

Date of most recent addition: 29 October 2013

Declarations and statements

IMPORTANT: Official up-to-date information regarding the declarations and statements under articles 287, 298 and 310 of the Convention is available at the [web site of the Treaty Section of the Office of Legal Affairs of the United Nations](#).

Introduction:

Article 310 of the Convention allows States and entities to make declarations or statements regarding its application at the time of signing, ratifying or acceding to the Convention, which do not purport to exclude or modify the legal effect of the provisions of the Convention.

Article 310 reads:

"Article 310. Declarations and statements "Article 309 does not preclude a State, when signing, ratifying or acceding to this Convention, from making declarations or statements, however phrased or named, with a view, inter alia, to the harmonization of its laws and regulations with the provisions of this Convention, provided that such declarations or statements do not purport to exclude or to modify the legal effect of the provisions of this Convention in their application to that State."

Article 287, paragraph 1, provides that States and entities, when signing, ratifying or acceding to the Convention, or at any time thereafter, may make declarations specifying the forums for the settlement of disputes which they accept.

Article 287, paragraph 1, reads:

"Article 287. Choice of procedure "When signing, ratifying or acceding to this Convention or at any time thereafter, a State shall be free to choose, by means of a written declaration, one or more of the following means for the settlement of disputes concerning the interpretation or application of this Convention:

- (a) the International Tribunal for the Law of the Sea established in accordance with Annex VI;*
- (b) the International Court of Justice;*
- (c) an arbitral tribunal constituted in accordance with Annex VII;*
- (d) a special arbitral tribunal constituted in accordance with Annex VIII for one or more of the categories of disputes specified therein."*

In addition, article 298, paragraph 1, allows States and entities to declare that they exclude the application of the compulsory binding procedures for the settlement of disputes under the Convention in respect of certain specified categories kinds of disputes. Article 298, paragraph 1, reads:

"Article 298. Optional exceptions to applicability of section 2

"1. When signing, ratifying or acceding to this Convention or at any time thereafter, a State may, without prejudice to the obligations arising under section 1, declare in writing that it does not accept any one or more of the procedures provided for in section 2 with respect to one or more of the following categories of disputes:

(a)

(i) disputes concerning the interpretation or application of articles 15, 74 and 83 relating to sea boundary delimitations, or those involving historic bays or titles, provided that a State having made such a declaration shall, when such a dispute arises subsequent to the entry into force of this Convention and where no agreement within a reasonable period of time is reached in negotiations between the parties, at the request of any party to the dispute, accept submission of the matter to conciliation under Annex V, section 2; and provided further that any dispute that necessarily involves the concurrent consideration of any unsettled dispute concerning sovereignty or other rights over continental or insular land territory shall be excluded from such submission;

(ii) after the conciliation commission has presented its report, which shall state the reasons on which it is based, the parties shall negotiate an agreement on the basis of that report; if these negotiations do not result in an agreement, the parties shall, by mutual consent, submit the question to one of the procedures provided for in section 2, unless the parties otherwise agree;

(iii) this subparagraph does not apply to any sea boundary dispute finally settled by an arrangement between the parties, or to any such dispute which is to be settled in accordance with a bilateral or multilateral agreement binding upon those parties;

(b) disputes concerning military activities, including military activities by government vessels and aircraft engaged in non-commercial service, and disputes concerning law enforcement activities in regard to the exercise of sovereign rights or jurisdiction excluded from the jurisdiction of a court or tribunal under article 297, paragraph 2 or 3;

(c) disputes in respect of which the Security Council of the United Nations is exercising the functions assigned to it by the Charter of the United Nations, unless the Security Council decides to remove the matter from its agenda or calls upon the parties to settle it by the means provided for in this Convention."

PLEASE NOTE: Declarations and statements with respect to the Convention and to the Agreement on Part XI made before 31 December 1996 - upon signature, ratification or accession - have been analyzed and published in *"The Law of the Sea: Declarations and statements with respect to the United Nations Convention on the Law of the Sea and to the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea"*, (United Nations publication, Sales No. E.97.V.3).

United Nations Convention on the Law of the Sea: Declarations made upon signature, ratification, accession or succession or anytime thereafter

Upon signature

Upon ratification/ accession

Anytime thereafter

1. [Algeria](#)
2. [Angola](#)
3. [Argentina](#)

1. [Algeria](#)
2. [Argentina](#)
3. [Austria](#)

1. [Angola](#) (14 October 2009)
2. [Argentina](#) (26 October 2012)
3. [Australia](#) (22 March 2002)

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| 4. Belarus | 4. Bangladesh | 4. Bangladesh (14 December 2009) |
| 5. Belgium | 5. Belarus | 5. China (25 August 2006) |
| 6. Bolivia | 6. Belgium | 6. Croatia (4 November 1999) |
| 7. Brazil | 7. Brazil | 7. Equatorial Guinea (20 February 2002) |
| 8. Cabo Verde | 8. Canada | 8. Gabon (23 January 2009) |
| 9. Chile | 9. Cabo Verde | 9. Ghana (15 December 2009) |
| 10. Costa Rica | 10. Chile | 10. Honduras (18 June 2002) |
| 11. Cuba | 11. China | 11. Italy (26 January 1997) |
| 12. European Community | 12. Croatia | 12. Latvia (31 August 2005) |
| 13. Finland | 13. Cuba | 13. Madagascar (20 December 2012) |
| 14. France | 14. Czech Republic | 14. Mexico (6 January 2003) |
| 15. Greece | 15. Denmark | 15. Montenegro (23 October 2006) |
| 16. Guinea | 16. Ecuador | 16. Netherlands (13 February 2009) |
| 17. Iran | 17. Egypt | 17. Palau (27 April 2006) |
| 18. Iraq | 18. Estonia | 18. Republic of Korea (18 April 2006) |
| 19. Italy | 19. European Community | 19. Saint Vincent and the Grenadines (22 November 2010) |
| 20. Luxembourg | 20. Fiji | 20. Saudi Arabia (10 January 2014) |
| 21. Mali | 21. Finland | 21. Slovenia (11 October 2001) |
| 22. Nicaragua | 22. France | 22. Spain (19 July 2002) |
| 23. Oman | 23. Germany | 23. Trinidad and Tobago (17 October 2007) and (13 February 2009) |
| 24. Philippines | 24. Greece | 24. Tunisia (22 May 2001) |
| 25. Qatar | 25. Guatemala | 25. United Kingdom (12 January 1998 and 7 April 2003) |
| 26. Romania | 26. Guinea-Bissau | |
| 27. Russian Federation | 27. Hungary | |
| 28. Sao Tome and Principe | 28. Iceland | |
| 29. Spain | 29. India | |
| 30. Sudan | 30. Ireland | |
| 31. Sweden | 31. Italy | |
| 32. Ukraine | 32. Kiribati | |
| 33. Uruguay | 33. Kuwait | |
| | 34. Lithuania | |
| | 35. Malaysia | |
| | 36. Malta | |
| | 37. Moldova | |
| | 38. Montenegro | |
| | 39. Morocco | |
| | 40. Netherlands | |
| | 41. Nicaragua | |
| | 42. Norway | |
| | 43. Oman | |
| | 44. Pakistan | |
| | 45. Panama | |
| | 46. Philippines | |
| | 47. Portugal | |
| | 48. Romania | |
| | 49. Russian Federation | |
| | 50. Saudi Arabia | |
| | 51. Serbia | |
| | 52. Slovenia | |
| | 53. South Africa | |
| | 54. Spain | |
| | 55. Sweden | |
| | 56. Switzerland | |
| | 57. Thailand | |
| | 58. Timor-Leste | |
| | 59. Tunisia | |
| | 60. Ukraine | |
| | 61. United Kingdom of Great Britain and Northern Ireland | |
| | 62. United Republic of Tanzania | |
| | 63. Uruguay | |
| | 64. Viet Nam | |
| | 65. Yemen (formerly Democratic Yemen) | |

Algeria

[Original: French]

[Upon signature](#) (10 December 1982):

It is the view of the Government of Algeria that its signing the Final Act and the United Nations Convention on the Law of the Sea does not entail any change in its position on the non-recognition of certain other signatories, nor any obligation to co-operate in any field whatsoever with those signatories.

[Upon ratification](#) (11 June 1996):

Declaration 1

The People's Democratic Republic of Algeria does not consider itself bound by the provisions of article 287, paragraph 1 (b), of the United Nations Convention on the Law of the Sea dealing with the submission of disputes to the International Court of Justice. The People's Democratic Republic of Algeria declares that, in order to submit a dispute to the International Court of Justice, prior agreement between all the parties concerned is necessary in each case.

Declaration 2

The Algerian Government declares that, in conformity with the provisions of Part II, section 3, subsections A and C, of the Convention, the passage of warships in the territorial sea of Algeria is subject to an authorization fifteen (15) days in advance, except in cases of force majeure as provided for in the Convention.

Angola

Upon signature (10 December 1982):

"The Government of the People's Republic of Angola reserves the right to interpret any and all articles of the Convention in the context of and with due regard to Angolan Sovereignty and territorial integrity as it applies to land, space and sea. Details of these interpretations will be placed on record at the time of ratification of the Convention.

The present signature is without prejudice to the position taken by the Government of Angola or to be taken by it on the Convention at the time of ratification."

Argentina

[Original: Spanish]

Upon signature (5 October 1984):

The signing of the Convention by the Argentine Government does not imply acceptance of the Final Act of the Third United Nations Conference on the Law of the Sea. In that regard, the Argentine Republic, as in its written statement of 8 December 1982 (A/CONF.62/WS/35), places on record its reservation to the effect that resolution III, in annex I to the final Act, in no way affects the "Question of the Falkland Islands (Malvinas)", which is governed by the following specific resolutions of the General Assembly: 2065 (XX), 3160 (XXVIII), 31/49, 37/9 and 38/12, adopted within the framework of the decolonization process.

In this connection, and bearing in mind that the Malvinas and the South Sandwich and South Georgia Islands form an integral part of Argentine territory, the Argentine Government declares that it neither recognizes nor will it recognize the title of any other State, community or entity or the exercise by it of any right of maritime jurisdiction which is claimed to be protected under any interpretation of resolution III that violates the rights of Argentina over the Malvinas and the South Sandwich and South Georgia Islands and their respective maritime zones. Consequently, it likewise neither recognizes nor will recognize and will consider null and void any activity or measure that may be carried out or adopted without its consent with regard to this question, which the Argentine Government considers to be of major importance.

The Argentine Government will accordingly interpret the occurrence of acts of the kind referred to above as contrary to the aforementioned resolutions adopted by the United Nations, the patent objective of which is the peaceful settlement of the sovereignty dispute concerning the islands by means of bilateral negotiations and through the good offices of the Secretary-General of the United Nations.

Furthermore, it is the understanding of the Argentine Republic that, whereas the Final Act states in paragraph 42 that the Convention "together with resolutions I to IV, [forms] an integral whole", it is merely describing the procedure that was followed at the Conference to avoid a series of separate votes on the Convention and the resolutions. The Convention itself clearly establishes in article 318 that only the Annexes form an integral part of the Convention; thus, any other instrument or document, even one adopted by the Conference, does not form an integral part of the United Nations Convention on the Law of the Sea.

Upon ratification (1 December 1995):

(a) With regard to those provisions of the Convention which deal with innocent passage through the territorial sea, it is the intention of the Government of the Argentine Republic to continue to apply the regime currently in force to the passage of foreign warships through the Argentine territorial sea, since that regime is totally compatible with the provisions of the Convention.

(b) With regard to Part III of the Convention, the Argentine Government declares that in the Treaty of Peace and Friendship signed with the Republic of Chile on 29 November 1984, which entered into force on 2 May 1985 and was registered with the United Nations Secretariat in accordance with Article 102 of the Charter of the United Nations, both States reaffirmed the validity of Article V of the Boundary Treaty of 1881 whereby the Strait of Magellan (Estrecho de Magallanes) is neutralized forever with free navigation assured for the flags of all nations. The aforementioned Treaty of Peace and Friendship also contains specific provisions and a special annex on navigation which includes regulations for vessels flying the flags of third countries in the Beagle Channel and other straits and channels of the Tierra del Fuego archipelago.

(c) The Argentine Republic accepts the provisions on the conservation and management of the living resources of the high seas, but considers that they are insufficient, particularly the provisions relating to straddling fish stocks or highly migratory fish stocks, and that they should be supplemented by an effective and binding multilateral regime which, inter alia, would facilitate cooperation to prevent and avoid overfishing, and would permit the monitoring of the activities of fishing vessels on the high seas and of the use of fishing methods and gear. The Argentine Government, bearing in mind its priority interest in conserving the resources of its exclusive economic zone and the area of the high seas adjacent thereto, considers that, in accordance with the provisions of the Convention, where the same stock or stocks of associated species occur both within the exclusive economic zone and in the area of the high seas adjacent thereto, the Argentine Republic, as the coastal State, and other States fishing for such stocks in the area adjacent to its exclusive economic zone should agree upon the measures necessary for the conservation of those stocks or stocks of associated species in the high seas.

Independently of this, it is the understanding of the Argentine Government that, in order to comply with the obligation laid down in the Convention concerning the conservation of the living resources in its exclusive economic zone and the area adjacent thereto, it is authorized to adopt, in accordance with international law, all the measures it may deem necessary for the purpose.

(d) The ratification of the Convention by the Argentine Government does not imply acceptance of the Final Act of the Third United Nations Conference on the Law of the Sea. In that regard, the Argentine Republic, as in its written statement of 8 December 1982 (A/CONF.62/WS/35), places on record its reservation to the effect that resolution III, in annex I to the Final Act, in no way affects the 'Question of the Falkland Islands (Malvinas)', which is governed by the following specific resolutions of the General Assembly: 2065 (XX), 3160 (XXVIII), 31/49, 37/9, 38/12, 39/6, 40/21, 41/40, 42/19, 43/25, and Assembly decisions: 44/406, 45/424, 46/406, 47/408 and 48/408, adopted within the framework of the decolonization process.

In this connection, and bearing in mind that the Malvinas and the South Sandwich and South Georgia Islands form an integral part of Argentine territory, the Argentine Government declares that it neither recognizes nor will recognize the title of any other State, community or entity or the exercise by it of any right of maritime jurisdiction which is claimed to be protected under any interpretation of resolution III that violates the rights of Argentina over the Malvinas and the South Sandwich and South Georgia islands and

their respective maritime zones. Consequently, it likewise neither recognizes nor will recognize and will consider null and void any activity or measure that may be carried out or adopted without its consent with regard to this question, which the Argentine Government considers to be of major importance.

