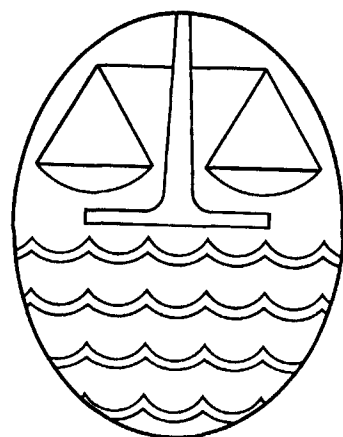


Division for Ocean Affairs and the Law of the Sea
Office of Legal Affairs

Law of the Sea



Bulletin No. 50



United Nations
New York, 2003

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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 stocks







































1. Table recapitulating the status of the Convention and of the related Agreements, as at 9 December 2002







































State or entity	United Nations Convention on the Law of the Sea (in force as from 16 November 1994)		Agreement relating to the implementation of Part XI of the Convention (in force as from 28 July 1996)		Agreement for the implementation of the provisions of the Convention relating to the conservation and management of straddling fish stocks and highly migratory fish stocks (in force as from 11 December 2001)	
	Signature  (☐ - declaration)	Ratification; formal confirmation(fc); accession(a); succession(s); (☐ - declaration)	Signature 	Ratification; formal confirmation(fc); accession(a); definitive signature(ds); participation(p); ¹ simplified procedure (sp); ²	Signature  (☐ - declaration or statement)	Ratification; accession(a) ³ (☐ - declaration)
TOTALS	157 (☐35)	141 (☐51)	79	111	59 (☐5)	32 (☐8)
<i>Afghanistan</i>						
Albania						
Algeria	☐	☐11 June 1996		11 June 1996 (p)		
Andorra						
Angola	☐	5 December 1990				
Antigua and Barbuda		2 February 1989				
Argentina	☐	☐1 December 1995		1 December 1995		
Armenia		9 December 2002(a)		9 December 2002(a)		
Australia		5 October 1994		5 October 1994		23 December 1999
Austria		☐14 July 1995		14 July 1995		
Azerbaijan						
Bahamas		29 July 1983		28 July 1995		16 January 1997(a)




















































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

² States bound by the Agreement under the simplified procedure set out in article 5 of the Agreement.


























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

State or entity	United Nations Convention on the Law of the Sea (in force as from 16 November 1994)		Agreement relating to the implementation of Part XI of the Convention (in force as from 28 July 1996)		Agreement for the implementation of the provisions of the Convention relating to the conservation and management of straddling fish stocks and highly migratory fish stocks (in force as from 11 December 2001)	
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<i>Bahrain</i>		30 May 1985				
Bangladesh		☐27 July 2001		27 July 2001 (a)		
Barbados		12 October 1993		28 July 1995 (sp)		22 September 2000(a)
Belarus	☐					
Belgium	☐	☐13 November 1998		13 November 1998		
Belize		13 August 1983		21 October 1994 (ds)		
Benin		16 October 1997		16 October 1997 (p)		
Bhutan						
Bolivia	☐	28 April 1995		28 April 1995 (p)		
Bosnia and Herzegovina		12 January 1994 (s)				
Botswana		2 May 1990				
Brazil	☐	☐22 December 1988				8 March 2000
Brunei Darussalam		5 November 1996		5 November 1996 (p)		
Bulgaria		15 May 1996		15 May 1996 (a)		
Burkina Faso						
Burundi						
Cambodia						
Cameroon		19 November 1985		28 August 2002		
Canada						☐3 August 1999
Cape Verde	☐	☐10 August 1987				
Central African Republic						
Chad						
Chile	☐	☐25 August 1997		25 August 1997 (a)		
China		☐7 June 1996		7 June 1996 (p)	☐	
Colombia						
Comoros		21 June 1994				
Congo						
<i>Cook Islands</i>		15 February 1995		15 February 1995 (a)		1 April 1999 (a)
Costa Rica	☐	21 September 1992		20 September 2001 (a)		18 June 2001 (a)

State or entity	United Nations Convention on the Law of the Sea (in force as from 16 November 1994)		Agreement relating to the implementation of Part XI of the Convention (in force as from 28 July 1996)		Agreement for the implementation of the provisions of the Convention relating to the conservation and management of straddling fish stocks and highly migratory fish stocks (in force as from 11 December 2001)	
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<i>Côte d'Ivoire</i>		26 March 1984		28 July 1995 (sp)		
Croatia		☐5 April 1995 (s)		5 April 1995 (p)		
Cuba	☐	☐15 August 1984		17 October 2002 (a)		
Cyprus		12 December 1988		27 July 1995		25 September 2002 (a)
<i>Czech Republic</i>		☐21 June 1996		21 June 1996		
Democratic People's Republic of Korea						
Democratic Republic of the Congo		17 February 1989				
Denmark						
Djibouti		8 October 1991				
Dominica		24 October 1991				
Dominican Republic						
Ecuador						
Egypt		☐26 August 1983				
El Salvador						
Equatorial Guinea		21 July 1997		21 July 1997 (p)		
Eritrea						
Estonia						
<i>Ethiopia</i>						
<i>European Community</i>	☐	☐1 April 1998 (fc)		1 April 1998(fc)	☐	
Fiji		10 December 1982		28 July 1995		12 December 1996
Finland	☐	☐21 June 1996		21 June 1996		
France	☐	☐11 April 1996		11 April 1996	☐	
Gabon		11 March 1998		11 March 1998 (p)		
Gambia		22 May 1984				
Georgia		21 March 1996 (a)		21 March 1996 (p)		
Germany		☐14 October 1994 (a)		14 October 1994		
Ghana		7 June 1983				

State or entity	United Nations Convention on the Law of the Sea (in force as from 16 November 1994)		Agreement relating to the implementation of Part XI of the Convention (in force as from 28 July 1996)		Agreement for the implementation of the provisions of the Convention relating to the conservation and management of straddling fish stocks and highly migratory fish stocks (in force as from 11 December 2001)	
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<i>Greece</i>		 21 July 1995		21 July 1995		
Grenada		25 April 1991		28 July 1995 (sp)		
Guatemala		 11 February 1997		11 February 1997 (p)		
Guinea		6 September 1985		28 July 1995 (sp)		
Guinea-Bissau		 25 August 1986				
Guyana		16 November 1993				
Haiti		31 July 1996		31 July 1996 (p)		
<i>Holy See</i>						
Honduras		5 October 1993				
Hungary		 5 February 2002		5 February 2002(a)		
Iceland		 21 June 1985		28 July 1995 (sp)		14 February 1997
India		 29 June 1995		29 June 1995		
Indonesia		3 February 1986		2 June 2000		
Iran (Islamic Republic of)						17 April 1998(a)
Iraq		30 July 1985				
Ireland		 21 June 1996		21 June 1996		
Israel						
Italy		 13 January 1995		13 January 1995		⁴
Jamaica		21 March 1983		28 July 1995 (sp)		
Japan		20 June 1996		20 June 1996		
Jordan		27 November 1995 (a)		27 November 1995 (p)		
Kazakhstan						
Kenya		2 March 1989		29 July 1994 (ds)		
Kiribati						
Kuwait		 2 May 1986		2 August 2002 (a)		

















































⁴ On 4 June 1999, the Government of Italy informed the Secretary-General that "Italy intends to withdraw the instrument of ratification it deposited on 4 March 1999, in order to proceed subsequently to complete that formality in conjunction with all the States members of the European Union".










































State or entity	United Nations Convention on the Law of the Sea (in force as from 16 November 1994)		Agreement relating to the implementation of Part XI of the Convention (in force as from 28 July 1996)		Agreement for the implementation of the provisions of the Convention relating to the conservation and management of straddling fish stocks and highly migratory fish stocks (in force as from 11 December 2001)	
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Kyrgyzstan						
Lao People's Democratic Republic		5 June 1998		5 June 1998 (p)		
Latvia						
Lebanon		5 January 1995		5 January 1995 (p)		
Lesotho						
Liberia						
Libyan Arab Jamahiriya						
Liechtenstein						
Lithuania						
Luxembourg	☐	5 October 2000		5 October 2000		⁵
Madagascar		22 August 2001		22 August 2001 (p)		
Malawi						
Malaysia		☐14 October 1996		14 October 1996 (p)		
Maldives		7 September 2000		7 September 2000		30 December 1998
Mali	☐	16 July 1985				
Malta		☐20 May 1993		26 June 1996		☐11 November 2001(a)
Marshall Islands		9 August 1991 (a)				
Mauritania		17 July 1996		17 July 1996 (p)		





















⁵ On 21 December 2000, the Government of Luxembourg informed the Secretary-General of the following:






“The Permanent Mission of the Grand Duchy of Luxembourg had indeed received instructions to deposit the instrument of ratification of the above-mentioned Agreement with the Secretary-General of the United Nations; this was done on 5 October 2000. It turned out, however, that deposit on that date was premature since, in accordance with decision 98-414-CE of the Council of the European Union, of 8 June 1998, the instrument was to be deposited simultaneously with the instruments of ratification of all States members of the European Union.

“Accordingly, I should be grateful if you would note that Luxembourg wishes to withdraw the instrument of ratification deposited on 5 October 2000. A simultaneous deposit of the instruments of the Community and of all member States is to take place subsequently.”

State or entity	United Nations Convention on the Law of the Sea (in force as from 16 November 1994)		Agreement relating to the implementation of Part XI of the Convention (in force as from 28 July 1996)		Agreement for the implementation of the provisions of the Convention relating to the conservation and management of straddling fish stocks and highly migratory fish stocks (in force as from 11 December 2001)	
	Signature  (☐ - declaration)	Ratification; formal confirmation(fc); accession(a); succession(s); (☐ - declaration)	Signature 	Ratification; formal confirmation(fc); accession(a); definitive signature(ds); participation(p); ¹ simplified procedure (sp); ²	Signature  (☐ - declaration or statement)	Ratification; accession(a) ³ (☐ - declaration)
Mauritius		4 November 1994		4 November 1994 (p)		☐25 March 1997(a)
Mexico		18 March 1983				
Micronesia (Federated States of)		29 April 1991 (a)		6 September 1995		23 May 1997
Monaco		20 March 1996		20 March 1996 (p)		9 June 1999(a)
Mongolia		13 August 1996		13 August 1996 (p)		
Morocco						
Mozambique		13 March 1997		13 March 1997 (a)		
Myanmar		21 May 1996		21 May 1996 (a)		
Namibia		18 April 1983		28 July 1995 (sp)		8 April 1998
Nauru		23 January 1996		23 January 1996 (p)		10 January 1997(a)
Nepal		2 November 1998		2 November 1998 (p)		
Netherlands		☐28 June 1996		28 June 1996	☐	
New Zealand		19 July 1996		19 July 1996		18 April 2001
Nicaragua	☐	☐3 May 2000		3 May 2000 (p)		
Niger						
Nigeria		14 August 1986		28 July 1995 (sp)		
Niue						
Norway		☐24 June 1996		24 June 1996 (a)		☐30 December 1996
Oman	☐	☐17 August 1989		26 February 1997 (a)		
Pakistan		☐26 February 1997		26 February 1997 (p)		
Palau		30 September 1996 (a)		30 September 1996 (p)		
Panama		☐1 July 1996		1 July 1996 (p)		
Papua New Guinea		14 January 1997		14 January 1997 (p)		4 June 1999
Paraguay		26 September 1986		10 July 1995		
Peru						
Philippines	☐	☐8 May 1984		23 July 1997		
Poland		13 November 1998		13 November 1998		
Portugal		☐3 November 1997		3 November 1997		

State or entity <i>Italicized text</i> indicates non-members of the United Nations; Shaded row indicates landlocked States	United Nations Convention on the Law of the Sea (in force as from 16 November 1994)		Agreement relating to the implementation of Part XI of the Convention (in force as from 28 July 1996)		Agreement for the implementation of the provisions of the Convention relating to the conservation and management of straddling fish stocks and highly migratory fish stocks (in force as from 11 December 2001)	
	Signature  (☐ - declaration)	Ratification; formal confirmation(fc); accession(a); succession(s); (☐ - declaration)	Signature 	Ratification; formal confirmation(fc); accession(a); definitive signature(ds); participation(p); ¹ simplified procedure (sp); ²	Signature  (☐ - declaration or statement)	Ratification; accession(a) ³ (☐ - declaration)
<i>Qatar</i>	<input type="checkbox"/>	9 December 2002		9 December 2002 (p)		
<i>Republic of Korea</i>		29 January 1996		29 January 1996		
<i>Republic of Moldova</i>						
<i>Romania</i>	<input type="checkbox"/>	<input type="checkbox"/> 17 December 1996		17 December 1996 (a)		
<i>Russian Federation</i>	<input type="checkbox"/>	<input type="checkbox"/> 12 March 1997		12 March 1997 (a)		<input type="checkbox"/> 4 August 1997
<i>Rwanda</i>						
<i>Saint Kitts and Nevis</i>		7 January 1993				
<i>Saint Lucia</i>		27 March 1985				9 August 1996
<i>Saint Vincent and the Grenadines</i>		1 October 1993				
<i>Samoa</i>		14 August 1995		14 August 1995 (p)		25 October 1996
<i>San Marino</i>						
<i>Sao Tome and Principe</i>	<input type="checkbox"/>	3 November 1987				
<i>Saudi Arabia</i>		<input type="checkbox"/> 24 April 1996		24 April 1996 (p)		
<i>Senegal</i>		25 October 1984		25 July 1995		30 January 1997
<i>Seychelles</i>		16 September 1991		15 December 1994		20 March 1998
<i>Sierra Leone</i>		12 December 1994		12 December 1994 (p)		
<i>Singapore</i>		17 November 1994		17 November 1994 (p)		
<i>Slovakia</i>		8 May 1996		8 May 1996		
<i>Slovenia</i>		<input type="checkbox"/> 16 June 1995 (s)		16 June 1995		
<i>Solomon Islands</i>		23 June 1997		23 June 1997 (p)		13 February 1997(a)
<i>Somalia</i>		24 July 1989				
<i>South Africa</i>	<input type="checkbox"/>	<input type="checkbox"/> 23 December 1997		23 December 1997		
<i>Spain</i>	<input type="checkbox"/>	<input type="checkbox"/> 15 January 1997		15 January 1997		
<i>Sri Lanka</i>		19 July 1994		28 July 1995 (sp)		24 October 1996
<i>Sudan</i>	<input type="checkbox"/>	23 January 1985				
<i>Suriname</i>		9 July 1998		9 July 1998 (p)		
<i>Swaziland</i>						
<i>Sweden</i>	<input type="checkbox"/>	<input type="checkbox"/> 25 June 1996		25 June 1996		

State or entity	United Nations Convention on the Law of the Sea (in force as from 16 November 1994)		Agreement relating to the implementation of Part XI of the Convention (in force as from 28 July 1996)		Agreement for the implementation of the provisions of the Convention relating to the conservation and management of straddling fish stocks and highly migratory fish stocks (in force as from 11 December 2001)	
	Signature  (☐ - declaration)	Ratification; formal confirmation(fc); accession(a); succession(s); (☐ - declaration)	Signature 	Ratification; formal confirmation(fc); accession(a); definitive signature(ds); participation(p); ¹ simplified procedure (sp); ²	Signature  (☐ - declaration or statement)	Ratification; accession(a) ³ (☐ - declaration)
Switzerland						
Syrian Arab Republic						
Tajikistan						
Thailand						
The former Yugoslav Republic of Macedonia		19 August 1994 (s)		19 August 1994 (p)		
Timor-Leste						
Togo		16 April 1985		28 July 1995 (sp)		
Tonga		2 August 1995 (a)		2 August 1995 (p)		31 July 1996
Trinidad and Tobago		25 April 1986		28 July 1995 (sp)		
Tunisia		☐24 April 1985		24 May 2002		
Turkey						
Turkmenistan						
Tuvalu		9 December 2002		9 December 2002 (p)		
Uganda		9 November 1990		28 July 1995 (sp)		
Ukraine	☐	☐26 July 1999		26 July 1999		
United Arab Emirates						

State or entity	United Nations Convention on the Law of the Sea (in force as from 16 November 1994)		Agreement relating to the implementation of Part XI of the Convention (in force as from 28 July 1996)		Agreement for the implementation of the provisions of the Convention relating to the conservation and management of straddling fish stocks and highly migratory fish stocks (in force as from 11 December 2001)	
	Signature  (☐ - declaration)	Ratification; formal confirmation(fc); accession(a); succession(s); (☐ - declaration)	Signature 	Ratification; formal confirmation(fc); accession(a); definitive signature(ds); participation(p); ¹ simplified procedure (sp); ²	Signature  (☐ - declaration or statement)	Ratification; accession(a) ³ (☐ - declaration)
United Kingdom		☐25 July 1997 (a)		25 July 1997		☐10 December 2001 ³

⁶ On 4 December 1995, the Agreement was signed by the Government of the United Kingdom of Great Britain and Northern Ireland on behalf of Bermuda, British Indian Ocean Territory, British Virgin Islands, Falkland Islands, Pitcairn Islands, South Georgia and the South Sandwich Islands, St. Helena including Ascension Island, and Turks and Caicos Islands. Further, in a communication received on 19 January 1996, the Government of the United Kingdom informed the Secretary-General that the signature of 4 December 1995 would also apply to Anguilla.

Subsequently, on 27 June 1996, the Agreement was signed by the United Kingdom for the United Kingdom of Great Britain and Northern Ireland.

On 3 December 1999, an instrument of ratification was lodged by the United Kingdom on behalf of Pitcairn, Henderson, Ducie and Oeno Islands, Falkland Islands, South Georgia and South Sandwich Islands, Bermuda, Turks and Caicos Islands, British Indian Ocean Territory, British Virgin Islands and Anguilla with the following declarations:













"1. The United Kingdom understands that the terms 'geographical particularities', 'specific characteristics of the subregion or region', 'socio-economic, geographical and environmental factors', 'natural characteristics of that sea' or any other similar terms employed in reference to a geographical region do not prejudice the rights and duties of States under international law.

"2. The United Kingdom understands that no provision of this Agreement may be interpreted in such a way as to conflict with the principle of freedom of the high seas, recognized by international law.

"3. The United Kingdom understands that the term 'States whose nationals fish on the high seas' shall not provide any new grounds for jurisdiction based on the nationality of persons involved in fishing on the high seas rather than on the principle of flag State jurisdiction.

"4. The Agreement does not grant any State the right to maintain or apply unilateral measures during the transitional period as referred to in article 21(3). Thereafter, if no agreement has been reached, States shall act only in accordance with the provisions provided for in articles 21 and 22 of the Agreement."

Upon a request for clarification as to why the above ratification excluded the metropolitan territory of the United Kingdom of Great Britain and Northern Ireland, and subsequent consultations, the following additional declaration was provided by the United Kingdom of Great Britain and Northern Ireland on 10 December 2001:

State or entity	United Nations Convention on the Law of the Sea (in force as from 16 November 1994)		Agreement relating to the implementation of Part XI of the Convention (in force as from 28 July 1996)		Agreement for the implementation of the provisions of the Convention relating to the conservation and management of straddling fish stocks and highly migratory fish stocks (in force as from 11 December 2001)	
	Signature  (☐ - declaration)	Ratification; formal confirmation(fc); accession(a); succession(s); (☐ - declaration)	Signature 	Ratification; formal confirmation(fc); accession(a); definitive signature(ds); participation(p); ¹ simplified procedure (sp); ²	Signature  (☐ - declaration or statement)	Ratification; accession(a) ³ (☐ - declaration)
United Republic of Tanzania		☐30 September 1985		25 June 1998		
United States of America						☐21 August 1996
Uruguay	☐	☐10 December 1992			☐	☐10 September 1999
Uzbekistan						
Vanuatu		10 August 1999		10 August 1999(p)		
Venezuela						
Viet Nam		☐25 July 1994				
Yemen	☐	☐21 July 1987				









"1. The United Kingdom is a keen supporter of the Straddling Fish Stocks Agreement. Legislation of the European Communities (Council decision 10176/97 of 8 June 1998) binds the United Kingdom as a matter of EC law to deposit its instrument of ratification in relation to the metropolitan territory simultaneously with the European Community and the other member States.

