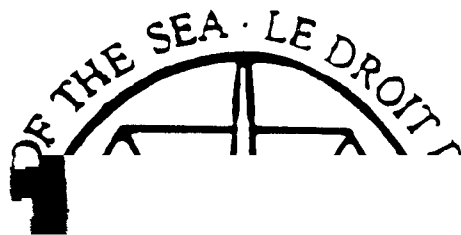


LAW OF THE SEA BULLETIN

No. 14

DECEMBER 1989



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

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

A. Table of signatures and ratifications as of 1 December 1989

STATES	FINAL ACT SIGNATURE	CONVENTION SIGNATURE <u>a/</u>	CONVENTION RATIFICATION
Afghanistan		18/3/83	
Albania			
Algeria * <u>b/</u>	x	x	
Angola *	x	x	
Antigua and Barbuda		7/2/83	2/2/89
Argentina *		5/10/84	
Australia	x	x	
Austria	x	x	
Bahamas	x	x	29/7/83
Bahrain	x	x	30/5/85
Bangladesh	x	x	
Barbados	x	x	
Belgium *	x	5/12/84	
Belize	x	x	13/8/83
Benin	x	30/8/83	
Bhutan	x	x	
Bolivia *		27/11/84	
Botswana	x	5/12/84	
Brazil * ** <u>c/</u>	x	x	22/12/88
Brunei Darussalam <u>d/</u>		5/12/84	
Burkina Faso	x	x	
Burundi	x	x	
Byelorussian SSR *	x	x	
Cameroon	x	x	19/11/85

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

Democratic Kampuchea

17/83

Democratic People's Rep. of Korea	x	x	
Democratic Yemen **	x	x	21/7/87
Denmark	x	x	
Djibouti	x	x	
Dominica		28/3/83	

Dominican Republic	x	x	
Ecuador	x		
Egypt **	x	x	26/8/83
El Salvador		5/12/84	
Equatorial Guinea	x	30/1/84	

Ethiopia	x	x	
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		8/7/83	

STATES	FINAL ACT SIGNATURE	CONVENTION SIGNATURE	CONVENTION RATIFICATION
India	x	x	
Indonesia	x	x	3/2/86
Iran (Islamic Republic of) *	x	x	
Iraq *	x	x	30/7/85
Ireland	x	x	

Israel	x		
Italy *	x	7/12/84	
Jamaica	x	x	21/3/83
Japan	x	7/2/83	
Jordan	x		

Kenya	x	x	2/3/89
Kiribati			
Kuwait **	x	x	2/5/86
Lao People's Democratic Republic	x	x	

Lesotho	x	x	
Liberia	x	x	
Libyan Arab Jamahiriya	x	3/12/84	
Liechtenstein		30/11/84	
Luxembourg *	x	5/12/84	

Madagascar		25/2/83	
Malawi		7/12/84	
Malaysia	x	x	
Maldives	x	x	
Mali *		19/10/83	16/7/85

Malta	x	x	
Mauritania	x	x	
Mauritius	x	x	
Mexico	x	x	18/3/83
Monaco	x	x	

	FINAL ACT	CONVENTION	CONVENTION
	SIGNATURE	SIGNATURE	OBLIGATION

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

Norway	x	x	
Oman * **	x	1/7/83	17/8/89
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	

Portugal

x

x

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

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	
Togo	x	x	16/4/85
Tonga			

Trinidad and Tobago	x	x	25/4/86
Tunisia **	x	x	24/4/85
Turkey			
Tuvalu	x	x	
Uganda	x	x	

Ukrainian SSR *	x	x	
Union of Soviet Socialist Reps. *	x	x	
United Arab Emirates	x	x	
United Kingdom	x		
United Republic of Tanzania **	x	x	30/9/85

United States of America	x		
Uruguay *	x	x	
Vanuatu	x	x	
Venezuela	x		
Viet Nam	x	x	

Yemen *	x	x	
Yugoslavia **	x	x	5/5/86
Zaire	x	22/8/83	17/2/89
Zambia	x	x	7/3/83
Zimbabwe	x	x	

TOTAL STATES	140	155	41

OTHERS (Art. 305(1)(b),(c),(d),(e) and (f))	FINAL ACT SIGNATURE	CONVENTION SIGNATURE	CONVENTION RATIFICATION
--	------------------------	-------------------------	----------------------------

~~Cook Islands~~

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	42
	===	===	==

OTHER ENTITIES WHICH SIGNED THE FINAL ACT OF THE CONFERENCE

African National Congress
Netherlands Antilles
Palestine Liberation Organization g/
~~...~~

South West Africa People's Organization

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

b/ Those States which made declarations at the time of signature of the Convention are indicated by an asterisk (*).

C. Declaration made upon ratification

OMAN

[Original Arabic]

"Pursuant to the provisions of article 310 of the Convention and further to the earlier declaration by the Sultanate of Oman dated 1 June 1982 concerning the establishment of straight baselines at any point on the

coastline of the Sultanate of Oman and the lines enclosing waters within inlets and bays and waters between islands and the coastline, in accordance with article 2 (c) of Royal Decree No. 15/81 and in view of the desire of the Sultanate of Oman to bring its laws into line with the provisions of the Convention, the Sultanate of Oman issues the following declarations:

Declaration No. 1. on the territorial sea

1. The Sultanate of Oman determines that its territorial sea, in accordance

Declaration No. 5, on the exclusive economic zone

1. The Sultanate of Oman determines that its exclusive economic zone, in accordance with article 5 of Royal Decree No. 15/81 dated 10 February 1981,

from which the territorial sea is measured.

2. The Sultanate of Oman possesses sovereign rights over its economic zone and also exercises jurisdiction over that zone as provided for in the Convention. It further declares that, in exercising its rights and performing its ~~duties under the Convention in the exclusive economic zone~~, it will have

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

A. Recent national legislation received from Governments

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

1989 No. 482
TERRITORIAL SEA

THE TERRITORIAL SEA (LIMITS) ORDER 1989*

At the Court at Buckingham Palace, the 15th day of March 1989, Present,
The Queen's Most Excellent Majesty in Council,

Her Majesty, in exercise of the powers conferred upon Her by section 1(2)
of The Territorial Sea Act 1987(a), 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 Territorial Sea (Limits) Order 1989 and
shall come into force on 6 April 1989.