The Argentine Government will accordingly interpret the occurrence of acts of the kind referred to above as contrary to the aforementioned resolutions adopted by the United Nations, the objective of which is the peaceful settlement of the sovereignty dispute concerning the islands by means of bilateral negotiations and through the good offices of the Secretary-General of the United Nations.

The Argentine Republic reaffirms its legitimate and inalienable sovereignty over the Malvinas and the South Georgia and South Sandwich islands and their respective maritime and island zones, which form an integral part of its national territory. The recovery of those territories and the full exercise of sovereignty, respecting the way of life of the inhabitants of the territories and in accordance with the principles of international law, constitute a permanent objective of the Argentine people that cannot be renounced.

Furthermore, it is the understanding of the Argentine Republic that the Final Act, in referring in paragraph 42 to the Convention together with resolutions I to IV as forming an integral whole, is merely describing the procedure that was followed at the Conference to avoid a series of separate votes on the Convention and the resolutions. The Convention itself clearly establishes in article 318 that only the Annexes form an integral part of the Convention; thus, any other instrument or document, even one adopted by the Conference, does not form an integral part of the United Nations Convention on the Law of the Sea.

(e) The Argentine Republic fully respects the right of free navigation as embodied in the Convention; however, it considers that the transit by sea of vessels carrying highly radioactive substances must be duly regulated.

The Argentine Government accepts the provisions on prevention of pollution of the marine environment contained in Part XII of the Convention, but considers that, in the light of events subsequent to the adoption of that international instrument, the measures to prevent, control and minimize the effects of the pollution of the sea by noxious and potentially dangerous substances and highly active radioactive substances must be supplemented and reinforced.

(f) In accordance with the provisions of article 287, the Argentine Government declares that it accepts, in order of preference, the following means for the settlement of disputes concerning the interpretation or application of the Convention: (a) the International Tribunal for the Law of the Sea; (b) an arbitral tribunal constituted in accordance with Annex VIII for questions relating to fisheries, protection and preservation of the marine environment, marine scientific research and navigation, in accordance with Annex VIII, article 1. The Argentine Government also declares that it does not accept the procedures provided for in Part XV, section 2, with respect to the disputes specified in article 298, paragraph 1 (a), (b) and (c).

After ratification (26 October 2012):

[...] in accordance with article 298 of [the] Convention, the Argentine Republic withdraws with immediate effect the optional exceptions to the applicability of section 2 of part XV of the Convention provided for in that article and set forth in its declaration dated 18 October 1995 (deposited on 1 December 1995) to "military activities by government vessels and aircraft engaged in noncommercial service".

Australia

Made after ratification (22 March 2002):

Declaration of 21 March 2002 under articles 287 and 298 of the United Nations Convention on the Law of the Sea

The Government of Australia declares, under paragraph 1 of article 287 of the United Nations Convention on the Law of the Sea done at Montego Bay on the tenth day of December one thousand nine hundred and eighty-two that it chooses the following means for the settlement of disputes concerning the interpretation or application of the Convention, without specifying that one has precedence over the other:

- (a) The International Tribunal for the Law of the Sea established in accordance with Annex VI of the Convention; and
- (b) The International Court of Justice.

The Government of Australia further declares, under paragraph 1 (a) of article 298 of the United Nations Convention on the Law of the Sea done at Montego Bay on the tenth day of December one thousand nine hundred and eighty-two, that it does not accept any of the procedures provided for in section 2 of Part XV (including the procedures referred to in paragraphs (a) and (b) of this declaration) with respect of disputes concerning the interpretation or application of articles 15, 74 and 83 relating to sea boundary delimitations as well as those involving historic bays or titles.

These declarations by the Government of Australia are effective immediately.

Austria

Upon ratification (14 July 1995):

With regard to article 287 of the Convention on the Law of the Sea, Austria declares the following:

In the absence of any other peaceful means to which it would give preference, the Government of the Republic of Austria hereby chooses one of the following means for the settlement of disputes concerning the interpretation or application of the two Conventions in accordance with article 287 of the Convention on the Law of the Sea, in the following order:

1. The International Tribunal for the Law of the Sea established in accordance with Annex VI;
2. A special arbitral tribunal constituted in accordance with Annex VIII;
3. The International Court of Justice.

Also in the absence of any other peaceful means, the Government of the Republic of Austria hereby recognizes as of today the validity of special arbitration for any dispute concerning the interpretation or application of the Convention on the Law of the Sea relating to fisheries, protection and preservation of the marine environment, marine scientific research and navigation, including pollution from vessels and by dumping.

The Permanent Mission of Austria to the United Nations would like to draw the attention of the Secretary-General to the fact that, as a member of the European Union, Austria has transferred competence to the Union in certain matters governed by the Convention. A detailed declaration on the nature and extent of the competence transferred to the European Union will be made in due course in accordance with the provisions of Annex IX of the Convention.

Bangladesh

Upon ratification (27 July 2001):

1. The Government of the People's Republic of Bangladesh understands that the provisions of the Convention do not authorize other States to carry out in the exclusive economic zone and on the continental shelf military exercise or manoeuvres, in particular, those involving the use of weapons or explosives, without the consent of the coastal State.
2. The Bangladesh Government is not bound by any domestic legislation or by any declaration issued by other States upon signature or ratification of this Convention. Bangladesh reserves the right to state its position concerning all such legislation or declarations at the appropriate time. In particular, Bangladesh ratification of the Convention in no way constitutes recognition of the maritime claims of any other State having signed or ratified the Convention, where such claims are inconsistent with the relevant principles of international law and which are prejudicial to the sovereign rights and jurisdiction of Bangladesh in its maritime areas.
3. The exercise of the right of innocent passage of warships through the territorial sea of other States should also be perceived to be a peaceful one. Effective and speedy means of communication are easily available and make the prior notification of the exercise of the right of innocent passage of warships reasonable and not incompatible with the Convention. Such notification is already required by some States. Bangladesh reserves the right to legislate on this point.
4. Bangladesh is of the view that such a notification requirement is needed in respect of nuclear-powered ships or ships carrying nuclear or other inherently dangerous or noxious substances. Furthermore, no such ships shall be allowed within Bangladesh waters without the necessary authorization.
5. Bangladesh is of the view that the sovereign immunity as envisaged in article 236 does not relieve a State from the obligation, moral or otherwise, in accepting responsibility and liability for compensation and relief in respect of damage caused by pollution of the marine environment by any warship, naval auxiliary, other vessels or aircraft owned or operated by the State and used on government non-commercial service.
6. Ratification of the Convention by Bangladesh does not ipso facto imply recognition or acceptance of any territorial claim made by a State party to the Convention, nor automatic recognition of any land or sea border.
7. The Bangladesh Government does not consider itself bound by any of the declarations or statements, however phrased or named, made by other States when signing, accepting, ratifying or acceding to the Convention and that it reserves the right to state its position on any of those declarations or statements at any time.
8. The Bangladesh Government declares, without prejudice to article 303 of the Convention on the Law of the Sea, that any objects of an archaeological and historical nature found within the maritime areas over which it exercises sovereignty or jurisdiction shall not be removed, without its prior notification and consent.
9. The Government of Bangladesh shall, at an appropriate time, make declarations provided for in articles 287 and 298 relating to the settlement of disputes.
10. The Government of Bangladesh intends to undertake a comprehensive review of existing domestic laws and regulations with a view to harmonizing them with the provisions of the Convention.

Declarations under article 287 of the Convention, 14 December 2009

Declaration relating to Article 287 with respect to India:

"Pursuant to Article 287, paragraph 1 of the 1982 United Nations Convention on the Law of the Sea, the Government of the People's Republic of Bangladesh declares that it accepts the jurisdiction of the International Tribunal for the Law of the Sea for the settlement of dispute between the People's Republic of Bangladesh and the Republic of India relating to the delimitation of their maritime boundary in the Bay of Bengal."

Declaration relating to Article 287 with respect to Myanmar:

"Pursuant to Article 287, paragraph 1 of the 1982 United Nations Convention on the Law of the Sea, the Government of the People's Republic of Bangladesh declares that it accepts the jurisdiction of the International Tribunal for the Law of the Sea for the settlement of dispute between the People's Republic of Bangladesh and the Union of Myanmar relating to the delimitation of their maritime boundary in the Bay of Bengal."

Belarus

Upon signature (10 December 1982):

1. The Byelorussian Soviet Socialist Republic declares that, in accordance with article 287 of the United Nations Convention on the Law of the Sea, it accepts, as the basic means for the settlement of disputes concerning the interpretation or application of the Convention, an arbitral tribunal constituted in accordance with Annex VII. For the consideration of questions relating to fisheries, the protection and preservation of the marine environment, marine scientific research and navigation, including pollution from vessels and by dumping, the Byelorussian Soviet Socialist Republic chooses a special arbitral tribunal constituted in accordance with Annex VIII. The Byelorussian Soviet Socialist Republic recognizes the competence of the International Tribunal for the Law of the Sea in relation to questions of the prompt release of detained vessels or their crews, as envisaged in article 292.
2. The Byelorussian Soviet Socialist Republic declares that, in accordance with article 298 of the Convention, it does not accept compulsory procedures entailing binding decisions in the consideration of disputes concerned with the delimitation of marine limits, disputes relating to military activity and disputes in relation to which the United Nations Security Council performs functions entrusted to it under the United Nations Charter.

Upon ratification (30 August 2006)

1. In accordance with article 287 of the Convention, the Republic of Belarus accepts as the basic means for the settlement of disputes concerning the interpretation or application of the Convention an arbitral tribunal constituted in accordance with Annex VII. For the settlement of disputes concerning fisheries, protection and preservation of the marine environment, marine scientific research or navigation, including pollution from vessels and by dumping, the Republic of Belarus will use a special arbitral tribunal constituted in accordance with Annex VIII. The Republic of Belarus recognizes the jurisdiction of the International Tribunal for the Law of the Sea over questions concerning the prompt release of detained vessels or their crews, as envisaged in article 292 of the Convention; 2. In accordance with article 298 of the Convention, the Republic of Belarus does not accept compulsory procedures entailing binding decisions for the consideration of disputes concerning military activities, including by government vessels and aircraft engaged in non-commercial service, or disputes concerning law enforcement activities in regard to the exercise of sovereign rights or jurisdiction, or disputes in respect of which the Security Council of the United Nations is exercising the functions assigned to it by the Charter of the United Nations.
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Belgium

[Original: French]

Upon signature (5 December 1984):

The Government of the Kingdom of Belgium has decided to sign the United Nations Convention on the Law of the Sea because the Convention has a very large number of positive features and achieves a compromise on them which is acceptable to most States. Nevertheless, with regard to the status of maritime space, it regrets that the concept of equity, adopted for the delimitation of the continental shelf and the exclusive economic zone, was not applied again in the provisions for delimiting the territorial sea. It welcomes, however, the distinctions established by the Convention between the nature of the rights which riparian States exercise over their territorial sea, on the one hand, and over the continental shelf and their exclusive economic zone, on the other.

It is common knowledge that the Belgian Government cannot declare itself also satisfied with certain provisions of the international régime of the sea-bed which, though based on a principle that it would not think of challenging, seems not to have chosen the most suitable way of achieving the desired result as quickly and surely as possible, at the risk of jeopardizing the success of a generous undertaking which Belgium consistently encourages and supports. Indeed, certain provisions of Part XI and of Annexes III and IV appear to it to be marred by serious defects and shortcomings which explain why consensus was not reached on this text at the last session of the Third United Nations Conference on the Law of the Sea, in New York, in April 1982. These shortcomings and defects concern in particular the restriction of access to the Area, the limitations on production and certain procedures for the transfer of technology, not to mention the vexatious implications of the cost and financing of the future International Sea-Bed Authority and the first mine site of the Enterprise. The Belgian Government sincerely hopes that these shortcomings and defects will in fact be rectified by the rules, regulations and procedures which the Preparatory Commission should draw up with the twofold intent of facilitating acceptance of the new régime by the whole international community and enabling the common heritage of mankind to be properly exploited for the benefit of all and, preferably, for the benefit of the least favoured countries. The Government of the Kingdom of Belgium is not alone in thinking that the success of this new régime, the effective establishment of the International Sea-Bed Authority and the economic viability of the Enterprise will depend to a large extent on the quality and seriousness of the Preparatory Commission's work: it therefore considers that all decisions of the Commission should be adopted by consensus, that being the only way of protecting the legitimate interests of all.

As the representatives of France and the Netherlands pointed out two years ago, the Belgian Government wishes to make it abundantly clear that, notwithstanding its decision to sign the Convention today, the Kingdom of Belgium is not here and now determined to ratify it. It will take a separate decision on this point at a later date, which will take account of what the Preparatory Commission has accomplished to make the international régime of the sea-bed acceptable to all, focusing mainly on the questions to which attention has been drawn above.

The Belgian Government also wishes to recall that Belgium is a member of the European Economic Community, to which it has transferred powers in certain areas covered by the Convention; detailed declarations on the nature and extent of the powers transferred will be made in due course, in accordance with the provisions of Annex IX of the Convention.

It also wishes to draw attention formally to several points which it considers particularly crucial. For example, it attaches great importance to the conditions to which Articles 21 and 23 of the Convention subject the right of innocent passage through the territorial sea, and it intends to ensure that the criteria prescribed by the relevant international agreements are strictly applied, whether the flag States are parties thereto or not. The limitation of the breadth of the territorial sea, as established by Article 3 of the Convention, confirms and codifies a widely observed customary practice which it is incumbent on every State to respect, as it is the only one admitted by international law: the Government of the Kingdom of Belgium will not therefore recognize, as territorial sea, waters which are, or may be, claimed to be such beyond 12 nautical miles measured from baselines determined by the riparian State in accordance with the Convention. Having underlined the close linkage which it perceives between Article 33, paragraph 1 (a), and Article 27, paragraph 2, of the Convention, the Government of the Kingdom of Belgium intends to reserve the right, in emergencies and especially in cases of blatant violation, to exercise the powers accorded to the riparian State by the latter text, without notifying beforehand a diplomatic agent or consular officer of the flag State, on the understanding that such notification shall be given as soon as it is physically possible. Finally, everyone will understand that the Government of the Kingdom of Belgium chooses to emphasize those provisions of the Convention which entitle it to protect itself, beyond the limit of the territorial sea, against any threat of pollution and, *a fortiori*, against any existing pollution resulting from an accident at sea, as well as those provisions which recognize the validity of rights and obligations deriving from specific conventions and agreements concluded previously or which may be concluded subsequently in furtherance of the general principles set forth in the Convention.