"It is hoped that this event will take place later this year. The constraints imposed by that Council decision only apply in respect of the United Kingdom metropolitan territory and those overseas territories to which the EC treaties apply.

"2. In the light of its temporary inability to ratify the Agreement in relation to the metropolitan territory, and the strong desire of the United Kingdom to implement the Agreement in respect of those overseas territories to which the EC treaty does not apply, because of the advantages it will bring to them, the United Kingdom lodged its instrument of ratification to the Agreement, with declarations, in respect of those overseas territories on 3 December 1999.

"3. The United Kingdom is concerned that upon entry into force of the Agreement, the overseas territories covered by this ratification should enjoy the rights and obligations accruing under the Agreement. I would therefore be grateful if you would arrange for the above formal declaration to be circulated in order to make it clear to all concerned the nature of the United Kingdom's approach to ratification of this convention..."

Accordingly, the above action was accepted in deposit on 10 December 2001, the date on which the second declaration was lodged with the Secretary-General.

State or entity	United Nations Convention on the Law of the Sea (in force as from 16 November 1994)		Agreement relating to the implementation of Part XI of the Convention (in force as from 28 July 1996)		Agreement for the implementation of the provisions of the Convention relating to the conservation and management of straddling fish stocks and highly migratory fish stocks (in force as from 11 December 2001)	
	Signature  (☐ - declaration)	Ratification; formal confirmation(fc); accession(a); succession(s); (☐ - declaration)	Signature 	Ratification; formal confirmation(fc); accession(a); definitive signature(ds); participation(p); ¹ simplified procedure (sp); ²	Signature  (☐ - declaration or statement)	Ratification; accession(a) ³ (☐ - declaration)
<i>Yugoslavia</i>	⁷	☐12 March 2001 (s)		28 July 1995 (sp) ⁸		
Zambia		7 March 1983		28 July 1995 (sp)		
Zimbabwe		24 February 1993		28 July 1995 (sp)		
TOTALS	157 (☐35)	138 (☐51)	79	108	59 (☐5)	32 (☐8)

⁷ The former Yugoslavia had signed and ratified the Convention on 10 December 1982 and 5 May 1986, respectively.

⁸ The former Yugoslavia had signed the Agreement and notified the Secretary-General that it had selected the application of the simplified procedure set out in articles 4 (3) (c) and 5 of the Agreement, on 12 May 1995 and 28 July 1995, respectively. On 12 March 2001, the Secretary-General received from the Government of Yugoslavia a notification confirming the signature and the notification of application of the simplified procedure under article 5.

2. Chronological lists of ratifications of, accessions and successions to the Convention and the related Agreements, as at 9 December 2002

(a) The Convention

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

(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 (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. Yugoslavia (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 Community (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)

(c) Agreement for the implementation of the provisions of the Convention relating to the conservation and management of straddling fish stocks and highly migratory fish stocks

1. 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 on behalf of Pitcairn,
Henderson, Ducie and Oeno Islands, Falkland
Islands, South Georgia and South Sandwich
Islands, Bermuda, Turks and Caicos Islands,
British Indian Ocean Territory, British Virgin
Islands and Anguilla (10 December 2001)
32. Cyprus (25 September 2002)

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

A. National legislation

1. United Kingdom of Great Britain and Northern Ireland

(a) Sea Fisheries¹
The Fishery Limits Order 1999

Made 22nd June 1999

Coming into force in accordance with article 1

At the Court at Windsor Castle, the 22nd day of June 1999

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred on Her by section 1(2) of the Fishery Limits Act 1976(a) or otherwise in Her Majesty vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

1. This Order may be cited as the Fishery Limits Order 1999 and shall come into force on the date on which the Agreement between the Government of the Kingdom of Denmark together with the Home Government of the Faeroe Islands, on the one hand, and the Government of the United Kingdom of Great Britain and Northern Ireland, on the other hand, relating to Maritime Delimitation in the area between the Faeroe Islands and the United Kingdom enters into force. This date shall be notified in the London, Edinburgh and Belfast Gazettes.

2. It is hereby declared that between Latitude 63° 53' 14.93" N, Longitude 00° 29' 19.55" W, and Latitude 60° 09' 05" N, Longitude 13° 16' 05" W, British fishery limits extend to the geodesic lines specified in the Schedule to this Order.

A K Galloway
Clerk of the Privy Council

SCHEDULE

The geodesic lines referred to in article 2 of the Order are those joining, in the order specified, the points whose coordinates are specified below:

Coordinates of Latitude and Longitude

1. 63° 53' 14.93" N	00° 29' 19.55" W
2. 63° 40' 40" N	00° 47' 37" W
3. 61° 59' 16" N	03° 03' 13" W
4. 61° 52' 09" N	03° 11' 37" W
5. 61° 21' 39" N	03° 47' 47" W
6. 61° 07' 41" N	03° 59' 30" W

¹ *Statutory Instruments*, 1999, No. 1741.

(a) 1976 c. 86

7. 61° 04' 29" N	04° 02' 19" W
8. 61° 02' 48" N	04° 03' 45" W
9. 60° 55' 01" N	04° 10' 23" W
10. 60° 51' 51" N	04° 13' 54" W
11. 60° 47' 45" N	04° 18' 26" W
12. 60° 24' 07" N	04° 44' 10" W
13. 60° 21' 08" N	04° 56' 34" W
14. 60° 18' 47" N	05° 24' 05" W
15. 60° 13' 10" N	06° 24' 56" W
16. 59° 59' 35" N	09° 43' 30" W
17. 60° 02' 28" N	10° 33' 29" W
18. 60° 03' 08" N	10° 52' 50" W
19. 60° 02' 53" N	11° 16' 20" W
20. 60° 07' 21" N	12° 17' 31P W
21. 60° 09' 05" N	13° 16' 05" W

The above points are defined by geographic latitude and longitude in accordance with European Datum (First Adjustment 1950) (ED50).

Explanatory note

(This note is not part of the Order)

This Order amends British fishery limits to reflect the Agreement between the Government of the Kingdom of Denmark together with the Home Government of the Faeroe Islands, on the one hand, and the Government of the United Kingdom of Great Britain and Northern Ireland, on the other hand, relating to Maritime Delimitation in the area between the Faeroe Islands and the United Kingdom (Cm. 4373).

(b) Continental Shelf²

The Continental Shelf (Designation of Areas) Order 1999

Made 21st July 1999

Coming into force in accordance with article 1(3).

At the Court at Buckingham Palace, the 21st day of July 1999

Present,

The Queen's Most Excellent Majesty in Council

Whereas by the Continental Shelf (Designation of Areas) Orders 1964 to 1997(a) certain areas are designated as areas within which the rights of the United Kingdom with respect to the seabed and subsoil and their natural resources may be exercised:

And whereas it is expedient that a further such area should be so designated:

² *Statutory Instruments* 1999, No. 2031.

(a) S.I. 1964/697, 1965/1531, 196S/891, 1971/594, 1974/1489, 1976/1153, 1977/1871, 1978/178, 1978/1029, 1979/1447, 1982/1072, 1987/1265, 1989/2398, 1993/599, 1993/1782, 1997/268.

(b) 1964 c. 29.

Now, therefore, Her Majesty, in exercise of the powers conferred on Her by section 1(7) of the Continental Shelf Act 1964(b) and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

- 1.- (1) This Order may be cited as the Continental Shelf (Designation of Areas) Order 1999.
- (2) This Order and the Orders recited in the preamble to this Order may be cited together as the Continental Shelf (Designation of Areas) Orders 1964 to 1999;
- (3) This Order shall come into force on 12 August 1999, or on the date on which the Agreement between the Government of the Kingdom of Denmark together with the Home Government of the Faeroe Islands, on the one hand, and the Government of the United Kingdom of Great Britain and Northern Ireland, on the other hand, relating to Maritime Delimitation in the area between the Faeroe Islands and the United Kingdom enters into force, whichever is the later.

The date on which the said Agreement enters into force shall be notified in the London, Edinburgh and Belfast Gazettes.

2. The area defined in the Schedule to this Order is hereby designated as an area within which the rights of the United Kingdom outside territorial waters with respect to the seabed and subsoil and their natural resources are exercisable.

A.K. Galloway
Clerk of the Privy Council

SCHEDULE

Article 2

Article 2 of this Order applies to the area bounded by a line joining the following coordinates on European Terrestrial Reference Frame 1989 (ETRF 89)

- | | | |
|------|--------------|--------------|
| (1) | 63° 53'.224N | 00° 29'.444W |
| (2) | 63° 40'.649N | 00° 47'.736W |
| (3) | 61° 59'.233N | 03° 03'.325W |
| (4) | 61° 52'.114N | 03° 11'.729W |
| (5) | 61° 21'.611N | 03° 47'.898W |
| (6) | 61° 07'.651N | 03° 59'.619W |
| (7) | 61° 04'.449N | 04° 02'.425W |
| (8) | 61° 02'.757N | 04° 03'.859W |
| (9) | 60° 54'.979N | 04° 10'.497W |
| (10) | 60° 51'.809N | 04° 14'.00SW |
| (11) | 60° 47'.717N | 04° 18'.541W |
| (12) | 60° 24'.077N | 04° 44'.272W |
| (13) | 60° 21'.101N | 04° 56'.672W |
| (14) | 60° 18'.754N | 05° 24'.195W |
| (15) | 59° 56'.450N | 09° 00'.660W |
| (16) | 60° 00'.951N | 10° 20'.853W |
| (17) | 60° 02'.137N | 10° 50'.778W |
| (18) | 60° 02'.833N | 11° 6'.458W |
| (19) | 60° 07'.306N | 12° 17'.622W |
| (20) | 60° 09'.031N | 13° 16'.199W |
| (21) | 59° 49'.948N | 13° 16'.199W |

and

- (i) The coordinates numbered (25) in the Schedule to the Continental Shelf (Designation of Additional Areas) Order 1971, and
- (ii) The coordinates numbered (42) in the Schedule to the Continental Shelf (Designation of Additional Areas) Order 1965, and
- (iii) The coordinates numbered (27) and (26) in the Schedule to the Continental Shelf (Designation of Additional Areas) Order 1982, and
- (iv) The coordinates numbered (44) in the Schedule to the Continental Shelf (Designation of Additional Areas) Order 1965, and
- (v) The coordinates numbered (1) and (2) in the Schedule to the Continental Shelf (Designation of Areas) Order 1997, and
- (vi) The coordinates numbered (46) in the Schedule to the Continental Shelf (Designation of Additional Areas) Order 1965, and
- (vii) The coordinates numbered (23) and (22) in the Schedule to the Continental Shelf (Designation of Additional Areas) Order 1982, and
- (viii) The coordinates numbered (2) in the Schedule to the Continental Shelf (Designation of Additional Areas) Order 1978, and
- (ix) The coordinates numbered (2) in the Schedule to the Continental Shelf (Designation of Additional Areas) Order 1976, and
- (x) The coordinates numbered (21) and (20) in the Schedule to the Continental Shelf (Designation of Additional Areas) Order 1982, and
- (xi) The coordinates numbered (43) in the Schedule to the Continental Shelf (Designation of Additional Areas) Order 1971, and
- (xii) The coordinates numbered (22) in the Schedule to the Continental Shelf (Designation of Additional Areas) Order 1979, and
- (xiii) The coordinates numbered (19), (18), (17), (16) and (15) in the Schedule to the Continental Shelf (Designation of Additional Areas) Order 1982, and
- (xiv) The coordinates numbered (18) and (17) in the Schedule to the Continental Shelf (Designation of Additional Areas) Order 1979, and thence to the coordinates numbered (1) in this Schedule.

Explanatory note

(This note is not part of the Order)

This Order designates a further area of the continental shelf to the north of Scotland up to the agreed continental shelf boundary set out in the Agreement between the Government of the Kingdom of Denmark together with the Home Government of the Faeroe Islands, on the one hand, and the Government of the United Kingdom of Great Britain and Northern Ireland, on the other hand, relating to Maritime Delimitation in the area between the Faeroe Islands and the United Kingdom (Cm. 4373), as an area in which the rights of the United Kingdom with respect to the seabed and subsoil and their natural resources are exercisable.

DENMARK - UNITED KINGDOM

Legend

----- Fishery Limits

Projection: Equidistant Azimuthal
Datum: WGS84
Scale at the equator: 1 : 6 000 000

ATLANTIC
OCEAN

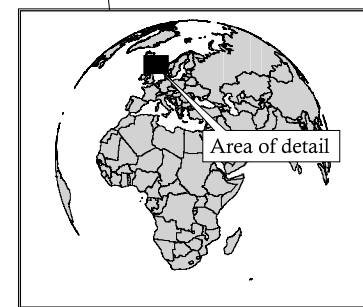
Faroe Is.
(DNK)

NORWAY

Shetland
(GBR)

UNITED
KINGDOM

*The boundaries, maritime limits, names
and designation shown on this map do
not imply official endorsement or
acceptance by the United Nations.*



Area of detail

2. Denmark:
Executive Order No. 613 of 19 July 2002

Circular Note

The Ministry of Foreign Affairs has the honour to inform the Heads of Mission accredited to Denmark of Executive Order No. 613 of 19 July 2002 to amend Executive Order No. 584 of 24 June 1996 on the Exclusive Economic Zone of Denmark, which was circulated to all Heads of Mission on 28 June 1996.

An unofficial English translation of the amendment is attached to this note. The amendment enters into force on 15 August 2002.

Copenhagen, 5 August 2002

Executive Order to Amend the Executive Order concerning Denmark's Exclusive Economic Zone

1.

The following amendments shall be made to Executive Order No. 584 of 24 June 1996 concerning Denmark's exclusive economic zone:

1. Section 1, subsection 1, 2nd sentence, shall have the following wording:

"As regards the drawing of the baselines, reference is made to the Executive Order on the delimitation of Denmark's territorial sea in force from time to time."

2. Section 1, subsection 2, shall be repealed.

Subsection 3 shall hereafter become subsection 2.

3. The following shall be inserted after section 5:

"5 a. In the area between Bornholm and Poland, the delimitation line of the exclusive economic zone shall be determined by an agreement made with Poland. Until such agreement has been made, the boundary line shall be drawn from a point on which an agreement shall be made with Sweden and Poland, cf. section 5, subsection 4, to a point on which an agreement shall be made with Poland and Germany, cf. section 6, subsection 1, as a line every point of which is equidistant from the nearest points of the baselines at the coasts of the respective States (the median line)."

2.

The Executive Order shall enter into force on 15 August 2002.

Ministry of Foreign Affairs, 19 July 2002.
per Stig Moller

3. Norway

Regulations relating to the Limit of the Norwegian Territorial Sea around Jan Mayen

Laid down by Royal Decree of 30 August 2002 pursuant to the Constitution of Norway of 17 May 1814 and Royal Decree of 22 February 1812 (reproduced in Government Decree (Cancelli-Promemoria) of 25 February 1812). Submitted by the Ministry of Foreign Affairs.

§ 1

The limit of the territorial sea around Jan Mayen is to be measured from the following points:

<i>No.</i>	<i>Position N. lat. deg min sec</i>	<i>Position W. long. deg min sec</i>	<i>Name</i>
JM01	71 09 35.26	07 57 09.83	Nordkapp East
JM02	71 09 25.10	07 56 45.62	Fullmarfloget North
JM03	71 08 44.89	07 55 43.00	Austkapp
JM04	71 06 35.00	07 57 23.00	Taggdalen
JM05	71 01 16.67	07 59 10.18	Søraustkapp North
JM06	71 01 08.70	07 59 24.37	Søraustkapp South
JM07	71 00 58.89	07 59 55.12	Vesle Sandbukta
JM08	71 00 47.58	08 00 34.32	Langlistupa South
JM09	71 00 17.96	08 02 49.84	Kapp Wohlgemuth
JM10	70 59 28.00	08 10 37.00	Presidentsteinen
JM11	70 58 00.00	08 23 04.00	Eggøya
JM12	70 55 43.00	08 41 57.00	Helenesanden
JM13	70 55 24.00	08 42 17.00	Olonkinbyen East
JM14	70 51 58.00	08 48 00.00	Måkeskjera East
JM15	70 51 34.23	08 49 00.47	Fyrtårnet
JM16	70 49 55.22	08 56 34.66	Kjeglene
JM17	70 49 31.04	08 59 37.07	Sørkapp
JM18	70 49 39.82	09 03 45.98	Sjuskjera
JM19	70 51 49.05	09 04 38.86	Hoybergodden
JM20	70 51 51.96	09 04 38.63	Hoybergskjeret
JM21	70 52 20.95	09 04 07.37	Trekantskjeret
JM22	70 52 34.71	09 03 45.17	Punktskjeret
JM23	70 52 41.70	09 03 25.91	Ytsteskjeret
JM24	70 54 47.59	08 56 53.88	Fugleskjera
JM25	70 56 03.00	08 52 38.00	Kapp Rudsen
JM26	70 56 32.00	08 51 53.00	Lavastraumskjeret
JM27	70 58 41.00	08 41 03.00	Brielletårnet
JM28	71 00 11.00	08 29 44.00	Fugleberget

JM29	71 02 25.00	08 27 01.00	Krosspyntsletta North
JM30	71 03 53.00	08 25 10.00	Hudsonodden South
JM31	71 04 08.00	08 24 49.00	Hudsonodden North
JM32	71 05 08.00	08 22 59.00	Kapp Muyen
JM33	71 06 51.00	08 18 23.00	Vakta South
JM34	71 07 18.01	08 17 19.14	Vakta West
JM35	71 07 20.33	08 17 10.10	Vakta
JM36	71 08 36.83	08 09 44.65	Isneset
JM37	71 09 29.69	08 04 19.18	Koksneset West
JM38	71 09 31.23	08 04 05.89	Koksneset
JM39	71 09 32.15	08 03 54.45	Koksneset East
JM40	71 09 38.32	07 58 08.42	Nordskjeret
JM41	71 09 37.46	07 57 47.29	Nordkapp
JM42	70 55 31.00	08 39 15.00	Losbåten

The coordinates in the list are given in the geodetic datum EUREF 89.

§ 2

The limit of the territorial sea is to be drawn outside and parallel to the low-water line between the points JM4 and JM5, the points JM11 and JM12 and the points JM26 to JM29 inclusive.

