

LAW OF THE SEA BULLETIN

No. 16

DECEMBER 1990



OFFICE FOR OCEAN AFFAIRS AND THE LAW OF THE SEA

91-00487

Pu'lication in the Bulletin of information concerning

developments relating to the law of the sea operating

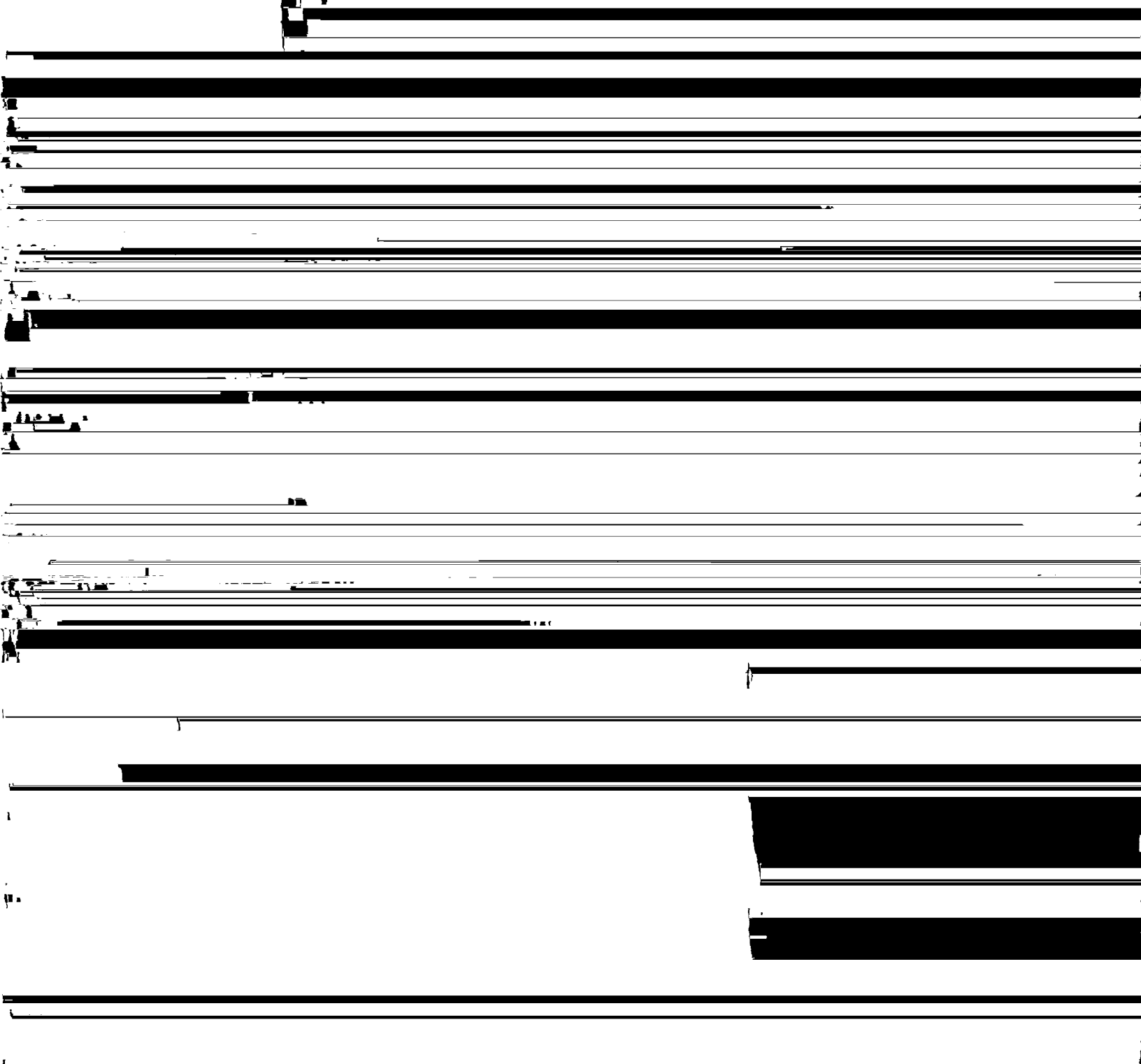
IF ANY MATERIAL CONTAINED IN THE BULLETIN IS REPRODUCED IN
PART OR IN WHOLE, DUE ACKNOWLEDGEMENT SHOULD BE GIVEN

