

LAW OF THE SEA
BULLETIN

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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>
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

<u>Date</u>	<u>State</u>	<u>Regional group</u>
41. 24 July 1989	Somalia	African
42. 17 August 1989	Oman	Asian
43. 2 May 1990	Botswana	African
44. 9 November 1990	Uganda	African
45. 5 December 1990	Angola	African
46. 25 April 1991	Grenada	Latin Am./Carib.
47. 30 April 1991		

48. 9 August 1991	*Marshall Islands	Asian
49. 16 September 1991	Seychelles	African
50. 8 October 1991	Djibouti	African
51. 24 October 1991	Dominica	Latin Am./Carib.

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

A. Recent national legislation received from Governments

1. BELIZE

An Act to make provision with respect to the Territorial Sea, Internal
Waters and the Exclusive Economic Zone of Belize; and for matters
connected therewith or incidental thereto of 24 January 1992

Maritime Areas Act
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SCHEDULE

"internal waters" means the internal waters of Belize as described in Section 5;

"island" means a naturally formed area of land surrounded by water which is above water at mean high-water spring tides;

"low-tide elevation" means a naturally formed area of drying land surrounded by water which is below water at mean high-water spring tides;

"maritime areas of Belize" means the internal waters, the territorial sea, and the exclusive economic zone;

"master", in relation to vessel, means the person for the time being having command or charge of the vessel;

"Minister" means the Minister responsible for foreign affairs;

"nautical mile" means the international nautical mile of 1852 metres;

"resources" includes living and non-living resources;

"territorial sea" means the territorial sea of Belize as described in Section 3;

"the Regulations" means regulations made under this Act.

PART II MARITIME AREAS OF BELIZE

Territorial sea

3. (1) Subject to sub-sections (2) and (3) of this Section, the territorial sea of Belize comprises those areas of the sea having as their inner limits

(c) In the event any such agreement fails to receive approval by a

majority vote in the referendum, the delimitation of the territorial sea in the said area shall be effected on the basis of international law

(4) Except as is otherwise provided in sub-sections (2) and (3) above, whenever the equidistance line between Belize and an adjacent State is less

Internal waters

5. The internal waters of Belize comprise any areas of water that are on the landward side of the baseline of the territorial sea.

Exclusive economic zone

6. Subject to Section 7, the exclusive economic zone of Belize comprises those areas of the sea that are beyond and adjacent to the territorial sea having, as their outer limits, a line, measured seaward from the baseline of the territorial sea, every point of which is 200 nautical miles distant from the nearest point of that baseline.

Delimitation of exclusive economic zone

7. (1) Wherever the equidistance line between Belize and an adjacent State is less than 200 nautical miles from the nearest point of the baseline of the territorial sea, the delimitation of the exclusive economic zone shall be

effected between Belize and the adjacent State on the basis of international

(2) Pending the delimitation of the exclusive economic zone pursuant to sub-section (1) of this Section, the equidistance line between Belize and the adjacent State shall constitute the outer limits of the exclusive economic

PART III
RIGHTS IN RESPECT OF MARITIME AREAS OF BELIZE

~~Sovereignty in respect of territorial sea~~

~~(a) the territorial sea~~

(b) the airspace over, and the seabed under, that sea: and

~~(a) the seabed of that sea: and~~

Prohibited activities

10. (1) No person shall:

(a) within the limits of the exclusive economic zone:

- (i) explore for or exploit the resources;
- (ii) produce energy from the waters, currents or winds;
- (iii) conduct any marine scientific research; or
- (iv) ~~construct~~ operate or use any artificial island, or any

(a) the launching lead

(2) The passage of a foreign vessel:

- (a) is innocent so long as it is not prejudicial to the peace, good order or security of Belize; and

security of Belize if the vessel, in the territorial sea, engages in any proscribed activity.

(3) In exercising the right of innocent passage, a vessel shall comply with:

- (a) generally accepted international regulations, procedures and practices for safety at sea which have effect in the territorial sea, or any part thereof; and
- (b) the provisions of the Regulations, and any enactment, order or regulation which have effect in the territorial sea, or any

(2) Where a foreign vessel, in contravention of sub-section (1) of this Section, engages in any proscribed activity, the master of the vessel and any other person on board the vessel participating in that activity

thousand dollars and on conviction on indictment to a fine of fifty thousand

(3) No prosecution for an offence against this Section shall be brought against a person who is entitled to State or other immunity recognized by law.

PART V
CHARTS AND GEOGRAPHICAL COORDINATES

Charts of maritime areas

14. The Minister shall cause to be prepared such charts and/or lists of geographical coordinates as he thinks fit showing all or any of the following matters, namely:

PART VI

Jurisdiction

17. (1) Notwithstanding any other law, rule or regulation to the contrary the jurisdiction and powers of the courts of Belize extend to the maritime areas of Belize for the purpose of:

- (a) this Act or any regulation made thereunder; and
- (b) any enactment which applies or is applied pursuant to Section 23 to maritime areas of Belize, or any part thereof.

(2) For the purposes of the exercise of any jurisdiction and powers pursuant to sub-section (1) of this Section, a court is a court of competent jurisdiction:

recognition of the offence concerned if it had been committed

- (d) enter, inspect and search any installation whose establishment, construction, operation or use would constitute the offence against that Section and arrest, with or without a warrant, any person on the installation, or found elsewhere in Belize, whom he has reasonable cause to believe has committed the offence.

(2) Subject to this Section, where an authorized person has reasonable cause to believe and believes that an offence has been committed against Section 12, he may, within the territorial sea, exercise all the powers of

following powers, namely:

- (a) stop, board, inspect and search the foreign vessel which, in contravention of that Section, engages in any proscribed activity;
- (b) arrest, with or without a warrant, the master of the vessel;
- (c) arrest, with or without a warrant, any other person on board the vessel whom he has reasonable cause to believe has committed an offence against that Section; and

(d) detain the vessel

(3) An authorized person may exercise any of the powers conferred on him by sub-sections (1) and (2) of this Section with the aid of such assistants as he considers necessary for the purpose.

(4) Where a vessel is detained pursuant to subsection (1) (c) or sub-section (2) (d) of this Section, it shall be held in the custody of the Government until:

- (a) a decision is made not to bring a prosecution in respect of the alleged offence in relation to which the vessel was detained; or
- (b) where a decision is made to bring such a prosecution, the security required under sub-section (6) of this Section is given in respect of the vessel.

(5) The decision whether or not to bring a prosecution in respect of an alleged offence in relation to which a vessel is detained shall be made with all due expedition.

