbitrator	25 May 2001
	Justice Pekka Vihervuori, Conciliator and Arbitrator	25 May 2001
France	Daniel Bardonnet, Arbitrator	4 February 1998
	Pierre-Marie Dupuy, Arbitrator	4 February 1998
	Jean-Pierre Queneudec, Arbitrator	4 February 1998
	Laurent Lucchini, Arbitrator	4 February 1998
Germany	Dr. (Ms.) Renate Platzoeder, Arbitrator	25 March 1996
Ghana	H.E. Judge Dr. Thomas A. Mensah, Conciliator and Arbitrator (Former Judge and First President of the UN Tribunal of the Law of the Sea (ITLOS))	30 May 2013
	Professor Martin Tsamenyi, Professor of Law, Conciliator and Arbitrator University of Wollongong, Australia and Director, Australian National Center for Ocean Resources and Security (ANCORS)	30 May 2013
Iceland	Ambassador Gudmundur Eiriksson, Conciliator and Arbitrator	13 September 2013
	Tomas H. Heidar, Legal Adviser, Ministry for Foreign Affairs, Conciliator and Arbitrator	13 September 2013
Indonesia	Prof. Dr. Hasjim Djalal, M.A., Conciliator and Arbitrator	3 August 2001
	Dr. Etty Roesmaryati Agoes, SH, LLM, Conciliator and Arbitrator	3 August 2001

State Party	Nominations	Date of deposit of notification with the Secretary-General
	Dr. Sudirman Saad, D.H., M.Hum, Conciliator and Arbitrator	3 August 2001
	Lieutenant Commander Kresno Bruntoro, SH, LLM, Conciliator and Arbitrator	3 August 2001
Italy	Professor Umberto Leanza, Conciliator and Arbitrator	21 September 1999
	Ambassador Luigi Vittorio Ferraris, Conciliator	21 September 1999
	Ambassador Giuseppe Jacoangeli, Conciliator	21 September 1999
	Professor Tullio Scovazzi, Arbitrator	21 September 1999
	Paolo Guido Spinelli, Former Chief of the Service for Legal Affairs, Diplomatic Disputes and international Agreements of the Italian Ministry of Foreign Affairs, Conciliator	28 June 2011
	Maurizio Maresca, Arbitrator	28 June 2011
	Tullio Treves, Arbitrator	28 June 2011
Japan	Judge Hisashi Owada, Judge, International Court of Justice, Arbitrator	28 September 2000
	Dr. Nisuke Ando, Professor Emeritus, Kyoto University, Japan, Arbitrator	28 September 2000
	Judge Shunji Yanai, President of the International Tribunal for the Law of the Sea, Conciliator and Arbitrator	4 October 2013
Mexico	Ambassador Alberto Székely Sánchez, Special Adviser to the Secretary for International Waters Affairs, Arbitrator	9 December 2002
	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
	Frigate Captain JN. LD. DEM. Agustín Rodríguez Malpica Esquivel, Chief, Legal Unit, Secretariat of the Navy, Arbitrator	9 December 2002
	Frigate Lieutenant SJN.LD. Juan Jorge Quiroz Richards, Secretariat of the Navy, Arbitrator	9 December 2002
	Ambassador José Luis Vallarta Marrón, Former Permanent Representative of Mexico to the International Seabed Authority, Conciliator	9 December 2002
	Dr. Alejandro Sobarzo, Member of the national delegation to the Permanent Court of Arbitration, Conciliator	9 December 2002
	Joel Hernández García, Deputy Legal Adviser, Ministry of Foreign Affairs, Conciliator	9 December 2002
	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

