

LAW OF THE SEA
BULLETIN

DECEMBER 1981

SEA · LF

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

A. Status of the United Nations Convention on the Law of the Sea

1. Alphabetical list of States which have ratified, acceded or succeeded to the United Nations Convention on the Law of the Sea

	Date of ratification/ accession <u>a/</u>
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State/Entity	Date of ratification/ accession <u>a</u> / succession <u>s</u> /
Guinea	6 September 1985
Guinea-Bissau	25 August 1986
Guyana	16 November 1993

State/Entity	Date of ratification/ accession <u>a</u> / succession <u>g</u> /
Sudan	23 January 1985
Republic of Macedonia	10 August 1994

Togo

16 April 1985

21 April 1985

[Original: French] h]
[22 February 1994]

In that declaration articles 74 and 83 of the Convention are interpreted to mean that, in the

to the implementation of Part XI of
UNCLOS

Provisional
application

Ratification /
accession ^{a/} /
participation ^{b/}

No

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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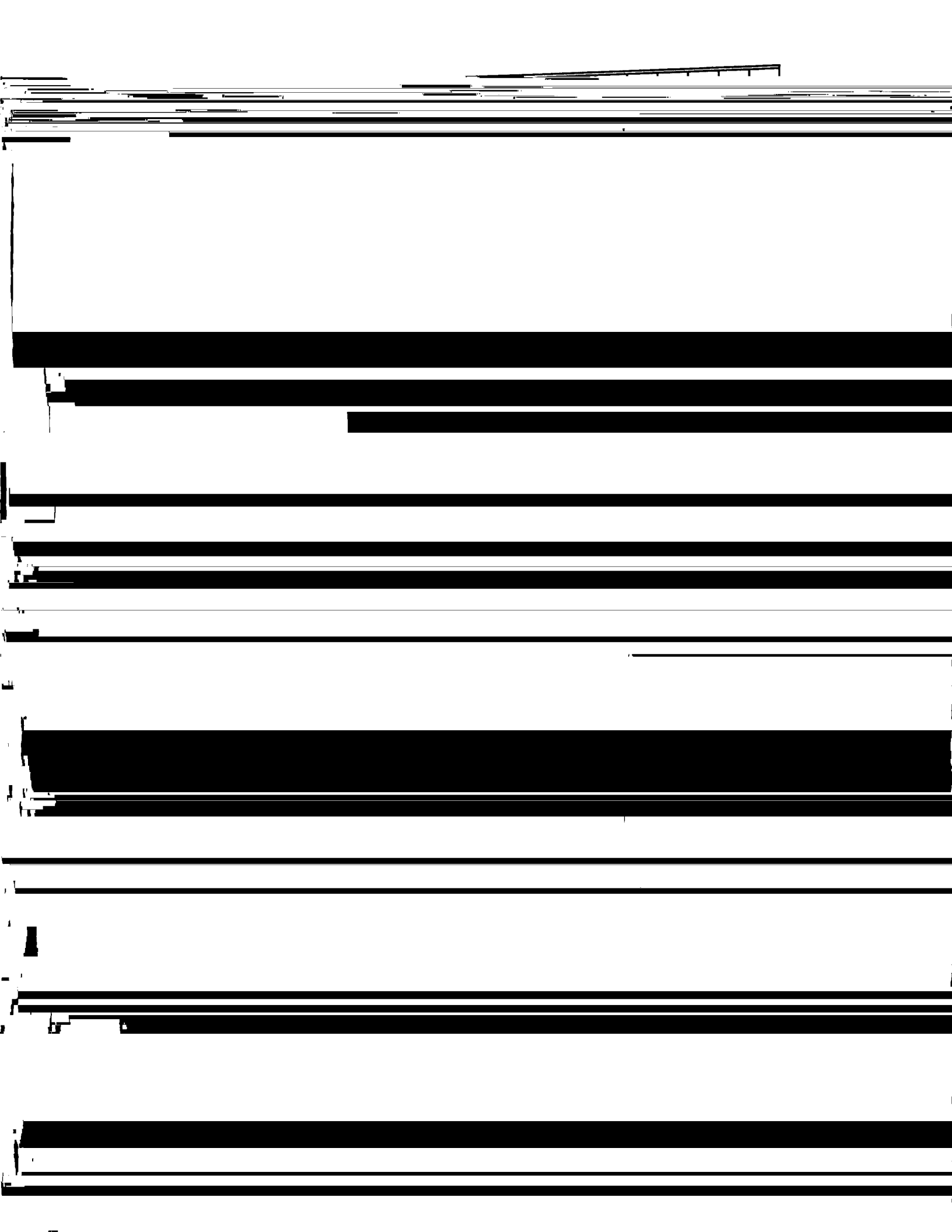
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General Assembly - resolution 48/263 note/Co-sponsorship	Agreement relating to the implementation of Part XI of UNCLOS		
	Signature 2/	Provisional application	Ratification / accession 2/ / participation 2/
Co-sponsor	29 July 1994 +		
Co-sponsor	29 July 1994		
/Co-sponsor			
/Co-sponsor	10 August 1994		
/Co-sponsor	29 July 1994		
/Co-sponsor			
/Co-sponsor			
/Co-sponsor	29 July 1994 +	Upon notification	

Implementation of Part XI of

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Ratification /
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NOTES

^{1/} * States which have signed the United Nations Convention on the Law of the Sea

^{2/} + States which have signed the Agreement "subject to ratification"

^{3/} Non-member State of the United Nations.