(6) The security required in respect of any vessel for the purposes of

(D) To the extent under this Section of the power of enforcement

of navigation or otherwise create any hazard to a vessel, or bring it to an

(ii) any provision of the Regulations or any enactment conforming to and giving effect to any such rules and standards; and

(b) there:

(i) ~~any provision of the Regulations or any enactment conforming to and giving effect to any such rules and standards; and~~

pollution of the marine environment; or

(ii) is clear evidence that that violation has resulted in a discharge causing major damage or the threat of major damage to the coastline or barrier reef of Belize, or to any resources of its territorial sea or exclusive economic zone.

(4) Nothing in this Section shall affect the exercise of any power under Section 18.

(5) The decision to exercise, and the exercise of, a prescribed power in circumstances of the kind referred to in sub-sections (1) or (3) of this Section shall be made or, as the case may be, carried out, with due regard to the interests of navigation.

(6) The prescribed power referred to in sub-section (8) (a) of this Section shall not be exercised in relation to a vessel unless the vessel has

Certificate of Minister

20. Where, in any criminal proceedings, a question of arises whether or not an act or omission occurred within the limits of internal waters, the territorial sea or the exclusive economic zone, a certificate, purporting to be signed by the Minister to the effect that the act or omission did or did

not so occur shall be received as evidence of that fact, but without prejudice

to the right to adduce evidence in rebuttal.

Civil jurisdiction

Application of enactments to maritime area

23. (1) The Minister may, by regulations made under Section 24, extend to the maritime areas of Belize, or any part thereof, the application of any enactment, subject to:

(b) modifications (if any) to facilitate the application or enforcement of the enactment, as may be prescribed in the regulations, and the enactment shall apply accordingly.

(2) The power under sub-section (1) of this Section includes a power to extend the application of an enactment to any artificial island, installation or structure for the purpose of the exercise of any rights or jurisdiction under Section 9.

PART VII
MISCELLANEOUS

Regulations

24. (1) The Minister may make regulations for carrying out or giving effect

to this Act.

(2) Without prejudice to the generality of the foregoing, regulations may be made with respect to the territorial sea for all or any of the following purposes, namely:

- (a) regulating the conduct of scientific research and hydrographic surveying within the territorial sea;
- (b) prescribing measures for the protection and preservation of the marine environment of the territorial sea;
- (c) regulating, for the purposes of Section 9, the construction, operation, and use of artificial islands (whether permanent or temporary), and other installations and structures in the territorial sea, including the establishment of safety zones around such islands, installations, and structures;
- (d) regulating the exploration and exploitation of the territorial

(3) Without prejudice to the generality of subsection (1), regulations may be made with respect to the exclusive economic zone for all or any of the following purposes, namely:

- (a) regulating the conduct of scientific research within the exclusive economic zone;
- (b) prescribing measures for the protection and preservation of the marine environment of that zone;
- (c) regulating, for the purposes of Section 9, the construction, operation, and use of artificial islands (whether permanent or temporary), and other installations and structures within that

not exceeding 500 metres' distance from, such islands, installations and structures;

- (d) regulating the exploration and exploitation of that zone for economic purposes;
- (e) regulating the exploration and exploitation of that zone for

- (f) providing for such other matters as are necessary or expedient for giving full effect to the sovereign rights and jurisdiction of Belize in relation to that zone; and

- (ii) any such provision either unconditionally or subject to any specified condition.

the National Assembly as soon as may be after the making thereof and shall be subject to negative resolution.

Provisions of this Act to apply notwithstanding other laws

25. The provisions of this Act shall have effect notwithstanding anything to the contrary in any other law, rule or regulation.

Printed in Belize by the Government Printery

SCHEDULE

(Sections 3 & 4)

Features between Ambergris Caye - SE and Sarstoon River

Ambergris Caye - SE
Mauger Caye
Sandbore Caye
Half-Moon Caye
North-East Caye
Silk Cayes
Black Rock
Nicholas Caye
Hunting Caye
Ragged Caye
East Snake Caye
South Snake Caye
Moho Caye
Stuart Caye
Rio Grande - South Entrance
Orange Point
Mather Point

Letter dated 22 April 1992 from the Chargé d'affaires a.i.

I am attaching herewith a copy of relevant extracts of a statement

of the Ministry of Foreign Affairs of Police on Friday 3 April.

Statement by the Minister for Foreign Affairs of Belize,
delivered on 3 April 1992

On 17 January 1992, the House of Representatives passed the Maritime Areas Act, which became law on 24 January 1992 when it was signed by the Governor General, after its passage by the Senate.

The Act makes provision for the territorial sea, internal waters and exclusive economic zone of Belize. In this Act, Belize for the first time exercises its legal right under international law to claim a territorial sea of twelve miles. This does for most of its coastline, but in the southern part of the coast south of the Sarstoon River the historic

three miles of territorial sea is maintained.

The law makes it clear, however, that Belize is not giving up its right to claim that area of sea in the south between the outer limit of the territorial sea as presently declared and the median line between Belize's

If a majority of electors approve it, that shall form the basis for the final
limitation of the territorial sea in the area indicated. If such an

2. CHINA

Law on the Territorial Sea and the Contiguous Zone of 25 February 1992 1/

The Law on the Territorial Sea and the Contiguous Zone of the People's Republic of China, adopted at the 24th meeting of the Standing Committee of the National People's Congress on 25 February 1992.

Article 1

This law is formulated in order to enable the People's Republic of China (PRC) to exercise its sovereignty over its territorial sea and its rights to

exercise control over its contiguous zone and to safeguard State security as

well as its maritime rights and interests.

Article 2

The PRC's territorial sea refers to the waters adjacent to its territorial land.

The PRC's territorial land includes the mainland and its offshore

islands, Taiwan and the various affiliated islands including Diaoyu Island, Penghu Islands, Dongsha Islands, Xisha Islands, Nansha (Spratly) Islands and other islands that belong to the People's Republic of China.

The PRC's internal waters refer to the waters along the baseline of the territorial sea facing the land.

Article 3

The extent of the PRC's territorial sea measures 12 nautical miles from the baseline of the territorial sea. The PRC's baseline of the territorial

Article 5

~~China has full and complete sovereignty over its territorial~~

subsoil.

Article 6

Non-military foreign ships enjoy the right of innocent passage through the territorial sea of the People's Republic of China according to law.

To enter the territorial sea of the People's Republic of China, foreign

passing through the territorial sea of the People's Republic of China. Losses or damage caused shall be borne by the nations whose flag is being flown by the ship in question.