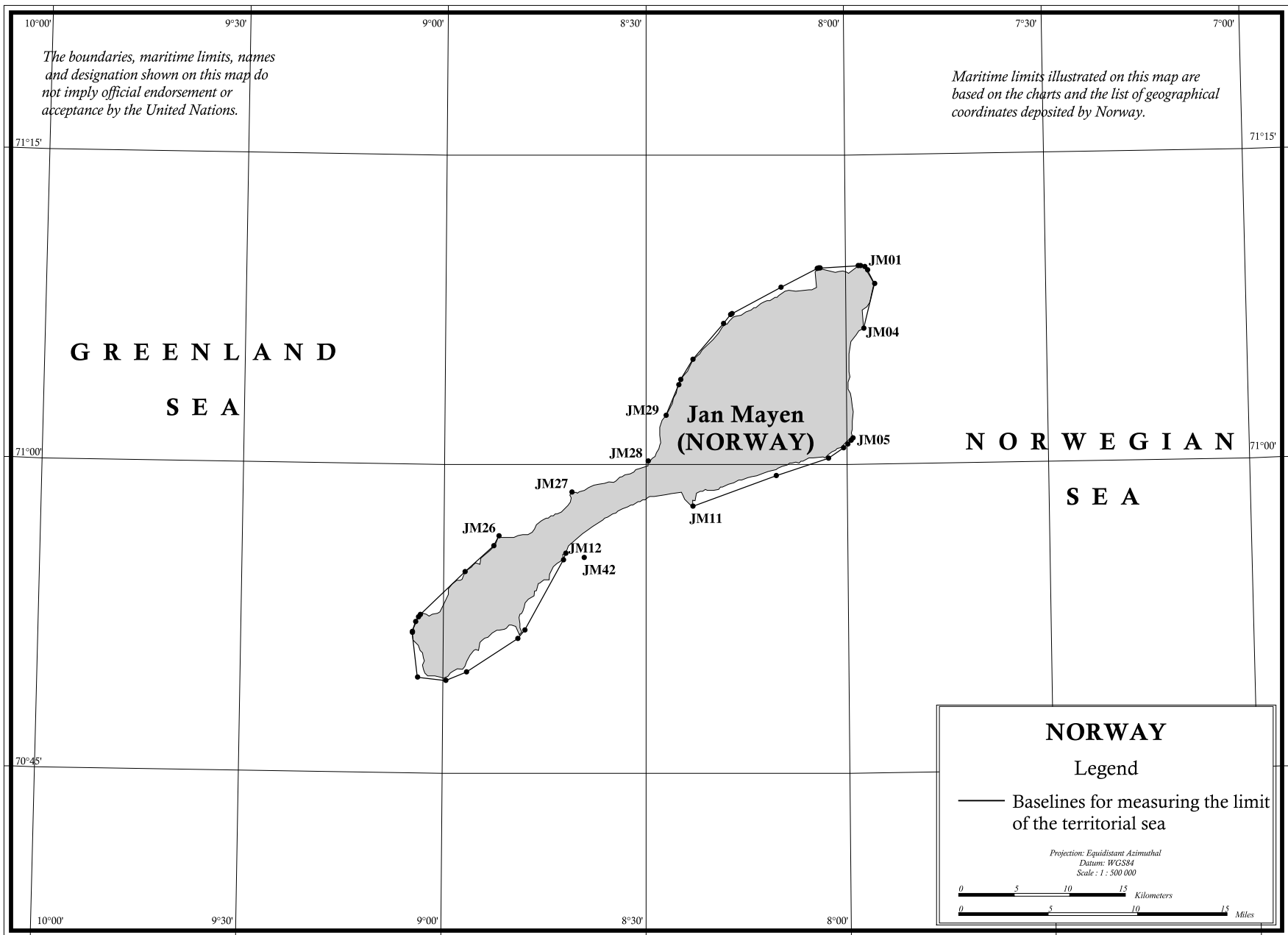
Further, the limit of the territorial sea is to be drawn outside and parallel to the straight lines between the points JM1 to JM4 inclusive, the points JM5 to JM11 inclusive, the points JM12 to JM26 inclusive, the points JM29 to JM41 inclusive and between the points JM41 and JM1.

The limit of the territorial sea shall also be measured from the point JM42.

A straight line means the shortest distance between two points (the geodetic line).

§ 3.

These Regulations enter into force on 1 October 2002. From the same date, the Regulations relating to the entry into force of certain acts and to the limit of the Norwegian fisheries zone around Jan Mayen, laid down by Crown Prince Regent's Decree of 30 June 1955, are repealed.



4. Honduras

The Executive Branch

Executive Decree No. PCM-017-2000¹

The President of the Republic, in a session of the Council of Ministers

Whereas:

Historically, in the delimitation of its boundaries with neighbouring countries, Honduras has always acted in accordance with the standards of international law, scrupulously respecting and complying with treaties, arbitral awards and legal decisions, and rejecting procedures supported by any force other than that of the law. As a result, Honduras has repudiated and will continue to repudiate any unilateral, coercive procedure; Executive Decree No. PCM-007-2000 of 21 March 2000, issued in accordance with article 7 of the United Nations Convention on the Law of the Sea, established the straight baselines of the Republic in the Caribbean Sea and the Pacific Ocean, as an internal norm identifying the baselines from which its own maritime spaces are delimited;

The Law of the Sea Convention, to which Honduras and six of its neighbours bordering on the Caribbean Sea are parties, entered into force on 16 November 1994, and is now the fundamental norm applicable to this subject;

The pertinent part of article 12(1) and (2) of the Law on the Maritime Spaces of Honduras stipulates that the maritime spaces of Honduras “with its neighbouring countries shall be delimited by agreements between them on the basis of international law,” and that such agreements must arrive at “an equitable solution”. Consequently, the straight baselines established in the Honduran law are simply one factor to be taken into account in any negotiating process with neighbouring States;

The above notwithstanding, the issuance of the above-mentioned Executive Decree establishing the straight baselines of the Republic has caused concern and misunderstandings on the part of some neighbouring Governments, in terms of the meaning and scope of said baselines;

Now, therefore,

In exercise of the powers vested in the President under articles 245(1), (2), and (11) and 252 of the Constitution of the Republic; articles 11, 17, 22(9), (10), (116), and (117) of the General Law on Public Administration; and article 16(1) of the Law on the Maritime Spaces of Honduras,

Hereby Decrees:

Article 1

The State of Honduras does not, under Decree No. PCM-007-2000, establish any unilateral maritime claims, or any restriction to international maritime navigation, and [said decree] shall be interpreted in accordance with international law.

Article 2

With regard to Central American integration, the Law on the Maritime Spaces of Honduras is a framework law; it is flexible and was issued for the purpose of ensuring regional maritime cooperation and good-neighbourliness. Article 13 thereof states that: “In those maritime areas where Honduras has common interests with its neighbours in terms of protecting the environment and the ecosystem; the sustainable production of specific species or resources; or the shared use of such areas for scientific purposes or for purposes relating to tourism or economic development, the provisions of said Law may be amended by international agreement between the countries involved, in order to achieve greater protection or rational use of the environment.”

¹ *La Gaceta*, Tegucigalpa, 7 October 2000, No. 29,295; translation into English by the United States Department of State (*Limits in the Seas*, No. 124, 28 June 2001).

Article 3

The Republic of Honduras, together with the other States parties to the United Nations Convention on the Law of the Sea, are inspired “by the desire to settle, in a spirit of mutual understanding and cooperation, all issues relating to the law of the sea, and aware of the historic significance of this Convention as an important contribution to the maintenance of peace, justice, and progress for all the peoples of the world (from the preamble to the Convention).

Article 4

When the outer or lateral boundary of Honduran maritime spaces is to be delimited with a neighbouring State, in accordance with article 12 of the Law on the Maritime Spaces of Honduras, said boundary shall be delimited by means of an agreement concluded on the basis of international law, as set forth in Article 38 of the Statute of the International Court of Justice, in such a way that an equitable solution is reached.

Article 5

In the Gulf of Fonseca, the straight baseline referred to in article 3(3) of the Law on the Maritime Spaces of Honduras, and in article 1(B) of Executive Decree No. PCM-007-2000, shall be drawn as shown on the attached map.²

Article 6

With a view to fulfilling the great objectives of peace, regional integration, mutual understanding and cooperation in achieving the full development and progress of the Central American peoples, and within the framework of international law, the applicability of Decree No. PCM-007-2000 is hereby deferred, on an exceptional basis, for the reasonable period of time required for consultations on this subject, to the benefit of Central American integration and in order for legitimate concerns, duly supported by international law, to be taken into consideration. This temporary and exceptional deferment shall not apply with respect to legal situations involving those maritime spaces that have been decided upon by the International Court of Justice and to which Honduras was a party, or to maritime disputes submitted to the Court and to which Honduras is a party.

Article 7

This Decree shall be implemented immediately and is to be published in *La Gaceta*, the Official Gazette. Given at the Presidential Residence, Tegucigalpa, Central District, on 28 August 2000.

To be reported and published.

Carlos R. Flores F.
President of the Republic

Enrique Flores Valeriano
Minister of Government and Justice

² Map not included.

5. France

Decree No. 99-324 of 21 April 1999

Decree defining the straight baselines and closing lines of bays used to determine the baselines from which the breadth of the French territorial sea adjacent to the Martinique and Guadeloupe regions is measured

The Prime Minister,

On the report of the Minister of the Interior, the Minister for Foreign Affairs, the Minister of Defence, the Minister of Capital Works, Transportation and Housing, and the Minister of Agriculture and Fisheries,

Having regard to Act No. 71-1060 of 24 December 1971, concerning the delimitation of the French territorial sea,

Having regard to Act No. 95-1311 of 21 December 1995 authorizing the ratification of the United Nations Convention on the Law of the Sea (with nine annexes) and of the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982,

Having regard to Decree No. 67-451 of 7 June 1967 concerning the extension of the fishing zone from which foreign vessels are banned,

Having regard to Decree No. 78-465 of 29 March 1978 concerning the extension to the *départements* of Guadeloupe, Martinique and Réunion of Decree No. 67-451 of 7 June 1967, ordering the extension of the fishing zone from which foreign vessels are banned,

Having regard to Decree No. 96-774 of 30 August 1996 ordering the publication of the United Nations Convention on the Law of the Sea,

Article 1

The straight baselines and closing lines of bays used to determine the baselines from which the breadth of the French territorial sea adjacent to the Martinique region is measured are those joining points A, B, C, D, E, F, G, H, I, J, K, L, M, N and O, with the following coordinates expressed in the World Geodetic System (WGS 84):

- A. Pointe de Marigot (latitude 14° 49' 49" N; longitude 61° 1' 44" W);
- B. Rocher Pain de Sucre (latitude 14° 48' 42" N; longitude 61° 0' 22" W);
- C. La Caravelle (latitude 14° 48' 25" N; longitude 60° 52' 46" W);
- D. Table au Diable (latitude 14° 46' 31" N; longitude 60° 52' 18" W);
- E. Pointe du Vauclin (latitude 14° 34' 05" N; longitude 60° 49' 30" W);
- F. Pointe Macré (latitude 14° 28' 49" N; longitude 60° 48' 31" W);
- G. Cap Ferré (latitude 14° 27' 37" N; longitude 60° 48' 30" W);
- H. South-east point of the islet at Toisroux (latitude 14° 24' 37" N; longitude 60° 49' 56" W);
- I. Îlet Cabrits (latitude 14° 23' 19" N; longitude 60° 52' 2" W);
- J. Unnamed islet (latitude 14° 23' 22" N; longitude 60° 52' 15" W);
- K. Rocher du Diamant (latitude 14° 26' 31" N; longitude 61° 2' 21" W);
- L. Pointe du Diamant (latitude 14° 27' 25" N; longitude 61° 3' 53" W);
- M. Morne Jacqueline (latitude 14° 28' 15" N; longitude 61° 4' 56" W);
- N. Cap Salomon (latitude 14° 30' 28" N; longitude 61° 6' 03" W);
- O. Cap Enragé (latitude 14° 38' 59" N; longitude 61° 9' 08" W).

Article 2

The straight baselines and closing lines of bays used to determine the baselines from which the breadth of the French territorial sea adjacent to the Guadeloupe region is measured are those joining points A and B, then C, D and E, then F, G, H, I, then J and K, then L, M, N, O, P, Q, with the following coordinates expressed in WGS 84:

- A. Pointe Morne (western point) (latitude 16° 19' 40" N; longitude 61° 17' 53" W);
- B. La Désirade, Pointe du Grand Nord (latitude 16° 19' 12" N; longitude 61° 4' 26" W);
- C. La Désirade, Pointe Doublé (latitude 16° 20' 2" N; longitude 61° 0' 7" W);
- D. Eastern point of Terre-de-Haut, Îles de la Petite-Terre (latitude 16° 10' 44" N; longitude 61° 6' 6" W);
- E. Reefs south of Pointe de Tali on Marie-Galante (latitude 15° 55' 5" N; longitude 61° 11' 35" W);
- F. Pointe des Basses on Marie-Galante (latitude 15° 51' 58" N; longitude 61° 16' 46" W);
- G. Pointe des Colibris on Grand Îlet, Îles des Saintes (latitude 15° 49' 54" N; longitude 61° 35' 10" W);
- H. Southern point of La Coche (latitude 15° 50' 1" N; longitude 61° 36' 23" W);
- I. Southern point of Terre-de-Bas, Îles des Saintes (latitude 15° 50' 22" N; longitude 61° 38' 2" W);
- J. Gros Cap on Terre-de-Bas, Îles des Saintes (latitude 15° 50' 52" N; longitude 61° 39' 3" W);
- K. Pointe du Vieux Fort (latitude 15° 56' 55" N; longitude 61° 42' 28" W);
- L. Point south of Deshaies cove (latitude 16° 18' 5" N; longitude 61° 48' 9" W);
- M. Pointe du Gros-Morne (latitude 16° 18' 45" N; longitude 61° 48' 10" W);
- N. Islet at Kahouannes, northern point (latitude 16° 22' 14" N; longitude 61° 46' 55" W);
- O. Tête à l'Anglais (latitude 16° 22' 55" N; longitude 61° 45' 56" W);
- P. Pointe Petite Tortue (latitude 16° 30' 45" N; longitude 61° 28' 14" W);
- Q. Pointe de la Grande Vigie (latitude 16° 30' 53" N; longitude 61° 27' 53" W).

Article 3

The straight baselines and closing lines of bays used to determine the baselines from which the breadth of the French territorial sea adjacent to the Guadeloupe region around the island of Saint-Barthélemy is measured are those joining points A, B, C, D, E, F, G, H, I, J, K, L, M and N, with the following coordinates expressed in WGS 84:

- A. Pointe à Toiny east (latitude 17° 53' 43" N; longitude 62° 47' 30" W);
- B. Roches Roubes east (latitude 17° 52' 19" N; longitude 62° 47' 50" W);
- C. Roches Roubes south (latitude 17° 52' 18" N; longitude 62° 47' 53" W);
- D. Île Coco, southern islet (latitude 17° 52' 14" N; longitude 62° 48' 40" W);
- E. Grande Pointe (latitude 17° 52' 44" N; longitude 62° 50' 22" W);
- F. Pain de Sucre, southern point (latitude 17° 53' 47" N; longitude 62° 52' 35" W);
- G. Mancel or La Poule et les Poussins, southern islet (latitude 17° 56' 44" N; longitude 62° 57' 1" W);
- H. Mancel or La Poule et les Poussins, western islet (latitude 17° 56' 50" N; longitude 62° 57' 2" W);
- I. Mancel or La Poule et les Poussins, northern islet (latitude 17° 57' 11" N; longitude 62° 56' 52" W);
- J. Roche Plate or Table à Diable, north-west (latitude 17° 58' 29" N; longitude 62° 55' 49" W);
- K. Île le Boulanger (latitude 17° 57' 24" N; longitude 62° 52' 2" W);
- L. Île Toc Vers, northern islet (latitude 17° 56' 44" N; longitude 62° 49' 6" W);

- M. Les Grenadins, eastern point (latitude 17° 55' 26" N; longitude 62° 47' 38" W);
N. East-north-eastern point (latitude 17° 54' 38" N; longitude 62° 47' 23" W).

Article 4

The straight baselines and closing lines of bays used to determine the baselines from which the breadth of the French territorial sea adjacent to the Guadeloupe region around the island of Saint-Martin is measured are those joining points A, B, C, D, E, F, G, H, I, then J, K, L, M, with the following coordinates expressed in WGS 84:

- A. Falaise des Oiseaux (latitude 18° 4' 26" N; longitude 63° 8' 29" W);
B. Pointe du Bluff (latitude 18° 4' 38" N; longitude 63° 6' 52" W);
C. Pointe Arago (latitude 18° 5' 9" N; longitude 63° 5' 10" W);
D. Northern point of Anse Guichard (latitude 18° 5' 57" N; longitude 63° 4' 30" W);
E. Rocher Crole (latitude 18° 7' 5" N; longitude 63° 3' 26" W);
F. Pointe des Froussards (latitude 18° 7' 24" N; longitude 63° 2' 18" W);
G. Petites Cayes (latitude 18° 7' 28" N; longitude 63° 1' 35" W);
H. Eastern Point (latitude 18° 7' 20" N; longitude 63° 1' 10" W);
I. Île Tintamarre, north-western point (latitude 18° 7' 10" N; longitude 62° 59' 16" W);
J. Île Tintamarre, north-eastern point (latitude 18° 7' 30" N; longitude 62° 58' 14" W);
K. Île Tintamarre, eastern point (latitude 18° 7' 12" N; longitude 62° 58' 16" W);
L. Île Tintamarre, south-western islet (latitude 18° 7' 4" N; longitude 62° 58' 20" W);
M. Point north of Étang aux Huîtres (latitude 18° 3' 14" N; longitude 63° 0' 37" W).

Article 5

The Minister of the Interior, the Minister for Foreign Affairs, the Minister of Defence, the Minister of Capital Works, Transportation and Housing, the Minister of Agriculture and Fisheries, and the Secretary of State for Overseas Matters shall be responsible, each in his or her own area, for the implementation of this decree, which shall be published in the *Journal Officiel* of the French Republic.

For the Prime Minister
Lionel Jospin

The Minister of Capital Works, Transportation and
Housing
Jean-Claude Gayssot

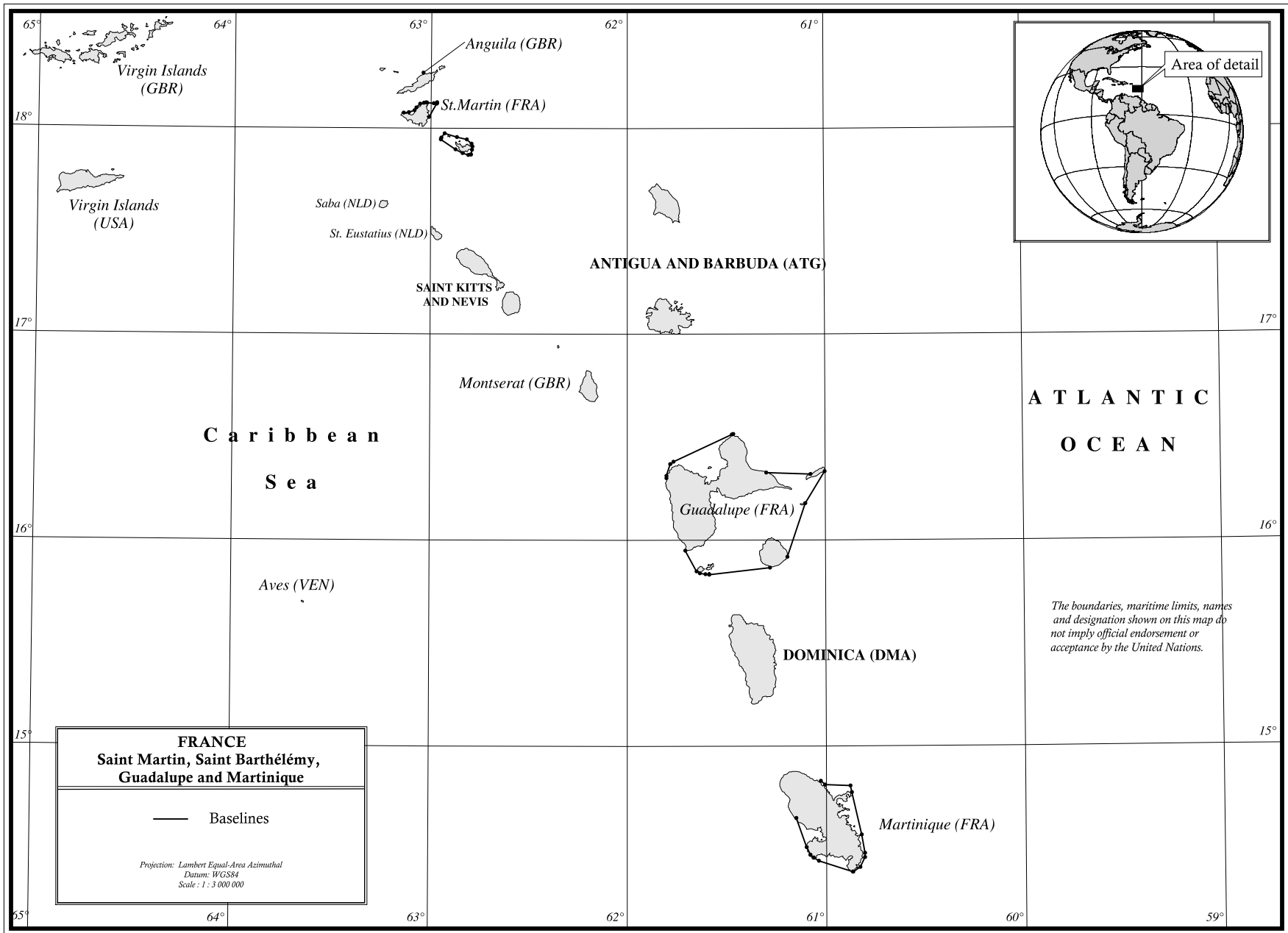
The Minister of the Interior
Jean-Pierre Chevènement

The Minister of Agriculture and Fisheries
Jean Glavany

The Minister for Foreign Affairs
Hubert Védrine

The Secretary of State for Overseas Matters
Jean-Jack Queyranne

The Minister of Defence
Alain Richard



6. Papua New Guinea

Instrument³

Declaration of the baselines by method of coordinates
of base points for purposes of the location of archipelagic baselines

SCHEDULE

Location of archipelagic baselines and coordinates of principal archipelago

Islands and high-water elevation features	Geographical coordinate (WGS 84 Geodetic Datum)	
	Longitude South	Latitude East
1. Wuvulu Island	2 35 36.85423	142 49 52.0
2. Aua Island	1 27 22.85387	143 02 53.0
3. Mame Island	1 18 35.85383	143 34 35.0
4. Palitolla Island (Pellelehu Group)	1 04 32.85376	144 23 46.0
5. Heina Islands	1 06 34.85377	144 29 18.0
6. Sae Islands	0 45 27.85368	145 18 10.0
7. Kaniet Island	0 52 27.85371	145 33 55.0
8. Marengan Island	1 54 07.85401	146 34 45.0
9. Ahet Island	1 54 24.85401	146 36 10.0
10. Poman Island	1 54 22.85401	146 52 30.0
11. Andra Island	1 56 04.85402	146 59 55.0
12. Hapinbuch Island	1 56 19.85402	147 01 03.0
13. Hus Island	1 56 19.85402	147 06 13.0
14. Onpeta Island	1 56 34.85402	147 07 58.0
15. Mandrindr Island	1 56 59.85402	147 11 23.0
16. Pityilu Island	1 57 19.85402	147 13 08.0
17. Hauwei Island	1 57 32.85403	147 17 18.0
18. Ndriso Island	1 57 37.85403	147 19 56.0
19. Koruniat Island	1 58 16.85403	147 21 05.0
20. Los Negros Island	1 58 24.85403	147 21 58.0
21. Pak Island	2 03 59.85406	147 39 20.0
22. Tong Island	2 02 07.85405	147 45 40.0
23. Towi Island	1 59 49.85404	147 55 48.0
24. Putuli Island	1 58 57.85403	148 01 40.0
25. Mbatmanda Island	1 58 17.85403	148 03 58.0

³ Text communicated by the Permanent Mission of Papua New Guinea to the United Nations through a note verbale dated 30 September 2002. Coordinates declared pursuant to Section 8(1) of the National Seas Act, 1977, Act No. 7 of 7 February 1977, published in *Practice of Archipelagic States* (United Nations publication, Sales No. 92.V.3).