^{4/} Non-member State of the United Nations, became independent as of 1 October 1994.

^{5/} State which has signed the Agreement and selected the application of the simplified procedure set out in article 5.

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

A. Recent national legislation received from Governments

1. Canada

(a) Notification in relation to the compulsory jurisdiction of the
International Court of Justice, 10 May 1994

On behalf of the Government of Canada,

(1) I give notice that I hereby terminate the acceptance by Canada of the compulsory jurisdiction of
the International Court of Justice hitherto effective by virtue of the declaration made on

(2) I declare that the Government of Canada accepts as compulsory ipso facto and without special
convention, on condition of reciprocity, the jurisdiction of the International Court of Justice, in

(b) An Act to amend the Coastal Fisheries Protection Act

1. Section 2 of the Coastal Fisheries Protection Act is amended by adding the following in alphabetical order:

"NAFO Regulatory Area' means that part of the following area, being the Convention Area of the Northwest Atlantic Fisheries Organization, that is on the high seas:

- (a) the waters of the Northwest Atlantic Ocean north of 35°00' north latitude and west of a line extending due north from 35°00' north latitude and 42°00' west longitude to 59°00' north

- (h) the waters of the Gulf of St. Lawrence, Davis Strait and Baffin Bay south of 72°10' north

"(b) prescribing any class of foreign fishing vessel for the purposes of section 5.2;