Article 11

Any international, foreign organization, or individual who intends to conduct activities connected with scientific research or marine survey shall first seek the consent of the People's Republic of China or its relevant responsible departments and abide by the laws and regulations of the People's Republic of China.

Whoever is found illegally entering the territorial sea of the People's Republic of China to conduct activities connected with scientific research or marine survey in violation of the preceding provisions shall be dealt with by

People's Republic of China unless they do so in accordance with agreements or

The right of hot pursuit in this article is exercised by warships or
aircraft of the People's Republic of China or by ships or aircraft

The baseline of the territorial sea of the People's Republic of China
shall be established by the Government of the People's Republic of China.

Article 16

The Government of the People's Republic of China shall draw up relevant

A BILL

Entitled

AN ACT to Establish beyond the territorial sea a Zone to be known as the Exclusive Economic Zone and to provide for matters incidental thereto or connected therewith.

[]

BE IT ENACTED by The Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Representatives of the

Preliminary

1. This Act may be cited as the Exclusive Economic Zone Act, 1991.

Interpretation

2. In this Act:

"Convention" means the United Nations Convention on the Law of the Sea signed in Montego Bay on the 15th day of December, 1982;

"fish" means any aquatic animal whether piscine or not and includes shellfish, turtle, mollusc, crustacean, coral, sponge, enchinoderms, their young and their eggs;

"living resources" includes fish and all other forms of aquatic life;

"Marine Officer" means any officer employed to the Customs and Excise

Establishment of Zone

3. (1) There is established beyond and adjacent to the territorial sea of Jamaica a Zone to be known as the Exclusive Economic Zone.

(2) The Zone shall have as its inner limit the boundary line of the seaward limit of the territorial sea and, subject to subsection (3), as its outer limit a boundary line which is at every point a distance of two hundred nautical miles from the baselines from which the breadth of the territorial sea is measured.

(3) Where the outer limit referred to in subsection (2) intersects the outer limit of the exclusive economic zone of any other State whose coasts are

for Jamaica and that State shall be effected by agreement on the basis of international law as referred to in Article 38 of the Statute of the International Court of Justice in order to achieve an equitable solution

Rights and duties of other States in Zone

5. Subject to the provisions of this Act, all States have in the Zone the rights and duties of States as specified in the Convention with respect to the freedoms of navigation and overflight and of the laying of submarine cables and pipelines and other internationally lawful uses of the sea related to such freedoms.

Exploration for and exploitation of living resources of the Zone

resources thereof except, subject to section 11, under and in accordance with a licence granted pursuant to the relevant scheduled enactment.

(2) No person shall use any vessel to explore for or exploit any living

(3) Any person who contravenes subsection (1) commits an offence and is liable on conviction on indictment in a Circuit Court:

(a) in the case of an individual:

(i) to a fine not exceeding two hundred and fifty thousand dollars or to imprisonment for a term not exceeding five years or to both such fine and imprisonment;

(ii) in respect of a second or subsequent offence to a fine not exceeding five hundred thousand dollars or to imprisonment for a term not exceeding ten years or to both such fine and imprisonment,

and, where the offence is a continuing one to a further fine of twenty-five thousand dollars per day for each day on which the offence continues after conviction;

(b) in the case of a body corporate:

(i) to a fine not exceeding five hundred thousand dollars;

(ii) in respect of a second or subsequent offence to a fine not

continuing one to a further fine of fifty thousand dollars per day for each day on which the offence continues after conviction,

and, in addition the Court may order the forfeiture of any vessel, equipment or other device used in committing the offence.

(4) Any person who contravenes subsection (2) commits an offence and is

non-living resources of the Zone

8. (1) Subject to section 11, licences for the exploration for or exploitation of the living or non-living resources of the Zone shall be granted in accordance with provisions relating to the grant of licences contained in the relevant scheduled enactment and for that purpose the jurisdiction of any person or authority under the scheduled enactments shall extend to the Zone in like manner as if:

- (a) the Zone constituted a part of the territorial sea of Jamaica; and
 - (b) any reference to Jamaica or this Island or any land in Jamaica included (other than for purpose of delineating the Zone) any artificial island, installation or structure established in the Zone.
- (2) The penalties provided in this Act in relation to the exploration

(2) An order under subsection (1) shall make provision for the appointment of an advisory committee to advise the Minister in relation to licences affecting the Zone.

Person prejudiced by order of forfeiture may apply to Court for revocation

12; (1) Where, under subsection (3) of section 6 or subsection (3) or (4) of

section 7 a Court makes an order for the forfeiture of a vessel and any person is prejudiced by the making of that order, that person may make an application to that Court for the revocation of the order and, if the Court is satisfied that it is just to do so, the Court may

(2) An application under subsection (1) shall be made within three months of the date of the order, so, however, that where the applicant satisfies the Court that, in the special circumstances of the case, it was not reasonably practicable for him to make such application within the period of three months, the time for making such application shall be extended to such period as the Court may determine.

person detained under subsection (2), a Marine Officer shall, as soon as practicable thereafter, take all reasonable measures to ensure that the

convenient port and that the person detained is brought before a Resident Magistrate to answer a charge in connection with the offense that gave rise to

(b) upon the conviction of any person who permitted the use of, or is in charge of, any such item, the Court may, upon the application of the prosecution, order the forfeiture of any such item, if the Court is satisfied that:

(i) the item was used in the commission of the offence or was

otherwise connected with the offence; and

(ii) the circumstances of the case are such that it is just so to order.

(3) Where a person is brought before a court...

Offences committed within the Zone

18. (1) Any person who:

(a) refuses, neglects or fails to comply with any direction given to him
by a Marine Officer for the purpose of this Act;

(b) subject to subsection (2), refuses or fails to produce any licence

under this Act which he is required by a Marine Officer to produce;

(c) refuses, without reasonable cause, to give any explanation which he
is required by a Marine Officer to give for the purpose of this Act;

(d) assaults or obstructs any Marine Officer in the execution of his duty.

(3) For the purposes of arresting any person charged with an offence declared by subsection (1) to be punishable in Jamaica, the Zone shall be deemed to be within the jurisdiction of any person authorized by law for the time being in force in Jamaica to arrest persons acting in breach of the law or to issue warrants for the arrest of any person charged with any offence.