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
consist of a series of straight lines joining, in the sequence given, Points
1 to 6 indicated in the Schedule to this Order.

shall be the median line where the baselines from which the breadth of the

Schedule

of course

Definition of course

176

4	51° 02' 19" 00 N	01° 32' 53" 00 E
5	51° 05' 58" 00 N	01° 43' 31" 00 E
6	51° 12' 00" 72 N	01° 53' 20" 07 E

B. Treaties and other instruments

1. Bilateral treaties

(a) Joint Statement by the United States of America
and the Union of Soviet Socialist Republics

Since 1986, representatives of the United States of America and the Union of Soviet Socialist Republics have been conducting friendly and constructive discussions of certain international legal aspects of traditional uses of the oceans, in particular, navigation.

The Governments are guided by the provisions of the 1982 United Nations Convention on the Law of the Sea, which, with respect to traditional uses of the oceans, generally constitute international law and practice and balance fairly the interests of all States. They recognize the need to encourage all States to harmonize their internal laws, regulations and practices with those provisions.

The Governments consider it useful to issue the attached Uniform Interpretation of the Rules of International Law Governing Innocent Passage

Both Governments have agreed to take the necessary steps to conform their internal laws, regulations and practices with this understanding of the rules

Uniform Interpretation of Norms of International Law

[REDACTED]

(b) Joint Declaration by the Government of the United Kingdom

From the Government of the United Kingdom

On the occasion of the signature of the Agreement relating to

(c) Agreement between the Government of the Federal Republic of Germany

Article 3

1. Except when required to maintain course and speed under the 1972 Collision Regulations ships of the Parties operating in the vicinity of a formation of the other Party shall, [in compliance with the 1972 Collision Regulations,] avoid manoeuvring in a manner which would hinder the evolutions of the formation.

2. Ships meeting or operating in the vicinity of a formation of the other Party shall, [in compliance with the 1972 Collision Regulations,] avoid manoeuvring in a manner which would hinder the evolutions of the formation.

3. With due regard for other traffic at sea, formations of the Parties shall not conduct manoeuvres in areas where internationally recognized traffic separation schemes are in effect.

4. Ships engaged in surveillance of ships of the other Party shall remain at a distance which avoids the risk of collision and shall also avoid executing manoeuvres which might lead to collision.

Article 4

1. Commanders of aircraft of the Parties shall exercise the greatest caution and avoidance in approaching aircraft and ships of the other Party, in particular

Annex to the Agreement between the Government of the Federal Republic
of Germany and the Government of the Union of Soviet Socialist
Republics concerning the Demarcation of Territorial Waters

outside Territorial Waters

Table of special signals*



The following signals are to be preceded by code group YVI:

<u>S I G N A L</u>	<u>Meaning of signals</u>
--------------------	---------------------------

Maximum of signals

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

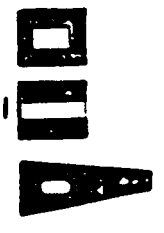

[REDACTED]

[REDACTED]

[REDACTED]


[REDACTED]


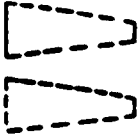

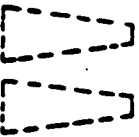
[REDACTED]

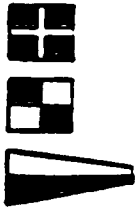
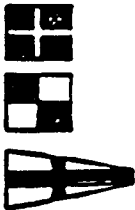

S I G N A L		Meaning of signals
1	2	3
PJ2		I am unable to alter course to my port.
PJ3		Caution, I have a stopping vessel.

T A M E I


Moving of chairs

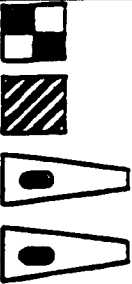
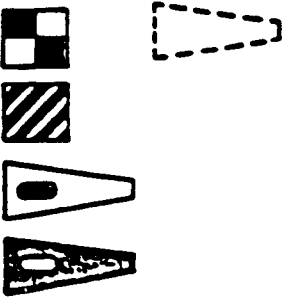
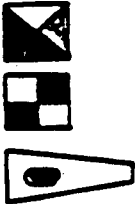
S I G N A L		Meaning of signals
1	2	3
RT5		I will overtake you on your starboard

S I G N A L		Meaning of signals
1	2	3
RU2(...)	 	I am beginning a port turn in approximately ... minutes.
RU3(...)	 	I am beginning a starboard turn in approximately ... minutes.

S I G N A L		Meaning of signals
1	2	3
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.

S I G N A L	Meaning of signals
-------------	--------------------

<u>S I G N A L</u>		<u>Meaning of signals</u>
1	2	3
UY7		I am preparing to conduct extensive small-boat and shin-

<u>S I G N A L</u>		<u>Meaning of signals</u>
1	2	3
UY11		I am checking rocket systems.*
UY12(...)		I am preparing to conduct/I am conducting/gunnery exercises/bombing/by aircraft of the towed target. Request you keep clear of the direction indicated from me ... (Table 3 of ICS).
ZL1		I have received and understood your signal.

2. Regional treaties and other instruments

(a) The Castries Declaration 1/

[Original: English]

The Authority at Castries, St. Lucia, 20-24 November 1989,

We the Prime Ministers, Deputy Prime Minister, Chief Ministers and other ministers plenipotentiaries constituted as the Authority of the Organization of Eastern Caribbean States (OECS):

Recognizing the increasing importance of marine fisheries to the peoples of the OECS region,

Deeply concerned at the damage being caused to the marine environment by

Conscious of the

(b) TARAWA DECLARATION 1/

[Original: English]

The South Pacific Forum meeting at Tarawa on 10 and 11 July 1989.

marine resources.