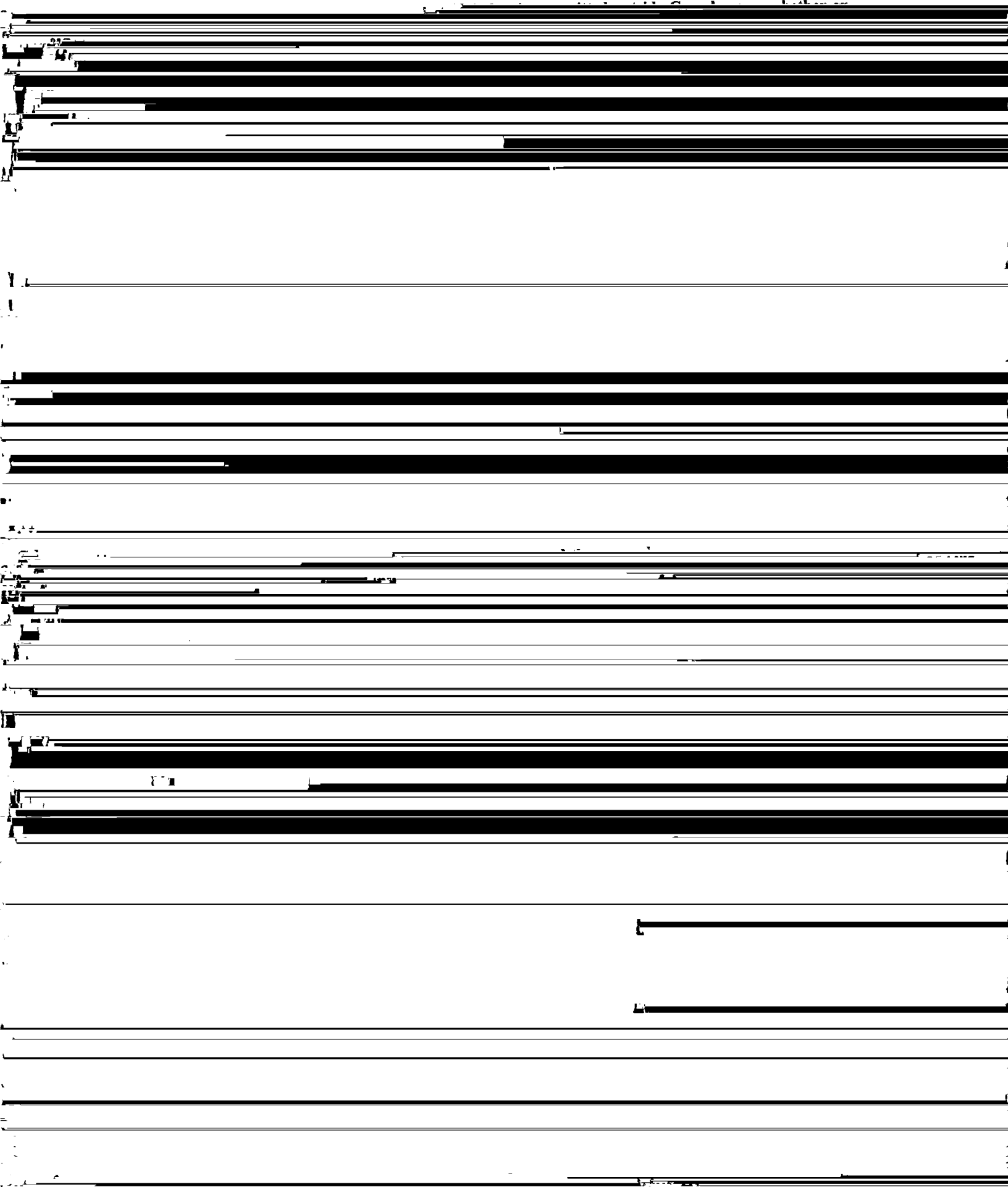
Section 5.2 of the Fisheries Act

Section 5.2 of the Fisheries Act

"(b) believes on reasonable grounds that the force is necessary for the purpose of arresting _____

6. (1) The portion of subsection 18 (1) of the Act before paragraph (a) is replaced by the following:

"18 (1) Every person who contravenes subsection 14 (1) or (2) _____



2. Cape Verde

Law No. 60/IV/02 delimiting the maritime areas of the Republic of Cape Verde and providing

Decree-Law No. 126/77 and all legal provisions which contravene this law

Considering the need to safeguard the fundamental interests of the nation with regard to the living and non-living resources of the maritime areas of the Republic of Cape Verde,

Considering the importance of maritime activities for the national economy and development,

(b) The superjacent airspace and the bed and subsoil of the corresponding sea;

(c) The living and non-living resources in these waters.

Article 4

_____ with its multiple-parallel draw baselines for the delimitation

Article 5

Article 11

In its contiguous zone the Republic of Cape Verde shall exercise the control necessary to prevent and punish infringements committed in its territory, internal waters, archipelagic waters and territorial sea, to

its customs, fiscal, health and emigration laws and regulations.

CHAPTER V

Exclusive economic zone

Article 12

The exclusive economic zone of the Republic of Cape Verde shall include the maritime zone whose

to a line in which each point is at a distance of 200 miles from the nearest point of the baseline from which the breadth of the territorial sea is measured.

In the exercise of the freedoms referred to in article 14, any unauthorized fishing or exploration

activity as well as any activity which causes pollution or is prejudicial to the marine environment or to

the natural resources of the exclusive economic zone, or to the economic interests of the Republic of Cape Verde, shall be prohibited.

CHAPTER VI
Continental shelf

Article 17

The continental shelf of the Republic of Cape Verde shall comprise the seabed and subsoil of the submarine areas that extend beyond the territorial sea up to a distance of 200 nautical miles from the baselines referred to in article 24.

Article 18

On its continental shelf the Republic of Cape Verde shall exercise sovereign rights for the purpose of

exploring and exploiting its natural resources, both living and non-living.

- (e) Scientific marine research;
- (f) Sea lanes in the archipelagic waters;
- (g) Drilling on the continental shelf;
- (h) Contiguous zones;
- (i) Exercise of the right of innocent passage by foreign ships in the archipelagic waters and to it

Article 23

The competent national authorities shall make provision for the conservation and sound management

Point	Latitude N	Longitude W	Observ.
M-Pta Espechim	16° 40' 51.64"	24° 20' 38.79"	S. Nicolau
N-Pta Norte	16° 51' 21.13"	22° 55' 40.74"	Sal
O-Pta Casaca	16° 50' 01.69"	22° 53' 50.14"	Sal
P-Ilheu Cascalho	16° 11' 31.04"	22° 40' 52.44"	I. Boavista
P1-Ilheu Baluarte	16° 09' 05.00"	22° 39' 45.00"	I. Boavista
Q-Pta do Roque	16° 05' 09.83"	22° 40' 26.05"	I. Boavista
R-Pta Flamengas	15° 10' 03.89"	23° 05' 47.90"	I. Maio
S-	15° 09' 02.21"	23° 06' 24.98"	I. Maio
T-	14° 54' 10.78"	23° 29' 36.09"	Santiago

Final and transitional provisions

Article 29

In the cases in which the external limit of the exclusive economic zone and of the continental shelf of

~~the Republic of Cape Verde, defined in conformity with this Law, coincides with part of an exclusive~~

economic zone or the continental shelf of a neighbouring State, the maritime frontier shall be fixed by an agreement to be negotiated with the State in question, in accordance with the applicable international law.

Article 30

Violations of this Law shall be punishable in conformity with the pertinent laws and regulations.

