

NOTE

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.

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

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I. UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

Status of the United Nations Convention on the Law of the Sea, of the Agreement relating to the implementation of Part XI of the Convention and of the Agreement for the implementation of the provisions of the Convention relating to the conservation and management






State or entity	United Nations Convention on the Law of the Sea (in force as from 16 November 1994)	Agreement relating to the implementation of Part XI of the Convention (in force as from 28 July 1996)	Agreement for the implementation of the provisions of the Convention relating to the conservation and management of straddling fish stocks and highly migratory fish stocks (in force as from 11 December 2001)
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Italicized text indicates

**United Nations Convention on
the Law of the Sea**
(in force as from 16 November 1994)

State or entity

State or entity	United Nations Convention on the Law of the Sea (in force as from 16 November 1994)	Agreement relating to the implementation of Part XI of the Convention (in force as from 28 July 1996)	Agreement for the implementation of the provi- sions of the Convention relating to the conserva- tion and management of straddling fish stocks and highly migratory fish stocks (in force as from 11 December 2001)
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State or entity <i>Italicized text</i> indicates non-members of the United Nations; Shaded row indicates landlocked States	United Nations Convention on the Law of the Sea (in force as from 16 November 1994)	Agreement relating to the implementation of Part XI of the Convention (in force as from 28 July 1996)	Agreement for the implementation of the provisions of the Convention relating to the conservation and management of straddling fish stocks and highly migratory fish stocks (in force as from 11 December 2001)
Iraq Ireland	Signature  <input type="checkbox"/> - declaration 	Signature  Ratification; formal confirmation(fc); accession(a); definitive signature(ds); participation(p); ¹ simplified procedure (sp); ²	Signature  <input type="checkbox"/> - declaration or statement 
	30 July 1985 <input type="checkbox"/> 21 June 1996	21 June 1996	Ratification; accession(a) <input type="checkbox"/> - declaration

<p>United Nations Convention on the Law of the Sea (in force as from 16 November 1994)</p>	<p>Signature  <input type="checkbox"/> - declaration)</p>	<p>Agreement relating to the implementation of Part XI of the Convention (in force as from 28 July 1996)</p>	<p>Signature </p>	<p>Agreement for the implementation of the provisions of the Convention relating to the conservation and management of straddling fish stocks and highly migratory fish stocks (in force as from 11 December 2001)</p>	<p>Signature  <input type="checkbox"/> - declaration or statement)</p>
<p>Ratification; formal confirmation(fc); accession(a); succession(s); <input type="checkbox"/> - declaration)</p>	<p>Ratification; formal confirmation(fc); accession(a); definitive signature(ds); participation(p);¹ simplified procedure (sp);²</p>	<p>Ratification; formal confirmation(fc); accession(a); participation(p);¹ simplified procedure (sp);²</p>	<p>Ratification; accession(a)³ <input type="checkbox"/> - declaration)</p>		

Lithuania
Lituombour

5 October 2000
5 October 2000

<p>State or entity <i>Italicized text</i> indicates non-members of the United Nations; Shaded row indicates landlocked States</p>	<p>United Nations Convention on the Law of the Sea (in force as from 16 November 1994)</p> <p>Ratification; formal confirmation(fc); accession(a); succession(s); <input type="checkbox"/> - declaration)</p> <p>Signature <input type="checkbox"/> - declaration)</p>	<p>Agreement relating to the implementation of Part XI of the Convention (in force as from 28 July 1996)</p> <p>Ratification; formal confirmation(fc); accession(a); definitive signature(ds); participation(p);¹ simplified procedure (sp);²</p> <p>Signature </p>	<p>Agreement for the implementation of the provisions of the Convention relating to the conservation and management of straddling fish stocks and highly migratory fish stocks (in force as from 11 December 2001)</p> <p>Signature <input type="checkbox"/> - declaration or</p>
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**Agreement relating to the
implementation of Part XI of the
Convention**
(in force as from 28 July 1996)

**United Nations Convention on
the Law of the Sea**
(in force as from 16 November 1994)

State or entity

Agreement for the implementation of the provisions of the Convention relating to the conservation and management of straddling fish stocks and highly migratory fish stocks
(in force as from 11 December 2001)

Agreement relating to the implementation of Part XI of the Convention
(in force as from 28 July 1996)

United Nations Convention on the Law of the Sea
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	Signature (☐ - declaration)	Ratification; formal confirmation(fc); accession(a); succession(s); (☐ - declaration)	Signature	Ratification; formal confirmation(fc); accession(a); definitive signature(ds); participation(p); ¹ simplified procedure (sp); ²	Signature (☐ - declaration or statement)	Ratification; accession(a) ³ (☐ - declaration)
Viet Nam		☐ 25 July 1994				
Yemen	☐	☐ 21 July 1987				
Yugoslavia	☐	☐ 12 March 2001 (s)	☐	28 July 1995 (sp) ²		
Zambia	☐	7 March 1983	☐	28 July 1995 (sp)		
Zimbabwe	☐	24 February 1993	☐	28 July 1995 (sp)		
TOTALS	157 (☐35)	137 (☐50)	79	103	59 (☐5)	30 (☐7)

2. Chronological lists of ratifications of, accessions and successions to the Convention and the related Agreements, as at 30 November 2001
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86. Georgia (21 March 1996)
87. France (11 April 1996)
88. Saudi Arabia (24 April 1996)
89. Slovakia (8 May 1996)
90. Bulgaria (15 May 1996)
91. Myanmar (21 May 1996)
92. China (7 June 1996)
93. Algeria (11 June 1996)
94. Japan (20 June 1996)
95. Czech Republic (21 June 1996)
96. Finland (21 June 1996)
97. Ireland (21 June 1996)
98. Norway (24 June 1996)
99. Sweden (25 June 1996)
100. Netherlands (28 June 1996)
101. Panama (1 July 1996)
102. Mauritania (17 July 1996)
103. New Zealand (19 July 1996)
104. Haiti (31 July 1996)
105. Mongolia (13 August 1996)
106. Palau (30 September 1996)
107. Malaysia (14 October 1996)
108. Brunei Darussalam (5 November 1996)
109. Romania (17 December 1996)
110. Papua New Guinea (14 January 1997)
111. Spain (15 January 1997)
112. Guatemala (11 February 1997)
113. Pakistan (26 February 1997)
114. Russian Federation (12 March 1997)
115. Mozambique (13 March 1997)
116. Solomon Islands (23 June 1997)
117. Equatorial Guinea (21 July 1997)
118. United Kingdom of Great Britain and Northern Ireland (25 July 1997)
119. Chile (25 August 1997)
120. Benin (16 October 1997)
121. Portugal (3 November 1997)
122. South Africa (23 December 1997)
123. Gabon (11 March 1998)
124. European Community (1 April 1998)
125. Lao People's Democratic Republic (5 June 1998)
126. Suriname (9 July 1998)
127. Nepal (2 November 1998)
128. Belgium (13 November 1998)
129. Poland (13 November 1998)
130. Ukraine (26 July 1999)
131. Vanuatu (10 August 1999)
132. Nicaragua (3 May 2000)
133. Maldives (7 September 2000)
134. Luxembourg (5 October 2000)
135. Yugoslavia (12 March 2001)
136. Bangladesh (27 July 2001)
137. Madagascar (22 August 2001)

(b) Agreement relating to the implementation of Part XI of the Convention

1. Kenya (29 July 1994)
2. The former Yugoslav Republic of Macedonia (19 August 1994)
3. Australia (5 October 1994)
4. Germany (14 October 1994)
5. Belize (21 October 1994)
6. Mauritius (4 November 1994)
7. Singapore (17 November 1994)
8. Sierra Leone (12 December 1994)
9. Seychelles (15 December 1994)
10. Lebanon (5 January 1995)
11. Italy (13 January 1995)
12. Cook Islands (15 February 1995)
13. Croatia (5 April 1995)
14. Bolivia (28 April 1995)
15. Slovenia (16 June 1995)
16. India (29 June 1995)
17. Paraguay (10 July 1995)
18. Austria (14 July 1995)
19. Greece (21 July 1995)

45. Republic of Korea (29 January 1996)
46. Monaco (20 March 1996)
47. Georgia (21 March 1996)
48. France (11 April 1996)
49. Saudi Arabia (24 April 1996)
50. Slovakia (8 May 1996)
51. Bulgaria (15 May 1996)
52. Myanmar (21 May 1996)
53. China (7 June 1996)
54. Algeria (11 June 1996)
55. Japan (20 June 1996)
56. Czech Republic (21 June 1996)
57. Finland (21 June 1996)
58. Ireland (21 June 1996)
59. Norway (24 June 1996)
60. Sweden (25 June 1996)
61. Malta (26 June 1996)
62. Netherlands (28 June 1996)
63. Panama (1 July 1996)
64. Mauritania (17 July 1996)
65. New Zealand (19 July 1996)
66. Haiti (31 July 1996)
67. Mongolia (13 August 1996)
68. Palau (30 September 1996)
69. Malaysia (14 October 1996)
70. Brunei Darussalam (5 November 1996)
71. Romania (17 December 1996)
72. Papua New Guinea (14 January 1997)
73. Spain (15 January 1997)
74. Guatemala (11 February 1997)
75. Oman (26 February 1997)
76. Pakistan (26 February 1997)
77. Russian Federation (12 March 1997)
78. Mozambique (13 March 1997)
79. Solomon Islands (23 June 1997)
80. Equatorial Guinea (21 July 1997)
81. Philippines (23 July 1997)
82. United Kingdom of Great Britain
and Northern Ireland (25 July 1997)
83. Chile (25 August 1997)
84. Benin (16 October 1997)
85. Portugal (3 November 1997)
86. South Africa (23 December 1997)
87. Gabon (11 March 1998)
88. European Community (1 April 1998)
89. Lao People's Democratic Republic
(5 June 1998)
90. United Republic of Tanzania (25 June 1998)
91. Suriname (9 July 1998)

3. Declarations by States

(a) Slovenia

Declaration pursuant to article 287 of the United Nations Convention on the Law of the Sea

The Government of the Republic of Slovenia declares pursuant to article 287 of the Convention that it

Any dispute related to this issue shall be settled in accordance with the procedures provided for in Part VIII of the Agreement. No State may invoke this type of dispute to remain in control of a vessel which does not fly its flag.

