

LAW OF THE SEA  
BULLETIN

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No. 7

APRIL 1986





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zones (territorial sea, continental shelf and exclusive







A. Table of signatures and ratifications as at 30 April 1986

STATES	FINAL ACT SIGNATURE	CONVENTION SIGNATURE <u>a/</u>	CONVENTION RATIFICATION
Afghanistan		18/3/83	
Albania			
Algeria <u>b/</u>	x	x	
Angola <u>b/</u>	x	x	
Antigua and Barbuda		7/2/83	
Argentina <u>b/</u>		5/10/84	
Australia	x	x	
Austria	x	x	
Bahamas	x	x	29/7/83
Bahrain	x	x	30/5/85
Bangladesh	x	x	
Barbados	x	x	
Belgium <u>b/</u>	x	5/12/84	
Belize	x	x	13/8/83
Benin	x	30/8/83	
Bhutan	x	x	
Bolivia <u>b/</u>		27/11/84	
Botswana	x	5/12/84	
Brazil <u>b/</u>	x	x	
Brunei Darussalam <u>c/</u>		5/12/84	
Bulgaria	x	x	
Burkina Faso <u>d/</u>	x	x	

STATES	FINAL ACT SIGNATURE	CONVENTION SIGNATURE <u>a/</u>	CONVENTION RATIFICATION
Costa Rica <u>b/</u>	x	x	
Democratic Kampuchea		1/7/83	
Democratic People's Rep. of Korea	x	x	
Democratic Yemen	x	x	
Djibouti	x	x	
Dominica		28/3/83	
Dominican Republic	x	x	
Ecuador	x		
Egypt <u>e/</u>	x	x	26/8/83
El Salvador		5/12/84	
Equatorial Guinea	x	30/1/84	
Ethiopia	x	x	
Fiji	x	x	
Finland <u>b/</u>	x	x	10/12/82
France <u>b/</u>	x	x	
Gabon	x	x	
Gambia	x	x	
German Democratic Republic <u>b/</u>	x	x	22/5/84

	FINAL ACT SIGNATURE	CONVENTION SIGNATURE a/	CONVENTION RATIFICATION
India	x	x	
Indonesia	x	x	3/2/86
Iran (Islamic Republic of) <u>b/</u>	x	x	
Iraq <u>b/</u>	x	x	30/7/85
Ireland	x	x	
Israel	x		
Italy <u>b/</u>	x	7/12/84	
Jamaica	x	x	21/3/83
Japan	x	7/2/83	
Jordan	x		
Kenya	x	x	
Kiribati			
Kuwait	x	x	
Lao People's Democratic Republic	x	x	
Lesotho	x	x	
Liberia	x	x	
Libyan Arab Jamahiriya	x	3/12/84	
Liechtenstein		30/11/84	
Luxembourg <u>b/</u>	x	5/12/84	
		25/2/83	
Malawi		7/12/84	
Malaysia	x	x	
Maldives	x	x	

STATES	FINAL ACT SIGNATURE	CONVENTION SIGNATURE	CONVENTION DATE
Nepal	x	x	
Netherlands	x	x	
New Zealand	x	x	
Nicaragua <u>b/</u> Niger		9/12/84	
Nigeria	x	x	
Norway	x	x	
Oman <u>b/</u>	x	1/7/83	
Pakistan	x	x	
Panama	x	x	
Papua New Guinea	x	x	
Paraguay	x	x	
Peru	x		
Philippines <u>b/ e/</u>	x	x	8/5/84
Poland	x	x	
Portugal	x	x	
Qatar <u>b/</u>		27/11/84	
Republic of Korea	x	14/3/83	
Romania <u>b/</u>	x	x	
Rwanda	x	x	
St. Christopher and Nevis <u>f/</u> Saint Lucia	x	7/12/84	
St. Vincent and the Grenadines		x	27/3/85
Samoa	x	28/9/84	
San Marino			
Sao Tome and Principe <u>b/</u> Saudi Arabia		13/7/83 7/12/84	

	FINAL ACT SIGNATURE	CONVENTION SIGNATURE	CONVENTION SIGNATURE
Sri Lanka	x	x	
Sudan <u>b/</u>	x	x	23/1/85
Suriname	x	x	
Swaziland		18/1/84	
Sweden <u>b/</u>	x	x	
Switzerland	x	17/10/84	
Syrian Arab Republic			
Thailand	x	x	
Togo	x	x	16/4/85
Tonga			
Trinidad and Tobago	x	x	25/4/86
Tunisia <u>e/</u>	x	x	24/4/85
Turkey			
Tuvalu	x	x	
Uganda	x	x	
Ukrainian SSR <u>b/</u>	x	x	
Union of Soviet Socialist Reps. <u>b/</u>	x	x	
United Arab Emirates	x	x	
United Kingdom	x		
United Republic of Tanzania <u>e/</u>	x	x	30/9/85
United States of America	x		
Uruguay <u>b/</u>	x	x	
Vanuatu	x	x	
Venezuela	x		
Viet Nam	x	x	

(Art. 305(1)(b),(c),(d),(e))

FINAL ACT

CONVENTION

CONVENTION

and (f)	SIGNATURE	SIGNATURE <u>a/</u>	RATIFICATION
Cook Islands	x	x	
European Economic Community <u>b/</u>	x	7/12/84	
Namibia (United Nations Council for)	x	x	18/4/83
Niue		5/12/84	

West Indies Associated States

TOTAL FOR STATES AND OTHERS	144	159	27
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OTHER ENTITIES THAT HAVE SIGNED THE FINAL ACT OF THE CONFERENCE

African National Congress Of South Africa

Netherlands Antilles

Palestine Liberation Organization

Pan Africanist Congress of Azania

South West Africa People's Organization

Notes

a/ Those States that signed the Convention on 10 December 1982 are indicated by an "x". Those that signed at a later date are indicated by that date.

b/ Made a declaration at the time of signing the Convention.

~~Declaration made upon ratification of the Convention~~

[Original: English]

In accordance with article 287 of the United Nations Convention on the Law of the Sea, the United Republic of Tanzania declares that it chooses the International Tribunal for the Law of the Sea for the settlement of disputes concerning the ~~interpretation or application of the Convention~~

C. Objection to declaration

OBJECTION BY BULGARIA TO THE UNDERSTANDING RECORDED UPON SIGNATURE  
BY THE PHILIPPINES AND CONFIRMED UPON RATIFICATION

The Secretary-General received from the Government of Bulgaria, on \_\_\_\_\_  
17 September 1985, the following objection concerning the understanding recorded by  
the Philippines:

[Original: English]

The People's Republic of Bulgaria is seriously concerned by the actions of a

ANNEX

the Embassy of the Philippines in Belgrade

The Ministry for Foreign Affairs of the People's Republic of Bulgaria presents



W I CAN INFORMATION RELEVANT TO THE UNITED NATIONS

CONVENTION ON THE LAW OF THE SEA

Report national legislation received from Governments

[Original: English]

The Permanent Mission of the Federal Republic of Germany to the United Nations sent to the Special Representative of the Secretary-General for the Law of the Sea a note dated 11 October 1985, which reads as follows:

I have the honour to inform you of the Federal Government's Decree promulgated

ANNEX I

Notice 85-574 on the extension of the territorial  
sea in the North Sea - additional provisions to

the 1972 Collision Regulations

1. This is to give notice of the Federal Government's Decree promulgated on 12 November 1984 (Federal Law Gazette I, p. 1366) on the "Extension of the

Tanker Casualties in the German Bight", the English translation of which reads as follows:

"The territorial sea of the Federal Republic of Germany shall be extended in the North Sea to enable appropriate action to be taken against the risk of

applicable to vessels navigating in the area of extension of the territorial sea,  
i.e. in the area lying between the previous and the new seaward boundary of the

territorial sea. However, the Traffic Regulations for Navigable Waterways shall  
continue to apply without restrictions in the traditional territorial sea (the

3-mile zone) around the Isle of Heligoland.