Definitely increased catches being done by pelagic drift-net

Calls upon the international community to support

Resolves that individual member States of the South Pacific Forum will take all possible measures in the interim to prevent drift-net fishing within their waters and other

The Parties to this Convention,

RECOGNIZING the importance of marine living resources to the people of

(c) "drift net fishing activities" means:

(i) catching, taking or harvesting fish with

(ii) attempting to catch, take or harvest fish with the use of a drift net;

(iii) engaging in any other activity which can reasonably be expected to result in the catching, taking or harvesting of fish with

(iv) any operations at sea in support of, or in preparation for, any activity described in this paragraph, including operations of

- (i) prohibiting the use of drift nets within areas under its fisheries jurisdiction; and
- (ii) prohibiting the transshipment of drift-net catches within areas

2. Each Party may also take measures consistent with international law to:

(b) prohibit the processing of drift-net catches in facilities under its jurisdiction;

(c) prohibit the importation of any fish or fish product, whether

processed or not, which was caught using a drift net;

Article 6

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

Article 10

RESERVATION AND ACCESSION

... number of the EFA. and

... State in respect of any Territory situated within the Convention

2. For any member of the FFA or a State or Territory which is a member

3. Global treaties

- (a) BASEL CONVENTION ON THE CONTROL OF TRANSBOUNDARY
MOVEMENTS OF HAZARDOUS WASTES AND THEIR DISPOSAL

PREFACE

The Parties to this Convention,

Aware of the risk of damage to human health and the environment caused by hazardous wastes and other wastes and the transboundary movement thereof,

_____ the environment, posed _____

Noting that a number of international and regional

Taking into account the Declaration of the United Nations Conference on the Human Environment (Stockholm, 1972), the Cairo Guidelines and Principles for the Environmentally Sound Management of Hazardous Wastes adopted by the Governing Council of the United Nations Environment Programme (UNEP) by decision 14/30 of 17 June 1987, the Recommendations of the United Nations Committee of Experts on the Transport of Dangerous Goods (formulated in 1957 and updated biennially), relevant recommendations, declarations, instruments and regulations adopted within the United Nations

~~Controlled that the transboundary movement of hazardous wastes and~~

disposal of such wastes is environmentally sound, and

Determined to protect, by strict control, human health and the

~~of the environment and the generation~~

4. "Disposal" means any operation specified in annex IV to this Convention;
5. "Approved site or facility" means a site or facility for the disposal of

shipped and who carries out the disposal of such wastes;

20. "Political and/or economic integration organization" means an organization constituted by sovereign States to which its member States have transferred competence in respect of matters governed by this Convention and which has been duly authorized, in accordance with its internal procedures, to sign, ratify, accept, approve, formally confirm or accede to it;

21. "Illegal traffic" means any transboundary movement of hazardous wastes or

other wastes as specified in article 9.

Article 3

National definitions of hazardous wastes

1. Each Party shall, within six months of becoming a Party to this Convention, inform the secretariat of the Convention of the wastes, other than those listed in annexes I and II, considered or defined as hazardous under its

(b) Ensure the availability of adequate disposal facilities, for the environmentally sound management of hazardous wastes and other wastes, that shall be located, to the extent possible, within it, whatever the place of

(c) Ensure that persons involved in the management of hazardous wastes or other wastes within it take such steps as are necessary to prevent pollution due to hazardous wastes and other wastes arising from such management and, if such pollution occurs, to minimize the consequences thereof for human health and the environment;

(d) Ensure that the transboundary movement of hazardous wastes and other wastes is reduced to the minimum consistent with the environmentally sound and

efficient management of such wastes, and is conducted in a manner which will

protect human health and the environment against the adverse effects which may

7. Furthermore, each Party shall:

(a) Prohibit all persons under its national jurisdiction from

transporting or disposing of hazardous wastes unless such persons are

authorized or allowed to perform such types of operations;

(b) Require that hazardous wastes and other wastes that are to be the subject of a transboundary movement be packaged, labelled, and transported in conformity with generally accepted and recognized international rules and standards in the field of packaging, labelling, and transport, and that due account is taken of relevant internationally recognized practices;

(c) Require that hazardous wastes and other wastes be accompanied by a movement document from the point at which a transboundary movement commences to the point of disposal.

8. Each Party shall require that hazardous wastes or other wastes, to be exported, are managed in an environmentally sound manner in the State of import or elsewhere. Technical guidelines for the environmentally sound management of wastes subject to this Convention shall be decided by the

Parties at their first meeting.

9. Parties shall take the appropriate measures to ensure that the

13. Parties shall undertake to review periodically the possibilities for the reduction of the amount and/or the pollution potential of hazardous wastes and

countries.

Article 5

Designation of competent authorities and focal point

To facilitate the implementation of this Convention, the Parties shall:

1. Designate or establish one or more competent authorities and one focal point. One competent authority shall be designated to receive the notification in case of a State of transit.
2. Inform the secretariat, within three months of the date of the entry into

transit. However, if at any time a Party decides not to require prior written consent, either generally or under specific conditions, for transit transboundary movements of hazardous wastes or other wastes, or modifies its requirements in this respect, it shall forthwith inform the other Parties of its decision pursuant to article 12. In this latter case, if no response is

notification by the State of transit, the State of export may allow the export to proceed through the State of transit.

5. In the case of a transboundary movement of wastes where the wastes are

11. Any transboundary movement of hazardous wastes or other wastes shall be covered by insurance, bond or other guarantee as may be required by the State of import or any State of transit which is a Party.

Article 7

Transboundary movement from a Party through
States which are not Parties

Paragraph 2 of article 6 of the Convention shall apply mutatis mutandis to transboundary movement of hazardous wastes or other wastes from a Party through a State or States which are not Parties.

Duty to re-import

When a transboundary movement of hazardous wastes or other wastes to

provisions of this Convention, cannot be completed in accordance with the
terms of the contract, the State of export shall ensure that the wastes in

2 In case of a transboundary movement of hazardous wastes or other wastes

question are:

(a) taken back by the exporter or the generator or, if necessary, by itself into the State of export, or, if impracticable,

~~(c) Co-operate, subject to their national law, regulations and~~

policies, in the development and implementation of new environmentally sound low-waste technologies and the improvement of existing technologies with a view to eliminating, as far as practicable, the generation of hazardous wastes and other wastes and achieving more effective and efficient methods of ensuring their management in an environmentally sound manner, including the study of the economic, social and environmental effects of the adoption of such new or improved technologies;

~~(d) Co-operate actively, subject to their national law, regulations and~~

policies, in the transfer of technology and management systems related to the environmentally sound management of hazardous wastes and other wastes. They shall also co-operate in developing the technical capacity among Parties, especially those which may need and request technical assistance in this field;

(e) Co-operate in developing appropriate technical guidelines and/or codes of practice.

3. The Parties shall employ appropriate means to co-operate in order to

Article 12

Consultations on liability

The Parties shall co-operate with a view to adopting, as soon as practicable, a protocol setting out appropriate rules and procedures in the field of liability and compensation for damage resulting from the

Transmission of information

1. The Parties shall, whenever it comes to their knowledge, ensure that, in

(ii) The amount of hazardous wastes and other wastes imported, their categories, characteristics, origin, and disposal methods.

(iii) Disposal which did not proceed as intended.

(iv) Efforts to achieve a reduction of the amount of hazardous wastes or other wastes subject to transboundary movement.