State Party	Nominations	Date of deposit of notification with the Secretary-General
	Professor Jean-Pierre Cot, Arbitrator	22 February 2005
Netherlands	E. Hey, Arbitrator	9 February 1998
	Professor A. Soons, Arbitrator	9 February 1998
	A. Bos, Arbitrator	9 February 1998
	Professor Dr. Barbara Kwiatkowska, Arbitrator	29 May 2002
Norway	Carsten Smith, President of the Supreme Court, Conciliator and Arbitrator	22 November 1999
	Karin Bruzelius, Supreme Court Judge, Conciliator and Arbitrator	22 November 1999
	Hans Wilhelm Longva, Director General, Department of Legal Affairs, Ministry of Foreign Affairs, Conciliator and Arbitrator	22 November 1999
	Ambassador Per Tresselt, Conciliator and Arbitrator	22 November 1999
Poland	Mr. Janusz Symonides, Conciliator and Arbitrator	14 May 2004
	Mr. Stanislaw Pawlak, Conciliator and Arbitrator	14 May 2004
	Mrs. Maria Dragun-Gertner, Conciliator and Arbitrator	14 May 2004
Portugal	Professor José Manuela Pureza, Conciliator	5 October 2011
	Dr. João Madureira, Conciliator	5 October 2011
	Dr. Mateus Kowalski, Conciliator	5 October 2011
	Dr. Tiago Pitta e Cunha, Conciliator	5 October 2011
	Professor Nuno Sérgio Marques Antunes, Arbitrator	5 October 2011
Republic of Korea	Professor Jin-Hyun Paik, Conciliator and Arbitrator:	14 February 2013
Romania	Mr. Bogdan Aurescu, Secretary of State, Ministry of Foreign Affairs, Member of the Permanent Court of Arbitration, Arbitrator	2 October 2009
	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
	Professor Kamil A. Bekyashev, Arbitrator	4 March 1998
	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
	Dr. Peter Tomka, Judge of the International Court of Justice, Arbitrator	9 July 2004
Spain	José Antonio de Yturriaga Barberán, Arbitrator	23 June 1999
	José Antonio de Yturriaga Barberán, Ambassador at large, Conciliator	7 February 2002
	Juan Antonio Yáñez-Barnuevo García, Ambassador at large, Conciliator	7 February 2002

State Party	Nominations	Date of deposit of notification with the Secretary-General
	Aurelio Pérez Giralda, Chief, International Legal Advisory Assistance, Ministry of Foreign Affairs, Conciliator	7 February 2002
	José Antonio Pastor Ridruejo, Judge, European Court of Human Rights, Arbitrator	7 February 2002
	D. Juan Antonio Yáñez-Barnuevo García, Arbitrator	26 March 2012
	Da Concepción Escobar Hernández, Conciliator and Arbitrator	26 March 2012
Sri Lanka	Hon. M.S. Aziz, P.C., Conciliator and Arbitrator	17 January 1996
	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
	Dr. Ahmed Elmufli, Arbitrator	8 September 1995
	Dr. Abd Elrahman Elkhalifa, Conciliator	8 September 1995
	Sayed/Eltahir Hamadalla, Conciliator	8 September 1995
	Prof. Elihu Lauterpacht CBE QC, Arbitrator	8 September 1995
	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
	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, Conciliator and Arbitrator	2 November 2010
	Sir Elihu Lauterpacht QC, Conciliator and Arbitrator	2 November 2010
	Professor Vaughan Lowe QC, Conciliator and Arbitrator	2 November 2010
	Mr. David Anderson, Conciliator and Arbitrator	2 November 2010
United Republic of Tanzania	Ambassador James Kateka, Judge of ITLOS, Conciliator and Arbitrator	18 September 2013

2. *List of experts in the field of navigation, including pollution from vessels and by dumping, maintained by the International Maritime Organization*³

In accordance with articles 2 and 3 of Annex VIII of the United Nations Convention on the Law of the Sea, 1982 (UNCLOS) which entered into force on 16 November 1994, IMO hereby establishes a list of experts in the field of navigation, including pollution from vessels and by dumping, for the purposes specified under article 3 of Annex VIII of UNCLOS, dealing with Special Arbitration. The names of the two experts so nominated by each State Party, and submitted to the Secretary-General of IMO, as of [...] are as follows:

State Party	Nominations
Algeria	Colonel Abdallah Hafsi
	Lieutenant-Colonel Youcef Zerizer
Argentina	Capitán de Navío Juan Carlos Frias Jefe de la División de Asuntos Marítimos Internacionales de la Dirección de Intereses Marítimos de la Armada Argentina
	Prefecto General Andrés Manuel Monzón Director de la Policía de Seguridad de la Navegación y ex Director de Protección Ambiental
Australia	Mr. Michael Kinley Deputy CEO Australian Maritime Safety Authority
	Mr. Bradley Groves General Manager Maritime Standards Division Australian Maritime Safety Authority
Austria	Dr. Viktor Siegl Austrian Supreme Shipping Authority Austrian Federal Ministry for Transport, Innovation and Technology, Department IV/W1, Vienna
	Dr. Andreas Linhart Austrian Supreme Shipping Authority Austrian Federal Ministry for Transport, Innovation and Technology, Department IV/W1, Vienna
Bahrain	Mr. Abdulmonem Mohamed Janahi
	Mr. Sanad Rashid Sanad

³ Transmitted by communication dated 28 October 2013 from the International Maritime Organization.

State Party	Nominations
Belarus	Mr. Bronislav I. Govorovsky Head Department of Maritime and River Transport Ministry of Transport and Communications Republic of Belarus
	Mr. Alexander Y. Sokolov Consultant Department of Maritime and River Transport Ministry of Transport and Communications Republic of Belarus
Belgium	Mrs. Anne Van Hautte General Counsellor Legal Expert in Maritime Law Ministry of Mobility
	Mr. Peter Claeysens General Counsellor Expert in technical matters relating to the Conventions MARPOL, SOLAS and STCW Ministry of Mobility
Bolivia (Plurinational State of)	CC DIM Freddy Zapata Flores
	CC CGEN Rafael Quiroz
Brunei Darussalam	Captain Basza Alexzander bin Haji Basri Marine Officer
	Captain Zulkiflee bin Haji Abdul Ghani Marine Officer
Bulgaria	Captain Petar Petrov Director of Shipping Inspectorate of the Bulgarian Maritime Administration
Cameroon	M. Dieudonné Ekoumou Dimi Administrateur des Affaires Maritimes Expert en Sécurité Maritime
	M. Roger Ntsengue Administrateur des Affaires Maritimes Port and Shipping Expert
Chile	CF LT Sr. Emilio León Hoffmann Jefe Centro Nacional de Combate a la Contaminación Armada de Chile
	CC LT Sr. Oscar Tapia Zuñiga Jefe División de Navegación y Maniobras del Servicio Inspección de Naves Armada de Chile

State Party	Nominations
China	Mr. Zhengjiang Liu Vice President Dalian Maritime University
	Mr. Fuzhi Chang Deputy Director-General Shanghai Maritime Safety Administration
Cook Islands	Mr. Ned Howard Director of Marine Ministry of Transport Government of the Cook Islands
	Captain Hugh M. Munro Deputy Registrar/Technical Advisor Cook Islands Ships Registry Maritime Cook Islands
Costa Rica	Mr. Carlos Fernando Alvarado Valverde Instituto Costarricense sobre Drogas San Pedro de Montes de Oca
	Mr. Carlos Murillo Zamora Profesor Universidad de Costa Rica
Czech Republic	Dr. Vladimír Kopal Professor of International Law West Bohemian University Pilsen, Czech Republic
Democratic Republic of the Congo	M. Guy Richard Mazola Mabenga Ndongu Directeur Conseiller Juridique aux Lignes Maritimes Congolaises
	M. Richard Lubuma A'well Emfum Expert chargé d'Etudes au Groupe des Transports (GET)
Denmark	Ms. Birgit Sølling Oslén Deputy Director Danish Maritime Authority
	Ms. Anne Skov Strüver Head of Division Danish Maritime Authority
Djibouti	M. Houssein Sougoueh Miguil (dans le domaine de la navigation)
	M. Abdoukader Abdallah Hassan (dans le domaine de la pollution maritime)