26. Mussau Island	1 18 52.85383	149 32 53.0
27. Emirau Island	1 37 26.85392	149 57 30.0
28. Elomusao Island	1 40 33.85394	150 01 50.0
29. Enus Island	1 38 43.85393	150 40 18.0
30. Simberi Island	2 35 49.85424	151 59 45.0
31. Mahur Island	2 46 11.85430	152 39 40.0
32. Boang Island	3 22 14.85452	153 19 55.0
33. Malum Islands	3 06 22.85442	154 26 25.0
34. Southern Nigeria Islands	3 15 14.85447	154 40 28.0
35. Anusagaio Island	6 03 36.85570	155 30 30.0
36. Islands and low-water points around the south-east and south coast of Bougainville to Kabukelai Island	6 57 29.85616	155 30 30.0
37. Motupena Point	6 31 37.85593	155 09 30.0
38. Puruata Island	6 14 57.85579	155 01 38.0
39. Islands and low-water points along the north-west coast of Bougainville (1) to Cape Rungnoum		
40. Cape St. George (New Ireland)	4 51 12.85513	152 52 40.0
41. Cape Orford (New Britain)	5 26 54.85540	152 05 00.0
42. Islands and low-water points along the south coast of New Britain to Kauptimete Island	6 11 10.85576	148 57 05.0
43. Tami Island	6 45 59.85606	147 54 38.0
44. Mitre Rock	8 03 14.85677	148 07 50.0
45. Cape Nelson	8 59 54.87535	149 15 00.0
46. Kanapu Island	8 20 44.85695	150 07 05.0
47. Gwadarab Island	8 18 14.85692	150 06 33.0
48. Kuaniagal Island	8 20 34.85695	150 25 30.0
49. Simlindon Island	8 19 36.85694	150 34 20.0
50. Kudai Island	8 19 36.85694	150 49 00.0
51. Bomatu Point (Kiriwina Island)	8 24 11.85698	151 07 13.0
52. Iwa Island	8 41 47.85716	151 40 40.0
53. Dugumenu	8 47 54.85722	151 55 18.0
54. CarnPoint (Madau Island)	8 56 42.85731	152 27 00.0
55. Woodlark Island	9 00 21.85735	152 47 25.0
56. Cannac Island	9 16 07.85752	153 30 25.0
57. Wabomat Island	9 15 31.85751	153 40 15.0
58. Budelun Island	9 17 16.85753	153 41 48.0
59. Bukulan Island	9 18 21.85754	153 40 35.0
60. Tokona Island	9 34 17.85771	152 29 18.55400

61. Cape Henry (Misima Island)	10 39 41.85844	152 52 00.55400
62. Renard Islands	10 48 21.85854	152 59 40.55400
63. Rossel Island	11 17 33.85889	154 12 38.55400
64. Loa Boloba Island	11 26 59.85900	154 23 52.55400
65. Tagula Island	11 37 39.85913	153 45 52.55400
66. Duchateau Island	11 16 57.85888	152 22 15.55400
67. Monternont Island	11 18 22.85890	152 17 57.55400
68. Punawan Island	11 11 44.85882	152 01 40.55400
69. Duperre Islets	11 10 41.85881	151 57 20.55400
70. Lejeune Island	11 10 34. 85880	151 48 55.55400
71. Long Reef Island	11 09 14.85879	151 40 10.55400
72. Quessant Island	11 09 21 85879	151 15 20.55400
73. Steuers Island	11 06 11.85875	151 07 52.55400
74. Dumoulin Island	10 55 29.85863	150 47 18.55400
75. Harikoia Island	10 46 09.85852	150 24 38.55400
76. Brumer Island	10 46 17.85852	150 21 45.55400
77. Baibesiga Island	10 44 04.85849	150 17 00.55400
78. Suau Island	10 43 37.85849	150 14 28.55400

National Seas Act, section 8

DECLARATION of the baselines by methods of coordinates of base points for purposes of the location of the archipelagic waters.

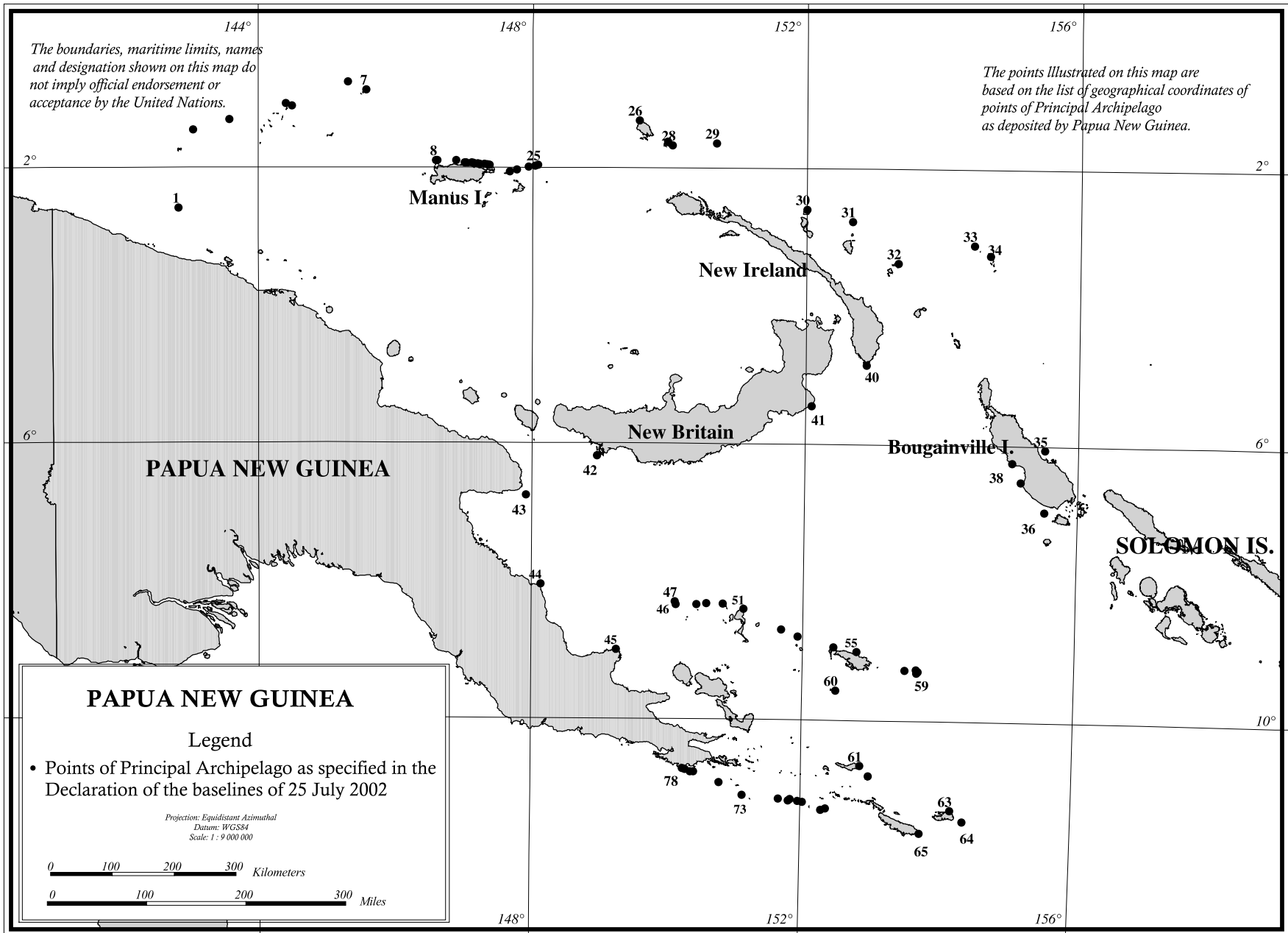
I, the Minister for Foreign Affairs, John D. Waiko, MP., Minister for the National Seas Act, by virtue of section 8 of the National Seas Act 1998, and all other powers and enabling, hereby make the following Declaration for purposes of location of Papua New Guineas archipelagic baselines and base points coordinates of the principal archipelago:

The high waters elevating appearing on schedule 1 relate to islands, reefs and other features used and their relevant coordinates.

Dated this 25th day of July 2002

The Honourable Professor J.D. Waiko, PhD, MP.

Minister for Foreign Affairs



7. Timor-Leste

National Parliament⁴

Law No. 7/2002

Maritime Borders of the Territory of the Democratic Republic of Timor-Leste

The Constitution of the Democratic Republic of Timor-Leste provides in article 4, paragraph 2, that the law must establish and define the extent and the limit of the territorial waters, the exclusive economic zone and the rights of Timor-Leste in the contiguous zone and continental shelf.

The Constitution further provides that such matter shall fall under the exclusive legislative competence of the National Parliament, even if initiated by the Government (article 97, paragraph 1, subparagraph *c*), and article 115, paragraph 2, subparagraph *a*)).

Under the terms of article 92 and of article 95, paragraph 2, subparagraph *b*), of the Constitution of the Democratic Republic of Timor-Leste, the National Parliament enacts the following, which shall have the force of law:

Article 1

Definitions

For the purposes of the present Law:

- (a)* “Baselines” means the baselines from which the width of the territorial sea is measured, as referred to in articles 2 and 3 of the present Law;
- (b)* “Contiguous zone” means the contiguous zone of Timor-Leste, as referred to in article 6 of the present Law;
- (c)* “Continental shelf” means the continental shelf of Timor-Leste, as set out in article 8 of the present Law;
- (d)* “Territory of Timor-Leste” includes the eastern part of the Timor Island, the enclave of Oe-Cusse Ambeno, the island of Ataúro and the isle of Jaco, as well as other islands and natural formations constituting dependencies susceptible of appropriation;
- (e)* “Exclusive economic zone” means the maritime zone beyond the territorial sea of Timor-Leste and adjacent thereto, as established in article 7 of the present Law;
- (f)* “Internal waters” means the internal waters of the territory of Timor-Leste, as referred to in article 4 of the present Law;
- (g)* “Low-tide line” means the low-tide line of the seashores of the territory of Timor-Leste, as shown in official larger-scale maps officially recognized by the Government of Timor-Leste;
- (h)* “Minister” means the Minister as may be designated by the Prime Minister to have competence in matters of maritime spaces and borders of Timor-Leste and of jurisdiction thereover;
- (i)* “Nautical mile” means the international nautical mile of 1,852 metres;
- (j)* “Territorial sea” means the territorial sea of Timor-Leste, as referred to in article 5 of the present Law.

Article 2

Normal baseline

1. Without prejudice to the provisions of article 3, the normal baseline for measuring the width of the territorial sea of Timor-Leste shall be the low-tide line along the coast of the territory of Timor-Leste.

⁴ Text communicated to the Division for Ocean Affairs and the Law of the Sea by the Office of Legal Affairs of the United Nations Mission of Support in East Timor. Translated from Portuguese.

2. Permanent port facilities situated farther away from the coast, which form an integral part of the port system, shall be considered to be a part of the coast.

Article 3
Rivers and bays

1. If a river flows directly into the sea, the baseline shall be a straight line drawn across the mouth of the river between the limit points of the low-tide line of its banks.
2. Without prejudice to the applicable norms of international law, if the sinuosity of the coast forms a bay, the baseline shall be a straight-line segment between the natural entry points into the bay on the low-tide line.
3. Paragraph 2 above shall not apply to “historic bays”, and the Minister may declare a bay as a “historic bay” and define the outer limits of the bay in question.

Article 4
Internal waters

The outer limit of the internal waters of the territory of Timor-Leste shall be the baseline from which the width of the territorial sea of Timor-Leste is measured.

Article 5
Territorial sea

The outer limit of the territorial sea of Timor-Leste shall be defined by a line in which each of the points is situated at a distance of twelve nautical miles from the nearest point of the baseline.

Article 6
Contiguous zone

The outer limit of the contiguous zone of Timor-Leste shall be defined by a line in which each of the points is situated at a distance of twenty-four nautical miles from the nearest point of the baseline.

Article 7
Exclusive economic zone

The outer limit of the exclusive economic zone of Timor-Leste shall be defined by a line in which each of the points is situated at a distance of two hundred nautical miles from the nearest point of the baseline.

Article 8
Continental shelf

The outer limit of the continental shelf of Timor-Leste shall be defined by a line in which each of the points is situated at a distance of two hundred nautical miles from the nearest point of the baseline or by the outer edge of the continental margin, in case the continental margin is located at a distance exceeding two hundred nautical miles from the baseline.

Article 9
Overlapping titles over maritime spaces

Without prejudice to the provisions of articles 5 to 8, in case of overlapping between titles of Timor-Leste and those of neighbouring States over maritime spaces, the delimitation shall be resolved through peaceful means of dispute resolution, in accordance with Article 33 of the Charter of the United Nations, taking into account the principles and rules of international law relating to the delimitation of maritime spaces.

Article 10

Sovereignty, sovereign rights and jurisdiction

1. The sovereignty of Timor-Leste shall, apart from its territory and interior waters, cover the territorial sea and the airspace above the territorial sea, as well as its seabed and subsoil.
2. In its contiguous zone, the State of Timor-Leste shall exercise the required monitoring:
 - (a) To avoid offences against customs, tax, immigration and health laws and regulations in its territory or in its territorial sea;
 - (b) To repress offences against laws and regulations in its territory or in its territorial sea.
3. In its exclusive economic zone, the State of Timor-Leste shall have:
 - (a) Sovereign rights for the purpose of exploring and using, preserving and managing natural resources, living and non-living, in the waters above the seabed, on the seabed and in its subsoil and those relating to other activities aimed at exploring and using the exclusive economic zone of Timor-Leste for economic purposes, such as energy production from water, currents and winds;
 - (b) Jurisdiction concerning:
 - (i) Placement and use of artificial islands, facilities and structures;
 - (ii) Marine scientific research;
 - (iii) Protection and preservation of the maritime environment;
 - (c) Other rights and duties as recognized by international law.
4. The State of Timor-Leste shall exercise sovereign rights over the continental shelf for the purposes of exploring and using its natural resources, as well as other rights as recognized by international law.
5. The sovereign rights exercised by the State of Timor-Leste over the continental shelf shall be independent of its occupation, real or fictitious, or of any express statement.

Article 11

Topographic maps and geographic coordinates

The National Parliament shall, within a reasonable period of time, at its own initiative or through a bill, prepare scale maps appropriate for determining the position of the lines of outer limit and for demarcating the territorial sea, the exclusive economic zone and the continental shelf or, where appropriate, lists of geographic coordinates of points where it is specifically mentioned the geodesic origin of those lines, which shall be duly publicized, and a copy of each of those maps or lists shall be deposited with the Secretary-General of the United Nations, as soon as the international law instruments referred to in article 12 below are received into the internal legal system.

Article 12

International law

The competent organs of sovereignty shall, within a reasonable period of time, through appropriate constitutional and legal mechanisms, promote the approval of, accession to and ratification of the treaties, conventions, agreements and protocols that exist in the area of the law of the sea, particularly the United Nations Convention on the Law of the Sea of 10 December 1982, concluded in Montego Bay, Jamaica, and the Agreement on the Implementation of Part XI of the same United Nations Convention on the Law of the Sea of 10 December 1982.

Article 13
Effect

The present Law shall take effect as from 20 May 2002.

Passed on 23 July 2002.

The Speaker of the National Parliament

Francisco Guterres ‘Lú-Olo’

Promulgated on 24 August 2002.

To be published.

The President of the Republic

José Alexandre Gusmão ‘Kay Rala Xanana Gusmão’

B. Bilateral treaties

1. Muscat Agreement on the Delimitation of the Maritime Boundary between the Sultanate of Oman and the Islamic Republic of Pakistan¹

The Government and people of the Sultanate of Oman and the Government and people of the Islamic Republic of Pakistan,

Recalling the bonds of friendship and good-neighbourly relations existing between them,

Expressing their wish to delimit the maritime boundary between the two countries permanently, equitably and definitively in conformity with international law and relevant international conventions,

Have agreed as follows:

Article 1

The maritime boundary between the exclusive economic zones of the Sultanate of Oman and the Islamic Republic of Pakistan shall be measured from baselines established in conformity with the United Nations Convention on the Law of the Sea of 1982.

Article 2

The delimitation of the maritime boundary between the exclusive economic zones of the Sultanate of Oman and the Islamic Republic of Pakistan shall be based on the median line principle, in conformity with the United Nations Convention on the Law of the Sea of 1982.

Article 3

The delimitation line between the exclusive economic zones of the Sultanate of Oman and the Islamic Republic of Pakistan shall be the geodesic lines, referred to the World Geodetic System 1984 (WGS 84) joining a series of fixed points whose geographical coordinates, referred to WGS 84, are as follows:

Point No.	Latitude (N)	Longitude (E)
1	23 20' 48"	61 25' 00"
2	23 15' 22"	61 32' 48"
3	23 11' 40"	61 38' 11"
4	22 56' 35"	62 00' 51"
5	22 54' 37"	62 03' 50"
6	22 40' 37"	62 25' 17"
7	22 05' 01"	63 08' 23"
8	21 57' 13"	63 14' 21"
9	21 47' 24"	63 22' 13"

¹ Text communicated by the Permanent Mission of the Sultanate of Oman to the United Nations through a note verbale dated 12 August 2002.

