

LAW OF THE SEA

BULLETIN

No. 10

NOVEMBER 1987

THE SEA · LE DU

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

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I. STATUS OF THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

1987

18/3/83

Albania
Algeria * b/
Angola *
Antigua and Barbuda

x
x

x
x
7/2/83

STATES	FINAL ACT SIGNATURE	CONVENTION SIGNATURE	CONVENTION RATIFICATION
Costa Rica *	x	x	
Côte d'Ivoire	x	x	26/3/84
Cuba * **	x	x	15/8/84
Cyprus	x	x	
Czechoslovakia	x	x	

Democratic Kampuchea		1/7/83	
Democratic People's Rep. of Korea	x	x	
Democratic Yemen **	x	x	21/7/87
Denmark	x	x	
Djibouti	x	x	

Dominica			

Dominican Republic	x	x	

Egypt **	x	x	26/8/83
El Salvador		5/12/84	

Fiji	x	x	10/12/82
Finland *	x	x	
France *	x	x	

Gabon	x	x	
Gambia	x	x	22/5/84
German Democratic Republic *	x	x	
Germany, Federal Republic of	x		
Ghana	x	x	7/6/83

Greece *	x	x	
Grenada	x	x	
Guatemala		8/7/82	

STATES	FINAL ACT SIGNATURE	CONVENTION SIGNATURE	CONVENTION RATIFICATION
Iceland **	x	x	21/6/85
India	x	x	
Indonesia	x	x	3/2/86
Iran (Islamic Republic of) *	x	x	
Iraq *	x	x	30/7/85
<hr/>			
Ireland	x	x	
Israel	x		
Italy *	x	7/12/84	
Jamaica	x	x	21/3/83
Japan	x	7/2/83	
<hr/>			
Jordan	x		
Kenya	x	x	
Kiribati			
Kuwait **	x	x	2/5/86
Lao People's Democratic Republic	x	x	
<hr/>			
Lebanon		7/12/84	
Lesotho	x	x	
Liberia	x	x	
Libyan Arab Jamahiriya	x	3/12/84	
Liechtenstein		30/11/84	
<hr/>			
Luxembourg *	x	5/12/84	
Madagascar		25/2/83	
Malawi		7/12/84	
Malaysia	x	x	
Maldives	x	x	
<hr/>			
Mali *		19/10/83	16/7/85
Malta	x	x	
Mauritania	x	x	
Mauritius	x	x	
Mexico	x	x	18/3/83
<hr/>			
Monaco	x	x	
Mongolia	x	x	
Morocco	x	x	
Mozambique	x	x	
Nauru	x	x	
<hr/>			

FINAL ACT

CONVENTION

CONVENTION

Signature

Netherlands	x	x	
New Zealand	x	x	
Nicaragua *		9/12/84	
Niger	x	x	

Nigeria	x	x	14/8/86
Norway	x	x	
Oman *	x	1/7/83	
Pakistan	x	x	
Panama	x	x	

Papua New Guinea	x	x	
Paraguay	x	x	26/9/86
Peru	x		
Philippines * **	x	x	8/5/84
Poland	x	x	

Qatar *		27/11/84	
Republic of Korea	x	14/3/83	
Romania *	x	x	
Rwanda	x	x	

Saint Kitts and Nevis		7/12/84	
Saint Lucia	x	x	27/3/85
Saint Vincent and the Grenadines	x	x	
Samoa	x	28/9/84	
San Marino			

STATES	FINAL ACT SIGNATURE	CONVENTION SIGNATURE	CONVENTION RATIFICATION
Sri Lanka	x	x	
Sudan *	x	x	23/1/85
Suriname	x	x	
Swaziland		18/1/84	
Sweden *	x	x	

Switzerland	x	17/10/84	
Syrian Arab Republic			
Thailand	x	x	16/4/85
Togo	x	x	
Tonga			

Uganda

x

x

Ukrainian SSR *	x	x	
Union of Soviet Socialist Republics *	x	x	
United Arab Emirates	x	x	
United Kingdom of Great Britain and Northern Ireland	x		
United Republic of Tanzania **	x	x	30/9/85

United States of America	x		
Uruguay *	x	x	
Vanuatu	x	x	

OTHERS (Art. 305(1)(b),(c),(d),(e) and (f))	FINAL ACT SIGNATURE	CONVENTION SIGNATURE	CONVENTION RATIFICATION
Cook Islands	x	x	
European Economic Community *	x	7/12/84	
Namibia (United Nations Council for Namibia)	x	x	18/4/83
Niue		5/12/84	
Trust Territory of the Pacific Islands	x		
West Indies Associated States			
TOTAL STATES AND OTHERS	144	159	35

OTHER STATES WHICH HAVE SIGNED THE CONVENTION

B. List of ratifications in chronological order and by regional groups

		Regional Group	
1.	10 December 1982	Fiji	Asian
2.	7 March 1983	Zambia	African
3.	18 March 1983	Mexico	Latin American
4.	21 March 1983	Jamaica	Latin American
5.	18 April 1983	Namibia (United Nations Council for Namibia)	African
6.	7 June 1983	Ghana	African
7.	29 July 1983	Bahamas	Latin American
8.	13 August 1983	Belize	Latin American
9.	26 August 1983	Egypt	African
10.	26 March 1984	Côte d'Ivoire	African
11.	8 May 1984	Philippines	Asian
12.	22 May 1984	Gambia	African
13.	15 August 1984	Cuba	Latin American

African

DEMOCRATIC YEMEN

[Original: Arabic]

1. The People's Democratic Republic of Yemen will give precedence to its

The Republic of Cape Verde, in accordance with article 298 of the United

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

A. Recent national legislation received from Governments

1. BULGARIA

Decree No. 77 of the State Council of the People's Republic of Bulgaria
on the Exclusive Economic Zone of the People's Republic of Bulgaria

in the Black Sea

Article 1

An exclusive economic zone is established in the sea area bounded and

adjacent to the territorial sea of the People's Republic of Bulgaria. The zone extends up to 200 nautical miles from the baselines from which the breadth of the territorial sea is measured.

Article 2

In its exclusive economic zone the People's Republic of Bulgaria has the right to exercise:

1. Sovereign rights for the purpose of exploring, exploiting, conserving and managing the living and non-living national resources of the sea-bed, its subsoil and the superjacent waters, and with regard to other

2. UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

Territorial Sea Act 1987:

Extract from the speech made in the second reading debate in
House of Lords by the Minister of State in the Foreign

We also have had to consider the position of straits. With a territorial sea of only three miles, there is a stretch of high seas through most straits, though not all. If the territorial sea is extended to 12 miles, many more straits - including some of the most important such as the Straits of Dover, Hormuz in the Gulf, and Bab el Mandeb in the Red Sea - would be brought within

TERRITORIAL SEA ACT 1987

[Entry into force: 1 October 1987]

1987 Chapter 49

An Act to provide for the extent of the territorial sea adjacent to the British Islands. [15 May 1987]

Be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this

present Parliament assembled, and by the authority of the same, as follows:

1. (1) Subject to the provisions of this Act:

(a) the breadth of the territorial sea adjacent to the

Enactments and instruments not affected

2. (1) Except in so far as Her Majesty may by Order in Council otherwise provide, nothing in section 1 above shall affect the operation of any enactment contained in a local Act passed before the date on which that section comes into force.

(2) Nothing in section 1 above, or in any Order in Council under that section or subsection (1) above, shall affect the operation of any enactment passed or instrument made

(a) make, in relation to any enactment passed or instrument made before the date on which section 1 above comes into force, any amendment corresponding to any of those made by Schedule 1 to this Act;

1981 c.69.

(b) amend subsection (1) of section 36 of the Wildlife and Countryside Act 1981 (marine nature reserves) so as to include such other parts of the territorial sea adjacent to Great Britain as may be specified in the Order in the waters and parts of the sea which, by virtue of paragraph 6 of Schedule 1 to this Act, may be designated under that section;

S.I.

1985/170

(c) amend paragraph 1 of article 20 of the Nature Conservation and Amenity Lands (Northern Ireland) Order 1985 (marine

(N.I.I.)

nature reserves) so as to include such other parts of the territorial sea adjacent to Northern Ireland as may be specified in the Order in the waters and parts of the sea which, by virtue of paragraph 9 of Schedule 1 to this Act, may be designated under that Article.

(3) Her Majesty may by Order in Council make such modifications of the effect of any Order in Council under

SCHEDULES

Section 3

Schedule 1

MINOR AND CONSEQUENTIAL AMENDMENTS

The Coast Protection Act 1949

1949 c.74. 1. (1) In section 18 (3) of the Coast Protection Act 1949 (prohibition of excavation, etc., of materials on or under the sea-shore) for the words "lying to seaward therefrom" there shall be substituted the words "of the sea-shore lying to seaward of ~~the sea-shore but within three nautical miles of the baselines from~~

is measured,".

(2) In section 49 (1) of that Act (interpretation) after the definition of "mortgage" there shall be inserted the following definition:

"'nautical miles' means international nautical miles of 1,852 metres;".