(4) Nothing in this section shall:

(a) restrict or prejudice

regulating the construction, maintenance and removal of artificial

- (d) the establishment of safety zones around artificial islands, installations and structures;

financial, health, safety and immigration matters

on artificial islands, installations and structures;

- (f) regulating the steps to be taken to inform interested parties of the arrest or detention of any foreign vessel and the imposition of penalties thereon;
- (g) determining the nationality of vessels for the purposes of any provisions of the regulations;

SCHEDULE

The Beach Control Act

The Customs Act

The Dangerous Drugs Act

The Fishing Industry Act

The Jamaica National Heritage Trust Act

The Harbours Act

The Marine Board Act

The Minerals (Vesting) Act

The Mining Act

The Petroleum Act

The Quarantine Act

The Wreck and Salvage Law

APPENDIX

Enactments

Amendments

The Beach Control Act

~~1. In subsection (1) of paragraph (b) the~~

words "or the Pilotage Act" and substitute therefor the words "the Pilotage Act, or the Exclusive Economic Zone Act".

Section 9

- (a) in subsection (2) delete the word "The" and substitute therefor the words "Subject to subsection (2A) the".
- (b) insert immediately after subsection (2) the following as subsection (2A):

" (2A) Any licence affecting the exclusive economic zone shall be subject to the provisions of the Exclusive Economic Zone Act or any order made under section 11 of that Act".

The Fishing Industry Act

Insert immediately after the Heading "General" the following as section 23A:

"23A - Any licence granted under section 5 or 11 in relation to the exclusive economic zone shall be subject to the provisions of the Exclusive Economic Zone Act or any order made under section 11 of that Act".

Act".

The Jamaica National Heritage Trust Act

Section 2

- (a) In subsection (1):

Enactments

Amendments

The Mining Act
Section 12

(b) Insert immediately after subsection (a) the following:

Enactments

Amendments

"(c) in the case of a mining lease for mining in the exclusive economic zone, to the Permanent Secretary in the Ministry of Foreign Affairs who

shall record such lease."

The Petroleum Act
Section 3

(a) Delete from subsection (1):

- (i) the numeral "(1)";
- (ii) the words from "any other area" to the word "Jamaica" inclusive, and substitute ~~therefor the words "the exclusive economic~~

zone".

(b) Delete subsections (2) and (3).

Section 4

(a) Delete the word "No" and substitute therefor the words and figure "Subject to subsection (2), no".

(b) Renumber the section as subsection (1).

(c) Insert immediately after subsection (1) the following as subsection (2):

" (2) Any exploration or development of petroleum resources or the acquisition of any right, title, interest or estate in any petroleum in the exclusive economic zone shall be subject to the provisions of the Exclusive Economic Zone

Enactments

Amendments

The Quarantine Act
Section 8 (2)

- (a) Delete the fullstop appearing at the end of the subsection and substitute therefor a semi-colon.
- (b) Insert next after paragraph (e) the following as paragraph (f):
 - "(f) the sanitation of artificial islands, installations and structures in the exclusive economic zone."

The Wildlife Protection Act

Section 8A

~~Insert next after section 8A -~~

"8A. Any person who hunts any animal or bird in or takes any eggs from the exclusive economic zone without a licence issued under this Act shall be guilty of an offence against this Act."

The Wreck and Salvage
Law

Section 2

Delete -

Section 3

(a) Delete the definitions of "Commissioner" and "person";

(b) ~~Insert immediately after the definition of~~

Enactments

Amendments

Section 12

Delete:

- (a) the words "on the coasts of this Island or of any of the Islands and Cays within the territories thereof," and substitute therefor the words "in the waters of this Island";
- (b) the word "Law" and substitute therefor the word

~~11. the words "or any of the Islands and Cays within the territories thereof" and substitute therefor the word and numerals~~

"Cap. 236".

Section 14

Delete the words "or any of the Islands and Cays aforesaid".

Section 15

Delete and substitute therefor the following:

~~"15. Section 14 shall apply to wreck found or taken~~

Enactments

Amendments

Section 22

- (a) Delete the words "or of any of the Islands and Cays being Dependencies thereof".
- (b) Delete the words "or any of the Islands and Cays as aforesaid".

Section 23

Delete the words "Treasury of this Island or of such

words "Consolidated Fund".

Section 24

Delete the words "territories thereof".

Section 26

- (a) Delete the words "or the Dependencies thereof".
- (b) Delete the words "at or near the place" wherever they appear and substitute therefor, in each case, the words "at a place nearest to that part of the waters of the Island".
- (c) Delete the words "High Court" wherever they appear and substitute therefor, in each case, the words "Supreme Court".

Section 32

- (a) Delete the words "or any of the islands and cays as aforesaid.".
- (b) Delete the words "High Court" and substitute therefor the words "Supreme Court".

Section 34 (2)

Delete the words "High Court" and substitute therefor the words "Supreme Court".

Section 38

- (a) Delete the words "at any place" and substitute

Enactments

Amendments

(c) Delete the words "on or near such coasts," and substitute therefor the words "in any part of such waters".

(d) Delete the words "or of any of the territories thereof".

Section 41

(a) Delete the words "or such territories thereof respectively".

(b) Delete the words "Collector-General of this

"Commissioner of Customs and Excise".

(c) Delete the words "Collector-General of this

Island" and substitute therefor the words "Commissioner of Customs and Excise".

(b) Delete the words "such Collector-General is to" and substitute therefor the words "such Commissioner shall".

(c) Delete from the marginal note the word "Collector-General" and substitute therefor the words "Commissioner of Customs and Excise".

Section 43 (1)