Article 31

~~Decree-Law 176/77 and all legal provisions which contravene this Law shall be revoked~~

3. Sweden

Ordinance on Sweden's Exclusive Economic Zone, issued on 3 December 1992 1/

The following is hereby prescribed by the Government:

I. Sweden's exclusive economic zone comprises certain sea areas beyond the limit of Sweden's territorial waters and extends as follows:

1. In the Skagerrak in the area closest to the Norwegian border up to great circle arcs between the

41.2"N, 10° 01' 48.1"E,

2. In the Kattegat in the area closest to the Danish border and in the Kattegat up to straight

58°12.000'N, 20°22.502'E, the point 58°29.000'N, 20°26.590'E, and the point 58°46.836'N, 20°28.672'E,

7 In the Bosphorus Sea and the Gulf of Bosphorus by a straight line between the point 60°26'6"N

of the exclusive economic zone has

[REDACTED]

4. United Arab Emirates

Circular No. 34 of 1994 concerning the entry of vessels into the seaports

of the United Arab Emirates and their departure therefrom, 24 May 1994

With a view to regulating the entry of vessels into the seaports of the State and their departure therefrom, instructions have been issued for the purpose of laying down rules for the regulation of

B. Communications from States

**Comments from the Islamic Republic of Iran concerning the viewpoints
of the Government of the United States of America regarding the**

[The following text is completely redacted with heavy black bars.]

The method of decision-making on some of the provisions of the Convention is also of interest.

Third United Nations Conference on the Law of the Sea, also demonstrates the uncertainty of their customary nature. For instance, reference can be made to the issue of the right of coastal States to enforce regulations for their security in the territorial sea which was emphasized in the course of the Conference by the Group of 27 (including the Islamic Republic of Iran) and a proposal was submitted for amendment of article 21 of the preliminary draft Convention. Although at the request of the President of the Conference the Group agreed not to insist on voting for the proposal, in his statement of 26 April 1982 the Chairman stated that:

"The sponsors of the amendment, with a view to clarifying the text of the draft convention and in response to the President's appeal, have agreed not to press it to a vote. They would, however, like to reaffirm that their decision is without prejudice to the rights of coastal States to adopt measures to safeguard their security interests, in accordance with articles 19 and 25 of the draft convention." 3/

Until the enactment of the recent Act in the Islamic Republic of Iran, there existed a number of laws

... provided in connection with islands belonging to the Islamic Republic of Iran, and

in the recent Act the criterion for the distance between islands has been changed in conformity with the extension of the breadth of territorial sea. Moreover, in recent years, the context of some of its provisions, such as the authority of the Government of the Islamic Republic of Iran in the field of marine scientific research in areas beyond the territorial sea, while being consistent with the recognized rules of

As for article 16 of the Act, attention is to be drawn to the fact that, due to the multiplicity of economic activities in the region, it is possible that such activities, for which the coastal State enters

C. Statements received from Governments

1. Belize

Letter dated 22 March 1994 from the Minister for Foreign Affairs of Belize

(the Secretary General requested information on Belize's national and regional relations)

(including maritime) limits 1/

3. The Government of Belize expresses its earnest desire to continue direct discussions concerning whatever territorial dispute or difference Guatemala deems to linger.

4. The full maritime entitlements of Belize

2. Guatemala

[Original: Spanish]

Letter dated 4 March 1994 from the Minister for Foreign Affairs
of Guatemala addressed to the Secretary-General concerning the
situation of the territorial and maritime limits between
Guatemala and Belize 1/

I have the honour to refer to the letter dated 22 April 1992 addressed to you by the Charge
d'affaires a.i. of the Permanent Mission of Belize to the United Nations (A/47/173-S/23837), to which was
attached a copy of relevant extracts of a statement delivered by the Minister for Foreign Affairs of Belize

On 3 April 1997 on the occasion of the establishment of the National A.S. Commission

6. Concerning the maritime spaces covered by the Act of 24 January 1992 on the territorial sea, the internal waters and exclusive economic zone of Belize published in Law of the Sea Bulletin No. 21 of August 1992 by the Division for Ocean Affairs and the Law of the Sea of the United Nations Secretariat's Office of Legal Affairs, Guatemala expresses a formal reservation to any provision that

show all or part of maritime areas, the base of the territorial sea, the outer limits of the exclusive economic zone and the sea lanes.

7. The Government of Guatemala reiterates its willingness to continue negotiations with the State of

3. Thailand

Statement of the Ministry of Foreign Affairs of Thailand regarding the forfeiture of
foreign fishing vessels and their crews by Thailand

transmitted to the Secretary-General of
the United Nations on 3 May 1993 1/

It has come to the attention of the Ministry of Foreign Affairs that a number of States have enacted
laws and regulations that are in violation of the provisions of the Convention on the High Seas.

D. Treaties

1. Bilateral treaties

(c) Treaty on the delimitation of the maritime frontier between the Republic of Cape Verde and

the Republic of Senegal, 17 February 1993

[Original: French and Portuguese]

The Government of the Republic of Cape Verde, on the one hand, and

The Government of the Republic of Senegal, on the other hand,

Guided by the spirit of friendship and cooperation existing between their two peoples;

Desiring to develop and strengthen their neighbourly relations;

Desiring to establish, through negotiations, their common maritime frontier which separates the exclusive economic zone and the continental shelf of the two countries;

Taking into account the United Nations Convention on the Law of the Sea of 1982

The map mentioned in the preceding paragraph has been certified by the Commission.