The Mineral Workings (Offshore Installations) Act 1971

1971 c.61. 2. For the definition of "foreign sector of the continental shelf" in section 1 (4) of the Mineral Workings (Offshore Installations) Act 1971 there shall be substituted the following definition:

"'foreign sector of the continental shelf' means an area within

substituted:

(a) In section 64 (A) (clearance outside of ship and

aircraft) for the words "within the limits of a port or within 3 nautical miles of the coast of the United Kingdom";

(b) In section 89 (forfeiture of ship, aircraft or vehicle

constructed, etc., for concealing goods) for the words "within the limits of any port or within 3 or, being a British ship, 12 nautical miles of the coast of the United Kingdom";

The Oil and Gas (Enterprise) Act 1982

1982 c.23. 7. (1) For the definition of "cross-boundary field" in
section 22 (6) of the Oil and Gas (Enterprise) Act 1982 there

"'cross-boundary field' means a field that extends across the

Schedule 2

Section 3

REPEALS

Chapter	Short title	Extent of repeal
41 and 42 Vich. C.	The Territorial Waters Jurisdiction Act 1978	In section 7, the definition of "the territorial waters of Her

		the words from "and for the purpose of any offence" to "the territorial waters of Her Majesty's dominions".
1967 c.41.	The Marine, etc., Broadcasting Offences Act 1967.	Section 9 (2).
1967 c.72.	The Wireless Telegraphy Act 1967.	Section 9 (1).
1979 c.2.	The Customs and Excise Management Act 1979.	In section 1 (1), the definition of "nautical mile".
1979 c.4.	The Alcoholic Duties Act 1979.	In section 4 (3), the words "nautical mile".

THE TERRITORIAL SEA (LIMITS) ORDER 1987

1. This Order may be cited as the Territorial Sea (Limits) Order 1987 and

2. The seaward limit of the territorial sea adjacent to the United Kingdom between Point 1 and Point 6 indicated in the Schedule to this Order shall

be a straight line joining in the sequence given, Points 1

Schedule

List of Points

<u>Point</u>	<u>Position of point</u>
1	50° 49' 23" N 1° 15' 51" E
2	50° 53' 47" N 1° 16' 50" E
3	50° 57' 00" N 1° 21' 25" E
4	51° 02' 19" N 1° 32' 53" E
5	51° 05' 58" N 1° 43' 31" E

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order establishes the seaward limit of the territorial sea adjacent to the United Kingdom in the narrow part of the Straits of Dover and in the vicinity of the Isle of Man. The limit in the Straits of Dover is constituted

B. Notes by Governments

1. BOLIVIA

[Original: Spanish]

Official communiqué

The Government of Bolivia wishes to denounce to international public opinion the bad faith of the current Chilean Government which, after agreeing to enter into negotiations on the problem of Bolivia's lack of access to the

This appeared to satisfy the Chilean delegation headed by Foreign Minister del Valle, who said that his Government would give the Bolivian proposal serious consideration in a spirit of genuine American solidarity.

At the outcome of this first formal diplomatic negotiation between the two States, both Foreign Ministers issued a press communique.

On returning to his country, Foreign Minister del Valle made repeated statements and comments on the Bolivian proposal.

2. UNITED STATES OF AMERICA

The United States refers to an accord entitled "Agreement on the historical waters of the Socialist Republic of Vietnam and the People's Republic of Kampuchea," signed July 7, 1982.

Under the terms of this agreement the parties purportedly claim as ~~historic certain waters in the Gulf of Thailand extending from the mainland to~~

The Chu and Poulo Wai Islands.

~~as is well known under long-standing standards of customary international~~

C. Treaties

1. MULTILATERAL TREATIES

~~(2) Treaty on Fisheries between the United States and the~~

Pacific Island States and the Government of the
United States of America

The Governments of the Pacific Island States party to this Treaty and the Government of the United States of America:

ACKNOWLEDGING that in accordance with international law, coastal States have ~~sovereign rights for the purposes of exploring and exploiting~~

(iv) placing, searching for or recovering fish aggregating devices

(v) any operations at sea directly in support of, or in preparation
of, the activities described in this paragraph or

any operations relating to the activities described in this

18° 00' 00" N 165° 00' 00" E
18° 00' 00" N 174° 00' 00" E
12° 00' 00" N 174° 00' 00" E

5° 00' 00" N 176° 00' 00" E

1° 00' 00" N 164° 00' 00" W
8° 00' 00" N 164° 00' 00" W
8° 00' 00" N 158° 00' 00" W
0° 00' 00" 150° 00' 00" W
6° 00' 00" S 150° 00' 00" W

12° 00' 00" S 146° 00' 00" W
26° 00' 00" S 157° 00' 00" W

40° 00' 00" S 174° 00' 00" W
40° 00' 00" S 171° 00' 00" W
46° 00' 00" S 171° 00' 00" W
55° 00' 00" S 180° 00' 00"

59° 00' 00" S 152° 00' 00" E

and north along the 152 degrees of east longitude until intersecting the Australian 200 nautical mile limit.

ACCESS TO THE TREATY AREA

2.1 Fishing vessels of the United States shall be permitted to engage in

4.3 The Government of the United States shall ensure that:

(a) Each fishing vessel of the United States licensed pursuant to this Treaty is fully insured against all risks and liabilities.

(b) All measures are taken to facilitate:

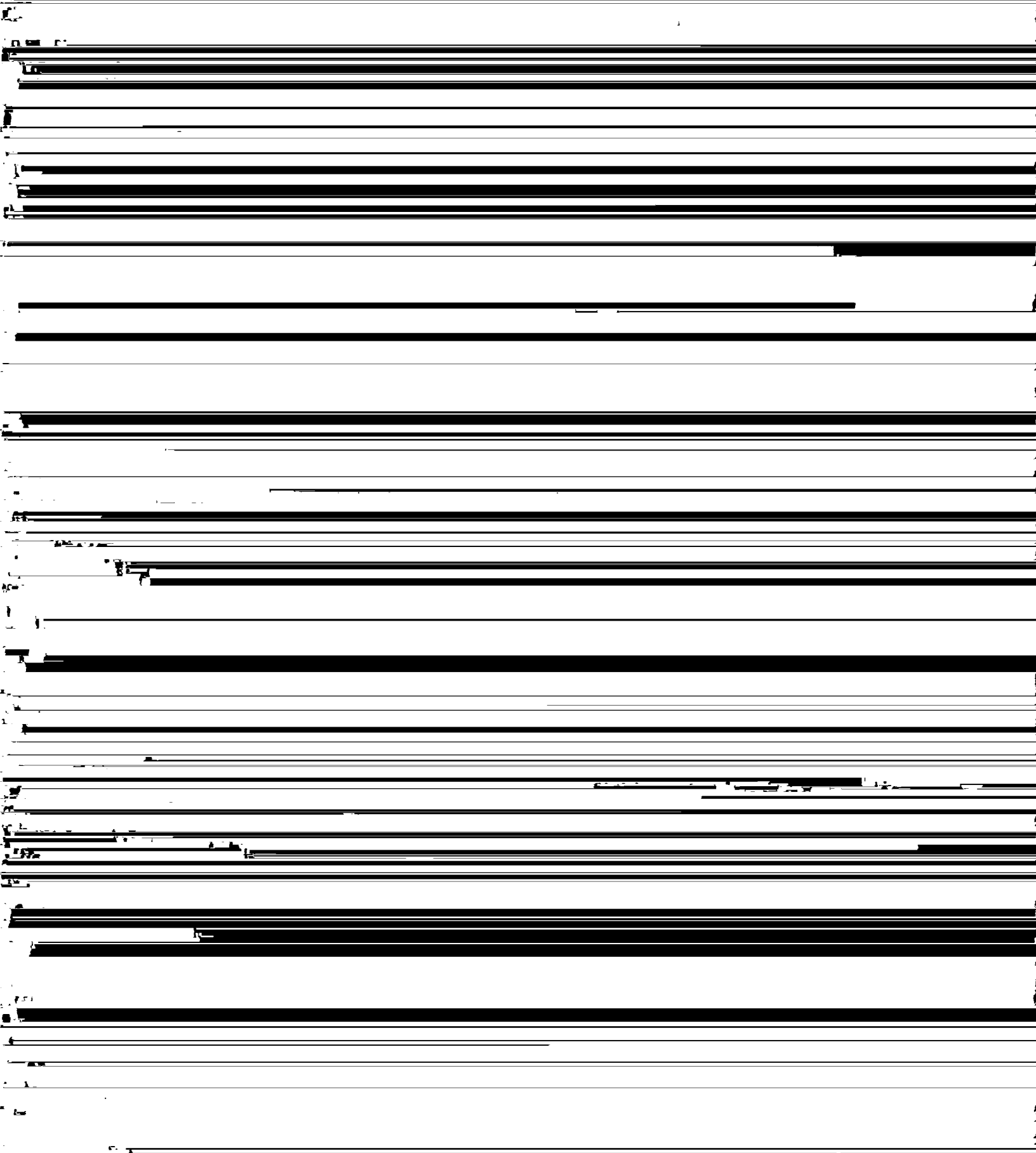
(i) Any claim arising out of the activities of a fishing vessel of the United States, including a claim for the total market value of any fish taken from the Licensing Area with the exception of

pursuant to this Treaty, and the prompt settlement of that claim;

(ii) The service of legal process by or on behalf of the Government of a Pacific Island party in connection with

the Government of a Pacific Island party in connection with

(b) Was involved in any incident in which an authorized officer or observer was allegedly assaulted with resultant bodily harm, physically threatened, forcefully resisted, refused boarding or subjected to physical



4.8 Prior to instituting any legal proceedings pursuant to this article concerning an alleged infringement of this Treaty in waters within the jurisdiction, for any purpose, as recognized by international law, of a Pacific Island party, the Government of the United States shall notify the

5.5 The Governments of the parties shall adopt and inform the other parties

to this Treaty.