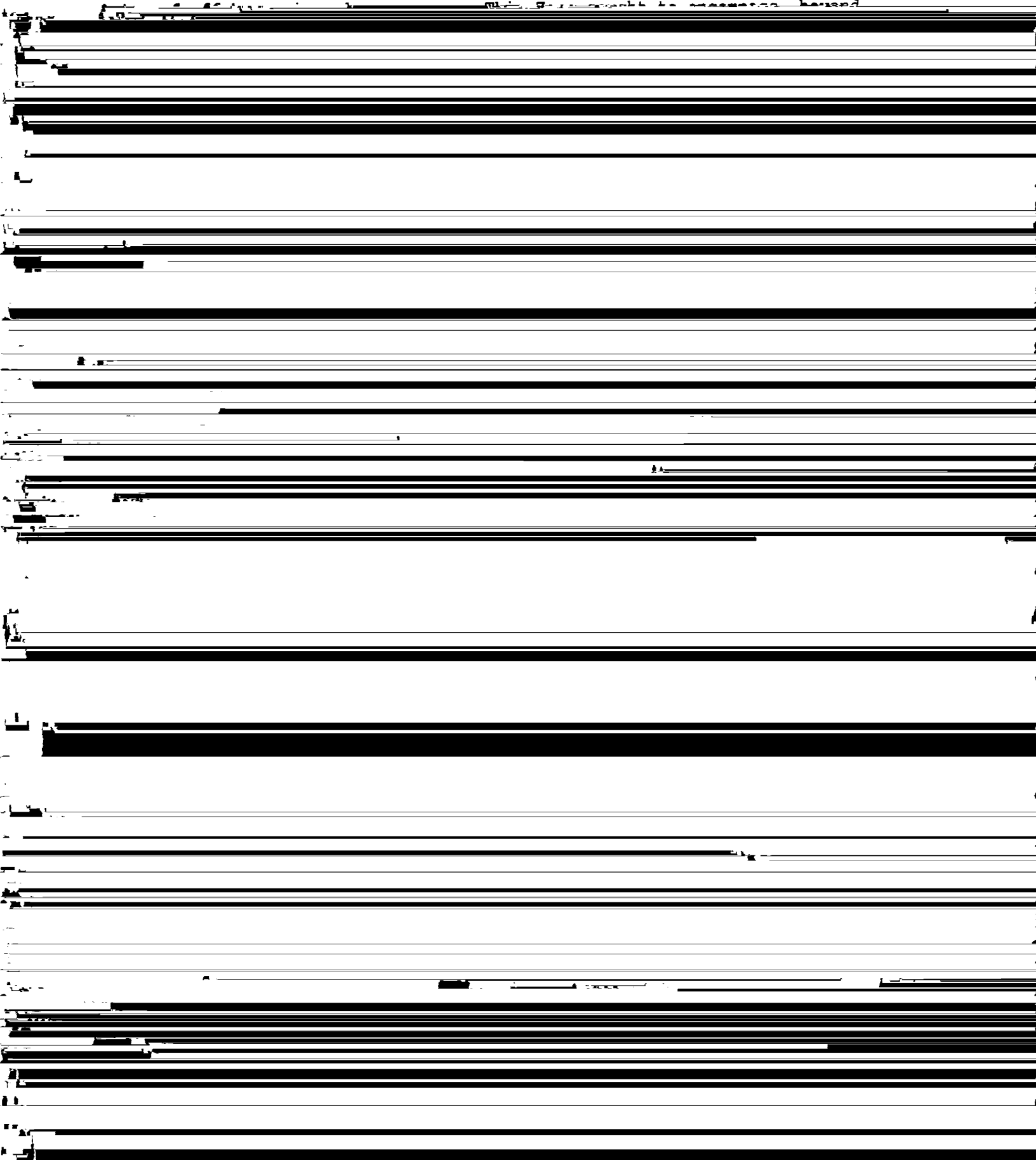
Delete the words "on or near the shore of this Island, or of any of the islands or cays aforesaid," and substitute therefor the words "in any part of the waters of this Island".

Section 44

Delete the words "on or near the shore of the sea within the limits of this Island, or of any of the Dependencies thereof" and substitute therefor the

MEMORANDUM OF OBJECTS AND REASONS

The concept of an Exclusive Economic Zone evolved as a result of the claims of certain States consequent on rapid technological advances in the



A BILL

Entitled

An Act to Establish beyond the territorial sea a Zone to be known as the Exclusive Economic Zone and to provide for matters incidental thereto or connected therewith.

ARTICLE 7 AND 8 OF THE BEACH CONTROL ACT WHICH IT IS

PROPOSED TO AMEND

7. (1) Notwithstanding anything to the contrary in this Act, the Minister may, upon the recommendation of the Authority, make an order declaring

(a) ...

(b) such activities as may be specified in the order to be prohibited

following activities:

(i) ...

(ii) the use of boats other than boats propelled by wind or oars

(3) Nothing in subsection (2) shall be construed as limiting in any way the sovereign rights of Jamaica under general international law including the United Nations Convention on the Law of the Sea.

12. (1) ...

(6) In this section and in sections 19 and 20 "structure" includes any building, structure, object or other work of man or nature whether above or below the surface of the land or the floor of the sea within the territorial waters of the island, or any area declared in any order made under section 2(2) to be within the maritime resource jurisdiction, and any site, cave or excavation.

SECTIONS 18, 21, 33 AND 70 OF THE MINING ACT
WHICH IT IS PROPOSED TO AMEND

18. (1) The Commissioner may, in his absolute discretion on application in

(b) in the case of land not under that Act to the Deputy Keeper of the
Records who shall record such lease or water right.

IT IS PROPOSED TO AMEND

SECTION 8 OF THE QUARANTINE ACT WHICH IT IS PROPOSED TO AMEND

8. (1) ...

(2) ~~Without prejudice to the provisions of the ...~~

subsection (1), rules under that subsection may, for the purpose therein set forth, make provision for all or any of the following matter, that is to say -

(a) regulating the granting or withdrawal of pratique;

...

(e) fixing the charges sanctioned by regulations in force by virtue of section 7 and providing for their incidence.

...

SECTIONS 2 AND 3 OF THE WRECK AND SALVAGE LAW WHICH
IT IS PROPOSED TO AMEND

2. This Law extends to this Island of Jamaica, the Cayman Island and other ~~the Cays and Islands on this Island depending but shall not extend to~~

to ~~the~~ Turks and Caicos Islands.

"Commissioner" means the Commissioner or other officer administering the local Government in any Dependency of Jamaica.

SECTION 12 OF THE WRECK AND SALVAGE LAW WHICH
IT IS PROPOSED TO AMEND

12. Any Receiver, or in his absence any Justice, shall, as soon as
conveniently may be, examine upon oath (which oath they are hereby

respectively empowered to administer) any person belonging to any ship which
may be or may have been in distress on the coasts of this Island or of any of
the Islands and Cays within the territories thereof, or any other person who
may be able to give any account of such ship or of the cargo or stores
thereof, as to the following matters, that is to say-

(a) the name and description of the ship;

...

and such Receiver or Justice shall take the examination down in writing, and
shall make two copies of the same, of which he shall send one to the Minister,
and the other to the office of the nearest Collector of Customs, and such last
mentioned copy shall by such Collector be placed in some conspicuous situation
for the inspection of persons desirous of examining same; and, for the
purposes of such examination, every such Receiver or Justice as aforesaid

shall have all the powers given by the Marine Board Law to Inspectors
appointed thereunder.