Treaty and is contained in annex I. 1/

Article 4

The archipelagic lines of the Republic of Cape Verde and their geographical coordinates defined in conformity with article 2 are reproduced in annex II of this Treaty.

Article 5

The baselines of the Republic of Senegal and their geographical coordinates, defined in conformity

ANNEX I

Line establishing the common maritime frontier between the Republic of Mauritania

and the Republic of Senegal

Article 1

The line establishing the common maritime frontier which separates the exclusive economic zone and the continental shelf of the two countries is defined as follows:

--	--	--	--	--	--

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

--	--	--	--	--	--

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

8. From Point Sud Gorée (14° 39' 48" N - 17° 23' 54" W) to Rufisque lighthouse (14° 42' 36" N - 17° 17' 00" W);

9. From the western end of Sangomer (13° 50' 00" N - 16° 45' 40" W) to the northern end of Ile des

10. From the southern end of Ile des oiseaux (13° 38' 15" N - 16° 38' 45" W) to Point Diannel (13° 25'

Normal baselines

Everywhere else the breadth of the maritime areas under Senegalese jurisdiction shall be measured

(b) Maritime delimitation treaty between Jamaica and the Republic of Colombia, 17 November 1903.

The Government of Jamaica and the Government of the Republic of Colombia;

Considering the bonds of friendship existing between both countries;

Recognizing the common interests of both countries in considering issues related to the

following points in the order in which they occur. The lines so joining the listed points are geodesic lines

unless specifically stated otherwise.

<u>Point</u>	<u>Latitude (North)</u>	<u>Longitude (West)</u>
1.	16° 04' 15"	79° 50' 32"

(e) The conservation of living resources;

(f) Such measures as are authorized by this Treaty, or as the Parties may otherwise agree for ensuring compliance with and enforcement of the regime established by this Treaty.

3. Activities relating to exploration and exploitation of non-living resources, as well as those referred to in paragraph 2 (c) and (d), will be carried out on a joint basis agreed by both Parties.

4. The Parties shall not authorize third States and international organizations or vessels of such States and organizations to carry out any of the activities referred to in paragraph 2 (c) and (d).

~~The~~ Joint Commission shall begin its work immediately on the entry into force of this Treaty and

shall, unless the Parties agree otherwise, conclude the tasks identified in paragraph 1 of this article within
~~90 days from the commencement of its work~~

Article 5

Geodetic data are based on the World Geodetic System (1984).

Article 6

For illustrative purposes only, the delimitation line and the Joint Regime Area are shown on a United States Defence Mapping Agency Chart 402, which is attached. In the event of conflict between the coordinates and the Chart, the coordinates will prevail.

Article 7

Any dispute between the Parties on the interpretation or application of this Treaty shall be settled by

(c) A system of land tenure, which is based on the principle of the

17

4

10 Dec 1944

[Original: Albanian and Italian]

Starting from the desire to determine the division line of the border between the present

No. of points	Northern Latitude	Eastern Longitude
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13.	40° 23' 17"	18° 51' 05"
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14	40° 21' 30"	18° 51' 35"
----	-------------	-------------

16.	40° 12' 13"	18° 57' 05"
-----	-------------	-------------

17.	40° 07' 55"	18° 58' 38"
-----	-------------	-------------

This division line is marked by an indicating title in the map attached to this Agreement.

The basic map used is the Albanian sea map "From Korfu to Dubrovnik - from Cape Santa Maria di Leuca up to the Troniti Islands" at a scale of 1:500 000, of the Mercator projection, 1984 edition.

impair the ecological equilibrium of the sea or does not hinder in an unjustified manner the

2. In case that in its territory, or in its continental shelf, there occurs a disquieting situation that brings about negative consequences for the environment in the continental shelf of the other party, each of the Contracting Parties commits itself to provide immediately to the other party the necessary notification and the latter on its part has the right to receive this notification

2. Regional treaties and declarations

(a) Convention for the Conservation of Southern Bluefin Tuna, 10 May 1993

[Original: English and Japanese]

The Parties to this Convention:

Considering their mutual interest in southern bluefin tuna;

Noting that Australia, Japan and New Zealand have already taken certain measures for the



- (i) The catching, taking or harvesting of fish, or any other activity which can reasonably be expected to result in the catching, taking or harvesting of fish; or

subparagraph (i) above.

Article 3

The objective of this Convention is to ensure, through appropriate management, the

6. A special meeting may consider any matter of relevance to this Convention.
7. Two thirds of the Parties shall constitute a quorum.