5.6 Where legal proceedings have been instituted by the Government of the
[redacted] a Pacific Island party shall proceed

arbitration shall be Port Moresby. The tribunal may hold meetings at such other place or places within the territory of a Pacific Island party or

other decision shall be final and binding on the parties to the arbitration, and, unless the parties agree otherwise, shall be made public. The parties shall promptly carry out any award or other decision of the tribunal.

6.5 The fees and expenses of the tribunal shall be paid half by the Government or Governments of the Pacific Island party or parties to the arbitration and half by the Government of the United States, unless the parties to the arbitration agree otherwise.

ARTICLE 7

REVIEW OF THE TREATY

7. The parties shall meet once each year for the purpose of reviewing the

(a) Any party may propose an amendment to an Annex of this Treaty at any time by notifying such proposal to the depositary, which shall promptly notify all parties of the proposed amendment;

... shall notify its

12.4 This Treaty shall enter into force upon receipt by the depositary of instruments of ratification by the Government of the United States and by the Governments of ten Pacific Island States which shall

ANNEX I

PART 1

INTRODUCTORY

1. In this Annex:

(a) "applicable national law" means any provision of a law, however described, of a Pacific Island party which governs the fishing activities of ~~the party~~ being a law identified in Schedule 1, and which is

PART 3

PROHIBITIONS

5. The vessel shall not be used for directed fishing for southern bluefin

tuna, or for fishing for any kinds of fish other than tunas, except that other kinds of fish may be caught as an incidental by-catch.

6. The vessel shall not be used for fishing by any method, except the purse seine method.

7. The vessel shall not be used for fishing in any Closed Area.

8. Except for circumstances involving

12. At the end of each day that the vessel is in the Licensing Area, an entry or entries for that day shall be completed on the catch report form as set out in Schedule 5, in accordance with the requirements of that form, and such report shall be posted by registered airmail to the Administrator within

13. Immediately following the unloading of any fish from the vessel, a report shall be completed in accordance with the requirements set out in Schedule 6 and shall be posted by

and at all times while the vessel is within the Licensing Area or a Closed Area, all parts of these markings shall be clear, distinct and uncovered.

17. The licence shall be carried on board the vessel and produced at the request of an authorized enforcement official of any of the parties.

PART 6

OBSERVERS

18. The operator and each member of the crew of the vessel shall

PART 7

MISCELLANEOUS REQUIREMENTS

22. At all times while the vessel is in a Closed Area, the fishing gear of the vessel shall be stowed in such a manner as not to be readily available for fishing. In particular, the boom shall be lowered as far as possible so that the vessel cannot be used for fishing but so that the skiff is accessible for use in emergency situations; the helicopter, if any, shall be tied down, and launches shall be secured.

23. The vessel shall be operated in such a way that the activities of traditional and locally based fishermen and fishing vessels are not disrupted or in any other way adversely affected.

24. Any information required to be recorded, or to be notified, communicated or reported pursuant to a requirement of this Treaty shall be true, complete

SCHEDULE 1

APPLICABLE NATIONAL LAWS

The following laws and any regulations or other instruments having the

Marshall Islands

Marine Resources Jurisdiction Act, 1978
~~Continental Shelf (Declaration) Act, 1984~~

Interpretation Act, 1971
Interpretation Act, 1975
Marine Resources Act, 1978

New Zealand

Antarctic Marine Living Resources Act, 1981
Continental Shelf Act, 1984
Exclusive Economic Zone (Foreign Fishing Craft) Regulations, 1978
Fisheries Act, 1983
Marine Mammals Protection Act, 1978
Territorial Sea and Exclusive Economic Act, 1977
~~■ ~~Antarctic~~ Territorial Sea and Exclusive Economic Zone Act), 1977~~

Niue

Territorial Sea and Exclusive Economic Zone Act, 1978

Palau

Palau National Code, Title 27

Papua New Guinea

Fisheries Act (Cap 214)

~~Fisheries Regulations (Cap 214)~~

Tonga

Fisheries Protection Act, 1973
Fisheries Regulation Act, 1923
Whaling Industry (Amendment) Act, 1979

Tuvalu

Fisheries Act (Cap 45)
Foreign Fishing Vessel Regulations, 1982

Fisheries (Foreign Fishing Vessel) (Amendment) Regulations, 1984
Marine Zones (Declaration) Act, 1983

Vanuatu

Fisheries Act, 1982
Fisheries Regulations, 1983
Maritime Zones Act, 1981

Western Samoa

Exclusive Economic Zone Act, 1977

Fisheries Protection Act, 1972
Territorial Sea Act, 1971

Australia. All waters within the seaward boundary of the Australian Fishing Zone (AFZ) west of a line connecting the point of intersection of the outer limit of the AFZ by the parallel of latitude 25° 30' south with the point of

Cook Islands. Territorial sea.

Federated States of Micronesia. Three-nautical-mile territorial sea and

Palau. Within 12 nautical miles of all island baselines in the Palau Islands; within a 50-nautical-mile arc measured from the entrance to Malakal Harbour (7° 16' 44" N, 134° 28' 18" E) and extending from where the arc intersects the territorial sea limit to the northeast of Babelthuap Island to the 134° east

meridian of longitude, southwest of Angaur Island then due north along the

limit.

Papua New Guinea. In addition to its territorial sea and internal waters,

... of any anchored fish aggregating device within

co-ordinates.

* * *

Only the Closed Areas, as described above, of Pacific Island States which are parties to this Treaty shall be applicable under the terms of this Treaty.

SCHEDULE 3

LIMITED AREAS

Solomon Islands

1. The Solomon Islands Limited Area is all of the Licensing Area within the fishery limits of Solomon Islands as described in the Fishery Limits Act 1977 of Solomon Islands.

vessel is used for fishing in the Solomon Islands Limited Area.

SCHEDULE 4

REPORTING DETAILS

PART 1

LICENSING AREA REPORTS TO THE ADMINISTRATOR

(a) Port departure and entry into port for unloading

(1) report type (LBEG for port departure to begin fishing and LFIN for port entry for unloading)

(2) date

(3) call sign

(4) port name

(5) catch on board by species (in short tons)

as: LBEG (or LFIN) / ddmmyy / CALL SIGN / PORT / SJ xxx YF

(b) Weekly reports

(1) report type (WEEK)

(2) date

(3) call sign

(4) position (to one minute of arc)

(5) catch on board by species

as: WEEK / ddmmyy / CALL SIGN / LA 1111 / LO 11111 / SJ
xxx YF yyy OTH zzz

PART 2

REPORTS TO NATIONAL AUTHORITIES

(a) Zone entry and exit

(1) report type (ZENT for entry and ZEXT for exit)

(2) date

(3) call sign

(4) position (to one minute of arc)

(5) catch on board by species

as: ZENT (or ZEXT) / ddmmyy / CALL SIGN / TIME / LA 1111 /
LO 11111 / SJ xxx YF yyy OTH zzz

(b) Port entry reports

PART 3

1. Australia

(a) Report of position each two days while within the Australian Fishing Zone;

(b) Twenty-four hours' notice of intention to enter the Australian Fishing Zone; and

(c) Report of catch by species, amount of fish, etc.

(c) A weekly report of catch taken and fishing days in the Solomon
exclusive economic zone to cover the period 0001 hours on a Monday to

Tuesday.

6. Tonga

While in the Tonga exclusive economic zone, daily position report by
radio or telex.

7. Tuvalu

24 hours before entry into the Tuvalu fishery

RECEIVED
FOR THE
FISH
COMMISSION

NOV 11 1901

NOV 11 1901

141

SCHEDULE 6

VESSEL NAME _____

RADIO CALL SIGN OR
REGIONAL REGISTER No. _____

(1) PORT _____

LONG _____

(2) DATES

(a) AT UNLOADING POINT

DEPARTURE _____

(b) AT UNLOADING

COMMENCEMENT _____ COMPLETION _____

(3) PARTIAL OR COMPLETE UNLOADING _____

(4) UNLOADING TO _____

(5)

(a) CARRIER VESSEL NAME _____

RADIO CALL SIGN OR REGIONAL REGISTER No. _____

ANNEX II

1. For the purposes of this Annex:

"Licensing Period" means the period of validity of licences issued in accordance with this Treaty.

2. The Government of the United States shall make application for a licence in respect of any fishing vessel of the United States intended by the operator

active withdrawal of good standing

[The remainder of the page is heavily obscured by horizontal black lines, rendering the text illegible.]

SCHEDULE 1

TREATY ON FISHERIES BETWEEN THE GOVERNMENT OF CERTAIN PACIFIC ISLAND STATES
AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA

APPLICATION FORM

Application is hereby made for a licence authorizing the use of the vessel

named in this application for fishing in the Licensing Area.