In addition, Malta considers that the word "unlawful" in article 21, paragraph 18, of the Agreement should be interpreted in the light of the whole Agreement, and in particular, articles 4 and 35 thereof.

7. Malta reiterates that all States shall refrain in their relations from the threat or use of force in accordance with general principles of international law, the United Nations Convention on the Law of the Sea.

Furthermore, Malta considers that the relevant terms and conditions for boarding and inspection should be further elaborated in accordance with the relevant principles of international law in the framework of the appropriate regional and subregional fisheries management organizations and arrangements.

8. Malta understands that, in the application of the provisions of article 21, paragraphs 6, 7 and 8, the flag State may rely on the requirements of its legal system under which the prosecuting authorities enjoy a discretion to decide

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

A. United Nations General Assembly resolutions of interest

1. General Assembly resolution 56/12 of 28 November 2001: Oceans and the law of the sea

The General Assembly,

Recalling its resolutions 49/28 of 6 December 1994, 52/26 of 26 November 1997, 54/33 of 24 November 1999, 55/7 of 30 October 2000 and other relevant resolutions adopted subsequent to the entry into force of the United Nations Convention on the Law of the Sea (“the Convention”)¹ on 16 November 1994,

Recalling also its resolution 2749 (XXV) of 17 December 1970, and considering that the Convention, together with the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 (“the Agreement”),² provides the regime to be applied to the Area and its resources as defined in the Convention,

Emphasizing the universal and unified character of the Convention and its fundamental importance for the maintenance and strengthening of international peace and security, as well as for the sustainable development of the oceans and seas,

Reaffirming that the Convention sets out the legal framework within which all activities in the oceans and seas must be carried out and is of strategic importance as the basis for national, regional and global action in the marine sector, and that its integrity needs to be maintained, as recognized also by the United Nations Conference on Environment and Development in chapter 17 of Agenda 21,³

Conscious of the importance of increasing the number of States parties to the Convention and the Agreement in order to achieve the goal of universal participation,

Conscious also that the problems of ocean space are closely interrelated and need to be considered as a whole through an integrated, interdisciplinary and intersectoral approach,

Convinced of the need, building on arrangements established in accordance with the Convention, to improve coordination at the national level and cooperation and coordination at both intergovernmental and inter-agency levels, in order to address all aspects of oceans and seas in an integrated manner,

Recognizing the important role that the competent international organizations have in relation to ocean affairs, in implementing the Convention and in promoting the sustainable development of the oceans and seas,

Recalling that the role of international cooperation and coordination on a bilateral basis and, where applicable, within a subregional, interregional, regional or global framework is to support and supplement the national efforts of all States, including coastal States, to promote the integrated management and sustainable development of coastal and marine areas,

Mindful of the importance of the oceans and seas for the earth’s ecosystem and for providing the vital resources for food security and for sustaining economic prosperity and the well-being of present and future generations,

¹ United Nations publication, Sales No. E.97.V.10.

² Resolution 48/263, annex.

³ *Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992* (United Nations publication, Sales No. E.93.1.8 and corrigenda), vol. 1: *Resolutions adopted by the Conference*, resolution 1, annex II.

Bearing in mind the contribution that major groups, as identified in Agenda 21, can make to raising awareness of the goal of the sustainable development of the oceans and seas,

Underlining once again the essential need for capacity-building to ensure that all States, especially developing countries, in particular least developed countries and small island developing States, are able both to implement the Convention and to benefit from the sustainable development of the oceans and seas, as well as to participate fully in global and regional forums and processes dealing with oceans and law of the sea issues,

Taking note of the report of the Secretary-General,⁴ and reaffirming the importance of the annual consideration and review of developments relating to ocean affairs and the law of the sea by the General Assembly as the global institution having the competence to undertake such a review,

Taking note also of the report on the work of the United Nations Open-ended Informal Consultative Process (“the Consultative Process”) established by the General Assembly in its resolution 54/33 in order to facilitate the annual review by the Assembly of developments in ocean affairs at its second meeting,⁵

Bearing in mind the importance of marine science, through improving knowledge, by sustained research efforts and evaluation of monitoring results, and applying such knowledge to management and decision-making, for eradicating poverty, for contributing to food security, conserving the world’s marine environment and resources, helping to understand, predict, mitigate the effects of and respond to natural events, and for promoting the sustainable development of the oceans and seas,

Reaffirming the need to achieve the effective application of marine scientific knowledge and technology, through c

Reiterating its serious concern at the increase in illegal, unreported and unregulated fishing, and recognizing the importance of combating such activities, particularly by strengthening bilateral cooperation, as well as through the relevant regional fisheries management organizations and arrangements, and through the implementation of appropriate enforcement measures,

Expressing its deep concern once again at the degradation of the marine environment, particularly from land-based activities, and emphasizing the need for international cooperation and for a coordinated approach at the national and regional levels to this problem, bringing together the many different economic sectors involved and protecting the ecosystems, and in this context reaffirming the importance of ensuring the full implementation of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities,⁶

Reiterating its concern also at the adverse impacts on the marine environment from ships, including pollution, in particular through the illegal release of oil and other harmful substances, and by the dumping of hazardous waste, including radioactive materials, nuclear waste and dangerous chemicals, as well as the physical impacts on coral,

Welcoming resolution GC(45)RES/10 adopted on 21 September 2001 by the General Conference of the International Atomic Energy Agency at its forty-fifth regular session, concerning measures to strengthen international cooperation in nuclear, radiation, transport and waste safety, inter alia, those aspects relating to maritime transport safety,

Bearing in mind the World Summit on Sustainable Development, to be held in Johannesburg, South Africa, in 2002, and emphasizing the importance, in the preparations for the Summit, of addressing the sustainable development of oceans and seas,

Noting the responsibilities of the Secretary-General under the Convention and related resolutions of the General Assembly, in particular resolutions 49/28, 52/26 and 54/33, and in this context the expected increase in responsibilities of the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the Secretariat in view of the progress in the work of the Commission on the Limits of the Continental Shelf ("the Commission") and the anticipated receipt of submissions from States,

I. Implementation of the Convention

1. *Calls upon* all States that have not done so, in order to achieve the goal of universal participation, to become parties to the Convention¹ and the Agreement;²
2. *Reaffirms* the unified character of the Convention;
3. *Calls upon* States to harmonize, as a matter of priority, their national legislation with the provisions of the Convention, to ensure the consistent application of those provisions and to ensure also that any declarations or statements that they have made or make when signing, ratifying or acceding to the Convention are in conformity therewith and, otherwise, to withdraw any of their declarations or statements that are not in conformity;
4. *Encourages* States parties to the Convention to deposit with the Secretary-General charts and lists of geographical coordinates, as provided for in the Convention;
5. *Takes note* of the imminent entry into force of the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks;²

⁶ A/51/116, annex II.

² *International Fisheries Instruments* (United Nations publication, Sales No. E.98.V.11), sect. I; see also A/CONF.164/37.

II. Capacity-building

6. *Urges* the international community to assist, as appropriate, developing countries, in particular least developed countries and small island developing States, in the acquisition of data and the preparation of charts or lists of geographical coordinates for publication under articles 16, 22, 47, 75 and 84 of the Convention and in the preparation of information under article 76 and annex II to the Convention;

7. *Calls upon* bilateral and multilateral donor agencies to keep their programmes systematically under review to ensure the availability in all States, particularly in developing States, of the economic, legal, navigational, scientific and technical skills necessary for the full implementation of the Convention and the sustainable development of the oceans and seas nationally, regionally and globally, and in so doing to bear in mind the rights of landlocked developing States;

8. *Requests* the Secretary-General, in cooperation with the competent international organizations and programmes, including the Food and Agriculture Organization of the United Nations, the International Labour Organization, the International Hydrographic Organization, the International Maritime Organization, the United Nations Development Programme, the United Nations Industrial Development Organization, the Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific and Cultural Organization, the United Nations Environment Programme, the United Nations Conference on Trade and Development, the World Meteorological Organization and the World Bank, as well as representatives of regional development banks and the donor community, to review the efforts being made to build capacity as well as to identify the duplications that need to be avoided and the gaps that may need to be filled for ensuring consistent approaches, both nationally and regionally, with a view to implementing the Convention, and to include a section on this subject in his annual report on oceans and the law of the sea;

III. Meeting of States Parties

9. *Requests* the Secretary-General to convene the twelfth Meeting of States Parties to the Convention in New York from 16 to 26 April 2002 and to provide the services required;

IV. Settlement of disputes

10. *Notes with satisfaction* the continued contribution of the International Tribunal for the Law of the Sea (“the

V. The Area

13. *Notes with satisfaction* the ongoing work of the International Seabed Authority (“the Authority”), including the issuance of contracts⁸ for exploration in accordance with the Convention, the Agreement and the Regulations on Prospecting and Exploration for Polymetallic Nodules in the Area;

14. *Notes* the ongoing elaboration of recommendations for the guidance of contractors to ensure the effective protection of the marine environment from harmful effects that may arise from activities in the Area, and that the Council of the Authority will continue to consider issues relating to regulations for prospecting and exploration for polymetallic sulphides and cobalt-rich crusts in the Area at the next session of the Authority, to be held in Kingston, Jamaica, from 5 to 16 August 2002;