8. Rules of procedure of the Commission and other internal administrative regulations as may be

3. For the conservation, management and optimum utilization of southern bluefin tuna

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Article 9

1. The Parties hereby establish the Scientific Committee as an advisory body to the Commission.

2. The Scientific Committee shall:

- (a) Assess and analyse the status and trends of the population of southern bluefin tuna;
- (b) Coordinate research and studies of southern bluefin tuna;
- (c) Report to the Commission its findings or conclusions, including consensus, majority and minority views, on the status of the southern bluefin tuna stock and, where appropriate, of ecologically related species;

(d) Make recommendations, as appropriate, to the Commission by consensus on matters concerning

the conservation, management and optimum utilization of southern bluefin tuna;

- (e) Consider any matter referred to it by the Commission.

1. A meeting of the Scientific Committee shall be held prior to the annual meeting of the Commission

Article 11

1. The Commission shall decide upon an annual budget.
2. The contributions to the annual budget from each Party shall be calculated on the following basis:
 - (a) 30% of the budget shall be divided equally among all the Parties; and
 - (b) 70% of the budget shall be divided in proportion to the nominal catches of southern bluefin tuna among all the Parties.
3. Notwithstanding the provisions of article 7, any Party that has not paid its contributions for two consecutive years shall not enjoy the right to participate in the decision-making process in the Commission until it has fulfilled its obligations, unless the Commission decides otherwise.
4. The Commission shall decide upon, and amend as occasion may require, financial regulations for the conduct of the Commission and for the exercise of its functions.
5. Each Party shall meet its own expenses arising from attendance at meetings of the Commission and of the Scientific Committee.

Article 12

The Commission shall collaborate with other intergovernmental organizations, including the International Commission for the Conservation of Atlantic Tunas (ICCAT), to achieve the following objectives:

objectives, inter alia, to obtain the best available information including scientific information to further

2. Each Party shall encourage its nationals not to associate with the southern bluefin tuna fishery of any State or entity not party to this Convention, where such association could affect adversely the attainment of the objective of this Convention.

3. Each Party shall take appropriate measures aimed at preventing vessels registered under its laws and

of this Convention or measures adopted pursuant to it.

4. The Parties shall cooperate in taking appropriate action, consistent with international law and their

Article 21

2. If one third of the Parties request a meeting to discuss a proposed amendment the Depositary shall call such a meeting.

3. An amendment shall enter into force when the Depositary has received instruments of ratification, acceptance or approval thereof from all the Parties.

Article 22

1. The original of this Convention shall be deposited with the Government of Australia, which shall be the Depositary. The Depositary shall transmit certified copies thereof to all other Signatories and acceding States.

2. This Convention shall be registered by the Depositary.

5. The award of the arbitral tribunal shall be final and binding on all parties to the dispute and on any party which intervenes in the proceedings and shall be complied with without delay. The arbitral tribunal shall interpret the award at the request of one of the parties to the dispute or of any intervening party.

6. Unless the arbitral tribunal determines otherwise because of the particular circumstances of the case, the expenses of the tribunal, including the remuneration of its members, shall be borne by the parties to

the dispute in equal shares.

(b) Agreement on cooperation in research, conservation and management of

The Parties,

in accordance with the objectives laid down in the Memorandum of Understanding signed at Toronto

Article 4

1. Each Party shall be a member of the Council.

2. The functions of the Council shall be:

matters concerning marine mammals in the North Atlantic

Article 8

The Council may agree to admit observers to meetings of the Commission when such admission is consistent with the objective set out in article 2.

Article 9

This Agreement is without prejudice to obligations of the Parties under other international

agreements.

Article 10

1. This Agreement shall be open for signature on 9 April 1992 by the Faroe Islands, Greenland, Iceland and Norway, and shall enter into force 90 days after signature.
2. It shall remain open for signature by other Parties with the consent of the existing Signatories.
3. Any Party may withdraw from this Agreement upon giving six months' notice.

DONE at Nuuk on 9 April 1992.

(c) Lisbon declaration on implementation by local authorities of the
marine chapter of Agenda 21 of the United Nations
Conference on Environment and Development

Representatives of local authorities attending the Conference organized by the Advisory Committee on
Protection of the Sea and the Camara Municipal de Lisboa on "Implementation of the marine chapter of

at Lisbon from 3 to 5 May 1993, adopted the following Recommendations.

The Conference,

Noting the goals set by the Rio Declaration on Environment and Development adopted by the United Nations Conference on Environment and Development on 14 June 1992.

Bearing in mind that up to 80 per cent of marine pollution derives from land-based sources, including

atmospheric pollution,

Recognizing that 70 per cent of the earth's surface is covered by the oceans and all kinds of seas,

Taking account of the Curitiba Commitment to Sustainable Development adopted at Rio de Janeiro



on 15 January 1992 by representatives of local government authorities,

Welcoming the technical assistance and cooperation available from or offered by both Governments and international organizations,