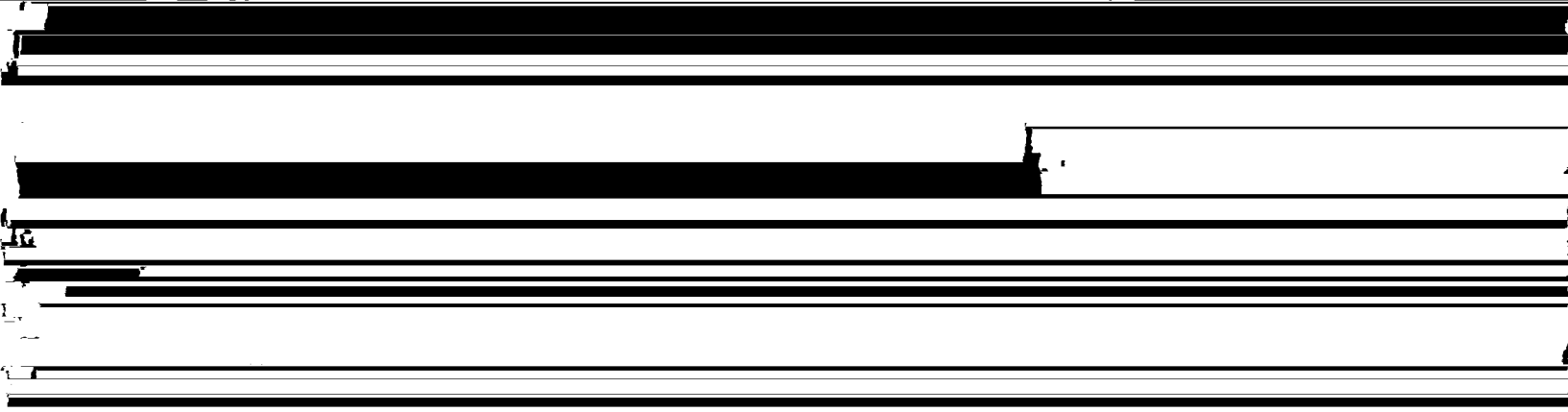
Only the following provisions of the Traffic Regulations for Navigable  
Waterways shall, in addition to the 1972 Collision Regulations, apply to the area  
of extension of the territorial sea:\*

Section 2 (General principles of conduct in traffic)

Section 7 (1) (Vessels in public service)  
Section 14 (Signals for vessels carrying certain dangerous goods)  
Section 32 (5) (Anchoring in roadsteads)  
Section 55 (Competences of river and shipping police authorities)  
Section 56 (Ad hoc orders by shipping police authorities)

Section 58 (Reports to Shipping Police authorities)  
Section 59 (Exemption clause)  
Section 60 (Issue by shipping police authorities of notices and  
statutory ordinances)  
Section 61 (Administrative offences [Provisions on administrative  
fines])

irrespective of the circumstances of the case. To that extent, Clarifications 3 and 7 of the Guidance for the Uniform Application of Certain Rules of the



1972 Collision Regulations (MSC/Circ.320) shall not apply in that area; this means that no vessel constrained by her draught will be deemed a give-way vessel.

The entry into force on 16 March 1985 of the extension of the territorial sea and of the Sixth Ordinance to Amend the Traffic Regulations for Navigable Waterways will again be announced by a Repeat Notice.

ANNEX II

Notice 85-1224 on the German Bight - extension of  
the territorial sea: additional provisions to

Imminent entry into force, deep-water anchorage, mandatory

Notice 85-574 published in the supplement to issue No. 4/1985 of the Notices to Mariners refers.

The Federal Government's Decree promulgated on 12 November 1984 (Federal Law)

[p] implementation of the Sixth Ordinance to Amend the Traffic Regulations for

Navigable Waterways (hereinafter referred to as "the Regulations"), a joint notice relating to anchorage (sect. 2 of the Regulations) and

- Vessels proceeding in the traffic separation scheme "Deutsche Bucht Lightvessel Western Approach" in an easterly direction shall

make their reports when passing the "TW 7" lightbuoy.

shall make their reports when passing the "DB 13" lightbuoy.

Appendix

Annex to Notice 85-1224

Extracts from the Traffic Regulations for Navigable Waterways  
(Seeschiffahrtstrassen-Ordnung)

The following provisions of the Traffic Regulations for Navigable Waterways (Seeschiffahrtstrassen-Ordnung), hereinafter referred to as "these Regulations", are applicable to ships navigating in the area of extension of the territorial sea of the Federal Republic of Germany as described in Notice 85-574.

Section 3

General principles of conduct in traffic

as to ensure the safety and easy flow of traffic and to ensure further

that no other person will be exposed to any damage or danger or, beyond the inevitable necessity of the prevailing circumstances, be impeded or molested. Any precaution that may be required by the ordinary practice of seamen or by the special circumstances of the case shall be taken.

(2) Having due regard to any special circumstances prevailing, any other



of the vessel involved in getting out on a  
voyage, designate the person in charge of a vessel other than the pushing  
or towing vessel to be the person in charge of the towing or pushing unit.

Section 32 (5)

Anchoring in roadsteads

No vessel may anchor in a roadstead unless, with regard to the purpose of such roadstead, she is permitted to lie there.

Applicable conditions and requirements shall be made known by the competent river and shipping police authority.

Sections 55 and 56 are addressed to national shipping police authorities.

Section 58

Reports to shipping police authorities

- (1) Reports shall be made by any vessel, towing and pushing unit exceeding the sizes and dimensions made known by the competent river and shipping

police authority as follows:

1. In good time before entering any one of the navigable waterways made known by river and shipping police authorities, the name, the position, the dimensions and the port of destination shall be given;
2. When passing the positions made known, the name, the position, the speed and the time of passage shall be given.

A report as prescribed by the first sentence of this paragraph shall also be made when a voyage is interrupted or resumed, as the case may be.

- (2) A report shall be made by any vessel under the terms of section 30 (1) 24 hours before entering any one of the following navigable waterways but, at any rate, not later than upon leaving her last port of departure: Ems River, Jade River, Weser River, Hunte River, Elbe River, Kiel Canal and Kiel Fjord. Any such vessel shall also comply with the provisions of item 2 of the first sentence as well as with those of the

second sentence of paragraph (1).

4. The length and draught of the vessel:

5. The port of departure and the port of destination;

6. The kinds of cargo and a description of the dangerous goods listed in

7. When chemicals or liquefied gases are carried in bulk, an indication whether the vessel in question carries a Certificate of Fitness under the provisions of, respectively, the IMO Code for the Construction

- (3) The Waterways and Shipping Directorates North and North-West are herewith authorized to issue, by way of statutory ordinances, temporary orders as may become necessary on special occasions to ensure the safety and easy flow of traffic on a given navigable waterway. Such orders may, in particular, be occasioned by works undertaken on the waterway by public

events, or by temporarily prevailing fairway conditions. The provisions of the first sentence of this paragraph shall also apply to such temporary orders as may be necessary for taking measures within the scope of shipping police authorities for trial purposes or for such time until an amendment to these Regulations takes effect. No such order shall remain in force for more than three years.

#### Administrative Offences

(Provisions on administrative fines)

- (1) An administrative offence shall be deemed to have been committed under the terms of item 2 of section 15 (1) of the Maritime Navigation (Federal Competences) Act or under the terms of Section 7 (1) of the Inland Navigation (Federal Competences) Act by any person who wilfully or by

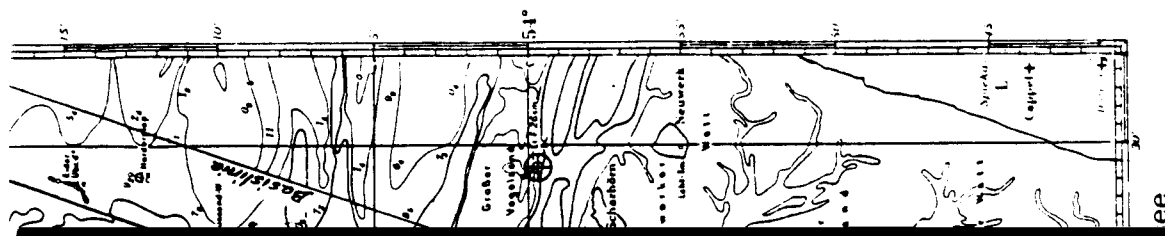
40. In contravention of section 58, does not make a report as required by that section or, while making such report, fails to do so in good

(2) In cases related to item 15 above, an administrative offence shall be deemed to have been committed also under the terms of item 2 of section 50 (1) of the Federal Waterways Act by any person who, wilfully or by negligence, acts in contravention of a regulation issued by a river police authority.

(3) The competence for prosecuting administrative offences under the terms of

Directorates.

