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Bureau des affaires juridiques

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FOREWORD

This is the thirty-fifth issue of the Law of the Sea Information Circular, a periodic publication of the Division for Ocean Affairs and the Law of the Sea (DOALOS), Office of Legal Affairs of the United Nations Secretariat. Its main objective is to communicate to all States and entities information on actions taken by States Parties to the United Nations Convention on the Law of the Sea of 10 December 1982 (the "Convention") in implementing that Convention, in particular regarding the deposit obligation, as well as to report on activities undertaken by DOALOS in this respect.

The purpose of LOSIC is also to assist States Parties to the Convention in discharging their obligations to give due publicity to information in accordance with the Convention: Coastal States are obliged, *inter alia*, to give due publicity with regard to (i) charts and lists of geographical coordinates (articles 16(2), 47(9), 75(2), 76(9) and 84(2)); (ii) laws and regulations relating to innocent passage (article 21(3)); and (iii) laws and regulations relating to transit passage through straits used for international navigation adopted by States bordering straits (article 42(3)).

NOTE LIMINAIRE

La présente Circulaire d'information sur le droit de la mer constitue la trente-cinquième publication d'une série établie par la Division des affaires maritimes et du droit de la mer du Bureau des affaires juridiques du Secrétariat de l'Organisation des Nations Unies. Elle a pour objet principal d'informer les États et entités des mesures prises par les États Parties à la Convention des Nations Unies sur le droit de la mer (la Convention) pour donner effet à ses dispositions, en particulier concernant les obligations de dépôt, et de faire rapport aux États et entités des activités menées par la Division dans le même but.

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I. INFORMATION RELATING TO THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA OF 1982, 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

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A. Status of the Convention and of the Agreements as at 31 May 2012

1. Between November 2011 and May 2012 there were no additional ratifications of, or accessions to, the Convention. Thus, as at 31 May 2012, there were 162 Parties to the Convention, including the European Union.

2. Between November 2011 and May 2012, no additional States expressed their consent to be bound by the Agreement on Part XI. Thus, as at 31 May 2012, there were 141 Parties to that Agreement, including the European Union.

3. Between November 2011 and May 2012, there were no additional ratifications of or accessions to the 1995 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. Thus, as at 31 May 2012, there were 78 Parties to this Agreement, including the European Union.

4. Official information regarding the status of the Convention and its Agreements (ratification, accession, etc.) is available on the website of the Treaty Section of the Office of Legal Affairs of the United Nations (hereinafter the "Treaty Section") at: <http://treaties.un.org>.

5. For ease of reference, a consolidated table and chronological lists recapitulating the status of the Convention and the related Agreements prepared by the Division for Ocean Affairs and the Law of the Sea (hereinafter, the "Division"), Office of Legal Affairs, are also available on the website of the Division at <http://www.un.org/Depts/los/> and are published in the *Law of the Sea Bulletin*.

A. État de la Convention et des Accords y relatifs au 31 mai 2012

1. Entre novembre 2011 et mai 2012, il n'y pas eu de nouvelles ratifications, ou adhésions à, la Convention. Ainsi, au 31 mai 2012, les Parties à la Convention étaient au nombre de 162, y compris l'Union européenne.

2. Entre novembre 2011 et mai 2012, aucun État n'a exprimé son consentement à être lié par l'Accord relatif à l'application de la Partie XI de la Convention. Ainsi, au 31 mai 2012, les Parties à cet Accord étaient au nombre de 141, y compris l'Union européenne.

3. Entre novembre 2011 et mai 2012, il n'y pas eu de nouvelles ratifications ou adhésions à l'Accord aux fins de l'application des dispositions de la Convention relatives à la conservation et à la gestion des stocks chevauchants et des stocks de poissons grands migrants de 1995. Ainsi, au 31 mai 2012, les États Parties à cet Accord étaient au nombre de 78, y compris l'Union européenne.

4. Les informations officielles relatives à l'état de la Convention et des Accords y relatifs (ratification, adhésion, etc.) sont disponibles sur le site Web de la Section des traités du Bureau des affaires juridiques de l'Organisation des Nations Unies (ci-après la « Section des traités ») à l'adresse suivante: <http://treaties.un.org>.

5. Pour faciliter la consultation de l'état de la Convention et des Accords y relatifs, un tableau récapitulatif et des listes chronologiques sont disponibles sur le site Web de la Division des affaires maritimes et du droit de la mer du Bureau des affaires juridiques (ci-après la « Division ») aux pages suivantes: <http://www.un.org/Depts/los/> et sont publiés dans le *Bulletin du droit de la mer*.

2. Settlement of disputes mechanisms under 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: Choice of procedure and optional exceptions to applicability of Part XV of the Convention under article 30 of the Agreement

2.

12. The official texts of declarations, which contain choice of procedure and optional exceptions to applicability of Part XV of the Convention under article 30 of the Agreement, are available on the website of the Treaty Section at: <http://treaties.un.org>.