1. FULL NAME OF VESSEL: _____
2. RADIO CALL SIGN OF VESSEL: _____
3. REGIONAL REGISTER NUMBER OF VESSEL: _____
4. FULL NAME AND ADDRESS OF EACH PERSON WHO IS AN OPERATOR OF THE VESSEL,
AND STATE WHETHER OWNER, CHARTERER, MASTER OR OTHER.
~~IF OTHER SPECIFY DETAILS.~~

5. FULL NAME AND ADDRESS OF INSURER FOR PURPOSES OF ARTICLE 4 (1) OF THE

TREATY: _____

SCHEDULE 2

PAYMENTS

~~The following amounts are payable annually for a period of five (5) years~~

pursuant to paragraph 3 of Annex II.

PART 1

1. The amounts payable as set forth in this paragraph.

(a) Annual industry payments shall be made as follows:

(i) For the first annual Licensing Period, a lump sum of \$US 1.75 million for 35 vessels, with the next five licences to be made available for the same pro-rata payment as the first 35 licences, and an additional 10 licences to be made available at \$US 60,000 per vessel;

(ii) For subsequent annual Licensing Periods, 40 vessel licences calculated on the same basis as the first 40 vessel licences in ~~limit to the number of fish as set forth~~

Base Price: The Base Price is the

three months prior to the Treaty entering into force.

- f. Estimated Landed Value: The Estimated Landed Value is the Average Landed Price in effect at the

Landing weighted by the yellowfin/skipjack mix ratio to be calculated from information on Schedule 6 for that vessel.

- g. Average Estimated Landed Value: The Average Estimated Landed Value is the Estimated Landed Value for all landings by

United States purse seine vessels in American Samoa in the four quarters preceding the final quarter of the applicable Licensing Period divided by the total number of those landings for the same period.

(ii) CALCULATION AND APPLICATION OF INDEXING FACTOR

- a. To obtain the indexing factor by which the Adjusted Individual Vessel Payment shall be calculated, divide the Average Estimated Landed Value for the preceding four quarters by the Base Price.
- b. To obtain the Adjusted Individual Vessel Payment, multiply the Base Vessel Payment by the indexing factor obtained in paragraph (ii) a.

(c) There shall be no pro-ration of the Base Vessel Payment or the Adjusted Individual Vessel Payment. There shall be no refunds of the Base

issuance pursuant to Annex II.

2. Sums payable pursuant to the related Agreement between the South Pacific and the Government of the United States.

PART 2

3. Technical assistance, including provision of assistance by technicians, by the United States tuna industry valued at \$US 250,000 annually in response to requests co-ordinated through the Administrator.

SCHEDULE 3

~~TREATY ON FISHERIES BETWEEN THE GOVERNMENTS OF GREAT BRITAIN AND IRELAND~~

AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA

LICENCE FORM

The vessel described in this licence is hereby authorized to engage in fishing in the Licensing Area for the period ~~from~~ ~~to~~

accordance with the terms and conditions referred to in Annex I.

FULL NAME OF VESSEL: _____

RADIO CALL SIGN OF VESSEL: _____

~~REGIONS DESIGNATED BY ANNEX I~~

~~(1) Convention for the Protection of the Natural Resources and~~

THE PARTIES,

~~of the natural resources of~~

the environment of the South Pacific Region;

TAKING INTO ACCOUNT the traditions and cultures of the Pacific people as expressed in accepted customs and practices;

~~conscious of their responsibility to preserve their natural heritage for~~

Article 1

~~GEOGRAPHICAL COORDINATES~~

2. Except as may be otherwise provided in any Protocol to this Convention, the Convention Area shall not include internal waters or archipelagic waters of the Parties as defined in accordance with international law.

Article 2

DEFINITIONS

"dumping" does not include:

- the disposal of wastes or other matter incidental to, or derived from the normal operations of vessels, aircraft, platforms or other man-made structures at sea and their equipment, other than wastes or other matter transported by or to vessels, aircraft, platforms or other man-made structures at sea, operating for the purpose of disposal of such matter or derived from the treatment of such wastes or other matter on such vessels, aircraft, platforms or structures;

- placement of matter for a purpose other than the mere disposal

thereof, provided that such placement is not contrary to the aims of this Convention.

(c) "wastes or other matter" means material and substances of any kind

form or description;

(d) The following wastes or other matter shall be considered to be non-radioactive: sewage sludge, dredge spoil, fly ash, agricultural wastes, construction materials, vessels, artificial reef building materials and other such materials, provided that they have not been contaminated with radio

(g) "Organization" means the South Pacific Commission;

(h) "Director" means the Director of the South Pacific Bureau for Economic Co-operation.

Article 3

ADDITION TO THE CONVENTION AREA

Any Party may add areas under its jurisdiction within the Pacific Ocean between the Tropic of Cancer and 60 degrees south latitude and between 130 degrees east longitude and 120 degrees west longitude to the Convention Area. Such addition shall be notified to the Depositary who shall promptly notify the other Parties and the Organization. Such areas shall be incorporated within the Convention Area ninety days after notification to the

proposal to add new areas by any Party affected by that proposal. If there is any such objection the Parties concerned will consult with a view to resolving the matter.

Article 4

1. The Parties shall endeavour to conclude bilateral or multilateral agreements, including regional or subregional agreements, for the protection.

Article 5

GENERAL OBLIGATIONS

1. The Parties shall endeavour, either individually or jointly, to take all appropriate measures in conformity with international law and in accordance with this Convention and those Protocols in force to which they are party to prevent, reduce and control pollution of the Convention Area, from any source, and to ensure sound environmental management and development of natural

Article 7

POLLUTION FROM AIRBORNE SOURCES

The Parties shall take all appropriate measures to prevent, reduce and control pollution in the Convention Area caused by aircraft, ships and other means of transport.

Article 12

TESTING OF NUCLEAR DEVICES

The Parties shall take all appropriate measures to prevent, reduce and control pollution in the Convention Area which might result from the testing of nuclear devices.

Article 13

MINING AND COASTAL EROSION

The Parties shall take all appropriate measures to prevent, reduce and control environmental damage in the Convention Area, in particular coastal erosion caused by coastal engineering, mining activities, sand removal, land reclamation and dredging.

Article 14

SPECIALLY PROTECTED AREAS AND PROTECTION OF WILD FLORA AND FAUNA

The Parties shall, individually or jointly, take all appropriate measures to protect and preserve rare or fragile ecosystems and depleted, threatened or

Article 16

1. The Parties agree to develop and maintain, with the assistance of competent global, regional and subregional organizations as requested, technical guidelines and legislation giving adequate emphasis to environmental and social factors to facilitate balanced development of their natural

Article 19

TRANSMISSION OF INFORMATION

The Parties shall transmit to the Organization information on the measures adopted by them in the implementation of this Convention and of Protocols to which they are Parties, in such form and at such intervals as the Parties may determine.

Article 20

LIABILITY AND COMPENSATION

The Parties shall co-operate in the formulation and adoption of appropriate rules and procedures in conformity with international law in respect of liability and compensation for damage resulting from pollution of the Convention Area.

Article 21

INSTITUTIONAL ARRANGEMENTS

1. The Organization shall be responsible for carrying out the following secretariat functions:

- (a) To prepare and convene the meetings of Parties;
- (b) To transmit to the Parties notifications, reports and other information received in accordance with this Convention and its Protocols;
- (c) To perform the functions assigned to it by the Protocols to this Convention;
- (d) To consider enquiries by, and information from, the Parties and to

Article 22

MEETINGS OF THE PARTIES

1. The Parties shall hold ordinary meetings once every two years. Ordinary meetings shall review the implementation of this Convention and its Protocols and, in particular, shall:

(a) Assess periodically the state of the environment in the Convention Area;

(b) Consider the information submitted by the Parties under article 19;

(c) ~~Adopt, review and amend as required annexes to this Convention and~~

(d) Make recommendations regarding the adoption of any Protocols or any amendments to this Convention or its Protocols in accordance with the provisions of articles 23 and 24;

(e) Establish working groups as required to consider any matters concerning this Convention and its Protocols;

(f) Consider co-operative activities to be undertaken within the

Article 23

ADOPTION OF PROTOCOLS

1. The Parties may, at a conference of plenipotentiaries, adopt Protocols to this Convention pursuant to paragraph 3 of article 5.

2. If so requested by a majority of the Parties, the Organization shall

Protocols to this Convention.

Article 24

AMENDMENT OF THE CONVENTION AND ITS PROTOCOLS

1. Any Party may propose amendments to this Convention. Amendments shall be adopted by a conference of plenipotentiaries which shall be convened by the Organization at the request of two thirds of the Parties.

2. Any Party to this Convention may propose amendments to any Protocol. Such amendments shall be adopted by a conference of plenipotentiaries which shall be convened by the Organization at the request of two thirds of the Parties to the Protocol concerned.

3. A proposed amendment to the Convention or any Protocol shall be communicated to the Organization, which shall promptly transmit such proposal for consideration to all the other Parties.

4. A conference of plenipotentiaries to consider a proposed amendment to the Convention or any Protocol shall be convened not less than ninety days after the requirements for the convening of the Conference have been met pursuant to paragraphs 1 or 2, as the case may be.