VI. Effective functioning of the Authority and the Tribunal

15. *Appeals* to all States parties to the Convention to pay their assessed contributions to the Authority and to the Tribunal in full and on time, and appeals also to all former provisional members of the Authority to pay any outstanding contributions;

16. *Calls upon* States that have not done so to consider ratifying or acceding to the Agreement on the Privileges and Immunities of the Tribunal⁹ and to the Protocol on the Privileges and Immunities of the Authority;¹⁰

VII. The continental shelf

17. *Notes with satisfaction* the work of the Commission and its readiness to receive submissions by coastal States regarding the establishment of the outer limits of their continental shelf beyond 200 nautical miles, and encourages concerned States and relevant international organizations and institutions to consider developing and making available training courses to assist States in the preparation of such submissions;

18. *Takes note* of the decision of the eleventh Meeting of States Parties to the Convention¹¹ that, in the case of a

22. *Calls upon* States, through national and regional institutions, to ensure that, in respect of marine scientific research conducted pursuant to Part XIII of the Convention in areas over which a coastal State has jurisdiction, the rights of the coastal State under the Convention are respected and that, at the request of the coastal State, information, reports, results, conclusions and assessments of data, samples and research results are made available, and access to data and samples are provided, to that coastal State;

23. *Invites* the Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific and

32. *Urges*

40. *Once again urges* States to take all practicable steps, in accordance with the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, to prevent pollution of the marine environment from ships and, in accordance with the 1972 Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter,¹⁴ to prevent pollution of the marine environment by dumping, and further calls upon States to become parties to and to implement the 1996 Protocol to the 1972 Convention;¹⁵

41. *Urges* States to continue to work, through the International Maritime Organization, on issues relating to the protection of the marine environment from degradation resulting from ship-based activities, including the transfer of harmful aquatic organisms and pathogens through ships' ballast water, and notes the adoption of the International Convention on the Control of Harmful Anti-fouling Systems on Ships;¹⁶

42. *Encourages* coastal States to enhance their national capacity and establish or improve their marine management systems in order to promote integrated marine management, the protection of the marine environment and ecosystem, and the sustainable development and utilization of marine resources, and invites the relevant agencies of the United Nations system and regional organizations to take effective measures to assist the coastal States in this regard;

XII. Underwater cultural heritage

43. *Takes note* of the adoption by the United Nations Educational, Scientific and Cultural Organization of the Convention on the Protection of the Underwater Cultural Heritage;

XIII. Activities of the Division for Ocean Affairs and the Law of the Sea

44. *Invites* Member States and others in a position to do so to contribute to the further development of the Hamilton Shirley Amerasinghe Memorial Fellowship Programme on the Law of the Sea established by the General Assembly in its resolution 35/116 of 10 December 1980 and to support the training activities under the TRAIN-SEA-COAST Programme of the Division for Ocean Affairs and the Laneal t(n)6 Mem anyR.9(e)84.4()15se0.5(in)8.4(it2e4oSI9T10 (f5(e L

XIV. International coordination and cooperation

47. *Reaffirms*

XV. Trust funds

52. *Recognizes* the importance of the trust funds established by the Secretary-General pursuant to General Assembly resolution 55/7 for the purpose of, respectively, assisting States in the settlement of disputes through the Tribunal,¹⁸

2. General Assembly resolution 56/13 of 28 November 2001: Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks

The General Assembly,

Recalling the relevant provisions of the United Nations Convention on the Law of the Sea¹ (“the Convention”), including Part VII, section 2,

Recognizing that, in accordance with the Convention, the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks² (“the Agreement”) sets forth provisions concerning the conservation and management of straddling fish stocks and highly migratory fish stocks, including provisions on subregional and regional cooperation in enforcement, binding dispute settlement and the rights and obligations of States in authorizing the use of vessels flying their flags for fishing on the high seas,

Recognizing also the duty provided in the Agreement and reiterated as a principle in the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas³ (“the Compliance Agreement”) and the Code of Conduct for Responsible Fisheries of the Food and Agriculture Organization of the United Nations⁴ for flag States to exercise effective control over fishing vessels flying their flag and vessels flying their flag which provide support to such vessels, and to ensure that the activities of such vessels do not undermine the effectiveness of conservation and management measures taken in accordance with international

Recognizing the importance of the Agreement for the conservation and management of straddling fish stocks and highly migratory fish stocks and the need for the regular consideration by the General Assembly and review by the parties to the Agreement pursuant to the provisions of the Agreement, once in force, of developments relating thereto,

Welcoming the conclusion of negotiations, and the commencement of preparatory work, to establish new regional instruments, arrangements and organizations in several heretofore unmanaged fisheries, and noting the role of the Convention and the Agreement in the elaboration of these instruments, arrangements and organizations,

Welcoming also the fact that a growing number of States and other entities, as well as regional and subregional fisheries management organizations and arrangements, have enacted legislation, established regulations, adopted conventions or taken other measures as steps towards implementation of the provisions of the Agreement, even before its entry into force,

Taking into account that, in accordance with the Convention, the Code of Conduct for Responsible Fisheries and the Agreement, States fishing for straddling fish stocks or highly migratory fish stocks on the high seas and relevant coastal States shall give effect to their duty to cooperate by becoming members of the subregional or regional fisheries management organizations or participants in arrangements of such nature, or by agreeing to apply the conservation and management measures established by such organizations or arrangements, and that States having a real interest in the fisheries concerned may become members of such organizations or participants in such arrangements,

Recognizing the obligation of States to cooperate, either directly or through subregional, regional or global organizations, to enhance the ability of developing States, in particular the least developed among them and small island developing States, to conserve and manage straddling fish stocks and highly migratory fish stocks and to develop their own fisheries for such stocks,

Recognizing also the importance of the Compliance Agreement, which builds upon the legal framework established by the Convention, and noting that while twenty-two States have accepted it, the Compliance Agreement has not yet entered into force,

Concerned that illegal, unreported and unregulated fishing, including that noted in the report of the Secretary-General,⁵ threatens the serious depletion of populations of certain fish species, and in that regard urging States and entities to collaborate in efforts to address these types of fishing activities,

Welcoming the adoption by the Food and Agriculture Organization of the United Nations of an International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, which focuses on the

Noting also the importance of implementing the principles elaborated in article 5 of the Agreement, including ecosystem considerations, in the conservation and management of straddling fish stocks and highly migratory fish stocks,

Noting further the Reykjavik Declaration on Responsible Fisheries in the Marine Ecosystem, adopted on 4 October 2001,⁶

Welcoming the report of the Secretary-General on recent developments and current status of the Agreement,⁷

1. *Calls upon* all States and other entities referred to in article 1, paragraph 2 (b), of the Agreement that have not done so to ratify or accede to it and to consider applying it provisionally;

2. *Calls upon* all States that have not done so, in order to achieve the goal of universal participation, to become parties to the Convention, which sets out the legal framework within which all activities in the oceans and seas must be carried out, taking into account the relationship between the Convention and the Agreement;

3. *Emphasizes* the importance of the entry into force and effective implementation of the provisions of the Agreement, including those provisions relating to bilateral, regional and subregional cooperation in enforcement, and urges continued efforts in this regard;

4. *Urges* all States and other entities referred to in the Agreement to pursue cooperation in relation to straddling fish stocks and highly migratory fish stocks, either directly or through appropriate subregional or regional fisheries management organizations or arrangements, to ensure the effective conservation, management and long-term sustainability of such stocks, to agree upon measures necessary to coordinate and, where there are no subregional or regional fisheries management organizations or arrangements in respect of particular straddling or highly migratory fish stocks, to cooperate to establish such organizations or enter into other appropriate arrangements;

5. *Welcomes* the initiation of negotiations to establish regional and subregional fisheries management

9. *Invites* States and international financial institutions and organizations of the United Nations system to provide assistance according to Part VII of the Agreement, including, inter alia, if appropriate, the development of special financial mechanisms or instruments to assist developing States, in particular the least developed among them and small island developing States, to enable them to develop their national capacity to exploit fishery resources, including, inter alia, developing their domestically flagged fishing fleet, value-added processing and expansion of their economic base in the fishing industry, consistent with the duty to ensure the proper conservation and management of those fisheries resources;

10. *Calls upon* all States and other entities referred to in article X, paragraph 1, of the Compliance Agreement³ that have not done so to accept that instrs

19. *Requests* the Secretary-General to submit to the General Assembly at its fifty-eighth session a report on the status and implementation of the Agreement, and on the impact of the entry into force of the Agreement on related or proposed instruments and programmes throughout the United Nations system relating to straddling fish stocks and highly migratory fish stocks, taking into account information provided by States, relevant specialized agencies, in particular the Food and Agriculture Organization of the United Nations, and other appropriate organs, organizations and programmes of the United Nations system, regional and subregional organizations and arrangements for the conservation and management of straddling fish stocks and highly migratory fish stocks, as well as other relevant intergovernmental bodies and non-governmental organizations, and including further developments relating to the conservation and management of straddling fish stocks and highly migratory fish stocks and other aspects of the present resolution;

20. *Decides* to include in the provisional agenda of its fifty-seventh session, under the item entitled “Oceans and the law of the sea”, the sub-item entitled “Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks”.

B. National legislation

Russian Federation:¹

Government of the Russian Federation: Regulations on the positioning and use of foreign technical observation and monitoring facilities in the territory of the Russian Federation, on the continental shelf and in the exclusive economic zone of the Russian Federation

I. General provisions

1. These Regulations define the procedure for the positioning and use in the territory of the Russian Federation, on the continental shelf and in the exclusive economic zone of the Russian Federation of foreign technical observation and monitoring facilities which are set up by a foreign party while carrying out international scientific and technological programmes and projects (hereinafter referred to as “foreign technical observation and monitoring facilities”).
2. Under these Regulations, “foreign technical observation and monitoring facilities” means foreign-produced technical facilities or Russian-produced technical facilities which are completed with the participation of representatives of a foreign party and are intended for measuring and recording various parameters in physical environments, conducting chemical and biological research, and locating or identifying objects, as well as facilities for processing and transmitting the results of measurements and recording.