SECTIONS 14 AND 15 OF THE WRECK AND SALVAGE LAW

SECTIONS 20, 21, 22, 23 AND 24 OF THE WRECK AND SALVAGE
LAW WHICH IT IS PROPOSED TO AMEND

20. Whenever any dispute arises in any part of this Island or of any
~~part thereof as to the amount payable to any Receiver in respect of~~

24. All the provisions in this Law contained in regard to the salvage of life from any ship or boat within the limits of this Island and the territories

and trading with this Island, or from any boat belonging to any such ship, wheresoever the services may have been rendered, and from any foreign ship or boat where the services have been rendered either wholly or in part in the waters of this Island.

SECTION 26 OF THE WRECK AND SALVAGE LAW
WHICH IT IS PROPOSED TO AMEND

SECTION 32 OF THE WRECK AND SALVAGE LAW
WHICH IT IS PROPOSED TO AMEND

32. Whenever the aggregate amount of salvage payable in respect of salvage
~~services rendered in this Island or any of the islands and seas as aforesaid~~

has been finally ascertained either by agreement or by the award of such

Resident Magistrate or Justices or such umpire, but a dispute arises as to the
apportionment thereof amongst several claimants, then, if the amount does not
exceed two hundred pounds it shall be lawful for the party liable to pay the
amount so due to apply to the Receiver of the district for liberty to pay the
amount so ascertained to him, and he shall if he thinks fit receive the same
accordingly, and grant a certificate under his hand stating the fact of such
~~award, and the services in respect of which it is made: and such certificate~~

shall be a full discharge and indemnity to the person or persons to whom it is
~~given, and to their ship, boats, cargo, apparel and effects against the~~

SECTION 38 OF THE WRECK AND SALVAGE LAW
WHICH IT IS PROPOSED TO AMEND

38. If no owner establishes his claim to wreck found at any place before the expiration of a year from the date at which the same has come into the possession of the Receiver, the Receiver shall forthwith sell the same, and after payment of all expenses attending such sale, and deducting from the proceeds thereof his fees and all expenses (if any) incurred by him, and

43. Every person who does any of the following things

or near the shore of this Island, or of any of the islands or cays
aforesaid, or any part of the coast of this Island, or of any of the islands or cays

4. NAMIBIA

Territorial Sea and Exclusive Economic Zone of Namibia,

[Original: English]

ACT to determine and define the territorial sea, internal waters, exclusive economic zone and continental shelf of Namibia; and to provide for matters incidental thereto (signed by the President on 6 June 1990).

BE IT ENACTED by the National Assembly of the Republic of Namibia, as follows:

Definitions

1. In this Act, unless the context indicate otherwise -

"Convention" means the United Nations Convention on the Law of the Sea, 1982, adopted on 30 April 1982 by the [Third] United Nations Conference on the Law of the Sea;

"low water line" means the line of lowest astronomical tide;

"Republic" means the Republic of Namibia as defined in article 1 (A) of

(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 sea of Namibia, and any reference in any such law to the territorial waters or

Internal waters of Namibia

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

(2) The provisions of subsection (1) shall be in addition to and not in substitution for any other law relating to or defining the internal waters of Namibia.

Exclusive economic zone of Namibia

4. (1) The sea outside the territorial sea of Namibia shall be an exclusive economic zone of Namibia.

Continental shelf of Namibia

6. (1) The continental shelf as defined in the Convention, or as it may from time to time be defined by international convention and binding on Namibia, shall be the continental shelf of Namibia.

(2) The continental shelf referred to in subsection (1) shall be regarded as part of Namibia and shall for the purposes of -

(a) the exploitation of the natural resources of the sea; and

(b) any provision of any law relating to mining, precious stones, metals or minerals including natural oil, which applies in that part of Namibia

Repeal or amendment of laws

7. The laws specified in the Schedule are hereby repealed or amended to the extent set out in the third column of the Schedule.

Short title and commencement

8. This Act shall be called the Territorial Sea and Exclusive Economic Zone of Namibia Act, 1990, and shall come into operation on a date to be determined by the President by proclamation in the Gazette.

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ement or any fishing
ed or which was used in
on thereto, to be
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Act, 1977 (Act 51 of

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(l), (m) and (n) of

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ish or fish products.

vention of or without
on shall be guilty of an
".

Proclamation by the President of the Republic of Namibia 1/

[Original: English]

Proclamation by the President of the Republic of Namibia

Act (Act 3 of 1990).

Under the powers vested in me by section 8 of the Territorial Sea and

Territorial Sea and Exclusive Economic Zone of Namibia Amendment Act, 1991 1/

Words underlined with solid line indicate insertions in

existing enactments.

[] Words in bold type in square brackets indicate omissions from existing enactments.

ACT

To amend the Territorial Sea and Exclusive Economic Zone of Namibia Act, 1990, in order to establish a contiguous zone for Namibia in which Namibia shall have the right to prevent the contravention of certain laws; to further provide for matters relating to the continental shelf of Namibia; and to provide for matters incidental thereto.

(Signed by the President on 12 December 1991)

BE IT ENACTED by the National Assembly of the Republic of Namibia, as follows:

Insertion of section 1 The following section is hereby inserted in the

3A in Act 3 of 1990

Territorial Sea and Exclusive Economic Zone of Namibia Act, 1990 (hereinafter referred to as the principal Act), after section 3:

"Contiguous zone of Namibia

3A. (1) The sea outside the territorial sea of Namibia but within a distance of 24 nautical miles from the low water line or any other baseline from which the territorial sea was measured shall constitute the contiguous zone of Namibia.

(2) In determining the extent of the contiguous zone of Namibia the provisions of section 2(2) shall mutatis mutandis apply.

(3) Within the contiguous zone of Namibia, Namibia shall have the right to exercise any powers which it may consider necessary to prevent the contravention of

Amendment of section
6 of Act 3 of 1990

3. Section 6 of the principal Act is hereby amended by the substitution for subsection (2) of the following subsection:

"(2) The continental shelf referred to in subsection (1) shall [be regarded as part of Namibia and shall] for the purposes of:

(a) the exploitation of the natural resources of the sea; and

(b) any provision of any law relating to mining, precious stones, metals or minerals, including natural oil, which applies in that part of Namibia which adjoins the continental shelf.

Substitution of long
title to Act 3 of 1990

4. The following long title is hereby substituted for the long title to the principal Act:

"To determine and define the territorial sea, internal waters, contiguous zone, exclusive economic zone and continental shelf of Namibia; and to provide for matters incidental thereto."