Article 25

ANNEXES AND AMENDMENT OF ANNEXES

1. Annexes to this Convention or to any Protocol shall form an integral part of the Convention or such Protocol respectively.

2. Except as may be otherwise provided in any Protocol...

Article 26

SETTLEMENT OF DISPUTES

1. In case of a dispute between Parties as to the interpretation or application of this Convention or its Protocols, they shall seek a settlement through negotiation or any other peaceful means of their own

good offices of, or jointly request mediation by, a third Party.

1. In case of a dispute through the means

Article 29

This Convention and any Protocol thereto shall be subject to
ratification, acceptance or approval by States referred to in article 28

Article 32

DENUNCIATION

1. At any time after two years from the date of entry into force of this Convention with respect to a Party, that Party may denounce the Convention by giving written notification to the Depositary.

2. Except as may be otherwise provided in any Protocol to this Convention

Protocol with respect to that Party, denounces the Protocol by giving

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

DONE at Noumea, New Caledonia on the twenty-fourth day of November in the
year one thousand nine hundred and eighty-six in a single copy in the English
~~and French languages~~ the two texts being equally authentic.

ANNEX ON ARBITRATION

Article 1

Unless the agreement referred to in article 26 of the Convention provides otherwise, the arbitration procedure shall be in accordance with the rules set out in this Annex.

Article 2

The claimant Party shall notify the Organization that the Parties have
submitted the dispute to arbitration pursuant to paragraph 2 or that

4. In the case of the death, disability or default of an arbitrator, the Party to the dispute who nominated him shall nominate a replacement within ~~thirty days of such death, disability or default.~~ If the Party does not

Article 10

Unless a Tribunal consists of a single arbitrator, decisions of the

(i) PROTOCOL FOR THE PREVENTION OF POLLUTION OF THE SOUTH PACIFIC REGION
BY DUMPING

THE PARTIES TO THE PROTOCOL,

BEING PARTIES to the Convention for the Protection of the Natural
Resources of the South Pacific Region adopted in Noumea

New Caledonia on the twenty-fourth day of November in the year one thousand
nine hundred and eighty-six;

RECOGNIZING the danger posed to the marine environment by pollution
caused by the dumping of waste or other matter;

CONSIDERING that they have a common interest to protect the South Pacific
Region from this danger, taking into account the unique environmental quality
of the region;

DESIRING to enter into a regional agreement consistent with the

3. National laws, regulations and measures adopted by the Parties shall be no less effective in preventing, reducing and controlling pollution by dumping than the relevant internationally recognized rules and procedures relating to the control of dumping established within the framework of the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972.

Article 4

PROHIBITED SUBSTANCES

1. The dumping in the Protocol Area of wastes or other matter listed in

2. No provision of this Protocol is to be interpreted as preventing a Party from prohibiting, insofar as that Party is concerned, the dumping of wastes or

at sea, if dumping appears to be the only way of averting the threat and if there is every probability that the damage consequent upon such dumping will

minimize the likelihood of damage to human or marine life. Such dumping shall immediately be reported to the Organization and, either through the Organization or directly, to any Party or Parties likely to be affected, together with full details of the circumstances and of the nature and quantities of the wastes or other matter dumped.

Article 10

EMERGENCIES

1. A Party may issue a special permit as an exception to article 4, in emergencies arising in the Protocol Area, posing unacceptable risk relating to human health and admitting no other feasible solution. Before doing so the Party shall consult any other country or countries that are likely to be

2. The appropriate authority or authorities of each Party shall issue the permits provided for in articles 5 and 6 and in the emergency circumstances provided for in article 10 in respect of the wastes or other matter intended for dumping:

(a) Loaded in its territory or at its offshore terminals; or

(b) Loaded by vessels flying its flag or vessels or aircraft of its registry when the loading occurs in the territory or at the offshore terminals of a State not party to this Protocol.

3. In issuing permits under paragraphs 1 (a) and (b) the appropriate authority or authorities shall comply with Annex III together with such

Article 12

1. Each Party shall apply the measures required to implement this Protocol to all:

Article 14

REPORTING OF DUMPING INCIDENTS

Each Party undertakes to issue instructions to its maritime inspection
vessels and aircraft and to other

(b) Study and consider the records of the permits issued in accordance with articles 5, 6, 7 and the emergency situation in article 10, and of the dumping which has taken place;

(c) Review and amend as required any annex to this Protocol taking into account Annex IV;

(d) Adopt as necessary guidelines for the preparation of records and procedures to be followed in submitting such records for the purposes of article 7;

(e) Develop, adopt and implement in consultation with the Organization and other competent international organizations procedures pursuant to article 10 including basic criteria for determining emergency circumstances and procedures for consultative advice and the safe disposal, storage or destruction of matter in such circumstances;

(f) Invite, as necessary, the appropriate scientific body or bodies to collaborate with and to advise the Parties and the Organization on any scientific or technical aspects relevant to this Protocol, including particularly the content and applicability of the Annexes; and

implementation of this Protocol.

3. The adoption of amendments to the Annexes to this Protocol pursuant to article 25 of the Convention shall require a three-fourths majority vote of

ANNEX I

- A -

The following substances and materials are listed for the purposes of

1. Organohalogen compounds.
2. Mercury and cadmium compounds.
3. Cadmium and cadmium compounds.
4. Persistent plastics and other persistent synthetic materials, for example, netting and ropes, which may remain in suspension in the sea in such a manner as to interfere materially with fishing, navigation or other legitimate uses of the sea.
5. Crude oil and its wastes, refined petroleum products, petroleum distillate residues and any mixtures containing any of these taken on board for the purpose of dumping.
6. Materials in whatever form (e.g. solids, liquids, semi-liquids, gases, or in a living state) produced for biological and chemical warfare.

- B -

Section 1 does not apply to substances other than substances produced

ANNEX II

The following substances and materials requiring special care are listed for the purposes of article 5 of this Protocol.

- A -

Wastes containing a significant amount of the matters listed below:

arsenic)
lead)
copper) and their compounds
zinc)

organosilicon compounds
cyanides
fluorides
pesticides and their by-products not covered in Annex I.

- B -

In the issue of permits for the dumping of acids and alkalis, consideration shall be given to the possible presence in such wastes of the substances listed in section A to the following additional substances:

chromium)
nickel) and their compounds
vanadium)

ANNEX III

Provisions to be considered in establishing criteria governing the issue of permits for the dumping of matter at sea, taking into account article 7 of this Protocol, include:

- A -

~~Characteristics and Composition of the Matter~~

~~1. Total amount and average composition of matter dumped (e.g. per year)~~

2. Form, (e.g. solid, sludge, liquid, or gaseous).
3. Properties: physical (e.g. solubility and density), chemical and biochemical (e.g. oxygen demand, nutrients) and biological (e.g. presence of viruses, bacteria, yeasts, parasites).
4. Toxicity.
5. Persistence: physical, chemical and biological.
6. Accumulation and biotransformation in biological materials or sediments.

7. Susceptibility to physical, chemical and biochemical changes and interaction in the aquatic environment with other dissolved organic and inorganic materials.

8. Probability of production of taints or other changes reducing marketability of resources (e.g. fish, shellfish, etc.).

9. In issuing a permit for dumping, Parties should consider whether an adequate scientific basis and sufficient knowledge of the composition and

5. Dispersal characteristics (e.g. effects of currents, tides and wind on horizontal transport and vertical mixing).

6. Water characteristics (e.g. temperature, pH, salinity, stratification, oxygen indices of pollution - dissolved oxygen (DO), chemical oxygen demand (COD), biochemical oxygen demand (BOD) - nitrogen present in organic and

productivity).

7. Bottom characteristics (e.g. topography, geochemical and geological

ANNEX IV

ALLOCATION OF SUBSTANCES TO ANNEXES

1. Substances are allocated to Annexes I and II on the grounds of any combination of the following criteria:

Persistence and degradability,

Bioaccumulation potential.

Toxicity to marine life,

marine organisms,

Carcinogenicity and mutagenicity,

(ii) PROTOCOL CONCERNING CO-OPERATION IN COMBATING POLLUTION EMERGENCIES
IN THE SOUTH PACIFIC REGION

THE PARTIES TO THIS PROTOCOL,

BEING PARTIES to the Convention for the Protection of the Natural
Resources and Environment of the South Pacific Region adopted in Noumea.

New Caledonia on the twenty-fourth day of November in the year one thousand
nine hundred and eighty-six;

CONSCIOUS that the exploration, development and use of offshore and
near-shore minerals and the use of hazardous substances, as well as related
vessel traffic, pose the threat of significant pollution emergencies in the
South Pacific Region;

AWARE that the islands of the region are particularly vulnerable to

damage resulting from significant pollution due to the sensitivity of their
ecosystems and their economic reliance on the continuous utilization of their

(ii) fishing activities and the management and conservation of

(iii) the cultural value of the area concerned and the exercise of traditional customary rights therein;

(iv) the health of the coastal population;

(v) tourist and recreational activities;

(vi) "pollution incident" means a discharge or significant threat of a

Article 5

POLLUTION INCIDENTS

1. Each Party shall establish appropriate procedures to ensure that information regarding pollution incidents is reported as rapidly as possible and shall, inter alia:

(a) Require appropriate officials of its government to report to it the occurrence of any pollution incident which comes to their attention;

(b) Require masters of vessels flying its flag and persons in charge of offshore facilities operating under its jurisdiction to report to it the existence of any pollution incident involving their vessel or facilities;

(c) Establish procedures to encourage masters of vessels flying its flag

Article 7

OPERATIONAL MEASURES

Each Party shall, within its capabilities, take steps including those outlined below in responding to a pollution incident:

(a) Make a preliminary assessment of the incident, including the type and extent of existing or likely pollution effects;

(b) Promptly communicate information concerning the situation to other Parties and the Organization pursuant to article 5;

(c) Promptly determine its ability to take effective measures to respond to the pollution incident and the assistance that might be required and to communicate any request for such assistance to the Party or Parties concerned

(d) Consult, as appropriate, with other affected or concerned Parties or

the Organization in determining the necessary response to a pollution incident;

(e) Carry out the necessary measures to prevent, eliminate or control the effects of the pollution incident, including surveillance and monitoring

of the situation.