II. Positioning and use of foreign technical observation and monitoring facilities in the territory of the Russian Federation

3. The positioning and use of foreign technical observation and monitoring facilities in the land territory of the

The federal executive bodies shall, no later than 60 days from the date on which they receive copies of the request, transmit to the State Technical Commission of the President of the Russian Federation expert assessments of the possibility of positioning and using in the territory of the Russian Federation foreign technical observation and monitoring facilities, on the basis of which the Commission shall prepare its evaluation of the possibility of positioning and using foreign technical observation and monitoring facilities in the territory of the Russian Federation, drawn up in accordance with the format set forth in annex II (hereinafter referred to as the “evaluation”).

6. If the information contained in the request is not in accordance with the nature, objectives and methods of conducting scientific research, the State Technical Commission of the President of the Russian Federation shall have the right to request the applicant to provide additional information concerning the international scientific or technological programme (project).

In cases in which an applicant submits additional information upon the request of the State Technical Commission of the President of the Russian Federation or on his own initiative, the period of time for considering the request shall be calculated from the date of receipt of such information.

7. The evaluation or notification of refusal to provide an evaluation shall be transmitted to the applicant within four months of the date of receipt of the request.

8. A copy of the evaluation or notification of refusal to provide the evaluation shall be transmitted to the federal executive bodies and organizations concerned.

9. The State Technical Commission of the President of the Russian Federation shall maintain a register of such evaluations.

10. The evaluation may establish additional conditions and requirements with regard to:

(a) Conducting a mandatory technical assessment of the foreign technical observation and monitoring facilities after they have been delivered to the Russian Federation;

(b) Changing the period for using the foreign technical observation and monitoring facilities, their composition, completeness of equipment and positioning sites;

(c) Conducting an additional technical assessment of the foreign technical observation and monitoring facilities, taking into account the conditions for their positioning;

(d) The methods of processing and transmitting to the foreign party the results of the measurements and recording carried out;

e58. (e) The procedure for verifying the positioning and use of the foreign technical observation and monitoring facilities.

11. In order to carry out mandatory and additional technical assessments of foreign technical observation and monitoring facilities, the State Technical Commission of the President of the Russian Federation may set up inter-departmental expert groups with the participation on a contractual basis of specialized State and non-State organizations and independent exTJ0renent exTJ0

- (b) The information provided by an applicant does not correspond to the facts;
- (c) The conditions and requirements set forth in the evaluation have not been (are not being) fulfilled;
- (d) During a mandatory or additional technical assessment of foreign technical observation and monitoring facilities, capabilities and technical characteristics not indicated in the request are revealed.

14. An applicant who has received an evaluation must:

- (a) Comply with the international treaties of the Russian Federation, the requirements of the legislation of the Russian Federation and these Regulations;
- (b) Fulfil the conditions and requirements set forth in the evaluation;
- (c) Ensure unimpeded access on the part of the authorized officials of federal executive bodies monitoring compliance with these Regulations to the site where work is carried out and the results obtained during the implementation of international scientific and technological programmes (projects) are processed, and also to the foreign technical observation and monitoring facilities;
- (d) Carry out requests by the authorized officials of federal executive bodies monitoring compliance with these Regulations for the immediate halting of the use of foreign technical observation and monitoring facilities and also for the transmission to them of all research materials and results obtained during the use of foreign technical observation and monitoring facilities;
- (e) Not impede measures taken to ensure the security of the Russian Federation;
- (f) Dismantle foreign technical observation and monitoring facilities upon completion of the work provided for under the international scientific (technological) programme (project), if there is no agreement in this regard.

III. Positioning and use of foreign technical observation and monitoring facilities in the internal maritime waters, in the territorial sea, on the continental shelf and in the exclusive economic zone of the Russian Federation

15. The positioning and use of foreign technical observation and monitoring facilities in the internal maritime waters, in the territorial sea, on the continental shelf and in the exclusive economic zone of the Russian Federation shall be carried out in accordance with the legislation of the Russian Federation on marine scientific and marine resource research.

16. The federal executive bodies authorized under the legislation of the Russian Federation to issue permits to conduct marine scientific and marine resource research in the internal maritime waters, in the territorial sea, on the

A monitoring body which has taken a decision to prohibit the use of foreign technical observation and monitoring facilities in the territory of the Russian Federation shall notify the applicant and the State Technical Commission of the President of the Russian Federation of this in writing.

A decision on the resumption of work with the use of foreign technical observation and monitoring facilities shall be taken by the monitoring body in question after the violations have been rectified and the corresponding verification has been carried out. The monitoring body shall notify the applicant and the State Technical Commission of the President of the Russian Federation of this in writing.

Annex I to the Regulations on the positioning and use of foreign technical observation and monitoring facilities in the territory of the Russian Federation, on the continental shelf and in the exclusive economic zone of the Russian Federation

Request concerning the possibility of positioning and using foreign technical observation and monitoring facilities in the territory of the Russian Federation

1. Applicant (official designation, legal address, telephone number, telefax number, telex number, email address).
2. Reasons for carrying out the international scientific (technological) programme (project).
3. Description of the international scientific (technological) programme (project).
4. Participants in the international scientific (technological) programme (project):
 - (a) Data on Russian applicants and persons responsible for carrying out the international scientific (technological) programme (project);
 - (b) Data on foreign participants.
5. Justification of the need to position and use foreign technical observation and monitoring facilities in the territory of the Russian Federation.
6. Research programme:
 - (a) Title;
 - (b) Objective;
 - (c) Types of research (work), methods and procedure for conducting research.
7. Planned dates for beginning and concluding research (work) in the territory of the Russian Federation.
8. Sites for the planned positioning of foreign technical observation and monitoring facilities:
 - (a) Geographic coordinates (in degrees, minutes and seconds) or postal addresses;
 - (b) A detailed map of each region in which it is planned to position and use foreign technical observation and

- (f) Presence of cryptographic devices;
- (g) Need for participation by foreign specialists in the technical servicing of equipment;
- (h) Equipment for transmitting information received;
- (i) For automatic equipment: installation site (geographic coordinates including those in the 1942 coordinate system);
- (j) Dates (day, month, year) of installation and dismantling, period in operation.

Annex II to the Regulations on the positioning and use of foreign technical observation and monitoring facilities in the territory of the Russian Federation, on the continental shelf and in the exclusive economic zone of the Russian Federation

Evaluation by the State Technical Commission of the President of the Russian Federation concerning the possibility of positioning and using foreign technical observation and monitoring facilities in the territory of the Russian Federation

C. Bilateral treaties

1. Treaty concerning the Delimitation of the Maritime Boundary between the Republic of Equatorial Guinea and the Democratic Republic of Sao Tome and Principe, 26 June 1999²

The Republic of Equatorial Guinea and the Democratic Republic of Sao Tome and Principe, desiring to strengthen the ties of friendship and good relations that exist between the two States and peoples;

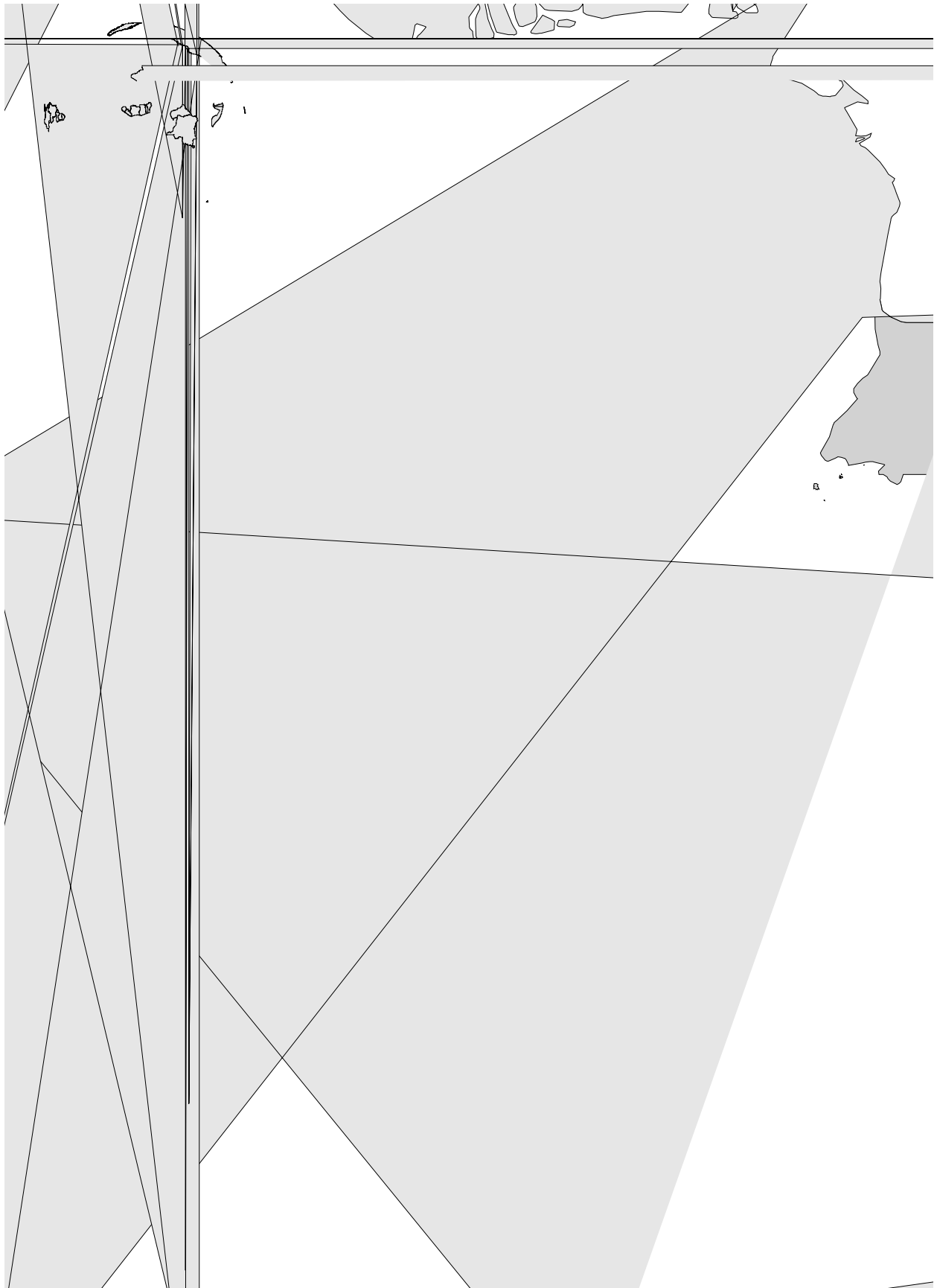
Taking into account the United Nations Convention on the Law of the Sea of 10 December 1982 and the relevant principles of general international law;