In the absence of any other peaceful means to which it obviously gives priority, the Government of the Kingdom of Belgium deems it expedient to choose alternatively, and in order of preference, as Article 287 of the Convention leaves it free to do, the following means of settling disputes concerning the interpretation or application of the Convention:

1. an arbitral tribunal constituted in accordance with Annex VIII;
2. the International Tribunal for the Law of the Sea established in accordance with Annex VI;
3. the International Court of Justice.

Still in the absence of any other peaceful means, the Government of the Kingdom of Belgium wishes here and now to recognize the validity of the special arbitration procedure for any dispute concerning the interpretation or application of the provisions of the Convention in respect of fisheries, protection and preservation of the marine environment, marine scientific research or navigation, including pollution from vessels and by dumping.

For the time being, the Belgian Government does not wish to make any declaration in accordance with Article 298, confining itself to the one made above in accordance with Article 287. Finally, the Government of the Kingdom of Belgium does not consider itself bound by any of the declarations which other States have made, or may make, upon signing or ratifying the Convention, reserving the right, as necessary, to determine its position with regard to each of them at the appropriate time.

Upon ratification (13 November 1998):

The Kingdom of Belgium notes that, as a State member of the European Community, it has transferred competence to the Community for some matters provided for in the Convention, which are listed in the [declaration made by the European Community](#) upon formal confirmation of the Convention by the European Community on 1 April 1998.

In accordance with article 287 of the Convention, the Kingdom of Belgium hereby declares that it chooses, as a means for the settlement of disputes concerning the interpretation or application of the Convention, in view of its preference for pre-established jurisdictions, either the International Tribunal for the Law of the Sea established in accordance with Annex VI (art. 287.1 (a)) or the International Court of Justice (art. 287.1(b)), in the absence of any other means of peaceful settlement of disputes that it might prefer.

Bolivia

(Original: Spanish)

Upon signature (27 November 1984):

On signing the United Nations Convention on the Law of the Sea, the Government of Bolivia hereby makes the following declaration before the International community:

1. The Convention on the Law of the Sea is a perfectible instrument and, according to its own provisions, is subject to revision. As a party to it, Bolivia will, when the time comes, put forward proposals and revisions which are in keeping with its national interests.
 2. Bolivia is confident that the Convention will ensure, in the near future, the joint development of the resources of the sea-bed, with equal opportunities and rights for all nations, especially developing countries.
 3. Freedom of access to and from the sea, which the Convention grants to land-locked nations, is a right that Bolivia has been exercising by virtue of bilateral treaties and will continue to exercise by virtue of the norms of positive international law contained in the Convention.
 4. Bolivia wishes to place on record that it is a country that has no maritime sovereignty as a result of a war and not as a result of its natural geographic position and that it will assert all the rights of coastal States under the Convention once it recovers the legal status in question as a consequence of negotiations on the restoration to Bolivia of its own sovereign outlet to the Pacific Ocean.
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Brazil

[Original: English]

Upon signature (10 December 1982):

I. Signature by Brazil is *ad referendum*, subject to ratification of the Convention in conformity with Brazilian constitutional procedures, which include approval by the National Congress.

II. The Brazilian Government understands that the régime which is applied in practice in maritime areas adjacent to the coast of Brazil is compatible with the provisions of the Convention.

III. The Brazilian Government understands that the provision of article 301, which prohibits "any threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the principles of international law embodied in the Charter of the United Nations", apply, in particular, to the maritime areas under the sovereignty or the jurisdiction of the coastal State.

IV. The Brazilian Government understands that the provisions of the Convention do not authorize other States to carry out in the exclusive economic zone military exercises or manoeuvres, in particular those that imply the use of weapons or explosives, without the consent of the coastal State.

V. The Brazilian Government understands that, in accordance with the provisions of the Convention, the coastal State has, in the exclusive economic zone and on the continental shelf, the exclusive right to construct and to authorize and regulate the construction, operation and use of all types of installations and structures, without exception, whatever their nature or purpose.

VI. Brazil exercises sovereignty rights over the continental shelf, beyond the distance of two hundred nautical miles from the baselines, up to the outer edge of the continental margin, as defined in article 76.

VII. The Brazilian Government reserves the right to make at the appropriate time the declarations provided for in articles 287 and 298, concerning the settlement of disputes."

Upon ratification (22 December 1988):

In accordance with article 310 of the United Nations Convention on the Law of the Sea, the Government of the Federal Republic of Brazil makes the following statement:

(I) The Brazilian Government understands that the provisions of article 301 prohibiting "any threat or use of force against the territorial integrity of any State, or in other manner inconsistent with the principles of international law embodied in the Charter of the United Nations" apply in particular to the maritime areas under the sovereignty or jurisdiction of the coastal State.

(II) The Brazilian Government understands that the provisions of the Convention do not authorize other States to carry out military exercises or manoeuvres, in particular those involving the use of weapons or explosives, in the exclusive economic zone without the consent of the coastal State.

(III) The Brazilian Government understands that in accordance with the provisions of the Convention the coastal State has, in the exclusive economic zone and on the continental shelf, the exclusive right to construct and to authorize and to regulate the construction, operation and use of all kinds of installations and structures, without exception, whatever their nature or purpose.

Canada

Declaration made upon ratification (7 November 2003):

"With regard to article 287 of the Convention on the Law of the Sea, the Government of Canada hereby chooses the following means for the settlement of disputes concerning the interpretation or application of the Convention without specifying that one has precedence over the other:

- (a) the International Tribunal for the Law of the Sea established in accordance with Annex VI of the Convention; and
- (b) an arbitral tribunal constituted in accordance with Annex VII of the Convention.

With regard to Article 298, paragraph 1 of the Convention on the Law of the Sea, Canada does not accept any of the procedures provided for in Part XV, section 2, with respect to the following disputes:

- Disputes concerning the interpretation or application of articles 15, 74 and 83 relating to sea boundary delimitations, or those involving historic bays or titles;
- Disputes concerning military activities, including military activities by government vessels and aircraft engaged in non-commercial service, and disputes concerning law enforcement activities in regard to the exercise of sovereign rights or jurisdiction excluded from the jurisdiction of a court or tribunal under article 297, paragraph 2 or 3;
- Disputes in respect of which the Security Council of the United Nations is exercising the functions assigned to it by the Charter of the United Nations, unless the Security Council decides to remove the matter from its agenda or calls upon the parties to settle it by the means provided for in the Convention.

According to Article 309 of the Convention on the Law of the Sea, no reservations or exceptions may be made to the Convention unless expressly permitted by other articles of the Convention. A declaration or statement made pursuant to article 310 of the Convention cannot purport to exclude or to modify the legal effect of the provisions of the Convention in their application to the state, entity or international organization making it. Consequently, the Government of Canada declares that it does not consider itself bound by declarations or statements that have been made or will be made by other states, entities and international organizations pursuant to article 310 of the Convention and that exclude or modify the legal effect of the provisions of the Convention and their application to the State, entity or international organization making it. Lack of response by the Government of Canada to any declaration or statement shall not be interpreted as tacit acceptance of that declaration or statement. The Government of Canada reserves the right at any time to take a position on any declaration or statement in the manner deemed appropriate."

Cabo Verde

Declaration made upon signature (10 December 1982) and confirmed upon ratification (19 August 1987):

"The Government of the Republic of Cape Verde signs the United Nations Convention on the Law of the Sea with the following understandings:

- I. This Convention recognizes the right of coastal States to adopt measures to safeguard their security interests, including the right to adopt laws and regulations relating to the innocent passage of foreign warships through their territorial sea or archipelagic waters. This right is in full conformity with articles 19 and 25 of the Convention, as it was clearly stated in the Declaration made by the President of the Third United Nations Conference on the Law of the Sea in the plenary meeting of the Conference on April 26, 1982.
- II. The provisions of the Convention relating to the archipelagic waters, territorial sea, exclusive economic zone and continental shelf are compatible with the fundamental objectives and aims that inspire the legislation of the Republic of Cape Verde concerning its sovereignty and jurisdiction over the sea adjacent to and within its coasts and over the seabed and subsoil thereof up to the limit of 200 miles.
- III. The legal nature of the exclusive economic zone as defined in the Convention and the scope of the rights recognized therein to the coastal state leave no doubt as to its character of a *sui generis* zone of national jurisdiction different from the territorial sea and which is not a part of the high seas.
- IV. The regulations of the uses or activities which are not expressly provided for in the Convention but are related to the sovereign rights and to the jurisdiction of the coastal State in its exclusive economic zone falls within the competence of the said State, provided that such regulation does not hinder the enjoyment of the freedoms of international communication which are recognized to other States.
- V. In the exclusive economic zone, the enjoyment of the freedoms of international communication, in conformity with its definition and with other relevant provisions of the Convention, excludes any non-peaceful use without the consent of the coastal State, such as exercises with weapons or other activities which may affect the rights or interests of the said state; and it also excludes the threat or use of force against the territorial integrity, political independence, peace or security of the coastal State.
- VI. This Convention does not entitle any State to construct, operate or use installations or structures in the exclusive economic zone of another State, either those provided for in the Convention or those of any other nature, without the consent of the coastal State.
- VII. In accordance with all the relevant provisions of the Convention, where the same stock or stocks of associated species occur both within the exclusive economic zone and in an area beyond and adjacent to the zone, the States fishing for such stocks in the adjacent area are duty bound to enter into arrangements with the coastal State upon the measures necessary for the conservation of these stock or stocks of associated species."

Upon ratification: (10 August 1987)

- I. ...
- II. The Republic of Cape Verde declares, without prejudice to article 303 of the United Nations Convention on the Law of the Sea, that any objects of an archaeological and historical nature found within the maritime areas over which it exerts sovereignty or jurisdiction shall not be removed without its prior notification and consent.
- III. The Republic of Cape Verde declares that, in the absence of or failing any other peaceful means, it chooses, in order of preference and in accordance with article 287 of the United Nations Convention on the Law of the Sea, the following procedures for the settlement of disputes regarding the interpretation or application of the said Convention:
 - (a) The International Tribunal for the Law of the Sea;
 - (b) The International Court of Justice.
- IV. The Republic of Cape Verde, in accordance with article 298 of the United Nations Convention on the Law of the Sea, declares that it does not accept the procedures provided for in Part XV, section 2, of the said Convention for the settlement of disputes concerning military activities, including military activities by Government-operated vessels and aircraft engaged in non-commercial service, as well as disputes concerning law enforcement activities in regard to the exercise of sovereign rights or jurisdiction excluded from the jurisdiction of a court or tribunal under article 297, paragraphs 2 and 3, of the aforementioned Convention.

Chile

[Original: Spanish]

Statement made upon signature (10 December 1982) and confirmed upon ratification (25 August 1997):

In exercise of the right conferred by article 310 of the Convention, the delegation of Chile wishes first of all to reiterate in its entirety the statement it made at last April's meeting when the Convention was adopted. That statement is reproduced in document A/CONF.62/SR.164. . . . in particular to the Convention's pivotal legal concept, that of the 200 mile exclusive economic zone to the elaboration of which [the Government of Chile] country made an important contribution, having been the first to declare such a concept, 35 years ago in 1947, and having subsequently helped to define and earn it international acceptance. The exclusive economic zone has a *sui generis* legal character distinct from that of the territorial sea and the high seas. It is a zone under national jurisdiction, over which the coastal State exercises economic sovereignty and in which third States enjoy freedom of navigation and overflight and the freedoms inherent in international communication. The Convention defines it as a maritime space under the jurisdiction of the coastal State, bound to the latter's territorial sovereignty and actual territory, on terms similar to those governing other maritime spaces, namely the territorial sea and the continental shelf. With regard to straits used for international navigation, the delegation of Chile wishes to reaffirm and reiterate in full the statement made last April, as reproduced in document A/CONF.62/SR.164 referred to above, as well as the content of the supplementary written statement dated 7 April 1982 contained in document A/CONF.62/WS/19.

With regard to the international sea-bed régime, [the Government of Chile wishes] to reiterate the statement made by the Group of 77 at last April's meeting regarding the legal concept of the common heritage of mankind, the existence of which was solemnly confirmed by consensus by the General Assembly in 1970 and which the present Convention

defines as a part of *jus cogens*. Any action taken in contravention of this principle and outside the framework of the sea-bed régime would, as last April's debate showed, be totally invalid and illegal.

Upon ratification (25 August 1997):

...

2. The Republic of Chile declares that the Treaty of Peace and Friendship signed with the Argentine Republic on 29 November 1984, which entered into force on 2 May 1985, shall define the boundaries between the respective sovereignties over the sea, seabed and subsoil of the Argentine Republic and the Republic of Chile in the sea of the southern zone in the terms laid down in articles 7 to 9.

3. With regard to part II of the Convention:

(a) In accordance with article 13 of the Treaty of Peace and Friendship of 1984, the Republic of Chile, in exercise of its sovereign rights, grants to the Argentine Republic the navigation facilities through Chilean internal waters described in that Treaty, which are specified in annex 2, articles 1 to 9.

In addition, the Republic of Chile declares that by virtue of this Treaty, ships flying the flag of third countries may navigate without obstacles through the internal waters along the routes specified in annex 2, articles 1 and 8, subject to the relevant Chilean regulations.

In the Treaty of Peace and Friendship of 1984, the two Parties agreed on the system of navigation and pilotage in the Beagle Channel defined in annex 2, articles 11 to 16. The provisions on navigation set forth in that annex replace any previous agreement on the subject that might exist between the Parties.

We reiterate that the navigation systems and facilities referred to in this paragraph were established in the 1984 Treaty of Peace and Friendship for the sole purpose of facilitating maritime communication between specific maritime points and areas, along the specific routes indicated, so that they do not apply to other routes existing in the zone which have not been specifically agreed on.

(b) The Republic of Chile reaffirms the full validity and force of Supreme Decree No. 416 of 1977, of the Ministry of Foreign Affairs, which, in accordance with the principles of article 7 of the Convention - which have been fully recognized by Chile - established the straight baselines which were confirmed in article 11 of the 1984 Treaty of Peace and Friendship.

(c) In cases in which a State places restrictions on the right of innocent passage for foreign warships, the Republic of Chile reserves the right to apply similar restrictive measures.

4. With regard to part III of the Convention, it should be noted that in accordance with article 35 (c), the provisions of this part do not affect the legal regime of the Strait of Magellan, since passage through that strait is "regulated by long-standing international conventions in force specifically relating to such straits" such as the 1881 Boundary Treaty, a regime which is reaffirmed in the Treaty of Peace and Friendship of 1984.