Article 15

Conference of the Parties

1. A Conference of the Parties is hereby established. The first meeting of the Conference of the Parties shall be convened by the Executive Director of

UNEP not later than one year after the entry into force of this Convention. Thereafter, ordinary meetings of the Conference of the Parties shall be held at regular intervals to be determined by the Conference at its first meeting.

2. Extraordinary meetings of the Conference of the Parties shall be held at such other times as may be deemed necessary by the Conference, or at the

Parties, may be admitted unless at least one third of the Parties present object. The admission and participation of observers shall be subject to the rules of procedure adopted by the Conference of the Parties.

7. The Conference of the Parties shall undertake three years after the entry into force of this Convention, and at least every six years thereafter, an evaluation of its effectiveness and, if deemed necessary, to consider the adoption of a complete or partial ban of transboundary movements of hazardous wastes and other wastes in the light of the latest scientific, environmental, technical and economic information.

Article 16

Secretariat

1. The functions of the secretariat shall be:

(a) To arrange for and convene meetings provided for in articles 15 and 17.

accordance with articles 3, 4, 6, 11 and 12 as well as upon information derived

(h) To provide Parties, upon request, with information on consultants or consulting firms having the necessary technical competence in the field, which can assist them to examine a notification for a transboundary movement, the

concurrency of a shipment of hazardous wastes or other wastes with the relevant notification and/or the fact that the proposed disposal facilities

for hazardous wastes or other wastes are environmentally sound, when they have reason to believe that the wastes in question will not be managed in an

environmentally sound manner. Any such examination would not be at the expense of the secretariat.

(i) To assist Parties upon request in their identification of cases of illegal traffic and to circulate immediately to the Parties concerned any information it has received regarding illegal traffic;

(j) To co-operate with Parties and with relevant and competent international organizations and agencies in the provision of experts and equipment for the purpose of rapid assistance to States in the event of an

(k) To perform such other functions relevant to the purposes of this Convention as may be determined by the Conference of the Parties.

2. The secretariat functions will be carried out on an interim basis by UNEP until the completion of the first meeting of the Conference of the Parties held pursuant to article 15.

3. At its first meeting, the Conference of the Parties shall designate the secretariat from among those existing competent intergovernmental organizations which have signified their willingness to carry out the secretariat functions under this Convention. At this meeting, the Conference of the Parties shall also evaluate the implementation by the interim

secretariat of the functions assigned to it, in particular under paragraph 1

4. The procedure mentioned in paragraph 3 above shall apply to amendments to any protocol, except that a two-thirds majority of the Parties to that protocol present and voting at the meeting shall suffice for their adoption.

of amendments shall be deposited with the Depositary. Amendments adopted in accordance with paragraphs 3 or 4 above shall enter into force between Parties having accepted them on the ninetieth day after the receipt by the Depositary of their instrument of ratification, approval, formal confirmation or acceptance by at least three-fourths of the Parties who accepted the amendments to the protocol concerned, except as may otherwise be provided in

4. If an additional annex or an amendment to an annex involves an amendment to the General Agreement, the additional annex or amended annex

Article 21

Signature

This Contract

Article 24

Right to vote

1. Except as provided for in paragraph 2 below, each Contracting Party to this Convention shall have one vote.

2. ~~Political and/or economic integration organizations, in matters within~~

~~their competence, in accordance with article 22, paragraph 2, and article 23~~

to the number of their member States which are Parties to the Convention or the relevant protocol. Such organizations shall not exercise their right to

Article 27

Withdrawal

1. At any time after three years from the date on which this Convention has entered into force for a Party, that Party may withdraw from the Convention by giving written notice to the Secretary-General.

2. Withdrawal shall take effect one year after the date on which the Secretary-General receives the notice.

Annex I

CATEGORIES OF WASTES TO BE CONTROLLED

Waste Streams:

- Y1 Clinical wastes from medical care in hospitals, medical centres and clinics
- Y2 Wastes from the production and preparation of pharmaceutical products
- Y3 Waste pharmaceuticals, drugs and medicines

- Y5 phytopharmaceuticals
Wastes from the manufacture, formulation and use of wood preserving chemicals

Y33 Inorganic cyanides
Y34 Acidic solutions or acids in solid form
Y25 Basic solutions

Y37 Organic phosphorus compounds

Y38 Organic cyanides
Y29 Phosphorus compounds

3 H3 Flammable liquids

The word "flammable" has the same meaning as "inflammable".
Flammable liquids are liquids, or mixtures of liquids, or

example, paints, varnishes, lacquers, etc., but not including
substances or wastes otherwise classified on account of their

temperatures of not more than 60.5°C, closed-cup test, or not
more than 65.6°C, open-cup test. (Since the results of
open-cup tests and of closed-cup tests are not strictly
comparable and even individual results by the same test are
often variable, regulations varying from the above figures to
make allowance for such differences would be within the spirit
of this definition.)

4.1 H4.1 Flammable solids

Solids, or waste solids, other than those classed as
explosives, which under conditions encountered in transport are
will contribute to fire through

8 H8 Corrosives
Substances or wastes which by chemical action will cause

severe damage when in contact with living tissue, or, in the case of leakage, will materially damage, or even destroy, other goods or the means of transport; they may also cause other hazards.

9 H10 Liberation of toxic gases in contact with air or water
Substances or wastes which, by interaction with air or water, are liable to give off toxic gases in dangerous quantities.

9 H11 Toxic (delayed or chronic)

effects, including carcinogenicity.

9 H12 Ecotoxic
Substances or wastes which if released present or may present

Annex IV

DISPOSAL OPERATIONS

A. OPERATIONS WHICH DO NOT LEAD TO THE POSSIBILITY OF RESOURCE RECOVERY,
RECYCLING, RECLAMATION, DIRECT RE-USE OR ALTERNATIVE USES

Section A encompasses all such disposal operations which occur in practice.

- D1 Deposit into or onto land, (e.g., landfill, etc.)
- D2 Land treatment, (e.g., biodegradation of liquid or sludgy

- D3 Deep injection (e.g., injection of pumpable discards into naturally occurring repositories, etc.)

- D5 discards into pits, ponds or lagoons, etc.)
Specially engineered landfill (e.g., placement into lined pits or landfills, isolated from one another

B. OPERATIONS WHICH MAY LEAD TO RESOURCE RECOVERY, RECYCLING,
RECLAMATION, DIRECT RE-USE OR ALTERNATIVE USES

Section B encompasses all such operations with respect to materials
legally defined as hazardous waste.