C. *Bilateral treaties*

(b) Between the Republic of Equatorial Guinea (Bioco Island — Rio Muni) and the Democratic Republic of Sao Tome and Principe (islands of Sao Tome and Principe)

<i>Point No.</i>	<i>Latitude</i>	<i>Longitude</i>
1	0°37'25"N	8°11'42"E
2	1°00'15"N	8°18'10"E
3	1°11'32.65"N	8°21'38.75"E
4	1°17'48"N	8°22'48"E
5	1°24'14"N	8°24'08"E
6	1°38'45"N	8°27'58"E
7	1°49'10"N	8°30'15"E
8	1°54'45"N	8°31'15"E
9	2°04'01.6"N	8°33'00.5"E
10	2°12'48"N	8°21'57"E
11	2°25'32"N	8°02'40"E
12	2°31'35.3"N	7°53'20.4"E
13	2°38'34"N	7°42'13"E
14	2°50'00"N	7°25'52"E
15	3°02'31.75"N	7°07'17.45"E

Article 3



Article 4

The line referred to in paragraph 2.1 of article 2 will be the maritime boundary between the areas referred to in article 1 in which the Parties exercise, or will exercise, in accordance with international law, any sovereign rights or jurisdiction.

Article 5

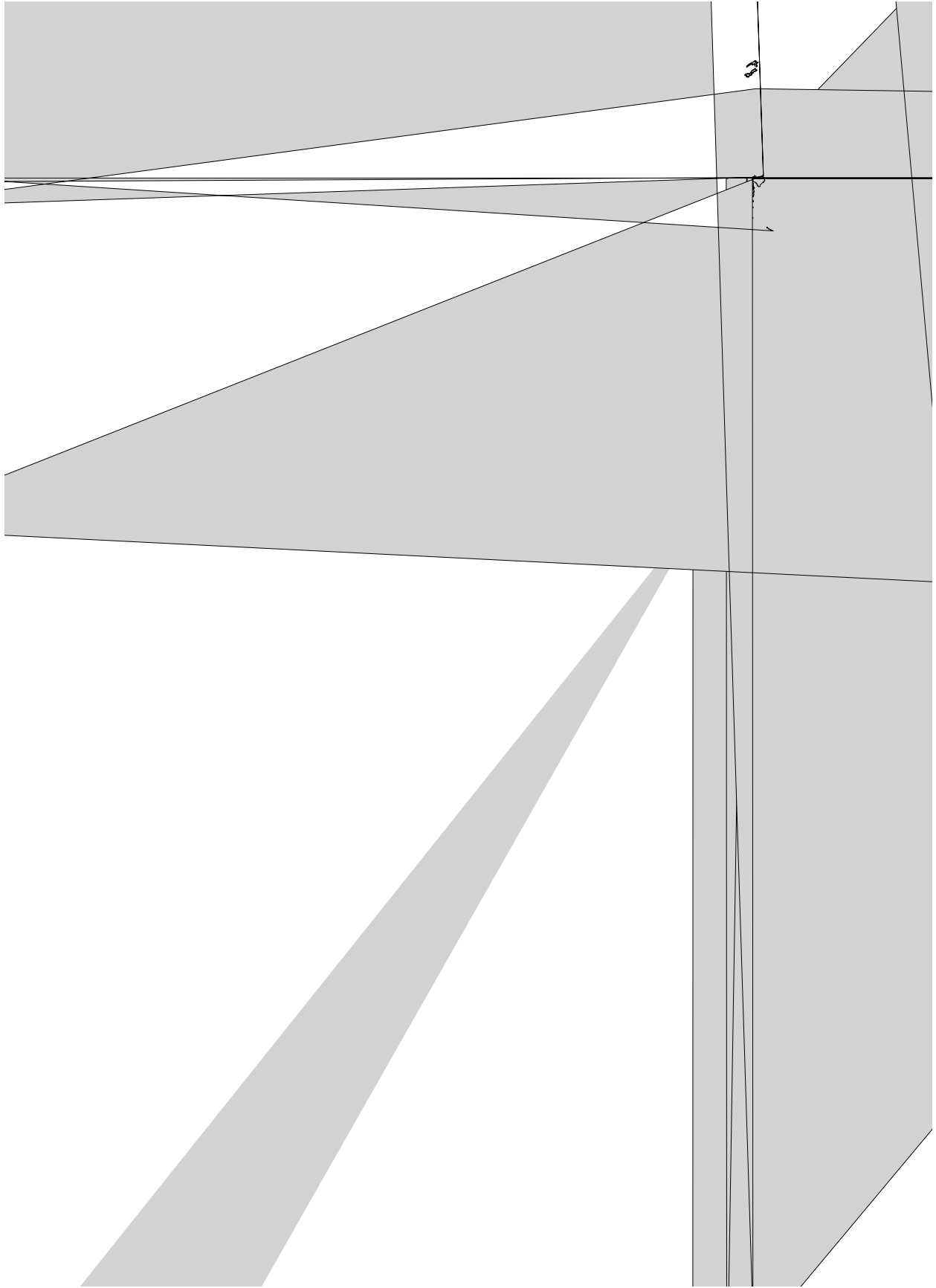
Any dispute arising between the Parties with respect to the interpretation or the application of this Agreement shall be resolved by peaceful means, in accordance with international law.

Article 6

This Agreement shall enter into force on the date of signature thereof.

IN WITNESS WHEREOF, the representatives of two Governments, being duly authorized for this purpose, have signed this Agreement and have affixed thereto their seals.

DONE at Victoria, Mahé, Seychelles, on 19 February 2001, in two originals, each in the French and English languages, the two texts being equally authoritative.



3. Memorandum of Understanding - Timor Sea Arrangement, 5 July 2001

Article 1. Definitions

For the purposes of this Arrangement:

(a) "Arrangement" means this Arrangement, including annexes A to F and any annexes subsequently agreed between East Timor and Australia;

(b) "Criminal law" means any law in force in East Timor and Australia, whether substantive or procedural, that makes provision for or in relation to offences or for or in relation to the investigation or prosecution of offences or the punishment of offenders, including the carrying out of a penalty imposed by a court. For this purpose, "investigation" includes entry to an installation or structure in the Joint Petroleum Development Area, the exercise of powers of search and questioning and the apprehension of a suspected offender;

(c) "Designated Authority" means the Designated Authority established in article 6 of this Arrangement;

(d) "Fiscal scheme" means a royalty, a Production Sharing Contract, or other scheme for determining East Timor's and Australia's share of petroleum or revenue from petroleum activities and does not include taxes referred to in article 5 (b) of this Arrangement;

(e) "Initially processed" means processing of petroleum to a point where it is ready for off-take from the production facility and may include such processes as the removal of water, volatiles and other impurities;

(f) "Joint Commission" means the East Timor-Australia Joint Commission established in article 6 of this Arrangement;

(g) "JPDA" means the Joint Petroleum Development Area referred to in article 3 of this Arrangement;

(h) "Ministerial Council" means the East Timor-Australia Ministerial Council established in article 6 of this Arrangement;

(i) "Petroleum" means:

(i) Any naturally occurring hydrocarbon, whether in a gaseous, liquid, or solid state;

(ii) Any naturally occurring mixture of hydrocarbons, whether in a gaseous, liquid or solid state; or

(iii) Any naturally occurring mixture of one or more hydrocarbons, whether in a gaseous, liquid or solid state, as well as other substances produced in association with such hydrocarbons;

and includes any petroleum as defined by subparagraphs (i), (ii) or (iii) that has been returned to a natural reservoir;

(j) "Petroleum activities" means all activities undertaken to produce petroleum, authorized or contemplated under a contract, permit or licence, and includes exploration, development, initial processing, production, transportation and marketing, as well as the planning and preparation for such activities;

Article 2. Without prejudice

(a) This Arrangement gives effect to international law as reflected in the United Nations Convention on the Law of the Sea, which under article 83 requires States with opposite or adjacent coasts to make every effort to enter into provisional arrangements of a practical nature pending agreement on the final delimitation of the continental shelf between them in a manner consistent with international law. This Arrangement is intended to adhere to such obligation.

(b) Nothing contained in this Arrangement and no acts taking place while this Arrangement is in force shall be interpreted as prejudicing or affecting East Timor's or Australia's position on or rights relating to a seabed delimitation or their respective seabed entitlements.