(4) The competence for prosecuting administrative offences under the provisions of statutory ordinances issued under the terms of



2. GUINEA-BISSAU

[Original: French]

Act No. 2/85 of 17 May 1985

In view of the need to establish straight baselines in accordance with the

At the proposal of the Council of Ministers and in exercise of the functions and powers conferred on it under article 56, item 8, of the Constitution, the

People's National Assembly approves, and I promulgate, the following Act:

Article 1

In the Republic of Guinea-Bissau, the straight baselines for measuring the breadth of the territorial sea shall be defined by the points whose geographical co-ordinates are given in the following table:

<u>Point</u>	<u>North latitude</u>	<u>West longitude</u>
1	12°20'20"	16°43'05"
2	11°38'12"	16°35'12"
3		
4	11°01'34"	16°11'04"
5	10°51'25"	15°43'35"
6	10°50'00"	15°10'30"

Considering that the decision made by this high court of arbitration brought an end, through the peaceful settlement adopted, to the maritime boundary dispute between the two neighbouring countries;

Considering further that the two fraternal peoples thereby achieved a historic result, which is important in the development of the good and close relations of

At the proposal of the Council of Ministers and in exercise of the functions and powers conferred on it under article 56, item 8, of the Constitution, the

Article 1

The line delimiting the maritime areas appertaining to the Republic of





3. INDONESIA

[Original: English]

18 October 1983

Chapter I

General provision

1

For the purposes of this Act,

a. "Living natural resources" means all species of animals and plants, including their divisions, found on the sea-bed and in the water area of

b. "Non-living natural resources" means natural substances being non-living natural resources, found on the sea-bed and in the subsoil thereof as well as in the water area of the Indonesian exclusive economic zone;

Article 3

4) In the event that the Indonesian exclusive economic zone overlaps the

exclusive economic zone of another State whose coastline is opposite or adjacent to that of Indonesia, then the boundary line between the exclusive economic zone of Indonesia and that of the other State shall be

established by agreement between the Republic of Indonesia and the State

to in paragraph (1), shall be exercised in accordance with the

included between the Republic of Indonesia and neighbouring States and

(3) Within the Indonesian exclusive economic zone, the freedom of

Article 7

Whoever intends to conduct any scientific research activity in the Indonesian

determined by, the Government of the Republic of Indonesia.

Article 8

\_\_\_\_\_ 1. \_\_\_\_\_ Economic

are those who can prove that such pollution of the marine environment and/or damage to the natural resources was the result of:

- a. A natural calamity, being beyond one's power;
- b. A damage which wholly or partly was caused by an act or negligence of

(3) The form, type and size of the loss resulting from the pollution of the

marine environment and/or damage to the natural resources shall be fixed on the basis of the outcome of an ecological investigation.

#### Article 12

The regulation pertaining to the limit of maximum indemnity, method of ecological investigation and claim for damages, as referred to in article 11, shall be dealt with by statutory regulations as referred to in article 20.

#### Chapter VI

Article 14

- (1) The law-enforcement agency in the field of investigation within the Indonesian exclusive economic zone is a Navy Officer of the Indonesian Armed Forces, so assigned by the Commander-in-Chief of the Armed Forces of the Republic of Indonesia.

- (3) The court of justice authorized to try offences arising from violation of the provisions of this Act is the court of first instance whose

Article 17

Whoever damages or destroys the evidences used in committing a criminal act referred to in article 16, paragraph (1), with the purpose of avoiding the confiscation of said evidences during the investigation, shall be punished by a fine to a maximum of Rp 75,000,000 (seventy-five million rupiahs).

Article 18

a crime.

Chapter VIII

Transitional provision

Article 19

Any provisions on the exploration and/or exploitation of the living resources enacted before the promulgation of this act shall remain in force until changes are made by virtue of legislative provisions issued on the basis of this Act.

Chapter IX

Closing provisions

Article 20

- (1) Other statutory regulations shall be adopted to implement further the provisions of this Act.
- (2) The government regulation in implementing the provisions of this Act may stipulate a maximum fine of Rp 75,000,000 (seventy-five million rupiahs) against any violation of its provisions.

Article 21

This Act shall come into force as from the date of its promulgation. In order



ANNEX

Elucidation of Act No. 5 of 1983

I. GENERAL

The Government of the Republic of Indonesia has long since felt the great importance of the exclusive economic zone to support the realization of the

found within its exclusive economic zone.

It was in this connection that the Act on the Indonesian Exclusive Economic Zone was drawn up, which stipulates the sovereign right, other rights, jurisdiction and duties of the Republic of Indonesia in its EEZ.

Article 4

The expression "Indonesian sovereign right" is not the same as or cannot be equated with the full sovereignty as possessed and exercised by Indonesia over

its territorial sea, interislands waters and inland waterways.

Based on what is mentioned above, so the sanctions imposed in the Indonesian exclusive economic zone differ from those imposed upon the waters falling under the sovereignty of the Republic of Indonesia.

Other rights, based on international law, include the right of the Republic of

Article 5

Paragraph (1)

Any exploratory or exploitative activity of the natural resources or any other  
by ~~the~~ ~~state~~ ~~and~~ ~~for~~ ~~exploitation~~ ~~such~~ ~~as~~ ~~the~~

The reference to article 4, paragraph (2), is meant to clarify that sedentary species found on the sea-bed within the exclusive economic zone are subject to the

continental shelf régime (art 1 letter b Act No. 1 of 1973 on the Indonesian

Continental Shelf). Therefore, they are not subject to the provision under this paragraph.

#### Article 6

In accordance with article 4, paragraph (1), the Republic of Indonesia has the exclusive right to develop, license and arrange the development, operation and use of artificial islands, installations and other structures.

Besides, Indonesia has exclusive jurisdiction over such artificial islands, installations and structures including jurisdiction relating to the implementation

Paragraph (1)

The authority to protect and conserve the natural resources within the Indonesian exclusive economic zone is based internationally on the practice of

the Sea, whereas from the national point of view, its basis is to be found in Act No. 4 of 1980 on the Basic Regulations on the Management of the Exclusive Economic Zone of the Indonesian Republic.

Paragraph (3)

The form, type and size of loss caused by the pollution of the marine environment and/or damage to the natural resources shall determine the amount of indemnity. Ecological investigation on the form, type and size of such loss shall be conducted by a team comprising members representing the Government, the sufferers and the offenders. Such special team is meant to be set up for each case.

~~Article 12~~

Sufficiently clear.

Article 13

Any ship and/or persons being suspected of having committed a criminal act based on sufficient preliminary evidences at sea, particularly in case of a foreign

ship and/or foreigners, further investigation may be conducted by way of arresting the ships and/or persons concerned.

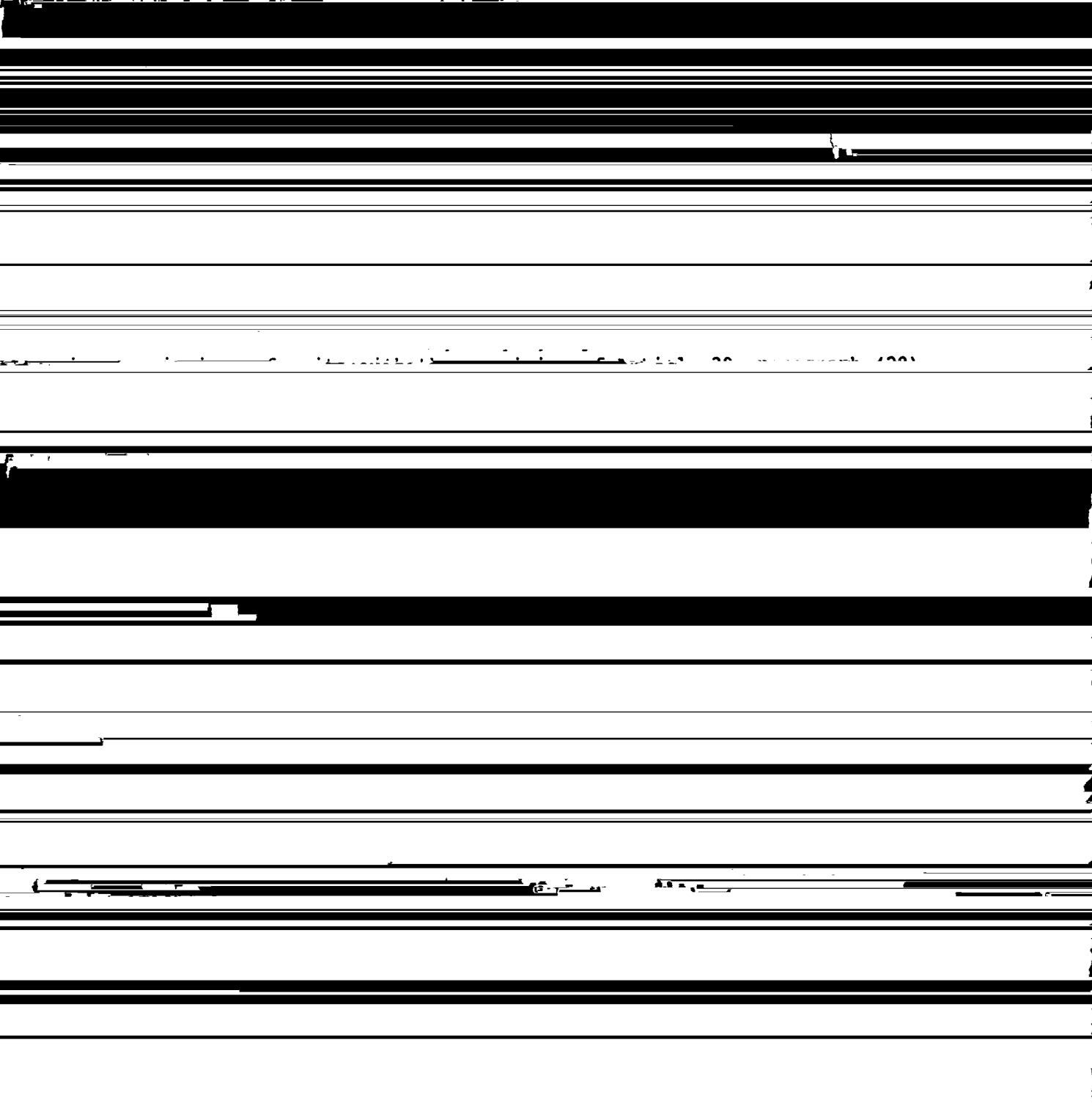
Any ship and/or persons having Indonesian nationality can be given an ad hoc order to proceed to a port or base appointed by the investigator at sea for further prosecution.