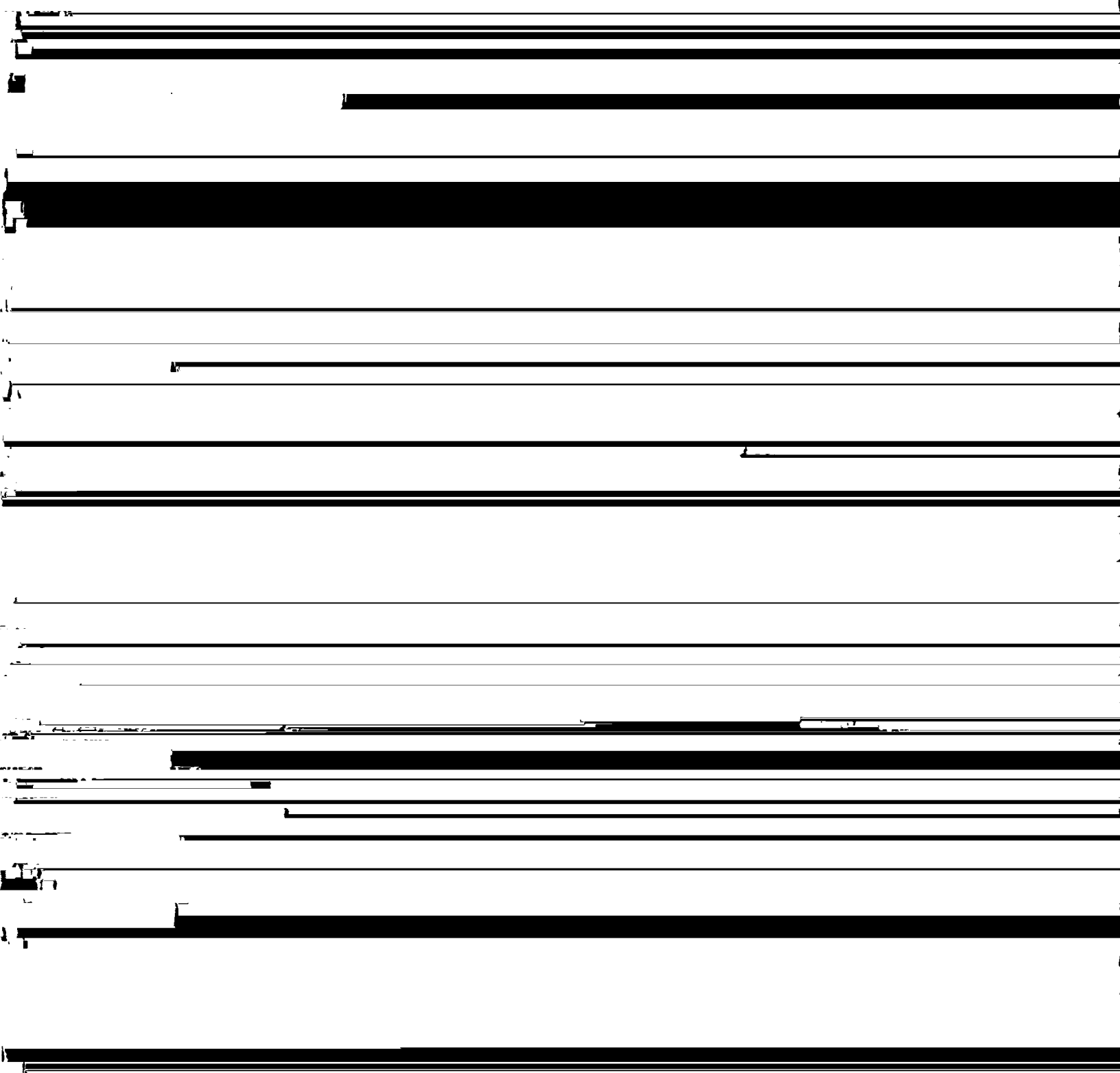
Appreciating the role which non-governmental organizations and especially the national and

international local authority associations can play in implementing Chapter 17 of Agenda 21 and related chapters.