In article 10 of the latter Treaty, Chile and Argentina agreed on the boundary at the eastern end of the Strait of Magellan and agreed that this boundary in no way alters the provisions of the 1881 Boundary Treaty, whereby, as Chile declared unilaterally in 1873, the Strait of Magellan is neutralized forever with free navigation assured for the flags of all nations under the terms laid down in article V. For its part, the Argentine Republic undertook to maintain, at any time and in whatever circumstances, the right of ships of all flags to navigate expeditiously and without obstacles through its jurisdictional waters to and from the Strait of Magellan.

Furthermore, we reiterate that Chilean maritime traffic to and from the north through the Estrecho de Le Maire shall enjoy the facilities laid down in annex 2, article 10 of the 1984 Treaty of Peace and Friendship.

5. Having regard for its interest in the conservation of the resources in its exclusive economic zone and the adjacent area of the high seas, the Republic of Chile believes that, in accordance with the provisions of the Convention, where the same stock or stocks of associated species occur both within the exclusive economic zone and in the adjacent area of the high seas, the Republic of Chile, as the coastal State, and the States fishing for such stocks in the area adjacent to its exclusive economic zone must agree upon the measures necessary for the conservation in the high seas of these stocks or associated species. In the absence of such agreement, Chile reserves the right to exercise its rights under article 116 and other provisions of the United Nations Convention on the Law of the Sea, and the other rights accorded to it under international law.

6. With reference to part XI of the Convention and its supplementary agreement, it is Chile's understanding that, in respect of the prevention of pollution in exploration and exploitation activities, the Authority must apply the general criterion that underwater mining shall be subject to standards which are at least as stringent as comparable standards on land.

7. With regard to part XV of the Convention, the Republic of Chile declares that:

(a) In accordance with article 287 of the Convention, it accepts, in order of preference, the following means for the settlement of disputes concerning the interpretation or application of the Convention:

(i) The International Tribunal for the Law of the Sea established in accordance with annex VI;

(ii) A special arbitral tribunal, established in accordance with annex VIII, for the categories of disputes specified therein relating to fisheries, protection and preservation of the marine environment, and marine scientific research and navigation, including pollution from vessels and by dumping.

(b) In accordance with articles 280 to 282 of the Convention, the choice of means for the settlement of disputes indicated in the preceding paragraph shall in no way affect the obligations deriving from the general, regional or bilateral agreements to which the Republic of Chile is a party concerning the peaceful settlement of disputes or containing provisions for the settlement of disputes.

(c) In accordance with article 298 of the Convention, Chile declares that it does not accept any of the procedures provided for in part XV, section 2 with respect to the disputes referred to in article 298, paragraphs 1 (a), (b) and (c) of the Convention.

China

[Original: Chinese]

Upon ratification (7 June 1996):

In accordance with the decision of the Standing Committee of the Eighth National People's Congress of the People's Republic of China at its nineteenth session, the President of the People's Republic of China has hereby ratified the United Nations Convention on the Law of the Sea of 10 December 1982 and at the same time made the following statement:

1. In accordance with the provisions of the United Nations Convention on the Law of the Sea, the People's Republic of China shall enjoy sovereign rights and jurisdiction over an exclusive economic zone of 200 nautical miles and the continental shelf.
2. The People's Republic of China will effect, through consultations, the delimitation of the boundary of the maritime jurisdiction with the States with coasts opposite or adjacent to China respectively on the basis of international law and in accordance with the principle of equitability.
3. The People's Republic of China reaffirms its sovereignty over all its archipelagos and islands as listed in article 2 of the Law of the People's Republic of China on the territorial sea and the contiguous zone, which was promulgated on 25 February 1992.
4. The People's Republic of China reaffirms that the provisions of the United Nations Convention on the Law of the Sea concerning innocent passage through the territorial sea shall not prejudice the right of a coastal State to request, in accordance with its laws and regulations, a foreign State to obtain advance approval from or give prior notification to the coastal State for the passage of its warships through the territorial sea of the coastal State.

Declaration made after ratification (25 August 2006)

Declaration under article 298:

The Government of the People's Republic of China does not accept any of the procedures provided for in Section 2 of Part XV of the Convention with respect to all the categories of disputes referred to in paragraph 1 (a) (b) and (c) of Article 298 of the Convention.

Costa Rica

(Original: Spanish)

Upon signature (10 December 1982):

The Government of Costa Rica declares that the provisions of Costa Rican law under which foreign vessels must pay for licences to fish in its exclusive economic zone, shall apply also to fishing for highly migratory species, pursuant to the provisions of articles 62 and 64, paragraph 2, of the Convention.

Croatia

[Original: English]

Statement made upon succession (5 April 1995) 2/:

The Republic of Croatia considers that, in accordance with article 53 of the Vienna Convention on the Law of Treaties of 29 May 1969, there is no peremptory norm of general international law which would forbid a coastal State to request by its laws and regulations foreign warships to notify their intention of innocent passage through its territorial waters, and to limit the number of warships allowed to exercise the right of innocent passage at the same time (articles 17 to 32 of the Convention).

Declaration made after succession (4 November 1999):

Declaration under article 287:

In implementation of article 287 of the [Convention], the Government of Croatia [declares] that, for the settlement of disputes concerning the application or interpretation of the Convention and of the Agreement adopted on 28 July 1994 relating to the Implementation of Part XI, it chooses, in order of preference, the following means:

- i) The International Tribunal for the Law of the Sea established in accordance with annex VI;
- ii) The International Court of Justice."

Cuba

[Original: Spanish]

Upon signature (10 December 1982):

"At the time of signing the Convention on the Law of the Sea, the Cuban Delegation declares that, having gained possession of the definitive text of the Convention just a few hours ago, it will leave for the time of the ratification of the Convention the issuing of any statement it deems pertinent with respect to articles:

287 -- on the election of the procedure for the settlement of controversies pertaining to the interpretation or implementation of the Convention;

292 -- on the prompt release of ships and their crews;

298 -- on the optional exceptions to the applicability of Section 2;

as well as whatever statement or declaration it might deem appropriate to make in conformity with article 310 of the Convention."

Upon ratification (15 August 1984):

With regard to article 287 on the choice of procedure for the settlement of disputes concerning the interpretation or application of the Convention, the Government of the Republic of Cuba declares that it does not accept the jurisdiction of the International Court of Justice and, consequently, will not accept the jurisdiction of the Court with respect to the provisions of articles 297 and 298.

With regard to article 292, the Government of the Republic of Cuba considers that once financial security has been posted, the detaining State should proceed promptly and without delay to release the vessel and its crew and declares that where this procedure is not followed with respect to its vessels or members of their crew it will not agree to submit the matter to the International Court of Justice.

Czech Republic

[Original: English]

Upon ratification (21 June 1996):

The Government of the Czech Republic, having considered the declaration of the Federal Republic of Germany of 14 October 1994, pertaining to the interpretation of the provisions of Part X of the United Nations Convention on the Law of the Sea, which deals with the right of access of land-locked States to and from the sea and freedom of transit, states that the above-mentioned declaration of the Federal Republic of Germany cannot be interpreted with regard to the Czech Republic in contradiction with the provisions of Part X of the Convention.

Denmark

Upon ratification (16 November 2004)

The Kingdom of Denmark makes the following declaration: It is the position of the Government of the Kingdom of Denmark that the exception from the transit passage regime provided for in article 35 (c) of the Convention applies to the specific regime in the Danish straits (the Great Belt, the Little Belt and the Danish part of the Sound), which has developed on the basis of the Copenhagen Treaty of 1857. The present legal regime of the Danish straits will therefore remain unchanged.

The Government of the Kingdom of Denmark declares pursuant to article 287 of the Convention that it chooses the International Court of Justice for the settlement of disputes concerning the interpretation or application of the Convention.

The Government of the Kingdom of Denmark declares pursuant to article 298 of the Convention that it does not accept an arbitral tribunal constituted in accordance with Annex VII for any of the categories of disputes mentioned in article 298.

The Government of the Kingdom of Denmark declares, in accordance with article 310 of the Convention, its objection to any declaration or position excluding or amending the legal scope of the provisions of the Convention. Passivity with respect to such declarations or positions shall be interpreted neither as acceptance nor rejection of such declarations or positions.

The Kingdom of Denmark recalls that, as a member of the European Community, it has transferred competence in respect of certain matters governed by the Convention. In accordance with the provisions of Annex IX of the Convention, a detailed declaration on the nature and extent of the competence transferred to the European Community was made by the European Community upon deposit of its instrument of formal confirmation. This transfer of competence does not extend to the Faroe Islands and Greenland.

Ecuador

[Original: Spanish]

Upon ratification (24 September 2012):

I. The Ecuadorian State, pursuant to article 4 of the Constitution of the Republic, which provides that "the territory of Ecuador constitutes a single geographical and historical unit with natural, social and cultural dimensions, the legacy of our forebears and ancestral peoples. This territory includes the continental and maritime space, the adjacent islands, the territorial sea, the Galapagos Archipelago, the soil, the continental shelf, the subsoil and the superjacent continental, island and maritime space. Its boundaries are those established in the treaties in force", confirms the full validity of the Declaration of Santiago on the Maritime Zone, signed in Santiago, Chile, on 18 August 1952, by means of which Chile, Ecuador and Peru declared "... as a norm of their international maritime policy, the exclusive sovereignty and jurisdiction that each of them possesses in respect of the sea adjacent to the coasts of their respective countries, up to a minimum distance of 200 nautical miles from those coasts..." in order "... to ensure that their peoples have the necessary livelihood conditions and to provide them with the means for their economic development...";

II. The Ecuadorian State, in accordance with the provisions of the Convention, exercises sovereignty and jurisdiction over the 200 nautical miles that comprise the following maritime spaces:

1. Internal waters, which are the waters on the landward side of the baselines;
2. The territorial sea, which extends from the baselines to a limit not exceeding 12 nautical miles;
3. The exclusive economic zone, which is an area that extends for 188 nautical miles from the outer limits of the territorial sea; and,
4. The continental shelf;

III. Ecuador shall exercise its sovereign jurisdiction and competence, without limitation or restriction of any type, in the internal waters and the 12 nautical miles of the territorial sea, measured from the baselines. It guarantees the right of coastal and non-coastal countries to continuous and expeditious innocent passage of their ships, with the obligation that they comply with the provisions of the Ecuadorian State, and provided that such passage is not prejudicial to the peace, good order or security of the State;

IV. In the exclusive economic zone, the Republic of Ecuador shall have the following rights and obligations:

1. Exclusive sovereignty for the purpose of exploring and exploiting, conserving and managing the natural resources, whether living or non-living, of the waters superjacent to the seabed and of the seabed and its subsoil;
2. Exclusive sovereignty for the purposes of the economic exploitation and exploration of the zone, such as the production of energy from the water, marine currents and winds;
3. Exercise of the exclusive right to authorize, regulate and undertake the construction, operation and use of all types of artificial islands, installations and structures within the 200 miles of its maritime territory, including the continental shelf;
4. The other rights and duties laid down in the Convention;
5. All other States, whether coastal or land-locked, enjoy the freedoms of navigation, overflight and the laying of submarine cables and pipelines, subject to the provisions of the Convention.

The other States shall observe and comply with the laws, rules and regulations issued by the Ecuadorian State in its capacity as a coastal State;

V. With regard to the continental shelf, the Ecuadorian State exercises exclusive sovereign rights for the purposes of exploring, conserving and exploiting its natural resources, and no one may exploit them without its express consent.

The Ecuadorian State declares that, within the timeframe and the conditions set forth in article 76 of the Convention, it will make use of its right to extend its continental shelf to a distance of 350 nautical miles measured from the baselines of the Galapagos Archipelago;

VI. Ecuador reiterates the full force and validity of Supreme Decree No. 959-A, published on 28 June 1971 in Official Register No. 265 of 13 July 1971, by means of which it established its straight baselines in accordance with international law. It reaffirms that the said lines in the Galapagos Archipelago are determined by the common geological origin of those islands, their historical unity and the fact that they belong to Ecuador, as well as the need to protect and preserve their unique ecosystems. The baselines, from which the maritime spaces described in paragraph II of the present Declaration are measured, are as follows:

1. Continental baselines:

- (a) The line will start from the point of intersection of the maritime boundary with Colombia with the straight line Punta Manglares (Colombia) - Punta Galera (Ecuador);
- (b) From this point, a straight line passing through Punta Galera and meeting the most northerly point of Isla de la Plata;
- (c) From this point a straight line to Puntilla de Santa Elena;
- (d) A straight line from Puntilla de Santa Elena in the direction of Cabo Blanco (Peru) to the intersection with the geographical parallel that constitutes the maritime boundary with Peru.

2. Insular baselines:

- (a) From Islote Darwin, a straight line to the north-eastern tip of Isla Pinta;
- (b) A straight line to the most northerly point of Isla Genovesa;
- (c) A straight line passing through Punta Valdizan, Isla San Cristobal, and intersecting the northern extension of the straight line joining the south-eastern tip of Isla Española with Punta Pitt, Isla San Cristobal;
- (d) A straight line from this intersection to the south-eastern tip of Isla Española;
- (e) A straight line to Punta Sur, Isla Santa Maria;
- (f) A straight line passing through the south-eastern tip of Isla Santa Isabela, near Punta Essex, and intersecting the southern extension of the line joining the outermost projecting point of the western coast of Isla Fernandina, approximately in its centre, with the western tip of the southern part of Isla Isabela, in the vicinity of Punta Cristobal;
- (g) From this point of intersection a line passing through the western tip of the southern part of Isla Isabela, in the vicinity of Punta Cristobal, to the outermost projecting point of the western coast of Isla Fernandina, approximately in its centre;
- (h) A straight line to Isla Darwin;

VII. With regard to the delimitation of the maritime spaces adjacent to the continental territory of Ecuador, the State declares that this is determined by the delimitation treaties in force and constituted by the geographical parallels extending from the points where the land boundaries reach the sea;

VIII. It confirms the full validity of the international instruments applicable to the Galapagos Archipelago, by means of which it has been listed as a United Nations Educational, Scientific and Cultural Organization (UNESCO) Natural Heritage for Humanity site and a biosphere reserve of the UNESCO Man and the Biosphere Programme.