Short title

5. This Act shall be called the Territorial Sea and

5. POLAND

Act concerning the maritime areas of the Polish Republic and
the marine administration, 21 March 1991 1/

[Original: Polish]

PART I
GENERAL PROVISIONS

Article 1

1. The Act defines the legal situation of the maritime areas of the Polish Republic the coastal area and the ...

2. The provisions of the Act shall not be applicable if an international treaty to which the ...

PART II
POLISH MARITIME AREAS

Section 1
The internal waters

Article 4

The internal waters are:

of the State frontier between the Polish Republic and Germany and the river

2. Innocent passage means navigation through the territorial sea for the purpose of:

(1) ~~Navigation that does not enter the internal waters or calling~~

(2) Entering or leaving the internal waters;

(3) Entering or leaving the part of the harbour system or roadstead facilities referred to in subparagraph (1).

3. The Minister of National Defence shall, by means of an ordinance, define the passage of warships of foreign States through the Polish territorial sea and the conditions for their entry into Polish internal waters.

- (8) Any act of wilful pollution;
- (9) Any fishing activities;
- (10) The carrying out of research or survey activities;
- (11) Any act aimed at interfering with the system of communications or any other facilities or installations of the Polish Republic;
- (12) Any other activities not having a direct bearing on the passage.

Article 10

1. Where necessary having regard to the safety of navigation, the Ministry of Transport and Marine Economy, in agreement with the Minister of National Defense, may by means of an ordinance designate the territorial sea...

4. The provisions of paragraph 3 shall not apply in case of violation of the rights of the Polish Republic as defined in article 17

5. The authorities taking action in the

- (2) Jurisdiction with regard to:
- (a) The establishment and use of artificial islands, installations and other structures;
 - (b) Marine scientific research;
 - (c) The protection and preservation of the marine environment;
- (3) Other rights provided for under international law.

Article 18

Foreign States shall in the exclusive economic zone enjoy freedom of navigation and overflight, and of the laying of submarine cables and pipelines and the right to use other methods of exploiting the sea related to these

freedoms and which are consistent with international law, subject to the provisions of the Act.

Article 19

Polish law relating to the protection of the environment shall be in force in the exclusive economic zone.

Article 20

The right to undertake and engage in fishing in the exclusive economic zone shall be held only by ships of Polish nationality, subject to any contrary provisions of the Act.

Article 21

Foreign fishing vessels may undertake and engage in fishing in the exclusive economic zone if an international treaty concluded by the Polish Republic with the State of nationality of the vessel provides for such a possibility or if the vessel is availing itself of a licence.

Article 22

1. In the exclusive economic zone, the Polish Republic shall have the exclusive right to construct, or to authorize and regulate the construction and utilization of artificial islands, installations and structures of any

kind intended for the conduct of scientific research, exploration or

Section 4
Artificial islands, installations and structures,

Authorizations for the construction and utilization of artificial islands, installations and structures in the Polish territorial sea and in the exclusive economic zone shall be issued by the Minister of Transport and Marine Economy, after obtaining the opinion of the Minister of Environmental Protection, Natural Resources and Forestry, and in the internal waters such authorizations shall be issued by the director of the marine office.

Article 24

Around the artificial islands, installations and structures, the director
of the marine office shall

Section 5
Scientific research

Article 28

Scientific research in Polish internal waters and the territorial sea may be carried out by foreign States and foreign natural or juridical persons, as well as by competent international organizations, after obtaining the consent

of the Minister of Transport and Marine Economy.

Article 29

1. Scientific research in the Polish exclusive economic zone may be carried out by the States, persons and organizations referred to in article 28 after obtaining a consent from the Minister of Transport and Marine Economy. Applications for the issuance of the consent, containing information on the intended research and the programme therefor, must be submitted not later than six months before the expected starting date of the research.

(5) Remove the scientific research installations and equipment without

Article 31

Section 8

~~The coastal area~~

Article 36

1. The coastal area is a land area adjacent to the sea-coast.
2. The coastal area shall include:

(1) The technical area constituted by the area which directly separates the sea and the land from each other; it is an area intended for keeping the coast in a condition consistent with the needs of safety and environmental protection;

(2) The protective area, which comprises the area in which human

3. The coastal area shall run along ~~the~~ sea-coast.
4. The Council of Ministers shall, by means of an ordinance, define the boundaries and width of the technical area and the protective area.

Article 37

1. The technical area may be utilized for purposes other than those referred to in article 36, paragraph 2, subparagraph (1), with the consent of the competent authority of the marine administration, which shall at the same time ~~define the conditions for such utilization~~

Article 39

1. The director of a marine office shall be subordinate to the Minister of Transport and Marine Economy.

2. The director of a marine office shall be appointed and dismissed by the Minister of Transport and Marine Economy. The deputy directors of a marine office shall be appointed and dismissed by the Minister of Transport and Marine Economy at the

3. The director of a marine office shall exercise his functions with the

4. The composition of the marine offices shall include, in particular, the marine inspectorate, the harbour-master offices [kapitanaty] of large ports and the boatswain offices [bosmanatyl of small

- (2) The utilization of maritime routes and of large and small seaports;
- (3) The conduct of marine fishing and the exploitation of other living resources of marine waters;
- (4) Safety relating to the investigation, exploration and exploitation of the mineral resources of the seabed;
- (5) The protection of the marine environment against pollution resulting from the utilization of the sea and pollution resulting from the dumping of wastes and other substances;
- (6) The saving of lives, the conduct of underwater work and the extraction of resources from the sea;
- (7) Technical supervision by specialists:

(8) Technical and construction surveillance:

(9) The protection of large and small seaports against fire:

Article 45

1. Subject to the provisions of article 5 paragraph 4 the ...

3. The scope of application of an ordinary order shall be stated therein.

4. An ordinary order shall enter into force on the date defined therein, but not later than the date of its proclamation, in the manner defined in ~~paragraph 5 or 6~~

5. An ordinary order shall be subject to proclamation in the provincial official gazette competent with respect to the territorial scope of application of the said order.

6. Where it becomes necessary that an ordinary order should enter into force immediately, it may be published [publikowane] by means of notices at its ~~place of enforcement by means of radio broadcasts or in any customary manner~~

5. In the cases referred to in paragraph 3, the rights of the inspector of the marine inspectorate which are referred to in article 51 and in article 52, paragraph 1, shall be held, mutatis mutandis, by the commanders of the water-borne units of the Frontier Guard Service.

Article 51

While performing his service functions, an inspector of the marine inspectorate, hereinafter referred to as "an inspector", shall:

(1) To examine the documents concerning:

(2) To examine the fishing gear and the fish on the deck, in the processing rooms and in the holds of a ship;

(3) To secure abandoned fish and articles used for fishing;

(4) To demand explanations and to carry out the activities necessary for conducting the surveillance.