State Party	Nominations
Ecuador	Dr. Carlos Salcedo Coello Subsecretaría de Puertos y Transporte Marítimo Fluvial (SPTM)
	Ing. Carmen Palacios Limones Instituto Oceanográfico de la Armada (INOCAR)
Egypt	Captain Dr. Mohamed Mamdouh El Beltagy Egyptian General Authority for Maritime Safety
	Ms. Soad Abdel-Moneim Abdel-Maksoud Director of the Treaties Department of the Maritime Transport Sector
Estonia	Mr. Heiki Lindpere, PhD Professor on the Law of the Sea and Maritime Law Rector of the Estonian Maritime Academy
Fiji	Mr. Josateki Tagi Acting Director Fiji Islands Maritime Safety Administration
	Captain Felix R Maharaj Acting Chief Marine Officer Fiji Islands Maritime Safety Administration
Finland	Professor Kari Hakapää University of Lapland
	Professor Peter Wetterstein Åbo Akademi University
Germany	Professor Dr. Dr. h.c. Peter Ehlers President of the Federal Maritime and Hydrographic Agency (retired)
Greece	Commander (HCG) Alexandros Lagouros Director of Marine Environment Protection Directorate of the Ministry of Citizen Protection
	Commander (HCG) Ioannis Kourouniotis Director of European Union and International Organizations Affairs Directorate of the Ministry of Citizen Protection
Guatemala	Mr. Lester Antonio Ortega Lemus Minister Counsellor Alternate Permanent Representative of the Republic of Guatemala to the International Maritime Organization Embassy of Guatemala 13 Fawcett Street London SW10 9HN

State Party	Nominations
Guinea	Chérif Mohamed Lamine Camara Docteur Es-Sciences Techniques des Pêches en service à la Direction Nationale de la Pêche et de l'Aquaculture
Hungary	Mr. Tamás Marton (Captain) Ministry of National Development Head of Maritime and Inland Navigation Department
	Mr. Róbert Kojnok (Captain) National Transport Authority Road, Railway and Shipping Office Head of Navigation Division
Italy	Professor Umberto Leanza Université de Rome Chef du service du contentieux Ministère des affaires étrangères italien
	Professor Luigi Sico (since July 1999)
Latvia	Mr. Raitis Murnieks Director of Maritime Safety Department Maritime Administration of Latvia
	Mr. Aigars Krastins Marine Accident Investigator Transport Accident and Incident Investigation Bureau
Lithuania	Mr. Robertinas Tarasevičius Deputy Director Lithuanian Maritime Safety Administration
	Mr. Linas Kasparavičius Head Maritime Safety Division Lithuanian Maritime Safety Administration
Luxembourg	M. Robert Biwer Commissaire du Gouvernement aux affaires maritimes
	M. Joël Mathieu Conseiller technique auprès du Commissariat aux affaires maritimes
Maldives	Mr. Hussein Shareef Deputy Director Ministry of Transport and Civil Aviation
	Mr. Mahdhy Imad Assistant Managing Director Maldives Ports Authority

State Party	Nominations
Mexico	Captain Manuel P. Flitsche Head of the Third Section of the Naval Staff
	Captain Gabriel Rivera Miranda Director of Navigation Merchant Marine Affairs Division Ministry of Communications and Transport
Mozambique	Captain Mário Guilherme Director of Protection Services and Maritime Pollution Combat
	Engineer Domingos Pedro Gomes Director of Ships Protection Services and Portuary Installations
Nicaragua	Capitán de Fragata Demn Gerardo Roberto Fornos Mendoza
	Capitán de Corbeta José Vicente Laguna Medina
Nigeria	Mrs. Juliana Gunwa Director Marine Environment Management
	Captain Jerome Angyunwe Chief Nautical Surveyor
Norway	Mr. Jens Henning Kofoed Adviser Maritime Directorate of Norway
	Mr. Atle Fretheim Assistant Director General Royal Ministry of Environment
Pakistan	Captain Muhammad Aslam Shaheen Chief Nautical Surveyor Ports and Shipping Wing Karachi
	Captain Shaukat Ali Deputy Conservator Karachi Port Trust
Palau	Mr. Donald Dengokl Environmental Specialist Environmental Quality Protection Board (under the Ministry of Resources and Development)