The Ecuadorian State therefore exercises full jurisdiction and sovereignty over the Galapagos Marine Reserve, established by the law on the special regime for the conservation and sustainable development of the province of Galapagos, published in Official Register No. 278 of 18 March 1998, as well as over the Particularly Sensitive Sea area and the "area to be avoided", both established by the International Maritime Organization;

IX. Ecuador declares that the Gulf of Guayaquil is a historic bay, owing to its traditional use and exploitation by the people of Ecuador, as well as the positive influence of the waters of the Guayas river in generating an ecosystem rich in natural resources;

X. The Ecuadorian State declares that it has the exclusive right to regulate uses or activities not expressly provided for in the Convention (residual rights and jurisdiction) that relate to its rights within the 200 nautical miles, as well as any future expansion of the said rights;

XI. It declares that States whose warships, naval auxiliaries, or other vessels or aircraft that, subject to prior notification of and authorization by the Ecuadorian State, may pass through the maritime spaces subject to its sovereignty and jurisdiction, are liable for any damage they cause by polluting the marine environment, pursuant to articles 235 and 236 of the Convention;

XII. In accordance with the relevant provisions of the Convention, when the same or associated fish stocks are found both within the Ecuadorian 200-mile zone and in a maritime area adjacent to the said zone, the States whose nationals fish for those species in the area adjacent to the Ecuadorian zone must agree with the Ecuadorian State the measures necessary to conserve and protect them, as well as to promote their optimum utilization. In the absence of such agreement, Ecuador reserves to itself the exercise of its rights under article 116 and other provisions of the Convention, as well as all other relevant rules of international law;

XIII. The Ecuadorian State, in cases where it is party to a commercial contract in the Area of the seabed, will not submit itself to binding commercial arbitration, as this is prohibited by article 422 of its Constitution. In such cases, it will provide prior express notice of the dispute resolution mechanism to which it will submit, provided that this does not involve the transfer of its sovereign jurisdiction.

XIV. In accordance with article 287 of the Convention, Ecuador chooses, for the settlement of disputes concerning the interpretation or application of the Convention:

1. The International Tribunal for the Law of the Sea;
2. The International Court of Justice;
3. A special tribunal constituted in accordance with Annex VIII, for one or more of the categories of disputes relating to fisheries, protection and preservation of the marine environment, marine scientific research and navigation, including pollution from vessels and by dumping;

XV. With regard to article 297, paragraphs 2 and 3 of the Convention, the Government of Ecuador will not accept the submission to the procedures provided for in Part XV, section 2, of disputes relating to the exercise of its rights in relation to scientific research, as well as with respect to the regulation of fisheries within the 200 nautical miles, including its discretionary powers for determining the catch, its harvesting capacity, the allocation of surpluses, if any, and the terms and conditions established in its conservation and management laws and regulations;

XVI. With regard to the provisions of article 297, paragraph 3, subparagraphs (b) (iii) and (c), Ecuador will not accept the validity of any report of the conciliation commission that substitutes its discretion for that of the Ecuadorian State in relation to the use of surplus living resources within its areas of sovereignty and jurisdiction, in application of articles 62, 69 and 70 of the Convention, or whose recommendations entail effects detrimental to Ecuadorian fishing activities;

XVII. In accordance with article 298 of the Convention, Ecuador declares that it does not accept any of the procedures provided for in Part XV, section 2, with respect to the categories of disputes described in paragraph 1, subparagraphs (a), (b) and (c), of the said article 298;

XVIII. The Ecuadorian State declares, in accordance with articles 5 and 416 of the Constitution of the Republic, that its maritime spaces constitute a zone of peace; consequently, no military exercises or manoeuvres of any type, nor any shipping activities that threaten or could threaten peace and security, may be conducted without its express consent.

Furthermore, it hereby declares that prior notification and authorization shall be required for the transit through its maritime spaces of ships powered by nuclear energy or transporting radioactive, toxic, hazardous or harmful substances.

Subsequently, the Government of Ecuador notified the Secretary-General that it wished to clarify that, in respect of paragraph XIII of the aforementioned Declaration, in cases where Ecuador is party to a contract relating to activities in the Area of the seabed, Ecuador recognizes the competence of the Seabed Disputes Chamber of the International Tribunal for the Law of the Sea.

Egypt

[Original: Arabic]

Upon ratification (26 August 1983):

Upon ratification, the Government of Egypt, under the provisions of article 310 of the Convention, made the following declarations:

Declaration concerning the territorial sea

1. The Arab Republic of Egypt establishes the breadth of its territorial sea at 12 nautical miles, pursuant to article 5 of the Ordinance of 18 January 1951 as amended by the Decree of 17 February 1958, in line with the provisions of article 3 of the Convention.
2. The Arab Republic of Egypt will publish, at the earliest opportunity, charts showing the baselines from which the breadth of its territorial sea in the Mediterranean Sea and in the Red Sea is measured, as well as the lines marking the outer limit of the territorial sea, in accordance with usual practice.

Declaration concerning the contiguous zone

The Arab Republic of Egypt has decided that its contiguous zone (as defined in the Ordinance of 18 January 1951 as amended by the Presidential Decree of 17 February 1958) extends to 24 nautical miles from the baselines from which the breadth of the territorial sea is measured, as provided for in article 33 of the Convention.

Declaration concerning the passage of nuclear-powered and similar ships through the territorial sea of Egypt

Pursuant to the provisions of the Convention relating to the right of the coastal State to regulate the passage of ships through its territorial sea and whereas the passage of foreign nuclear-powered ships and ships carrying nuclear or other inherently dangerous and noxious substances poses a number of hazards,

Whereas article 23 of the Convention stipulates that the ships in question shall, when exercising the right of innocent passage through the territorial sea, carry documents and observe special precautionary measures established for such ships by international agreements,

The Government of the Arab Republic of Egypt declares that it will require the aforementioned ships to obtain authorization before entering the territorial sea of Egypt, until such international agreements are concluded and Egypt becomes a party to them.

Declaration concerning the passage of warships through the territorial sea of Egypt

[With reference to the provisions of the Convention relating to the right of the coastal State to regulate the passage of ships through its territorial sea:] Warships shall be ensured innocent passage through the territorial sea of Egypt, subject to prior notification.

Declaration concerning passage through the Strait of Tiran and the Gulf of Aqaba

The provisions of the 1979 Peace Treaty between Egypt and Israel concerning passage through the Strait of Tiran and the Gulf of Aqaba come within the framework of the general regime of waters forming straits referred to in Part III of the Convention, wherein it is stipulated that the general regime shall not affect the legal status of waters forming straits and shall include certain obligations with regard to security and the maintenance of order in the State bordering the strait.

Declaration concerning the exercise by Egypt of its rights in the exclusive economic zone

The Arab Republic of Egypt will exercise as from this day the rights attributed to it by the provisions of Parts V and VI of the United Nations Convention on the Law of the Sea in the exclusive economic zone situated beyond and adjacent to its territorial sea in the Mediterranean Sea and in the Red Sea.

The Arab Republic of Egypt will also exercise its sovereign rights in this zone for the purpose of exploring and exploiting, conserving and managing the natural resources, whether living or non-living, of the seabed and subsoil and the superjacent waters, and with regard to all other activities for the economic exploration and exploitation of the zone, such as the production of energy from the water, currents and winds.

The Arab Republic of Egypt will exercise its jurisdiction over the exclusive economic zone according to the modalities laid down in the Convention with regard to the establishment and use of artificial islands, installations and structures, marine scientific research, the protection and preservation of the marine environment and the other rights and duties provided for in the Convention.

The Arab Republic of Egypt proclaims that, in exercising its rights and performing its duties under the Convention in the exclusive economic zone, it will have due regard for the rights and duties of other States and will act in a manner compatible with the provisions of the Convention.

The Arab Republic of Egypt undertakes to establish the outer limits of its exclusive economic zone in accordance with the rules, criteria and modalities laid down in the Convention.

[The Arab Republic of] Egypt declares that it will take the necessary action and make the necessary arrangements to regulate all matters relating to its exclusive economic zones.

Declaration concerning the procedure chosen for the settlement of disputes in conformity with the United Nations

[With reference to the provisions of article 287 of the Convention.] The Arab Republic of Egypt declares that it accepts the arbitral procedure, the modalities of which are defined in Annex VII to the Convention, as the procedure for the settlement of any dispute which might arise between Egypt and any other State relating to the interpretation or application of the Convention.

The Arab Republic of Egypt further declares that it excludes from the scope of application of this procedure those disputes contemplated in article 297 of the Convention.

Statement concerning the Arabic version of the text of the Convention

The Government of the Arab Republic of Egypt is gratified that the Third United Nations Conference on the Law of the Sea adopted the new Convention in six languages, including Arabic, with all the texts being equally authentic, thus establishing absolute equality between all the versions and preventing any one from prevailing over another.

However, when the official Arabic version of the Convention is compared with the other official versions, it becomes clear that, in some cases, the official Arabic text does not exactly correspond to the other versions, in that it fails to reflect precisely the content of certain provisions of the Convention which were found acceptable and adopted by States in establishing a legal regime governing the seas.

For these reasons ..., the Government of the Arab Republic of Egypt takes the opportunity afforded by the deposit of the instruments of ratification of the United Nations Convention on the Law of the Sea to declare that it will adopt the interpretation which is best corroborated by the various official texts of the Convention.

Equatorial Guinea

Declaration made after ratification (20 February 2002):

Declaration under article 298

The Government of the Republic of Equatorial Guinea hereby enters a reservation and declares that, under article 298, paragraph 1, of the United Nations Convention of 1982 on the Law of the Sea, it does not recognize as mandatory ipso facto with respect to any other State any of the procedures provided for in part XV, section 2, of the Convention as regards the categories of disputes set forth in article 298, paragraph 1 (a).

Estonia

Upon accession (26 August 2005)

"1. As a member state of the European Community, the Republic of Estonia has transferred competence in certain matters governed by the Convention to the European Community according to the declaration made by the European Community on April 1, 1998 while acceding to the United Nations Convention on the Law of the Sea.

2. Pursuant to Article 287, paragraph 1 of the Convention the Republic of Estonia chooses the International Tribunal for the Law of the Sea established in accordance with Annex VI and the International Court of Justice as means for the settlement of disputes concerning the interpretation or application of this Convention."

European Community

Upon signature (7 December 1984):

"On signing the United Nations Convention on the Law of the Sea, the European Economic Community declares that it considers that the Convention constitutes, within the framework of the Law of the Sea, a major effort in the codification and progressive development of international law in the fields to which its declaration pursuant to Article 2 of Annex IX of the Convention refers. The Community would like to express the hope that this development will become a useful means for promoting co-operation and stable relations between all countries in these fields.

The Community, however, considers that significant provisions of Part XI of the Convention are not conducive to the development of the activities to which that Part refers in view of the fact that several Member States of the Community have already expressed their position that this Part contains considerable deficiencies and flaws which require rectification. The Community recognises the importance of the work which remains to be done and hopes that conditions for the implementation of a sea bed mining regime, which are generally acceptable and which are therefore likely to promote activities in the international sea bed area, can be agreed. The Community, within the limits of its competence, will play a full part in contributing to the task of finding satisfactory solutions.

A separate decision on formal confirmation(*) will have to be taken at a later stage. It will be taken in the light of the results of the efforts made to attain a universally acceptable Convention."

Competence of the European Communities with regard to matters governed by the Convention on the Law of the Sea (Declaration made pursuant to article 2 of Annex IX to the Convention)

Article 2 of Annex IX to the Convention on the Law of the Sea stipulates that the participation of an international organisation shall be subject to a declaration specifying the matters governed by the Convention in respect of which competence has been transferred to the organisation by its member states.

The European Communities were established by the Treaties of Paris and of Rome, signed on 18 April 1951 and 25 1957, respectively. After being ratified by the Signatory States the Treaties entered into force on 25 July 1952 and 1 January 1958(**).

In accordance with the provisions referred to above this declaration indicates the competence of the European Economic Community in matters governed by the Convention.

The Community points out that its Member States have transferred competence to it with regard to the conservation and management of sea fishing resources. Hence, in the field of sea fishing it is for the Community to adopt the relevant rules and regulations (which are enforced by the Member States) and to enter into external undertakings with third states or competent international organisations.

(*) Formal confirmation is the term used in the Convention for ratification by international organisations (see Article 306 and Annex IX, Article 3).

(**) The Treaty of Paris establishing the European Coal and Steel Community was registered at the Secretariat of the United Nations on 15.3.1957 under No. 3729; the Treaties of Rome establishing the European Economic Community and the European Atomic Energy Community (Euratom) were registered on 21 April and 24 April 1958,

respectively under Nos 4300 and 4301. The current members of the Communities are the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the Hellenic Republic, the French Republic, Ireland, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands and the United Kingdom of Great Britain and Northern Ireland. The United Nations Convention on the Law of the Sea shall apply, with regard to matters transferred to the European Economic Community, to the territories in which the Treaty establishing the European Economic Community is applied and under the conditions laid down in that Treaty.

Furthermore, with regard to rules and regulations for the protection and preservation of the marine environment, the Member States have transferred to the Community competences as formulated in provisions adopted by the Community and as reflected by its participation in certain international agreements (see Annex).

With regard to the provisions of Part X, the Community has certain powers as its purpose is to bring about an economic union based on a customs union.

With regard to the provisions of Part XI, the Community enjoys competence in matters of commercial policy, including the control of unfair economic practices.

The exercise of the competence that the Member States have transferred to the Community under the Treaties is, by its very nature, subject to continuous development. As a result the Community reserves the right to make new declarations at a later date.

Annex

Community texts applicable in the sector of the protection and preservation of the marine environment and relating directly to subjects covered by the Convention

Council Decision of 3 December 1981 establishing a Community information system for the control and reduction of pollution caused by hydrocarbons discharged at sea (81/971/EEC) (OJ No L 355, 10.12.1981, p. 52).

Council Directive of 4 May 1976 on pollution caused by certain dangerous substances discharged into the aquatic environment of the Community (76/464/EEC) (OJ No L 129, 18.5.1976, p. 23).

Council Directive of 16 June 1975 on the disposal of waste oils (75/439/EEC) (OJ No L 194, 25.7.1975, p. 23).

Council Directive of 20 February 1978 on waste from the titanium dioxide industry (78/176/EEC) (OJ No L 54, 25.2.1978, p. 19).

Council Directive of 30 October 1979 on the quality required of shellfish waters (79/923/EEC) (OJ No L 281, 10.11.1979, p. 47).

Council Directive of 22 March 1982 on limit values and quality objectives for mercury discharges by the chlor-alkali electrolysis industry (82/176/EEC) (OJ No L 81, 27.3.1982, p. 29).

Council Directive of 26 September 1983 on limit values and quality objectives for cadmium discharges (83/513/EEC) (OJ No L 291, 24.10.1983, p. 1 *et seq.*).