Article 3. Joint Petroleum Development Area

(a) The Joint Petroleum Development Area (JPDA) is established. It is the area in the Timor Sea contained within the lines described in annex A.

(b) East Timor and Australia shall jointly control, manage and facilitate the exploration, development and exploitation of the petrol thlommoealia shall -11(ectin)6.9(g)6er9-9.7(o el4.6(thlo)p)-4.9(m)mo ealia shall -11(ectintio)-5.9(n)6.11p

(iv) If East Timor and Australia agree on a joint fiscal scheme pursuant to this article, neither East Timor nor Australia may during the life of the project vary that scheme except by mutual agreement between East Timor and Australia.

(b) Consistent with the formula contained in article 4 of this Arrangement, East Timor and Australia may, in accordance with its own law and a taxation code if any, impose taxes on its share of the revenue from petroleum

(1) Shall be exempt from taxation of salaries, allowances and other emoluments paid to them by the Designated Authority in connection with their service with the Designated Authority other than taxation under the law of East Timor or Australia in which they are deemed to be resident for taxation purposes; and

(2) Shall, at the time of first taking up the post with the Designated Authority located in either East Timor or Australia in which they are not resident, be exempt from customs duties and other such charges (except payments for services) in respect of imports of furniture and other household and personal effects in their ownership or possession or

(g) Petroleum from the JPDA and from fields which straddle the boundaries of the JPDA will at all times have priority of carriage along any pipeline carrying petroleum from and within the JPDA.

(h) There shall be open access to pipelines for petroleum from the JPDA. The open access arrangements shall be in accordance with good international regulatory practice. If East Timor has jurisdiction over the pipeline, it will consult with Australia over access to the pipeline. If Australia has jurisdiction over the pipeline, it will consult with East Timor over access to the pipeline.

Article 9. Unitization

(a) Any reservoir of petroleum that extends across the boundary of the JPDA shall be treated as a single entity for management and development purposes.

(b) East Timor and Australia shall work expeditiously and in good faith to reach agreement on the manner in which the deposit will be most effectively exploited and on the equitable sharing of the benefits arising from such exploitation.

Article 10. Marine environment

(a) East Timor and Australia shall cooperate to protect the marine environment of the JPDA so as to prevent and minimize pollution and other environmental harm from petroleum activities. Special efforts shall be made to protect marine animals, including marine mammals, seabirds, fish and coral. East Timor and Australia shall consult as to the best means to protect the marine environment of the JPDA from the harmful consequences of petroleum activities.

(b) Where pollution of the marine environment occurring in the JPDA spreads beyond the JPDA, East Timor and Australia shall cooperate in taking action to prevent, mitigate and eliminate such pollution.

(c) The Designated Authority shall issue regulations to protect the marine environment in the JPDA. It shall establish a contingency plan for combating pollution from petroleum activities in the JPDA.

(d) Limited liability corporations or limited liability entities shall be liable for damage or expenses incurred as a result of pollution of the marine environment arising out of petroleum activities within the JPDA in accordance with:

(i) Their contract, licence or permit or other form of authority issued pursuant to this Arrangement; and

(ii) The law of the jurisdiction (East Timor or Australia) in which the claim is brought.

Article 11. Employment

(a) East Timor and Australia shall:

(i) Take appropriate measures with due regard to occupational health and safety requirements to ensure that preference is given in employment in the JPDA to nationals or permanent residents of East Timor; and

(ii) Facilitate, as a matter of priority, training and employment opportunities for East Timorese nationals and permanent residents.

(b) Australia will expedite and facilitate the processing of applications for visas through Australia's Mission in Dili by East Timorese nationals and permanent residents employed by limited liability corporations or limited liability entities in Australia associated with petroleum activities in the JPDA.

Article 12. Health and safety for workers

The Designated Authority shall develop, and limited liability corporations or limited liability entities shall apply, occupational health and safety standards and procedures for persons employed on structures in the JPDA that are no less effective than those standards and procedures that would apply to persons employed on similar structures in East Timor and Australia. The Designated Authority may adopt, consistent with this article, standards and procedures taking into account an existing system established under the law of either East Timor or Australia.

Article 13. Application of taxation law

(a) For the purposes of taxation law related directly or indirectly to:

(i) The exploration for or the exploitation of petroleum in the JPDA; or

(ii) Acts, matters, circumstances and things touching, concerning, arising out of or connected with such exploration and exploitation,

the JPDA shall be deemed to be, and treated by, East Timor and Australia, as part of that country.

(b) East Timor and Australia shall negotiate an agreed code to provide relief from double taxation relating to petroleum activities.

(c) In the event East Timor and Australia are unable to conclude a double taxation code by the date of entry into force of this Arrangement, the Minister(e)-7.7.2(i)-58(f)1.tsiment,2(i)4(ngec.9(em)28(2p)3.3(TBC9(e4(nge(a)0.)-18.2(5.1(n(hi)-52

(f) Both East Timor and Australia recognize the interest of the other country where a victim of an alleged offence is a national of that other country and shall keep that other country informed, to the extent permitted by its law, of action being taken with regard to the alleged offence.

(g) East Timor and Australia may make arrangements permitting officials of one country to assist in the enforcement of the criminal law of the other country. Where such assistance involves the detention of a person who under paragraph (a) is subject to the jurisdiction of the other country, that detention may only continue until it is practicable to hand the person over to the relevant officials of that other country.

Article 15. Customs, quarantine and migration

(a) East Timor and Australia may, subject to paragraphs (c), (e), (f) and (g), apply customs, migration and quarantine laws to persons, equipment and goods entering its territory from, or leaving its territory for, the JPDA. East Timor and Australia may adopt arrangements to facilitate such entry and departure.

(b) Limited liability corporations or other limited liability entities shall ensure, unless otherwise authorized by East Timor or Australia, that persons, equipment and goods do not enter structures in the JPDA without first entering East Timor or Australia, and that their employees and the employees of their subcontractors are authorized by the Designated Authority to enter the JPDA.

(c) Either country may request consultations with the other country in relation to the entry of particular persons, equipment and goods to structures in the JPDA aimed at controlling the movement of such persons, equipment or goods.

(d) Nothing in this article prejudices the right of either East Timor or Australia to apply customs, migration and quarantine controls to persons, equipment and goods entering the JPDA without the authority of either country. East Timor and Australia may adopt arrangements to coordinate the exercise of such rights.

(e) Goods and equipment entering the JPDA for purposes related to petroleum activities shall not be subject to customs duties.

(f) Goods and equipment leaving or in transit through either East Timor or Australia for the purpose of entering the JPDA for purposes related to petroleum activities shall not be subject to customs duties.

(g) Goods and equipment leaving the JPDA for the purpose of being permanently transferred to a part of either East Timor or Australia may be subject to customs duties of that country.

Article 16. Hydrographic and seismic surveys

(a) East Timor and Australia shall have the right to carry out hydrographic surveys to facilitate petroleum activities in the JPDA. East Timor and Australia shall cooperate on:

- (i) The conduct of such surveys, including the provision of necessary on-shore facilities;
and
- (ii) Exchanging hydrographic information relevant to petroleum activities in the JPDA.

(b) For the purposes of this Arrangement, East Timor and Australia shall cooperate in facilitating the conduct of seismic surveys in the JPDA, including in the provision of necessary on-shore facilities.

(b) Any dispute which is not settled in the manner set out in paragraph (a) and any unresolved matter relating to the operation of this Arrangement under article 6(d)(ii) shall, at the request of either East Timor or Australia, be submitted to an arbitral tribunal in accordance with the procedure set out in annex B.

Article 24. Amendment

This Arrangement may be amended at any time by written agreement between East Timor and Australia.

Article 25. Entry into force

This Arrangement shall enter into force thirty (30) days after the date on which East Timor and Australia have notified each other in writing that their respective requirements for entry into force of this Arrangement have been complied with.

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

DONE at Dili, on this fifth day of July 2001 in two originals in the English language.

For the Government of Australia

For the Government of East Timor

**Annex A under article 3 of this Arrangement
Designation and Description of the JPDA**

NOTE

Where for the purposes of the Arrangement it is necessary to determine the position on the surface of the Earth of a point, line or area, that position will be determined by reference to the Australian Geodetic Datum, that is to say, by reference to a spheroid having its centre at the centre of the Earth and a major (equatorial) radius of 6,378,160 metres and a flattening of 1/298.25 and by reference to the position of the Johnston Geodetic Station in the Northern Territory of Australia. That station shall be taken to be situated at Latitude 25°56'54.5515" South and at Longitude 133°12'30.0771" East and to have a ground level of 571.2 metres above the spheroid referred to above.