- R1 Use as a fuel (other than in direct incineration) or other means to generate energy
- R2 Solvent reclamation/regeneration

11. Means of transport envisaged (road, rail, sea, air, inland waters)
 12. Information relating to insurance 4/
 13. Designation and physical description of the waste including Y number and UN number and its composition 5/ and information on any special handling requirements including emergency provisions in case of accidents
 14. Type of packaging envisaged (e.g., bulk, drummed, tanker)
 15. Estimated quantity in weight/volume 6/
 16. Process by which the waste is generated 7/
17. Waste listed in annex I, classifications from annex II: hazardous

characteristic, H number, and UN class

18. Method of disposal as per annex IV
19. Declaration by the generator and exporter that the information is correct
20. Information transmitted (including technical description of the plant) to the exporter or generator from the disposer of the waste upon which the latter has based his assessment that there was no reason to believe that the wastes will not be managed in an environmentally sound manner in accordance with the laws and regulations of the country of import.
21. Information concerning the contract between the exporter and disposer.

Notes

11. Telephone, telex or telefax number and the name,

Annex V B

INFORMATION TO BE PROVIDED ON THE MOVEMENT DOCUMENT

1. Exporter of the waste 1/
2. Generator(s) of the waste and site of generation 1/
3. Disposer of the waste and actual site of disposal 1/
4. Carrier(s) of the waste 1/ or his agent(s)
5. Subject of general or single notification
6. The date the transboundary movement started

7. Means of transport (road, rail, inland waterway, sea, air) including

ARBITRATION

Article 1

Unless the agreement referred to in article 20 of the Convention provides otherwise, the arbitration procedure shall be conducted in accordance with

Article 2

The claimant party shall notify the secretariat that the parties have agreed to submit the dispute to arbitration pursuant to paragraph 2 or paragraph 3 of article 20 and include in particular, the articles of the

Convention the interpretation or application of which are at issue. The

Convention.

Article 3
The arbitral tribunal shall consist of three members. Each of the

Article 6

2. The tribunals shall

Resolution 13.1 of the Conference of Plenipotentiaries

Transboundary Movements of Hazardous Wastes

1 The Conference of Plenipotentiaries on the Global Convention on the

Resolution 1

ESTABLISHMENT OF AN AD HOC WORKING GROUP TO CONSIDER THE
NECESSITY OF MECHANISMS FOR THE IMPLEMENTATION OF THE

PAPER CONTINUATION OF THE CONFERENCE ON

OF HAZARDOUS WASTES AND THEIR DISPOSAL

The Conference

Invites the Executive Director of the United Nations

2. Invites the Executive Director of UNEP to report on the results of the review and recommendations referred to in paragraph 1 above to the Parties

Wastes and their Disposal at their first meeting.

Adopted on 21 March 1989

Resolution 3

LIABILITY

The Conference

Recognizing the necessity of developing rules, as early as practicable, on liability and compensation for damage resulting from the transboundary movement and disposal of hazardous wastes and other wastes,

Requests the Executive Director of the United Nations Environment Programme (UNEP) to:

- (a) Establish, pending a decision by the Parties at their first meeting

Recalling also General Assembly resolution 42/183 of 11 December 1987 on traffic in toxic and dangerous products and wastes, as well as Economic and Social Council resolutions 1988/70 of 28 July 1988 on traffic in toxic and dangerous products and wastes and 1988/71 of 28 July 1988 on the global convention on the control of transboundary movements of hazardous wastes,

Recalling further the resolution on dumping and incineration of toxic and hazardous wastes in the Wider Caribbean Region, adopted in October 1987 by the Fourth Intergovernmental Meeting on the Caribbean Action Plan in April; resolution CM/Res. 1153 (XLVIII) of May 1988 of the Council of Ministers

Considering that in the meantime the movement of hazardous wastes may cause serious harm to human health and the environment,

1. Calls upon all States, including those that have not participated in this Conference, to sign and become Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal and to apply

its provisions as soon as possible,

2. Urges all States to develop without delay further co-operation in problem areas within the scope of the Convention,

of States to develop and apply technologies which will lead

of States to develop and apply technologies which will lead

Resolution 6

The Conference,

Having adopted at Basel on 22 March 1989 the Basel Convention on the
Control of Transboundary Movements of Hazardous Wastes and their Disposal

Resolution 7

CO-OPERATION BETWEEN THE INTERNATIONAL MARITIME ORGANIZATION AND THE
UNITED NATIONS ENVIRONMENT PROGRAMME IN THE REVIEW OF EXISTING
RULES, REGULATIONS AND PRACTICES WITH RESPECT TO TRANSPORT OF
[REDACTED]

The Conference,

Recognizing the coastal States' responsibilities in respect of the
protection and preservation of the environment.

Taking into account the existing international conventions and agreements
for the protection of the marine environment,

[REDACTED] of international and regional agreements

Resolution 8

ESTABLISHMENT OF A TECHNICAL WORKING GROUP TO ELABORATE TECHNICAL
GUIDELINES FOR THE ENVIRONMENTALLY SOUND MANAGEMENT OF HAZARDOUS WASTE

SUBJECT TO THE BASEL CONVENTION ON THE CONTROL OF TRANSBOUNDARY

MOVEMENTS OF HAZARDOUS WASTES AND THEIR DERIVATIVES

(Adoption of the Final Act and any instruments, recommendations
and resolutions resulting from the work of the Conference.

(c) INTERNATIONAL CONVENTION ON SALVAGE, 1989 1/

THE STATES PARTIES TO THE PRESENT CONVENTION,

RECOGNIZING the desirability of determining by agreement uniform
international rules regarding salvage operations,

NOTING that substantial developments, in particular the increased concern
for the protection of the environment, have demonstrated the need to review
the international rules presently contained in the Convention for the
Unification of Certain Rules of Law relating to Assistance and Salvage at Sea,
done at Brussels, 23 September 1910,

(e) Payment means any reward, remuneration or compensation due under this Convention;


(f) Organization means the International Maritime Organization;

(g) Secretary-General means the Secretary-General of the Organization.

Article 2

Application of the Convention

This Convention shall apply to



Article 3

Platforms and drilling units

This Convention shall not apply to fixed or floating platforms or to mobile offshore drilling units when such platforms or units are on location

Article 6

6.1 ~~Contract~~

1. This Convention shall apply to any salvage operations save to the extent

that a contract otherwise provides expressly or by implication.