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Chronological order of ratifications of the Convention



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

Chronological order of ratifications of the Convention,
giving ratifying State's regional group

	<u>Date</u>	<u>State/Entity</u>	<u>Regional group</u>
1.	10 December 1982	Fiji	Asian
2.	7 March 1983	Zambia	African
3.	18 March 1983	Mexico	Latin Am./Carib.
4.	21 March 1983	Jamaica	Latin Am./Carib.
5.	18 April 1983	Namibia	African
6.	7 June 1983	Ghana	African
7.	20 July 1983	Dominican Republic	Latin Am./Carib.
8.	13 August 1983	Belize	Latin Am./Carib.
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	Guinea	African
14.	15 August 1984	Guinea-Bissau	African
15.	23 January 1985	Sudan	African

II. LEGAL INFORMATION RELEVANT TO THE UNITED NATIONS CONVENTION

A. Recent national legislation received from Governments

1. ALBANIA

Decree No. 7366 to Modify Decree No. 4650, dated 9 March 1990,
of the State Border of the People's Socialist Republic of Albania 1/

[Original: English]

Article 1

The first paragraph, article 4, of Decree No. 4650, dated 9 March 1970,
should be modified as follows:

extended along the entire coastline over a width of 12 nautical miles

2. EGYPT

Baselines of the maritime areas

Note verbale of the Arab Republic of Egypt to the United Nations, 2 May 1990

~~Decree of the President of the Arab Republic of Egypt~~

No. 27 (1990)

Concerning the baselines of the maritime areas
of the Arab Republic of Egypt - 9 January 1990

Article 1

~~The maritime areas under the sovereignty and rule of the Arab~~

Republic of Egypt, including its territorial sea, shall be measured from the
straight baselines connecting all the points defined by the co-ordinates

ANNEX I

I. The Mediterranean Sea

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

<u>Sequence</u>	<u>Latitude (North)</u>	<u>Longitude (East)</u>
22	31° 08' 54"	29° 47' 18"

23	31° 12' 00"	29° 51' 42"
----	-------------	-------------

<u>Sequence</u>	<u>Latitude (North)</u>			<u>Longitude (East)</u>		
43	31°	13'	12"	33°	04'	00"
44	31°	13'	48"	33°	06'	12"
45	31°	14'	12"	33°	08'	42"
46	31°	13'	36"	33°	13'	18"
47	31°	12'	00"	33°	20'	30"
48	31°	11'	06"	33°	23'	54"
49	31°	07'	06"	33°	32'	00"
50	31°	07'	42"	33°	43'	24"

ANNEX 2

II. The Red Sea

<u>Sequence</u>	<u>Latitude (North)</u>			<u>Longitude (East)</u>		
1	29°	29'	36"	34°	54'	18"
2	29°	29'	00"	34°	52'	12"
3	29°	26'	12"	34°	50'	48"
4	29°	25'	26"	34°	49'	48"
5	29°	22'	36"	34°	48'	12"

6	29°	22'	00"	34°	47'	18"
7	29°	20'	30"	34°	46'	36"
8	29°	18'	18"	34°	44'	24"

<u>Sequence</u>	<u>Latitude (North)</u>			<u>Longitude (East)</u>		
42	25°	20'	48"	34°	51'	54"

45	24°	26'	00"	35°	22'	48"
----	-----	-----	-----	-----	-----	-----

3. FRANCE

... 2007 ... 1999 concerning Maritime Cultural Assets and

[Original: French]

Article 1

Maritime cultural assets shall comprise deposits, wrecks, artefacts or in

Article 5

Where an asset is reported more than once, the credit for its discovery shall go to the first person to report it.

Article 6

of which is assigned to the State under the provisions of article 2 shall be entitled to a reward of a kind or in an amount to be determined by the Administrative Authority.

Article 7

We are now engaged in prospecting using specialized equipment for

determining the location of a maritime cultural asset, or carry out excavations or drilling, without obtaining prior administrative authorization

Transfer of ownership shall be decided by the ordinary law courts, subject to payment of an indemnity prior to the taking of possession. The said

its decision in the case of the accused person the maximum

Violations of the present Act shall be investigated and verified by officers and constables of the criminal investigation department, deputy constables of the criminal investigation department, administrators of maritime affairs officers in the technical and administrative corps for

Article 22

~~Article 21 of the Constitution of 1941 referred to above shall read as~~

follows:


"Art. 21. Any person knowingly selling or buying any objects discovered
~~in violation of articles 3~~

4. ISRAEL

Territorial Waters (Amendment) Law, 5750-1990 of
5 February 1990 1/

[Original: English]

Replacement of section 1

1. In the Territorial Waters Law, 5717-1956 (hereinafter referred to as
- 

5. NAMIBIA

Territorial Sea and Exclusive Economic Zone of Namibia
Act No. 3 of 1990, 30 June 1990 1/

[Original: English]

exclusive economic zone and continental shelf of Namibia; and to provide for
matters incidental thereto (signed by the President on 6 June 1990).

(3) Any law in force in Namibia at the commencement of this Act relating to territorial waters or to the sea within a specified distance but less than

12 nautical miles from the low water mark shall apply within the territorial

water line as defined in this Act, respectively.

Internal waters of Namibia

3. (1) The waters landward from its low water line or any other base line from which the territorial sea was measured shall form part of the internal

Continental shelf of Namibia

... shall be the continental shelf as defined in the Convention or as it may from

shall be the continental shelf of Namibia.

In addition to
any fishing
which was used in
etc, to be
fit, any
ed or granted to
shall not affect
ment, boat,
s to prevent the

1977 (Act 51 of

at thereto
e sold or

period not

vessels
n sections 10
) and (n) of

vessels or
fish products.

on of or without
be guilty of an

Proclamation by the President of the Republic of Namibia 1/

[Original: English]

Commencement of the Territorial Sea and Exclusive Economic Zone of Namibia
Act (Act 3 of 1990)

Section 2 of the Territorial Sea and

B. Treaties

1. Bilateral treaties

- (a) Agreement between the Government of the Union of Soviet Socialist Republics and the Government of the French Republic concerning the Delimitation of Territorial Waters

Territorial Waters of 4 July 1989

The Parties recognize that freedom to conduct operations outside territorial waters is based on established and recognized principles and rules of international law.

Article III

1. Except when required to maintain course and speed under the Collision Regulations, ships of the Parties operating in proximity to each other shall

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

7. When conducting exercises with submerged submarines, the supporting ships

International Code of Signals, or in the Table of Special Signals annexed to

the present Agreement, to warn other ships of the presence of submarines in the area.

8. Ships of one Party when approaching ships of the other Party which, in accordance with rule 3 (g) of the Collision Regulations, are restricted in their ability to manoeuvre, and particularly ships engaged in launching or

Article VIII

This Agreement shall enter into force on the date of its signature. It ~~may be terminated by either Party six months~~ within notice of

termination to the other Party.

Article IX

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

Table of special signals 1/

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

<u>S I G N A L</u>	<u>Meaning of signals</u>
1	2
IR1	I am engaged in oceanographic work.
IR2(...)	I am streaming/ towing hydrographic survey equipment ... metres 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.

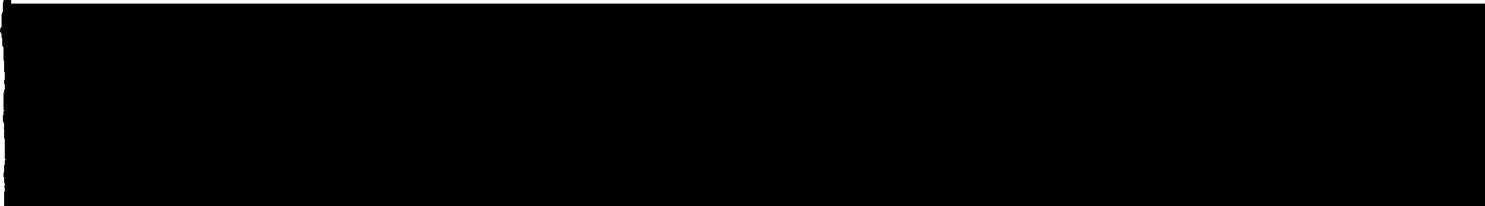
<u>S I G N A L</u>	<u>Meaning of signals</u>
1	2
NB1(...)	I have my unattached hydrographic survey equipment bearing in a direction from me as indicated ... (table 3 of ICS). <u>2/</u>
PJ1	I am unable to alter course to my starboard.
PJ2	I am unable to alter course to my port.
PJ3	Caution, I have steering casualty.
PP8(...)	Dangerous operations in progress. Request you keep clear of the direction indicated from me ... (table 3 of ICS).

<u>S I G N A L</u>	<u>Meaning of signals</u>
1	2
QV2	I am in a fixed.

<u>S I G N A L</u>	<u>Meaning of signals</u>
1	2
RU6	I am engaged in manoeuvring exercises. It is dangerous to be inside the formation.
RU7	I am preparing to submerge.

<u>S I G N A L</u>	<u>Meaning of signals</u>
1	2
UY3(...)	I am preparing to conduct gunnery exercises. Request you keep clear of the direction indicated from me ... (table 3 of ICS).
UY4	I am preparing to conduct/am conducting operations employing explosive charges.
UY5(...)	I am manoeuvring in preparation for torpedo launching exercises in a direction from me as indicated ... (table 3 of ICS)

<u>S I G N A L</u>	<u>Meaning of signals</u>
1	2
UY8	I am manoeuvring to launch/prepare



UY9	I am preparing to conduct/am conducting helicopter operations over my stern.
UY10	I am checking gunnery systems. <u>3/</u>

UY11		I am checking rocket systems. <u>3/</u>
------	--	--

(b) Agreement between the Government of the Italian Republic and the
Government of the Union of Soviet Socialist Republics

concerning the Prevention of Incidents at Sea

[Original: Italian and Russian]

The Government of the Italian Republic and the Government of the Union of
Soviet Socialist Republics (hereinafter referred to as "the Parties")

Desiring to ensure the safety of navigation of ships of their respective
armed forces, and of the flight of their military aircraft outside territorial
waters,

~~Acknowledging that actions prohibited by this Agreement should also not~~

Article II

The Parties shall take measures to instruct the commanding officers of ships to observe strictly the letter and spirit of the International Regulations for Preventing Collisions at Sea (hereinafter referred to as "the

International Regulations for Preventing Collisions at Sea, signed at London on 20 October 1972. The Parties recognize that freedom to conduct operations

(d) shall not use lasers in such a manner as to constitute a hazard to the health of the crew or cause damage to the equipment on board a ship or aircraft of the other Party;

(e) shall not launch signal rockets in the direction of the ships or aircraft of the other Party.

7. When conducting exercises with submerged submarines, supporting ships shall show the appropriate signals prescribed by the International Code of

~~Signal~~ ~~is~~ or in the Table of Special Signals annexed to this Agreement to warn

other ships of the presence of submarines in the area.

~~Ships of one Party when approaching ships of the other Party which in~~

Article VII

1. The Parties shall exchange in a timely manner appropriate information concerning instances of collisions, incidents which result in damage and other incidents at sea between ships and aircraft of the Parties. The Italian Navy shall provide such information through the Naval Attaché or other Military Attaché of the Union of Soviet Socialist Republics in Rome, and the Navy of the Union of Soviet Socialist Republics shall provide such information through the Naval Attaché or other Military Attaché of the Italian Republic in Moscow.

2. The procedure outlined in paragraph 1 of this article shall also be used

immediate receipt of such information is deemed important by the other Party.

Article VIII

This Agreement shall enter into force 30 days after its signature. It may be terminated by either Party giving six months' written notice of termination to the other Party.

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 and possible ways of further improving the safety of navigation of their ships and flight of their aircraft outside territorial waters. Similar consultations

shall be held thereafter annually or at more frequent intervals, as may be agreed between the Parties.

DONE at Rome on 30 November 1989 in duplicate, in the Italian and Russian

ANNEX

Table of special signals 1/

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

<u>S I G N A L</u>	<u>Meaning of signals</u>
1	2
IR1	I am engaged in oceanographic work.
IR2(...)	I am streaming/ towing hydrographic survey equipment ... metres 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.

1/ Both Parties shall issue mutually agreed instructions for the use

<u>S I G N A L</u>	<u>Meaning of signals</u>
1	2
NB1(...)	I have my unattached hydrographic survey equipment bearing in a direction from me as indicated ... (table 3 of ICS). 2/
BT	I am unable to

<u>S I G N A L</u>	<u>Meaning of signals</u>
7	[REDACTED]

[REDACTED]

0V2	I am in a fixed	
-----	-----------------	--

[REDACTED]

<u>S I G N A L</u>	<u>Meaning of signals</u>
1	2

<u>S I G N A L</u>	<u>Meaning of signals</u>
1	2
UY3(...)	I am preparing to conduct gunnery exercises. Request you keep clear of the direction indicated from me ... (table 3 of ICS).
UY4	I am preparing to conduct for conducting

<u>S I G N A L</u>	<u>Meaning of signals</u>
1	2
ZL1	I have received and understood your signal.
ZL2	Do you understand?

(c) Agreement between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics on Co-operation in Ocean Studies of 1 June 1990

[Original: English and Russian]

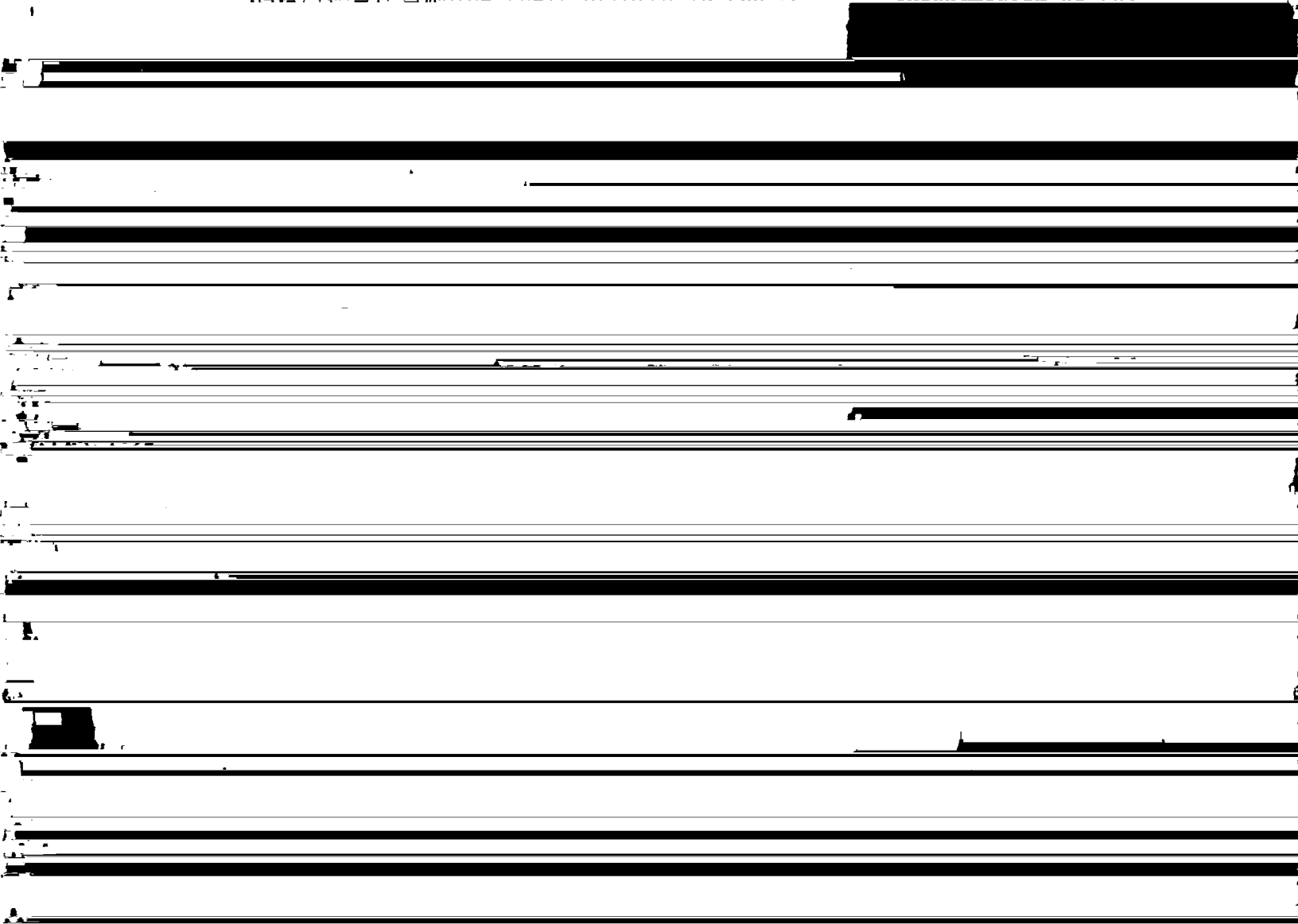
The Government of the United States of America and the Government of the Union of Soviet Socialist Republics (hereinafter referred to as "the Parties");

Recognizing the importance of comprehensive studies of the oceans of the world for peaceful purposes and for the well-being of mankind;

Striving for more complete knowledge and rational utilization of the oceans of the world by all nations through broad international co-operation in oceanographic investigations and research;

Aware of the capabilities and resources of both countries for studies of the oceans of the world and the extensive history and successful results of previous co-operation between them;

Desiring to combine their efforts in the further investigation of the



Article 5

The implementation of this Agreement will be carried out by a Joint Committee on Co-operation in Ocean Studies. This Joint Committee shall meet, as a rule, once a year, alternatively in the United States and the Soviet Union, unless otherwise mutually agreed.

2. The Joint Committee shall take such action as is necessary for effective implementation of this Agreement, including, but not limited to, approval of specific projects and programmes of co-operation; designation of agencies and organizations to be responsible for carrying out co-operative

activities; and making recommendations, as appropriate, to the Parties.

Committee. The Executive Agent of the United States of America will be the National Oceanic and Atmospheric Administration (NOAA), a constituent agency of the U.S. Department of Commerce. The Executive Agent of the Union of

the effective period of

ANNEX I

To the Agreement between the Government of the United States of America and

Co-operation in Ocean Studies

Co-operation under this Agreement will initially be implemented in the following projects:

- a. Southern Ocean Dynamics
- b. Mid-Atlantic Ridge Crest Processes

2. Rights to other copyrighted works (such as computer software) shall be allocated in the same manner as for inventions, as set forth in article III, paragraphs B-E, of this annex. A Party receiving rights pursuant to this

shall protect such information in accordance with article IV of this annex.

III. INVENTIONS

A. For purposes of this annex, "invention" means any invention made in the course of co-operation under this Agreement which is or may be patentable or otherwise protectable under the laws of the United States of America. the

D. For other forms of co-operation, such as joint research projects with an agreed scope of work each Party has the right to obtain all rights and

first option to secure legal protection of that invention in third countries, as well as the right to license or transfer such rights and interests in third

C. Any information to be protected as "business confidential information" shall be appropriately identified by the Party furnishing such information or asserting that it is to be protected, except as otherwise provided in the Parties' laws, regulations and administrative practices. Subject to the aforesaid laws, regulations and administrative practices, unidentified information will be assumed not to be information to be protected, except that a Party to the co-operative activity may notify the other Party in writing, within a reasonable period of time after furnishing or transferring such information, that such information is business-confidential under the laws, regulations and administrative practices of its country. Such information will thereafter be protected in accordance with paragraph A above.

V. OTHER TYPES OF INTELLECTUAL PROPERTY

"Other types of intellectual property" means any intellectual property protectable in accordance with the laws, regulations and administrative practices of either Party or any third country other than those described in

articles II and III above and includes, for example, scientific discoveries, maskworks and trade marks. Rights to other types of intellectual property shall be determined in the same manner as for inventions, as set forth in article III, paragraphs B-D, of this annex. If an intellectual property is

the other Party the Party whose laws provide such protection shall be

(d) Agreement on Maritime Delimitation between the Government
of the Cook Islands and the Government of

the French Republic of 3 August 1990

[Original: English and French]

The Government of the Cook Islands and the Government of the French
Republic,

Desirous of strengthening the bonds of neighbourliness and friendship

Article 2

The line described in article 1 of this Agreement shall be the maritime boundary between the areas referred to in the said article 1 in which the

Parties expressly or will be in accordance with international law any

Article 3

If new surveys or resulting charts and maps should indicate that changes in the base points co-ordinates are sufficiently significant to require adjustments of the maritime boundary the Parties agree that an adjustment

2. Regional treaties

Agreement on the Organization for Indian Ocean Marine Affairs
Co-operation (IOMAC), 7 September 1990

[Original: English]

The Contracting States,

Being coastal and hinterland States of the Indian Ocean:

Having in mind the resources of the Indian Ocean region,

region, and for promoting co-operation among them as well as between them and other States, in the light of the new ocean régime embodied in the United Nations Convention on the Law of the Sea;

Reaffirming their commitment to the peaceful development and rational management of the Indian Ocean;

Recalling the First Conference on Economic, Scientific and Technical

II. GENERAL PROVISIONS

Article 2
Establishment

1. The Organization for Indian Ocean Marine Affairs Co-operation (IOMAC), hereinafter referred to as the "Organization", is hereby established.
2. The headquarters of the Organization shall be in Colombo, Sri Lanka.

Article 3
Objectives

The objectives of the Organization shall be:

- (a) to create an awareness regarding the Indian Ocean, its resources and potential for the development of the States of the region, and promoting co-operation among them, as well as between them and other States, bearing in mind the ocean régime embodied in the United

- (b) to provide a forum where the coastal and hinterland States of the Indian Ocean and other interested States could consider, examine and

2. Fields of co-operation in marine affairs in the Indian Ocean shall be:

(a) marine science, ocean services and marine technology;

(c) non-living resources;

(d) ocean law, policy and management;

(e) marine transport and communications;

(f) marine environment: and

III. INSTITUTIONAL PROVISIONS

Membership

Any coastal or hinterland State of the Indian Ocean may become a Member of the Organization by becoming a party to this Agreement.

Article 6 Structure of the Organization

The Organization shall have the following principal bodies:

- (d) receive and consider the reports of the Committee and of the Secretary General;
- (e) approve the budget and accounts of the Organization for each financial period;
- (f) approve proposals for programmes and activities of the Organization;

- (h) examine disputes that may arise concerning the interpretation or application of this Agreement and make such recommendations and if

necessary establish such procedures, as it may deem appropriate with

- (i) establish its rules of procedure except as otherwise provided in this Agreement;

- (j) establish the financial regulations of the Organization;

- (k) establish the staff regulations of the Organization and provide for

10. Sessions of the Conference shall be held at the headquarters of the Organization unless the Conference decides otherwise.

Article 8
The Committee

Composition

1. The Conference shall determine the size and elect the members of the Committee, from amongst the Members of the Organization, and shall endeavour to ensure that the major geographical areas and the principal ocean-related interests (namely, land-locked, geographically disadvantaged, mainland, coastal, and archipelagic) shall be represented.

Functions

2. The Committee, which shall be the executive body of the Organization, shall:

(a) provide the necessary policy guidance for the implementation of the

7. Members of the Organization not elected to the Committee may participate at its meetings without a vote.

8. The Committee shall endeavour to reach its decisions by consensus. Where consensus is not possible, decisions of the Committee shall, unless otherwise

provided in this Agreement, be made by a majority of its members present and voting.

representatives of the United Nations and the appropriate agencies and bodies

of the United Nations, representatives of such other international and national governmental and non-governmental organizations as the Committee may

deem appropriate and experts in fields of interest to the Committee may be invited to attend meetings of the Committee as observers. If one third of the

Article 10

The Organization shall have juridical personality and the capacity

necessary for the performance of its functions and, in particular, to contract, to acquire and dispose of movable and immovable property and to institute legal proceedings.

Article 11

Facilities, privileges and immunities

1. Each Member of the Organization shall accord to the Organization its

The financial contributions of the Members of the Organization shall

consist of a yearly contribution from each Member, made in United States dollars, as follows:

- (a) a sum arrived at by dividing fifty per cent of the required and approved budget of the Organization equally amongst all the Members of the Organization; and
- (b) an additional sum, the amount of which shall be determined periodically by the Secretariat and approved by the Committee, to meet its share of the remainder of the required and approved budget. Such amount shall be calculated on the basis of the rates of

V. FINAL PROVISIONS

Article 15

Signature, ratification, accession

1. Any coastal or hinterland State of the Indian Ocean may become a party to this Agreement by:

- (a) signing this Agreement subject to ratification, acceptance or approval and, thereafter, depositing an instrument of ratification, acceptance or approval; or
- (b) acceding to this Agreement.

2. This Agreement shall be open for signature by all States of the Indian Ocean region.

Article 18
Withdrawal from the Organization

1. Any Member of the Organization may withdraw from this Agreement and, in doing so, from its Membership in the Organization by giving written notice of withdrawal to the depositary of this Agreement and to the Secretary-General.
2. The withdrawal shall take effect six months after the date of receipt of the notification by the depositary.
3. A Member withdrawing from the Organization shall continue to be responsible for the obligations incurred within the period of its Membership.

Article 19
Dissolution of the Organization

The Conference may by a two thirds majority of its Members resolve that

III. OTHER INFORMATION

- A. Merging of the People's Democratic Republic of Yemen and the Yemen Arab Republic to form a single State named Yemen 22 May 1990

B. Arbitral Award of 31 July 1989 (Guinea-Bissau v. Senegal)

No. 90/5*

The Court dismisses the request for the indication of provisional measures

The following information is communicated to the press by the Registry of

Today, 2 March 1990, the International Court of Justice, in the case concerning the Arbitral Award of 31 July 1989 (Guinea-Bissau v. Senegal), made an Order dismissing by fourteen votes to one the request of the Republic of

Guinea-Bissau for the indication of provisional measures.

The Court was composed as follows:

On 18 January 1990 Guinea-Bissau, on the ground of actions stated to have been taken by the Senegalese Navy in a maritime area which Guinea-Bissau regards as an area disputed between the parties, requested the Court to indicate the following provisional measures:

then came into existence, relating to the applicability of the text issued by way of award on 31 July 1989"; and requests the Court, in respect of the decision of the Arbitration Tribunal, to adjudge and declare:

"- that that so called decision is inexistent in view of the

of a majority in favour of the text of the 'award' has, by a

declaration appended to it, expressed a view in contradiction with the one apparently adopted by the vote:

Guinea-Bissau has requested the Court to exercise in the present proceedings the power conferred upon it by Article 41 of the Statute of the Court "to indicate, if it considers that circumstances so require, any provisional measures which ought to be taken to preserve the respective rights of either party."

The Court observes that the purpose of exercising this power is to protect "rights which are the subject of dispute in judicial proceedings" (Aegean Sea Continental Shelf, I.C.J. Reports 1976, p. 9, para. 25; Diplomatic and Consular Staff in Tehran, I.C.J. Reports 1979, p. 19, para. 36); that such measures are provisional and indicated "pending the final decision" (Article 41, paragraph 2, of the Statute); and that therefore they are to be measures such that they will no longer be required as such once the dispute over those rights has been resolved by the Court.

It further notes that Guinea-Bissau recognizes in its Application that the dispute of which it has seized the Court is not the dispute over maritime delimitation brought before the Arbitration Tribunal, but a "new dispute ... relating to the applicability of the text issued by way of award of 31 July

Operative paragraph

"Accordingly,

by fourteen votes to one,

Dismisses the request of the Republic of Guinea-Bissau, filed in the Registry on 18 January 1990, for the indication of provisional measures."

Summary of Opinions appended to the Order of the Court

Separate Opinion of Judge Evensen

The circumstances of the present case do not seem to require the exercise of the Court's power under Article 41 of the Statute of the International Court of Justice to indicate interim measures.

But the Court does not need finally to establish that it has jurisdiction on the merits of the case before deciding whether or not to indicate interim measures. The absence at this stage of any challenge to the Court's

jurisdiction is relevant in this context

The avoidance of irreparable damage should not be a condition for the stipulation of interim measures. Neither Article 41 of the Statute of the Court nor Article 73 of the Rules of Court contain any reference to "irreparable damage". The Court's discretionary powers should not be limited in such a manner.

To the extent that the Court's powers under Article 41 of the Statute of the International Court of Justice are limited by the United Nations Convention

In his separate opinion, it appears to Judge Shahabuddeen that

Guinea-Bissau has been contending for a more liberal view than that adopted by the Court of the kind of link which should exist between rights sought to be

C. Excerpts from the final communiqué of the twenty-first South Pacific Forum,

ENVIRONMENT

The Forum recognized the fundamental importance to Pacific countries and peoples of environmental issues, particularly climate change, sea level rise and waste disposal at sea. It also recognized that sustainable development was the key to the protection of the region's resources and environment for future generations.

arrangements should be developed to address environmental concerns. Towards this objective, the Forum agreed to establish a special committee, to be funded by New Zealand, to examine future institutional and operational arrangements for strengthening the capacity and efficiency of the South Pacific Regional Environment Programme (SPREP). The Forum invited SPREP to report to it on an annual basis commencing in 1991. In addition the Secretariat should have enhanced capacity to keep abreast of environmental issues.

(a) Control of long driftnets in the South Pacific:

The Forum:

- endorsed the Convention for the Prohibition of Long Driftnets in the South Pacific
- called on all interested parties to accede to the Convention or its Protocols as appropriate
- welcomed Japan's decision to cease driftnetting one year in advance of the date stipulated in UNGA Resolution 225 4/
- directed that every effort be made to find means to involve Taiwan

Pacific albacore tuna

(b) Multilateral fishing arrangements with Japan:

The Forum:

... continues reluctance to enter

D. Corrigendum to Bulletin 15 of May 1990

Page 34, table of claims to maritime zones, "Continental shelf" column:

The entry for Norway should read 200 n.m. + NP [natural prolongation]