Council Directive of 8 March 1984 on limit values and quality objectives for mercury discharges by sectors other than the chlor-alkali electrolysis industry (84/156/EEC) (OJ No L 74, 17.3.1984, p. 49 *et seq.*).

Annex

The Community has also concluded the following Conventions:

Convention for the prevention of marine pollution from land-based sources (Council Decision 75/437/EEC of 3 March 1975 published in OJ No L 194, 25.7.1975, p. 5).

Convention on long-range transboundary air pollution (Council Decision of 11 June 1981 published in OJ No L 171, 27.6.1981, p. 11).

Convention for the protection of the Mediterranean Sea against pollution and the Protocol for the prevention of pollution of the Mediterranean Sea by dumping from ships and aircraft (Council Decision 77/585/EEC of 25 July 1977 published in OJ No L 240, 19.9.1977, p. 1).

Protocol concerning co-operation in combating pollution of the Mediterranean Sea by oil and other harmful substances in cases of emergency (Council Decision 81/420/EEC of 19 May 1981 published in OJ No L 162, 19.6.1981, p. 4).

Protocol of 2 and 3 April 1983 concerning Mediterranean specially protected areas (OJ No L 68/36, 10.3.1984)."

Declaration made upon formal confirmation (1 April 1998):

Declaration concerning the competence of the European Community with regard to matters governed by the United Nations Convention on the Law of the Sea of 10 December 1982 and the Agreement of 28 July 1994 relating to the implementation of Part XI of the Convention

The European Community presents its compliments to the Secretary-General of the United Nations and has the honour of depositing its instrument of formal confirmation of the United Nations Convention of 10 December 1982 on the Law of the Sea and the Agreement adopted by the United Nations General Assembly on 28 July 1994 relating to the implementation of Part XI of the United Nations Convention of 10 December 1982 on the Law of the Sea.

By depositing this instrument, the Community has the honour of declaring its acceptance, in respect of matters for which competence has been transferred to it by those of its Member States which are parties to the Convention, of the rights and obligations laid down for States in the Convention and the Agreement. The declaration concerning competence provided for in Article 5(1) of Annex IX to the Convention is attached.

The Community also wishes to declare, in accordance with Article 310 of the Convention, its objection to any declaration or position excluding or amending the legal scope of the provisions of the United Nations Convention on the Law of the Sea, and in particular those relating to fishing activities. The Community does not consider the Convention to recognize the rights or jurisdiction of coastal States regarding the exploitation, conservation and management of fishery resources other than sedentary species outside their exclusive economic zone.

The Community reserves the right to make subsequent declarations in respect of the Convention and the Agreement and in response to future declarations and positions.

The Community takes this opportunity to reiterate to the Secretary-General of the United Nations the assurance of its highest consideration.

(Declaration made pursuant to article 5(1) of Annex IX to the Convention and to article 4(4) of the Agreement)

Article 5(1) of Annex IX of the United Nations Convention on the Law of the Sea provides that the instrument of formal confirmation of an international organization shall contain a declaration specifying the matters governed by the Convention in respect of which competence has been transferred to the organization by its member States which are Parties to the Convention. 1/

Article 4(4) of the Agreement relating to the implementation of Part XI of the United Nations Convention the Law of the Sea of 10 December 1982 ^{2/}provides that formal confirmation by an international organization shall be in accordance with Annex IX of the Convention.

The European Communities were established by the Treaties of Paris (ECSC) and of Rome (EEC and Euratom), signed on 18 April 1951 and 25 March 1957 respectively. After being ratified by the Signatory States, the Treaties entered into force on 25 July 1952 and 1 January 1958. They have been amended by the Treaty on European Union, which was signed in Maastricht on 7 February 1992 and entered into force, after being ratified by the Signatory States, on 1 November 1993, and most recently by the Accession Treaty signed in Corfu on 24 June 1994, which entered into force on 1 January 1995. ^{3/}

The current Members of the Communities are the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the Hellenic Republic, the Kingdom of Spain, the French Republic, Ireland, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the Republic of Austria, the Portuguese Republic, the Republic of Finland, the Kingdom of Sweden and the United Kingdom of Great Britain and Northern Ireland.

The United Nations Convention on the Law of the Sea and the Agreement relating to the Implementation of Part XI of the Convention shall apply with regard to the competences transferred to the European Community, to the territories in which the Treaty establishing the European Community is applied and under the conditions laid down in that Treaty, in particular Article 227 thereof.

This declaration is not applicable to the territories of the Member States in which the said Treaty does not apply and is without prejudice to such acts or positions as may be adopted under the Convention and the Agreement by the Member States concerned on behalf of and in the interests of those territories.

In accordance with the provisions referred to above, this declaration indicates the competence that the Member States have transferred to the Community under the Treaties in matters governed by the Convention and the Agreement.

The scope and the exercise of such Community competence are, by their nature, subject to continuous development, and the Community will complete or amend this declaration, if necessary, in accordance with Article 5(4) of Annex IX to the Convention.

The Community has exclusive competence for certain matters and shares competence with its Member States for certain other matters.

1. Matters for which the Community has exclusive competence:

- The Community points out that its Member States have transferred competence to it with regard to the conservation and management of sea fishing resources. Hence in this field it is for the Community to adopt the relevant rules and regulations (which are enforced by the Member States) and, within its competence, to enter into external undertakings with third States or competent international organizations. This competence applies to waters under national fisheries jurisdiction and to the high seas. Nevertheless, in respect of measures relating to the exercise of jurisdiction over vessels, flagging and registration of vessels and the enforcement of penal and administrative sanctions, competence rests with the Member States whilst respecting Community law. Community law also provides for administrative sanctions.

- By virtue of its commercial and customs policy, the Community has competence in respect of those provisions of Parts X and XI of the Convention and of the Agreement of 28 July 1994 which are related to international trade.

2. Matters for which the Community shares competence with its Member States:

- With regard to fisheries, for a certain number of matters that are not directly related to the conservation and management of sea fishing resources, for example research and technological development and development cooperation, there is shared competence.

- With regard to the provisions on maritime transport, safety of shipping and the prevention of marine pollution contained inter alia in Parts II, III, V, VII and XII of the Convention, the Community has exclusive competence only to the extent that such provisions of the Convention or legal instruments adopted in implementation thereof affect common rules established by the Community. When Community rules exist but are not affected, in particular in cases of Community provisions establishing only minimum standards, the Member States have competence, without prejudice to the competence of the Community to act in this field. Otherwise competence rests with the Member States.

A list of relevant Community acts appears in the Appendix. The extent of Community competence ensuing from these acts must be assessed by reference to the precise provisions of each measure, and in particular, the extent to which these provisions establish common rules.

- With regard to the provisions of Parts XIII and XIV of the Convention, the Community's competence relates mainly to the promotion of cooperation on research and technological development with non-member countries and international organizations. The activities carried out by the Community here complement the activities of the Member States. Competence in this instance is implemented by the adoption of the programmes listed in the Appendix.

3. Possible impact of other Community policies

- Mention should also be made of the Community's policies and activities in the fields of control of unfair economic practices, government procurement and industrial competitiveness as well as in the area of development aid. These policies may also have some relevance to the Convention and the Agreement, in particular with regard to certain provisions of Parts VI and XI of the Convention.

1/ When it signed the Convention, the Community made the requisite declaration, in accordance with Article 2 of Annex IX, in which it specified the matters dealt with by the Convention for which competence had been transferred to it by its Member States.

2/ Signed by the Community on 29 July 1994 and applied by it provisionally with effect from 16 November 1994.

3/ The Treaty of Paris establishing the European Coal and Steel Community was registered with the Secretariat of the United Nations on 15 March 1957 under No. 3729; the Treaties of Rome establishing the European Economic Community and the European Atomic Energy Community (Euratom) were registered on 21 April and 24 April 1958 respectively under Nos. 4300 and 4301. The Treaty on European Union was registered on 28 December 1993 under No. 30615; the Accession Treaty of 24 June 1994 was published in OJ No C 241 of 29 August 1994.

APPENDIX

Community Acts which refer to matters governed by the Convention and the Agreement

In the maritime safety and prevention of marine pollution sectors

Council Decision of 25 February 1992 on radionavigation systems for Europe (92/143/EEC) (OJ No L 59, 4.3.1992, p. 17)

Council Directive of 21 December 1978 concerning pilotage of vessels by deep sea pilots in the North Sea and English Channel (79/115/EEC) (OJ No L 33, 8.2.1979, p. 32)

Council Directive of 13 September 1993 concerning minimum requirements for vessels bound for or leaving Community ports and carrying dangerous or polluting goods (93/75/EEC) (OJ No L 247, 5.10.1993, p. 19)

Council Directive of 23 November 1993 concerning the minimum safety and health requirements for work on board fishing vessels (thirteenth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) (93/103/EC) (OJ No L 307, 13.12.1993, p. 1)

Council Directive of 22 November 1994 on common rules and standards for ship inspection and survey organizations and for the relevant activities of maritime administrations (Classification Societies Directive) (94/57/EC) (OJ No L 319, 12.12.1994, p. 20)

Council Directive of 22 November 1994 on the minimum level of training of seafarers (94/58/EC) (OJ No L 319, 12.12.1994, p. 28)

Council Directive of 19 June 1995 concerning the enforcement, in respect of shipping using Community ports and sailing in the waters under the jurisdiction of the Member States, of international standards for ship safety, pollution prevention and shipboard living and working conditions (port State control) (95/21/EC) (OJ No L 157, 7.7.1995, p. 1)

Council Directive of 20 December 1996 on marine equipment (96/98/EC) (OJ No L 46, 17.2.1997, p. 25)

Council Regulation of 4 March 1991 on the transfer of ships from one register to another within the Community (91/613/EEC) (OJ No L 68, 15.3.1991, p.1) and Commission Regulation of 28 July 1993 concerning the application of amendments to the International Convention for the Safety of Life at Sea, 1974, and to the International Convention for the Prevention of Pollution from Ships, 1973, for the purpose of Council Regulation (EEC) No 613/91 (2158/93/EEC) (OJ No L 194, 3.8.1993, p. 5)

Council Regulation of 21 November 1994 on the implementation of IMO Resolution A.747(18) on the application of tonnage measurement of ballast spaces in segregated ballast oil tankers (2978/94/EEC) (OJ No L 319, 12.12.1994, p. 1)

Council Regulation of 8 December 1995 on the safety management of roll-on/roll-off passenger ferries (ro-ro ferries) (3051/95/EEC) (OJ No L 320, 30.12.1995, p. 14)

In the field of protection and preservation of the marine environment

Part XII of the Convention

Council Decision of 3 December 1981 establishing a Community information system for the control and reduction of pollution caused by hydrocarbons discharged at sea (81/971/EEC) (OJ No L 355, 10.12.1981, p. 52)

Council Decision of 6 March 1986 establishing a Community information system for the control and reduction of pollution caused by the spillage of hydrocarbons and other harmful substances at sea (86/85/EEC) (OJ No L 77, 22.3.1986, p. 33)

Council Directive of 16 June 1975 on the disposal of waste oils (75/439/EEC) (OJ No L 194, 25.7.1975, p. 23)

Council Directive of 15 July 1975 on waste (75/442/EEC) (OJ No L 194, 25.7.1975, p. 39)

Council Directive of 8 December 1975 concerning the quality of bathing water (76/160/EEC) (OJ No L 31, 5.2.1976, p. 1)

Council Directive of 4 May 1976 on pollution caused by certain dangerous substances discharged into the aquatic environment of the Community (76/464/EEC) (OJ No L 129, 18.5.1976, p. 23)

Council Directive of 20 February 1978 on wastes from the titanium dioxide industry (78/176/EEC) (OJ No L 54, 25.2.1978, p. 19)

Council Directive of 30 October 1979 on the quality required of shellfish waters (79/923/EEC) (OJ No L 281, 10.11.1979, p. 47)

Council Directive of 15 July 1980 on air quality limit values and guide values for sulphur dioxide and suspended particulars (80/779/EEC) (OJ No L 229, 30.8.1980, p. 30)

Council Directive of 22 March 1982 on limit values and quality objectives for mercury discharges by the chlor-alkali electrolysis industry (82/176/EEC) (OJ No L 81, 27.3.1982, p. 29)

Council Directive of 24 June 1982 on the major-accident hazards of certain industrial activities (82/501/EEC) (OJ No L 230, 5.8.1982, p. 1)

Council Directive of 3 December 1982 on procedures for the surveillance and monitoring of environments concerned by waste from the titanium dioxide industry (82/883/EEC) (OJ No L 378, 31.12.1982, p. 1)

Council Directive of 3 December 1982 on a limit value for lead in the air (82/884/EEC) (OJ No L 378, 31.12.1982, p. 15)

Council Directive of 26 September 1983 on a limit values and quality objectives for cadmium discharges (83/513/EEC) (OJ No L 291, 24.10.1983, p. 1)

Council Directive of 8 March 1984 on limit values and quality objectives for mercury discharges by sectors other than the chlor-alkali electrolysis industry (84/156/EEC) (OJ No L 74, 17.3.1984, p. 49)

Council Directive of 28 June 1984 on the combating of air pollution from industrial plants (84/360/EEC) (OJ No L 188, 16.7.1984, p. 20)

Council Directive of 9 October 1984 on limit values and quality objectives for discharges of hexachlorocyclohexane (84/491/EEC) (OJ No L 274, 17.10.1984, p. 11)

Council Directive of 7 March 1985 on air quality standards for nitrogen dioxide (85/203/EEC) (OJ No L 87, 27.3.1985, p. 1)

Council Directive of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment (85/337/EEC) (OJ No L 175, 5.7.1985, p. 40)

Council Directive of 12 June 1986 on limit values and quality objectives for discharges of certain dangerous substances included in List 1 of the Annex to Directive 76/464/EEC (86/280/EEC) (OJ No L 181, 4.7.1986, p. 16)

Council Directive of 24 November 1988 on the limitation of emissions of certain pollutants into the air from large combustion plants (88/609/EEC) (OJ No L 336, 7.12.1988, p. 1)

Council Directive of 8 June 1989 on the prevention of air pollution from new municipal waste incineration plants (89/369/EEC) (OJ No L 163, 14.6.1989, p. 32)

Council Directive of 21 June 1989 on the reduction of air pollution from existing municipal waste incineration plants (89/429/EEC) (OJ No L 203, 15.7.1989, p. 50)

Council Directive of 21 May 1991 concerning urban waste water treatment (91/271/EEC) (OJ No L 135, 30.5.1991, p. 40)

Council Directive of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources (91/676/EEC) (OJ No L 375, 31.12.1991, p. 1)

Council Directive of 12 December 1991 on hazardous waste (91/689/EEC) (OJ No L 377, 31.12.1991, p. 20)