Article 4

The delimitation line between the exclusive economic zones of the Sultanate of Oman and the Islamic Republic of Pakistan defined in article 3 of this Agreement is illustrated on United Kingdom Admiralty Chart BA 38 (edition dated 6 March 1992) and United Kingdom Admiralty Chart BA 707 (edition dated 2 January 1997), a copy of each of which is attached hereto².

Article 5

The Government of the Sultanate of Oman and the Government of the Islamic Republic of Pakistan recognize and acknowledge the sovereign rights of their respective States over the seabed, including the subsoil and superjacent waters, within the limits established pursuant to this Agreement.

Article 6

In the event of the discovery of an extension of any geological petroleum structure, individual oil or gas field, mineral or other natural resources that cross the delimitation line defined in article 3 of this Agreement, and the partial or full exploitation of the oil or gas field, mineral or other natural resources on one side of the delimitation line by means of directional drilling from the other side thereof, the following provisions shall apply:

- (1) Exploitation of the aforementioned resources shall be undertaken by mutual agreement of the two States Parties. These resources shall be divided according to the then prevailing rules and customs of international law as well as the principles of justice and equity.
- (2) A zone of 125 metres width on either side of the delimitation line defined in article 3 of this Agreement shall not be exploited by either State Party except by mutual consent.
- (3) In the event of any dispute arising during the implementation of this article, the two States Parties shall do their utmost to reach agreement regarding the best ways of coordinating and unifying their operations on both sides of the delimitation line defined in article 3 of this Agreement.

Article 7

The delimitation line defined in article 3 of this Agreement is illustrated on the two charts mentioned in article 4 of this Agreement. The delimitation line has been drawn on these charts as precisely as is practical within the limitations imposed by their scale. These charts form an integral part of the Agreement, and have the same legal validity as the Agreement. The charts have been prepared in duplicate, and the two States Parties shall sign both sets and shall retain one set each.

Article 8

This Agreement shall be subject to ratification in accordance with the respective legal procedures of the two countries and shall come into force following the exchange of the instruments of ratification between them. A copy of the Agreement shall be deposited with the Secretariat of the United Nations.

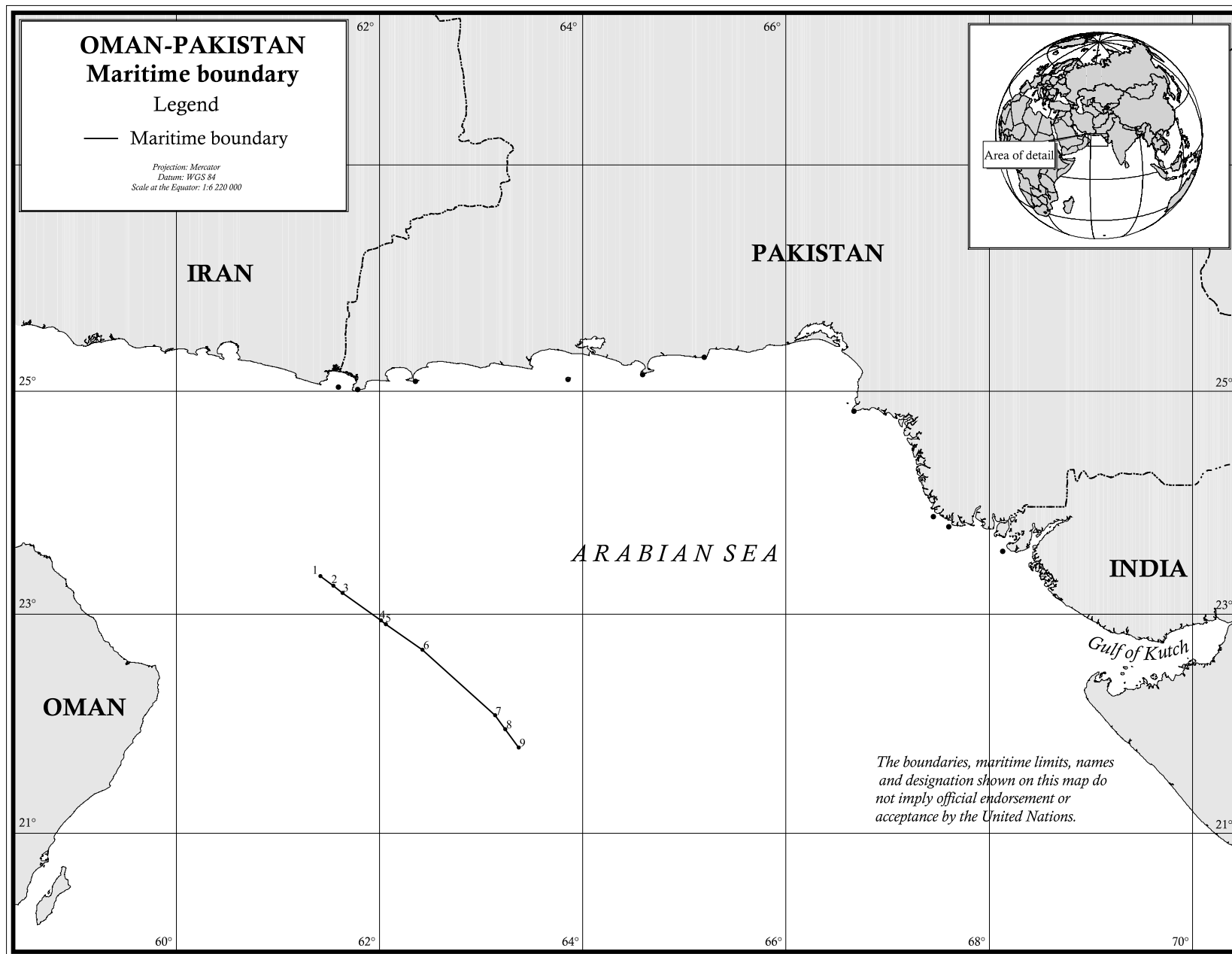
Article 9

DONE at Muscat on this 12th day of June 2000, in duplicate, in the Arabic and English languages, both texts being legally authentic. However, in the event of any divergence in the interpretation of the texts, the English version shall prevail.

For the Government of the Sultanate of Oman

For the Government of the Islamic Republic of Pakistan

² Charts not included.



2. Treaty between the Federal Republic of Nigeria and the Democratic Republic of São Tome and Principe on the Joint Development of Petroleum and other Resources, in respect of Areas of the Exclusive Economic Zone of the Two States³

The Federal Republic of Nigeria and the Democratic Republic of São Tome and Principe:

Taking into account the United Nations Convention on the Law of the Sea, done at Montego Bay on 10 December 1982 and, in particular, article 74(3) which requires States with opposite coasts, in a spirit of understanding and cooperation, to make every effort, pending agreement on delimitation, to enter into provisional arrangements of a practical nature which do not jeopardize or hamper the reaching of the final agreement on the delimitation of their exclusive economic zones,

Fully committed to maintaining, renewing and further strengthening the mutual respect, friendship and cooperation between their countries, as well as promoting constructive neighbourly cooperation,

Acknowledging the existence of an area of overlapping maritime claims as to the exclusive economic zones living between their respective territories ("the Area"),

Determined to pursue their common economic and strategic interests,

Noting the possibility that petroleum and other resources may exist in the Area,

Desiring to enable the exploration for and exploitation of those resources without delay and in an orderly fashion,

Mindful of the interests, which their countries share as immediate neighbours, and in a spirit of cooperation, friendship and goodwill,

Convinced that this Treaty will contribute to the strengthening of the relations between their two countries, and

Believing that the establishment of joint arrangements to permit the exploration for and exploitation of petroleum and other resources in the Area will further augment the range of contact and cooperation between the Governments of the two countries and benefit the development of contacts between their people;

Having decided accordingly to constitute by the present Treaty a joint Development Zone for the Area, without prejudice to the eventual delimitation of their respective maritime zones by agreement in accordance with international law,

Reaffirming that the rules of international law will continue to govern questions not regulated by the provisions of this Treaty,

Have agreed as follows:

PRELIMINARY

Article I
Definitions

For the purpose of this Treaty:

- (1) "applicable law" means this Treaty, and the principles and rules of law applicable in the Zone by virtue of this Treaty;
- (2) "Authority" means the joint Authority established by Part Three of this Treaty;
- (3) "Board" means the Board of the Authority, as referred to in article 10;

³ Text communicated by the Permanent Mission of Sao Tome and Principe to the United Nations through a note verbale dated 23 August 2002.

- (4) "contract area" means a part of the Zone which is the subject of a development contract, but excluding areas which have been relinquished by the contractor;
- (5) "contractor" means a party to a development contract other than the Authority;
- (6) "Council" means the Joint Ministerial Council established under Part Two of this Treaty;
- (7) "development activity" means any economic activity in or concerning the Zone, including petroleum activity, fishing activity, all other activities for the development or exploitation of other mineral or living resources of the Zone, and all forms of exploration and research relating to any of the foregoing;
- (8) "development contract" means any agreement (including leases, licences, production-sharing contracts and concessions) from time to time entered into between the Authority and a contractor in relation to a development activity;
- (9) "exclusive maritime area" means any area of continental shelf or exclusive economic zone, outside the Zone, which pertains to one or other of the States Parties under international law;
- (10) "financial terms" includes all obligations in the nature of taxation (whether production or income based) and any other financial obligations including royalties, payments in kind, production-sharing arrangements and resource rentals;
- (11) "fishing activity" means any activity concerning the harvesting and exploitation of the living natural resources of the Zone;
- (12) "installation" means any structure, device or artificial island utilized in development activities, installed above, in, on or under the seabed, including drilling vessels in situ;
- (13) "national" means a natural or juridical person having the nationality of a State Party in accordance with the laws of that State Party;
- (14) "national body" means a ministry or a governmental or quasi-governmental administrative or technical organ of a State Party responsible for activities in or in the waters of that State Party;
- (15) "operating agreement" means a contract concluded between two or more contractors for the purpose of carrying out development activities in the Zone;
- (16) "operator" means a contractor appointed and acting as operator under the terms of an operating agreement;
- (17) "petroleum" means:
 - (a) Any hydrocarbon or mixture of hydrocarbons, whether in a gaseous, liquid or solid state, naturally occurring beneath the seabed; and
 - (b) Any petroleum as defined by subparagraph (a) that has been returned to a reservoir; and
 - (c) Any other minerals which are produced in association with them;
- (18) "petroleum activities" means all activities of exploration for and exploitation of the petroleum in the Zone;
- (19) "petroleum contractor" means a contractor in respect of a petroleum development contract;
- (20) "petroleum, development contract" means a development contract relating to petroleum;
- (21) "pollution" means the introduction of substances or energy into the marine environment, including estuaries, which results or is likely to result in deleterious effects such as harm to living resources and marine life, hazards to human health, impairment of quality for use of seawater or reduction of amenity;
- (22) "Secretariat" means the secretariat of the Authority as referred to in article 14;
- (23) "Special Regime Area" means the area more particularly defined in paragraph 1 of the appendix;
- (24) "States Parties" means the Federal Republic of Nigeria and the Democratic Republic of São Tome and Principe;
- (25) "Zone" means, subject to article 5 and paragraph 5 of article 31, the area of seabed and subsoil, together with the superjacent waters, established as a joint development zone under article 2;

(26) "Zone Plan" means the development plan or plans from time to time adopted by the Council, pursuant to Part Seven of this Treaty, for activities in the Zone.

PART ONE
THE JOINT DEVELOPMENT ZONE

Article 2
Establishment of joint development zone

2.1 The Zone is hereby established as an area of joint development by the States Parties in accordance with, and for the purposes set out in, this Treaty.

2.2 The area covered by the Zone shall be as follows:

(a) The area of the sea which is bounded by geodesic lines joining the following points using the WGS 84 Datum in the order listed below; and

(b) The seabed, subsoil and the superjacent waters thereof:

Latitude				Longitude			
°	'	”		°	'	”	
03	02	22	N	07	07	31	E
02	50	00	N	07	25	52	E
02	42	38	N	07	36	25	E
02	20	59	N	06	52	45	E
01	40	12	N	05	57	54	E
01	09	17	N	04	51	38	E
01	13	15	N	04	41	27	E
01	21	29	N	04	24	14	E
01	31	39	N	04	06	55	E
01	42	50	N	03	50	23	E
01	55	18	N	03	34	33	E
01	58	53	N	03	53	40	E
02	02	59	N	04	15	11	E
02	05	10	N	04	24	56	E
02	10	44	N	04	47	58	E
02	15	53	N	05	06	03	E
02	19	30	N	05	17	11	E
02	22	49	N	05	26	57	E
02	26	21	N	05	36	20	E
02	30	08	N	05	45	22	E
02	33	37	N	05	52	58	E
02	36	38	N	05	59	00	E
02	45	18	N	06	15	57	E

Latitude				Longitude			
°	'	''		°	'	''	
02	50	1S	N	06	26	41	E
02	51	29	N	06	29	27	E
02	52	23	N	06	31	46	E
02	54	46	N	06	38	07	E
03	00	24	N	06	56	58	E
03	01	19	N	07	01	07	E
03	01	27	N	07	01	46	E
03	01	44	N	07	03	07	E
03	02	22	N	07	07	31	E

2.3 The area covered by the Zone is depicted for illustrative purposes on the attached map⁴. The Authority may for its purposes more accurately depict the boundaries of the Zone on a chart or charts of appropriate scale.

Article 3
Principles of joint development

3.1 Within the Zone, there shall be joint control by the States Parties of the exploration for and exploitation of resources, aimed at achieving optimum commercial utilization. The States Parties shall share, in the proportions Nigeria 60 per cent, São Tome and Principe 40 per cent, all benefits and obligations arising from development activities carried out in the Zone in accordance with this Treaty.

3.2 No development activities shall be conducted or permitted in the Zone except in accordance with this Treaty.

3.3 The rights and responsibilities of the States Parties to develop the Zone shall be exercised by the Council and the Authority in accordance with this Treaty.

3.4 The petroleum and other resources of the Zone shall be exploited efficiently in accordance with this Treaty, having due regard to the protection of the marine environment, and in a manner consistent with generally accepted good oilfield and fisheries practice.

3.5 Subject to paragraph 4, the Council and the Authority shall take all necessary steps to enable the commencement of exploration for and exploitation of the petroleum resources of the Zone as soon as possible after the entry into force of this Treaty.

Article 4
No renunciation of claims to the Zone

4.1 Nothing contained in this Treaty shall be interpreted as a renunciation of any right or claim relating to the whole or any part of the Zone by either State Party or as recognition of the other State Party's position with regard to any right or claim to the Zone or any part thereof.

4.2 No act or activities taking place as a consequence of this Treaty or its operation, and no law operating in the Zone by virtue of this Treaty, may be relied on as a basis for asserting, supporting or denying the position of either State Party with regard to rights or claims over the Zone or any part thereof.

⁴ Map not included.

Article 5
Special regime

5.2 The provisions of this Treaty (except this article, articles 1, 2, 4, 50, 51, paragraphs 2 and 3 of article 52 and the appendix) shall not apply to the Special Regime Area, and references therein to the Zone shall be read and construed accordingly.

The Special Regime Area shall for the duration of this Treaty be administered in accordance with the provisions of the appendix.

PART TWO
THE JOINT MINISTERIAL COUNCIL

Article 6
Composition of the Council

6.1 A Joint Ministerial Council for the Zone is hereby established.

6.2 The Council shall comprise not less than two nor more than four Ministers or persons of equivalent rank appointed by the respective Heads of State of each State Party.

6.3 The Council does not have separate legal personality.

6.4 Any member of the Council may by written notice to the Secretariat nominate a representative to participate on his or her behalf at one or more meetings of the Council. Subject to the specific terms of the nomination, every such representative shall be entitled, in the absence of the designating member, to exercise any power or function of that member as a member of the Council, including counting, towards a quorum.

6.5 The Executive Director, acting as Secretary of the Authority, shall also act as Secretary of the Council.

Article 7
Meetings and decisions of the Council

7.1 The quorum for a valid meeting of the Council shall be at least half the members, including at least one appointed by each of the States Parties.

7.2 The Council shall meet at least twice a year and as often as may be required, alternately in Nigeria and in São Tomé and Príncipe. The first meeting shall be held not later than 60 days after the entry into force of this Treaty.

7.3 Meetings shall be chaired by a member nominated by the host State Party.

7.4 All decisions of the Council shall be adopted by consensus.

7.5 The Council may establish its own procedures, including procedures for taking decisions out of session.

7.6 No decision of the Council shall be valid unless it is recorded in writing and signed by at least one member from each State Party.

Article 8
Functions and powers of the Council

8.1 The Council shall have overall responsibility for all matters relating to the exploration for and exploitation of the resources in the Zone, and such other functions as the States Parties may entrust to it.

8.2 The functions of the Council shall include the following:

- (a) To give directions to the Authority on the discharge of its functions under this Treaty;
- (b) To approve rules, regulations (including staff regulations) and procedures for the effective functioning of the Authority;

- (c) To consider and approve the audited accounts and audit reports of the Authority;
 - (d) To consider and approve the annual report of the Authority;
 - (e) To review the operation of this Treaty and to make recommendations to the States Parties on any matter concerning the functioning or amendment of this Treaty as may be appropriate;
 - (f) To approve development contracts which the Authority may propose to enter into with any contractor;
 - (g) To approve the termination of development contracts entered into between the Authority and contractors;
 - (h) Subject to the provisions of paragraph 2 of article 18, to approve the distribution to the States Parties of revenues or products derived from development contracts in the Zone;
 - (i) To consider and approve the annual budget of the Authority;
 - (j) To approve the opening of bank accounts by the Authority;
 - (k) To vary any time limit imposed upon the Authority under the terms of this Treaty;
 - (l) Through consultation, to settle disputes in the Authority;
 - (m) To appoint the external auditors for the Authority and approve their remuneration.
- 8.3 Each of the States Parties shall have full access on request to all papers of the Council and the Authority.
- 8.4 The Council, its members and its Secretary shall be entitled to use the services of the Secretariat of the Authority as necessary for the discharge of their functions under this Treaty.

PART THREE THE JOINT AUTHORITY

Article 9 Establishment, functions and powers

- 9.1 The Authority is hereby established.
- 9.2 The Authority shall have juridical personality in international law and under the law of each of the States Parties and such legal capacities under the law of both States Parties as are necessary for the exercise of its powers and the performance of its functions. In particular, the Authority shall have the capacity to contract, to acquire and dispose of movable and immovable property and to institute and be party to legal proceedings.
- 9.3 The Authority shall be responsible to the Council.
- 9.4 Unless and until the Council otherwise decides, the seat of the Authority shall be at Abuja, Nigeria, with a subsidiary office in São Tomé, São Tomé and Príncipe.
- 9.5 The Authority shall commence functioning on entry into force of this Treaty.
- 9.6 The Authority, subject to directions from the Council, shall be responsible for the management of activities relating to exploration for and exploitation of the resources in the Zone, in accordance with this Treaty.
- In particular, the Authority shall have the following functions:
- (a) The division of the Zone into contract areas, and the negotiation, tendering for and issue and supervision of contracts with respect to such areas;
 - (b) Entering into development contracts with contractors, subject to the approval of the Council;
 - (c) Oversight and control of the activities of contractors;
 - (d) Recommending to the Council the termination of development contracts;

- (e) Terminating development contracts, subject to the approval of the Council;
 - (f) Subject to paragraph 2 of article 18, collecting and, with the approval of the Council, distributing between the two States Parties the proceeds or products of the Authority's share of production from development contracts;
 - (g) Preparation of budgets of the Authority for submission to the Council. Expenditure shall be incurred in accordance with budgets or estimates approved by the Council or otherwise in accordance with regulations and procedures approved by the Council;
 - (h) Controlling the movements into, within and out of the Zone of vessels, aircraft, structures, equipment and people;
 - (i) The establishment of safety zones and restricted zones, consistent with international law, to ensure the safety of navigation, petroleum activities, fishing activities and other development activities and the effective management of the Zone;
 - (j) Issuing regulations and giving directions on all matters related to the supervision and control of operations, including on health, safety and environmental issues;
 - (k) The regulation of marine scientific research;
 - (l) Preparation of annual reports for submission to the Council;
 - (m) Inspecting and auditing contractors' books and accounts relating to development contracts, for any calendar year;
 - (n) Making recommendations to the States Parties on any issues arising as to the applicable law, and on any changes to that law which may be necessary to promote the development of the resources of the Zone;
 - (o) The preservation of the marine environment, having regard to the relevant rules of international law applicable to the Zone;
 - (p) The collection and exchange of scientific, technical and other data concerning the Zone and its resources;
 - (q) The appointment and dismissal of technical and other staff of the Authority other than Executive Directors;
 - (r) Requesting action by the appropriate authorities of the States Parties consistent with this Treaty, in respect of the following matters:
 - (i) Search and rescue operations in the Zone;
 - (ii) Deterrence or suppression of terrorist or other threats to vessels and structures engaged in development activities in the Zone; and
 - (iii) The prevention or remedying of pollution;
 - (s) Consideration of matters from time to time specifically referred to it by the Council or by either State Party; and
 - (t) Such other functions as may be conferred upon it by the Council.
- 9.7 The working language of the Authority shall be English.

