

Bulletin No. 107

Law of the Sea



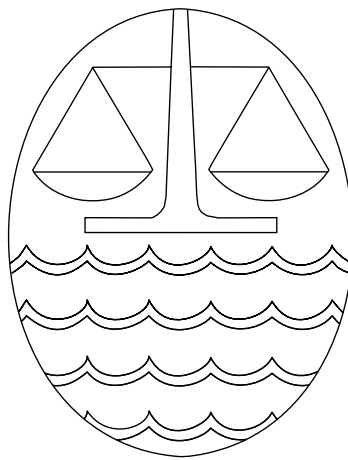
*Division for Ocean Affairs
and the Law of the Sea
Office of Legal Affairs*



United Nations

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Office of Legal Affairs

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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, THE AGREEMENT RELATING TO THE IMPLEMENTATION OF PART XI OF THE CONVENTION AND THE 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, AS AT 30 NOVEMBER 2021¹

1. Table recapitulating the status of the Convention and of its implementing Agreements

This consolidated table provides unofficial, quick-reference information related to the participation in the Convention and its implementing Agreements.

The symbol indicates that (i) a declaration or statement was made at the time of signature, ratification or accession, or anytime thereafter; or (ii) declarations were confirmed upon succession; indicates that more than one declaration was made by the State. The abbreviations (fc) indicates formal confirmation; (a) accession; (s) succession; definitive signature; (p) consent to be bound; (sp) simplified procedure. The names of States in italics indicate non-members of the United Nations; shaded rows indicate landlocked States.

State or entity	United Nations Convention on the Law of the Sea (in force as from 16/11/1994)		Agreement relating to the Implementation of Part XI of the Convention (in force as from 28/07/1996)		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 11/12/2001)		
	Signature (dd/mm/yy)	Ratification/ accession (dd/mm/yy)	Declaration	Signature (dd/mm/yy)	Ratification/ accession (dd/mm/yy)	Signature (dd/mm/yy)	Ratification/ accession (dd/mm/yy)
TOTALS	157	168		79	151	59	91
Afghanistan	18/03/83						
Albania		23/06/03(a)			23/06/03(p)		
Algeria	10/12/82 <input type="checkbox"/>	11/06/96	<input type="checkbox"/>	29/07/94	11/06/96(p)		

¹ Source: *Multilateral Treaties Deposited with the Secretary-General*, chap. XXI. Available from <https://treaties.un.org>, "Status of Treaties Deposited with the Secretary-General". In accordance with article 308, paragraphs 1 and 2, of the Convention:

1. This Convention shall enter into force 12 months after the date of deposit of the sixtieth instrument of ratification or accession.
2. For each State ratifying or acceding to this Convention after the deposit of the sixtieth instrument of ratification or accession, the Convention shall enter into force on the thirtieth day following the deposit of its instrument of ratification or accession, subject to paragraph 1.

State or entity	United Nations Convention on the Law of the Sea (in force as from 16/11/1994)			Agreement relating to the Implementation of Part XI of the Convention (in force as from 28/07/1996)			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 11/12/2001)		
	Signature (dd/mm/yy)	Ratification/ accession (dd/mm/yy)	Declaration	Signature (dd/mm/yy)	Ratification/ accession (dd/mm/yy)		Signature (dd/mm/yy)	Ratification/ accession (dd/mm/yy)	Declaration
Andorra									
Angola	10/12/82	05/12/90			07/09/10(a)				
Antigua and Barbuda	07/02/83	02/02/89			03/05/16(a)				
Argentina	05/10/84	01/12/95		29/07/94	01/12/95		04/12/95		
Armenia		09/12/02(a)			09/12/02(a)				
Australia	10/12/82	05/10/94		29/07/94	05/10/94		04/12/95	23/12/99	
Austria	10/12/82	14/07/95		29/07/94	14/07/95		27/06/96	19/12/03	
Azerbaijan		16/06/16(a)			16/06/16(a)				
Bahamas	10/12/82	29/07/83		29/07/94	28/07/95(sp)			16/01/97(a)	
Bahrain	10/12/82	30/05/85							
Bangladesh	10/12/82	27/07/01			27/07/01(a)		04/12/95	05/11/12	
Barbados	10/12/82	12/10/93		15/11/94	28/07/95(sp)			22/09/00(a)	
Belarus	10/12/82	30/08/06			30/08/06(a)				
Belgium	05/12/84	13/11/98		29/07/94	13/11/98(p)		03/10/96	19/12/03	
Belize	10/12/82	13/08/83			21/10/94(ds)		04/12/95	14/07/05	
Benin	30/08/83	16/10/97			16/10/97(p)			02/11/17(a)	
Bhutan	10/12/82								
Bolivia (Plurinational State of)	27/11/84	28/04/95			28/04/95(p)				
Bosnia and Herzegovina		12/01/94(s)			26/05/2021(a)				
Botswana	05/12/84	02/05/90			31/01/05(a)				
Brazil	10/12/82	22/12/88		29/07/94	25/10/07		04/12/95	08/03/00	
Brunei Darussalam	05/12/84	05/11/96			05/11/96(p)				
Bulgaria	10/12/82	15/05/96			15/05/96(a)			13/12/06(a)	
Burkina Faso	10/12/82	25/01/05		30/11/94	25/01/05(p)		15/10/96		
Burundi	10/12/82								

Cabo Verde	10/12/82	10/08/87		29/07/94	23/04/08	
Cambodia	01/07/83					06/03/20(a)
Cameroon	10/12/82	19/11/85		24/05/95	28/08/02	
Canada	10/12/82	07/11/03		29/07/94	07/11/03	04/12/95 03/08/99
Central African Republic	04/12/84					
Chad	10/12/82	14/08/09			14/08/09(p)	
Chile	10/12/82	25/08/97			25/08/97(a)	11/02/16(a)
China	10/12/82	07/06/96		29/07/94	07/06/96(p)	06/11/96
Colombia	10/12/82					
Comoros	06/12/84	21/06/94				
Congo	10/12/82	09/07/08			09/07/08(p)	
Cook Islands	10/12/82	15/02/95			15/02/95(a)	01/04/99(a)
Costa Rica	10/12/82	21/09/92			20/09/01(a)	18/06/01(a)
Côte d'Ivoire	10/12/82	26/03/84		25/11/94	28/07/95(sp)	24/01/96
Croatia		05/04/95(s)			05/04/95(p)	10/09/13(a)
Cuba	10/12/82	15/08/84			17/10/02(a)	
Cyprus	10/12/82	12/12/88		01/11/94	27/07/95	25/09/02(a)
Czech Republic	22/02/93	21/06/96		16/11/94	21/06/96	19/03/07(a)
Democratic People's Republic of Korea	10/12/82					
Democratic Republic of the Congo	22/08/83	17/02/89				
Denmark	10/12/82	16/11/04		29/07/94	16/11/04	27/06/96 19/12/03
Djibouti	10/12/82	08/10/91				
Dominica	28/03/83	24/10/91				
Dominican Republic	10/12/82	10/07/09			10/07/09(p)	
Ecuador		24/09/12(a)			24/09/12(p)	07/12/16(a)
Egypt	10/12/82	26/08/83		22/03/95		05/12/95
El Salvador	05/12/84					
Equatorial Guinea	30/01/84	21/07/97			21/07/97(p)	
Eritrea						

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	Signature (dd/mm/yy)	Ratification/ accession (dd/mm/yy)	Declaration	Signature (dd/mm/yy)	Ratification/ accession (dd/mm/yy)		Signature (dd/mm/yy)	Ratification/ accession (dd/mm/yy)	Declaration
Estonia		26/08/05(a)	☐		26/08/05(a)		07/08/06(a)	☐	
Eswatini	18/01/84	24/09/12		12/10/94	24/09/12(p)				
Ethiopia	10/12/82								
European Union	07/12/84☐	01/04/98(fc)	☐	29/07/94	01/04/98(fc)	27/06/96☐	19/12/03	☐	
Fiji	10/12/82	10/12/82	☐	29/07/94	28/07/95	04/12/95	12/12/96		
Finland	10/12/82☐	21/06/96	☐	29/07/94	21/06/96	27/06/96	19/12/03	☐	
France	10/12/82☐	11/04/96	☐	29/07/94	11/04/96	04/12/96☐	19/12/03	☐	
Gabon	10/12/82	11/03/98	☐	04/04/95	11/03/98(p)	07/10/96			
Gambia	10/12/82	22/05/84							
Georgia		21/03/96(a)			21/03/96(p)				
Germany		14/10/94(a)	☐	29/07/94	14/10/94	28/08/96	19/12/03	☐	
Ghana	10/12/82	07/06/83			23/09/16(a)		27/01/17(a)		
Greece	10/12/82☐	21/07/95	☐☐	29/07/94	21/07/95	27/06/96	19/12/03	☐	
Grenada	10/12/82	25/04/91		14/11/94	28/07/95(sp)				
Guatemala	08/07/83	11/02/97	☐		11/02/97(p)				
Guinea	04/10/84☐	06/09/85	☐	26/08/94	28/07/95(sp)		16/09/05(a)		
Guinea Bissau	10/12/82	25/08/86	☐			04/12/95			
Guyana	10/12/82	16/11/93			25/09/08(a)				
Haiti	10/12/82	31/07/96			31/07/96(p)				
Holy See									
Honduras	10/12/82	05/10/93	☐		28/07/03(a)				
Hungary	10/12/82	05/02/02	☐		05/02/02(a)		16/05/08(a)	☐	
Iceland	10/12/82	21/06/85	☐	29/07/94	28/07/95(sp)	04/12/95	14/02/97		
India	10/12/82	29/06/95	☐	29/07/94	29/06/95		19/08/03(a)	☐	
Indonesia	10/12/82	03/02/86		29/07/94	02/06/00	04/12/95	28/09/09		

Iran (Islamic Republic of)	10/12/82								17/04/98(a)
Iraq	10/12/82	30/07/85							
Ireland	10/12/82	21/06/96			29/07/94	21/06/96	27/06/96	19/12/03	
Israel							04/12/95		
Italy	07/12/84	13/01/95			29/07/94	13/01/95	27/06/96	19/12/03	
Jamaica	10/12/82	21/03/83			29/07/94	28/07/95(sp)	04/12/95		
Japan	07/02/83	20/06/96			29/07/94	20/06/96	19/11/96	07/08/06	
Jordan		27/11/95(a)				27/11/95(p)			
Kazakhstan									
Kenya	10/12/82	02/03/89			29/07/94(ds)			13/07/04(a)	
Kiribati		24/02/03(a)			24/02/03(p)			15/09/05(a)	
Kuwait	10/12/82	02/05/86			02/08/02(a)				
Kyrgyzstan									
Lao People's Democratic Republic	10/12/82	05/06/98			27/10/94	05/06/98(p)			
Latvia		23/12/04(a)			23/12/04(a)			05/02/07(a)	
Lebanon	07/12/84	05/01/95			05/01/95(p)				
Lesotho	10/12/82	31/05/07			31/05/07(p)				
Liberia	10/12/82	25/09/08			25/09/08(p)			16/09/05(a)	
Libya	03/12/84								
Liechtenstein	30/11/84								
Lithuania		12/11/03(a)			12/11/03(a)			01/03/07(a)	
Luxembourg	05/12/84	05/10/00			29/07/94	05/10/00	27/06/96	19/12/03	
Madagascar	25/02/83	22/08/01			22/08/01(p)				
Malawi	07/12/84	28/09/10			28/09/10(p)				
Malaysia	10/12/82	14/10/96			02/08/94	14/10/96(p)			
Maldives	10/12/82	07/09/00			10/10/94	07/09/00(p)	08/10/96	30/12/98	
Mali	19/10/83	16/07/85							
Malta	10/12/82	20/05/93			29/07/94	26/06/96		11/11/01(a)	
Marshall Islands		09/08/91(a)					04/12/95	19/03/03	
Mauritania	10/12/82	17/07/96			02/08/94	17/07/96(p)	21/12/95		

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Mauritius	10/12/82	04/11/94			04/11/94(p)			25/03/97(a)	☐
Mexico	10/12/82	18/03/83	☐		10/04/03(a)				
Micronesia (Federated States of)		29/04/91(a)		10/08/94	06/09/95		04/12/95	23/05/97	
Monaco	10/12/82	20/03/96		30/11/94	20/03/96(p)			09/06/99(a)	
Mongolia	10/12/82	13/08/96		17/08/94	13/08/96(p)				
Montenegro		23/10/06(ds)	☐☐		23/10/06(ds)				
Morocco	10/12/82	31/05/07	☐	19/10/94	31/05/07		04/12/95	19/09/12	
Mozambique	10/12/82	13/03/97			13/03/97(a)			10/12/08(a)	
Myanmar	10/12/82	21/05/96			21/05/96(a)				
Namibia	10/12/82	18/04/83		29/07/94	28/07/95(sp)		19/04/96	08/04/98	
Nauru	10/12/82	23/01/96			23/01/96(p)			10/01/97(a)	
Nepal	10/12/82	02/11/98			02/11/98(p)				
Netherlands	10/12/82	28/06/96	☐☐	29/07/94	28/06/96		28/06/96☐	19/12/03	☐
New Zealand	10/12/82	19/07/96		29/07/94	19/07/96		04/12/95	18/04/01	
Nicaragua	09/12/84☐	03/05/00	☐		03/05/00(p)				
Niger	10/12/82	07/08/13			07/08/13(p)				
Nigeria	10/12/82	14/08/86	☐	25/10/94	28/07/95(sp)			02/11/09(a)	
Niue	05/12/84	11/10/06			11/10/06(p)		04/12/95	11/10/06	
North Macedonia		19/08/94(s)			19/08/94(p)				
Norway	10/12/82	24/06/96	☐☐		24/06/96(a)		04/12/95	30/12/96	☐
Oman	01/07/83☐	17/08/89	☐☐		26/02/97(a)			14/05/08(a)	
Pakistan	10/12/82	26/02/97	☐	10/08/94	26/02/97(p)		15/02/96		
Palau		30/09/96(a)	☐		30/09/96(p)			26/03/08(a)	
Panama	10/12/82	01/07/96	☐☐		01/07/96(p)			16/12/08(a)	
Papua New Guinea	10/12/82	14/01/97			14/01/97(p)		04/12/95	04/06/99	

Paraguay	10/12/82	26/09/86	29/07/94	10/07/95	
Peru					
Philippines	10/12/82 [□]	08/05/84	15/11/94	23/07/97	30/08/96 24/09/14
Poland	10/12/82	13/11/98	29/07/94	13/11/98(p)	14/03/06(a) [□]
Portugal	10/12/82	03/11/97	29/07/94	03/11/97	27/06/96 19/12/03 [□]
Qatar	27/11/84 [□]	09/12/02		09/12/02(p)	
Republic of Korea	14/03/83	29/01/96	07/11/94	29/01/96	26/11/96 01/02/08
Republic of Moldova		06/02/07(a)		06/02/07(p)	
Romania	10/12/82 [□]	17/12/96		17/12/96(a)	16/07/07(a)
Russian Federation	10/12/82 [□]	12/03/97		12/03/97(a)	04/12/95 04/08/97 [□]
Rwanda	10/12/82				
Saint Kitts and Nevis	07/12/84	07/01/93			23/02/18 (a)
Saint Lucia	10/12/82	27/03/85			12/12/95 09/08/96
Saint Vincent and the Grenadines	10/12/82	01/10/93			29/10/10(a)
Samoa	28/09/84	14/08/95	07/07/95	14/08/95(p)	04/12/95 25/10/96
San Marino					
Sao Tome and Principe	13/07/83 [□]	03/11/87			
Saudi Arabia	07/12/84	24/04/96		24/04/96(p)	
Senegal	10/12/82	25/10/84	09/08/94	25/07/95	04/12/95 30/01/97
Serbia	²	12/03/01(s)	12/05/95	28/07/95(sp) ³	
Seychelles	10/12/82	16/09/91	29/07/94	15/12/94	04/12/96 20/03/98
Sierra Leone	10/12/82	12/12/94		12/12/94(p)	
Singapore	10/12/82	17/11/94		17/11/94(p)	
Slovakia	28/05/93	08/05/96	14/11/94	08/05/96	06/11/08(a) [□]
Slovenia		16/06/95(s)	19/01/95	16/06/95	15/06/06(a) [□]

² Confirmed upon succession. See *Multilateral Treaties Deposited with the Secretary-General*, chap. XXI.6, endnote 4. Available at <https://treaties.un.org>.

³ See *Multilateral Treaties Deposited with the Secretary-General*, chap. XXI.6.a, endnote 13. Available at <https://treaties.un.org>.

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	Signature (dd/mm/yy)	Ratification/ accession (dd/mm/yy)	Declaration	Signature (dd/mm/yy)	Ratification/ accession (dd/mm/yy)		Signature (dd/mm/yy)	Ratification/ accession (dd/mm/yy)	Declaration
Solomon Islands	10/12/82	23/06/97			23/06/97(p)				13/02/97(a)
Somalia	10/12/82	24/07/89							
South Africa	05/12/84	23/12/97	☐	03/10/94	23/12/97				14/08/03(a)
South Sudan									
Spain	04/12/84☐	15/01/97	☐☐	29/07/94	15/01/97		03/12/96	19/12/03	☐
Sri Lanka	10/12/82	19/07/94		29/07/94	28/07/95(sp)		09/10/96	24/10/96	
State of Palestine		02/01/15(a)			02/01/15(p)				
Sudan	10/12/82☐	23/01/85		29/07/94					
Suriname	10/12/82	09/07/98			09/07/98(p)				
Sweden	10/12/82☐	25/06/96	☐	29/07/94	25/06/96		27/06/96	19/12/03	☐
Switzerland	17/10/84	01/05/09	☐	26/10/94	01/05/09				
Syrian Arab Republic									
Tajikistan									
Thailand	10/12/82	15/05/11	☐		15/05/11(a)				28/4/17 (a)
Timor-Leste		08/01/13(a)	☐		08/01/13(p)				
Togo	10/12/82	16/04/85	☐☐	03/08/94	28/07/95(sp)				
Tonga		02/08/95(a)			2/08/95(p)		04/12/95	31/07/96	
Trinidad and Tobago	10/12/82	25/04/86	☐☐	10/10/94	28/07/95(sp)				13/09/06(a)
Tunisia	10/12/82	24/04/85	☐☐	15/05/95	24/05/02				
Turkey									
Turkmenistan									
Tuvalu	10/12/82	09/12/02			09/12/02(p)				02/02/09(a)
Uganda	10/12/82	09/11/90		09/08/94	28/07/95(sp)		10/10/96		
Ukraine	10/12/82☐	26/07/99	☐	28/02/95	26/07/99		04/12/95	27/02/03	

2. *Chronological lists of ratifications, accessions and successions*

(a) *United Nations Convention on the Law of the Sea*

No new ratifications, accessions or successions took place during the period covered by the present issue. As at 30 November 2021, the information in the chronological list published in *Law of the Sea Bulletin* No. 106 (pp. 10–11) remains valid (see www.un.org/Depts/los/doalos_publications/los_bult.htm).

(b) *Agreement relating to the Implementation of Part XI of the Convention*

No new ratifications, accessions or successions took place during the period covered by the present issue. As at 30 November 2021, the information in the chronological list published in *Law of the Sea Bulletin* No. 106 (pp. 12–13) remains valid (see www.un.org/Depts/los/doalos_publications/los_bult.htm).

(c) *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*

No new ratifications, accessions or successions took place during the period covered by the present issue. As at 30 November 2021, the information in the chronological list published in *Law of the Sea Bulletin* No. 106 (p. 14) remains valid (see www.un.org/Depts/los/doalos_publications/los_bult.htm).

3. *Declarations by States*

(a) *Kenya: Declaration under article 298, 24 September 2021*⁶

“(…) the Government of the Republic of Kenya, by its Declaration of 24th January 2017,⁷ reserved the right at any time by means of a notification addressed to the Secretary-General of the United Nations to add to, amend, or withdraw any of the foregoing declarations. Such notifications shall be effective on the date of their receipt by the Secretary-General of the United Nations.

Now therefore, in consideration of the foregoing, the Government of the Republic of Kenya hereby declares that it does not accept any of the procedures provided for in Section 2 of Part XV of the United Nations Convention on Law of the Sea, 1982, with respect to all the categories of disputes referred to in paragraph 1 (a) (b) and (c) of Article 298 of the Convention.

The Government of the Republic of Kenya reserves the right at any time, by means of a written notification addressed to the Secretary-General of the United Nations, and with effect as from the moment of such notification, either to amend or terminate the present Declaration. Such notifications shall be effective on the date of their receipt by the Secretary-General of the United Nations.”

(b) *Congo: Declarations under articles 287 and 298, 5 November 2021*⁸

The Government of the Republic of the Congo accepts:

Pursuant to paragraph 1 of article 287 of the United Nations Convention on the Law of the Sea, the jurisdiction of the International Tribunal for the Law of the Sea and of the International Court of Justice for the settlement of disputes concerning the interpretation or application of the Convention, without specifying that one has precedence over the other;

Pursuant to paragraph 1 (a) of article 298 of the United Nations Convention on the Law of the Sea, that the competence of arbitral tribunals constituted in accordance with Annexes VII and VIII of the Convention is excluded with respect to disputes concerning the interpretation or application of articles 15, 74 and 83 relating to sea boundary delimitations or those involving historic bays or titles.

⁶ *Original*: English. Refer to C.N.283.2021.TREATIES-XXI.6 (Depositary Notification) of 27 September 2021.

⁷ See *Law of the Sea Bulletin* No. 93, p. 15.

⁸ *Original*: English. Refer to C.N.364.2021.TREATIES-XXI.6 (Depositary Notification) of 5 November 2021.

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

A. NATIONAL LEGISLATION

1. *Argentina*

Act No. 27.557 – Amendment to Act No. 23.968, 25 August 2020⁹

The Senate and Chamber of Deputies of Argentina, assembled in Congress, etc., enact the following as law:

Article 1. Include the following text as the second paragraph of article 6 of Act. No. 23.968 on Maritime Spaces:

“The outer limit of the continental and insular shelves of Argentina shall be delineated in accordance with the geographical coordinate points set forth in annex III hereto.”

Article 2. Points RA-01 to RA-481 and RA-3458 to RA-3840 of annex III, referred to in article 1 and attached hereto, shall be delineated on the basis of the recommendations of the Commission on the Limits of the Continental Shelf, under the terms of article 76 (8) of the United Nations Convention on the Law of the Sea of 10 December 1982.

Points RA-482 to RA-3457 of annex III, referred to in article 1 and attached hereto, shall be delineated on the basis of the submission of Argentina to the Commission on the Limits of the Continental Shelf and are pending recommendations under the terms of point 5 (a) of annex I of the rules of procedure of the Commission.

Points RA-3841 to RA-6336 of the continental shelf in the Antarctic sector of Argentina, referred to in the submission of Argentina to the Commission on the Limits of the Continental Shelf, shall be considered to have the status provided for in article 1, third paragraph, of Act. No. 23.968 on Maritime Spaces.

Article 3. This measure shall enter into force on the day following its publication in the Official Gazette of the Argentine Republic.

Article 4. So notify the national executive branch.

Done in the meeting chamber of the Argentine Congress, at Buenos Aires, on 4 August 2020.

Registered under No. 27.557

Cristina Fernández de Kirchner – Sergio Massa – Marcelo Jorge Fuentes – Eduardo Cergnul

Note: The annex(es) to this Act shall be published in the Internet edition of the Official Gazette of the Argentine Republic, www.boletinoofical.gob.ar.

Date of publication 25 August 2020

[...]

ANNEX III

COORDINATES OF THE OUTER LIMITS OF THE CONTINENTAL AND INSULAR CONTINENTAL SHELF OF ARGENTINA¹⁰

⁹ *Original:* Spanish. Transmitted by note verbale No. 619/2021 dated 3 September 2021 from the Permanent Mission of Argentina to the United Nations addressed to the Secretary-General. A list of geographical coordinates of points was deposited with the Secretary-General on 7 September and 7 October 2021 under article 79(9) of the Convention (see Maritime Zone Notification M.Z.N.156.2021.LOS of 2 December 2021.) Available from https://www.un.org/Depts/los/LEGISLATIONANDTREATIES/PDFFILES/mzn_s/MZN1562021LOS.pdf.

¹⁰ Table of coordinates available from www.un.org/Depts/los/LEGISLATIONANDTREATIES/PDFFILES/DEPOSIT/AR-GLaw27557e.pdf.

2. Benin

*Decree No. 2021-253 establishing the coordinates for the nautical chart of Benin, 19 May 2021*¹¹

The President of the Republic, Head of State and Head of Government,

Having regard to Act No. 90-32 of 11 December 1990 establishing the Constitution of the Republic of Benin, as modified by Act No. 2019-40 of 7 November 2019,

Having regard to the decision of 30 March 2016 of the Constitutional Court proclaiming the final results of the presidential election of 20 March 2016,

Having regard to Decree No. 2019-396 of 5 September 2019 on the composition of the Government,

Having regard to Decree No. 2019-430 of 2 October 2019 establishing the standard structure of ministries,

Having regard to Decree No. 2020-389 of 29 July 2020 on the powers, organization and functioning of the Ministry of the Interior and Public Security,

Having regard to Decree No. 2017-041 of 25 January 2017 on the powers, organization and functioning of the Ministry of the Economy and Finance,

Having regard to Decree No. 2020-273 of 13 May 2020 on the powers, organization and functioning of the Ministry of Foreign Affairs and Cooperation,

Having regard to Decree No. 76-92 of 2 April 1976 extending the territorial waters of the People's Republic of Benin to 200 nautical miles,

On the proposal of the Minister of the Interior and Public Security,

In concert with the Council of Ministers at its meeting of 19 May 2021,

Hereby decrees:

Chapter I: General provisions

Article 1. The purpose of this decree is to establish the coordinates for the nautical chart of the Republic of Benin.

Article 2. The chart is established in accordance with the rules, principles and methods provided for in the United Nations Convention on the Law of the Sea of 10 December 1982.

Article 3. Coordinates are expressed in degrees, minutes, seconds and tenths of seconds in the World Geodetic System 1984 (WGS84).

Article 4. The points contained in the lists correspond to the baseline, 12-mile wide territorial sea, 24-mile contiguous zone, and 200- and 350-mile limits, without prejudice to the lateral limits of maritime boundaries to be negotiated with neighbouring States. For convenience, these lateral limits have been set as follows:

- To the east: along a line running at an azimuth of 172.6°, perpendicular to the 82.6° straight line joining the endpoint of the Togo-Benin boundary and the endpoint of the Benin-Nigeria boundary.
- To the west: along a meridian passing through the endpoint of the Togo-Benin boundary.

Article 5. The boundary marker at the Benin-Togo land border that was used to determine the Benin-Togo endpoint of the baseline was established on the basis of a four-hour observation conducted in 2018 using a Trimble dual-frequency differential global positioning system in static mode. It is the BT2 marker with the following WGS84 coordinates: X (EPSG) = 348348.536 and Y (EPSG) = 689547.218.

¹¹ *Original:* French. Transmitted by note verbales No. 062/MPB/CM/AO/21 dated 2 July 2021 and No. 084/MPB/CM/AO/21 dated 24 August 2021 from the Permanent Mission of Benin to the United Nations addressed to the Secretariat. Charts and lists of geographical coordinates of points were deposited with the Secretary-General under articles 16(2) and 75(2) of the Convention (see Maritime Zone Notification M.Z.N.154.2021.LOS of 17 September 2021). Available from www.un.org/Depts/los/LEGISLATIONANDTREATIES/PDFFILES/mzn_s/M.Z.N.154.2021.LOS.pdf.

Chapter II: Benin baseline

Article 6. The baseline for measuring the breadth of the various maritime spaces up to 200 nautical miles is the low-water line.

Waters on the landward side of the baseline for measuring the breadth of the various maritime spaces form part of the internal waters of the Republic of Benin.

Article 7. The endpoints and baseline points relevant to the 12-mile limit are as follows:

[...]¹²

Chapter III: Outer limit of the territorial sea of Benin

Article 8. The sovereignty of the Republic of Benin shall extend over its entire land territory, its internal waters, and the adjacent belt of sea, described as the territorial sea.

In accordance with international law, this sovereignty shall be exercised over the water column, the seabed and its subsoil, and the air space above.

Article 9. The breadth of the territorial sea, measured from the baseline, shall be 12 nautical miles.

Article 10. The outer limit of the territorial sea shall be located at a distance of 12 miles from the relevant baseline points, which are as follows:

[...]¹²

Article 11. The Republic of Benin shall enjoy, in its territorial sea, all of its rights and obligations recognized under international law, without prejudice to the rights and obligations of other States and foreign vessels when they are exercised in accordance with the international law of the sea.

Chapter IV: Outer limit of the contiguous zone

Article 12. The contiguous zone of the Republic of Benin shall extend 24 nautical miles from the baseline for measuring the breadth of the territorial sea, excluding any maritime spaces that form part of the territorial sea of another State or over which another State has sovereign rights under the international law of the sea.

Article 13. The Republic of Benin shall exercise, in its contiguous zone, the control necessary to:

- Prevent infringement of its customs, fiscal, immigration or sanitary laws and regulations within its territory or territorial sea;
- Punish infringement of the above laws and regulations committed within its territory or territorial sea.

Article 14. The outer limit of the contiguous zone of Benin shall be located at a distance of 24 nautical miles from the relevant baseline points, which are as follows:

[...]¹²

Chapter V: Limits of the exclusive economic zone

Article 15. The exclusive economic zone of the Republic of Benin shall extend from the outer limit of the territorial sea of the Republic of Benin as far as its jurisdiction is allowed to extend under international law.

It shall not include any maritime spaces over which another State has sovereign rights under the international law of the sea.

Article 16. The Republic of Benin shall, in its exclusive economic zone, have the rights, jurisdiction and obligations of a coastal State provided for in the relevant provisions of the United Nations Convention on the Law of the Sea of 10 December 1982, without prejudice to the rights and obligations of other States under that Convention.

Article 17. The outer limit of the exclusive economic zone of Benin shall be located at a distance of 200 nautical miles from the relevant baseline points, which are as follows:

[...]¹²

¹² Tables of coordinates available from www.un.org/Depts/los/LEGISLATIONANDTREATIES/PDFFILES/DEPOSIT/ListsCoordinatesEngBEN.pdf.

Article 18. This decree shall take effect on the date of its signature and shall be published in the Official Gazette.

DONE at Cotonou on 19 May 2021

(Signed) Patrice TALON

President of the Republic, Head of State and Head of Government

(Signed) Aurélien A. AGBENONCI

Minister for Foreign Affairs and Cooperation

(Signed) Sacca LAFIA

Minister of the Interior and Public Security

(Signed) José TONATO

Minister of Environment and Sustainable Development

(Signed) Hervé Yves HEHOMEY

Minister of Infrastructure and Transport

3. Chile

*Decree 95 Determining the maritime areas under national jurisdiction from Punta Puga to Islas Diego Ramírez, 23 August 2021*¹³

Santiago, 23 August 2021

Having regard to:

Supreme decree No. 1.393 of 1997 of the Ministry of Foreign Affairs, promulgating the United Nations Convention on the Law of the Sea and its annexes, and the Agreement relating to the Implementation of Part XI of the said Convention and its annex; articles 593 and 596 of the Civil Code; legislative decree No. 83 of 1979 of the Ministry of Foreign Affairs, establishing the Organic Statute of the National Directorate of State Borders and Boundaries; legislative decree No. 5 of 1968 of the Ministry of Foreign Affairs, regulating the import of maps and geographical charts; supreme decree No. 192 of 1969 of the Ministry of Defence; supreme decrees Nos. 416 of 1997, 300 of 1993 and 87 of 2021 of the Ministry of Foreign Affairs; and exemption decision No. 72 of 2021 of the National Directorate of State Borders and Boundaries.

Considering:

1. That, in accordance with the principles of international law enshrined in many precedents, in particular the United Nations Convention on the Law of the Sea, promulgated by supreme decree No. 1.393 of 28 August 1997 of the Ministry of Foreign Affairs, coastal States have the sovereign right to establish the boundaries of the maritime spaces under their jurisdiction;
2. That articles 593 and 596 of the Civil Code define the maritime areas under national jurisdiction, which are measured from their respective baselines;
3. That article 7 of the 1984 Treaty of Peace and Friendship between the Republic of Chile and the Argentine Republic established the boundary between their respective sovereignties over the sea, seabed and subsoil from the end of the existing boundary in the Beagle Channel, that is, the point defined by the coordinates 55°07.3' South latitude and 66°25.0' West longitude (point A), to the point defined by the coordinates 58°21.1' South latitude and 67°16.0' West longitude (point F);
4. That, in its supreme decree No. 416 of 14 July 1977, the Ministry of Foreign Affairs determined the straight baselines of the Chilean coastline between the parallels of 41° South and 56° South, which were depicted in Hydrographic Institute of the Navy chart No. 5 of 1977;

That, in its supreme decree No. 300 of 1 April 1993, the Ministry of Foreign Affairs determined the maritime areas under national jurisdiction comprising the territorial sea, the contiguous zone and the exclusive economic zone from Punta Puga to Islas Diego Ramírez, which were depicted in Hydrographic and Oceanographic Service of the Navy chart No. 8 of 1993, in which the straight baselines determined under supreme decree No. 416 are set out and the geographical coordinates of the normal baseline of Islas Diego Ramírez were established;

5. That, in its supreme decree No. 87 of 10 August 2021, the Ministry of Foreign Affairs updated the geographical coordinates of the normal baseline corresponding to the low-water line from which the maritime areas of Islas Diego Ramírez are measured, as set out in Hydrographic and Oceanographic Service of the Navy chart No. 8 of 1993, and established the geographical position of those coordinates in the World Geodetic System 84 datum;
6. That the Hydrographic and Oceanographic Service of the Navy, which, pursuant to supreme decree No. 192 of 6 March 1969 of the Ministry of Defence, is the Government's official standing technical body responsible for tasks such as nautical charting and the development and publication of navigation

¹³ *Original*: Spanish. Transmitted by note verbale No. 62/2021 dated 23 September 2021 from the Permanent Mission of Chile to the United Nations addressed to the Secretary-General. On 23 and 30 September, a chart including lists of geographical coordinates of points was deposited with the Secretary-General under articles 16(2), 75(2) and 84(2) of the Convention (see Maritime Zone Notification M.Z.N.155.2021.LOS of 5 October 2021). Available from www.un.org/Depts/los/LEGISLATIONANDTREATIES/PDFFILES/mzn_s/MZN1552021LOS.pdf.

charts for national waters, updated its chart No. 8, entitled “Punta Puga to Islas Diego Ramírez”, by incorporating the new geographical position of the coordinates of the normal baseline of Islas Diego Ramírez established in the World Geodetic System 84 datum pursuant to supreme decree No. 87, and by depicting the 12-nautical-mile territorial sea, the 24-nautical-mile contiguous zone, the 200-nautical-mile outer limit of the exclusive economic zone and the 200-nautical-mile outer limit of the continental shelf;

7. That the circulation of the second edition of Hydrographic and Oceanographic Service of the Navy chart No. 8, as mentioned in the preceding recital, has been authorized by the National Directorate of State Borders and Boundaries under exemption decision No. 72 of 20 August 2021, in accordance with legislative decree No. 83 of 22 January 1979 and legislative decree No. 5 of 21 October 1968 of the Ministry of Foreign Affairs.

It is hereby decreed that:

Article 1. Supreme decree No. 300 of 1 April 1993 of the Ministry of Foreign Affairs, determining the maritime areas under national jurisdiction from Punta Puga to Islas Diego Ramírez, has been amended as described below.

1. Article 1 has been amended as follows:

- (a) The word “and” after the phrase “24-nautical-mile contiguous zone” has been replaced by a “;”;
- (b) The words “and the 200-nautical-mile outer limit of the continental shelf” have been added after the phrase “exclusive economic zone”;
- (c) The words “Hydrographic and Oceanographic Service of the Navy chart No. 8 of 1993” have been replaced by “Hydrographic and Oceanographic Service of the Navy chart No. 8 of 2021”.

To be noted, registered, communicated and published.

Sebastián Piñera Echenique, President of the Republic

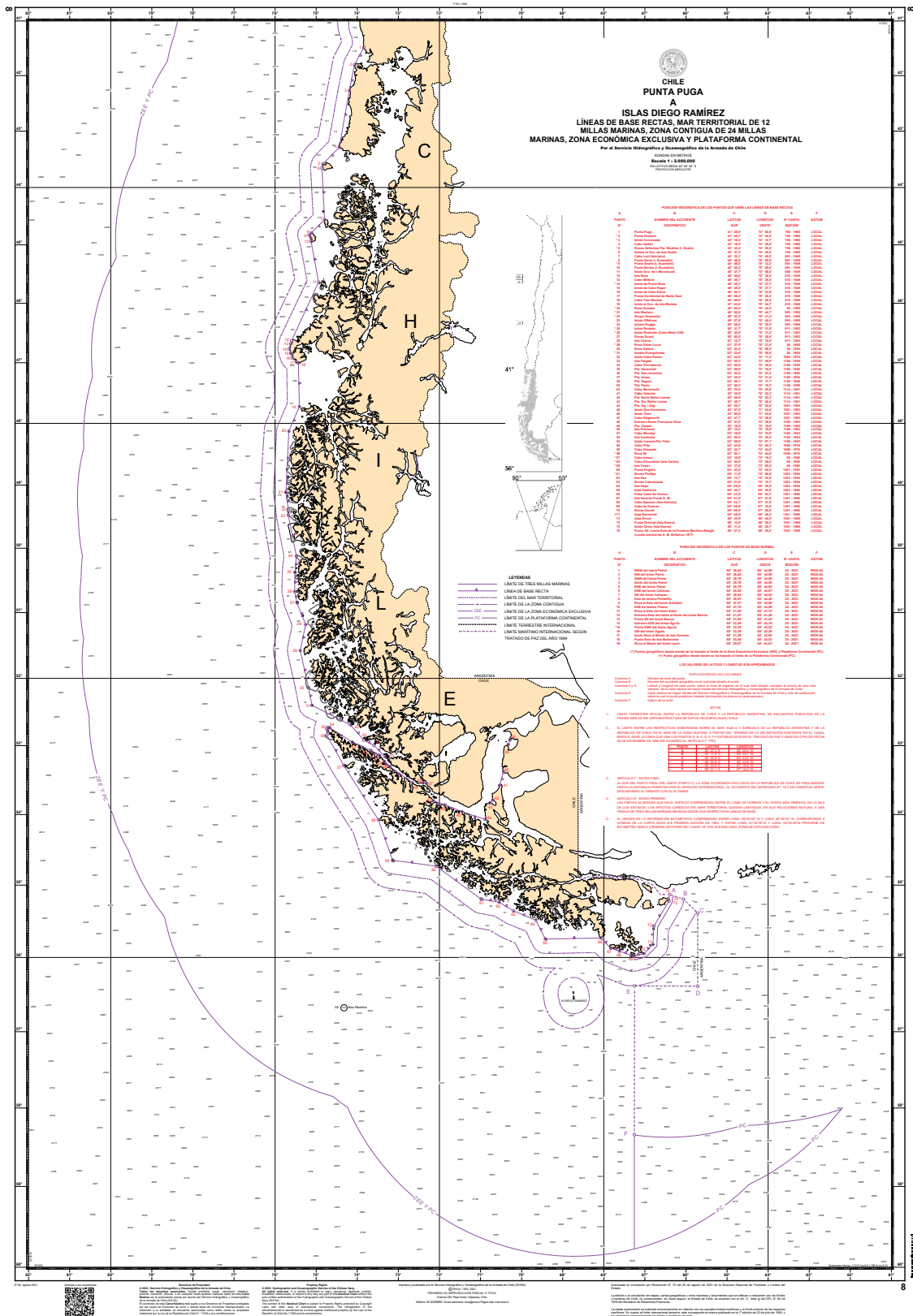
Andrés Allamand, Minister for Foreign Affairs

Baldo Prokurica Prokurica, Minister of Defence

I hereby transmit to you the above decree for your information.

José Avaria Garibaldi, Director-General for Administrative Affairs

*Hydrographic and Oceanographic Service of the Navy chart No. 8 of 2021 on page 3.



4. *Cook Islands*¹⁴

(a) *Maritime Zones (Baselines of Territorial Sea) Regulations 2020 of 29 September 2020*

Sir Tom J. Marsters, KBE Queen's Representative

Order in Executive Council

At Avarua, Rarotonga this 29th day of September, 2020

Present:

His Excellency the Queen's Representative in Executive Council

Pursuant to sections 14 and 20 of the Maritime Zones Act 2018, His Excellency the Queen's Representative, acting on the advice and with the consent of the Executive Council, makes the following regulations—

[...]

Regulations

1. Title

These regulations are the Maritime Zones (Baselines of Territorial Sea) Regulations 2020.

2. Commencement

These regulations come into force on the day after the date on which they are made.

3. Interpretation

In these regulations, unless the context otherwise requires, **baseline** means the baseline from which the breadth of the territorial sea, contiguous zone, exclusive economic zone and continental shelf is measured.

Part 1

Territorial Sea Baselines

4. Territorial Sea Baselines

- (1) The baselines for the territorial sea in the Cook Islands are specified in the tables in Schedule 1 as follows—
 - (a) Part 1 specifies the points on the baseline from which the breadth of the territorial sea around Penrhyn is measured:
 - (b) Part 2 specifies the points on the baseline from which the breadth of the territorial sea around Rakahanga is measured:
 - (c) Part 3 specifies the points on the baseline from which the breadth of the territorial sea around Manihiki is measured:
 - (d) Part 4 specifies the points on the baseline from which the breadth of the territorial sea around Pukapuka is measured:
 - (e) Part 5 specifies the points on the baseline from which the breadth of the territorial sea around Nassau is measured:

¹⁴ *Original*: English. Transmitted by note verbale No. 33/2021-22 dated 12 August 2021 from the Ministry of Foreign Affairs and Immigration of the Government of the Cook Islands addressed to the Secretary-General. Lists of geographical coordinates of points were deposited with the Secretary-General under articles 16(2) and 75(2) of the Convention (see Maritime Zone Notification M.Z.N.153.2021.LOS of 16 August 2021). Available from www.un.org/Depts/los/LEGISLATIONANDTREATIES/PDFFILES/mzn_s/mzn_153_cook_islands.pdf.

- (f) Part 6 specifies the points on the baseline from which the breadth of the territorial sea around Suvarrow is measured:
- (g) Part 7 specifies the points on the baseline from which the breadth of the territorial sea around Palmerston is measured:
- (h) Part 8 specifies the points on the baseline from which the breadth of the territorial sea around Aitutaki is measured:
- (i) Part 9 specifies the points on the baseline from which the breadth of the territorial sea around Manuae is measured:
- (j) Part 10 specifies the points on the baseline from which the breadth of the territorial sea around Takutea is measured:
- (k) Part 11 specifies the points on the baseline from which the breadth of the territorial sea around Mitiaro is measured:
- (l) Part 12 specifies the points on the baseline from which the breadth of the territorial sea around Atiu is measured:
- (m) Part 13 specifies the points on the baseline from which the breadth of the territorial sea around Mauke is measured:
- (n) Part 14 specifies the points on the baseline from which the breadth of the territorial sea around Rarotonga is measured:
- (o) Part 15 specifies the points on the baseline from which the breadth of the territorial sea around Mangaia is measured.

Part 2

Guide to reading Schedules

5. Guide to reading Schedule 1

- (1) In the tables in Schedules 1—
 - (a) the first column sets out the point identifier; and
 - (b) the second and third columns set out the geographic coordinates for each point; and
 - (c) the fourth column sets out the zone or zones measured from the point.
- (2) In the fourth column of the tables—
 - (a) TS means territorial sea; and
 - (b) CZ means contiguous zone; and
 - (c) EEZ means exclusive economic zone and continental shelf.

6. Geodetic framework

In these regulations, points defined by geographic coordinates are determined by reference to the World Geodetic System 1984 (WGS 84).

7. Illustrative chart

- (1) The chart in Schedule 2 provides a general illustration of the points on the baselines specified in Schedule 1 and the baselines.
- (2) Schedule 1 prevails if there is any inconsistency between Schedule 1 and Schedule 2.

Schedule 1
Geographical Coordinates¹⁵

Part 1 – Penrhyn

[...]

Part 2 – Rakahanga

[...]

Part 3 – Manihiki

[...]

Part 4 – Pukapuka

[...]

Part 5 – Nassau

[...]

Part 6 – Suvarrow

[...]

Part 7 – Palmerston

[...]

Part 8 – Aitutaki

[...]

Part 9 – Manuae

[...]

Part 10 – Takutea

[...]

Part 11 – Mitiaro

[...]

Part 12 – Atiu

[...]

Part 13 – Mauke

[...]

Part 14 – Rarotonga

[...]

Part 15 – Mangaia

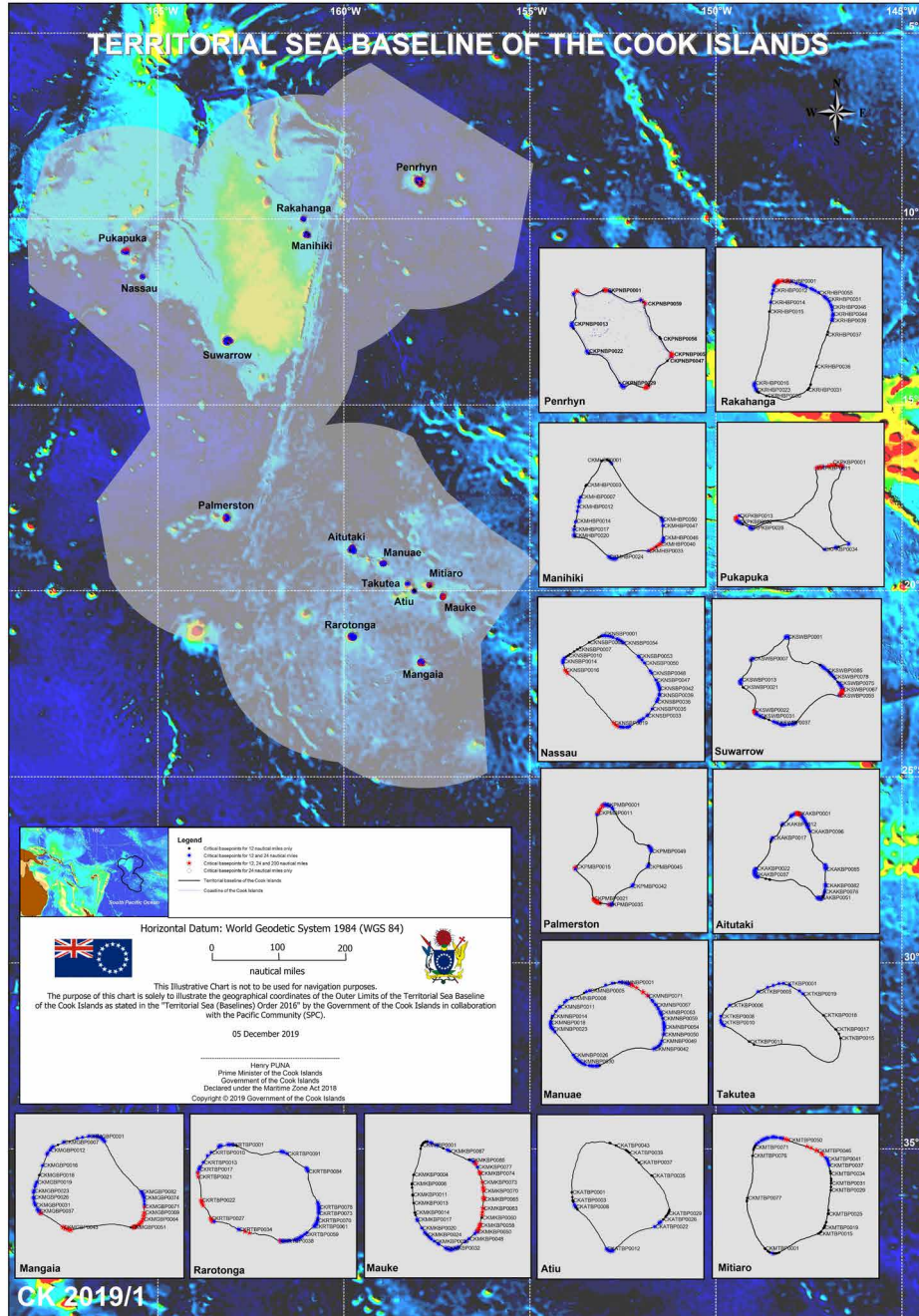
[...]

¹⁵ Tables of coordinates available from www.un.org/Depts/los/LEGISLATIONANDTREATIES/PDFFILES/05Coordinates_Baselines%20of%20Territorial%20Seas.pdf.

Schedule 2

Chart Illustrating the Territorial Sea Baselines of the Cook Islands

Note: This chart provides a general illustration of the points on the baselines specified in Schedule 1 and the baselines.



[Signed]

Clerk of the Executive Council

(b) *Maritime Zones (Territorial Sea Outer Limits) Regulations 2020 of 29 September 2020*

Sir Tom J. Marsters, KBE

Queen's Representative

Order in Executive Council

At Avarua, Rarotonga this 29th day of September, 2020

Present:

His Excellency the Queen's Representative in Executive Council

Pursuant to sections 14 and 20 of the Maritime Zones Act 2018, His Excellency the Queen's Representative, acting on the advice and with the consent of the Executive Council, makes the following regulations—

[...]

Regulations

1. Title

These regulations are the Maritime Zones (Territorial Sea Outer Limits) Regulations 2020.

2. Commencement

These regulations come into force on the day after the date on which they are made.

Part 1

Outer Limits of the Territorial Sea

3. Outer limits of the territorial sea

The outer limits of the territorial sea of the islands in the Cook Islands are the lines specified in the tables in Schedule 1 as follows—

- (a) Part 1 specifies the outer limit of the territorial sea of Penrhyn;
- (b) Part 2 specifies the outer limit of the territorial sea of Rakahanga and Manihiki;
- (c) Part 3 specifies the outer limit of the territorial sea of Pukapuka;
- (d) Part 4 specifies the outer limit of the territorial sea of Nassau;
- (e) Part 5 specifies the outer limit of the territorial sea of Suvarrow;
- (f) Part 6 specifies the outer limit of the territorial sea of Palmerston;
- (g) Part 7 specifies the outer limit of the territorial sea of Aitutaki;
- (h) Part 8 specifies the outer limit of the territorial sea of Manuae;
- (i) Part 9 specifies the outer limit of the territorial sea of Takutea, Mitiaro, Atiu and Mauke;
- (j) Part 10 specifies the outer limit of the territorial sea of Rarotonga;
- (k) Part 11 specifies the outer limit of the territorial sea of Mangaia.

Part 2

Guide to reading Schedules

4. Guide to reading Schedule 1

In the tables in Schedule 1—

- (a) lines are generated by reference to points; and
- (b) the first column sets out the point identifier; and
- (c) the second and third columns set out the geographic coordinates for each point.

5. Geodetic framework

In these regulations, points defined by geographic coordinates are determined by reference to the World Geodetic System 1984 (WGS 84).

6. Illustrative chart

- (1) The chart in Schedule 2 provides a general illustration of the lines specified in Schedule 1.
- (2) Schedule 1 prevails if there is any inconsistency between Schedule 1 and Schedule 2.

Schedule 1 Geographical Coordinates¹⁶

Part 1 – Penrhyn

1. The line commencing at point CKPNTS0001 in the following table and running along the geodesics sequentially connecting each point in the table.
[...]
2. Then running along the geodesic to the point of commencement CKPNTS0001.

Part 2 – Rakahanga and Manihiki

1. The line commencing at point CKRHMHTS0001 in the following table and running along the geodesics sequentially connecting each point in the table.
[...]
2. Then running along the geodesic to the point of commencement CKRHMHTS0001.

Part 3 – Pukapuka

1. The line commencing at point CKPKTS0001 in the following table and running along the geodesics sequentially connecting each point in the table.
[...]
2. Then running along the geodesic to the point of commencement CKPKTS0001.

Part 4 – Nassau

1. The line commencing at point CKNSTS0001 in the following table and running along the geodesics sequentially connecting each point in the table.
[...]
2. Then running along the geodesic to the point of commencement CKNSTS0001.

Part 5 – Suvarrow

1. The line commencing at point CKSWTS0001 in the following table and running along the geodesics sequentially connecting each point in the table.
[...]
2. Then running along the geodesic to the point of commencement CKSWTS0001.

¹⁶ Tables of coordinates available from www.un.org/Depts/los/LEGISLATIONANDTREATIES/PDFFILES/06Coordinates_Territorial%20Seas%20Outer%20Limits.pdf.

Part 6 – Palmerston

1. The line commencing at point CKPMTS0001 in the following table and running along the geodesics sequentially connecting each point in the table.
[...]
2. Then running along the geodesic to the point of commencement CKPMTS0001.

Part 7 – Aitutaki

1. The line commencing at point CKAKTS0001 in the following table and running along the geodesics sequentially connecting each point in the table.
[...]
2. Then running along the geodesic to the point of commencement CKAKTS0001.

Part 8 – Manuae

1. The line commencing at point CKMNTS0001 in the following table and running along the geodesics sequentially connecting each point in the table.
[...]
2. Then running along the geodesic to the point of commencement CKMNTS0001.

Part 9 – Takutea, Mitiaro, Atiu and Mauke

1. The line commencing at point CKTKMTATMKTS0001 in the following table and running along the geodesics sequentially connecting each point in the table.
[...]
2. Then running along the geodesic to the point of commencement CKTKMTATMKTS0001.

Part 10 – Rarotonga

1. The line commencing at point CKRTTS0001 in the following table and running along the geodesics sequentially connecting each point in the table.
[...]
2. Then running along the geodesic to the point of commencement CKRTTS0001.

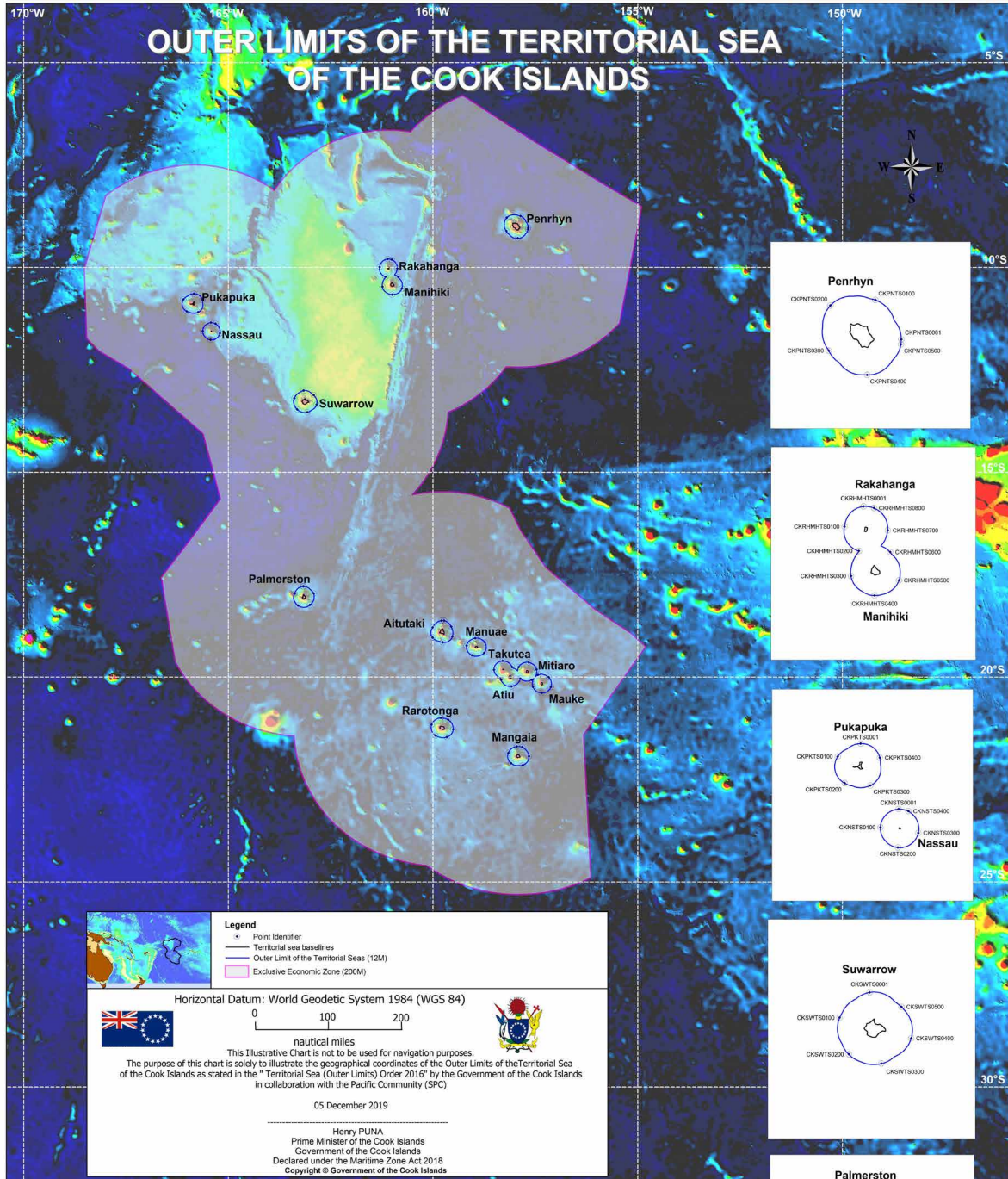
Part 11 – Mangaia

1. The line commencing at point CKMGTS0001 in the following table and running along the geodesics sequentially connecting each point in the table.
[...]
2. Then running along the geodesic to the point of commencement CKMGTS0001.

Schedule 2

Chart Illustrating the Outer Limits of the Territorial Sea of the Cook Islands

Note: This chart provides a general illustration of the lines specified in Schedule 1.



[Signed]
Clerk of the Executive Council

(c) *Maritime Zones (Contiguous Zone Outer Limits) Regulations 2020 of 29 September 2020*

Sir Tom J. Marsters, KBE

Queen's Representative

Order in Executive Council

At Avarua, Rarotonga this 29th day of September, 2020

Present:

His Excellency the Queen's Representative in Executive Council

Pursuant to sections 14 and 20 of the Maritime Zones Act 2018, His Excellency the Queen's Representative, acting on the advice and with the consent of the Executive Council, makes the following regulations—

[...]

Regulations

1. Title

These regulations are the Maritime Zones (Contiguous Zone Outer Limits) Regulations 2020.

2. Commencement

These regulations come into force on the day after the date on which they are made.

Part 1

Outer Limits of Contiguous Zone

3. Outer limits of the contiguous zone

The outer limits of the contiguous zone of the islands in the Cook Islands are the lines specified in Schedule 1 as follows—

- (a) Part 1 specifies the outer limit of the contiguous zone of Penrhyn:
- (b) Part 2 specifies the outer limit of the contiguous zone of Rakahanga and Manihiki:
- (c) Part 3 specifies the outer limit of the contiguous zone of Pukapuka and Nassau:
- (d) Part 4 specifies the outer limit of the contiguous zone of Suvarrow:
- (e) Part 5 specifies the outer limit of the contiguous zone of Palmerston:
- (f) Part 6 specifies the outer limit of the contiguous zone of Aitutaki, Manuae, Takutea, Mitiaro, Atiu and Mauke:
- (g) Part 7 specifies the outer limit of the contiguous zone of Rarotonga:
- (h) Part 8 specifies the outer limit of the contiguous zone of Mangaia.

Part 2

Guide to reading Schedules

4. Guide to reading Schedule 1

In the tables in Schedule 1—

- (a) lines are generated by reference to points; and
- (b) the first column sets out the point identifier; and
- (c) the second and third columns set out the geographic coordinates for each point.

5. Geodetic framework

In these regulations, points defined by geographic coordinates are determined by reference to the World Geodetic System 1984 (WGS 84).

6. Illustrative chart

- (1) The chart in Schedule 2 provides a general illustration of the lines specified in Schedule 1.
- (2) Schedule 1 prevails if there is any inconsistency between Schedule 1 and Schedule 2.

**Schedule 1
Geographical Coordinates¹⁷**

Part 1 – Penrhyn

1. The line commencing at point CKPNCZ0001 in the following table and running along the geodesics sequentially connecting each point in the table.
[...]
2. Then running along the geodesic to the point of commencement CKPNCZ0001

Part 2 – Rakahanga and Manihiki

1. The line commencing at point CKRHMHCZ0001 in the following table and running along the geodesics sequentially connecting each point in the table.
[...]
2. Then running along the geodesic to the point of commencement CKRHMHCZ0001.

Part 3 – Pukapuka and Nassau

1. The line commencing at point CKPKNSCZ0001 in the following table and running along the geodesics sequentially connecting each point in the table.
[...]
2. Then running along the geodesic to the point of commencement CKPKNSCZ0001.

Part 4 – Suvarrow

1. The line commencing at point CKSWCZ0001 in the following table and running along the geodesics sequentially connecting each point in the table.
[...]
2. Then running along the geodesic to the point of commencement CKSWCZ0001.

¹⁷ Tables of coordinates available from https://www.un.org/Depts/los/LEGISLATIONANDTREATIES/PDFFILES/07Coordinates_Contiguous%20Zone%20Outer%20Limits.pdf.

Part 5 – Palmerston

1. The line commencing at point CKPMCZ0001 in the following table and running along the geodesics sequentially connecting each point in the table.
[...]
2. Then running along the geodesic to the point of commencement CKPMCZ0001.

Part 6 – Aitutaki, Manuae, Takutea, Mitiaro, Atiu and Mauke

1. The line commencing at point CKAKMNTKMTATMKCZ0001 in the following table and running along the geodesics sequentially connecting each point in the table.
[...]
2. Then running along the geodesic to the point of commencement CKAKMNTKMTATMKCZ0001.

Part 7 – Rarotonga

1. The line commencing at point CKRTCZ0001 in the following table and running along the geodesics sequentially connecting each point in the table.
[...]
2. Then running along the geodesic to the point of commencement CKRTCZ0001.

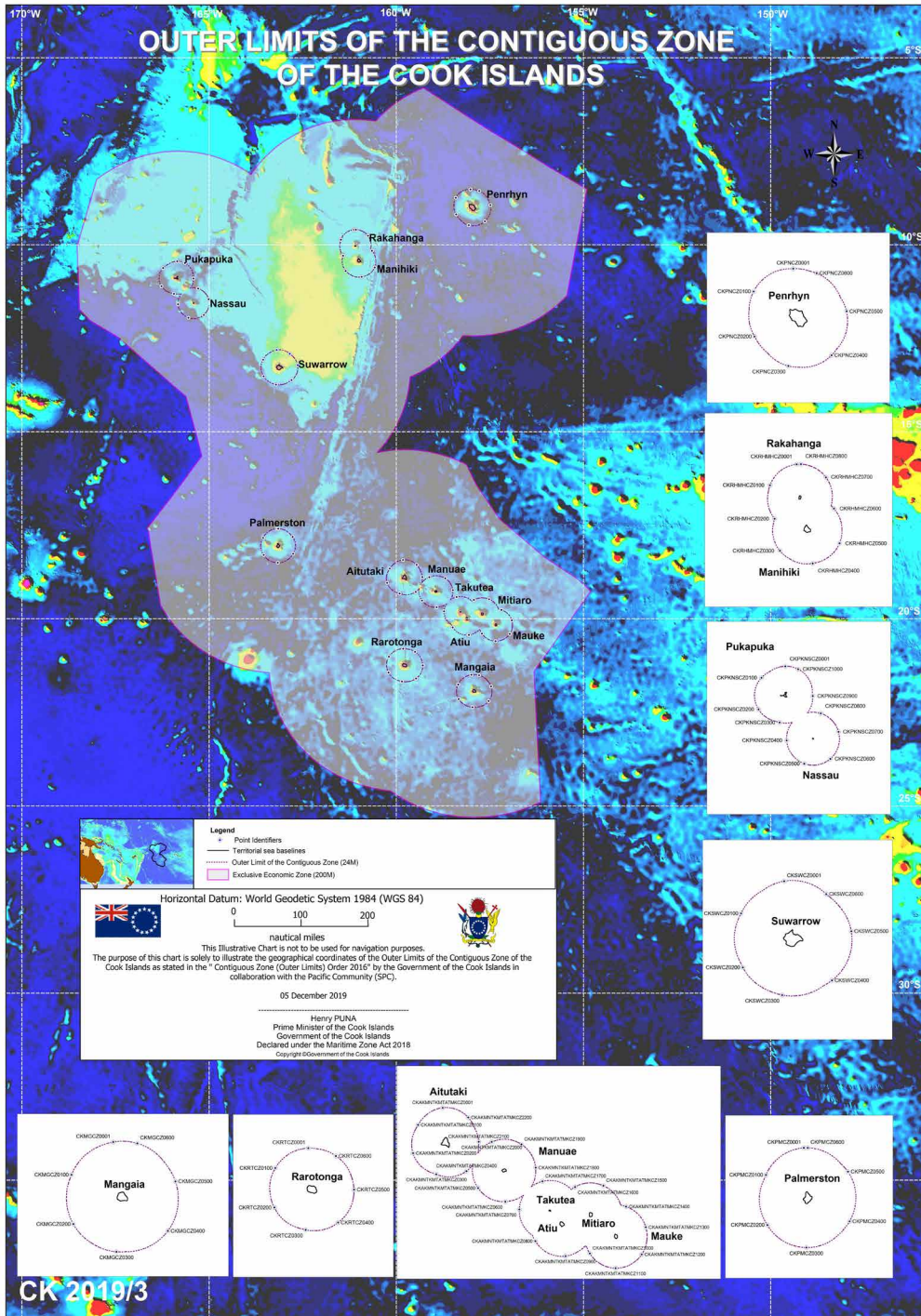
Part 8 – Mangaia

1. The line commencing at point CKMGCZ0001 in the following table and running along the geodesics sequentially connecting each point in the table.
[...]
2. Then running along the geodesic to the point of commencement CKMGCZ0001.

Schedule 2

Chart illustrating the Outer Limits of the Contiguous Zone of the Cook Islands

Note: This chart provides a general illustration of the lines specified in Schedule 1.



[Signed]
Clerk of the Executive Council

(d) *Maritime Zones (Exclusive Economic Zone Outer Limits) Regulations 2021 of 1 June 2021*

Sir Tom J. Marsters, KBE

Queen's Representative

Order in Executive Council

At Avarua, Rarotonga this 1st day of June 2021

Present:

His Excellency the Queen's Representative in Executive Council

Pursuant to sections 14 and 20 of the Maritime Zones Act 2018, His Excellency the Queen's Representative, acting on the advice and with the consent of the Executive Council, makes the following regulations—

[...]

Regulations

1. Title

These regulations are the Maritime Zones (Exclusive Economic Zone Outer Limits) Regulations 2021.

2. Commencement

These regulations come into force on the day after the date on which they are made.

Part 1

Outer Limit of the Exclusive Economic Zone

3. Outer Limit of the Exclusive Economic Zone

The outer limits of the 200 nautical mile exclusive economic zone of the Cook Islands are the lines specified in Schedule 1.

Part 2

Guide to Reading Schedules

4. Guide to reading Schedule 1

In the tables in Schedule 1—

- (a) lines are generated by reference to points; and
- (b) the first column sets out the Point Identifier; and
- (c) the second and third columns set out the geographic coordinates by Latitude and Longitude for each point; and
- (d) the fourth column sets out the following information about the point—
 - (i) a treaty reference point, which is a reference to how the point is referred to in a treaty (for the relevant treaty for a point, see regulation 5);
 - (ii) a provisional status (P), where, subject to final delimitation, an interim point creating a provisional median line has been used without prejudice to any future delimitation;
 - (iii) 200 nautical mile, where the exclusive economic zone is adjacent to the high seas.

5. Relevant treaties

The relevant treaty for a point is as follows—

- (a) for the points CKEEZ02104 to CKEEZ02127 – Treaty between the United States of America and the Cook Islands on Friendship and Delimitation of the Maritime Boundary between the United States of America and the Cook Islands, done in Rarotonga on 11 June 1980;
- (b) for the points CKEEZ01285 to CKEEZ01290 – Agreement on Maritime Delimitation between the Government of the Cook Islands and the Government of the French Republic of 3 August 1990, done in Rarotonga on 3 August 1990;
- (c) for the points CKEEZ02128 to CKEEZ02130 – Agreement between the Government of New Zealand and the Government of the Cook Islands concerning the Delimitation of the Maritime Boundaries between Tokelau and the Cook Islands, done in Port Vila on 4 August 2010;
- (d) for the points CKEEZ00646 to CKEEZ00657 – Agreement between the Government of the Cook Islands and the Government of the Republic of Kiribati concerning the Delimitation of the Maritime Boundaries between the Cook Islands and the Republic of Kiribati, done in Rarotonga, Cook Islands on 29 August 2012;
- (e) for the points CKEEZ02093 to CKEEZ02103 – Agreement between the Government of the Cook Islands and the Government of Niue concerning the Delimitation of the Maritime Boundaries between the Cook Islands and Niue, done in Rarotonga, Cook Islands on 29 August 2012.

6. Geodetic framework

In these regulations, points defined by geographic coordinates are determined by reference to the World Geodetic System 1984 (WGS 84).

7. Illustrative chart

- (1) The chart in Schedule 2 provides a general illustration of the line specified in Schedule 1.
- (2) Schedule 1 prevails if there is any inconsistency between Schedule 1 and Schedule 2.

8. Maritime Zones (Exclusive Economic Zone Outer Limits) Regulations 2020 revoked

The Maritime Zones (Exclusive Economic Zone Outer Limits) Regulations 2020 are revoked.

Schedule 1 Geographical Coordinates¹⁸

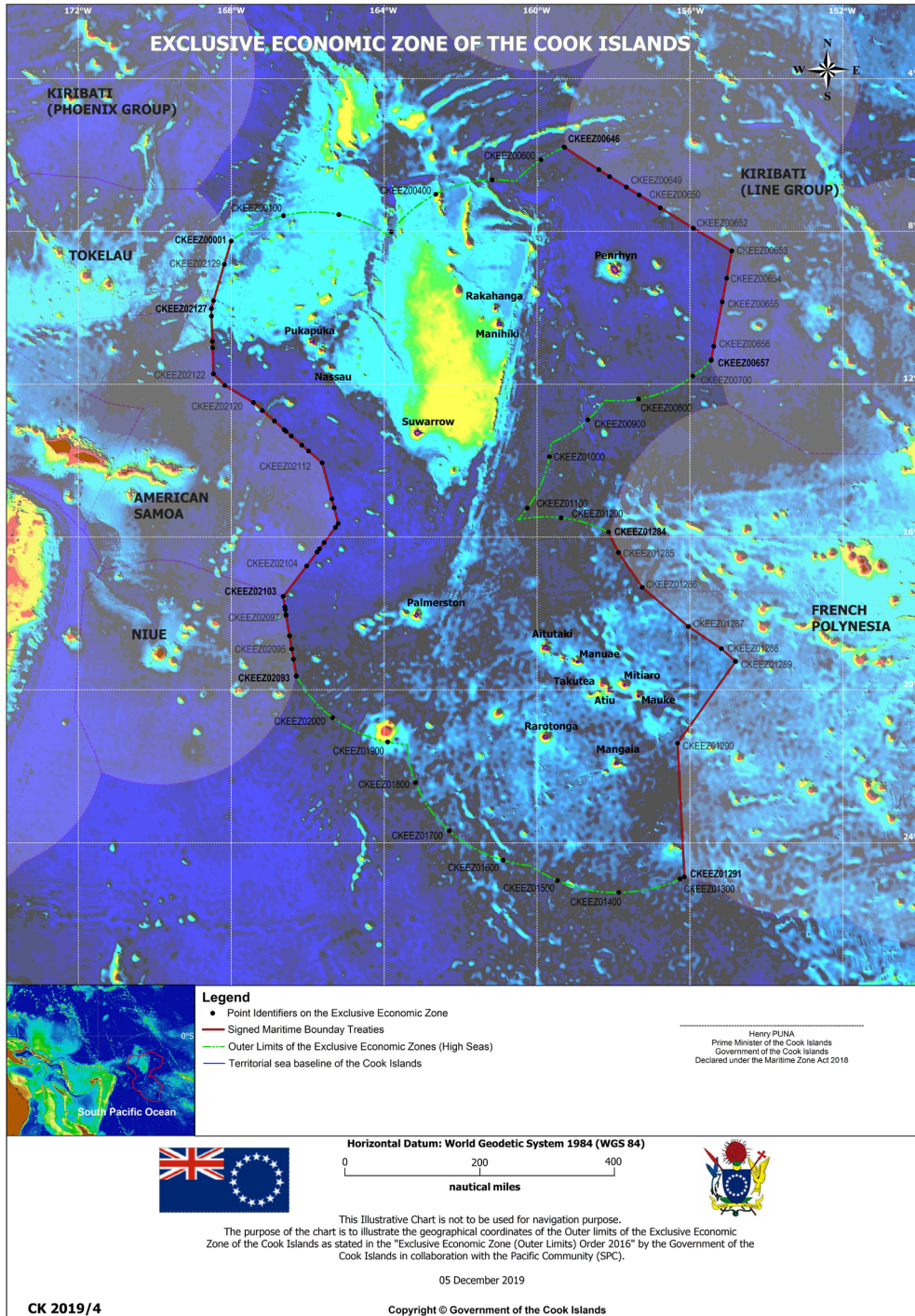
1. The outer limit of the exclusive economic zone of the Cook Islands is the line commencing at point CKEEZ00001 in the following table and running along the geodesics sequentially connecting each point in the table.
[...]
2. Then running south easterly along the geodesics to point CKEEZ00646 in the following table and then running along the geodesics sequentially connecting each point in the table.
[...]
3. Then running south-westerly along the geodesics to point CKEEZ00658 in the following table and then running along the geodesics sequentially connecting each point in the table.
[...]
4. Then running south easterly along the geodesics to point CKEEZ01285 in the following table and then running along the geodesics sequentially connecting each point in the table
[...]
5. Then running westerly along the geodesics to point CKEEZ01292 in the following table and then running along the geodesics sequentially connecting each point in the table.
[...]
6. Then running north-westerly along the geodesics to point CKEEZ02093 in the following table and then running along the geodesics sequentially connecting each point in the table.
[...]
7. Then running north-easterly along the geodesics to point CKEEZ02104 in the following table and then running along the geodesics sequentially connecting each point in the table.
[...]
8. Then running north along the geodesics to point CKEEZ02128 in the following table and then running along the geodesics sequentially connecting each point in the table.
[...]
9. Then running north-easterly along the geodesic to the point of commencement CKEEZ00001.

¹⁸ Tables of coordinates available from www.un.org/Depts/los/LEGISLATIONANDTREATIES/PDFFILES/08Coordinates_Exclusive%20Economic%20Zone%20Outer%20Limits.pdf.

Schedule 2

Chart Illustrating the Outer Limits of the Exclusive Economic Zone of the Cook Islands

Note: This chart provides a general illustration of the points on the baselines specified in Schedule 1 and the baselines.



[Signed]
Clerk of the Executive Council

5. Italy

*Law No. 91 - Institution of an exclusive economic zone beyond the external limit of the territorial sea,
14 June 2021¹⁹*

The Chamber of Deputies and the Senate of the Republic have approved;

THE PRESIDENT OF THE REPUBLIC
PROMULGATES

The following legislation:

Art.1 *Institution of an exclusive economic zone beyond the external limit of the territorial sea.*

1. In accordance with the provisions of the United Nations Convention on the Law of the Sea, done at Montego Bay on December 10, 1982, executed by the Law of 2 December 1994, n.689, the institution of an exclusive economic zone is authorized from the external limit of Italy's territorial sea and up to the limits determined in accordance with paragraph 3 below.
2. The institution of the exclusive economic zone, which includes all the waters surrounding the territorial sea or parts of them, is provided by a Decree of the President of the Republic, after deliberation by the Council of the Ministers, upon proposal by the Minister of foreign affairs and international cooperation, to be notified to the States whose territory is adjacent or facing Italy's territory.
3. The outer limits of the exclusive economic zone are determined on the basis of agreements with the States identified in paragraph 2 above and subject to the ratification procedure required by article 80 of the Constitution. Until the date of the entry into force of such agreements, the external limits of the exclusive economic zone are established in such a way as not to hinder any final agreement.

Art.2 *Legal enforcement within the exclusive economic zone*

1. Within the exclusive economic zone established under Article 1, Italy exercises the sovereign rights provided under the international rules in force.

Art.3 *Rights of other States within the exclusive economic zone*

1. The institution of an exclusive economic zone is without prejudice to the exercise, in accordance with general international law and applicable treaty law, of the freedom of navigation, of overflight and of the laying of submarine cables and pipelines, and to other rights provided under the international rules in force.

The present law, together with the State seal, shall be inserted in the Official Collection of legal acts of the Italian Republic. It is mandatory to abide by it and to ensure abidance as law of the State.

Done in Rome, June 14th, 2021

MATTARELLA

Draghi, President of the Council of Ministers

Checked, The Minister of Justice: Cartabia

¹⁹ *Original: Italian. Transmitted by note verbale No. 1621 dated 12 August 2021 from the Permanent Mission of Italy to the United Nations addressed to the Secretariat.*

B. BILATERAL TREATIES

*Treaty between the Federal Republic of Germany and the Kingdom of the Netherlands on the use and management of the territorial sea between 3 and 12 nautical miles from the coast*²⁰

The Federal Republic of Germany and the Kingdom of the Netherlands

Confirming that the friendly relations between the Federal Republic of Germany and the Kingdom of the Netherlands are based on the principles of good-neighbourliness and bilateral cooperation,

Having regard to the Treaty of 8 April 1960 between the Federal Republic of Germany and the Kingdom of the Netherlands concerning arrangements for cooperation in the Ems Estuary and the Supplementary Agreement to that Treaty of 14 May 1962,

Having regard to the Treaty of 1 December 1964 between the Federal Republic of Germany and the Kingdom of the Netherlands concerning the lateral delimitation of the continental shelf in the vicinity of the coast,

Having regard to the Treaty of 9 December 1980 between the Federal Republic of Germany and the Kingdom of the Netherlands on the joint provision of information and navigation advice in the Ems Estuary by means of land-based radar and high-frequency radio facilities,

Having regard to the Agreement of 22 December 1986 between the Government of the Federal Republic of Germany and the Government of the Kingdom of the Netherlands concerning navigation arrangements in the Ems Estuary and the Agreement of 5 April 2001 amending and supplementing that Agreement,

Having regard to the United Nations Convention on the Law of the Sea of 10 December 1982 to which both the Federal Republic of Germany and the Kingdom of the Netherlands are contracting parties,

Considering that the United Nations Convention on the Law of the Sea has resulted in an extension of the outer limit of the territorial sea, transposed into domestic law by the Kingdom of the Netherlands on 9 January 1985 and by the Federal Republic of Germany on 16 November 1994,

Desiring, in the light of the increasing intensity of shipping traffic from and into the ports of both States along the Ems, to conclude further agreements on traffic control and the management of the channel,

Have agreed as follows

Section I. General

Article 1. Purpose

(1) Conscious of their shared interests and mindful of the particular interests of the other Contracting Party, the Contracting Parties wish to create legal certainty surrounding the assignment of jurisdiction, rights and responsibilities between the Contracting Parties with regard to certain activities, establish the conditions for equal and efficient access to the ports of both Contracting Parties and ensure cooperation with regard to shipping traffic within the area governed by this Treaty.

(2) Conscious of their shared interests and mindful of the particular interests of the other Contracting Party, the Contracting Parties will cooperate in accordance with the following articles and in a spirit of good-neighbourliness.

(3) The Contracting Parties aim to ensure the navigability of the channel and unhindered access by sea from and to the German and Dutch ports along the Ems.

Article 2. Definitions

In this Treaty,

“Ems-Dollard Treaty” means the Treaty of 8 April 1960 between the Federal Republic of Germany and the Kingdom of the Netherlands concerning arrangements for cooperation in the Ems Estuary;

²⁰ Registered with the Secretariat of the United Nations by Germany on 1 July 2021, registration No. I-56822, pursuant to Article 102(1) of the Charter of the United Nations. Entry into force: 1 July 2018, in accordance with article 25(2) and provisionally on 24 October 2014 by signature, in accordance with article 25(3). See https://treaties.un.org/Pages/showDetails.aspx?objid=080000028052afe3&clang=_en.

“Ems Estuary” means the area referred to in article 7 of the Ems-Dollard Treaty in conjunction with section 1 of annex B to that Treaty;

“Territorial sea” means the territorial sea within the meaning of article 2 of the United Nations Convention on the Law of the Sea of 10 December 1982;

“Line” means the line defined in article 6;

“Shipping traffic emergencies” means shipping accidents, critical situations and other situations that pose an immediate danger to a ship, its crew or the environment;

“Channel” means the buoyed channel referred to in article 10;

“Buoys” means floating navigation marks;

“Improvement works” means widening or deepening the bottom profile of the channel as described in article 13 by dredging, to serve the interests of shipping traffic;

“Maintenance works” means dredging the bottom of the channel as described in article 13 to maintain the existing profile, to serve the interests of shipping traffic;

“Commission” means the Western Ems Commission defined in article 19.

Article 3. Area of applicability

The provisions of this Treaty shall govern the territorial sea up to 12 nautical miles from the coast in the area to the north of the Ems Estuary.

Article 4. Without prejudice

The provisions of this Treaty shall have no bearing on the question of the course of the international border in the territorial sea between 3 and 12 nautical miles from the coast. In addition, the provisions of this Treaty shall have no bearing on the question of the course of the international border in the Ems Estuary. Each Contracting Party reserves its legal position with regard to those questions.

Section II. Applicability of domestic laws with regard to particular matters

Article 5. Material applicability

With regard to:

- a) Renewable energy installations and any other installations;
- b) Cables and pipelines;
- c) Non-living natural resources, notwithstanding the fact that both Contracting Parties reserve their legal positions on the legal status of the Treaty of 1 December 1964 between the Federal Republic of Germany and the Kingdom of the Netherlands concerning the lateral delimitation of the continental shelf in the vicinity of the coast in the area between 3 and 12 nautical miles from the coast;

the area to the west of the line referred to in article 6 is governed exclusively by the laws of the Kingdom of the Netherlands and the area to the east of that line exclusively by the laws of the Federal Republic of Germany.

Article 6. Line

(1) The line shall start at the northernmost point c” of the line agreed upon in the Supplementary Agreement to the Ems-Dollard Treaty of 14 May 1962, which divides the border area in the Ems Estuary lengthwise, and shall end at point E1, defined in the Treaty of 1 December 1964 between the Federal Republic of Germany and the Kingdom of the Netherlands concerning the lateral delimitation of the continental shelf in the vicinity of the coast. The line shall coincide with the border as defined in the Treaty of 1 December 1964 between the Federal Republic of Germany and the Kingdom of the Netherlands concerning the lateral delimitation of the continental shelf in the vicinity of the coast.

(2) The line shall be formed by a geodetical line that connects points c” and E1, expressed in geographical coordinates:

	Latitude (north)	Longitude (east)
Point c”	53°36’15.4”	6°24’45.4”
Point E1	53°45’0.3”	6°19’53.4”

The positions of the points referred to in this article shall be determined by the latitude and longitude as defined in the World Geodetic System 1984 (WGS 84).

Section III. Maritime traffic

Article 7. *Traffic management*

(1) The Contracting Parties shall establish a joint traffic management system for shipping traffic in the channel from and to the ports of both Contracting Parties along the Ems.

(2) They shall, for that purpose, establish a joint traffic control centre, which shall be subject to German law. The activities of the traffic control centre shall be carried out by the Federal Republic of Germany on the basis of the traffic rules developed and laid down by the Commission referred to in article 19. The joint traffic control centre shall have authority to issue binding instructions to shipping traffic.

(3) The Contracting Parties shall each bear half of the costs for the operational activities of the traffic control centre;

(4) The responsibility and liability for decisions of the traffic control centre shall be borne by the Federal Republic of Germany in accordance with German law. The amount of any compensation owed for damage resulting from action taken by the traffic control centre in correct application of the joint traffic rules shall be apportioned equally between the Contracting Parties, by arrangement between them.

(5) Ships shall be processed on a first-come, first-served basis. Care shall be taken to give deep-draught ships advantage of the first available high tide. The Commission shall set out criteria for cases in which a departure from those rules may be allowed.

(6) The Commission shall subject the joint shipping traffic management system and its operation to an annual evaluation. Moreover, if the current situation so requires, the Commission shall hold ad hoc discussions on the joint traffic management system.

Article 8. *Emergencies in the channel affecting shipping traffic*

(1) The traffic control centre shall report emergencies directly to the competent authority appointed by the Contracting Parties. The competent authority shall ensure further evaluation, the coordination of measures and the exchange of further information.

(2) Regardless of any initial action taken by the traffic control centre to ensure the safety and flow of shipping traffic, the following shall apply to any subsequent measures taken in response to emergencies, unless otherwise provided for by the Contracting Parties:

1. If the affected vessels are German, such measures shall be taken by the Federal Republic of Germany;
2. If the affected vessels are Dutch, such measures shall be taken by the Kingdom of the Netherlands;
3. If the affected vessels belong to a third State, the Contracting Party responsible shall be that of the first port of destination for vessels arriving from the sea, and that of the last port of departure for vessels leaving to the sea;
4. For affected vessels other than those referred to in subparagraphs 1 to 3, the Contracting Parties shall agree on ad hoc arrangements.

(3) Liability for damage caused by measures taken under paragraph 2 shall be governed by the domestic laws of the Contracting Party taking the measure.

Article 9. *Pilotage*

(1) Pilotage aboard ships arriving from or leaving for the open seas shall be ensured:

- By the Federal Republic of Germany for ships whose first port of call, or last port of departure, is German,
- By the Kingdom of the Netherlands for ships whose first port of call, or last port of departure, is Dutch.

(2) Pilotage aboard ships travelling between German and Dutch ports shall be ensured by pilots licensed in either Contracting Party.

(3) Liability for damage caused by pilots shall be governed by the domestic laws of the Contracting Party that issued the license of the causing pilot.

Article 10. *Channel*

(1) The course of the channel in the Treaty area shall be determined by the positions of the buoys on the date of entry into force of this Treaty.

(2) Any changes in the positions of the buoys and, consequently, in the course of the channel shall be recorded by the Commission and shall be confirmed by the Contracting Parties.

(3) The Contracting Parties shall announce changes in the course of the channel in their official gazettes.

(4) In the event of insignificant natural changes in the course of the channel, the positions of individual buoys may be adjusted without following the procedure described in paragraphs 2 and 3. The Commission shall submit its definition of insignificant changes to the Contracting Parties for approval.

Article 11. *Sounding*

Either Contracting Party may, in the interests of traffic safety, carry out measurements, soundings and hydrological research in the channel.

Article 12. *Buoys*

The Federal Republic of Germany shall continue to be responsible for placing, operating and maintaining the buoys in the channel and shall bear the related costs.

Article 13. *Works in the shipping channel*

(1) Both Contracting Parties shall be entitled to carry out works to improve the channel or remove shipping obstacles, including shipwrecks, from the channel, and shall issue permits for that purpose. The works shall be carried out by the Contracting Party that initiates them; that Party shall also bear the related costs, unless agreed otherwise. The works referred to in the first sentence shall be governed by the domestic laws of the Contracting Party that carries them out.

(2) Maintenance works to keep the bottom profile of the channel in the same state as on the date of entry into force of this Treaty shall be carried out by the Federal Republic of Germany, which shall also bear the related costs. Maintenance operations stemming from improvement works already performed or performed in the future shall be carried out by the Contracting Party that initiates them; that Party shall also bear the related costs, unless agreed otherwise.

Article 14. *Duty to notify*

When either Contracting Party intends to carry out new works or measures to upgrade or maintain the channel, or intends to authorize such works or measures, that Party shall notify the Commission as early as possible before the work or measures are started.

Article 15. *Objections*

Either Contracting Party may, within a reasonable period, bring an objection before the Commission in respect of planned or ongoing works or measures, or in respect of a lack of action in the areas of improvement and maintenance, the removal of shipwrecks, sounding in the interests of traffic safety, or buoying, and shall state as its reason an expected or actual breach of the obligations assumed under this Treaty.

Article 16. *Retroactive objections*

(1) After the works or measures have been completed, a Contracting Party affected by adverse effects may demand the establishment and maintenance of installations to counter any damage, or may claim compensation, provided that the adverse effects could not have been foreseen in whole or in part.

(2) Claims under paragraph 1 shall be inadmissible if lodged more than 30 years after the completion of the portion of the works or measures that have caused the adverse effects.

Article 17. *Suspension of planned works or measures following objections*

(1) A Contracting Party shall be required to suspend any planned works or measures to which the other Contracting Party has objected, pending adoption by the Governments of the Contracting Parties of a recommendation by the Commission as described in article 21, paragraph 1, or completion of their consultations as described in article 21, paragraph 2, unless the other Contracting Party accepts a different arrangement. The issuance of a statement as referred to in article 21, paragraph 3, shall be equivalent to a completion of the consultations between the Contracting Parties.

(2) Paragraph 1 shall not be applicable if a Contracting Party is unable to postpone the works or measures being objected to without significantly undermining its interests. If, in such cases, the other Contracting Party suffers any damage, that Party shall remain entitled to compensation and measures to prevent further damage.

Article 18. *Duty to notify in connection with other activities*

The duty to notify referred to in article 14 shall extend by analogy to all other works and measures, as well as to the commercial uses referred to in section II of this Treaty whenever traffic in the channel is likely to be affected. That is not the case for articles 15, 16 and 17.

Section IV. Establishment of the Commission

Article 19. *Western Ems Commission*

(1) The Contracting Parties shall establish a standing commission for shipping matters affecting the channel.

(2) Each Government shall appoint as Commission members three experts, at least one of whom shall be familiar with local conditions. The first Commission members shall be appointed within three months of the entry into force of this Treaty. The Governments may appoint alternate Commission members.

(3) The Commission shall meet at least once a year; in addition, it may meet as it deems necessary or at the request of either Government. Other experts may be invited to attend meetings of the Commission. Decisions of the Commission shall be adopted by unanimity. The Commission may adopt its own rules of procedure.

(4) The Commission shall consult as necessary with the Ems Commission referred to in chapter 8 of the Ems-Dollard Treaty on all matters related to the work and responsibilities of both Commissions.

Article 20. *Responsibilities of the Commission*

The Commission shall have the following responsibilities:

- a) The adoption of decisions regarding the course of the channel referred to in article 10;
- b) The definition of insignificant natural changes and their submission to the Contracting Parties; the application of the relevant criteria as referred to in article 10, paragraph 4, following the consent of the Contracting Parties;
- c) The development and adoption of traffic rules governing the channel;
- d) The development and adoption of criteria for exemptions from the rules governing the processing of ships by the traffic control centre;
- e) Regular evaluation of those rules and criteria;
- f) Annual evaluation of the performance of the traffic control centre and the joint traffic management system referred to in article 7;
- g) The holding, as necessary, of ad hoc consultations regarding the joint traffic management system;
- h) The receipt and exchange of information regarding planned and ongoing new works or measures to improve or maintain the channel;
- i) The receipt and exchange of information regarding planned and ongoing soundings as referred to in article 11;
- j) The holding of consultations regarding issues related to works and measures to improve and maintain the channel, remove shipwrecks, or conduct buoying, measurements, soundings or hydrological research, whenever either Contracting Party fears that unhindered access to and from German and Dutch ports may be affected, as well as consultations regarding joint traffic management;
- k) The inspection of the channel and the buoys, and the submission of reports on the findings of those inspections to the Governments;
- l) The submission of recommendations to the Governments;
- m) The examination of objections lodged under article 15 and claims lodged under article 16.

Article 21. Procedure for objections

(1) In the cases described in article 20, subparagraph m, the Commission shall strive to make recommendations to the Governments of the Contracting Parties.

(2) If the Commission fails to reach agreement on a recommendation in the cases referred to in paragraph 1, or if either Contracting Party informs the other that, in its view, the consultations have reached a point at which further consultations are unlikely to yield results, the Contracting Parties themselves shall strive to come to an agreement.

(3) Should the Contracting Parties fail, or be unable, to reach agreement, despite a recommendation from the Commission, the consultations shall be deemed to have been ended after either Contracting Party has made a statement to that effect.

Article 22. Navigation Arrangements Ems Estuary

The traffic rules contained in annex A to the Agreement of 22 December 1986 between the Government of the Federal Republic of Germany and the Government of the Kingdom of the Netherlands concerning navigation arrangements in the Ems Estuary and amended and supplemented by the Agreement of 5 April 2001, (Navigation Arrangements Ems Estuary), shall govern the channel by analogy.

Section V. Settlement of disputes

Article 23. Consultations

Disputes between the Contracting Parties regarding the interpretation and application of this Treaty, and regarding their rights and duties under this Treaty, shall be settled wherever possible through negotiations between the Governments of the Contracting Parties.

Article 24. Arbitration tribunal

(1) Disputes regarding the interpretation and application of this Treaty may, at the request of either Contracting Party, be brought before an arbitration tribunal for settlement in accordance with the Permanent Court of Arbitration Optional Rules for Arbitrating Disputes between Two States.

(2) Arbitration tribunals shall be formed on a case-by-case basis; each Contracting Party shall appoint a member; the members shall agree on a chairperson, who shall be a citizen of a third State, and the chairperson shall be appointed by the Governments of the Contracting Parties. The members shall be appointed within two months, and the chairperson within three months, after one Contracting Party has notified the other of its wish to bring dispute before an arbitration tribunal.

(3) If the time limits referred to in paragraph 2 are not adhered to, either Contracting Party may, in the absence of any other agreement, request the President of the International Court of Justice in The Hague to make the necessary appointments. If the President is a citizen of either Contracting Party or is prevented from acting for any other reason, his or her substitute shall make the appointments. If the substitute is also a citizen of either Contracting Party or is prevented from acting, his or her substitute shall make the appointments.

(4) The arbitration tribunal shall decide, by simple majority, on the basis of this Treaty and of international law. Its decisions shall be binding and shall be honoured by the Contracting Parties. Each Contracting Party shall bear the costs of the arbitrator whom it has appointed and of its representation before the arbitration tribunal; the costs of the chairperson and other costs shall be borne in equal measure by the Contracting Parties. In all other respects, the arbitration tribunal shall establish its rules of procedure after consultation with the Contracting Parties and on the basis of internationally accepted procedural principles.

Section VI. Final provisions

Article 25. Entry into force

(1) This Treaty requires ratification; the instruments of ratification shall be exchanged as soon as possible.

(2) This Treaty shall enter into force on the first day of the second month following the exchange of the instruments of ratification.

(3) Before its entry into force, this Treaty shall be applied provisionally from the date of its signature in accordance with the domestic laws of the Contracting Parties.

Article 26. Registration

This Treaty shall be registered with the Secretariat of the United Nations by the Federal Republic of Germany in accordance with Article 102 of the Charter of the United Nations, as soon as it has entered into force.

IN WITNESS WHEREOF the plenipotentiaries have signed this Treaty.

DONE on the Ems on 24 October 2014 in two originals, each in the German and Dutch languages, both versions being equally authentic.

For the Federal Republic of Germany:

For the Kingdom of the Netherlands:

Joint declaration with regard to the Treaty between the Federal Republic of Germany and the Kingdom of the Netherlands on the use and management of the territorial sea between 3 and 12 nautical miles from the coast

Pending the entry into force of the Treaty between the Federal Republic of Germany and the Kingdom of the Netherlands on the use and management of the territorial sea between 3 and 12 nautical miles from the coast, the Contracting Party that will not have jurisdiction under the assignment of jurisdictions set out in article 5, subparagraph b, of the Treaty shall refrain from claiming funds for environmental rebalancing measures, financial compensation or any other payments provided for in permits that it may already have issued. This provision shall be without prejudice to any claims for the payment of permit fees.

The Contracting Party that has jurisdiction following the entry into force of the Treaty shall be responsible for adhering to European Union legislation on the protection of nature and the environment.

SIGNED on the Ems on 24 October 2014.

For the Federal Republic of Germany: *[Signed]*

For the Kingdom of the Netherlands: *[Signed]*

III. COMMUNICATIONS BY STATES

1. Cook Islands

Observations by the Cook Islands in connection with the official deposit of its lists of geographical coordinates of points, accompanied by illustrative maps, for maritime baselines and maritime zones in accordance with the 1982 United Nations Convention on the Law of the Sea²¹

The Cook Islands, as a State Party to the 1982 United Nations Convention on the Law of the Sea (“UNCLOS”), assumes legal obligations and exercises all sovereign and jurisdictional entitlements as legal consequence of being such a State Party. As a State Party to UNCLOS, the Cook Islands is presently depositing with the Secretary-General of the United Nations lists of geographical coordinates of points, accompanied by illustrative maps, for all maritime baselines as well as for the territorial sea, contiguous zone, and exclusive economic zone of the Cook Islands, as defined under UNCLOS.

In this context, the Cook Islands notes that the applicable international law as reflected in UNCLOS bestows maritime zones to coastal States, and many small island developing States, such as the Cook Islands, have planned their development in reliance on the sovereignty, sovereign rights, and jurisdiction generated by such maritime zones. Sea-level rise and climate change challenge this careful planning, including in terms of their effects on relevant geophysical features. The Cook Islands, a country made up of 15 islands, many of which are low-lying islands and atolls, is specially affected by such sea level rise and climate change.

The Cook Islands states its understanding that it is not obliged to keep under review the maritime zones reflected in the present official deposit of lists of geographical coordinates of points and accompanying illustrative maps, delineated in accordance with UNCLOS, and that the Cook Islands intends to maintain these maritime zones in line with that understanding, notwithstanding climate change-induced sea-level rise.

²¹ Original: English. See footnote 17.

2. *Argentina*

Note verbale dated 3 September 2021 from the Permanent Mission of Argentina to the United Nations addressed to the Executive Office of the Secretary-General²²

The Permanent Mission of the Argentine Republic to the United Nations presents its compliments to the Executive Office of the Secretary General with the objective of referring to the publication on 27 August 2021 in the Official Gazette of the Republic of Chile of Decree No. 95 related to maritime spaces.

The Argentine Government notes with concern that the aforesaid measure reflects an attempt on the part of the Republic of Chile to extend the continental shelf east of the meridian 67° 16, 0, overlapping over the Argentine continental shelf and also over a large extension of the seabed and ocean floor that are part of the Common Heritage of Mankind.

The pretension that Chile now manifests through this measure is contrary to the Argentine-Chilean Peace and Friendship Treaty, signed on 11/29/1984, and to the United Nations Convention on the Law of the Sea of 1982, and exposes an expansive intention that Argentina is compelled to reject.

The claim referred to in the Decree is manifestly extemporaneous and contradictory with Chile's conduct prior to May 2020 and ignores the provisions of the applicable international rules whose interpretation in good faith is mandatory under international law.

As you are aware, by virtue of the provisions of the 1982 United Nations Convention on the Law of the Sea, the Argentine Republic submitted the outer limit of its continental shelf on April 21, 2009, which was analyzed by the Commission on the Limits of the Continental Shelf (CLCS) between 2012 and 2016. The recommendations of the CLCS regarding the continental shelf area beyond 200 nautical miles south of Tierra del Fuego approve the limit points submitted in 2009. The National Congress of Argentina, through Law 27,557, approved the demarcation of the outer limit of its continental shelf, based on the Recommendations issued by the Commission on the Limits of the Continental Shelf (CLCS) and accepted by the Argentine Republic in the year 2016.

In this sense, as has been duly reflected in the text and in the maps of the Executive Summary of the submission made by Argentina to the CLCS more than ten years ago, the demarcation of the limit of the Argentine continental shelf is in full compliance with the rules established by the United Nations Convention on the Law of the Sea of 1982 and the Argentine-Chilean Peace and Friendship Treaty of 1984.

On the other hand, the Government of the Argentine Republic avails itself of this opportunity to reaffirm its strongest commitment to the compliance with the 1982 United Nations Convention on the Law of the Sea and the 1994 Agreement Relating to the Application of Part XI of the Convention, instruments that provide the fundamental legal framework for the development of activities in the Area. In this regard, it should be recalled that in accordance with the provisions of articles 136 and 137 of UNCLOS, the Area and its resources constitute Common Heritage of Mankind. Therefore, States are prohibited from claiming or exercising sovereignty or sovereign rights over any part of the Area or its resources, which belong to humanity as a whole and whose administration corresponds to the International Seabed Authority.

For the abovementioned reasons, Argentina rejects in all its terms the aforementioned Decree, the note sent by Chile to that Secretariat on May 26, 2020, as well as any attempt of Chile to establish maritime areas east of the 67° 16 0 meridian. Likewise, it will be appreciated that this protest made by the Argentine Republic is published together with any chart sent by Chile to the Secretariat involving a similar pretension. [...]

²² *Original: Spanish.*

3. Chile

*Note verbale dated 25 October 2021 from the Permanent Mission of Chile to the United Nations addressed to the Office of the Secretary-General*²³

The Permanent Mission of Chile to the United Nations [...] has the honour to refer to Note Verbale No. 616 of 3 September 2021 from the Permanent Mission of the Argentine Republic concerning the publication in the Official Gazette of the Republic of Chile of Supreme Decree No. 95 on jurisdictional maritime areas.

Supreme Decree No. 95 modified the decree that determines Chile's maritime jurisdictional areas in its southern territory by incorporating the jurisdictional area of 200 nautical miles of continental shelf adjacent to the Chilean coast from Punta Puga to the Diego Ramirez Islands, whose outer limit was drawn in the second edition of Chart No. 8 deposited with the Secretary-General on 23 September 2021.

Chile takes this opportunity to point out that the outer limit of the Chilean continental shelf drawn in Chart No. 8 (second edition) is strictly in accordance with the provisions of the 1982 United Nations Convention on the Law of the Sea (UNCLOS) and with the maritime delimitation agreed between Chile and Argentina in the Treaty of Peace and Friendship, signed on 28 November 1984. Chile strongly rejects any assertion that its continental shelf projection to the east of 67° 16' 0 West longitude contravenes UNCLOS and/or the Treaty of Peace and Friendship, whose interpretation in good faith is required by international law.

Article 7 of the Treaty of Peace and Friendship established the maritime boundary in the sector known as the "sea of the southern zone". Its end point is Point F, whose coordinates are 58° 21' 1 South latitude and 67° 16' 0 West longitude. Pursuant to article 7, paragraph 5, of the Treaty of Peace and Friendship, the Exclusive Economic Zone of Chile extends south of Point F, up to the distance permitted by international law, and west of 67° 16' 0 West longitude, bounded on the east by the high seas. Article 7, paragraph 5, does not refer to the continental shelf. Therefore, Chile has always maintained its inherent right, as recognized in article 76(1) of UNCLOS, to the continental shelf of 200 nautical miles from its coasts south of Point F, and east and west of 67° 16' 0 West longitude.

Argentina alleges that Chile's claim to the continental shelf in the area southeast of Point F is manifestly untimely and contrary to its previous conduct. However, Chile's determination of its continental shelf in this area is not, and could not be, untimely. Under article 77(3) of UNCLOS, the rights of the coastal State over the continental shelf exist ipso facto and ab initio, and do not depend on occupation, effective or notional, or on any express proclamation.

Furthermore, Chile's position with respect to Argentina's claims to the continental shelf southeast of Point F has been firm and consistent. By Note Verbale No. 8367 of 24 June 2009, which was never answered by Argentina, Chile formulated its reservation with respect to the boundary delineation indicated in the executive summary of the Argentine submission on the continental shelf, submitted to the Commission on the Limits of the Continental Shelf (CLCS), and stated that such delineation was not applicable to it in those sections that do not correspond to the existing boundary between the two countries under the Treaty of Peace and Friendship. Argentina cannot claim to unilaterally establish a maritime boundary beyond Point F.

Chile reiterated its full reservation of rights with respect to the Argentine submission in Note No. 3218 of 11 May 2020, copied to the Secretary-General on 26 May 2020, and in Note No. 294 of 30 July 2020, all prior to the enactment of Argentine Act No. 27.557 on the demarcation of its extended continental shelf.

Chile also wishes to point out that, in accordance with article 76 (10) of UNCLOS, the recommendations of CLCS on the limits of the continental shelf beyond 200 nautical miles are without prejudice to the question of delimitation of the continental shelf between States with opposite or adjacent coasts. As Chile and Argentina are States with adjacent coasts, Argentina's alleged rights in the area in question would overlap in an area of approximately 5,300 km² with Chile's rights over its continental shelf.

Lastly, Argentina claims that Chile intends to extend its continental shelf over a vast expanse of seabed and subsoil that belong to the common heritage of mankind. However, the Chilean continental shelf 200

²³ Original: Spanish.

nautical miles southeast of Point F does not overlap with “the Area”, declared the common heritage of mankind in article 136 et seq. of UNCLOS, since article 1(1) of UNCLOS defines “the Area” as “the seabed and ocean floor and subsoil thereof, beyond the limits of national jurisdiction”. Consequently, the delimitation of Chile’s 200-nautical-mile continental shelf southeast of Point F does not constitute a claim or exercise of sovereignty over any part of the Area or its resources.

Chile is respectful of international law and is exercising its inherent right to the 200-nautical-mile continental shelf recognized in UNCLOS. Consequently, Chile’s demarcation of the continental shelf should not be interpreted as an unfriendly gesture towards Argentina. Similarly, Chile has expressed its willingness to resolve any differences through dialogue and in accordance with the principle of peaceful settlement of disputes.

[...]

IV. OTHER INFORMATION RELEVANT TO THE LAW OF THE SEA

A. LIST OF CONCILIATORS AND ARBITRATORS NOMINATED UNDER ARTICLE 2 OF ANNEX V AND OF ANNEX VII TO THE CONVENTION AS AT 30 NOVEMBER 2021²⁴

No new nominations of conciliators and arbitrators took place during the period covered by the present issue. As at 30 November 2021, the information in the list of conciliators and arbitrators published in *Law of the Sea Bulletin* No. 106 (pp. 26-32) remains valid (see www.un.org/Depts/los/doalos_publications/los_bult.htm).

²⁴ See *Multilateral Treaties Deposited with the Secretary-General*, chap. XXI.6, available from <https://treaties.un.org>. The designations included in this table are reproduced as submitted by States Parties. The lists of experts for the purposes of article 2, annex VIII, to the Convention are available at www.un.org/depts/los/settlement_of_disputes/experts_special_arb.htm.

**B. SELECTED DOCUMENTS OF THE GENERAL ASSEMBLY AND OF THE
SECURITY COUNCIL²⁵**

- (a) A/76/385: Letter dated 23 September 2021 from the Permanent Representative of Saudi Arabia to the United Nations addressed to the Secretary-General.
- (b) A/76/377: Letter dated 28 September 2021 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General.
- (c) A/76/379-S/2021/841: Letter dated 30 September 2021 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General.
- (d) A/76/407-S/2021/816: Letter dated 13 October 2021 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General.
- (e) A/76/557-S/2021/961: Letter dated 18 November 2021 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General.
- (f) A/76/559: Letter dated 19 November 2021 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General.
- (g) S/2021/969: Identical letters dated 23 November 2021 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General and the President of the Security Council.

²⁵ United Nations documents are available at [www.undocs.org/\[document symbol\]](http://www.undocs.org/[document symbol]), e.g., www.undocs.org/A/76/385.

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