Council Directive of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (92/43/EEC) (OJ No L 206, 22.7.1992, p. 7)

Council Directive of 15 December 1992 on procedures for harmonizing the programmes for the reduction and eventual elimination of pollution caused by waste from the titanium dioxide industry (92/112/EEC) (OJ No L 409, 31.12.1992, p. 11)

Council Directive of 16 December 1994 on the incineration of hazardous waste (94/67/EEC) (OJ No L 365, 31.12.1994, p. 34)

Council Regulation of 1 February 1993 on the supervision and control of shipments of waste within, into and out of the European Community (259/93/EEC) (OJ No L 30, 6.2.1993, p. 1)

In the marine environment research and scientific and technological cooperation sector

Marine Science and Technology Programme

Environment and Climate Programme

Cooperation with third countries and international organizations: Scientific and technological cooperation with developing countries Programme (INCO-DC)

Conventions to which the Community is a party

Convention for the prevention of marine pollution from land-based sources, Paris, 4 June 1974 (Council Decision 75/437/EEC of 3 March 1975, published in OJ No L 194, 25.7.1975, p. 5)

Protocol amending the Convention for the prevention of marine pollution from land-based sources, Paris, 26 March 1986 (Council Decision 87/57/EEC of 28 December 1986, published in OJ No L 24, 27.1.1987, p. 47)

Protocol for the protection of the Mediterranean Sea against pollution from land-based sources, Athens, 17 May 1980 (Council Decision 83/101/EEC of 28 February 1983, published in OJ No L 67, 12.3.1983, p.1)

Convention for the protection of the Mediterranean Sea against pollution and the Protocol for the prevention of the pollution of the Mediterranean Sea by dumping from ships and aircraft, Barcelona, 16 February 1976, (Council Decision 77/585/EEC of 25 July 1977, published in OJ No L 240, 19.9.1977, p. 1)

Protocol concerning cooperation in combating pollution of the Mediterranean Sea by oil and other harmful substances in cases of emergency, Barcelona, 16 February 1976 (Council Decision 81/420/EEC of 19 May 1981, published in OJ No L 162, 19.6.1981, p. 4)

Convention on long-range transboundary air pollution, Geneva, 13 November 1979, (Council Decision 81/462/EEC of 11 June 1981, published in OJ No L 171, 27.6.1981, p. 11)

Protocol of 23 April 1982 concerning Mediterranean specially protected areas, Geneva, 3 April 1982, (Council Decision 84/132/EEC of 1 March 1984, published in OJ No L 68, 10.3.1984, p. 36)

Agreement for cooperation in dealing with pollution of the North Sea by oil and other harmful substances, Bonn, 13 September 1983, (Council Decision 84/358/EEC of 28 June 1984, published in OJ No L 188, 16.7.1984, p. 7)

Cooperation agreement for the protection of the coasts and waters of the north-east Atlantic against pollution, Lisbon, 17 October 1990, (Council Decision 93/550/EEC of 20 October 1993, published in OJ No L 267, 28.10.1993, p. 20)

Basel Convention on the control of transboundary movements of hazardous wastes and their disposal, signed in Basel on 22 March 1989, (Council Decision 93/98/EEC of 1 February 1993, published in OJ No L 39, 16.2.1993, p. 1)

Fiji

Upon ratification (10 December 1982):

Declaration under article 287:

The Government of the Republic of Fiji declares that it chooses the International Tribunal for the Law of the Sea established in accordance with Annex VI for the settlement of disputes concerning the interpretation or application of the Convention.

Finland

Upon signature (10 December 1982):

As regards those parts of the Convention which deal with innocent passage through the territorial sea, it is the intention of the Government of Finland to continue to apply the present régime to the passage of foreign warships and other government-owned vessels used for non-commercial purposes through the Finnish territorial sea, that régime being fully compatible with the Convention."

Declaration made upon signature and confirmed upon ratification:

"It is the understanding of the Government of Finland that the exception from the transit passage régime in straits provided for in article 35 (c) of the Convention is applicable to the strait between Finland (the Aland Islands) and Sweden. Since in that strait the passage is regulated in part by a long-standing international convention in force, the present legal régime in that strait will remain unchanged after the entry into force of the Convention.

Upon ratification (21 June 1996):

1. ...
2. In accordance with article 287 of the Convention, Finland chooses the International Court of Justice and the International Tribunal for the Law of the Sea as means for the settlement of disputes concerning the interpretation or application of the Convention as well as of the Agreement relating to the implementation of its Part XI.
3. Finland recalls that, as a State member of the European Community, it has transferred competence to the Community in respect of certain matters governed by the Convention. A detailed declaration on the nature and extent of the competence transferred to the European Community will be made in due course in accordance with the provisions of Annex IX of the Convention.

France

[Original: French]

Upon signature (10 December 1982):

1. The provisions of the Convention relating to the status of the different maritime spaces and to the legal régime of the uses and protection of the marine environment confirm and consolidate the general rules of the law of the sea and thus entitle the French Republic not to recognize as enforceable against it any foreign laws or regulations that are not in conformity with those general rules.
 2. The provisions of the Convention relating to the area of the sea-bed and ocean floor beyond the limits of national jurisdiction show considerable deficiencies and flaws with respect to the exploration and exploitation of the said area which will require rectification through the adoption by the Preparatory Commission of draft rules, regulations and procedures to ensure the establishment and effective functioning of the International Sea-Bed Authority.
- To this end, all efforts must be made within the Preparatory Commission to reach general agreement on any matter of substance, in accordance with the procedure set out in rule 37 of the rules of procedure of the Third United Nations Conference on the Law of the Sea.
3. With reference to article 140, the signing of the Convention by France shall not be interpreted as implying any change in its position in respect of resolution 1514 (XV).
 4. The provisions of article 230, paragraph 2, of the Convention shall not preclude interim or preventive measures against the parties responsible for the operation of foreign vessels, such as immobilization of the vessel. They shall also not preclude the imposition of penalties other than monetary penalties for any willful and serious act which causes pollution.

Upon ratification (11 April 1996):

1. France recalls that, as a State member of the European Community, it has transferred competence to the Community in certain matters covered under the Convention. A detailed statement of the nature and scope of the areas of competence transferred to the European Community will be made in due course in accordance with the provisions of Annex IX of the Convention.
2. France rejects declarations or reservations that are contrary to the provisions of the Convention. France also rejects unilateral measures or measures resulting from an agreement between States which would have effects contrary to the provisions of the Convention.
3. With reference to the provisions of article 298, paragraph 1, France does not accept any of the procedures provided for in Part XV, section 2, with respect to the following disputes:
 - Disputes concerning the interpretation or application of articles 15, 74 and 83 relating to sea boundary delimitations, or those involving historic bays or titles;
 - Disputes concerning military activities, including military activities by government vessels and aircraft engaged in non-commercial service, and disputes concerning law enforcement activities in regard to the exercise of sovereign rights or jurisdiction excluded from the jurisdiction of a court or tribunal under article 297, paragraph 2 or 3;
 - Disputes in respect of which the Security Council of the United Nations is exercising the functions assigned to it by the Charter of the United Nations, unless the Security Council decides to remove the matter from its agenda or calls upon the parties to settle it by the means provided for in the Convention.

Gabon

(23 January 2009)

Declaration under article 298, paragraph 1:

.....the Government of the Republic of Gabon pursuant to article 298, paragraph 1 of the Convention, does not accept any of the procedures provided for in section 2 of Part XV of the said Convention with respect to the categories of disputes referred to in paragraph 1 (a) of article 298.

Germany

[Original: German]

Upon accession (14 October 1994) [3/](#):

Statements

I. The Federal Republic of Germany recalls that, as a member of the European Community, it has transferred competence to the Community in respect of certain matters governed by the Convention. A detailed declaration on the nature and extent of the competence transferred to the European Community will be made in due course in accordance with the provisions of Annex IX of the Convention.

II. For the Federal Republic of Germany the link between Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 and the Agreement of 28 July 1994 relating to the implementation of Part XI of the United Nations Convention on the Law of the Sea as foreseen in article 2(1) of that Agreement is fundamental.

III. In the absence of any other peaceful means, which would be given preference by the Government of the Federal Republic of Germany, that Government considers it useful to choose one of the following means for the settlement of disputes concerning the interpretation or application of the two Conventions, as it is free to do under article 287 of the Convention on the Law of the Sea, in the following order:

1. The International Tribunal for the Law of the Sea established in accordance with Annex VI;
2. An arbitral tribunal constituted in accordance with Annex VII;
3. The International Court of Justice.

Also in the absence of any other peaceful means, the Government of the Federal Republic of Germany hereby recognizes as of today the validity of special arbitration for any dispute concerning the interpretation or application of the Convention on the Law of the Sea relating to fisheries, protection and preservation of the marine environment, marine scientific research and navigation, including pollution from vessels and by dumping.

Declaration

With reference to similar declarations made by the Government of the Federal Republic of Germany during the Third United Nations Conference on the Law of the Sea, the Government of the Federal Republic of Germany, in the light of declarations already made or yet to be made by States upon signature, ratification of or accession to the Convention on the Law of the Sea, declares as follows:

Territorial sea, archipelagic waters, straits

The provisions on the territorial sea represent in general a set of rules reconciling the legitimate desire of coastal States to protect their sovereignty and that of the international community to exercise the right of passage. The right to extend the breadth of the territorial sea up to 12 nautical miles will significantly increase the importance of the right of innocent passage through the territorial sea for all ships including warships, merchant ships and fishing vessels; this is a fundamental right of the community of nations.

None of the provisions of the Convention, which in so far [as they] reflect existing international law, can be regarded as entitling the coastal State to make the innocent passage of any specific category of foreign ships dependent on prior consent or notification.

A prerequisite for the recognition of the coastal State's right to extend the territorial sea is the regime of transit passage through straits used for international navigation. Article 38 limits the right of transit passage only in cases where a route of similar convenience exists in respect of navigational and hydrographical characteristics, which include the economic aspect of shipping.

According to the provisions of the Convention, archipelagic sea lane passage is not dependent on the designation by the archipelagic States of specific sea lanes or air routes in so far as there are existing routes through the archipelago normally used for international navigation.

Exclusive economic zone

In the exclusive economic zone, which is a new concept of international law, coastal States will be granted precise resource-related rights and jurisdiction. All other States will continue to enjoy the high-seas freedoms of navigation and overflight and of all other internationally lawful uses of the sea. These uses will be exercised in a peaceful manner, and that is, in accordance with the principles embodied in the Charter of the United Nations.

The exercise of these rights can therefore not be construed as affecting the security of the coastal State or affecting its rights and obligations under international law. Accordingly, the notion of a 200-mile zone of general rights of sovereignty and jurisdiction of the coastal State cannot be sustained either in general international law or under the relevant provisions of the Convention.

In articles 56 and 58 a careful and delicate balance has been struck between the interests of the coastal State and the freedoms and rights of all other States. This balance includes the reference contained in article 58, paragraph 2, to articles 88 to 115 which apply to the exclusive economic zone in so far as they are not incompatible with Part V. Nothing in Part V is incompatible with article 89 which invalidates claims of sovereignty.

According to the Convention, the coastal State does not enjoy residual rights in the exclusive economic zone. In particular, the rights and jurisdiction of the coastal State in such zone do not include the rights to obtain notification of military exercises or manoeuvres or to authorize them.

Apart from artificial islands, the coastal State enjoys the right in the exclusive economic zone to authorize, construct, operate and use only those installations and structures which have economic purposes.

The high seas

As a geographically disadvantaged State but a State with important interests in the traditional uses of the seas, the Federal Republic of Germany remains committed to the established principle of the freedom of the high seas. This principle, which has governed all uses of the sea for centuries, has been affirmed and, in various fields, adapted to new requirements in the provisions of the Convention, which will therefore have to be interpreted to the furthest extent possible in accordance with that traditional principle.

Land-locked States

As to the regulation of the freedom of transit enjoyed by land-locked States, transit through the territory of transit States must not interfere with the sovereignty of these States. In accordance with article 125, paragraph 3, the rights and facilities provided for in Part X in no way infringe upon the sovereignty and legitimate interests of transit States. The precise content of the freedom of transit has in each single case to be agreed upon by the transit State and the land-locked State concerned. In the absence of such agreement concerning the terms and modalities for exercising the right of access, the access of persons and goods to transit through the territory of the Federal Republic of Germany is only regulated by national law, in particular with regard to means and ways of transport and the use of traffic infrastructure.

Marine scientific research

Although the traditional freedom of research suffered a considerable erosion by the Convention, this freedom will remain in force for States, international organizations and private entities in some maritime areas, e.g., the seabed beyond the continental shelf and the high seas. However, the exclusive economic zone and the continental shelf, which are of particular interest to marine scientific research, will be subject to a consent regime, a basic element of which is the obligation of the coastal State under article 246,

paragraph 3, to grant its consent in normal circumstances. In this regard, promotion and creation of favourable conditions for scientific research, as postulated in the Convention, are general principles governing the application and interpretation of all relevant provisions of the Convention.

The marine scientific research regime on the continental shelf beyond 200 nautical miles denies the coastal State the discretion to withhold consent under article 246, paragraph 5(a), outside areas it has publicly designated in accordance with the prerequisites stipulated in paragraph 6. Relating to the obligation, to disclose information about exploitation or exploratory operations in the process of designation is taken into account in article 246, paragraph 6, which explicitly excluded details from the information to be provided.

Ghana

(15 December 2009)

Declaration relating to Article 298

"In accordance with paragraph 1 of Article 298 of the United Nations Convention on the Law of the Sea of 10 December 1982 ('the Convention'), the Republic of Ghana hereby declares that it does not accept any of the procedures provided for in section 2 of Part XV of the Convention with respect to the categories of disputes referred to in paragraph 1 (a) of article 298 of the Convention."

Greece

Interpretative declaration on the subject of straits made upon signature (10 December 1982) and confirmed upon ratification (21 July 1995) 4/:

"The present declaration concerns the provisions of Part III 'on straits used for international navigation' and more especially the application in practice of articles 36, 38, 41 and 42 of the Convention on the Law of the Sea.

In areas where there are numerous spread out islands that form a great number of alternative straits which serve in fact one and the same route of international navigation, it is the understanding of Greece, that the coastal state concerned has the responsibility to designate the route or routes, in the said alternative straits, through which ships and aircrafts of third countries could pass under transit passage régime, in such a way as on the one hand the requirements of international navigation and overflight are satisfied, and on the other hand the minimum security requirements of both the ships and aircrafts in transit as well as those of the coastal state are fulfilled."