2. The master shall have the authority to conclude contracts for salvage

~~of the vessel and its cargo.~~ The master or the owner of

(b) in so doing, to exercise due care to prevent or minimize damage to

111

Article 13

Criteria for fixing the reward

1. The reward shall be fixed with a view to encouraging salvage operations, taking into account the following criteria without regard to the order in which they are presented below:

(a) the salvaged value of the vessel and other property;

(b) ~~the skill and efforts of the salvors in preventing or minimizing~~

damage to the environment;

(c) the measure of success obtained by the salvor;

(d) the nature and degree of the danger;

(e) the skill and efforts of the salvors in salvaging the vessel, other property and life;

(f) the time used and expenses and losses incurred by the salvors:

(g) the risk of liability and other risks run by the salvors or their equipment;

(h) the promptness of the services rendered;

2. If, in the circumstances set out in paragraph 1, the salvor has

salvage operations has prevented or minimized damage to the environment, the special compensation payable by the owner to the salvor under paragraph 1 may

Services rendered under existing contracts

No payment is due under the provisions of this Convention unless the services rendered exceed what can be reasonably considered as due performance of a contract entered into before the danger arose.

Article 18

The effect of salvor's misconduct

A salvor may be deprived of the whole or part of the payment due under

Article 22

Interim payment

1. The tribunal having jurisdiction over the claim of...

Publication of arbitral awards

States Parties shall encourage, as far as possible, and with the consent

Chapter V - Final clauses

Article 28

Signature, ratification, acceptance,
approval and accession

1. This Convention shall be open for signature at the headquarters of the Organization from 1 July 1989 to 30 June 1990 and shall thereafter remain open for accession.
2. States may express their consent to be bound by this Convention by:
 - (a) signature without reservation as to ratification, acceptance or approval; or
 - (b) signature subject to ratification, acceptance or approval, followed by ratification, acceptance or approval; or
 - (c) accession.

(c) when all interested parties are nationals of that State;

(d) when the proposer is a national of that State;

2. Reservations made at the time of signature are subject to confirmation upon ratification, acceptance or approval]

3. Any State which has made a reservation to this Convention may withdraw it at any time by means of a notification addressed to the Secretary-General.

(a) inform all States which have signed this Convention or acceded thereto, and all Members of the Organization, of:

- (i) each new signature or deposit of an instrument of ratification, acceptance, approval or accession together with the date thereof;
- (ii) the date of the entry into force of this Convention;
- (iii) the deposit of any instrument of denunciation of this Convention together with the date on which it is received.

(iv) any amendment adopted in conformity with article 32;

(v) the receipt of any reservation, declaration or notification

made under this Convention.

(b) transmit certified true copies of this Convention to all States

III. INFORMATION ABOUT THE PREPARATORY COMMISSION

- A. Report on the seventh session of the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea

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 seventh regular session at Kingston from 27 February to 23 March 1989 and its meeting in New York from 14 August to 1 September 1988.

Plenary

Implementation of resolution II

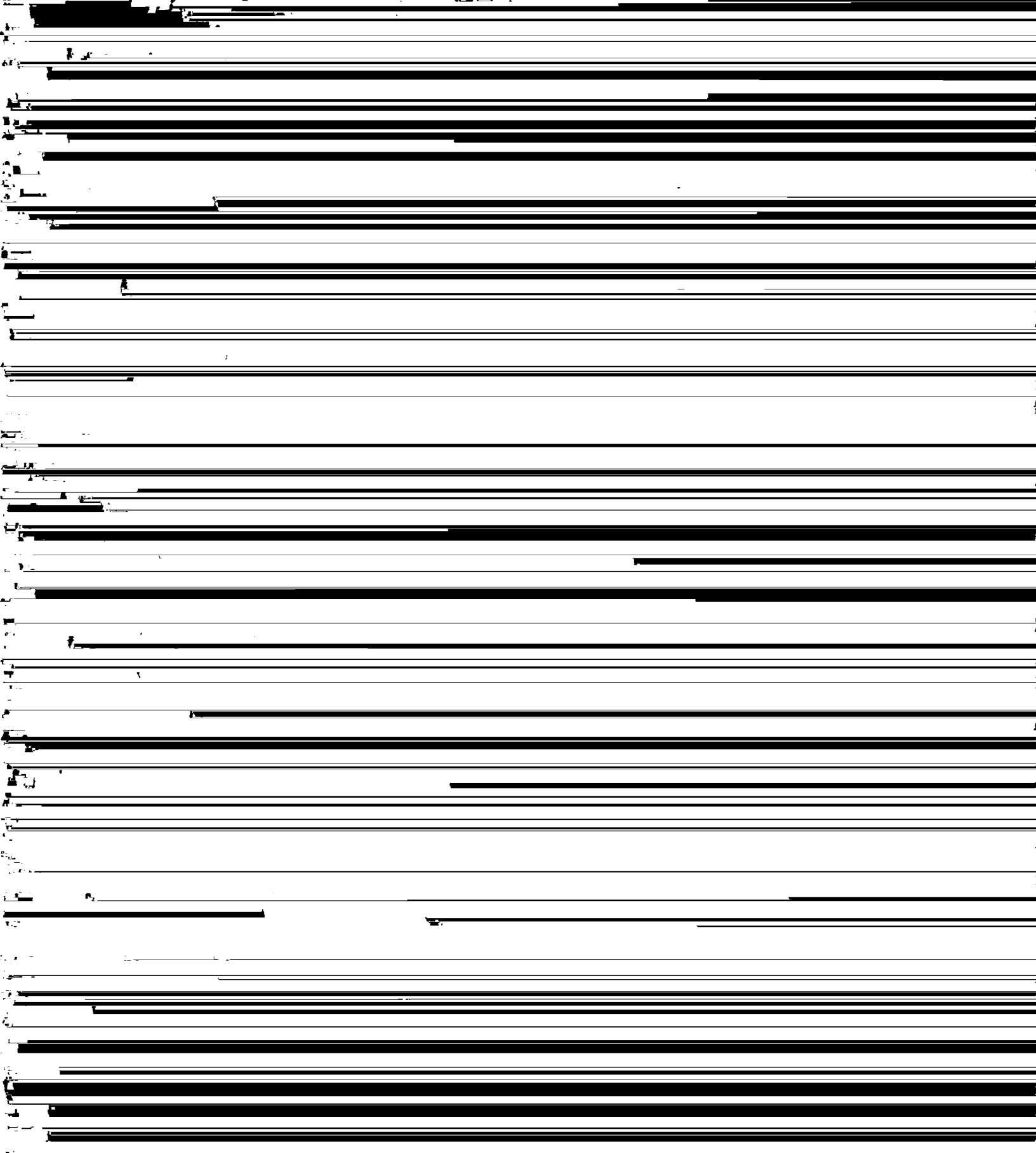
On 17 August 1987, the General Committee of the Preparatory Commission, acting on behalf of the Commission, decided to register India as the first pioneer investor in the international sea-bed area ("the Area") (LOS/PCN/94) on the basis of the report of the Group of Technical Experts established in accordance with resolution II.