Article 8

(c) Assisting Parties, upon request, in the following areas:

- (i) the preparation, periodic review, and updating of the contingency plans, referred to in paragraph 2 of article 3, with a view, inter alia, to promoting the compatibility of the ~~plans of the Parties and~~

- (ii) the identification of training courses and programmes;

(d) Assisting the Parties upon request, on a regional or subregional basis, in the following areas;

- (i) the co-ordination of emergency response activities; and
- (ii) the provision of a forum for discussions concerning emergency response and other related topics;

(e) Establishing and maintaining liaison with:

- (i) appropriate regional and international organizations; and
- (ii) appropriate private organizations, including producers and ~~transporters of substances which could give rise to a pollution~~

incident in the South Pacific Region and clean-up contractors and co-operatives;

2. It shall be the function of the meetings of the Parties:

(b) To consider any measures to improve co-operation under this Protocol including, in accordance with article 24 of the Convention, amendments to this Protocol.

Article 11

RELATIONSHIP BETWEEN THIS PROTOCOL AND THE CONVENTION

2. BILATERAL TREATIES

Agreement between the Government of the French Republic and
the Government of the Italian Republic on the Delimitation
of the Maritime Boundaries in the Area of the Strait of
Bonifacio, done at Paris on 28 November 1986

The Government of the French Republic and the Government of the Italian Republic,

Desiring to strengthen the ties of good-neighbourliness and friendship between the two countries,

Aware of the need to delimit, precisely and equitably, the maritime spaces over which the two States exercise or shall exercise, respectively, their sovereignty or sovereign rights,

Relying on the rules and principles of international law applicable in this matter,

Considering the "Agreement between France and Italy of 10 July 1986"

for the purpose of determining the exclusive fishing zones for French and

Italian fishermen, respectively, in the waters between Corsica and Sardinia",

Have agreed as follows:

Article 1

1. The demarcation line between the territorial waters of the

Article 2

Agreement between the Government of the United Kingdom of
Great Britain and Northern Ireland and the Government of

The Government of the United Kingdom of Great Britain and Northern
Ireland and the Government of the Union of Soviet Socialist Republics:

Desiring to ensure the safety of navigation of the ships of their

their freedom to conduct operations beyond the territorial sea is based on the principles established under recognized international law and codified in the 1958 Geneva Convention on the High Seas. 2/

ARTICLE III

1. In all cases ships of the Parties operating in proximity to each

Collision Regulations, shall remain well clear to avoid risk of collision.

2. Ships meeting or operating in the vicinity of a formation of the other Party shall, while conforming to the 1972 Collision Regulations, avoid manoeuvring in a manner which would hinder the evolutions of the formation.

3. Formations shall not conduct manoeuvres through areas of heavy traffic where internationally recognized traffic separation schemes are in effect.

4. Ships engaged in surveillance of ships of the other Party shall stay

9. Ships of one Party when approaching ships of the other Party

conducting operations which in accordance with Rule 3 (g) of the 1972 Collision Regulations are restricted in their ability to manoeuvre, and particularly ships engaged in launching or landing aircraft as well as ships engaged in replenishment underway shall take appropriate measures not to

hinder manoeuvres of such ships and shall remain well clear.

ARTICLE IV

1. Commanders of aircraft of the Parties shall use the greatest caution and prudence in approaching aircraft and ships of the other Party, in particular ships engaged in launching or landing aircraft, and, in the interest of mutual safety, shall not permit simulated attacks by the simulated

ARTICLE IX

Representatives of the Parties shall meet within one year after the date

of the signing of this Agreement to review the implementation of its terms, as well as possible ways of promoting a higher level of safety of navigation of

consultations shall be held thereafter annually, or more frequently as the Parties may decide.

BY SIGNING HEREOF the undersigned duly authorized persons for their

ANNEX

TABLE OF SPECIAL SIGNALS 1/

YAMITE VICTOR ONE (VY1)

IR2

I am streaming/towing hydrographic survey equipment

IR2 (...)

I am streaming/towing hydrographic survey equipment meters astern.

IR3

I am recovering hydrographic survey equipment.

IR4

I am conducting salvage operations.

JH1

I am attempting to retract a grounded vessel.

MH1

Request you not cross my course ahead of me.

NB1 (...)

I have my unattached hydrographic survey equipment bearing in a direction from me as indicated (Table 3 of ICS).

RU5 The formation is preparing to alter course to starboard.
RU6 I am engaged in manoeuvring exercises. It is dangerous to be
inside the formation.
RU7 I am preparing to submerge.
RU8 A submarine will surface within two miles of me within
30 minutes. Request you remain clear.
SL2 Request your course speed and passing intention.
TX1 I am engaged in fisheries patrol.
UY1 (...) I am preparing to launch/recover aircraft on course
UY2 (...) I am preparing to conduct missile exercises. Request you keep

clear of the direction indicated from me (Table 3
of ICS).

UY3 (...) I am preparing to conduct gunnery exercises. Request you keep
clear of the direction indicated from me (Table 3

of ICS).

I am preparing to conduct gunnery exercises employing

explosive charges.

Maritime Delimitation Treaty between Colombia and Honduras

Reaffirming the friendship bonds that rule the relationships between the

States, in view of the need to establish a marine frontier between the

Article II

The delimitation stated in the above article shall not overrule the layout of the marine frontiers which have been established or can be

established in the future between any of the Parties herein and third States

as long as said layout does not affect the jurisdiction acknowledged to the other contracting Party by the foregoing instrument.

Article III

The hydrocarbons or natural gas deposits or fields which are found on both sides of the line established shall be exploited in a manner [such] that the distribution of the volumes of the resources extracted from said deposits or

field is proportional to the volume of the same which is correspondingly found

Agreement between the Socialist Republic of the Union of Burma and
the Republic of India on the Delimitation of the Maritime Boundary

DESIRING TO strengthen the existing historical bonds of friendship
between the two countries,

ARTICLE III

The co-ordinates of the points specified in articles I and II are the geographical co-ordinates and the straight lines connecting them are as indicated in Indian Chart No. 41 of 1 December 1979 (Andaman Sea) and Indian Chart No. 31 of 1 November 1976 (Bay of Bengal) annexed hereto, which form an integral part of this Agreement and which have been signed by the competent authorities of the two Parties.

ARTICLE IV

The actual location at sea and on the sea-bed and on the continental shelf of the points specified in articles I and II shall be determined by a method to be mutually agreed upon by the Hydrographic Surveyors authorized for