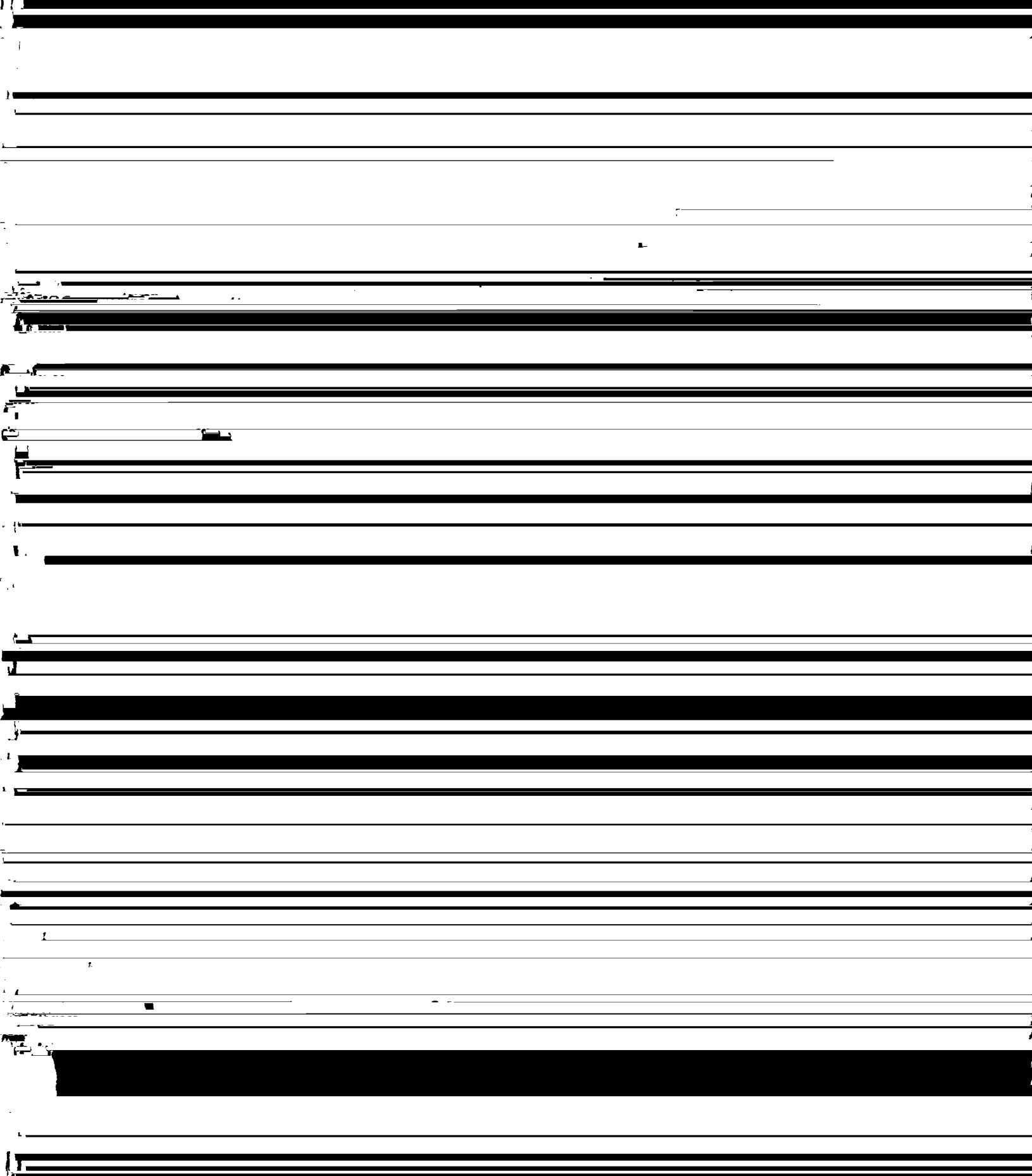
Noting the conclusions of the multidisciplinary study carried out by the team of experts of the Advisory Committee on Protection of the Sea

sewage sludge disposal procedures, having regard to the best international practice, modified, where necessary, to take account of local conditions;

6. Identify marine ecosystems exhibiting high levels of biodiversity and productivity and other critical habitat areas, with a view to limiting their use through, inter alia, designating them as protected areas, special or particularly sensitive areas, as appropriate, according protection for this purpose to coral reefs, estuaries, temperate and tropical wetlands (including mangroves), seagrass beds and other spawning and nursery areas of living resources, amongst others;



(vi) The taking into account of the role that non-governmental organizations can play in



14. Encourage technology transfer for environmental protection and management through the competent

national authorities, and where appropriate, international organizations;

15. Endeavour to ensure availability of adequate financial funds and special grants for capacity-building purposes, education, training of personnel and other support activities.

Commitment to cooperation and assistance

Local authorities should, within the context of the welcome collaboration being established between the International Union of Local Authorities, its European Section - the Council of European Municipalities and Regions - and the United Towns Organization:

(iii) For projects such as waste, waste-water and sludge treatment plants, sewage systems, reduction or control of atmospheric pollution in industrial plants and other sources, prevention of coastal erosion and countering the adverse environmental effects of tourism;

(c) For the purposes of inter-municipal cooperation and cooperation with intergovernmental organizations, ~~take maximum advantage of and collaborate with local government associations, in~~

to the United Nations addressed to the Secretary-General 1/

The Permanent Mission of the Argentina to the United Nations has the honour to enclose herewith a copy of a declaration of principles, entitled "the Buenos Aires Declaration", for circulation as a document of the General Assembly. It was produced by a seminar on the "Adoption of an Effective Declaration of Principles".

Formulates the wish that the commendable initiative of the Assembly...

III. OTHER INFORMATION

A. International Court of Justice

Cameroon brings a case against Nigeria 1/

Justice:

On 23 May 1994 the Republic of Cameroon filed in the Registry of the Court an Application

7. Division for Ocean Affairs and the Law of the Sea. Office of Legal Affairs.

16-18 November 1994

Kingston
Assembly of the Authority
(first part)

21-22 November 1994

New York
Ad hoc meeting of States Parties concerning elections for the International
Tribunal for the Law of the Sea

27 Feb. - 17 March 1995

Kingston