THE AREA

The area bounded by the line-

**Annex B under article 23 of this Arrangement
Dispute Resolution Procedure**

(a) An arbitral tribunal to which a dispute is submitted pursuant to article 23 (b) shall consist of three persons appointed as follows:

- (i) East Timor and Australia shall each appoint one arbitrator;
- (ii) The arbitrators appointed by East Timor and Australia shall, within sixty (60) days of the

**Annex C under article 6(b)(v) of this Arrangement
Powers and Functions of the Designated Authority**

The powers and functions of the Designated Authority include:

- (a) Day-to-day management and regulation of petroleum activities in accordance with this Arrangement and any instruments made or entered into under this Arrangement, including directions given by the Joint Commission;
- (b) Preparation of annual estimates of income and expenditure of the Designated Authority for submission

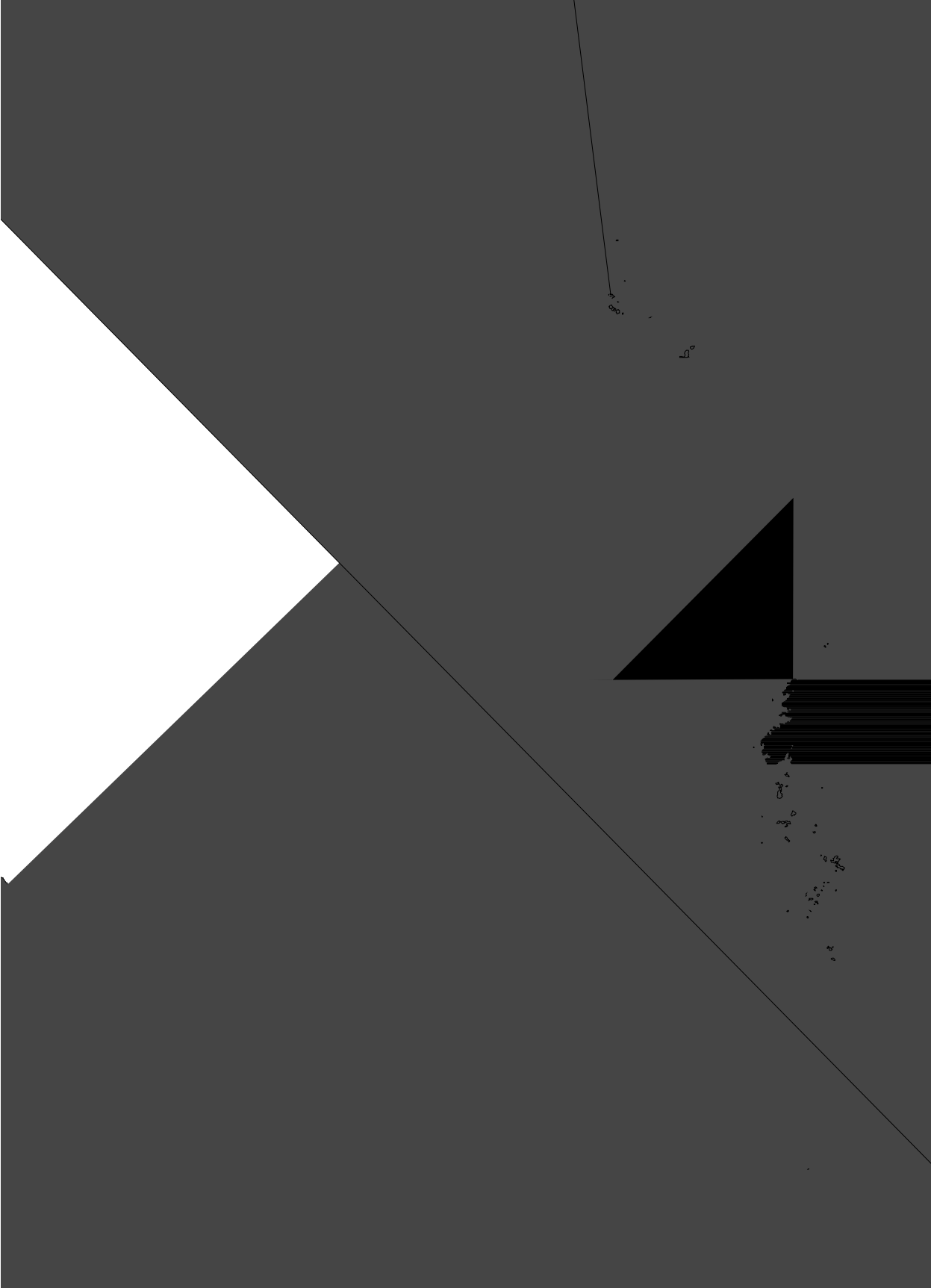
**Annex D under article 6(c)(ii) of this Arrangement
Powers and Functions of the Joint Commission**

1. The powers and functions of the Joint Commission shall include:
 - (a) Giving directions to the Designated Authority on the discharge of its powers and functions;
 - (b) Conferring additional powers and functions on the Designated Authority;
 - (c) Adopting an interim Petroleum Mining Code pursuant to article 7(b) of the Arrangement, if necessary;
 - (d) Approving financial estimates of income and expenditure of the Designated Authority;
 - (e) Approving rules, regulations and procedures for the effective functioning of the Designated Authority;
 - (f) Designating the Designated Authority for the period referred to in article 6(b)(i);
 - (g) At the request of a member of the Joint Commission inspecting and auditing the Designated Authority's books and accounts or arranging for such an audit and inspection;
 - (h) Approving the result of inspections and audits of contractors' books and accounts conducted by the Joint Commission;
 - (i) Considering and adopting the annual report of the Designated Authority;
 - (j) Of its own volition or on recommendation by the Designated Authority, in a manner not inconsistent with the objectives of this Arrangement amending the Petroleum Mining Code to facilitate petroleum activities in the JPDA;
2. The Joint Commission will exercise its powers and functions for the benefit of the peoples of East Timor and Australia having regard to good oilfield, processing, transport and environmental practice.

**Annex E under article 9(b) of this Arrangement
Unitization of Greater Sunrise**

(a) East Timor and Australia agree to unitize the Sunrise and Troubadour deposits (collectively known as "Greater Sunrise") on the basis that 20 per cent of Greater Sunrise lies within the JPDA. Production from Greater Sunrise shall be distributed on the basis that 20 per cent is attributed to the JPDA and 80 per cent is attributed to Australia.

(b) Either East Timor or Australia may request a review of the production-sharing formula. Following such a review, the production-sharing formula may be altered by agreement between East Timor and Australia.



D. Other documents

Reykjavik Declaration on Responsible Fisheries in the Marine Ecosystem , 4 October 2001³

Having met at the Reykjavik Conference on Responsible Fisheries in the Marine Ecosystem from 1 to 4 October 2001,

Appreciating the initiative taken by the Government of Iceland and the Food and Agriculture Organization of the United Nations (FAO) to organize the Conference with the co-sponsorship of the Government of Norway,

Recalling that this initiative was endorsed at the Twenty-fourth Session of the FAO Committee on Fisheries (26 February - 2 March 2001) and at the One Hundred and Twentieth Session of the FAO Council (June 2001),

Reaffirming

Affirming that incorporation of ecosystem considerations implies more effective conservation of the ecosystem and sustainable use and an increased attention to interactions, such as predator-prey relationships, among different stocks and species of living marine resources; furthermore that it entails an understanding of the impact of human activities on the ecosystem, including the possible structural distortions they can cause in the ecosystem,

Recognizing the need to strengthen and sustain management capacity, including scientific, legal and institutional frameworks, with the aim of incorporating, among other things, ecosystem considerations,

Emphasizing that the scientific basis for including ecosystem considerations in fisheries management needs further development and that there is incomplete scientific knowledge about the structure, functioning, components and properties of the ecosystem as well as about the ecological impact of fishing,

Recognizing that certain non-fishery activities have an impact on the marine ecosystem and have

III. OTHER INFORMATION

A. Lists of conciliators and arbitrators nominated under article 2 of Annexes V and VII to the Convention

1. List of conciliators nominated under article 2 of Annex V to the Convention

State Party	Conciliators - Nominations	Date of deposit of notification with the Secretary-General
Brazil	Walter de Sá Leitão	10 September 2001
Chile	Helmut Brunner Nöer Rodrigo Díaz Albónico Carlos Martínez Sotomayor Eduardo Vío Grossi	18 November 1998
Costa Rica	Lic. Carlos Fernando Alvarado Valverde	15 March 2000
Czech Republic	Dr. Vladimír Kopal	18 December 1996
Finland	Professor Kari Hakapää Professor Martti Koskenniemi Justice Gustav Möller Justice Pekka Vihervuori	25 May 2001
Indonesia	Prof. Dr. Hasjim Djalal, M.A Dr. Etty Roesmaryati Agoes, SH, LL.M. Dr. Sudirman Saad, D.H., M.Hum Lieutenant Commander Kresno Bruntoro, SH, LL.M	3 August 2001
Italy	Ambassador Luigi Vittorio Ferraris Ambassador Giuseppe Jacoangeli Professor Umberto Leanza	23 September 1999
Norway	Mr. Carsten Smith, President of the Supreme Court Ms. Karin Bruzelius, Supreme Court Judge	

State Party	Arbitrators - Nominations	Date of deposit of notification with the Secretary-General
Norway	Mr. Carsten Smith, President of the Supreme Court Ms. Karin Bruzelius, Supreme Court Judge Mr. Hans Wilhelm Longva, Director General, Department of Legal Affairs, Ministry of Foreign Affairs Ambassador Per Tresselt	22 November 1999
Russian Federation	Vladimir S. Kotliar Vladimir N. Trofimov	27 May 1997
	Professor Kamil A. Bekyashev	4 March 1998
Spain	D. José Antonio de Yturriaga Barberan	23 June 1999
Sri Lanka	Hon. M. S. Aziz, P.C. S. Sivarasan, P.C. (Prof.) Dr. C. F. Amerasinghe A. R. Perera	17 January 1996
Sudan	Sayed/Shawgi Hussain Dr. Ahmed Elmufti	8 September 1995
United Kingdom of Great Britain and Northern Ireland	Professor Christopher Greenwood Professor Elihu Lauterpacht CBE QC Sir Arthur Watts KCMG QC	19 February 1998

B. Lists of experts for the purposes of article 2 of Annex VIII (Special Arbitration) to the Convention

Article 2 of Annex VIII reads as follows:

Article 2
Lists of experts

1. A list of experts shall be established and maintained in respect of each of the fields of (1) fisheries, (2) protection and preservation of the marine environment, (3) marine scientific research, and (4) navigation, including pollution from vessels and by dumping.
2. The lists of experts shall be drawn up and maintained, in the field of fisheries by the Food and Agriculture Organization of the United Nations, in the field of protection and preservation of

State Party	Nominations
Democratic Republic of the Congo	Mr. Sayeman Bula-Bula, Professeur de droit de la mer, Université de Kinshasa