~~Such an above mentioned vessel cannot always conform to the time limit of~~

Article 14

Paragraph (1)

The Navy Officer of the Indonesian Armed Forces, who may be appointed as investigator, is, for instance, the ship's captain, Navy District Commander, Base Commander and Navy Station Commander. The appointment of a Navy Officer of the Indonesian Armed Forces as the investigating agency within the Indonesian exclusive





Paragraph (2)

Sufficiently clear.

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Paragraph (3)

Sufficiently clear.

Article 17

Sufficiently clear.

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Article 18

Sufficiently clear.

Article 19

Sufficiently clear.

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Sufficiently clear.

Article 21

Sufficiently clear.

4. MADAGASCAR

[Original: French]

Ordinance No. 85-013 determining the limits of the maritime zones  
(territorial sea, continental shelf and exclusive economic zone)  
of the Democratic Republic of Madagascar, 16 September 1985

(as amended and ratified by Law No. 85-013 of 11 December 1985)

Article 1

the territorial sea of the Democratic Republic of Madagascar in which the

- (1) Sovereign and exclusive rights for the purpose of exploring and exploiting, conserving and managing the natural resources, whether living

sea-bed and its subsoil, and 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) Jurisdiction with regard to: the establishment and use of artificial islands, installations and structures; marine scientific research; and

the protection and preservation of the marine environment.

#### Article 6

No exploration or exploitation of the zone defined in article 4 may be carried out without authorization by the Government of

Article 10

At the mouths of rivers, the limit of the sea is constituted by a fictitious line forming the prolongation of the coastline on either side of the river mouth, except in the case of the rivers designated in the next article.

Article 11

~~\_\_\_\_\_ and rivers used for navigation by sea-going vessels, the~~



Co-ordinate of the

Soaninana	Village of Soatanana	X = 189
		Y = 814
Tsiribihina	Belo on the Tsiribihina	X = 202
		Y = 709
Antanambalana	Village of Ambinanitelo	X = 734
		Y = 1 170

Article 12

In the rivers and streams enumerated in article 11, the limit of the sea shall be the higher of the following lines:

- (a) The line reached by the highest regular tide;
- (b) The line reached by the highest periodic and seasonal tides.

Article 13

As determined in article 4 C. - 36 of Ordinance

5. MEXICO

[Original: Spanish]

Explanatory memorandum from the President of the Republic

The executive branch, of which I am the head, aware of the deep and fundamental transformation that the international régime of the sea underwent in the 1970s during the Third United Nations Conference on the Law of the Sea, and realizing the urgent and unpostponable need to bring our internal positive law into

line with this new international legal order, above all in order to be able to derive maximum and immediate benefit from the many advantages that our country can obtain from it, has prepared the draft Federal Act relating to the Sea which is now being submitted to the Congress of the Union.

The important feature of this draft Act is that it helps to organize the legislation in force on the subject, since, in the manner of a framework law, it codifies and develops in one integral body of law the principal national rules in force that are applicable to our maritime zones and the new international rules on the subject, bringing the former up to date and into line with the latter. This is

in the development of the law of the sea. Mexico played a very active part in the lengthy work of the aforementioned Conference, which lasted almost 15 years from the preparatory phase until its culmination. This was a world event without

Second, it was necessary to tackle the serious problem of the foreign interests which existed at that time as regards fishing in waters that had previously formed part of the high seas but which, as a result of the development of the new legal order, had come under our national jurisdiction. That new order provided Mexico with the rule-making ability it needed to get rid of those interests within a legal framework. Well-planned diplomatic efforts made it possible to conclude with the States concerned bilateral agreements which quickly transformed the "exclusivity" of the 200-mile zone into something more than a mere idea. Our country has gradually been able to end foreign fishing in its waters. Consequently, it now rests with our nation as a whole to make an increasing effort

in this area, and to the full. But if this is to be

whose conduct will help to guide international practice, especially by reason of

such adherence would always constitute the best defense against any external



... the Conference have ratified it, and Mexico is one

For all the above reasons and arguments, it would be intolerable for our country to be passive and simply wait for the Convention to enter into force

Because of the role given to our sea and marine resources in the National Development Plan, such an attitude would be truly incongruous. The country

relating to the sea, in order to counter primarily foreign interests. The sole method of achieving this objective is the adoption of domestic legislation that would of course incorporate, in the nation's positive law, the norms of the new international legal order in that field.

In all cases, the governing norms have been those of the Convention. In the case of codified national legislation, many of its provisions have been simply incorporated in the draft Act when no adjustments were necessary in order to bring them into line with those of international law, as reflected in the Convention.

The draft consists of 65 articles and four transitional provisions and is divided into five titles. The first includes general provisions on the scope of the



The concern of the executive branch of which I am the head to see to the ecological preservation of the marine environment is fully illustrated by the useful inclusion of a legal régime on the subject in the draft Act. In this respect it is more a question of our obligation vis-à-vis ourselves to protect the

vis-à-vis potential foreign polluters. It is on this basis that the text of the draft Act sets forth regulations in that area.

Our national legislation does not have rules defining the outer limit of our continental shelf; this was merely the logical result of the vagueness that existed in international law on the subject. Based on the Convention, the draft Act now provides the criteria for defining the limit of that underwater zone of ours, which is so rich in resources - hydrocarbons in particular.

Naturally, in many cases the rules set forth in the draft Act call for

DECREE

The Congress of the United Mexican States decrees:

FEDERAL ACT RELATING TO THE SEA\*

TITLE I

General provisions

CHAPTER I

Scope of application of the Act

Article 1

This Act establishes regulations relating to the fourth, fifth, sixth and eighth paragraphs of article 27 of the Political Constitution of the United Mexican

This Act is federal in scope; it governs the maritime zones which form part of the national territory and, where applicable, the maritime zones beyond such territory where the Nation exercises sovereign rights, jurisdiction and other

Article 4

In the zones listed in the preceding article, the Nation shall exercise the  
rights and powers granted by this Act in accordance

Article 8

The Federal Executive Power may negotiate agreements with neighbouring States

on the delimitation, in accordance with international law, of the dividing lines between the Mexican maritime zones and the corresponding adjacent zones under the national maritime jurisdiction of the respective States, in cases where such zones

The Mexican maritime zones shall not extend beyond the median line every point of which is equidistant from the nearest points on the baselines from which the breadth of the territorial sea of a neighbouring State is measured, unless otherwise agreed with that State.

CHAPTER II

Marine installations

Article 14

Artificial islands, installations and structures shall have no territorial sea  
shall not affect the delimitation of the

Article 15

the Nation shall have exclusive jurisdiction over artificial islands.



Article 19

transportation, storage, distribution and sale of submarine hydrocarbons and minerals in the Mexican maritime zones shall be governed by the regulatory norms of article 27 of the Constitution, under the category of petroleum and mineral materials and the respective regulations, and by the applicable provisions of this Act.

Article 20

Any activity that involves the exploitation, use and economic development of the Mexican maritime zones, other than those provided for in the two preceding articles of this title, shall be governed by the regulatory provisions of the

IV All laws and regulations of

the marine environment shall be respected.

The outer limit of the territorial sea shall be the line every point of which is at a distance of 12 nautical miles (22,224 metres) from the nearest point of the coast. The inner limit shall be determined in accordance with article 26 of

this Act and with the relevant provisions of its regulations.

Article 28

Any slave who enters the territorial sea in a foreign vessel shall, by this act alone, gain his freedom and enjoy the protection afforded by the laws, under the terms of article 2 of the Political Constitution of the United Mexican States.

Article 29

Ships of the coast guard or land locked shall enjoy the right of

innocent passage through the Mexican territorial sea.

