



Law of the Sea Information Circular

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Division for Ocean Affairs and the Law of the Sea

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DUE ACKNOWLEDGEMENT SHOULD BE GIVEN TO
THE DIVISION FOR OCEAN AFFAIRS AND THE LAW OF THE SEA,
OFFICE OF LEGAL AFFAIRS, UNITED NATIONS SECRETARIAT**

FOREWORD

This is the thirty-second issue of the Law of the Sea Information Circular, a periodic publication of the Division for Ocean Affairs and the Law of the Sea (DOALOS), Office of Legal Affairs of the United Nations Secretariat. Its main objective is to communicate to all States and entities information on actions taken by States Parties to the United Nations Convention on the Law of the Sea of 10 December 1982 (the “Convention”) in implementing that Convention, in particular regarding the deposit obligation, as well as to report on activities undertaken by DOALOS in this respect.

The purpose of LOSIC is also to assist States Parties to the Convention in discharging their obligations to give due publicity to information in accordance with the Convention: Coastal States are obliged, *inter alia*, to give due publicity with regard to (i) charts and lists of geographical coordinates (articles 16(2), 47(9), 75(2), 76(9) and 84(2)); (ii) laws and regulations relating to innocent passage (article 21(3)); and (iii) laws and regulations relating to transit passage through straits used for international navigation adopted by States bordering straits (article 42(3)).

NOTE LIMINAIRE

La présente Circulaire d'information sur le droit de la mer constitue la trente-deuxième publication d'une série établie par la Division des affaires maritimes et du droit de la mer du Bureau des affaires juridiques du Secrétariat de l'Organisation des Nations Unies. Elle a pour objet principal d'informer les États et entités des mesures prises par les États Parties à la Convention des Nations Unies sur le droit de la mer (la Convention) pour donner effet à ses dispositions, en particulier concernant les obligations de dépôt, et de faire rapport aux États et entités des activités menées par la Division dans le même but.

La Circulaire a également pour objet d'aider les États Parties à la Convention à s'acquitter de l'obligation que leur fait celle-ci de donner la publicité voulue aux informations pertinentes. Ceci revêt une importance particulière pour les États côtiers qui, en vertu de la Convention, sont tenus de donner la publicité voulue aux i) cartes marines et listes de coordonnées géographiques (article 16, paragraphe 2; article 47, paragraphe 9; article 75, paragraphe 2; article 76, paragraphe 9; et article 84, paragraphe 2); ii) lois et règlements sur le passage inoffensif (article 21, paragraphe 3); et iii) lois et règlements des États riverains de détroits relatifs au passage en transit dans les détroits servant à la navigation internationale (article 42, paragraphe 3).

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A. Status of the Convention and of the Agreements
as at 31 October 2010

1. From May to October 2010, **Malawi** ratified the Convention on 28 September 2010. Thus, as at 31 October 2010, there were 161 Parties to that Agreement, including the European Union.

2. From May to October 2010, **Angola** acceded to the Agreement on Part XI on 7 September and **Malawi** expressed its consent to be bound on 28 September 2010. Thus, as at 31 October 2010, there were 140 parties to that Agreement, including the European Union.

3. From May to October 2010, **Saint Vincent and the Grenadines** acceded to the 1995 Agreement for the

B. Declarations and statements under articles 287, 298 and 310 of the Convention and under articles 30, 43 and 47 of the

“4.If at any time the experts nominated by a State Party in the list so constituted shall be fewer than two, that State Party shall be

II. OBLIGATIONS OF DEPOSIT AND DUE PUBLICITY

OBLIGATIONS DE DÉPÔT ET DE PUBLICITÉ VOULUE

25. Coastal States, under article 16, paragraph 2, article 47, paragraph 9, article 75, paragraph 2, and article 84, paragraph 2, of the Convention, are required to deposit with the Secretary-General of the United Nations charts showing straight baselines and archipelagic baselines as well as the outer limits of the territorial sea, the exclusive economic zone and the continental shelf; alternatively, the lists of geographical coordinates of points, specifying the geodetic datum, may be substituted. Coastal States are also required to give due publicity to all these charts and lists of geographical coordinates. Furthermore, under article 76, paragraph 9, coastal States are required to deposit with the Secretary-General charts and relevant information permanently describing the outer limits of the continental shelf extending beyond 200 nautical miles. In this case, due publicity is to be given by the Secretary-General. Together with the submission of their charts and/or lists of geographical coordinates, States Parties are required to provide appropriate information regarding original geodetic datum.

26. In this connection, it should be noted that the deposit of charts or of lists of geographical coordinates of points with the Secretary-General of the United Nations is an international act by a State Party to the Convention in order to conform with the deposit obligations referred to above, after the entry into for

28. States Parties are encouraged to provide all the necessary information for conversion of the submitted geographic coordinates from the original datum into the World Geodetic System 84 (WGS 84), a geodetic datum system that is used by the Division for its internal data storage.

29. The Division is also assisting States in fulfilling their other obligations of due publicity established by the Convention. These obligations concern all laws and regulations adopted by the coastal State relating to innocent passage through the territorial sea (article 21 (3)) and all laws and regulations adopted by States bordering straits relating to transit passage through straits used for international navigation (article 42 (3)).

30. Notably, the Division informs States of the deposit of charts and geographical coordinates through a "maritime zone notification". The notifications are also listed in the *Law of the Sea Information Circular*, together with other relevant information concerning the discharge by States of the due publicity obligation. The past issues of the *Law of the Sea Information Circular* give ample evidence of the practice of States in this respect. The texts of the relevant legislation together with illustrative maps are then published in the *Law of the Sea Bulletin*.