State Party	Nominations
	Mr. Arvin Raymond Chief, Division of Transportation Bureau of Commercial Development Ministry of Commerce and Trade
	Alternate Mr. Benito Thomas Chief, Division of Immigration Bureau of Legal Service Ministry of Justice
Panama	Capitán A.E. Fiore Jefe de Seguridad Marítima Segumar, Nueva York
	Ing. Ivan Ibérico Inspector del Departamento Técnico de la Dirección General Consular y de Naves
Poland	Ms. Dorota Pyć (PhD) University of Gdańsk
	Mr. Wojciech Ślącza (PhD) Master Mariner Maritime University of Szczecin
Portugal	Professor Maria João Bebianno University of Algarve
Republic of Korea	Mr. Dong-Sup Lee Korea Institute of Maritime and Fisheries Technology (KIMFT) Republic of Korea
	Mr. In-Su Lee Ministry of Land Transport and Maritime Affairs (MLTM) Republic of Korea
Romania	Mr. Șerban Berescu Deputy General Director Romanian Shipping Authority
	Mr. Adrian Alexe Director Coordination Maritime Centre Romanian Shipping Authority
Russian Federation	Mr. Konstantin G. Palnikov Director Department of State Policy for Maritime and River Transport of the Ministry of Transport of the Russian Federation

State Party	Nominations
	Mr. Vitaliy V. Klyuev Deputy Director Department of State Policy for Maritime and River Transport of the Ministry of Transport of the Russian Federation
Samoa	Mr. Vaelua Nofo Vaelua Chief Executive Officer/Secretary for Transport Ministry of Works, Transport and Infrastructure
	Mr. Seinafolava Capt. Lotomau Tomane Assistant Chief Executive Officer Maritime Division Ministry of Works, Transport and Infrastructure
Saudi Arabia	Mr. Jamal Farahat Al-Ghamdi Marine Captain
	Mr. Majid Turki Al-Harbi Marine Engineer
Seychelles	Captain Joachim Valmont Director General Seychelles Maritime Safety Administration
	Captain Percy Laporte Seychelles Port Authority
Sierra Leone	Captain Patrick E.M. Kemokai
	Captain Salu Kuyateh
Singapore	Captain Francis Wee Assistant Director (Nautical) Marine Department
	Captain Wilson Chua Head, Hydrographic Department Port of Singapore Authority
Slovakia	Mr. Josef Mrkva Head of Maritime Office Ministry of Transport, Construction and Regional Development of the Slovak Republic
	Mr. Fedor Holcik State Counsellor of the Maritime Office Ministry of Transport, Construction and Regional Development of the Slovak Republic

State Party	Nominations
Slovenia	Mr. Tomo Borovnicar, MA Head of the Port State Control Slovenian Maritime Administration Ministry of Transport of the Republic of Slovenia
	Captain Primoz Bajec Head of Vessel Traffic Service and Maritime Rescue Coordination Centre Slovenian Maritime Administration Ministry of Transport of the Republic of Slovenia
Spain	Capitán D. Francisco Ramos Corona Subdirector General de Seguridad, Contaminación e Inspección Marítima de la Dirección General de la Marina Mercante
	Capitán D. Jose Manuel Piñero Fernandez Jefe de Área de Tráfico y Seguridad en la Navegación de la Dirección General de la Marina Mercante
Suriname	Mr. E. Fitz-Jim Navigation Expert
	Mr. W. Palman Navigation Expert
Sweden	Mr. Johan Schelin Associate Professor in Private Law
Togo	M. Alfa Lebgaza Administrateur des Affaires Maritimes Directeur des Affaires Maritimes au Ministère Togolais des Transports
	M. Koté Djahlin Inspecteur de la Sécurité et de la Navigation Maritime Officier Chargé du Contrôle des Navires par l'Etat du Port
Uganda	Mr. S.A.K. Magezi Meteorology Department Ministry of Natural Resources Kampala
	Mr. J.T. Wambede Meteorology Department Ministry of Natural Resources Kampala
United Kingdom	Mr. David Goldstone QC Quadrant Chambers