Article 30

Article 33

~~Overflight of foreign aircraft over the territorial sea shall be subject to~~

national legislation, in accordance with the international obligations of the United Mexican States in that regard, and their inspection, monitoring and control shall remain under the exclusive jurisdiction and competence of the Federal Executive Power according to the terms of the General Communications Act and other prevailing legal provisions.

CHAPTER II

Internal maritime waters

Article 34

The Nation shall exercise sovereignty in the areas of the sea known as internal maritime waters, extending from the coasts of the Nation's mainland and islands to the Mexican territorial sea.

Article 35

~~The sovereignty of the Nation shall extend to the airspace over the internal~~  
maritime waters, as well as to the bed and subsoil thereof.

Article 36

Article 38

For the purposes of the inner limit of the internal maritime waters, the  
water line shall be the line of greatest ebb and flow reached by the maritime

Article 39

The outer limit of the internal maritime waters shall coincide exactly with  
the baselines from which the territorial sea is measured, as marked on large-scale

Article 40

the delimitation of internal maritime waters in zones adjacent to maritime

Article 43

The contiguous zone of Mexico shall extend 24 nautical miles (44,448 metres) from the baselines from which, in accordance with article 26 of this Act and the relevant provisions of its regulations, the breadth of the Mexican territorial sea

Article 44

The inner limit of the contiguous zone shall coincide exactly with the outer limit of the territorial sea, as established in accordance with article 27 of this Act and the relevant provisions of its regulations, and as marked on charts.

The outer limit of the Mexican contiguous zone shall be the line every point

III. Other rights and duties provided for in this Act, its regulations and international law.

Article 47

Article 53

The outer limit of the Mexican exclusive economic zone shall be the line every point of which is at a distance of 200 nautical miles (370 400 metres) from the

nearest point on the baselines of the territorial sea, as established in article 26 of this Act.

Article 54

Accordingly, the outer limit of the exclusive economic zone shall comprise a

a decree in the Diario Oficial de la Federación of 7 June 1976, as marked on the charts officially recognized by the United Mexican States.

Article 55

The Federal Executive Power shall ensure, subject to the relevant provisions of this Act, its regulations and international law, respect for the freedoms of navigation and overflight in the Mexican exclusive economic zone on the part of ships and aircraft of all States, whether coastal or land locked



Article 59

The sovereign rights of the Nation referred to in article 57 shall not depend on occupation, effective or notional, of the continental shelf and island shelves.

Article 60

The rights of the Nation over the continental shelf and island shelves shall

those waters.

Article 61

The exercise of the rights of the Nation over the continental shelf and island shelves must not infringe on, or result in any unjustifiable interference with

Article 65

In places where the outer edge of the continental margin of the continental

shelf and island shelves does not extend 200 nautical miles from the baselines from which the territorial sea is measured, the outer limit of these shelves shall coincide exactly with the outer limit of the seabed of the exclusive economic

zone, as established in accordance with the provisions of articles 53 and 54 of this Act, and as marked on charts officially recognized by the United Mexican States.

TRANSITIONAL PROVISIONS

Article 1

This Act shall enter into force on the date of its publication in the Diario Oficial de la Federación.

Article 2

This Act shall supersede the regulatory provisions of the eighth paragraph of article 27 of the Constitution concerning the exclusive economic zone.

6. NETHERLANDS

[Original: English]

Territorial sea of the Kingdom in the Netherlands Antilles  
(Extension) Act (Rijkswet), 9 January 1985

Section 1

The territorial sea of the Kingdom in the Netherlands Antilles shall be extended to twelve nautical miles, in accordance with rules to be laid down by general administrative order.

Section 2

Netherlands Antilles (Extension) Act.

Decree of 23 October 1985 governing the implementation of  
section 1 of the Territorial Sea of the Kingdom in the

Article 3

1. Straight baselines shall be drawn through the arcs of the great circles which connect the following points along the southern coast of the island of Java

by the shortest distance:

	Situated at	North Latitude	West Longitude
a.	from point A1	12° 32' 30"	70° 03' 41"
	via A2	12° 31' 30"	70° 02' 55"
	to A3	12° 30' 30"	70° 01' 59"
b.	from A4	12° 29' 08",5	70° 00' 28",5
	to A5	12° 28' 58"	70° 00' 10",5
c.	from A6	12° 27' 00"	69° 57' 02",5
	to A7	12° 26' 54",5	69° 56' 57",5

			<u>North latitude</u>	<u>West longitude</u>
(iiaa)	Bay, southeast of Andicuri	point 1	12°32'27",3	69°56'34",7
		2	12°32'24",7	69°56'30",7
(iv)	Daimari	1	12°32'05",4	69°56'12",7
		2	12°32'01",9	69°56'09",0
(v)	Dos Playa	1	12°30'38",2	69°54'57",5
		2	23°30'31",8	69°54'52",2
(vi)	Boca Druif	1	12°30'13",6	69°54'22",8
		2	12°30'10",9	69°54'18",4
(vii)	Boca Pries	1	12°30'09",0	69°54'17",1
		2	12°30'03",1	69°54'11",9
(viii)	Boca Grandi	1	12°26'41",7	69°52'07",9
		2	12°26'27",2	69°52'08",6
(ix)	Klein Laqoen	1	12°24'56",1	69°52'41",1
		2	12°24'54",3	69°52'50",3
b. On the islands of Bonaire and Klein Bonaire:				
(i)	Boca Onima	1	12°59'29",1	68°18'31",8
		2	12°15'27",5	68°18'27",9
(ii)	Laqun	1	12°11'09",7	68°12'27",9
		2	12°11'01",3	68°12'27",0
(iii)	Boca Washi Kemba	1	12°10'38",6	68°12'20",9
		2	12°10'35",4	68°12'20",4
(iv)	Lac	1	12°06'22",3	68°13'10",7
		2	12°06'14",5	68°13'18",9
c. On the island of Curaçao:				
(j)	Bartolbaai	1	12°20'11",7	69°03'31",9

12°20'07",6      69°03'05",1

		North latitude	West longitude
(iv)	Boca Plava Canoa <u>point 1</u>	12°10'45",0	68°51'47",0
		2	12°10'45",4
(v)	Bay near Landhuis Santa Catarina	1	12°09'39",9
		2	12°09'39",9
(vi)	St. Jorisbaai	1	12°08'00",7
		2	12°07'51",5
(vii)	Awa Di Oostpunt	1	12°02'46",3
		2	12°02'44",0
(viii)	Fujkbaai	1	12°03'07",1
		2	12°03'09",6
(ix)	Spaanse Haven	1	12°03'58",9
		2	12°03'59",2
(x)	Caracasbaai	1	12°04'13",0
		2	12°04'26",0
(xi)	St. Annabaai	1	12°06'25",3
		2	12°06'28",5
(xii)	Piscaderabaai	1	12°07'24",0
		2	12°07'23",2
(xiii)	Boca Grandi/ San Juan Baai	1	12°15'03",3
		2	12°15'12",3
(xiv)	Boca Sta. Maria	1	12°16'16",2
		2	12°16'17",4
d. On the island of Saba:			
(i)	Cove Baai and Spring Baai	1	17°38'34",3
		2	17°38'13",5
(ii)	Core Gut Baai	1	17°37'50",7
		2	17°37'43",6
(iii)	Fort Baai	1	17°36'53",8
		2	17°36'56",7
e. On the island of Saint Maarten:			
(i)	Groot Baai	1	18°00'16",2

		<u>North latitude</u>	<u>West longitude</u>
(ii) Klein Baai	point 1	18°00'44",9	63°03'41",3
	2	18°00'57",1	63°04'12",8

18°01'26",0      62°05'50",8

7. SENEGAL

[Original. ...]

Act No. 85-14 delimiting the territorial sea, the contiguous zone and the continental shelf, 25 February 1985

Article 1

The breadth of the territorial sea is twelve (12) nautical miles, measured from baselines whose reference points are established by decree.

Article 2

A contiguous zone of twelve (12) nautical miles, measured from the outer limit of the territorial sea, is established.

Article 3

Senegal exercises sovereignty over the entire area of its territorial sea.

Article 4

In the contiguous zone, Senegal has the necessary authority to prevent violations of its customs, tax, health and immigration laws and regulations on its territory or in its territorial sea and to punish violations of those laws and regulations committed on the high seas.

Article 5

The above provisions concerning the territorial sea shall be without prejudice



Article 7

Senegal exercises sovereign and exclusive rights over the entire area of the

resources.

Article 8

9 [REDACTED]

Note dated 13 January 1986 from the United States Mission  
to the United Nations addressed to the Secretary-General  
of the United Nations\*

The Government of [REDACTED]

consult on this subject with any other Government. The Government of the United States also notes that it has been informed by representatives of the recipients of

avoidance of interference of activities with any other entity engaged in such activities in the areas within which their deep sea-bed hard mineral exploration has been authorized.

The Government of the United States requests that this note, and the attached Federal Register notice, be circulated by the United Nations as part of the next

ANNEX

Federal Register notices

DEEP SEA-BED MINING; ISSUANCE OF EXPLORATION LICENCE

Agency: National Oceanic and Atmospheric Administration, Commerce.

Action: Notice of Intent to Issue License

Summary: Pursuant to the Deep Sea-Bed Hard Mineral Resources Act and 15 CFR Part 970, the National Oceanic and Atmospheric Administration on 29 August 1984 issued to Ocean Minerals Co. License No. 165-7-84

DEEP SEA-BED MINING; NOTICE OF AVAILABILITY OF INFORMATION

Agency: National Oceanic and Atmospheric Administration, Commerce.

Action: Notice of location of Deep Seabed Mining License application to Ocean Minerals Company.

Deep seabed mining license application to Ocean Minerals Company

co-ordinates.

Summary of Federal Register Document 04-21460-111-1-20 November 2004

DEEP SEA-BED MINING; ISSUANCE OF EXPLORATION LICENCE

Agency: National Oceanic and Atmospheric Administration, Commerce.

Action: Notice of issuance to Kennecott Consortium.

Summary: Pursuant to the Deep Sea-Bed Hard Mineral Resources Act and 15 CFR

Part 970, the National Oceanic and Atmospheric Administration on 29 October 1984 issued to Kennecott Consortium, 1515 Mineral Square, Salt Lake City, Utah, 84147 a licence to engage in deep sea-bed mining exploration activities subject to terms, conditions and restrictions, for a site designated USA-4 which is located in the Clarion Clipperton

persons are permitted to examine a copy of the licence at the address

DEEP SEA-BED MINING; AVAILABILITY OF INFORMATION

United States Department of the Interior, Bureau of Ocean Energy Management

Action: Notice of location of Ocean Minerals Company and Kennecott Consortium deep sea-bed mining licence areas.

Summary: On 29 August 1984, the National Oceanic and Atmospheric Administration (NOAA) issued a licence (designated as USA-1) to Ocean Minerals Company (OMCO) to conduct deep sea-bed mining exploration activities in an area of 165,533 square kilometers in the Northeastern Equatorial Pacific Ocean within the sea-bed area generally known as the Clarion-Clipperton Fracture Zone. On 20 November 1984, OMCO formally withdrew its request for confidential treatment of the precise location of its licence areas





DEEP SEA-BED MINING; ISSUANCE OF EXPLORATION LICENCE

Agency: National Oceanic and Atmospheric Administration, Commerce.

Licensee: Ocean Management, Inc.

Summary: Pursuant to the Deep Sea-Bed Hard Mineral Resources Act and 15 CFR Part 970, the National Oceanic and Atmospheric Administration on 29 August 1984 issued to Ocean Management, Inc., One New York Plaza, New York, N.Y. 10004, a licence to engage in deep sea-bed mining exploration activities subject to terms, conditions and restrictions, for a site designated USA-2, which is located in the Clarion-Clipperton Fracture Zone of the Northeastern Equatorial Pacific Ocean. Interested persons are permitted to examine a copy of the licence at the address below.

For further information contact: John W. Padan or Laurence J. Aurbach, Ocean

DEEP SEA-BED MINING; NOTICE OF AVAILABILITY OF INFORMATION

Agency: National Oceanic and Atmospheric Administration, Commerce.

Action: Notice of location of Ocean Management, Inc. deep sea-bed mining licence area.

Summary: On 29 August 1984 the National

For further information contact: John W. Padan or Laurence J. Aurbach, Ocean Minerals and Energy Division, Office of Ocean and Coastal Resource Management, Room 1 Building, 2001 Wisconsin Avenue.

N.W., Washington, D.C. 20235, (202) 653-8257.

Peter L. TWEEDT  
Director, Office of Ocean and Coastal  
Resource Management

DEEP SEA-BED MINING; ISSUANCE OF EXPLORATION LICENCE

Agency: National Oceanic and Atmospheric Administration, Commerce.

Action: Notice of issuance of exploration licence to Ocean Mining Associates subject to terms, conditions and restrictions.

Summary: Pursuant to the Deep Sea-Bed Hard Mineral Resources Act and 15 CFR Part 970, the National Oceanic and Atmospheric Administration on 29 August 1984

DEEP SEA-BED MINING; AVAILABILITY OF INFORMATION

Action: Notice of location of Ocean Mining Associates deep sea-bed mining licence area.

Summary: On 29 August 1984, the National Oceanic and Atmospheric Administration (NOAA) issued a licence (designated as USA-3) to Ocean Mining Associates





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Annexes

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The States Parties to this Convention,

Recognizing the need to promote the orderly expansion of world shipping as a whole,

[The remainder of the page is heavily redacted with thick black horizontal bars.]

Article 1

OBJECTIVES

~~For the purpose of ensuring or, as the case may be, strengthening the genuine~~

link between a State and ships flying its flag, and in order to exercise effectively its jurisdiction and control over such ships with regard to identification and accountability of shipowners and operators as well as with regard to administrative, technical, economic and social matters, a flag State shall apply the provisions contained in this Convention.

Article 2

DEFINITIONS

For the purposes of this Convention:

"Ship" means any self-propelled sea-going vessel used in the international  
~~seaborne trade for the transport of goods~~



(c) That ships flying the flag of such State carry on board documents, in particular, those evidencing the right to fly its flag and other...

(d) That the owners of ships flying the flag of such State comply with the principles of registration of ships in accordance with the laws and regulations of such State and the provisions of this Convention.

4. The State of registration shall require all the appropriate information necessary for full identification...

6. A State shall take necessary measures to ensure that ships it enters in its register of ships have owners or operators who are adequately identifiable for

(a) The availability of qualified seafarers within the State of registration;

(b) Multilateral or bilateral agreements or other types of arrangements;

(c) The sound and economically viable operation of its ships.

3. The State of registration should also



and, unless recorded in another public document readily accessible to the Registrar in the flag State:

- (g) The date of deletion or suspension of the previous registration of the ship;
- (h) The name, address and, as appropriate, the nationality of the bareboat charterer, where national laws and regulations provide for the registration of ships bareboat chartered-in;
- (i) The particulars of any mortgages or other similar charges upon the ship

3. Furthermore, such register should also record:

- (a) If there is more than one owner, the proportion of the ship owned by each:



4. A State should ensure that a ship bareboat chartered-in and flying its flag, pursuant to paragraphs 1 to 3 of this article, will be subject to its full jurisdiction and control.
5. The State where the bareboat chartered-in ship is registered shall ensure that ~~the former flag State is notified of the deletion of the registration of the~~

Article 15

MEASURES TO MINIMIZE ADVERSE ECONOMIC EFFECTS

For the purpose of minimizing adverse economic effects

Instruments of ratification, acceptance, approval or accession shall be

deposited with the depositary.

Article 19

ENTRY INTO FORCE

1. This Convention shall enter into force 12 months after the date on which not less than 40 States, the combined tonnage of which amounts to at least

25 per cent of world tonnage, have become Contracting Parties to it in accordance with article 18. For the purpose of this article the tonnage shall be deemed to be that contained in annex III to this Convention.

2. Ratification, acceptance or approval of amendments adopted by a review conference shall be effected by the deposit of a formal instrument to that effect with the depositary.
3. Any amendment adopted by a review conference shall enter into force only for those Contracting Parties which have ratified, accepted or approved it or the

or approval by two thirds of the Contracting Parties. For any State

ratifying, accepting or approving an amendment to the Convention, the amendment shall be deemed to have been accepted by that State on the date of its ratification, acceptance or approval.

ANNEX I

Resolution 1

Measures to protect the interests of labour-supplying countries

ANNEX II

Resolution 2

Measures to minimize adverse economic effects

Conditions for Registration of Ships

Having adopted the United Nations Convention on Conditions for Registration of Ships,

Recommends as follows:

1. The United Nations Conference on Trade and Development, the United Nations Development Programme and the International Maritime Organization and other appropriate international bodies should provide, upon request, technical and

ANNEX III

Merchant fleets of the world ships of 500 gross registered  
tons and above as at 1 July 1985

	<u>Gross registered tons</u>
Albania .....	52 698
Algeria .....	1 332 863
Angola .....	71 581
Argentina .....	2 227 252
Australia .....	1 877 560
Austria .....	134 225
Bahamas .....	3 852 385
Bahrain .....	26 646
Bangladesh .....	300 151
Barbados .....	4 034
Belgium .....	2 247 571
Benin .....	2 999
Bolivia .....	14 913
Brazil .....	5 935 899
Bulgaria .....	1 191 419

Gross registered  
tons

France ..... 7 864 931

Gabon

German Democratic Republic ..... 1 235 840  
Germany, Federal Republic of ..... 5 717 767  
Ghana ..... 99 637

Guatemala ..... 15 569  
Guinea ..... 598  
Guyana ..... 3 888  
Honduras ..... 301 786  
Hungary ..... 77 182  
Iceland ..... 69 460  
India ..... 6 324 145  
Indonesia ..... 1 604 427  
Iran (Islamic Republic of) ..... 2 172 401  
Iraq ..... 882 715  
Ireland ..... 161 304  
Israel ..... 541 035  
Italy ..... 8 530 108  
Jamaica ..... 7 473  
Japan ..... 37 189 376  
Jordan ..... 47 628  
Kenya ..... 1 168  
Kiribati ..... 1 480  
Korea, Democratic People's Republic of ..... 470 592  
Korea, Republic of ..... 6 621 898  
Kuwait ..... 2 311 813  
Lebanon ..... 461 525  
Liberia ..... 57 985 747  
Libyan Arab Jamahiriya ..... 832 450  
Madagascar ..... 63 115



	<u>Gross registered tons</u>
Pakistan .....	429 973
Panama .....	39 366 187
Papua New Guinea .....	10 671
Paraguay .....	38 440
Peru .....	640 968
Philippines .....	4 462 291
	2 066 534

Portugal ..... 1 280 065

Qatar .....	339 725
Romania .....	2 769 937
Saint Vincent and the Grenadines .....	220 490
Samoa .....	25 644
Saudi Arabia .....	2 868 689
Senegal .....	19 426
Singapore .....	6 385 919
Slovenia .....	1 018

Somalia ..... 22 802

South Africa ..... 501 386

Spain .....	5 650 470
Sri Lanka .....	617 628
Sudan .....	92 700
Suriname .....	11 181
Sweden .....	2 951 227
Switzerland .....	341 972

Syrian Arab Republic ..... 40 506

Tanzania, United Republic of ..... 43 471

Thailand ..... 550 585

	<u>Gross registered tons</u>
United States of America .....	13 922 244
Uruguay .....	144 907
Vanuatu .....	132 979
Venezuela .....	900 305
Viet Nam .....	277 486
Yugoslavia .....	

World total ..... 383 533 282

Source: Compiled on the basis of data supplied by Lloyd's Shipping Information Services (London).

Notes: (i) Types of ship included:

- Oil tankers
- Oil/chemical tankers
- Chemical tankers
- Miscellaneous tankers (trading)
- Liquified gas carriers
- Bulk/oil carriers (dead weight)

C. Statements by States

1. DECLARATION BY CHILE

[Original: Spanish]

Easter Island and Sala y Gomez Island:

Official Ministry of Foreign Affairs statement to the international community

"5

11-2-55

[The remainder of the page is obscured by heavy horizontal black redaction bars.]

2. PROCLAMATION BY ECUADOR

[Original: Spanish]

"Leon Febres Cordero Ribadeneyra, Constitutional President of the Republic,  
BEARING IN MIND:

"~~That the continental territorial sea of Ecuador~~

~~the Galapagos Islands the Carnegie~~

Ridge lies at depths of less than 2,500 metres;

"That scientific research has revealed the presence of significant natural  
resources existing in the sea-bed and subsoil of that marine area;

"That the international law of the sea recognizes that the coastal States have  
the right to delimitate the limits of their continental shelves up to a



STATEMENT BY THAILAND

[Original: Spanish]

The Permanent Mission of Thailand to the United Nations sent to the Secretary-General of the United Nations a note dated 9 December 1985, which reads as follows:

Statement by the Ministry of Foreign Affairs of Thailand on the Vietnamese claims concerning the so-called historical waters and the drawing of baselines

The Ministry of Foreign Affairs of Thailand refers to the following transaction and statements:

- (1) The so-called "Agreement of 7 July 1982 between the Government of the Kingdom of Thailand and the Government of the People's Republic of Vietnam on the delimitation of the maritime boundary in the Gulf of Thailand and the drawing of baselines in the Gulf of Thailand"

Sea and Contiguous Zone of 29 April 1958, and confirmed once again in article 7 of

In so far as the Vietnamese statement on the airspace of Viet Nam seeks to assert Vietnamese sovereignty over the so-called "historical waters" of Viet Nam



D. Judicial decision

Application for Revision and Interpretation of the Judgment of

The International Court of Justice was composed as follows:  
President Nagendra Singh; Vice-President de Lacharrière; Judges Lachs, Ruda,  
Elias, Oda, Ago, Sette-Camara, Schwebel, Mbaye, Bedjaoui, Ni; Judges ad hoc  
Mrs. Bastid and Jiménez de Aréchaga.

Judges Ruda, Oda and Sette-Camara

In these opinions the Judges expressed the following views:

intersection point so determined. the line of delimitation between the two

thus on that same bearing, to the point of intersection with the parallel passing through the most westerly point of the Tunisian coastline between Ras Kaboudia and Ras Aidir, that is to say, the most westerly point on the

parallel (dashed line) of the Gulf of Gabes:

"In the second sector, namely in the area which extends seawards beyond the parallel of the most westerly point of the Gulf of Gabes, the line of delimitation of the two continental shelves is to veer to the east in such a way as to take account of the Kerkennah Islands; that is to say, the delimitation line is to run parallel to a line drawn from the most westerly point of the Gulf of Gabes bisecting the angle formed by a line from that point to Ras Kaboudia and a line drawn from that same point along the seaward

"...

- "4. The application for revision must be made at latest within six months of the discovery of the new fact.
- "5. No application for revision may be made after the lapse of ten years from the date of the judgment."

The fact . . .

... on the basis of the idea

was by no means the only consideration in the matter

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

special agreement on the basis of which the Court was originally seized.\* The question therefore arises of the link between the procedure contemplated in article 3 of the special agreement, and the possibility of either of the Parties requesting interpretation unilaterally of a judgment under Article 60 of the Statute. Having examined the contentions of the Parties, the Court concludes that ~~the existence of article 3 of the special agreement does not pose an obstacle to~~

the request for interpretation submitted by Tunisia on the basis of Article 60 of the Statute.

conditions for admissibility such that it can be met. It considers that a dispute indeed exists between the Parties as to the meaning and scope of the 1982 Judgment, since they do not agree as to whether the indication in the 1982 Judgment that the line should pass through the point 33°55' N, 12° E does or does not constitute a matter decided with binding force; Libya argues that it does; Tunisia that it does not. It therefore concludes that the Tunisian request for interpretation in relation to the first sector is admissible.

~~the Court must for the sake of the principle of res iudicata~~

clause of the 1982 Judgment. The Court therefore finds that it cannot uphold Tunisia's submission concerning the interpretation of the Judgment in this respect, and that there is nothing to be added to the Judgment in this respect.

the 1982 Judgment (see paras. 32-39 of the Judgment).

Request for the correction of an error in the first sector of the delimitation (paras. 51 and 52)

As regards the Tunisian request for the correction of an error, submitted as a subsidiary request to replace the co-ordinates 33°55' N, 12° E with other



extend as far as a more westerly longitude than any of the other points considered, Tunisia disregards this, and fixes the most westerly point on the shoreline of the Gulf of Gabes at 34°05'20" N (Carthage). Explaining its grounds for rejecting

mark) of the Gulf of Gabes", it simply meant the point on the shoreline which is further to the west than any other point on the same shoreline, and has the

would have to do so by means of an agreement. The Court concludes that there is no cause at present for it to order an expert survey for the purpose of ascertaining the exact co-ordinates of the most westerly point of the Gulf of Gabes.

For the future, the Court recalls that the Parties are obliged to conclude a

1987 Judgment is implemented so that the dispute is finally settled and must

consequently act in such a way that their experts engage in a sincere exercise to

determine the co-ordinates of the most westerly point, in the light of the

- (2) Declares, by way of interpretation of the Judgment of 24 February 1982,

latitude of the point which appeared to the Court to be the most westerly point on the shoreline (low-water mark) of the Gulf of Gabes, it being left to the experts of the Parties to determine the precise co-ordinates of that point; that the latitude of 34°10'30" was therefore not intended to be itself binding on the Parties but was employed for the purpose of clarifying what was

Annex 1 to Press Communiqué No. 85/21

Summary of the opinions appended to the Judgment of the Court

Separate opinion of Judge Ruda

Judge Ruda's separate opinion refers to the relationship between Article 60 of the Statute of the Court, which deals with the interpretation of previous Judgments and article 3 of the special agreement, empowering the Parties to ask from the Court "explanations or clarifications".