The issues were discussed at informal meetings. Based on the results of those consultations, the Chairman submitted on 3 March 1989 a paper containing

and their certifying States. The main proposal of the paper was to give the

\$US 1 million: they would then be required to undertake a five-year programme

budget of the Authority should have a right to a substantial representation on the finance committee proved a most controversial issue. On the question of decision-making, it was the general view that it was necessary to avoid any rule that would paralyse the Committee's work.



Special Commission 2 1/

Special Commission 2 is charged with the preparation of the establishment of the Enterprise - the operational arm of the International Sea-Bed Authority.

The Special Commission considered the structure and organization of the Enterprise and the drafting of a training programme under paragraph 12 (a) (ii) of resolution II.

The Chairman's Advisory Group on Assumptions continued to monitor metal

price movements, long-term projections and technical developments relating to sea-bed mining.

The Ad Hoc Working Group on Training, established to prepare draft principles, policies, guidelines and procedures for the training programme, completed its work at the spring session of the Preparatory Commission.

At the summer meeting of the Preparatory Commission, the Special Commission adopted a draft proposal to establish a training programme for the

Special Commission 4 1/

Special Commission 4, which is dealing with the preparation of recommendations regarding practical arrangements for the establishment of the International Tribunal for the Law of the Sea, completed the examination of the draft protocol on the privileges and immunities of the International Tribunal for the Law of the Sea (LOS/PCN/SCN.4/WP.6). The Secretariat was requested to revise the draft in the light of the suggestions made.

At the summer meeting of the Preparatory Commission, the Special Commission discussed the issues concerning the principles governing the relationship agreements between the Tribunal and the United Nations, as well as its specialized agencies, the International Sea-Bed Authority and other international institutions and organizations.

the seat of the Tribunal. These were held with the Chairman of the Group of 77 and with a number of interested delegations, including the delegation

B. Table of members, observers and participants
of the Preparatory Commission a/

Seventh session (Kingston and New York)

Kingston b/

New York c/

Afghanistan	M		M	
Albania* d/				
Algeria	M	x	M	x
Angola	M	x	M	x
Antigua and Barbuda	M		M	

Argentina	M	x	M	x
Australia	M	x	M	x
Austria	M	x	M	x

Bahrain	M		M	
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Bangladesh	M	x	M	x
Barbados	M		M	
Belgium	M	x	M	x
Belize	M		M	
Benin	M		M	x

Bhutan	M		M	
Bolivia	M	x	M	x

STATES	Kingston		New York	
	Member/ Observer	Participant	Member/ Observer	Participant
Democratic People's Rep. of Korea	M	x	M	x
Democratic Yemen	M	x	M	
Denmark	M	x	M	x
Djibouti	M		M	
Dominica	M		M	

Dominican Republic	M		M	
Ecuador	O	x	O	x
Egypt	M	x	M	x
El Salvador	M		M	
Equatorial Guinea	M		M	

Ethiopia	M		M	
Fiji	M		M	x
Finland	M	x	M	x
France	M	x	M	x
Gabon	M	x	M	x

	M		M	

German Democratic Republic	M	x	M	x
Germany, Federal Republic of	O	x	O	x
Ghana	M	x	M	x
Greece	M	x	M	x

Grenada	M		M	
Guatemala	M		M	
Guinea	M		M	x
Guinea-Bissau	M	x	M	x
Guyana	M		M	

Haiti	M	x	M	x
Holy See	O		O	
Honduras	M		M	
Hungary	M	x	M	x
Iceland	M		M	

India	M	x	M	x
Indonesia	M	x	M	x
Iran (Islamic Republic of)	M	x	M	x
Iraq	M		M	x
Ireland	M	x	M	x

Israel	O		O	

STATES

Kingston
Member/
Observer

New York
Member/

STATES	<u>Kingston</u>		<u>New York</u>	
	<u>Member/ Observer</u>	<u>Participant</u>	<u>Member/ Observer</u>	<u>Participant</u>
Portugal	M	x	M	x
Qatar	M		M	x
Republic of Korea	M	x	M	x
Romania	M		M	
Rwanda	M		M	

San Marino*

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

Kingston

New York

C. List of documents of the General Committee and of

General Committee

- | | |
|------------------------|--|
| LOS/PCN/BUR/R.5 | Report of the Group of Technical Experts to the General Committee of the Preparatory Commission [16 August 1989] |
| LOS/PCN/BUR/R.5/Corr.1 | Corrigendum [26 October 1989] |
| LOS/PCN/BUR/R.6 | Report of the Group of Technical Experts to the General Committee of the Preparatory Commission [27 February 1989] |

Seventh session

- | | |
|----------------|--|
| LOS/PCN/INF/16 | Delegations to the seventh session, Kingston, Jamaica, 27 February-23 March 1989 [17 March 1989] |
|----------------|--|

- | | |
|----------------|---|
| LOS/PCN/INF/17 | Delegations to the meeting of the Preparatory |
|----------------|---|

LOS/PCN/L.68 Statement to the plenary by the Chairman of
Special Commission 1 on the progress of work in
that Commission
[17 March 1989]

LOS/PCN/L.69 Statement to the plenary by the Chairman of
Special Commission 3 on the progress of work in
that Commission
[22 March 1989]

LOS/PCN/L.70 Statement to the plenary by the Chairman of
Special Commission 2 on the progress of work in
that Commission
[22 March 1989]

LOS/PCN/L.71 Statement to the plenary by the Chairman of
Special Commission 4 on the progress of work in
that Commission
[21 March 1989]

LOS/PCN/L.71/Corr.1 Corrigendum
[10 May 1989]

LOS/PCN/L.72 Statement to the plenary by the Chairman of

the Preparatory Commission

[22 March 1989]

LOS/PCN/WP.36/Rev.2

Draft rules of procedure of the Economic
Planning Commission. Working paper by the
Secretariat
[3 February 1989]