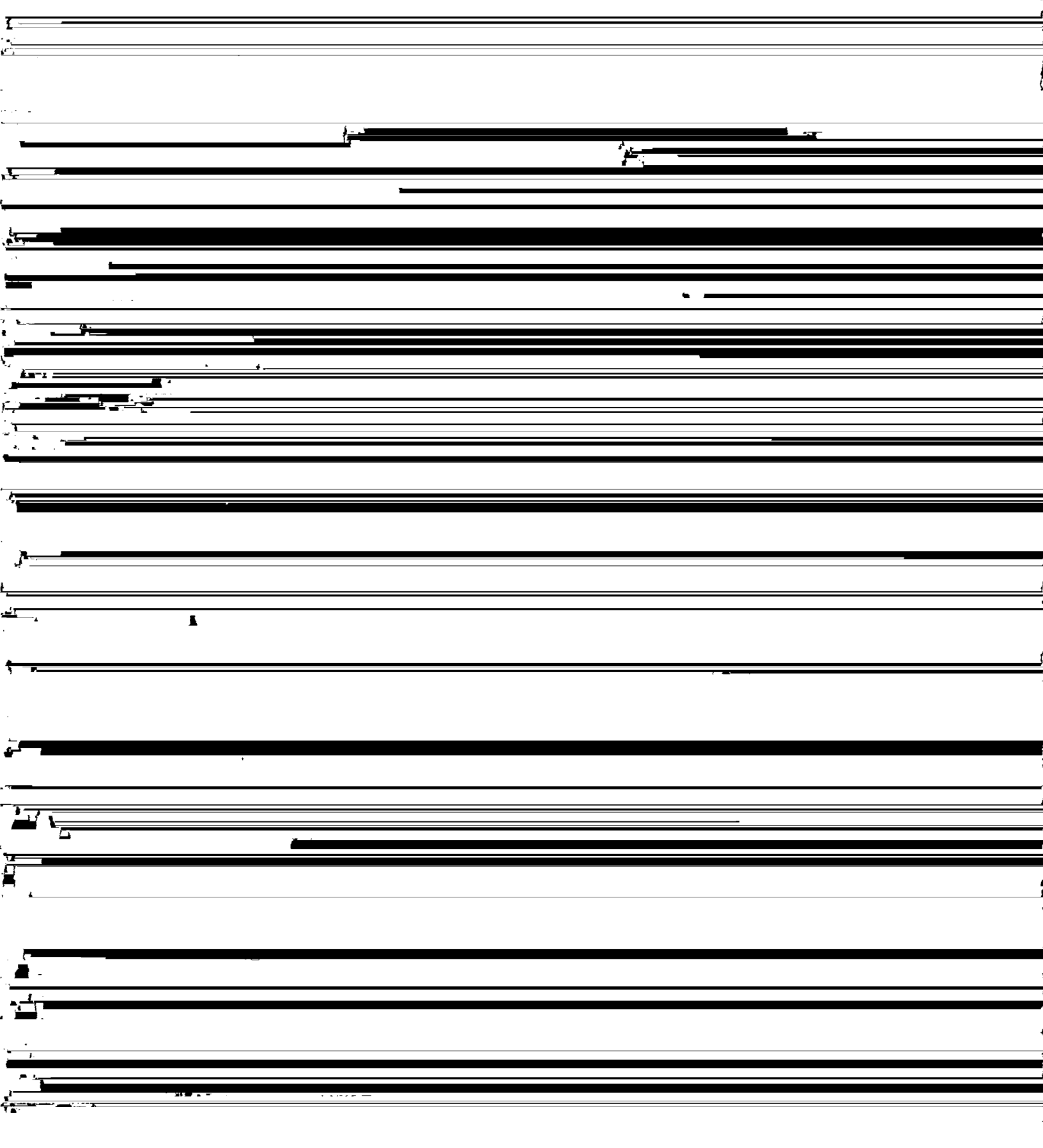
ARTICLE V

Each Party has sovereignty over the existing islands and any islands that
falling on its side of the maritime boundary.

ARTICLE VI

Each Party has sovereignty, rights and jurisdiction in its

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D. Resolution and decision of interest

Economic and Social Council resolution and decision

1987/84. Economic and technical aspects of marine affairs

The Economic and Social Council,

Recalling its resolutions 1980/68 of 25 July 1980 on co-operation in the uses of the sea and coastal area development, 1983/48 of 28 July 1983 on marine affairs and 1985/75 of 26 July 1985 on economic and technical aspects of marine affairs,

Convinced that the resources of the ocean represent an important existing

and potential contribution to development,

III. INFORMATION ABOUT THE PREPARATORY COMMISSION

The Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea, established by

resolution I of the Third United Nations Conference on the Law of the Sea, held its fifth regular session at Kingston from 30 March to 16 April 1987 and its meeting in New York from 27 July to 21 August 1987.

As of the closing date of signature, 10 December 1984, a total of 159 States or entities had signed the Convention and, under resolution I, paragraph 2, had become members of the Preparatory Commission. Under rule 2 of the rules of procedure of the Preparatory Commission, 15 States or entities

became observers having signed the Final Act. Other States or entities which

have signed neither the Convention nor the Final Act might be invited to

attend the meetings of the Preparatory Commission as observers.

A. Table of members, observers and participants of the Preparatory Commission ^{a/}

Fifth session (Kingston and New York)

STATES	Kingston ^{b/}		New York ^{c/}	
	Member/ Observer	Participant	Member/ Observer	Participant
Afghanistan	M		M	
Albania				
Algeria	M	x	M	x
Angola	M		M	
Antigua and Barbuda	M		M	
Argentina	M	x	M	x
Australia	M	x	M	x
Austria	M	x	M	x
Bahamas	M		M	
Bahrain	M		M	
Bangladesh	M	x	M	x
Barbados	M		M	
Belgium	M	x	M	x
Belize	M		M	
Benin	M		M	
Bhutan	M	x	M	x
Botswana	M		M	
Brazil	M	x	M	x
Brunei Darussalam	M		M	
Bulgaria	M	x	M	x
Burkina Faso	M	x	M	x
Burma	M	x	M	x
Burundi	M		M	
Byelorussian SSR	M	x	M	x
Cameroon	M	x	M	x
Canada	M	x	M	x
Cape Verde	M	x	M	x
Central African Republic	M		M	

STATES	Kingston		New York	
	Member/ Observer	Participant	Member/ Observer	Participant
	M	x	M	x
China	M	x	M	x
Colombia	M	x	M	x
Comoros	M		M	
Congo	M		M	
Costa Rica	M	x	M	x
Côte d'Ivoire	M	x	M	x
Cuba	M	x	M	x
Cyprus	M		M	
Czechoslovakia	M	x	M	x
Democratic Kampuchea	M		M	
Democratic People's Rep. of Korea	M	x	M	x
Democratic Yemen	M	x	M	x
Denmark	M	x	M	x
Djibouti	M		M	
Dominica	M		M	
Dominican Republic	M		M	
Ecuador	O		O	x
Egypt	M	x	M	x
	M		M	
Equatorial Guinea	M		M	
Ethiopia	M	x	M	
Fiji	M		M	x

STATES	Kingston		New York	
	Member/ Observer	Participant	Member/ Observer	Participant
India	M		M	
India	M	x	M	x
Indonesia	M	x	M	x
Indonesia (Republic of)	M		M	
Iraq	M		M	x
Ireland	M	x	M	x
Israel	O	x	O	x
Italy	M	x	M	x
Jamaica	M	x	M	x
Japan	M	x	M	x
Jordan	O		O	
Kenya	M	x	M	x

Kuwait	M	x	M	x
Lao People's Democratic Rep.	M		M	
Lebanon	M		M	
Lesotho	M		M	
Liberia	M	x	M	
Libyan Arab Jamahiriya	M		M	x
Liechtenstein	M		M	
Luxembourg	M		M	
Madagascar	M	x	M	x
Malawi	M		M	
Malaysia	M	x	M	x
Maldives	M		M	
Mali	M		M	x
Malta	M	x	M	x
Mauritania	M		M	
Mauritius	M		M	
Mexico	M	x	M	x

STATES	Kingston		New York	
	Member/ Observer	Participant	Member/ Observer	Participant

Papua New Guinea	M		M	x
Paraguay	M		M	x
Peru	O	x	O	x
Philippines	M	x	M	x
Poland	M	x	M	x
Portugal	M	x	M	x
Qatar	M		M	x
Republic of Korea	M	x	M	x
Romania	M		M	

Rwanda	M		M	
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St. Kitts and Nevis	M		M	
Saint Lucia	M		M	
St. Vincent and the Grenadines	M		M	
Samoa	M		M	
San Marino				

Sao Tome and Principe	M	x	M	
Saudi Arabia	M	x	M	x
Senegal	M	x	M	x
Suriname	M		M	

Sierra Leone	M	x	M	
Singapore	M		M	
Solomon Islands	M		M	
Somalia	M	x	M	x
South Africa	M		M	
Spain	M	x	M	x
Sri Lanka	M	x	M	x

Suriname	M		M	x
Swaziland	M	x	M	
Sweden	M	x	M	x
Switzerland	M	x	M	x
Syrian Arab Republic				
Thailand	M	x	M	x
Togo	M		M	
Tonga				

Trinidad and Tobago	M	x	M	x
Tunisia	M	x	M	x
Turkey				x
Tuvalu	M		M	
Uganda	M	x	M	x

Ukrainian SSR	M		M	
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STATES	Kingston		New York	
	Member/ Observer	Participant	Member/ Observer	Participant
United States of America	O		O	
Uruguay	M		M	x
Vanuatu	M		M	x
Venezuela	O	x	O	x
Viet Nam	M		M	x

Yemen	M		M	
Yugoslavia	M	x	M	x
Zaire	M	x	M	x
Zambia	M	x	M	x
Zimbabwe	M	x	M	x

ENTITIES

(under Art. 305 (1)(b),(c),
(d) (e) and (f))

Cook Islands	M		M	
European Economic Community	M	x	M	x
Namibia (United Nations Council for Namibia)	M	x	M	x
Netherlands Antilles	O		O	
Niue	M		M	
Trust Territory of the Pacific Islands	O		O	

NATIONAL LIBERATION MOVEMENTS

African National Congress of South Africa	O		O	
Palestine Liberation Organization	O	x	O	
Pan Africanist Congress of Azania	O	x	O	x
South West Africa People's Organization	O		O	

TOTAL MEMBERS	159	87	159	101
TOTAL OBSERVERS	<u>15</u>	<u>9</u>	<u>15</u>	<u>7</u>

B. Report of the fifth session*

1. REPORT ON THE FIFTH SESSION OF THE PREPARATORY COMMISSION
FOR THE INTERNATIONAL SEA-BED AUTHORITY AND FOR THE
~~INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA~~

KINGSTON, 30 MARCH-16 APRIL 1987

Plenary

Implementation of resolution II

~~Resolution II of the Third United Nations Conference on the Law of the~~

~~Sea, among four States as pioneer investors India, France, Japan and the~~

In December of 1984, an exchange of co-ordinates took place among the four States - France, India, Japan, the USSR - that had submitted applications for registration as pioneer investors to the Preparatory Commission. These States had met in accordance with a timetable agreed upon during the previous session of the Preparatory Commission. As a result of this meeting, it was noted that India had no conflicts as it was the only claimant in the Indian Ocean. France and Japan, which had claims in the north-east Pacific, had already resolved their overlap.

overlapped not only portions of the French and the Japanese sites, but also

The New York Understanding paved the way for registration of pioneer

Soviet Union and the potential applicants.