13. A recapitulative table on the choice of procedure and optional exceptions to applicability of Part XV of the Convention under article 30 of the Agreement is available on the website of the Division at:
http://www.un.org/Depts/los/settlement_of_disputes/choice_procedure.htm.

14. Between November 2011 and May 2012, no States made declarations or statements that would contain choice of procedure and optional exceptions to applicability of Part XV of the Convention under article 30 of the Agreement.

(b) List of arbitrators

18. Between November 2011 and May 2012, one State nominated arbitrators. On 26 March 2012 **Spain** nominated D. Juan Antonio Yáñez-Barnuevo García and Da Concepción Escobar Hernández as arbitrators.

19. It is recalled that, under article 2, Annex VII to the Convention, a list of arbitrators shall be drawn up and maintained by the Secretary-General of the United Nations. Every State Party shall be entitled to nominate four arbitrators, each of whom shall be a person experienced in maritime affairs and enjoying the highest reputation for fairness, competence and integrity. The names of the persons so nominated shall constitute the list. If at any time the arbitrators nominated by a State Party in the list so constituted shall be fewer than four, that State Party shall be entitled to make further nominations as necessary. The name of an arbitrator shall remain on the list until withdrawn by the State Party which made the nomination, provided that such arbitrator shall continue to serve on any arbitral tribunal to which that arbitrator has been appointed until the completion of the proceedings before that arbitral tribunal.

20. The official information regarding the list of arbitrators is available on the website of the Treaty Section at: <http://treaties.un.org>.

(b) Liste des arbitres

18. Entre novembre 2011 et mai 2012, un État a désigné

shall constitute the appropriate list.

“4.If at any time the experts nominated by a State Party in the list so constituted shall be fewer than two, that State Party shall be entitled to make further nominations as necessary.

“5.The name of an expert shall remain on the list until withdrawn by the State Party which made the nomination, provided that such expert shall continue to serve on any special arbitral tribunal to which that expert has been appointed until the completion of the proceedings before that special arbitral tribunal.”

22. The following lists are available on the website of the Division:

(a) List of experts in the field of fisheries maintained by the Food and Agriculture Organization of the United Nations (communicated on 12 March 2012)

(b) List of experts in the field of protection and preservation of the marine environment maintained by the United Nations Environment Programme (communicated on 8 November 2002)

(c) List of experts in the field of marine scientific research maintained by the Intergovernmental Oceanographic Commission of UNESCO (communicated on 20 May 2011)

(d) List of experts in the field of navigation, including pollution from vessels and by dumping, maintained by the International Maritime Organization (communicated on 7 June 2011 and updated on 16 February 2012).

23. The above lists are available at:

http://www.un.org/Depts/los/settlement_of_disputes/experts_special_arb.htm.

D. Communications received with regard to declarations

II. OBLIGATIONS OF DEPOSIT AND DUE PUBLICITY

OBLIGATIONS DE DÉPÔT ET DE PUBLICITÉ VOULUE

25. Coastal States, under article 16(2), article 47(9), article 75(2), and article 84(2), of the Convention, are required to deposit with the Secretary-General of the United Nations charts showing straight baselines and archipelagic baselines as well as the outer limits of the

B. Submissions by States Parties in compliance with their deposit obligations

34. Between October 2011 and May 2012, **Lebanon** deposited with the Secretary-General nautical charts and lists of geographical coordinates of points specifying the baselines and/or the outer limits of its maritime zones. In order to give due publicity to these nautical charts and the lists of geographical coordinates deposited with the Secretary-General of the United Nations, a "Maritime Zone Notification" has been circulated to all Member States of the United Nations, as well as States Parties to the Convention:

- Maritime Zone Notification,

E. Information relating to temporary suspensions of the innocent passage of foreign ships

41. Between November 2011 and May 2012, the Secretary-General received requests to publish information relating to temporary suspensions of the innocent passage of foreign ships, pursuant to article 25(3), of the Convention, from **Mexico**, by communications dated 23 January, 10 April and 20 April 2012.

42. The texts of notifications relating to temporary suspensions of the innocent passage of foreign ships are posted on the website of the Division at:
http://www.un.org/Depts/los/convention_agreements/innocent_passages_suspension.htm.

E. Information concernant les suspensions temporaires de l'exercice du droit de passage inoffensif des navires étrangers

41. Entre novembre 2011 et mai 2012, le Secrétaire général a reçu des demandes de donner la publicité voulue aux suspensions temporaires de l'exercice du droit de passage inoffensif des navires étrangers, en vertu du paragraphe 3 de l'article 25 de la Convention, transmises par le **Mexique**, au moyen de communications datées des 23 janvier, 10 avril and 20 avril 2012.

42. Les textes des notifications relatives aux suspensions temporaires de l'exercice du droit de passage inoffensif des navires étrangers sont disponibles sur le site Web de la Division à l'adresse suivante :
http://www.un.org/Depts/los/convention_agreements/innocent_passages_suspension.htm

A. Outer limits of the continental shelf beyond 200 nautical miles from the baselines