State Party	Nominations
	Mr. John Reeder QC Stone Chambers
Uruguay	Capitán de Navío (CP) Miguel A. Fleitas
	Capitán de Navío (CP) Javier Bermúdez
Zambia	Mr. John Chibale Mwape
	Mr. Gerald Siliya

3. Recent Judgments, Awards, and Orders

*International Tribunal for the Law of the Sea
Tribunal Orders the Release of The Arctic Sunrise and the detained
persons upon the posting of a bond⁴*

The International Tribunal for the Law of the Sea delivered its Order today in The “*Arctic Sunrise*” Case (*Kingdom of the Netherlands v. Russian Federation*). It ordered that the vessel *Arctic Sunrise* and all persons detained in connection with the dispute be released and allowed to leave the territory and maritime areas under the jurisdiction of the Russian Federation upon the posting of a bond in the amount of 3.6 million euros.

THE DISPUTE

A request for the prescription of provisional measures under article 290, paragraph 5, of the United Nations Convention on the Law of the Sea was submitted to the Tribunal on 21 October 2013 by the Kingdom of the Netherlands in a dispute with the Russian Federation concerning the arrest and detention of the vessel *Arctic Sunrise* and its crew by authorities of the Russian Federation. The *Arctic Sunrise*, which flies the flag of the Netherlands, is an icebreaker operated by Greenpeace International. The public hearing in the case was held on Wednesday, 6 November 2013. The Russian Federation informed the Tribunal by note verbale from the Embassy of the Russian Federation in Berlin dated 22 October 2013 that it did not intend to participate in the proceedings before the Tribunal.

THE ORDER OF 22 NOVEMBER 2013

Jurisdiction

In its Order, the Tribunal considers the declaration made by the Russian Federation upon ratifying the Convention, by which it “does not accept procedures provided for in Section 2 of Part XV of the Convention, entailing binding decisions with respect to disputes [...] concerning law-enforcement activities in regard to the exercise of sovereign rights or jurisdiction”. In the note verbale of 22 October 2013, the Russian Federation informed the Tribunal that, on the basis of the said declaration, it had notified the Netherlands that “it does not accept the arbitration procedure under Annex VII to the Convention initiated by the Netherlands”. In the view of the Tribunal, the declaration made by the Russian Federation with respect to law enforcement activities under article 298, paragraph 1(b), of the Convention *prima facie* applies only to disputes excluded from the jurisdiction of a court or tribunal under article 297, paragraphs 2 and 3, of the Convention, i.e. those relating to marine scientific research and fisheries.

Concerning the non-appearance of the Russian Federation, the Tribunal considers that the absence of a party or failure of a party to defend its case does not constitute a bar to the proceedings and does not preclude the Tribunal from prescribing provisional measures, provided that the parties have been given an opportunity of presenting their observations on the subject. The Tribunal notes that the Russian Federation was given ample opportunity to present its observations but declined to do so. The Tribunal considers that the Netherlands should not be put at a disadvantage because of the non-appearance of the Russian Federation in the proceedings and that the Tribunal must therefore identify and assess the respective rights of the Parties involved on the best available evidence.

The Tribunal considers the arguments of the Netherlands that the dispute concerns the interpretation and application of certain provisions of the Convention, notably article 56, paragraph 2 (Rights, jurisdiction and duties of the coastal State in the exclusive economic zone), article 58 (Rights and duties of other States in the exclusive economic zone), article 60 (Artificial islands, installations and structures in the exclusive economic zone), article 87, paragraph 1(a) (Freedom of the high seas) and article 110, paragraph 1 (Right of visit). The Tribunal also considers the note verbale of the Russian Federation of 22 October 2013, in which it states that “[t]he actions of the Russian authorities in respect of the vessel ‘Arctic Sunrise’ and its crew have been and continue to be carried out as the exercise of its jurisdiction, including criminal jurisdiction, in order to enforce laws and regulations of the Russian

⁴ Source: ITLOS/Press No. 205 of 22 November 2013.