During this session, it was agreed that, unless the Preparatory

required, inter alia, to provide training for the personnel of the future

Enterprise. Training was therefore the major issue under discussion during this session and, in particular, the question of the timing and cost of such training was discussed extensively. Some members felt that training should begin as soon as possible and that the costs should be borne by the pioneer investors, while others expressed the view that training at this time, when there is no sea-bed mining activity, would be of no assistance to the Enterprise and that the costs should not be borne by the pioneer investors alone but should be reimbursable by the Authority. At the end of the discussion it was agreed that an ad hoc working group on training would be

2. REPORT ON THE MEETING OF THE PREPARATORY COMMISSION FOR
THE INTERNATIONAL SEA-BED AUTHORITY AND FOR THE
INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA
NEW YORK, 27 JULY-21 AUGUST 1987

Plenary

Implementation of resolution II

17 August 1967 relating to the reservation exclusively for peaceful purposes of the sea-bed beyond national jurisdiction and the use of its resources in the interest of mankind was celebrated.

On the same day, the General Committee of the Preparatory Commission for

Registration of India

The Preparatory Commission took a historic decision to register India as



... for the problem of developing land-based producer

[The remainder of the page is heavily obscured by horizontal black bars and noise, rendering the text illegible.]

According to another view, the provision of financial incentives could

not be viewed as creating exceptions to the financial terms of contract. It was maintained that the provisions of article 13 of Annex III to the

Convention must prevail and that the availability of incentives should not become a general rule but only be awarded at the discretion of the Authority. It was pointed out also that it was important to consider the provision of financial incentives in terms of the revenues of the Authority.

It was suggested that the provision of such incentives should not amount to subsidizing sea bed mining, especially to the extent of the Convention.

C. List of documents of the fifth session of the Preparatory Commission
and of the New York meeting

- | | |
|---------------------|---|
| LOS/PCN/INF/2/Rev.2 | Officers of the Preparatory Commission and Membership of the General Committee and the Credentials Committee
[14 September 1987] |
| LOS/PCN/INF/12 | Delegations to the fifth session, Kingston, Jamaica, 30 March-16 April 1987
[13 April 1987] |
| LOS/PCN/INF/13 | Delegations to the meeting of the Preparatory Commission, New York, 27 July-21 August 1987
[19 August 1987] |
| LOS/PCN/79 | Provisional agenda
[2 March 1987] |

LOS/PCN/85

Letter dated 16 April 1987 from the
Chairman of the Group of 77 addressed to

[28 April 1987]

LOS/PCN/86

Receipt of a revised application from the
Government of Japan for the registration of
the Japanese Enterprise "Deep Ocean
Resources Development Company, Ltd." as a
pioneer investor under resolution II of the
Third United Nations Conference on The Law
of The Sea. Note by the Secretary-General

[23 July 1987]

LOS/PCN/87

Receipt of a revised application from the
Government of India for the registration as
a pioneer investor under resolution II of
the Third United Nations Conference on the
Law of The Sea. Note by the

LOS/PCN/92

Letter dated 5 August 1987 from the
Chairman of the delegation of the United
Kingdom of Great Britain and Northern
Ireland addressed to the Acting Chairman of
the Preparatory Commission
[6 August 1987]

LOS/PCN/93

Letter dated 5 August 1987 from the
Chairman of the delegation of the Federal
Republic of Germany addressed to the Acting
Chairman of the Preparatory Commission
[6 August 1987]

LOS/PCN/94*

Decision of the General Committee on the

pioneer investor under resolution II

LOS/PCN/94/Corr. 1

Corrigendum
[23 October 1987]

LOS/PCN/95

Letter dated 18 August 1987 from the

the Chairman of the Preparatory Commission

- LOS/PCN/L.45/Corr.1 Corrigendum
 [15 April 1987]
- LOS/PCN/L.46 Statement to the plenary by the Chairman of
 Special Commission 3 on the progress of
 work in that Commission
 [15 April 1987]
- LOS/PCN/L.47 Statement to the plenary by the Chairman of
 Special Commission 4 on the progress of
 work in that Commission
 [14 April 1987]
- LOS/PCN/L.48 Statement made by the Acting Chairman of
 the Preparatory Commission
 [15 April 1987]
- LOS/PCN/L.49 Statement made by the Acting Chairman of
 the Preparatory Commission at the
 37th plenary meeting, held on 6 August 1987
 [6 August 1987]
- LOS/PCN/L.50 Statement to the plenary by the Chairman of
 Special Commission 2 on the progress of

[19 August 1987]

- LOS/PCN/L.51 Statement to the plenary by the Chairman of
 Special Commission 1 on the progress of
 work in that Commission
 [20 August 1987]
- LOS/PCN/L.52 Statement to the plenary by the Chairman of
 Special Commission 3 on the progress of
 work in that Commission
 [19 August 1987]
- LOS/PCN/L.53 Statement to the plenary by the Chairman of

LOS/PCN/WP.36/Rev.1

Draft Rules of Procedure of the Economic
Planning Commission.
Working paper by the Secretariat
[24 July 1987]

LOS/PCN/WP.39

Amendments to the draft Rules of Procedure
for the Economic Planning Commission
(LOS/PCN/WP.36)
[3 April 1987]

Procedure of the Council of the
International Sea-Bed Authority
(LOS/PCN/WP.26/Rev.1).
Proposals by the delegation of Switzerland
[28 July 1987]

LOS/PCN/WP.41

Suggested amendments to the draft Rules of
Procedure of the Council of the
International Sea-Bed Authority
(LOS/PCN/WP.26/Rev.1).
Proposal by the delegation of Brazil
[10 August 1987]

LOS/PCN/WP.42

Suggested amendment to the draft Rules of
Procedure of the Council of the
International Sea-Bed Authority
(LOS/PCN/WP.26/Rev.1)
Proposal of the delegations of Belgium,
Germany, Federal Republic of, Italy, Japan,
the Netherlands and the United Kingdom of
Great Britain and Northern Ireland

[17 August 1987]

LOS/PCN/WP.43

Suggested amendments to the draft Rules of
Procedure of the Council of the

LOS/PCN/1987/CRP.12 Provisional list of delegations, fifth session, Kingston, Jamaica, 30 March to 16 April 1987
[3 April 1987]

LOS/PCN/1987/CRP.13 List of provisions relating to certain pending issues before the plenary on the Authority
[23 July 1987]

LOS/PCN/1987/CRP.14 Provisional timetable
[27 July 1987]

LOS/PCN/1987/CRP.15

(LOS/PCN/WP.26/Rev.1)
Elections
[31 July 1987]

LOS/PCN/1987/CRP.16 Provisional list of delegations
New York, 27 July-21 August 1987
[6 August 1987]

LOS/PCN/1987/CRP.17 Suggested text for Rule 22 (18)
(LOS/PCN/WP.26/Rev.1)
Elections
[11 August 1987]

LOS/PCN/1987/CRP.18 Draft Decision of the General Committee on

the application of the Government of India
as a pioneer investor under resolution II
[17 August 1987]

Special Commission 1

relevance to the work of Special Commission 1.

Addendum

Background paper by the Secretariat

[2 March 1987]

LOS/PCN/SCN.1/WP.10

Law of the Sea: System of compensation and/or a
compensation fund.

Background paper by the Secretariat

[2 March 1987]

LOS/PCN/SCN.1/WP.11

The work of Special Commission 1

LOS/PCN/SCN.2/WP.14/Add.1 Addendum
[26 March 1987]

Special Commission 3

LOS/PCN/SCN.2/WP.14/Add.1 Draft Regulations on Reporting, Evaluation and

(Draft Regulations on Financial Incentives).

Addendum.

Working paper by the Secretariat

Special Commission 4

LOS/PCN/SCN.4/L.7/Add.1

Chairman's summary of discussions on the draft
Rules of the International Tribunal for the Law of

the Sea. Accidendum.
Part IV. Proceedings in Disputes
[4 September 1986]

LOS/PCN/SCN.4/L.8

Second report on practical arrangements for the

Law of the Sea at Hamburg.
Submitted by the delegation of the Federal
Republic of Germany
[13 March 1987]

LOS/PCN/SCN.4/L.9

Chairman's summary of discussions on the

IV. OTHER INFORMATION

Land, island and maritime frontier dispute
(El Salvador/Honduras)

The Registry of the International Court of Justice asks readers of press communiqué 87/9 of 11 May 1987 to note the following:

The composition of the Court on 8 May 1987 when it passed the Order

President Nagendra Singh; Vice-President Mbaye; Judges Lachs, Ruda,

LAW OF THE SEA BULLETIN

No. 10

ERRATA

Page 10:

Article 2, Decree No. 77 of Bulgaria

Replace the living and non-living

Page 15:

