

# LAW OF THE SEA BULLETIN

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No. 17

APRIL 1991

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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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CONFIDENTIAL - SECURITY INFORMATION

[REDACTED]

CONTENTS

Page

~~STATE OF THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA.....~~ 1

Chronological order of ratifications of the Convention,  
since ratifying State's regional group..... 1

II. LEGAL INFORMATION RELEVANT TO THE UNITED NATIONS CONVENTION  
~~ON THE LAW OF THE SEA.....~~ 2

A. United Nations General Assembly resolutions of interest..... 2

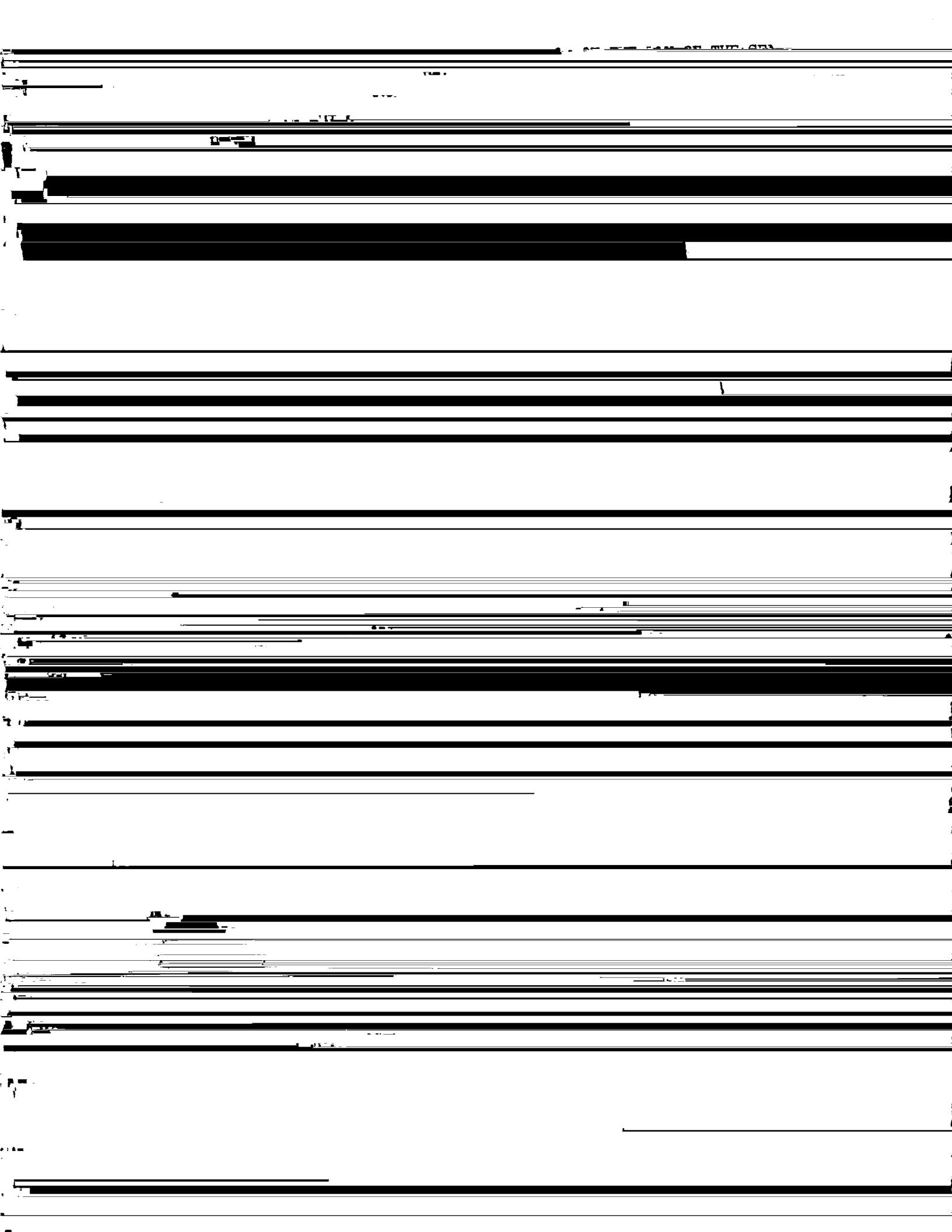
1. General Assembly resolution 45/145 of 14 December 1990:  
"Law of the sea"..... 2

2. General Assembly resolution 45/197 of 21 December 1990:  
"..... driftnet fishing and its impact

Page

B. Table of members, observers and participants of the Preparatory

session of the Preparatory Commission.....	39
IV. OTHER INFORMATION.....	47
Withdrawal of the reservation made by Mongolia upon accession to the 1958 Geneva Convention on the High Seas.....	47



II. LEGAL INFORMATION RELEVANT TO THE UNITED NATIONS CONVENTION

United Nations General Assembly resolutions of interest

Resolution 45/145 of 14 December 1990

Law of the sea \*

The General Assembly,

Recalling its previous resolutions, including resolution 44/26 of 20 November 1989, regarding the law of the sea,

Recognizing that, as stated in the third preambular paragraph of the United Nations Convention on the Law of the Sea, 1/ the problems of ocean space are closely interrelated and need to be considered as a whole,

Convinced that it is important to safeguard the unified character of the Convention and related resolutions adopted therewith and to apply them in a manner consistent with that character and with their object and purpose,

Emphasizing the need for States to ensure consistent application of the Convention, as well as the need for harmonization of national legislation with the provisions of the Convention,

Considering that, in its resolution 2749 (XXV) of 17 December 1970, it proclaimed that the seabed and ocean floor, and the subsoil thereof, beyond



Recognizing the need for cooperation in the early and effective  
implementation by the Preparatory Commission of resolution II of the Third

Mindful of the importance of the Convention for the protection of the marine environment,

resources,

Recalling that States have a duty to take, or cooperate with other States

7. Notes the progress being made by the Preparatory Commission for the International Seabed Authority and for the International Tribunal for the Law of the Sea in all areas of its work;

8. Notes with satisfaction the Understanding on the Fulfilment of  
[REDACTED] and their Certifying States

9. Expresses its appreciation to the Secretary-General for his efforts

15. Welcomes the report of the Secretary-General submitted pursuant to paragraph 13 of General Assembly resolution 44/26, in which were identified the needs of States in regard to the development and management of ocean

2. General Assembly resolution 45/197 of 21 December 1990

Large-scale pelagic driftnet fishing and its impact on the living marine resources of the world's oceans and seas \*

General Assembly

Recalling its resolution 44/225 concerning large-scale pelagic driftnet fishing and its impact on the living marine resources of the world's oceans and seas, including enclosed and semi-enclosed seas, which was adopted by consensus on 22 December 1989,

Also recalling, in particular, that the General Assembly recommended that

Further recalling the relevant principles elaborated in the United Nations Convention on the Law of the Sea, <sup>1</sup>/ which are referred to in the seventh to tenth preambular paragraphs of resolution 44/225,

Commending the unilateral, regional and international efforts that have been undertaken by members of the international community and international organizations to implement and support the objectives of resolution 44/225,

Noting that at the Twenty-first South Pacific Forum, held at Port Vila on 31 July and 1 August 1990, the Heads of Government reaffirmed their opposition

Noting that there have been recent meetings related, inter alia, to the  
the equipment in

1. Takes note with interest of the report of the Secretary-General 5/  
and expresses its appreciation for his efforts;

2. Reaffirms its resolution 44/225, and calls for its full

Recalling its resolution 41/11 of 27 October 1986, in which it solemnly declared the Atlantic Ocean, in the region situated between Africa and South America, the "Zone of peace and cooperation of the South Atlantic",

Recalling also its resolution 42/16 of 10 November 1987, in which it urged States of the region to continue their actions aiming at fulfilling the goals of the declaration, especially through the adoption and implementation of specific programmes for this purpose, its resolution 43/23 of 14 November 1988, in which it urged States of the zone to promote peace



2. Calls upon all States to cooperate in the promotion of the objectives of peace and cooperation established in the declaration of the zone of peace and cooperation of the South Atlantic and to refrain from any action inconsistent with those objectives, as well as with the Charter of the United Nations and relevant resolutions of the Organization, particularly actions which may create or aggravate situations of tension and potential conflict in the region;



Cooperation in fisheries in Africa \*

The General Assembly,

Recalling its resolution 39/225 of 18 December 1984, by which it endorsed  
the Programme of Action for the Sustainable Development and the associated

4. Requests the relevant international organizations to contribute actively to the promotion of cooperation in fisheries in Africa, including participation in the preparations and work for the forthcoming ministerial conference on cooperation in fisheries among the African States bordering the Atlantic Ocean, which is scheduled to take place in 1991;

5. Requests the Secretary-General to submit, in close consultation with the Food and Agriculture Organization of the United Nations, to the General

B. Treaties

Bilateral treaties

- (a) Agreement between the United States of America and the Union of Soviet Socialist Republics on the maritime boundary, 1 June 1990

[Original: English and Russian]

The United States of America and the Union of Soviet Socialist Republics (hereinafter "the Parties"),

Recalling the United States-Russia Convention of March 18/30, 1867 (hereinafter "the 1867 Convention"),

Desiring to resolve issues concerning the maritime boundary between the United States and the Soviet Union

jurisdiction is exercised in all

the breadth of the territorial sea of the United States is measured

ANNEX

The geographic positions set forth in this Annex are on the World

The maritime boundary is defined as follows:

From the initial point 65° 30' N., 168° 58' 37" W., the maritime

31. 60° 57' 57" N., 178° 22' 12" W.

- 32. 60° 43' 35" N., 178° 49' 45" W.
- 33. 60° 34' 11" N., 179° 06' 44" W.
- 34. 60° 24' 44" N., 179° 23' 38" W.

- 36. 60° 11' 39" N., 179° 46' 49" W.;

thence, it extends along an arc with a radius of 200 nautical miles and a center at 60° 38' 23" N., 173° 06'

54" W. to

- 37. 59° 58' 22" N., 179° 40' 55" W.;

thence, it extends southwestward along the rhumb line, defined by the following points: 64° 05' 08" N., 172° 00' 00" W., 53° 43' 42" N., 170° 18' 31" E. to

- 38. 58° 57' 18" N., 178° 33' 59" E.;

thence, it extends along an arc with a radius of 200 nautical miles and a center at 62° 16' 09" N., 179° 05' 34" E. to

- 39. 58° 58' 14" N., 178° 15' 05" E.
- 40. 58° 57' 58" N., 178° 14' 37" E.

- 42. 58° 38' 12" N., 177° 41' 53" E.
- 43. 58° 28' 16" N., 177° 25' 34" E.
- 44. 58° 18' 17" N., 177° 09' 18" E.
- 45. 58° 08' 15" N., 176° 53' 04" E.
- 46. 57° 58' 11" N., 176° 36' 52" E.
- 47. 57° 48' 04" N., 176° 20' 43" E.
- 48. 57° 37' 54" N., 176° 04' 35" E.



61.	55° 21' 39" N.,	172° 38' 14" E.
62.	55° 11' 14" N.,	172° 22' 36" E.

1 June 1990

Excellency:

I have the honor to refer to the Agreement between the United States of America and the Union of Soviet Socialist Republics on the Maritime Boundary, which has been signed by representatives of our two Governments today. I have

MARITIME BOUNDARY

United States - Union of Soviet Socialist Republics \*



the cooperation of fisheries between the Government

[Original: English and Spanish]

Government of the Argentine Republic and the Government of the United

The Commission will be composed of a delegation from each of the two

1-

ANNEX

The area referred to in paragraph 2 (b) is the one encompassed by the lines of the type specified in the second column, joining points in the first column defined to the nearest minute of arc on WGS 72 Datum by coordinates of latitude and longitude in the order given.

1. 47° 42' S, 60° 41' W 1-2 rhumb line along meridian.

2. 49° 00' S, 60° 41' W 2-3 parallel of latitude.

3. 49° 00' S, 60° 55' W 3-4 rhumb line along meridian.

4. 49° 20' S, 60° 55' W 4-5 arc of the circle which has a radius of 150 nautical miles and its centre at latitude 51° 40' S, longitude 58° 20' W.

clockwise.

5. 54° 02' S, 58° 13' W 5-6 rhumb line.

6. 54° 38' S, 58° 02' W 6-7 meridian.

7. 55° 30' S, 58° 02' W 7-8 rhumb line.

8. 56° 14' S, 58° 31' W 8-9 a line drawn anti-clockwise along the maximum limit of

jurisdiction over fisheries in accordance with international law.

9. 47° 42' S, 60° 41' W

The area mentioned above is described for the sole purpose of the total prohibition in paragraph 2 (b) of this Joint Statement and, in particular, the formula on sovereignty in paragraph 1 of this Joint Statement applies to it.

III. INFORMATION ABOUT THE PREPARATORY COMMISSION

- A. Report on the eighth session of the Preparatory Commission for the International Seabed Authority and for the International Tribunal for the Law of the Sea, Kingston, 5-30 March 1990; New York, 13-31 August 1990

The Preparatory Commission for the International Seabed 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 eighth session in Kingston, Jamaica, from 5 to 30 March 1990 and its meeting in New York, New York, from 13 to 31 August 1990.

1. Plenary

(a) Implementation of resolution II of the Third United Nations

As regards to stage II of the exploration plan, it was "the understanding

review of the results obtained, and taking into account the decision of any

allocated to it. The terms and conditions for such further exploration shall be agreed upon in accordance with resolution II, paragraph 12 (a) (i)".  
(Ibid., annex, para. 9)



the sufficient reading of the

modifications and additions as required; (b) providing a focus within the Authority for the collection and analysis of all information and data pertinent to the development of the seabed mining industry; (c) providing expert advice on the scientific, technical and economic aspects of the Authority's policies and programmes relating to the Enterprise; and (d) providing a mechanism for

the implementation of the Training Programme for the Enterprise, initiated by the Preparatory Commission.

The Special Commission continued its review of the working paper on the structure and organization of the Enterprise. It concentrated on those

Certain salient elements emerged from the consideration of the draft. It was noted that there was a need to conduct further environmental studies of the marine environment in the international seabed area. Safe methods of exploitation, together with adequate regulations, could be established only on the basis of appropriate comprehensive experimental data and information on the effects of exploitation of polymetallic nodules on the living and non-living components of the marine environment. It was observed that the current prospects for deep seabed mining gave enough time to develop appropriate measures to preserve the marine environment.

It was emphasized that there should be a balance in the draft between the need to protect and preserve the marine environment from activities in the Area and the development of the resources of the Area.

The use of the term "serious harm" in the draft caused concern. It was stated that the notion of "serious harm" could lead to the utilization of economic rather than ecological standards.

The question of liability was a source of much discussion. At a more general level, the view was expressed that the liability and responsibility ~~should be based on~~ detailed and specific rules

During the consideration of the document on the administration of the Tribunal (LOS/PCN/SCN.4/WP.8), it was generally agreed that there was a need for maximum economy in the establishment of the Tribunal.

Annex

Understanding on the fulfilment of obligations by the registered  
pioneer investors and their certifying States e/

1. This understanding applies to the four registered pioneer investors, namely, the Government of the Republic of India, the Institut Français de Recherche pour l'Exploitation de la Mer (IFREMER), the Deep Ocean Resources Development Co. Ltd. (DORD), and the Soviet State enterprise Yuzhmorgeologiya,

the Union of Soviet Socialist Republics.

2. The four pioneer investors shall provide training pursuant to paragraph 12 (a) (ii) of resolution II in conformity with the specific programme for training approved by the Preparatory Commission in accordance with the Principles, Policies and Guidelines contained in documents LOS/PCN/SCN.2/L.6/Rev.1 and LOS/PCN/SCN.2/L.7 and taking into account the report contained in document LOS/PCN/BUR/R.6. It is agreed that the cost of such training shall be borne by the four registered pioneer investors and shall be free of cost to the Preparatory Commission. The precise number of

7. Regarding paragraph 14 of the statement of the [redacted]

[The remainder of the page is heavily redacted with thick black horizontal bars, obscuring all text.]

1.2 Within three months of the deposit of the sixtieth instrument of

B. Table of members, observers and participants of the

STATES	Kingston		New York	
	5-30 March 1990		13-31 August 1990	
	Member/ Observer	Participant	Member/ Observer	Participant
Afghanistan	M		M	
Albania* b/				
Algeria	M	x	M	
Angola	M	x	M	
Antigua and Barbuda	M		M	x
-----				
Argentina	M	x	M	x
Australia	M	x	M	x
Austria	M	x	M	x
Bahamas	M		M	
Bahrain	M		M	
-----				
Bangladesh	M		M	x
Barbados	M		M	
Belgium	M	x	M	x
Belize	M		M	
Benin	M		M	
-----				
Bhutan	M		M	
Bolivia	M	x	M	
Botswana	M		M	x
-----				
Bulgaria	M	x	M	x
Burkina Faso	M		M	x
-----				
Byelorussian SSR	M	x	M	x
Cambodia	M		M	



Kingston

New York

16 August 1990

Democratic People's Rep. of Korea	M	x	M	x
Democratic Yemen <u>c/</u>	M	x	M	x
Denmark	M	x	M	
Djibouti	M		M	
Dominica	M			
-----				
Dominican Republic	M		M	
Ecuador	O	x	O	x
Egypt	M	x	M	
El Salvador	M		M	
Equatorial Guinea	M			
-----				
Ethiopia	M		M	
Fiji	M		M	x
Finland	M	x	M	x
France	M	x	M	x
Gabon	M	x		
-----				
Gambia	M		M	
German Democratic Republic <u>d/</u>	M	x	M	x
Germany, Federal Republic of <u>d/</u>	O	x	O	x
Ghana	M	x	M	x

STATES	Kingston		New York	
	5-30 March 1990		13-31 August 1990	
	Member/ Observer	Participant	Member/ Observer	Participant

Kenya	M	x	M	x
Kiribati*				
Kuwait	M	x	M	x
Laos People's Democratic Rep.	M		M	

Lebanon	M		M	
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Lesotho	M		M	
Liberia	M	x	M	x
Lithuania	M		M	

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	

Malta	M	x	M	x
Mauritania	M		M	

Mauritius	M		M	
Mexico	M	x	M	x
Monaco	M		M	

Mongolia	M		M	x
Morocco	M	x	M	x
Mozambique	M	x	M	x
Myanmar	M	x	M	x
Namibia e/	M	x	M	

( 8 )

Nauru	M		M	
Nepal	M		M	
Netherlands	M	x	M	x
New Zealand	M	x	M	x
Nicaragua	M		M	x

Niger	M		M	
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Kingston  
E 20 March 1990

New York  
13-31 August 1990

Kingston

New York

5-30 March 1990

12-21 August 1990

STATES	Member/		Member/	
	Observer	Participant	Observer	Participant
United Republic of Tanzania	M	x	M	x
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 c/	M	x	M	
Yugoslavia	M	x	M	x
Zaire	M	x	M	
Zambia	M	x	M	x
Zimbabwe	M	x	M	x
-----				
ENTITIES (Art. 305 1. (b),(c),(d),(e) and (f))				
Cook Islands	M		M	
European Economic Community	M	x	M	x
Netherlands Antilles	O		O	
Niue	M		M	
Trust Territory of the Pacific Islands	O		O	
West Indies Associated States*				
NATIONAL LIBERATION MOVEMENTS				
African National Congress of South Africa	O	x	O	x
Palestine	O		O	
Pan Africanist Congress of Azania	O	x	O	x
TOTAL MEMBERS	159	79	159	89
TOTAL OBSERVERS	15	6	15	7
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a/ States and other entities which are members or observers of the Preparatory Commission as defined in resolution I, paragraph 2, of the Third

C. List of documents of the General Committee and of  
the eighth session of the Preparatory Commission

13-31 August 1990  
[7 September 1990]

LOS/PCN/112

Letter dated 17 August 1990 from the  
Chairman of the delegation of China  
addressed to the Chairman of the Preparatory  
Commission  
[21 August 1990]

LOS/PCN/113

Receipt of application from the Government  
of the People's Republic of China for  
registration of the China Ocean Mineral  
Resources Research and Development

LOS/PCN/L.85

Statement to the plenary by the Chairman of  
Special Commission 2 on the progress of work  
in that Commission  
[29 August 1990]

LOS/PCN/L.86

Statement to the plenary by the Chairman of  
Special Commission 4 on the progress of work  
in that Commission  
[30 August 1990]

LOS/PCN/L.87

Statement by the Chairman of the Preparatory  
Commission  
[30 August 1990]

LOS/PCN/WP.50

Authority  
(Working paper by the Secretariat)  
[26 June 1990]

Draft Agreement concerning the relationship

LOS/PCN/1990/CRP.42

Provisional list of delegations:  
New York 12.21 August 1990

[23 August 1990]

LOS/PCN/1990/CRP.43

Draft decision concerning the application  
submitted by the People's Republic of China  
for the China Ocean Mineral

Resources Research and Development  
Association (COMRA) for registration as a  
pioneer investor  
[27 August 1990]

LOS/PCN/1990/CRP.44

Understanding on the fulfilment of  
obligations by the registered pioneer  
investors and their certifying States  
[29 August 1990]

Special Commission 1

Special Commission 3

LOS/PCN/SCN.3/WP.6/Add.4/  
Rev.1

Draft Regulations on Prospecting, Exploration and Exploitation of Polymetallic Nodules in the Area. Addendum. Part VII: Transfer of technology until ten years after commencement of commercial production by the

Special Commission 4

LOS/PCN/SCN.4/WP.8/Add.1  
and Corr.1 (English only)

Administrative arrangements, structure and financial implications of the International Tribunal for the Law of the Sea. Addendum. (Supplementary cost estimates reflecting alternatives as to official working

(Prepared by the Secretariat)  
[17 August 1990]

LOS/PCN/SCN.4/WP.8/Add.2

Administrative arrangements, structure and financial implications of the International Tribunal for the Law of the Sea. Addendum. (A scheme to phase in the establishment of the International Tribunal for the Law of the Sea)

(Prepared by the Secretariat)



Kingston, Jamaica, 5-30 March 1990

LOS/PCN/INF/18

Delegations to the eighth session, Kingston,  
Jamaica, 5-30 March 1990  
[22 March 1990]

LOS/PCN/109

Letter dated 20 December 1989 from the  
Permanent Representative of Poland to the  
United Nations addressed to the Special  
Representative of the Secretary-General for  
the Law of the Sea  
[17 January 1990]

LOS/PCN/110

Provisional agenda  
[30 January 1990]

LOS/PCN/111

Credentials of Representatives to the Eighth  
session of the Preparatory Commission for the  
International Seabed Authority and for the  
International Tribunal for the Law of the Sea  
Report of the Credentials Committee  
[29 March 1990]

Conference Room Papers (plenary)

LOS/PCN/1990/CRP.35

Provisional timetable  
[5 March 1990]

LOS/PCN/1990/CRP.36

Sources of the provisions of the Draft  
Protocol on the Disposal of ...

(Working paper by the Secretariat)  
[9 March 1990]

LOS/PCN/1990/CRP.37

Provisional list of delegations:  
Kingston, Jamaica, 5-30 March 1990  
[14 March 1990]

LOS/PCN/1990/CRP.38

Preliminary list of functions of the Finance  
Committee  
[15 March 1990]

LOS/PCN/WP.47/Rev.1

Draft Agreement between the International  
Seabed Authority and the Government of Jamaica  
regarding the ...

Special Commission 3

Draft Regulations on Prospecting, Exploration

1991/1992/1993/1994/1995

[The remainder of the page is obscured by heavy horizontal black lines, likely representing redaction or severe scanning artifacts.]

LOS/PCN/SCN.4/WP.9/Add.1

Relationship arrangements between the United Nations and the International Tribunal for the Law of the Sea. Addendum.

(Arrangements regarding the United Nations common system of salaries and benefits, and participation in the United Nations Joint Staff Pension Fund).

Prepared by the Secretariat

[16 March 1990]

LOS/PCN/SCN.4/1990/ADD.1

of the future work of Special Commission 4  
[23 March 1990]

IV. OTHER INFORMATION

Withdrawal of the reservation made by Mongolia upon accession  
to the 1958 Geneva Convention on the High Seas

In a communication received on 19 July 1990, the Government of Mongolia notified the Secretary-General of its decision to withdraw its reservation  
made upon accession to the Convention on the High Seas done at Geneva on



Replace page 1 by the following:

I. STATUS OF THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA  
Chronological order of ratifications of, and accessions to,  
the Convention, giving each State's regional group 1/

	<u>Date</u>	<u>State</u>	<u>Regional group</u>
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.	29 July 1983	Bahamas	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	Cuba	Latin Am./Carib.
14.	15 October 1984	Senegal	African
15.	23 January 1985	Sudan	African
16.	27 March 1985	Saint Lucia	Latin Am./Carib.
17.	16 April 1985	Togo	African
18.	24 April 1985	Tunisia	African
19.	30 May 1985	Bahrain	Asian
20.	21 June 1985	Iceland	Western European and Other States
21.	16 July 1985	Mali	African
22.	30 July 1985	Iraq	Asian
23.	6 September 1985	Guinea	African
24.	30 September 1985	United Republic of Tanzania	African
25.	19 November 1985	Cameroon	African
26.	3 February 1986	Indonesia	Asian
27.	25 April 1986	Trinidad and Tobago	Latin Am./Carib.
28.	2 May 1986	Kuwait	Asian
29.	5 May 1986	Venezuela	Latin Am./Carib.