31. Furthermore, concerning due publicity, article 25, paragraph 3, of the Convention stipulates that "a coastal State may, without discrimination in form or in fact among foreign ships, suspend temporarily, in specified areas of its territorial sea the innocent passage of foreign ships if such suspension is essential for the protection of its security, including weapons exercises. Such suspension takes effect only after having been duly published."

28. Les États Parties sont invités à fournir toutes les informations nécessaires pour la conversion des coordonnées géographiques établies à partir des données initiales en données du Système géodésique mondial 84 (WGS 84), système de données géodésiques de plus en plus accepté comme norme et utilisé par la Division pour établir ses banques de données.

29. La Division s'efforce également d'aider les États à s'acquitter de l'obligation que leur fait la Convention de donner la publicité voulue à d'autres informations, à savoir : les lois et règlements, adoptés par un État côtier, relatifs au passage inoffensif dans sa mer territoriale (article 21, paragraphe 3) et les lois et règlements, adoptés par les États riverains de détroits, relatifs au passage en transit dans les eaux des détroits servant à la navigation internationale (article 42, paragraphe 3).

30. Notamment, la Division informe les États par une « notification zone maritime » que des cartes et des coordonnées géographiques ont été déposées. Ces renseignements sont ensuite listés dans la *Circulaire d'information sur le droit de la mer*, en même temps que d'autres informations pertinentes concernant l'exécution par les États de leur obligation de publicité. Les numéros précédents de la *Circulaire* rendent bien compte de la pratique suivie par les États à cet égard. Les textes des législations pertinentes et les cartes d'illustration sont publiés dans le *Bulletin du droit de la mer*.

31. De plus, concernant la publicité voulue, le paragraphe 3 de l'article 25 de la Convention stipule que « l'État côtier peut, sans établir aucune discrimination de droit ou de fait entre les navires étrangers, suspendre temporairement, dans des zones déterminées de sa mer territoriale, l'exercice du droit de passage inoffensif des navires étrangers, si cette mesure est indispensable pour assurer sa sécurité, entre autres pour lui permettre de procéder à des exercices d'armes. La suspension ne prend effet qu'après avoir été dûment publiée ».

A. Communications addressed

B. Submissions by States Parties in compliance with their deposit obligations

34. From May to October 2010, **Vanuatu** and **Lebanon**

D. Information on other actions taken by States

39. From May to October 2010, the Secretary-General received the following communications:

- A communication from the Government of the **United Arab Emirates** dated 5 May in relation to the deposit by Saudi Arabia (see MZN.77.2010.LOS);
- A communication from the Government of **Ireland** dated 7 July 2010, in relation to the deposit by Ireland (M.Z.N.73.2009.LOS);
- A communication from the Government of the **Arab Republic of Egypt** dated 15 September 2010 in relation to the deposit by Saudi Arabia (see MZN.77.2010.LOS).

40. The texts of the above mentioned communications are available at;
<http://www.un.org/Depts/los/LEGISLATIONANDTREATIES/>

D. Informations concernant d'autres activités entreprises par les États

39. Entre mai et octobre 2010, le Secrétaire général a reçu les communications suivantes :

- La communication du Gouvernement des **Émirats arabes unis**, datée du 5 mai 2010 en relation au dépôt effectué par le Royaume d'Arabie saoudite (voir MZN.77.2010.LOS) ;
- La communication du Gouvernement de **l'Irlande** datée du 7 juillet 2010 en relation au dépôt effectué par

45. In conformity with paragraph 1(d) of the decision contained in SPLOS/183, the preliminary information submitted in the past were been made publicly available through the web site of the

October 2010, the Division has circulated the following continental shelf notifications:

- Continental Shelf Notification (CLCS.52.2010.LOS of 7 July 2010) regarding the receipt of the submission made by **Mozambique** to the Commission on the Limits of the Continental Shelf;
- Continental Shelf Notification (CLCS.53.2010.LOS of 28 July 2010) regarding the receipt of the submission made by **the Republic of Maldives** to the Commission on the Limits of the Continental Shelf.

48. The texts of all previous continental shelf notifications are available at: www.un.org/Depts/los/clcs_new/commission_submissions.htm.

B. Communications from States in response to Continental Shelf Notifications from the Secretary-General informing about the submissions to the Commission

49. From May to October 2010, the following communications were received with reference to the submissions made by coastal States to the Commission on the Limits of the Continental Shelf:

- A communication dated 10 May 2010 from **India** in relation to the submission by Sri Lanka (see CLCS.43.2009.LOS of 13 May 2009);
- A communication dated 19 May 2010 from **Oman** in relation to the submission by India (see CLCS.48.2009.LOS of 14 May 2009);
- A communication dated 8 July 2010 from **Indonesia** in relation to the joint submission by Malaysia and Viet Nam (see CLCS.33.2009.LOS of 7 May 2009);
- A communication dated 22 July 2010 from **Palau** in relation to the submission by Palau (see CLCS.41.2009.LOS of 13 May 2009) and the communication from the Philippines dated 4 August 2009;
- A communication dated 9 August 2010 from the **United Kingdom of Great Britain, and Northern Ireland** in relation to the submission by the Republic of Maldives (see CLCS.53.2010.LOS of 28 July 2010);
- A communication dated 20 October 2010 from **Bangladesh** in relation to the submission by Sri Lanka (see CLCS.43.2009.LOS of 13 May 2009).

50. The texts of the above-mentioned communications

submitted by coastal States:

- A communication dated 14 June 2010 from **the Democratic Republic of the Congo** in relation to the preliminary information by Angola as well as the communication dated 31 July 2009 from Angola;
- A communication dated 19 August 2010 from **Costa Rica** in relation to the preliminary information by Nicaragua, as transmitted by a note verbale from the Permanent Mission of Costa Rica to the United Nations dated 8 September 2010.

52. The texts of the above-mentioned communications are available at::