Federation as a coastal state in accordance with the relevant provisions of the United Nations Convention on the Law of the Sea". The Tribunal considers that a difference of opinions exists as to the applicability of the provisions of the Convention in regard to the rights and obligations of a flag State and a coastal State, and that the provisions invoked by the Netherlands appear to afford a basis on which the jurisdiction of the arbitral tribunal might be founded. The Tribunal therefore finds that the Annex VII arbitral tribunal would *prima facie* have jurisdiction over the dispute.

Prescription of provisional measures

The Tribunal considers that "under the circumstances of the present case, pursuant to article 290, paragraph 5, of the Convention, the urgency of the situation requires the prescription by the Tribunal of provisional measures", and considers it "appropriate to order that the vessel *Arctic Sunrise* and all persons detained in connection with the present dispute be released upon the posting of a bond or other financial security by the Netherlands, and that the vessel and the persons be allowed to leave the territory and maritime areas under the jurisdiction of the Russian Federation".

The Tribunal determines that the bond or other financial security should be in the amount of 3,600,000 euros, to be posted by the Netherlands with the competent authority of the Russian Federation, and that the bond or other financial security should be in the form of a bank guarantee, issued by a bank in the Russian Federation or a bank having corresponding arrangements with a Russian bank.

The Tribunal recalls that, under article 290, paragraph 6, of the Convention, the Parties must comply promptly with the provisional measures prescribed by the Tribunal. In accordance with article 95 of the Rules of the Tribunal, the Tribunal further decides that each Party shall submit by 2 December 2013 a report and information on compliance with any provisional measure prescribed.

In its Order of 22 November 2013, the Tribunal:

"(1) By 19 votes to 2,

Prescribes, pending a decision by the Annex VII arbitral tribunal, the following provisional measures under article 290, paragraph 5, of the Convention:

(a) The Russian Federation shall immediately release the vessel *Arctic Sunrise* and all persons who have been detained, upon the posting of a bond or other financial security by the Netherlands which shall be in the amount of 3,600,000 euros, to be posted with the Russian Federation in the form of a bank guarantee;

(b) Upon the posting of the bond or other financial security referred to above, the Russian Federation shall ensure that the vessel *Arctic Sunrise* and all persons who have been detained are allowed to leave the territory and maritime areas under the jurisdiction of the Russian Federation;

FOR: *President* YANAI; *Vice-President* HOFFMANN; *Judges* MAROTTA RANGEL, NELSON, CHANDRASEKHARA RAO, AKL, WOLFRUM, NDIAYE, JESUS, COT, PAWLAK, TÜRK, KATEKA, GAO, BOUGUETAIA, PAIK, KELLY, ATTARD; *Judge ad hoc* ANDERSON;

AGAINST: *Judges* GOLITSYN, KULYK.

(2) By 19 votes to 2,

Decides that the Netherlands and the Russian Federation shall each submit the initial report referred to in paragraph 102 not later than 2 December 2013 to the Tribunal, and authorizes the President to request further reports and information as he may consider appropriate after that report.

FOR: *President* YANAI; *Vice-President* HOFFMANN; *Judges* MAROTTA RANGEL, NELSON, CHANDRASEKHARA RAO, AKL, WOLFRUM, NDIAYE, JESUS, COT, PAWLAK, TÜRK, KATEKA, GAO, BOUGUETAIA, PAIK, KELLY, ATTARD; *Judge ad hoc* ANDERSON;

AGAINST: *Judges* GOLITSYN, KULYK."

Judge *ad hoc* Anderson appends a declaration to the Order, Judges Wolfrum and Kelly append a joint separate opinion to the Order, Judge Jesus and Judge Paik append separate opinions to the Order, and Judge Golitsyn and Judge Kulyk append dissenting opinions to the Order.

CORRIGENDUMAustralia: Seas and Submerged Lands (Limits of Continental Shelf) Proclamation 2012*Law of the Sea Bulletin* No. 80, page 18

On page 18, the footnote should instead read: “Note by the Editor: The list of geographical coordinates of points, specifying the geodetic data were deposited with the Secretary-General under articles 76(9) and 84 of the Convention (see Maritime Zone Notification M.Z.N.92.2012.LOS of 9 November 2012).”