Article 56

A person who:

- (1) Stops or anchors a ship outside of the location designated therefor;
- (2) Navigates a ship outside of navigation routes or fails to follow the

- (4) Navigates a ship out of a port in spite of a received prohibition;

Article 58

1. No fine may be imposed if five years have elapsed since the date on which the deed in question was committed.

~~1. If a fine has been imposed shall not be collected after the expiry of~~

five years from the date on which the final decision to impose the fine was taken.

Article 59

1. In order to guarantee the levy of the fine, the director of the marine

(2) In article 43:

(b) Paragraph 2 is amended to read as follows:

"Paragraph 2. The authorities acting at first instance shall be the

Article 64

In the Act of 24 November 1974 - Water Law (Dziennik Ustaw No. 38, item 230; 1980, No. 3, item 6; 1983, No. 44, item 201; 1989, No. 26, item 139, and No. 35, item 192; and 1990, No. 34, item 198, and No. 39, item 232), in article 55, paragraph 2, item 7 is amended to read as follows:

~~"(7) The accumulation of liquid and solid wastes in the territorial~~

and in seaports - in coordination with the director of the competent marine office,".

Article 65

In the Act of 17 December 1977 concerning the Polish marine fishery zone (Dziennik Ustaw No. 37, item 163), article 1, article 2, paragraphs 1 and 2, and articles 3 to 9 are deleted.

PART VI
TRANSITIONAL AND FINAL PROVISIONS

Article 66

Matters pertaining to infractions which are brought before the infraction

boards of the marine offices and have not been completed by the date of entry into force of the Act shall, until such time as they have been concluded with

Article 68

The directors of the marine offices shall establish and publish, in the form of notices, in the competent provincial official gazettes, within a period of six months from the date of entry into force of the Act, of

legal regulations which were issued before the date of entry into force of the Act and are universally binding in the areas of their validity. Regulations

Article 69

Pending the issuance of the enforcement regulations provided for in the Act, the regulations in force up to the present time shall, unless contrary to it, remain in force.

Article 70

B. Treaties

Bilateral treaties

Framework Agreement between the Government of Peru and the Government of Bolivia on the "Grand Marshal Andrés de Santa Cruz" Binational Project for Friendship, Cooperation and Integration

[Original: Spanish]

The President of the Republic of Peru and the President of the Republic

Considering the special ties which have existed between Peru and Bolivia since their establishment as independent Republics,

Desiring to make the frontier region between Peru and Bolivia one of the pivotal areas of South American integration,

Having resolved to continue to improve integration and complementarity between the two countries,

Convinced of the need to work out guidelines for this process, which they have decided to refer to as the "Framework agreement between Peru and Bolivia on the "Grand Marshal Andrés de Santa Cruz" binational project for integration,

Article 5

That in the context of this Framework Agreement...

following Agreements on this date:

- (a) Agreement between the Government of the Republic of Peru and the Government of the Republic of Bolivia concerning the...

Agreement between the Government of Peru and the Government of Bolivia
concerning the Participation of Bolivian Enterprises in the Ilo

... of the Republic

of Bolivia,

... the Agreement adopted by Peru and Bolivia on 27 May 1991.

Considering that the development of the South American region requires

Article 5

For the final determination of the

Article 12

... to promote and develop the measures they have

Agreement between the Government of Peru and the Government of

The Government of the Republic of Peru and the Government of the Republic

Mindful that tourism constitutes an effective means of improving
understanding between

Article 4

The investments made in the area of the Ilo beach resort free zone which

is transferred to the Bolivian development enterprise shall be protected by

the guarantees provided in Legislative Decree No. 662 for foreign investment.

Article 5

The two Governments shall conclude any complementary agreements which may be required in future for the effective implementation of this Agreement.

Article 6

This Agreement shall enter into force when the Parties have notified each other through an exchange of diplomatic notes of the completion of their

respective constitutional requirements and procedures.

IN WITNESS WHEREOF, the Minister for Foreign Affairs of the Republic of Peru and the Minister for Foreign Affairs and Worship of the Republic of Bolivia have signed this Agreement at Ilo, Peru, on 24 January 1992, in duplicate in the Spanish language, both texts being equally authentic.

Agreement between the Government of the Republic of Peru and the
Government of the Republic of Bolivia concerning Facilities for
the Transit of Persons between the Territories
of the Two Countries

The Government of the Republic of Peru and the Government of the Republic of Bolivia

Article 5

The transit and tourism card issued to the nationals of each country shall be valid for three months and for a single entry.

Article 6

Under this Agreement the transit of minors shall be subject to

This Agreement does not authorize the holder of a transit and tourism card to engage in any type of activity, profession or permanent occupation for profit, or to establish residence in the other country.

Article 8

Under this Agreement, the quantity and nature of the articles constituting the baggage carried by persons transiting from one country to the other shall be subject to the legislation in force in each country.

Article 9

The competent authorities of each country reserve the right to deny entry to, and to return to their country of origin, any persons who do not fulfil the legal requirements, or who are prohibited from leaving the national territory of either Party under the laws in force in the country.

Article 10

Persons who violate the provisions of articles 3 and 6 above shall be

On the Bolivian side, the frontier provinces of Itzamal, P...

Letter dated 3 February 1992 from the Minister for Foreign Affairs and
Worship of Bolivia addressed to the Secretary-General 1/

[Original: Spanish]

between the Permanent Mission of Bolivia to the United Nations and you, who
have recently taken up your functions as Secretary-General of our

Land-locked Bolivia's 113-year-old dream of an exit to the Pacific is set to become reality today when Bolivian and Peruvian presidents Jaime Paz Zamora and Alberto Fujimori meet in the southern Peruvian port of Ilo to sign a bilateral agreement.

Peru's President Alberto Fujimori has made an offer of free transit for

III OTHER INFORMATION

A. Convention on the Territorial Sea and the Contiguous Zone.

Done at Geneva on 29 April 1958

Accession by Lithuania

Attention: Treaty Services of Ministries of Foreign Affairs and
of international organizations concerned

The Secretary-General of the United Nations, acting in his capacity as depositary, communicates the following:

On 31 January 1992, the instrument of accession by the Government of Lithuania to the above-mentioned Convention was deposited with the Secretary-General.

The instrument contains the following declaration:

[Original: English]

"In acceding to the Geneva Convention on the Territorial Sea and the Contiguous Zone the Government of the Republic of Lithuania declares

B. Letter dated 19 March 1992 from the Permanent Mission of Belgium to the

The Permanent Mission of the "United States of America" to the