Article 10
The Board

10.1 Subject to this Treaty and to any direction of the Council, the Authority shall be governed by a Board consisting of four Executive Directors. Two (and their replacements from time to time) shall be appointed by the Head of State of Nigeria from among Nigerian nationals of suitable qualifications and experience, and two (and their replacements from time to time) shall be appointed by the Head of State of São Tome and Principe from among nationals of São Tome and Principe of suitable qualifications and experience. All such appointments shall be effected by notice in writing served upon the Head of the other State Party. Executive Directors shall hold office for such period as the appointing Head of State shall determine, normally for a period of six years once renewable or until a replacement is appointed.

10.2 Executive Directors may from time to time be assigned by the Council, on a three-year basis, to head various departments of the Authority, including, to act as Secretary of the Authority and Head of the Secretariat.

10.3 The Board shall meet on the request of the Council, either State Party or any Executive Director, or otherwise, as often as necessary for the discharge of its functions.

10.4 The quorum for a valid meeting of the Board shall be at least two Executive Directors, including at least one appointed by each State Party.

10.5 Decisions of the Executive Directors of the Authority shall be arrived at by consensus. Where consensus cannot be reached, the matter shall be referred to the Council.

10.6 Unless the Board otherwise decides, it shall meet at the seat of the Authority.

10.7 No decision of the Board shall be valid unless recorded in writing and signed by two Executive Directors, including at least one appointed by each State Party.

10.8 The personnel of the Authority shall be appointed by the Board under terms and conditions, approved by the Council, that have regard to the proper functioning of the Authority.

10.9 Unless the Council otherwise decides, it shall appoint one of the Executive Directors to act as Chairman of the Authority and of the Board, such appointments to be for a one-year period.

10.10 Subject to this Treaty and to any direction of the Council, the Board may determine its own procedures.

Article 11 Accountability

11.1 The Authority shall in all respects be responsible and accountable to the Council and shall comply with all directions from time to time given to it by the Council.

11.2 The Secretariat and all other administrative agencies or organs and technical or other committees of the Authority shall in all respects be responsible and accountable to the Board.

11.3 The Authority shall produce an annual report on its activities and on the progress made in the Zone, in accordance with any directions of the Council, and shall submit it to the Council for approval.

Article 12 Privileges and immunities

12.1 The Authority shall be immune from all forms of taxation in respect of its activities under this Treaty.

This is without prejudice to the application of non-discriminatory fees or charges for services in respect of activities of the Authority on the territory of a State Party to the extent that a national authority of that State Party would be subject to corresponding fees or charges in respect of equivalent activities.

12.2 The Authority shall be immune from the jurisdiction of any court or tribunal of a State Party except as concerns:

(a) Commercial transactions entered into on the territory of the State Party in question, to the extent that such transactions are not subject to dispute resolution under article 47;

(b) Non-discretionary decisions which would be reviewable if they were made in equivalent circumstances by a national authority on the territory of the State party in question.

12.3 The Executive Directors, officers and other personnel of the Authority who are nationals of one or other State Party shall be subject to taxation in respect of any remuneration for services performed under this Treaty only by the State Party of their nationality, irrespective of where the services in question are performed.

12.4 A person who is a national of both States Parties shall be required to elect which of the two nationalities is to be treated as effective for the purposes of this Treaty.

Article 13
Supply of service

- 13.1 Subject to this Treaty and in accordance with the principles set out in article 3, for the accomplishment of its functions, the Authority may use technical structures and other services already existing in the States Parties. Different services may be requested from different entities.
- 13.2 The entities to which such delegation is made shall be accountable to the Authority.
- 13.3 The immunities of the Authority under paragraphs 1 and 2 of article 12 shall apply to the activities of any entity exercising delegated functions under the present article.
- 13.4 A delegation under paragraph 1 of this article remains in force in accordance with its terms until it is revoked by the Board.
- 13.5 Any entity to which functions are delegated under paragraph 1 shall accept the secondment to its staff, at appropriate levels of seniority, of nominees of any State Party not already involved in the entity, for the purposes of training and exchange of information and expertise, and shall involve those persons to the fullest extent in the exercise of the delegated functions.
- 13.6 The number and placement of the persons referred to in paragraph 5 are subject to agreement between the States Parties, having regard to the extent of the functions to be performed and the needs for personnel development and training of the State Party not already involved in the entity.
- 13.7 Costs and other expenses, including personnel costs and expenses, incurred in the exercise of delegated functions, are reimbursable, subject to the terms and conditions agreed upon with the Authority.
- 13.8 The staff of or retained by the Authority (including the Secretariat) shall be selected on a basis which ensures that the maximum percentage of such staff who are nationals or residents of São Tome and Principe does not exceed 40 per cent.

PART FOUR
ADMINISTRATIVE SERVICES

Article 14
Secretariat and other services

- 14.1 The Authority shall establish a Secretariat, headed by one of the Executive Directors as Secretary on a three-year rotating basis, to carry out the administrative work of the Council and the Authority.
- 14.2 All appointments to the Secretariat shall be made, by the Board, within the limits and subject to any procedures laid down by the Council.
- 14.3 The officers and staff of the Secretariat shall be recruited on such terms as the Authority approves.

Senior appointments shall be subject to approval by the Council. Such officers and staff may, but need not, be selected from among the officials or employees, or former officials or employees, of the Government of either State Party.

PART FIVE
DUTIES OF PERSONNEL

Article 15
Impartiality and conflicts of interest

- 15.1 Members of the Board, officers and other staff of the Authority in their capacities as such shall have regard to the interests of the Authority alone, and shall act with impartiality and without favouring either of the States Parties at the expense of the other. This principle shall apply equally to a national body or other entity and its personnel in respect of the exercise by it of delegated functions under article 13.

15.2 Unless otherwise expressly approved by the Council, no Executive Director, officer or other staff member of the Authority may have any direct or indirect financial interest in development activities in the Zone.

15.3 Executive Directors, officers and other staff members of the Authority shall, before assuming their functions, make a written declaration under oath, in a form approved by the Council, detailing any direct or indirect interest which might reasonably be considered to amount to a financial interest as referred to in paragraph 2.

Article 16
Confidentiality

16.1 Members of the Board, officers and other staff of the Authority, as well as each State Party, shall treat the contents of all confidential papers and information produced or received for the purposes of or pursuant to this Treaty as confidential, and shall not further disclose or publish any such document or information without the authority of both States Parties or, as the case may be, of the other State Party.

16.2 No Executive Director or officer or other staff member of the Authority shall disclose, during or after the termination of their functions, any industrial secret or proprietary data which comes to the knowledge or into the possession of the Authority, or any other confidential information coming to his or her knowledge by reason of his or her holding a position in the Authority.

16.3 This article does not derogate from any other obligation upon a person, or any remedy available to the Authority or to a State Party, in respect of any actual or potential breach of confidentiality.

PART SIX
FINANCE

Article 17
Budgets, accounts and audit

17.1 The Authority shall be financed from revenues collected as a result of its activities. The States Parties shall advance such funds as they jointly determine to be necessary to enable the Authority to commence its operations.

17.2 All funds paid or payable to the Authority shall be held by the Authority in such accounts, as it shall establish, in accordance with subparagraph 2 (j) of article 8.

17.3 The Authority shall prepare and maintain full, proper and up-to-date accounts, balance sheets, budgets and cash-flow projections, in accordance with good international accountancy practice and with any directions of the Council.

17.4 All costs and expenses from time to time incurred by the Council, the Authority and their respective members and other personnel shall be paid by the Authority.

17.5 All such costs and expenses shall be subject to a budgetary and accounting system to be established by the Authority and approved by the Council within five months of the entry into force of this Treaty.

17.6 All budgets, costs and expenses, and in addition all other receipts and payments by the Authority, and all accounts of the Authority, shall be audited annually by external auditors approved by the Council.

17.7 Any shortfall in the approved budget for any accounting period shall be borne by the States Parties in the proportions Nigeria 60 per cent, São Tome and Principe 40 per cent. Unless the Council otherwise decides, budgetary contributions under this paragraph shall constitute interest-free loans to the Authority, repayable as first charges on the surplus of the Authority in any subsequent accounting period.

17.8 The Authority shall comply with the budgetary procedures in force and shall make efficient use of its available resources.

Article 18
Application of surpluses

18.1 The Authority may with the approval of the Council establish such reserve funds as it considers prudent.

18.2 All surpluses of revenue over expenditure shall, after the establishment of such reserve funds, be promptly paid, without deduction or withholding, to the national treasuries of the States Parties in the proportions Nigeria 60 per cent, São Tome and Principe 40 per cent, as shall any sum held in a reserve fund which is no longer required.

PART SEVEN
THE ZONE PLAN

Article 19
Preparation and approval of the Zone Plan

19.1 As soon as practicable following the entry into force of this Treaty, the Authority shall meet in order to prepare an initial Zone Plan in accordance with the principles set out in article 3, so as to establish ways in which the resources of the Zone may be developed in an efficient, economical and expeditious manner.

19.2 For the purposes of paragraph 1, the States Parties have provided each other with all material information available to them in respect of economic activity, actual or prospective, within the Zone.

19.3 The Zone Plan is subject to the approval of the Council, which may approve it with or without amendment or refer it back to the Authority with recommendations for further work or instructions for change.

19.4 The Zone Plan as approved by the Council shall be published in an appropriate manner by the Authority and the States Parties.

19.5 Matters which are not included in the Zone Plan shall be governed by this Treaty or, in the absence of any provision in this Treaty, by decisions of the Council or supplemental agreement between the States Parties.

Article 20
Periodic review of the Zone Plan

20.1 Unless otherwise directed by the Council, the Authority shall review and revise the Zone Plan at least every three years and submit any proposed revisions to the Council for adoption.

20.2 Pending adoption of any revised Zone Plan, the previously approved Zone Plan shall remain in force.

20.3 Paragraphs 3 to 5 of article 19 apply to any proposed or approved revision of the Zone Plan.

PART EIGHT
REGIME FOR PETROLEUM IN THE ZONE

Article 21
Regulatory and tax regime for petroleum activities

21.1 As soon as practicable following the entry into force of this Treaty and in any event within a three-month period, the Authority shall prepare for the approval of the Council a regulatory and tax regime consistent with this Treaty, which shall be the applicable law relating to the exploration for and exploitation of petroleum in the Zone.

21.2 Within six months of the entry into force of this Treaty, the draft regulatory and tax regime shall be adopted by the Council with such modifications as the Council considers appropriate. By virtue of such adoption the regime shall (subject to article 5) become legally applicable to petroleum activity throughout the Zone, and shall be enforced accordingly by the Authority.

21.3 Upon its adoption, the regulatory and tax regime shall be promptly published by the Authority.

21.4 The Council may at any time adopt such modifications as it thinks fit to the regulatory and tax regime so established, and any such modification shall immediately become legally applicable in the Zone and enforced by the Authority.

21.5 The Authority shall promptly publish every such modification to the regulatory and tax regime.

Article 22

Customs and duty exemptions

22.1 Petroleum equipment shall not be subject to any customs duties or other taxes and duties in respect of its import into, use in or export from the Zone unless and to the extent the Council otherwise decides. Nothing in this article shall affect a State Party's rights in respect of export or import, following the completion of its use in the Zone of petroleum equipment having the territory of that State Party as its country of, respectively, origin or destination.

22.2 For the purposes of this article, "petroleum equipment" includes installations, plant and equipment (including drilling rigs) and any materials and other goods necessary for the conduct of petroleum activities in the Zone.

22.3 The shipment of petroleum extracted from the Zone to areas within the jurisdiction of the States Parties shall be free of all taxes and duties other than those provided for in the financial terms of the relevant development contract.

Article 23

General regime for petroleum development contracts

23.1 No petroleum activities may be undertaken in the Zone other than pursuant to a petroleum development contract between the Authority and one or more contractors.

23.2 Unless the Council otherwise decides, and in accordance with procedures laid down by the Council for tendering, the principle of holding licensing rounds must be followed prior to the signature of any petroleum development contract.

Article 24

Financial regime for petroleum development contracts

24.1 The financial (including fiscal) obligations of contractors to the Authority in respect of petroleum activities in the Zone shall be exclusively determined by the financial terms of petroleum development contracts approved under this article.

24.2 In addition to the financial terms imposed by the regulatory and tax regime established pursuant to article 21, the Authority may impose such other terms, not inconsistent with the foregoing, as it may formulate, having regard to the requirement to balance the following needs:

- (a) To obtain optimum revenues for the Authority and through the Authority the States Parties, from commercial exploitation of the resources;
- (b) To encourage commercial exploitation and provide incentives for investment;
- (c) To ensure clarity and certainty of operation;
- (d) To ensure as far as possible that contractors' tax payments under the financial terms qualify for double taxation relief, including in third States;
- (e) To ensure optimum utilization of any fields wholly or partly within the Zone over the life of those fields.

24.3 The States Parties shall take all appropriate measures within their national legal systems to ensure that the financial terms are enforced.

24.4 Neither State Party shall tax development activities in the Zone or the proceeds deriving therefrom except in accordance with this article. This does not affect the States Parties' rights to tax any profits arising from the processing or further treatment of petroleum beyond the initial treatment necessary to effect its sale as a raw material.

Article 25
Rights and duties of contractors

25.1 A contractor shall have exclusive rights to carry out the activities authorized under its respective petroleum development contract for the duration of the latter, subject to compliance with its terms and the applicable law.

25.2 A contractor may dispose of any petroleum to which it is entitled under the relevant development contract, subject only to any non-discriminatory restrictions the Authority may impose on landing, identity of the purchaser and verification of the volumes concerned.

Article 26
Effect of cancellation or suspension of petroleum development contractors on co-contractors

26.1 If following a contractor's default the Authority cancels a petroleum development contract held jointly by more than one contractor, the Authority shall offer a new contract for that area to any contractor(s) not in default, as far as possible on similar terms to those of the previous contract.

26.2 The offer may be subject to:

- (a) A requirement that the offeree(s) remedy any consequences of the default;
- (b) The acceptance by the offeree(s) of a suitable replacement contractor identified by or acceptable to the Authority.

26.3 This article is without prejudice to any obligations to which the other contractor(s) may be liable under the original petroleum development contract.

Article 27
Assignment of contractor's rights

A contractor's rights and obligations under a petroleum development contract shall not be transferred without the consent of the Authority. The Authority shall not unreasonably withhold its consent where the proposed transferee is financially and technically qualified and otherwise meets any requirements maintained by the Authority.

Article 28
Operations by petroleum contractors in the territory of the States Parties outside the Zone.

Within the territory of either State Party, petroleum contractors may acquire, construct, maintain, use and dispose of buildings, platforms, tanks, pipelines, terminals and other facilities necessary for petroleum activities in the Zone in accordance with the laws and regulations of the State Party concerned.

Article 29
Access to operations

29.1 In accordance with the principles of joint development set out in article 3, each State Party is entitled to:

- (a) The benefit of non-discriminatory consideration of its nationals' applications for petroleum development contracts;
- (b) Monitor, and be kept regularly informed as to the progress of, petroleum development activities in the Zone;

(c) Obtain access to geological data, subject to obligations of confidentiality under article 16 or otherwise;

(d) Independently meter, monitor or inspect any petroleum activities (including the right of access to installations in order to carry out such metering, monitoring or inspection).

29.2 The Authority and/or the States Parties shall adopt procedures in respect of metering production designed to ensure agreement on the quantities of petroleum uplifted.

Article 30

Inspections rights

30.1 The Authority, acting either itself or through a national body or third party, shall have responsibility for the inspection of petroleum activities, related installations and pipelines, and for the supervision of operations carried out on such pipelines and installations situated in the Zone.

30.2 The Authority shall decide upon the certification procedures to be followed by the inspectors carrying out the activities referred to in paragraph 1.

30.3 Where, in the opinion of a State Party, it appears to it, following an inspection, that applicable laws are not being observed in the Zone, that State Party may by written notice request the Authority to remedy the situation.

30.4 If the Authority fails or refuses to take action at such request by one of the States Parties, that State Party may refer the matter to the Council.

30.5 Unless otherwise directed, the inspectors referred to in paragraph 1 may order the immediate cessation of any or all petroleum operations in the Zone if such a course appears necessary or expedient:

- (a) For the purpose of avoiding an accident involving loss of life or danger to life;
- (b) For the purpose of avoiding actual or threatened damage;
- (c) To protect the coastline or other maritime interests of either State Party, including fishing interests, against actual or potential pollution;
- (d) Due to force majeure distress or an emergency which may give rise to reasonable fears of major harmful consequences; or
- (e) To minimize the consequences of such a casualty or other accident.

30.6 The content of and justification for any such order must be reported immediately to the Board.

30.7 The Board shall thereafter meet promptly to consider the actions necessary for the safe and speedy resumption of operations.

Article 31

Petroleum unitisation

31.1 If any single geological petroleum structure or petroleum field exists, verified by drilling to extend across the dividing line between the Zone and an exclusive maritime area of one of the States Parties, and part of such structure or field which is situated on one side of the dividing line is exploitable, wholly or in part, from the other side of the said dividing line, either of the States Parties may give notice thereof to the other, whereupon the States Parties shall endeavour to reach agreement upon a fair and reasonable basis for the unitization of such structure or field, having regard to the principles set out in article 3 and the respective proportion of the petroleum located on each side of the dividing line. If such agreement is not reached within nine months following the giving of such notice, a fair and reasonable apportionment shall be made, having regard as aforesaid, of the petroleum to be taken from the structure or field. Such apportionment shall be with retrospective effect back to the start of production provided that the State Party which has given notice did so with reasonable promptitude after the verification by drilling.

31.2 If any single geological petroleum structure or petroleum field exists, verified by drilling to extend across the dividing line between any contract areas within the Zone, and the part of such structure or field which is situated on one side of the dividing line is exploitable, wholly or in part, from the other side of the said dividing line, the Council shall seek to reach agreement as to the manner in which the structure or field can most effectively be exploited and the manner in which the fiscal returns should be apportioned, having regard to the principles set out in article 3 and to the respective proportion of the resource located on each side of the dividing line.

31.3 If any single geological petroleum structure or petroleum field exists, verified by drilling to extend across the dividing line between the Zone and an exclusive maritime area of a third State, and the part of such structure or field which is situated on one side of the dividing line is exploitable, wholly or in part, from the other side of the said dividing line, then the Authority shall consider whether to seek to reach agreement with the third State as to the manner in which the structure or field can most effectively be exploited and the manner in which the fiscal returns shall be apportioned, having regard to the respective proportions of the resource located on each side of the dividing line and, so far as concerns the rights of the States Parties, to the principles set out in article 3. No such agreement with a third State shall be reached without the approval of the Council.

31.4 The Authority shall take any necessary steps, in consultation with any contractors, to give effect to any agreement reached under paragraphs 1, 2 and 3.

31.5 For the purposes of this article 31, the Special Regime Area shall be treated as if it were outside the Zone and exclusively within the exclusive maritime area of Nigeria.

PART NINE OTHER RESOURCES OF THE ZONE

Article 32 Provision in the Zone Plan for non-petroleum resources

The Zone Plan may make provision for non-petroleum development activities within the Zone, to such extent as the Authority considers appropriate or the Council may direct.