2. List of experts in the field of protection and preservation of the marine environment maintained by

State Party	Experts nominated	Designation
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State Party	Experts nominated	Designation
France <u>4/</u>	Mr. Jean-Claude Chauvin	National Museum of Natural History
	Mr. Michel Girin	Director of CEDRE
Gambia <u>5/</u>	Ms. Ndey Isatou Njie	Executive Director, National Environment Agency
	Ms. Isatou Sissoho	Principal Scientific Officer, Department of Water Resources

State Party	Experts nominated	Designation
Georgia ^{6/}	Mr. Grigori Abramia	Manager, Black Sea Protection Conventional Service
	Mr. Tengiz Gogotishvili	Head, Batumi Marine Inspection, Long Voyage Navigator
Greece	Capt. Andreas Suriggos	Director, Department of Protection of the Marine Environment, Ministry of Mercantile Marine
	Lieut. Ilias Sampatakis	Deputy-Director, Department of Protection of the Marine Environment, Ministry of Mercantile Marine
Guinea	Mr. Mamadou S. Diallo	Conseiller chargé de l'Environnement, Ministère de l'Équipement
	Mr. Richard Théophile	Chef de la Section Milieu Marin et Côtier à la Direction Nationale de l'Environnement
India ^{7/}	Dr. P.P. Ouseph	Scientist, CESS, Trivandrum, Kerala
	Shri T. Venugopal	Punjab State Council for Science and Technology, Chandigarh
	Dr. Erinjery Joseph James	Executive Director, Kozhikode, Kerala
	Dr. M. Baba	CESS, Trivandrum, Kerala

^{6/} Fisheries experts:

Mr. Giorgi Bitadze, Biologist (ichthologist) and Agronomist;

Mr. Akaki Komakhidze, Biologist.

Marine scientific research experts:

Mr. Nikoloz Mazmanidi, Ph.D in Biology;

Mr. Irakli Khomeriki, Local Head of the World Oceanographical Society, Ph.D.

Navigation experts:

Ilia Stepanishvilli, Head of the Black Sea Protection Conventional Service,

Captain of Long Voyage;

Regenald Dekanozov, Marine Lawyer.

^{7/} Fisheries experts:

Dr. Y.S. Yadava, Fisheries Development Commissioner, Department of Agriculture and Cooperation, Ministry of Agriculture;

Dr. P.K. Surendran, Principal Scientist and Head, Microbiology Fermentation and Biotechnology Section;

Dr. V.K. Pillai, Senior Scientist, Cochin, Central marine Fisheries Research Institute;

Dr. P.G. Viswanathan Nair, Principal Scientist, D.I.F.T., Cochin.

State Party	Experts nominated	Designation
India (cont.)	Narinder Singhu Tiwana	Administrator, Punjab Pollution Control Board and Executive Director, Punjab State Council for Science and Technology, Chandigarh
	Dr. (Mrs.) K. N. Remani	Director, Environment, Punjab State Council for Science and Technology, Chandigarh
Italy	Prof. Roberto Adam	Professor at the University of Macerata
	Dr. Aldo Manos	Senior Consultant on international environmental matters, Venice
Kuwait	Capt. Ali Abas Haider	Director, Marine Pollution Monitoring Department
Lebanon	Mr. Hiratish Kumijian	§
	Ms. Marie Abboud Saab	
Mauritius	Mr. Etienne Sinatambou	Senior State Counsel, Attorney General's Office
Mexico	Dr. Guillermo Compean Jiménez	Biologist
	Dr. Gerardo Gold Bouchot	Marine Scientist

Ms. G. Dagvadorj

Senior Officer, Ministry for Nature and Environment

State Party	Experts nominated	Designation
Pakistan 9/	Dr. Syed M. Hussain	Professor, Centre of Excellence in Marine Biology, Karachi
	Dr. Pirzada U. Siddiqui	Assistant Professor, Centre of Excellence in Marine Biology, Karachi
Philippines	Mr. Antonio La Vina	Under-Secretary for Legal and Legislative Affairs, Department of Environment and Natural Resources
	Dr. Marie A. Meñez	Assistant Professor in Marine Science, University of Rhode Island
	Dr. Gil Jacinto	Associate Professor in Marine Science, University of Liverpool
Republic of Korea	Prof. Chu-Hwan Koh	Professor of Marine Biology, Department of Oceanography, Seoul National University
	Prof. Kwang-Woo Lee	Professor of Chemical Oceanography, College of Natural Sciences, Hanyang University
Russian Federation	Yurdi Yudinsev	Deputy Minister, Ministry of Protection of the Environment and Natural Resources
Saint Lucia	Mr. Cletus Springer	Permanent Secretary, Ministry of Planning, Development and Environment
	Mr. Horace Walter	Chief Fisheries Officer, Ministry of Agriculture, Lands, Fisheries and Forestry

^{9/} Navigation experts:

Capt. Momood Ali Yusuf - Pakistan Marine Academy;

Capt. Nasim Tariq - Pakistan National Shipping Corporation.

Fisheries experts:

Mr. Mohammed Moazzam Khan - Marine Fisheries Department;

Mr. Jameel Ahmed - Ministry of Food and Agriculture.

Marine scientific research experts:

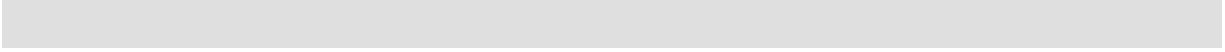
Dr. Rukksana Anjum - Ministry of Food and Agriculture;

Dr. Naurren Aziz Qureshi - Centre of Marine Biology.

State Party	Experts nominated	Designation
Samoa <u>10/</u>	Mrs. F. Tuimalealiifano	Director, Department of Lands, Surveys and Environment
	Mr. Sailimalo P. Liu	Assistant-Director, Department of Lands, Surveys and Environment
	Mr. Lui Bell	Principal Fisheries Officer, Department of Agriculture, Forestry, Fisheries and Meteorology
Senegal	Mr. Hadji Salif Diop	Spécialiste sur les questions marines et côtières, Ministère de l'Environnement et de la Protection de la Nature
	Mr. John Collie	Acting Director, Division of Environment, Ministry of Foreign Affairs, Planning and Environment

3. List of experts in the field of marine scientific research maintained by the Intergovernmental Oceanographic Commission of UNESCO
(communicated on 26 July 2000)

ARGENTINA	
Vicealmirante Alfredo A. Yung	Capitán de Navío Osvaldo P. Astiz Dirección de Límites, Ministerio de Relaciones Exteriores, Comercio Internacional y Culto



INDIA	
Dr. M. D. Zingde Scientist-in-Charge, Regional Centre of National Institute of Oceanography	Dr. B.R. Subramanian Project Director, Directorate, Department of Ocean Development, Intergrated Coastal and Marine Area Management (ICMAM)
ITALY	

MOZAMBIQUE	
Mr. Adriano Macia Marine Ecology	Mr. Domingos Gove Mr. John Hatton Resource Management and Dynamics of Mangais (coastal plants) Mr. Salomao Bandeira
NETHERLANDS	

Professor A.H.A. **Soons**
Institute for Coastal and Estuarine Studies
Mangrove Research Group
P.O. Box 4500
2000 CA Amsterdam, The Netherlands
Tel: +31 (0)20 485 2811
Fax: +31 (0)20 485 2812
E-mail: a.h.a.soons@wur.nl

SPAIN	
D. Carlos Palomo Instituto Español de Oceanografía	
SUDAN	
Dr. Abdel Gadir D. El Hag Director, Red Sea University, Port Sudan	Dr. Dinar H. Nasr Faculty of Marine Science and Fisheries, Port Sudan
TUNISIA	
Prof. Ktari Mohamed Hedi Président, Université de Sfax	Prof. El Abed Amor Directeur Général Institut National Scientifique et Technique d'Océanographie et de Pêche, Salammbô
UKRAINE	
Prof. Valeri Eremeev Marine Hydrophysical Institute, National Academy of Sciences of Ukraine, Sebastopol	Prof. Yuri Shemshuchenko Director, Institute of State and Law, National Academy of Sciences of Ukraine, Kiev
UNITED KINGDOM	
Dr. Mike Heath	
URUGUAY	
Capitán de Navío Ricardo Dupont Rodriguez	

4. List of experts in the field of navigation, including pollution from vessels and by dumping, maintained by the International Maritime Organization (communicated on 2 July 1999)

State Party	Nominations
Argentina	Capitan de Corbeta Auditor Guillermo Bartoletti
Bahrain	Mr. Abdulmonem Mohamed Janahi Mr. Sanad Rashid Sanad
Belgium	M. Ronald Carly, Conseiller-adjoint, Juriste spécialisé dans le droit maritime M. Jean-Claude De Baere, Commissaire maritime spécialisé dans les matières relevant de la Convention MARPOL, Ministry of Communications and Infrastructure
Bolivia	T.N. Hugo Méndez Queirolo Dr. Guey Andrade Morales, Asesor Jurídico de la Subsecretaría de Intereses Marítimos del Ministerio de Defensa Nacional
Cameroon	Mr. Ekoumoj Dimi Dieudonne Mr. Nsaikai Athanasius Responsables de la sécurité maritime à la direction de la marine marchande
Chile	CF LT Sr. Emilio León Hoffman, Jefe Centro Nacional de Combate a la Contaminación, Armada de Chile CC LT Sr. Oscar Tapia Zúñiga, Jefe División de Navegación y Maniobras del Servicio Inspección de Naves, Armada de Chile
China	Mr. Zhong Boyuan, Former Director-General of Tianjin Harbour Superintendency, Senior engineer and leading captain Mr. Shi Zhuanghui, Captain of the 361672160431 (m) (Group) in the Armada de Chile