Special Commission 1

LOS/PCN/SCN.1/WP.2/Add.5

Basic data and information of relevance to the work of Special Commission 1. Background paper by the Secretariat.
Addendum
[27 February 1989]

LOS/PCN/SCN.1/WP.2/Add.6

Basic data and information of relevance to the

Recycling of copper, nickel, cobalt and manganese: Additional information.
Addendum
[28 February 1989]

LOS/PCN/SCN.1/WP.2/Add.7

Basic data and information of relevance to the work of Special Commission 1. Background paper by the Secretariat.
Substitution and the copper, nickel, cobalt and manganese industries.
Addendum
[22 February 1989]

LOS/PCN/SCN.1/WP.5/Add.3

Information on existing international or multilateral economic measures which could be of relevance to the work of Special Commission 1.
Report on the work of the Third Regional

LOS/PCN/SCN.1/1989/CRP.18

Criteria for the identification of land-based producer States actually or likely to be affected by sea-bed production. Suggestions by

the Ad Hoc Working Group of

Special Commission 1
[17 March 1989]

LOS/PCN/SCN.1/1989/CRP.18/
Add.1

Addendum
[30 August 1989]

LOS/PCN/SCN.1/1989/CRP.19

Compensation for developing land-based producer States affected by sea-bed production

Suggestions by the Chairman of the Ad Hoc
Working Group of Special Commission 1

LOS/PCN/SCN.3/WP.14

Suggested

- LOS/PCN/SCN.4/1989/CRP.32 Suggested redraft of article 93 in document
LOS/PCN/SCN.4/WP.2/Rev.1/Part I.
Submitted by the delegation of Japan
[14 March 1989]
- LOS/PCN/SCN.4/1989/CRP.33 Suggested redraft of article 14 bis
(LOS/PCN/SCN.4/WP.6).
Submitted by the delegation of the Ukrainian
Soviet Socialist Republic
[21 March 1989]
- LOS/PCN/SCN.4/1989/CRP.34 Proposals submitted by Belgium relating to the
draft Convention on the Privileges and
Immunities of the International Tribunal for the
Law of the Sea (LOS/PCN/SCN.4/WP.6)
[16 August 1989]
- LOS/PCN/SCN.4/1989/CRP.35 Suggested article 16 bis (LOS/PCN/SCN.4/WP.6).
Submitted by the delegation of the Federal
Republic of Germany
[16 August 1989]
- LOS/PCN/SCN.4/1989/CRP.36 Indicative list of issues specific to
relationship agreements between the
International Tribunal for the Law of the Sea
and the United Nations, the International
Sea-Bed Authority, the International Court of
Justice and specialized agencies of the United
Nations with relevant competences.
Note by the Secretariat
- LOS/PCN/SCN.4/1989/CRP.37 Suggested redraft of Article 90, paragraph 1, and
Article 93 (LOS/PCN/SCN.4/WP.2/Rev.1/Part I).
Submitted by the delegation of the United
Republic of Tanzania on behalf of the Group
of 77; the delegation of France on behalf of the

IV. OTHER INFORMATION

A. Expert group meeting on marine scientific research

United Nations Headquarters
5-8 September 1989

A group of high-level technical experts was convened at Headquarters from 5 to 8 September to examine the issue of marine scientific research in areas

Overall, the Convention requires all States and competent international organizations to promote and facilitate the development and conduct of marine scientific research. States are required

"... to promote and facilitate the development and conduct of marine scientific research" which was considered at

B. Expert group meeting on sea-use planning and coastal area management

Santiago, Chile
28 November-1 December 1989

The Latin American and Caribbean experience in sea-use planning and coastal area management was the subject of an in-depth review and analysis at an expert group meeting held at Santiago, Chile, 28 November-1 December 1989.

The meeting, organized jointly by the United Nations Office for Ocean Affairs and the Law of the Sea and the Department of Economic and Social Affairs, was held in Santiago, Chile, from 28 November to 1 December 1989.

The expert group meeting, the first organized by the Office for Ocean Affairs and the Law of the Sea on this topic, was designed as part of the Office's ongoing programme of assistance and advice to States in the implementation of the Convention on the Law of the Sea.

The Convention, which was adopted in 1982 and which is currently only 18 ratifications short of the 60 required for its entry into force, emphasizes that the problems of ocean space are closely interrelated and need to be considered as a whole. It recognizes that an integrated approach must be aimed at the equitable and efficient utilization of ocean resources, the conservation of living resources and the study, protection and preservation of the marine environment.

Previous studies of the Office have concluded that one of the essential

requirements for the integration of the marine dimension into national developmental schemes is that ability to assess effectively and implement

integrated strategy for the management of marine resources and ocean space. However, those studies have found that a majority of countries lacked the infrastructure and required expertise to undertake integrated marine development programmes. Often, marine planning is designed to focus on a single economic function, such as offshore resource recovery or fisheries, without taking into account the different aspects of marine development.

C. United Nations sales publications prepared by the
Office for Ocean Affairs and the Law of the Sea

1. The law of the sea: official text of the United Nations Convention on the Law of the Sea with annexes and index, Final Act of the Third United Nations Conference on the Law of the Sea - introductory material on the Convention and the Conference. 1983. 224 p. \$12.95.

Sales No. E.83.V.5

Spanish).

2 The law of the sea: status of the United Nations Convention on the

3 The law of the sea: status of the United Nations Convention on the

12. The law of the sea: maritime boundaries (LOS/LIB/2). 1987.

297 p. \$38.00.
Sales No. E.87.V.12 (English, French, Spanish).

13. The law of the sea: a select bibliography (LOS/LIB/3). 1988. 49 p.
\$9.50.
Sales No. E.88.V.2 (English only).

14. The law of the sea: Baselines: an examination of the relevant provisions

of the United Nations Convention on the Law of the Sea. 1989.
70 p. \$8.50.
Sales No. E.89.V.5 (Arabic, English, French, Spanish)

15. The law of the sea: navigation on the high seas - legislative history
of Part VII, Section I (articles 87, 89, 90-94, 96-98) of the United
Nations Convention on the Law of the Sea, 1982. 201 p. \$12.00

(Decree on foreign marine scientific research in the territorial sea, on the continental shelf and in the fishery zone of the German Democratic Republic: Marine Research Decree of 23 March 1989)

D. Corrigendum to Bulletin No. 12 of 1989

1. Page 32, article 4, title

2. Page 33, article 6 (b), eighth and ninth sentences