Article 33 Development of regulatory and tax regime

As and when required by the Zone Plan or otherwise considered appropriate by the Council, the Authority shall prepare and submit to the Council proposals for regulatory and tax regimes applicable to non-petroleum development activities within the Zone.

Article 34 Arrangements in the absence of a regulatory and tax regime for non-petroleum development activities

34.1 In the absence of any special regime proposed under article 33 and approved by the Council, the States Parties shall apply the provisions of their own laws relating to the exclusive economic zone to the activity of their own nationals in the Zone, but shall refrain from applying those laws to the conduct of persons who are nationals of the other State Party.

34.2 Each State Party may accept, in accordance with its own laws, applications by non-nationals to engage in non-petroleum development activity in the Zone, but shall forthwith inform the other State Party of each such application. In the absence of a reasonable objection from that State Party within one month, the State Party applied to may consider the application on its merits and decide upon it.

34.3 If the State Party applied to considers that, notwithstanding an objection under paragraph 2, the application ought nonetheless to be approved, it shall refer the application to the Council for a decision.

34.4 In dealing with applications under this article, States Parties and the Council shall take into account:

- (a) The principles set out in article 3;

(b) Their respective obligations under the United Nations Convention on the Law of the Sea and under any Convention in force related thereto;

(c) In the case of living marine resources, any determination by the Council of the allowable catch within the Zone for the period in question.

34.5 A person to whom permission to engage in a non-petroleum development activity in the Zone is given under this article may carry out that activity, subject to the laws of the authorizing State Party and to its exclusive administration.

Article 35
Information and monitoring

35.1 Each State Party shall, through the Authority, periodically inform the other of the outcome of applications made, whether by nationals or non-nationals, in respect of non-petroleum development activity in the Zone.

35.2 The Authority may request further information as to the consequences of development activities carried out pursuant to this Part. The States Parties shall comply with all reasonable requests in this regard.

PART TEN
MISCELLANEOUS

Article 36
Employment and training

36.1 The Authority may issue guidelines in respect of the employment and training policies to be followed by contractors in the Zone for the purposes of:

- (a) Enhancing the employment opportunities of nationals of the States Parties consistent with the safe and efficient conduct of petroleum and other development activities;
- (b) Assisting to the extent practicable the equitable division of employment and training benefits between the States Parties.

36.2 The terms of development contracts shall comply with such guidelines.

36.3 The States Parties shall cooperate in the administration of their immigration and employment laws so as to facilitate the issue of visas and work permits for the purposes of development contracts in relation to the Zone.

Article 37
Health and safety

37.1 The Authority shall take all reasonable steps to secure the health and safety of personnel engaged in development activities and the safety of the installations and pipelines in the Zone, and shall promptly propose to the Council, for adoption as part of the applicable law, laws, regulations and guidelines for health and safety in relation to offshore development activity.

37.2 The States Parties shall, on the recommendation of the Authority, adopt administrative procedures for the exchange of information concerning the matters referred to in paragraph 1.

Article 38
Prevention of pollution and protection of the marine environment

38.1 The Authority shall take all reasonable steps to ensure that development activities in the Zone do not cause or create any appreciable risk of causing pollution or other harm to the marine environment.

38.2 In accordance with paragraph 1, the States Parties, on the recommendation of the Authority, shall agree necessary measures and procedures to prevent and remedy pollution of the marine environment resulting from development activities in the Zone.

38.3 In order to facilitate the effective monitoring of the environmental impact of petroleum activities in the Zone, both States Parties shall regularly provide the Authority with such relevant information as they obtain from contractors or inspectors concerning levels of petroleum discharge and contamination. In particular the States Parties shall immediately inform the Authority of the occurrence of the following events:

- (a) Any petroleum spillage or event likely to cause pollution and requiring remedial measures beyond the capacity of the operator;
- (b) Discharge into the sea of large quantities of petroleum from an installation or pipeline;
- (c) Collisions at sea involving damage to an installation or pipeline;
- (d) Evacuation of personnel from an installation due to force majeure, distress or other emergency.

The notification shall include any measures taken or proposed with respect to such events.

38.4 Nothing in this Treaty shall prejudice the taking or enforcement by each State Party or by the States Parties jointly of measures in the Zone proportionate to the actual or threatened damage to protect their coastline or exclusive maritime areas from pollution or threat of pollution which may reasonably be expected to result in major harmful consequences.

Article 39 Applicable private law

In accordance with article 3, the Authority shall propose to the Council for immediate adoption as part of the applicable law, to the extent that the private law of the Zone is not determined by or pursuant to other parts of this Treaty, the private law of one of the States Parties.

Article 40 Criminal law and jurisdiction

40.1 Subject to paragraph 3 of this article, a national or permanent resident of a State Party shall be subject to the criminal law of that State Party in respect of acts or omissions occurring in the Zone provided that a permanent resident of a State Party who is a national of the other State Party shall be subject to the criminal law of the latter State Party. A national of both States Parties shall be subject to the criminal law of both.

40.2 A national of a third State, not being a permanent resident of either State Party, shall be subject to the criminal law of both States Parties in respect of acts or omissions occurring in the Zone. Such a person shall not be subject to criminal proceedings under the law of one State Party if he or she has already been tried and discharged or acquitted by a competent tribunal or already undergone punishment for the same act or omission under the law of the other State Party.

40.3 The States Parties shall provide assistance to and cooperate with each other, including through agreements or arrangements as appropriate, for the purposes of enforcement of criminal law under this article, including the obtaining of evidence and information.

40.4 Each State Party recognizes the interest of the other where a victim of an alleged offence is a national of that other State Party, and shall keep that other State Party informed to the extent permitted by its law of action being taken with regard to the alleged offence.

40.5 A State Party may make arrangements permitting officials of the other State Party to assist in the enforcement of the criminal law of the first State Party.

Where such assistance involves the detention by the other State Party of a person who under the foregoing provisions of this article is subject to the jurisdiction of the first State Party, that detention may continue only until it is practicable to hand the person over to the relevant officials of the first State Party.

40.6 This article is without prejudice to any other basis for the exercise of the criminal jurisdiction of either of the States Parties.

Article 41
Compliance and enforcement

- 41.1 Development activities in the Zone shall be carried on in accordance with the relevant applicable law.
- 41.2 The States Parties shall take all appropriate measures within their national legal systems to enforce the applicable law.
- 41.3 The States Parties shall render all necessary and reasonable assistance and support in ensuring that contractors comply with the applicable law.

Article 42
Civil and administrative jurisdiction

- 42.2 Unless otherwise provided in this Treaty, each of the States Parties may exercise civil or administrative jurisdiction in relation to development activities in the Zone, or persons present in the Zone for the purposes of those activities, to the same extent as they may do so in relation to activities and persons in their own exclusive economic zone.
- 42.2 In the exercise of jurisdiction under paragraph 1, the States Parties shall give effect to the relevant applicable law.
- 42.3 This article is without prejudice to any other basis for the exercise of civil or administrative jurisdiction by either of the States Parties.

Article 43
Security and policing in the Zone

- 43.1 The States Parties shall, to the extent from time to time appropriate having regard to the purposes of this Treaty and their respective defence and police needs, jointly conduct defence or police activities throughout the Zone (in the case of police activities for the purposes of enforcing the applicable law), except to the extent that the Council may from time to time otherwise direct. The costs of such activities shall be borne by the States Parties in the proportions set out in paragraph 1 of article 3.
- 43.2 If and to the extent that either State Party shall fail to comply with its obligations set out in paragraph 1 or otherwise refuse to participate in proposed joint defence or police activities, then without prejudice to any other rights the other State Party may have, nothing in this Treaty shall prevent that other State Party from separately carrying on such activities to such extent as it considers necessary or appropriate.
- 43.3 The States Parties shall consult with each other as required with a view to ensuring the effective and orderly enforcement of this Treaty and the security of the Zone for the purposes of development activities, ongoing or proposed.
- 43.4 This article is without prejudice to any other basis for the conduct of defence or police activities which either State Party may have under international law.

Article 44
Review of applicable law and enforcement arrangements

The Authority may at any time recommend to the Council any change in the applicable law or in the arrangements for its enforcement, to the extent that these may be necessary.

Article 45
Rights of third States

- 45.1 In the exercise of their rights and powers under this Treaty, the States Parties shall take into account the rights and freedoms of other States in respect of the Zone as provided under generally accepted principles of international law.
- 45.2 If any third party claims rights inconsistent with those of the States Parties under this Treaty, then the States Parties shall consult through appropriate channels with a view to coordinating a response.

Article 46

Position of persons in relation to the Zone

46.1 The States Parties shall cooperate with a view to resolving in an equitable manner as between themselves any issues arising in respect of prior dealings by either State Party with any third person in respect of any part of the Zone that have been disclosed to the other State Party in the course of negotiating the present Treaty.

46.2 However, in respect of any matter not disclosed by a State Party to the other State Party in the course of the negotiation of the present Treaty, it shall be a matter for the non-disclosing State Party alone, without any right to the cooperation or assistance of the other State Party, to resolve any issues arising in respect of prior dealings by it with any third person in respect of any part of the Zone.

PART ELEVEN

RESOLUTION OF DEADLOCKS AND SETTLEMENT OF DISPUTES

Article 47

Settlement of disputes between the Authority and private interests

47.1 Disputes between the Authority and a contractor or between joint contractors and/or operators concerning the interpretation or application of a development contract or operating agreement shall unless otherwise agreed between the parties thereto be subject to binding commercial arbitration pursuant to the terms of the relevant development contract or operating agreement.

47.2 Unless otherwise agreed, the arbitration shall be held in Lagos pursuant to the UNCITRAL Arbitration Rules and administered by the AACCL Center for International Commercial Dispute Settlement, Lagos.

47.3 The Authority shall be immune from suit in any court in respect of the merits of any dispute referable to arbitration in accordance with paragraph 1.

Article 48

Resolution of disputes arising in the work of the Authority or the Council

48.1 Any dispute that arises with respect to the functioning of this Treaty shall be sought to be resolved by the Board having regard to the objects and purposes of this Treaty, the principles set out in article 3 and the spirit of amicable fraternal relations between the two States Parties.

48.2 If a dispute cannot be resolved by the Board and its continuance affects or threatens to affect the actual or future implementation of this Treaty, it shall be referred to the Council.

48.3 The Council shall make every effort to resolve the dispute in a spirit of compromise, and without prejudice to any underlying position of either State Party.

48.4 If the dispute has not been resolved by the Council within 12 months of being referred to the Council under paragraph 2, or such other period as the Heads of State may decide, the Council or either State Party may refer it to the Heads of State for their decision.

Article 49

Settlements of unresolved disputes between the States Parties

49.1 The provisions of article 52 shall apply:

(a) If the Heads of State agree in writing that a dispute referred to them under paragraph 48 concerns a matter of policy or administration and the dispute has not been resolved by the Heads of State within 12 months of its referral to them, or such additional time as they agree;

or

(b) If arbitral proceedings under paragraph 2 below leave a substantial dispute between the parties unresolved by reason, either expressly or implicitly, of the fact that such dispute concerns a matter of policy or administration.

49.2 In any case not covered by subparagraph 1 (a), if the dispute has not been resolved by the Heads of State within six months of the reference under paragraph 4 of article 48, and unless the States Parties have otherwise agreed, either State Party may give notice to the other State Party (the "referral"), to refer the dispute to an arbitral tribunal ("the Tribunal") for resolution.

49.3 The Tribunal shall be constituted in the following manner:

- (a) Each State Party shall, within 60 days of the referral, appoint one arbitrator and the two arbitrators so appointed shall within 60 days of the appointment of the second arbitrator appoint a national of a third State as third arbitrator who shall act as President of the Tribunal;
- (b) If a State Party fails to appoint an arbitrator within 60 days of the referral, or the two arbitrators fail to appoint a third arbitrator within 60 days of the appointment of the second, either State Party may request the President of the International Court of Justice to fill the vacancy by appointing a national of a third State;
- (c) If the President of the International Court of Justice is a national of or habitually resident in the territory of a State Party or is otherwise unable to act, the appointment shall be made by the next most senior judge of the Court who is not a national of either State Party and who is available to act;
- (d) The Tribunal shall apply the UNCITRAL Rules, and on any point not covered by those Rules shall determine its own procedure, unless the States Parties have otherwise agreed;
- (e) The Tribunal, pending its final award, may on the request of a State Party issue an order or orders indicating the interim measures which must be taken to preserve the respective rights of either State Party or prevent the aggravation or extension of the dispute;
- (f) Unless the States Parties otherwise agree, the Tribunal shall sit at The Hague and the administering authority for the arbitration shall be the Secretariat of the Permanent Court of Arbitration.

49.4 Decisions of the Tribunal shall be final and binding on the States Parties.

49.5 The States Parties shall carry out in good faith all decisions of the Tribunal, including any orders for interim measures. Any question as to the implementation of a decision may be referred to the Tribunal, or if the same tribunal is no longer in existence and cannot be reconstituted, to a new Tribunal constituted in accordance with paragraph 3.

PART TWELVE ENTRY INTO FORCE AND OTHER MATTERS

Article 50 Entry into force

50.1 This Treaty shall enter into force on the exchange of instruments of ratification by both States Parties.

50.2 Within three months of the exchange of ratifications, each State Party shall procure the enactment by its own constitutional processes of any legislation or regulations necessary to implement this Treaty in its legal system. The text of any such legislation or regulations shall be promptly forwarded to the other State Party.

50.3 Upon entry into force, this Treaty shall be registered with the Secretary-General of the United Nations.

Article 51 Duration and termination

51.1 This Treaty shall be reviewed by the States Parties in year thirty (30), and unless otherwise agreed or terminated pursuant to article 52, shall remain in force for forty-five (45) years from the date of entry into force.

51.2 If the two States Parties agree, this Treaty shall be continued in force after the initial forty-five (45) year term.

51.3 Unless otherwise agreed, the expiry or other termination of this Treaty shall not affect development contracts with an expiry date after such expiry or other termination and the provisions of this Treaty shall remain in force for the sole purpose of administering such contracts and maintaining the joint development regime to the extent necessary. On the expiry or earlier termination of the last remaining such contract, the outstanding provisions of this Treaty shall terminate forthwith.

51.4 Accordingly, unless the States Parties otherwise agree, the Council and the Authority shall, following expiry or other termination of this Treaty, continue to exercise such residual functions as may be necessary in respect of the continuing administration of existing development contracts, and shall continue in being for that purpose.

51.5 Unless the States Parties otherwise agree, such expiry or other termination shall not affect the financial rights and obligations of the States Parties accrued under or pursuant to this Treaty prior to expiry or termination.

Article 52

Special provision for termination in certain cases

52.1 This article applies:

- (a) In any case of a dispute which falls under paragraph 1 of article 49;
- (b) In any case in which a State Party remains for more than 180 days in material breach of an award by a tribunal constituted pursuant to article 49.

52.2 In the case referred to in subparagraph 1 (a) of this article 52, either State Party may give: six months' notice of termination of this Treaty, and in the case referred to in subparagraph 1 (b), the aggrieved State Party may do so.

Article 53

Language of Treaty

This Treaty is executed in the English and Portuguese languages, both versions having equal authority.

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto by their respective Governments, have signed this Treaty.

DONE at Abuja the 21st day of February 2001.

For the Government of the Federal Republic of Nigeria:

Dubem Onyia, Minister of State for Foreign Affairs.

For the Government of the Democratic Republic of São Tome and Principe:

Joaquim Rafael Branco, Minister for Foreign Affairs and Cooperation.

Appendix

Special Regime Area

1. The Special Regime Area is as follows:

(a) The approximately triangular area of the sea which is bounded by lines joining the following points using the WGS 84 Datum in the order listed:

A	3° 00' 28" N	6° 57' 16" E
B	2° 56' 23" N	6° 57' 17" E
C	2° 56' 22" N	6° 43' 27" E

The lines from A to B and B to C being lines of constant bearing and the line from A to C following the north-west edge of the Zone; and

- (b) The seabed, subsoil and the superjacent waters thereof.
2. Notwithstanding any other provision of this Agreement, Nigeria shall throughout the duration of this Agreement have the exclusive right to administer the Special Regime Area and exercise jurisdiction over it, including the right to exploit and develop its resources for its own benefit.
 3. Nigeria will safeguard the interest of São Tome and Principe by undertaking some development projects, which will be governed by a separate Memorandum of Understanding that will form an integral part of this Treaty. The provisions of this Memorandum of Understanding are without prejudice to any other arrangements in the future that will enhance the joint cooperation between the two countries.

Memorandum of Understanding between The Federal Republic of Nigeria and the Democratic Republic of São Tome and Principe on the Special Regime Area

In compliance with article 3 of the appendix to the Treaty on the joint Development Zone signed in Abuja on 21 February 2001, the Federal Republic of Nigeria has agreed to render technical and economic assistance to the Democratic Republic of São Tome and Principe.

2. The said assistance will include the following projects:
 - (i) Refinery and crude oil allocation;
 - (ii) Working interest in a block;
 - (iii) Establishing a port/logistic facility in the Democratic Republic of São Tome and Principe;
 - (iv) Equipping and training of the Coast Guards of the Democratic Republic of São Tome and Principe.
3. The details and modalities as well as mechanism of implementing these projects will be worked out by the two Parties as soon as possible but not later than 90 days.
4. Obligations, responsibilities and interests of each Party will be specified in detail before the commencement of the implementation of the projects. Equally, the two Parties will consult and cooperate with each other in working out the detailed proposals on each project.

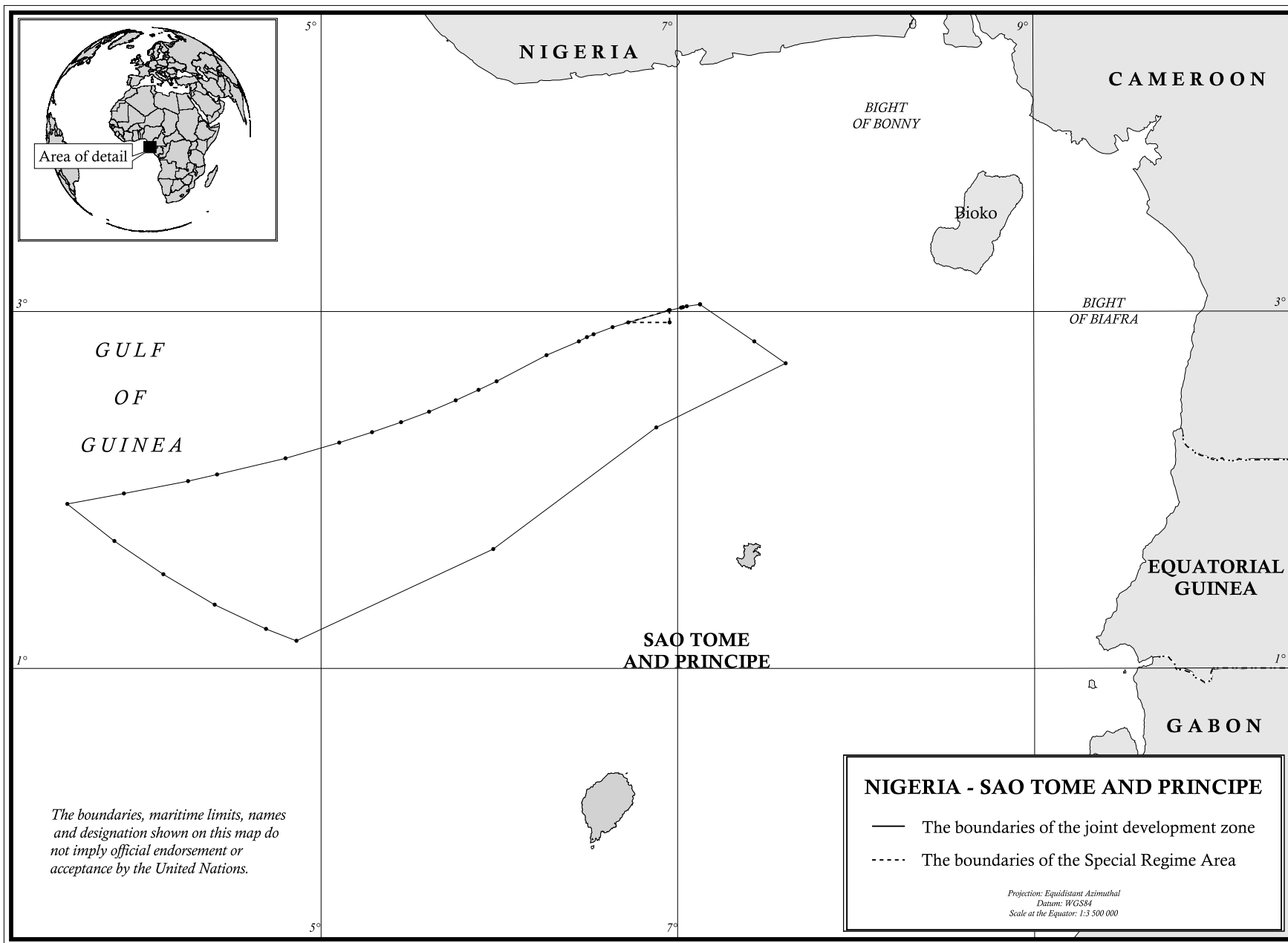
DONE in Abuja this 21st day of February 2001.