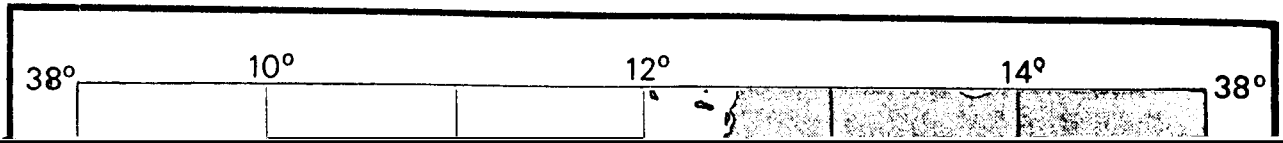
Judge Ruda thinks that, although Libya developed in the argument a jurisdictional objection, based on article 3, she later waived such objection. Judge Ruda, unlike the Court, also considers that that article established a special procedure to be observed before coming to the Court; "The purpose of

which are the points of difference before coming to the Court; if such an effort

Separate opinion of Judge Schwebel

Judge Schwebel expresses reservations as to the treatment of the question whether Members of the Court in 1982 had appreciated that there was, in 1974, a

measure of overlapping between the petroleum concessions of the Parties within 50 miles of the coast. In his view, the 1982 Judgment would have been worded



1. GENERAL ASSEMBLY RESOLUTION 40/63 OF 25 FEBRUARY 1986  
ON THE LAW OF THE SEA

The General Assembly,

Recalling its resolutions 37/66 of 3 December 1982, 38/59 A of 14 December 1983 and 39/73 of 13 December 1984, regarding the law of the sea,

Taking note of the increasing and overwhelming support for the United Nations Convention on the Law of the Sea, as evidenced, inter alia, by the one hundred

and fifty-nine signatures as of 9 December 1984, the closing date for signature, and twenty-four of the sixty ratifications or accessions required for entry into force of the Convention,

Considering that, in its resolution 2749 (XXV) of 17 December 1970, it proclaimed that the sea-bed and ocean floor, and the subsoil thereof, beyond the limits of national jurisdiction, as well as the resources of the area, are the common heritage of mankind,

Recalling that the Convention provides the régime to be applied to the Area and its resources,

Further recalling the Declaration adopted by the Preparatory Commission for

Emphasizing the need for States to ensure...

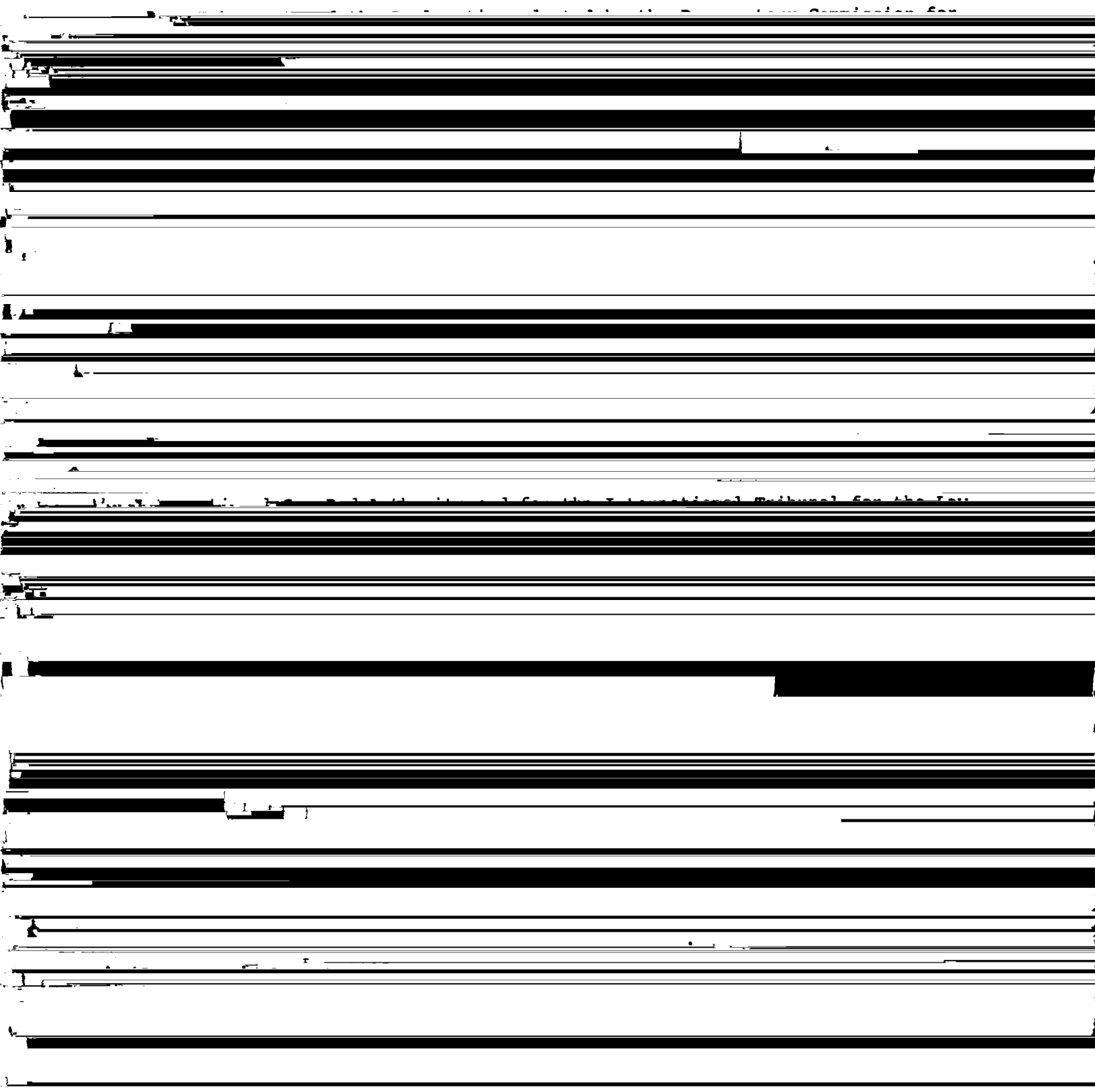
Convention as well as the need for harmonization...

Recognizing also the need for co-operation in the early and effective



3. Calls upon all States that have not done so to consider ratifying or acceding to the Convention at the earliest possible date to allow the effective entry into force of the new legal régime for the uses of the sea and its resources;

4. Calls upon all States to safeguard the unified character of the Convention and related resolutions adopted therewith;



2. RESOLUTION A.584(14) OF THE ASSEMBLY OF THE INTERNATIONAL MARITIME ORGANIZATION OF 20 NOVEMBER 1985 ON MEASURES TO PREVENT UNLAWFUL ACTS WHICH THREATEN THE SAFETY OF

(IMO document A.14/Res.584 of 16 January 1986)

THE ASSEMBLY,

RECALLING THAT

3. ECONOMIC AND SOCIAL COUNCIL RESOLUTION 1985/75 OF  
26 JULY 1985 ON ECONOMIC AND TECHNICAL ASPECTS OF  
MARINE AFFAIRS

(document E/1985/85/Add.1 of September 1985)

The Economic and Social Council,

Recalling its resolutions 1980/68 of 25 July 1980 on co-operation in the uses of the sea and coastal area development, and 1983/48 of 28 July 1983 on marine affairs, in response to which the Secretary-General has submitted to the Council,

~~1985/75 on economic and technical trends~~

and developments in marine affairs, 1/

Convinced that the resources of the ocean represent an important existing and potential contribution to the development process,

Noting that an increasing number of Member States, especially developing countries, have embarked on activities designed to make full, rational use of the

4. Further requests the Secretary-General, within the mandate and terms of reference of the United Nations regarding the economic and technical aspects of marine affairs, to submit to the Council at its second regular session of 1987 a report identifying specific and practical needs and problems encountered by countries, in particular developing countries, in the management of their marine resources.

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*[Faint, illegible text]*

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B. United Nations sales publications prepared by the Office of the Special Representative of the Secretary-General for the Law of the Sea

1. The Law of the Sea: Official text of the United Nations Convention on the Law of the Sea, with annexes and index - Final Act of the Third United Nations Conference on the Law of the Sea - Introductory material on the Convention and

Price \$12.95. Sales No. E.83.V.5.

2. Law of the Sea: A Select Bibliography Published in February 1985.

91 pages. (English.) Price \$12.00. Sales No. E.85.V.2.

3. The Law of the Sea: Status of the United Nations Convention on the Law of the Sea. Published in September 1985. 46 pages. (Arabic, Chinese, English, French, Russian and Spanish.) Price \$8.00. Sales No. E.85.V.5.
4. The Law of the Sea: Master file containing references to official documents of the Third United Nations Conference on the Law of the Sea. Published in

September 1985. 176 pages. (English, French, Spanish.) Price \$19.50. Sales No. E.85.V.9.