For the Federal Republic of Nigeria:

Dubem Onyia, Minister of State for Foreign Affairs.

For the Democratic Republic of São Tome and Principe:

Joaquim Rafael Branco, Minister for Foreign Affairs and Cooperation.



3. Agreement on the Delimitation of the Maritime Border between the Gabonese Republic and the Democratic Republic of São Tomé and Príncipe

The Gabonese Republic on the one hand and the Democratic Republic of São Tomé and Príncipe on the other, hereinafter referred to as the “Parties”,

Anxious to consolidate their ties of friendship, good-neighbourliness and cooperation,

Desiring to delimit their maritime border in accordance with the Charter of the United Nations and the Charter of the Organization of African Unity,

Referring to the international conventions on the matter to which Gabon and São Tomé and Príncipe are parties, in particular the United Nations Convention on the Law of the Sea, signed in Montego Bay in 1982,

Have agreed as follows:

Article 1

The purpose of this Agreement shall be to delimit the maritime border between the Gabonese Republic and the Democratic Republic of São Tomé and Príncipe.

Article 2

The border between the Gabonese Republic and the Democratic Republic of São Tomé and Príncipe shall be the line defined in article 3 below, drawn equidistant from the baselines from which the territorial sea of each State is measured.

(a) The baselines of the Gabonese Republic shall be those connecting the points with the following geographic coordinates:

<i>Point</i>	<i>Latitude</i>	<i>Longitude</i>
A — Mbanie (Pointe mengombie)	0° 48' 39" N	9° 22' 50" E
B — Cap Esterias	0° 35' 19" N	9° 19' 01" E
C — Pointe Ngombe (lighthouse)	0° 18' 35" N	9° 18' 19" E
D — Cap Lopes	0° 37' 54" S	8° 42' 13" E

(b) The baselines of the Democratic Republic of São Tomé and Príncipe shall be those connecting the points with the following geographic coordinates:

<i>Point</i>	<i>Latitude</i>	<i>Longitude</i>
A — Ilhéus Monteiros (NE)	1° 41' 14" N	7° 28' 20" E
B — Ponto a sul da Ponta da Garça (E)	1° 37' 40" N	7° 27' 52" E
C — Ilhéus Caroço (SE)	1° 30' 47" N	7° 26' 05" E
D — Ilhéus Santana (E)	0° 14' 29" N	6° 45' 59" E
E — Sete Pedras (SE)	0° 02' 17" N	6° 37' 48" E
F — Ilhéus das Rolas (SE)	0° 00' 45" S	6° 31' 44" E

Article 3

The maritime border between the Gabonese Republic and the Democratic Republic of São Tomé and Príncipe shall be the line connecting the following points with the geographic coordinates:

<i>Point</i>	<i>Latitude</i>	<i>Longitude</i>
1	0° 44' 03" N	8° 14' 00" E
2	0° 34' 00" N	8° 11' 15" E
3	0° 00' 05" S	7° 50' 28" E
4	0° 17' 38" S	7° 41' 21" E
5	0° 25' 45" S	7° 37' 42" E
6	0° 52' 51" S	7° 28' 25" E
7	1° 28' 47" S	7° 16' 16" E

International ellipsoid.

Reference maps:

7188 marine map (from Lagos to Gamba) drawn by the Service Hydrographique et Océanographique de la Marine (SHOM)

scale: 1:1,000,000

Vector Map — Level 0 (V Map) drawn by the United States National Imagery and Mapping Agency to a scale of 1:1,000,000

Article 4

Each Party shall refrain from making any claims or exercising sovereignty in the maritime space of the other Party as defined by the provisions of articles 2 and 3 of this Agreement.

Article 5

Any dispute concerning the interpretation or application of this Agreement shall be settled by consultation and negotiation between the Parties.

Article 6

This Agreement shall enter into force as soon as the constitutional procedures of each Party have been completed and after the exchange of the instruments of ratification.

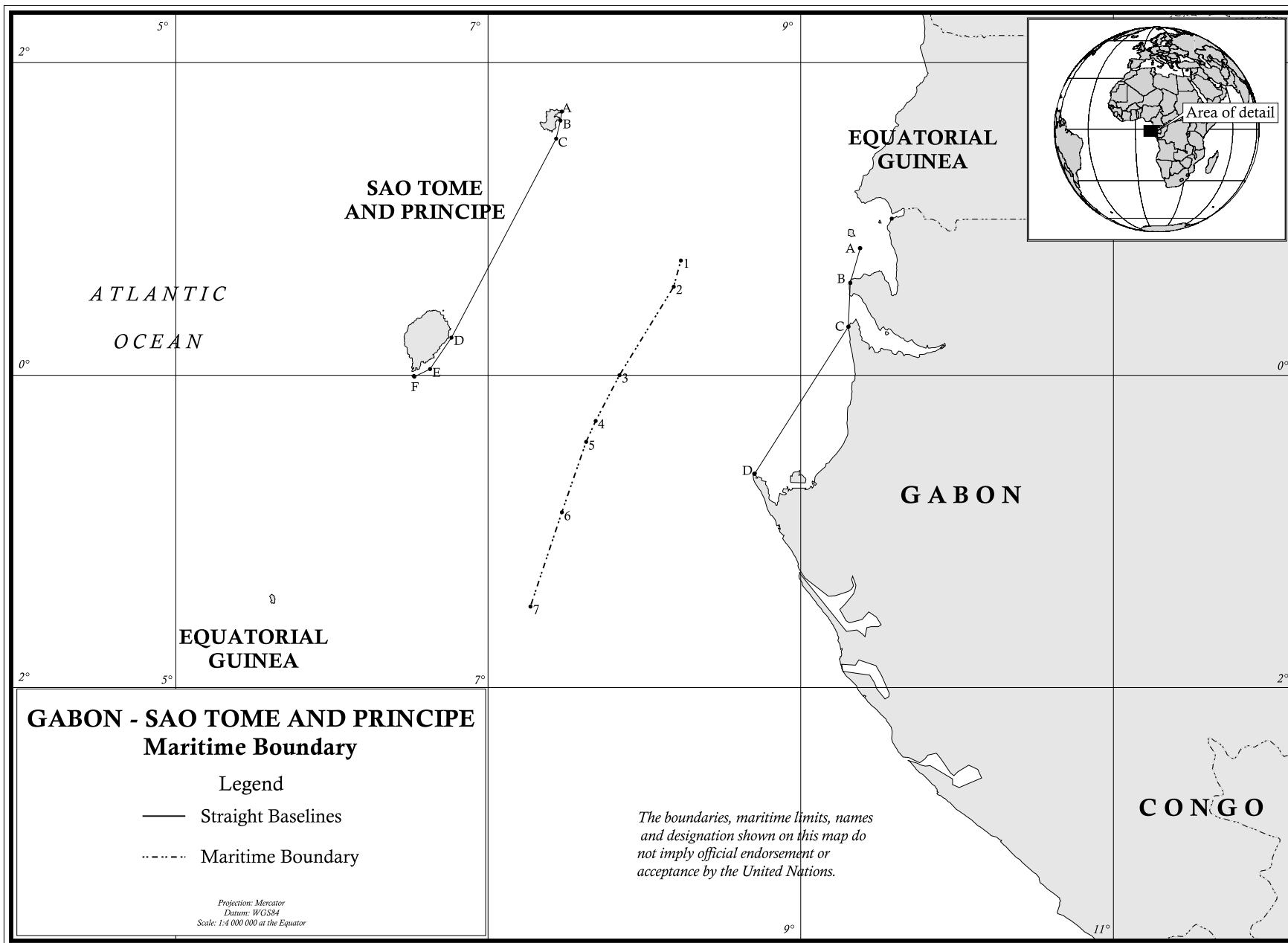
DONE in São Tomé on 26 April, in two originals in the French and Portuguese languages, both texts being equally authentic.

For the Gabonese Republic:

Antoine Mboumbou Miyakou, Minister without Portfolio,
Minister of the Interior, Public Safety and Decentralization

For the Democratic Republic of São Tomé and Príncipe:

Joaquim Rafael Branco, Minister for Foreign Affairs and Cooperation



4. Agreement between the Government of the Republic of Finland,
the Government of the Republic of Estonia and the Government of the Kingdom of Sweden
on the Common Maritime Boundary Point in the Baltic Sea

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

Desiring to determine the point where the maritime boundaries of the three States in the Baltic Sea coincide,

Taking into account agreements concluded between the Parties on the delimitation of the continental shelf and of the fishery and exclusive economic zones in the Baltic Sea,

Have agreed as follows:

Article 1

From the points indicated below, the point with the geographical coordinates 58°50,677'N and 20°28,902'E, established in the Agreement of 18 October 1996 between the Republic of Estonia and the Republic of Finland on the boundary of the maritime zones in the Gulf of Finland and in the northern part of the Baltic Sea, point 5 with the geographical coordinates 58°51,776'N and 20°28,276'E, established in the Agreement of 2 June 1994 between the Republic of Finland and the Kingdom of Sweden on the delimitation in the Åland Sea and in the northern Baltic Sea of the continental shelf and fishery zone of Finland and the exclusive economic zone of Sweden, and point D with the geographical coordinates 58°46,812'N and 20°28,448'E, established in the Agreement of 2 November 1998 between the Republic of Estonia and the Kingdom of Sweden on the delimitation of the maritime zones in the Baltic Sea, the lines of delimitation shall be drawn as straight (geodetic) lines to a common point with the following geographical coordinates: 58°50,670'N 20°28,888'E. The geographical coordinates in this Agreement are determined in accordance with the World Geodetic System 1984 (WGS 84).

Article 2

This Agreement shall enter into force on the thirtieth day after the Parties have notified each other through diplomatic channels that the internal procedures necessary for the entry into force of this Agreement have been completed.

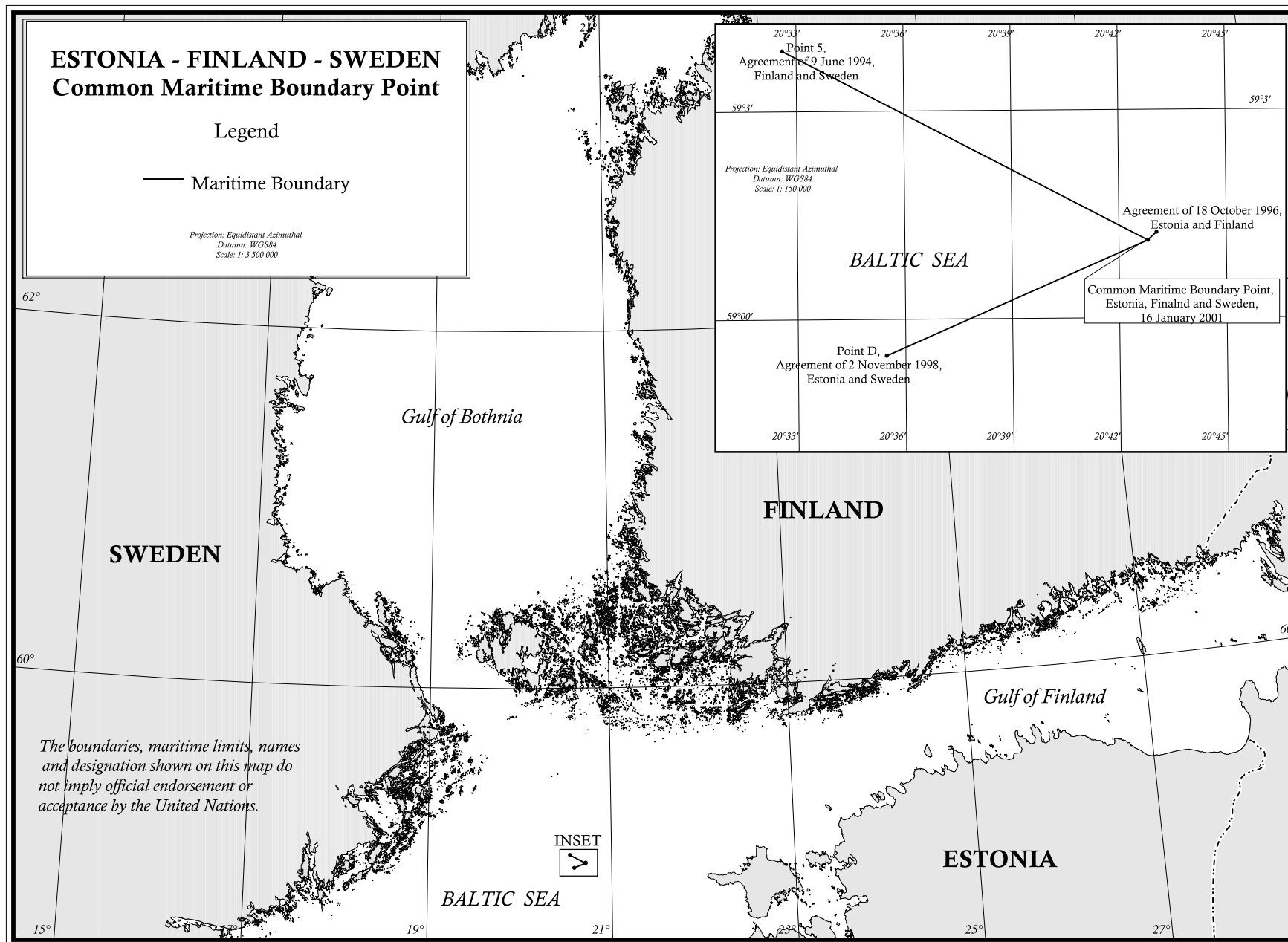
DONE at Tallinn on 16 January 2001 in three original copies in the English language.

ESTONIA - FINLAND - SWEDEN Common Maritime Boundary Point

Legend

— Maritime Boundary

Projection: Equidistant Azimuthal
Datum: WGS84
Scale: 1:3 500 000



The boundaries, maritime limits, names and designation shown on this map do not imply official endorsement or acceptance by the United Nations.

INSET
✓

C. Recent judgements, orders and arbitral awards

Land and Maritime Boundary between Cameroon and Nigeria
(Cameroon v. Nigeria: Equatorial Guinea Intervening) - Judgment of 10 October 2002 – Merits (excerpt)¹

On 10 October 2002, the International Court of Justice, principal judicial organ of the United Nations, gave judgment in the case concerning the *Land and Maritime Boundary between Cameroon and Nigeria (Cameroon v. Nigeria: Equatorial Guinea intervening)*.

In its judgment, which is final, without appeal and binding for the Parties, the Court determined the course of the boundary, from north to south, between Cameroon and Nigeria. As regards the maritime boundary, the Court, having established that it has jurisdiction to address this aspect of the case -- which Nigeria had disputed -- fixed the course of the boundary between the two States' maritime areas as follows:

“IV. (A) By thirteen votes to three,

“*Finds*, having addressed Nigeria's eighth preliminary objection, which it declared in its Judgment of 11 June 1998 not to have an exclusively preliminary character in the circumstances of the case, that it has jurisdiction over the claims submitted to it by the Republic of Cameroon regarding the delimitation of the maritime areas appertaining respectively to the Republic of Cameroon and to the Federal Republic of Nigeria, and that those claims are admissible;

IN FAVOUR: *President* Guillaume; *Vice- President* Shi; *Judges* Ranjeva, Herczegh, Fleischhauer, Higgins, Parra- Aranguren, Kooijmans, Rezek, Al- Khasawneh, Buergenthal, Elaraby; *Judge ad hoc* Mbaye;

AGAINST: *Judges* Oda, Koroma; *Judge ad hoc* Ajibola;

“(B) By thirteen votes to three,

“*Decides* that, up to point G below, the boundary of the maritime areas appertaining respectively to the Republic of Cameroon and to the Federal Republic of Nigeria takes the following course:

-- starting from the point of intersection of the centre of the navigable channel of the Akwayafe River with the straight line joining Bakassi Point and King Point as referred to in point III (C) above, the boundary follows the “ compromise line” drawn jointly at Yaoundé on 4 April 1971 by the Heads of State of Cameroon and Nigeria on British Admiralty Chart 3433 (Yaoundé II Declaration) and passing through 12 numbered points, whose coordinates are as follows:

	Longitude	Latitude
point 1:	8 ° 30' 44” E	4 ° 40' 28” N
point 2:	8 ° 30' 00” E	4 ° 40' 00” N
point 3:	8 ° 28' 50” E	4 ° 39' 00” N
point 4:	8 ° 27' 52” E	4 ° 38' 00” N
point 5:	8 ° 27' 09” E	4 ° 37' 00” N
point 6:	8 ° 26' 36” E	4 ° 36' 00” N
point 7:	8 ° 26' 03” E	4 ° 35' 00” N
point 8:	8 ° 25' 42” E	4 ° 34' 18” N
point 9:	8 ° 25' 35” E	4 ° 34' 00” N
point 10:	8 ° 25' 08” E	4 ° 33' 00” N
point 11:	8 ° 24' 47” E	4 ° 32' 00” N
point 12:	8 ° 24' 38” E	4 ° 31' 26” N;

¹ Only parts concerning the maritime boundary are reproduced.

- from point 12, the boundary follows the line adopted in the Declaration signed by the Heads of State of Cameroon and Nigeria at Maroua on 1 June 1975 (Maroua Declaration), as corrected by the exchange of letters between the said Heads of State of 12 June and 17 July 1975; that line passes through points A to G, whose coordinates are as follows:

	Longitude	Latitude
point A:	8 ° 24' 24" E	4 ° 31' 30" N
point A1:	8 ° 24' 24" E	4 ° 31' 20" N
point B:	8 ° 24' 10" E	4 ° 26' 32" N
point C:	8 ° 23' 42" E	4 ° 23' 28" N
point D:	8 ° 22' 41" E	4 ° 20' 00" N
point E:	8 ° 22' 17" E	4 ° 19' 32" N
point F:	8 ° 22' 19" E	4 ° 18' 46" N
point G:	8 ° 22' 19" E	4 ° 17' 00" N;

IN FAVOUR: *President* Guillaume; Vice- President Shi; *Judges* Oda, Ranjeva, Herczegh, Fleischhauer, Higgins, Parra- Aranguren, Kooijmans, Al- Khasawneh, Buergenthal, Elaraby; *Judge ad hoc* Mbaye;

AGAINST: *Judges* Koroma, Rezek; *Judge ad hoc* Ajibola;

(C) Unanimously,

“*Decides* that, from point G, the boundary line between the maritime areas appertaining respectively to the Republic of Cameroon and to the Federal Republic of Nigeria follows a loxodrome having an azimuth of 270 ° as far as the equidistance line passing through the midpoint of the line joining West Point and East Point; the boundary meets this equidistance line at a point X, with coordinates 8 ° 21' 20" longitude east and 4 ° 17' 00" latitude north;

(D) Unanimously,

Decides that, from point X, the boundary between the maritime areas appertaining respectively to the Republic of Cameroon and to the Federal Republic of Nigeria follows a loxodrome having an azimuth of 187 ° 52' 27".