Upon ratification (21 July 1995):

In depositing this instrument, the Permanent Mission of Greece, as instructed by its Government, formulates the following declarations:

1. In ratifying the United Nations Convention on the Law of the Sea, Greece secures all rights and assumes all the obligations deriving from the Convention.

Greece shall determine when and how it shall exercise those rights, according to its national strategy. This shall not imply that Greece renounces these rights in any way.

2. Greece wishes to reiterate the interpretative declaration on straits which it deposited at the time of the Convention's adoption and at the time of its signature, the original English-language text of which reads as follows:

The present declaration concerns the provisions of Part III on straits used for international navigation and more especially the application in practice of articles 36, 38, 41 and 42 of the Convention on the Law of the Sea.

In areas where there are numerous spread-out islands that form a great number of alternative straits which serve in fact one and the same route of international navigation, it is the understanding of Greece that the coastal State concerned has the responsibility to designate the route or routes, in the said alternative straits, through which ships and aircraft of third countries could pass under a transit passage regime, in such a way as on the one hand the requirements of international navigation and overflight are satisfied, and on the other hand the minimum security requirements of both the ships and aircraft in transit as well as those of the coastal State are fulfilled.

3. Pursuant to article 287 of the United Nations Convention on the Law of the Sea, the Government of the Hellenic Republic hereby chooses the International Tribunal for the Law of the Sea established in accordance with Annex VI to the Convention as the means for the settlement of disputes concerning the interpretation or application of the Convention.

4. Greece, as a State member of the European Community, has given the latter jurisdiction with respect to certain issues relating to the Convention. Following the deposit by the European Union of its instrument of formal confirmation, Greece will make a special declaration specifying in detail the issues dealt with in the Convention for which it has transferred jurisdiction to the European Union.

5. Greece's ratification of the United Nations Convention on the Law of the Sea does not imply that it recognizes the former Yugoslav Republic of Macedonia and does not, therefore, constitute the establishment of treaty relations with the latter.

Guatemala

[Original: Spanish]

Upon ratification (11 February 1997):

[The Government of Guatemala] declares, that:

(a) approval of the Convention by the Congress of the Republic of Guatemala shall under no circumstances affect the rights of Guatemala over the territory of Belize, including the islands, cays and islets, or its historical rights over Bahía de Amatique, and

(b) accordingly, the territorial sea and maritime zones cannot be delimited until such time as the existing dispute is resolved.

Guinea

(Original: French)

Upon signature (4 October 1984):

The Government of the Republic of Guinea reserves the right to interpret any article of the Convention in the context and taking due account of the sovereignty of Guinea and of its territorial integrity as it applies to the land, space and sea.

Guinea-Bissau

[Original: French]

Upon ratification (25 August 1986):

The Government of the Republic of Guinea-Bissau declares that, as regards article 287 on the choice of a procedure for the settlement of disputes concerning the interpretation or application of the United Nations Convention on the Law of the Sea, it does not accept the jurisdiction of the International Court of Justice and consequently will not accept that jurisdiction with respect to articles 297 and 298.

Honduras

[Original: Spanish]

Declaration made after ratification (18 June 2002):

Declaration of 18 June 2002 made pursuant to article 287 of the United Nations Convention on the Law of the Sea .

18 June 2002

Declaration under article 287:

In accordance with article 287, paragraph 1, of the United Nations Convention on the Law of the Sea, the State of Honduras chooses the International Court of Justice as the means for the settlement of disputes of any kind concerning the interpretation or application of the said Convention.

Notwithstanding the foregoing, the State of Honduras reserves the possibility of considering any other means of peaceful settlement, including the International Tribunal for the Law of the Sea, as agreed on a case-by-case basis.

Hungary

Upon ratification (5 February 2002):

... the Government of Hungary makes the following declaration in relation to article 287 of the United Nations Convention on the Law of the Sea adopted in Montego Bay on 10 December 1982:

In accordance with article 287 of the said Convention, the Government of the Republic of Hungary shall choose the following means for the settlement of disputes concerning the interpretation or application of the Convention in the following order:

1. The International Tribunal for the Law of the Sea;
 2. The International Court of Justice;
 3. A special tribunal constructed in accordance with Annex VIII for all the categories of disputes specified therein.
-

Iceland

Declaration made upon ratification (21 June 1985):

Upon depositing the instrument of ratification of the United Nations Convention on the Law of the Sea, the Permanent Representative of Iceland, on behalf of the Government of Iceland, declares that under article 298 of the Convention the right is reserved that any interpretation of article 83 shall be submitted to conciliation under Annex V, section 2, of the Convention.

India

Declaration made upon ratification (29 June 1995):

(a) The Government of the Republic of India reserves the right to make at the appropriate time the declarations provided for in articles 287 and 298, concerning the settlement of disputes;

(b) The Government of the Republic of India understands that the provisions of the Convention do not authorize other States to carry out in the exclusive economic zone and on the continental shelf military exercises or manoeuvres, in particular those involving the use of weapons or explosives without the consent of the coastal State.

Iran (Islamic Republic of)

Upon signature (10 December 1982):

Interpretative declaration on the subject of straits

"In accordance with article 310 of the Convention on the Law of the Sea, the Government of the Islamic Republic of Iran seizes the opportunity at this solemn moment of signing the Convention, to place on the records its "understanding" in relation to certain provisions of the Convention. The main objective for submitting these declarations is the avoidance of eventual future interpretation of the following articles in a manner incompatible with the original intention and previous positions or in disharmony with national laws and regulations of the Islamic Republic of Iran. It is, . . . , the understanding of the Islamic Republic of Iran that:

1) Notwithstanding the intended character of the Convention being one of general application and of law making nature, certain of its provisions are merely product of *quid pro quo* which do not necessarily purport to codify the existing customs or established usage (practice) regarded as having an obligatory character. Therefore, it seems natural and in harmony with article 34 of the 1969 Vienna Convention on the Law of Treaties, that only states parties to the Law of the Sea Convention shall be entitled to benefit from the contractual rights created therein.

The above considerations pertain specifically (but not exclusively) to the following:

-- The right of Transit passage through straits used for international navigation (Part III, Section 2, article 38).

-- The notion of "Exclusive Economic Zone" (Part V). - All matters regarding the International Seabed Area and the Concept of "Common Heritage of mankind" (Part XI).

2) In the light of customary international law, the provisions of article 21, read in association with article 19 (on the Meaning of Innocent Passage) and article 25 (on the Rights of Protection of the Coastal States), recognize (though implicitly) the rights of the Coastal States to take measures to safeguard their security interests including the adoption of laws and regulations regarding, *inter alia*, the requirements of prior authorization for warships willing to exercise the right of innocent passage through the territorial sea.

3) The right referred to in article 125 regarding access to and from the sea and freedom of transit of Land-locked States is one which is derived from mutual agreement of States concerned based on the principle of reciprocity.

4) The provisions of article 70, regarding "Right of States with Special Geographical Characteristics" are without prejudice to the *exclusive right* of the Coastal States of enclosed and semi-enclosed maritime regions (such as the Persian Gulf and the Sea of Oman) with large population predominantly dependent upon relatively poor stocks of living resources of the same regions.

5) Islets situated in enclosed and semi-enclosed seas which potentially can sustain human habitation or economic life of their own, but due to climatic conditions, resource restriction or other limitations, have not yet been put to development, fall within the provisions of paragraph 2 of article 121 concerning "Regime of Islands", and have, therefore, full effect in boundary delimitation of various maritime zones of the interested Coastal States.

Furthermore, with regard to "Compulsory Procedures Entailing Binding Decisions" the Government of the Islamic Republic of Iran, while fully endorsing the Concept of settlement of all international disputes by peaceful means, and recognizing the necessity and desirability of settling, in an atmosphere of mutual understanding and cooperation, issues relating to the interpretation and application of the Convention on the Law of the Sea, at this time will not pronounce on the choice of procedures pursuant to articles 287 and 298 and reserves its positions to be declared in due time."

Iraq

Upon signature (10 December 1982):

Pursuant to article 310 of the present Convention and with a view to harmonizing Iraqi laws and regulations with the provisions of the Convention, the Republic of Iraq has decided to issue the following statement:

1. The present signature in no way signifies recognition of Israel and implies no relationship with it.
2. Iraq interprets the provisions applying to all types of straits set forth in Part III of the Convention as applying also to navigation between islands situated near those straits if the shipping lanes leaving or entering those straits and defined by the competent international organization lie near such islands.

Ireland

Upon ratification (21 June 1996):

Ireland recalls that, as a State member of the European Community, it has transferred competence to the Community in regard to certain matters which are governed by the Convention. A detailed declaration on the nature and extent of the competence transferred to the European Community will be made in due course in accordance with the provisions of Annex IX of the Convention.

Italy

Declarations made upon signature (7 December 1984) and confirmed upon ratification (13 January 1995):

"Upon signing the United Nations Convention on the Law of the Sea of 10 December 1982, Italy wishes to state that in its opinion part XI and annexes III and IV contain considerable flaws and deficiencies which require rectification through the adoption by the Preparatory Commission of the International Sea-Bed Authority and the International Tribunal for the Law of the Sea of appropriate draft rules, regulations and procedures.

Italy wishes also to confirm the following points made in its written statement dated 7 March 1983:

- - according to the Convention, the Coastal State does not enjoy residual rights in the exclusive economic zone. In particular, the rights and jurisdiction of the Coastal State in such zone do not include the right to obtain notification of military exercises or manoeuvres or to authorize them.

Moreover, the rights of the Coastal State to build and to authorize the construction operation and the use of installations and structures in the exclusive economic zone and on the continental shelf is limited only to the categories of such installations and structures as listed in art. 60 of the Convention.

- - None of the provisions of the Convention, which corresponds on this matter to customary International Law, can be regarded as entitling the Coastal State to make innocent passage of particular categories of foreign ships dependent on prior consent or notification."

Upon ratification (13 January 1995):

Upon depositing its instrument of ratification Italy recalls that, as a State member of the European Community, it has transferred competence to the Community with respect to certain matters governed by the Convention. A detailed declaration on the nature and extension of the competence transferred to the European Community will be made in due course in accordance with the provisions of Annex IX of the Convention.

Italy wishes also to reconfirm the following declarations made when it signed the Convention:

According to the Convention, the coastal State does not enjoy residual rights in the exclusive economic zone. In particular, the rights and jurisdiction of the coastal State in such zone do not include the right to obtain notification of military exercises or manoeuvres or to authorize them. Moreover, the rights of the coastal States to build and to authorize the construction, operation and the use of installations and structures in the exclusive economic zone and on the continental shelf is limited only to the categories of such installations and structures as listed in article 60 of the Convention.

None of the provisions of the Convention, which corresponds on this matter to customary international law, can be regarded as entitling the coastal State to make innocent passage of particular categories of foreign ships dependent on prior consent or notification.

Italy has the honour to declare, under paragraph 1(a) of article 298 of the Convention, that it does not accept any of the procedures provided for in section 2 of Part XV with respect to disputes concerning the interpretation of articles 15, 74 and 83 relating to sea boundary delimitations as well as those involving historic bays or titles.

In any case, the present declarations should not be interpreted as entailing acceptance or rejection by Italy of declarations concerning matters other than those considered in it, made by other States upon signature or ratification.

Italy reserves its right to make further declarations relating to the Convention and to the Agreement whose instrument of ratification is hereby deposited.

Declaration made after ratification (26 February 1997)

In implementation of article 287 of the United Nations Convention on the Law of the Sea, the Government of Italy has the honour to declare that, for the settlement of disputes concerning the application or interpretation of the Convention and of the Agreement adopted on 28 July 1994 relating to the Implementation of Part XI, it chooses the International Tribunal for the Law of the Sea and the International Court of Justice, without specifying that one has precedence over the other.

In making this declaration under article 287 of the Convention on the Law of the Sea, the Government of Italy is reaffirming its confidence in the existing international judicial organs. In accordance with article 287, paragraph 4, Italy considers that it has chosen "the same procedure" as any other State Party that has chosen the International Tribunal for the Law of the Sea or the International Court of Justice.

Kiribati

Upon accession (24 February 2003):

Declaration:

"In exercise of the right conferred by Article 310 of the Convention, the Republic of Kiribati, upon accession to the United Nations Convention on the Law of the Sea (UNCLOS), declares that in accepting the provisions of Part IV of Article 47 of the said Convention, wishes to highlight its concerns relating to the formula used for drawing archipelagic baselines.

Part IV calculations for archipelagic waters do not allow a baseline to be drawn around all the islands of each of the three Groups of islands that make up the Republic of Kiribati. These Group of islands are spread over an expanse of over three million square kilometres of ocean, and the existing formula as spelt out in Part IV of the Convention, will divide Kiribati's three island groups into three distinct exclusive zone waters and international waters.

The Government of Kiribati wishes to propose that the formula used for drawing archipelagic baselines be revisited in the future to take into consideration the above-mentioned concerns of Kiribati.

Accession by Kiribati to the UN Convention on the Law of the Sea does not in any way prejudice its status as an archipelagic state or its legal rights to declare all or part of its maritime territory as archipelagic waters under the said Convention. "

Latvia

On 31 August 2005

Declaration under article 287:

"In accordance with paragraph 1 of the Article 287 of the United Nations Convention on the Law of the Sea the Republic of Latvia declares that it chooses the following means for the settlement of dispute concerning the interpretation or application of this Convention:

- 1) The International Tribunal for the Law of the Sea established in accordance with Annex VI of the Convention,
- 2) The International Court of Justice."

Luxembourg

Upon signature (5 December 1984):

The Government of the Grand Duchy of Luxembourg has decided to sign the United Nations Convention on the Law of the Sea because it represents, in the context of the law of the sea, a major contribution to the codification and progressive development of international law.

Nevertheless, in the view of the Government of Luxembourg, certain provisions of Part XI and Annexes III and IV of the Convention are marred by serious shortcomings and defects which, moreover, explain why it was not possible to reach a consensus on the text at the last session of the Third Conference on the Law of the Sea, held in New York in April 1982.

These shortcomings and defects concern, in particular, the mandatory transfer of technology and the cost and financing of the future Sea-Bed Authority and the first mine site of the Enterprise. They will have to be rectified by the rules, regulations and procedures to be drawn up by the Preparatory Commission. The Government of Luxembourg recognizes that the work remaining to be done is of great importance and hopes that it will be possible to reach agreement on the modalities for operating a sea-bed mining régime that will be generally acceptable and therefore conducive to promoting the activities of the international zone of the sea-bed.

As the representatives of France and the Netherlands pointed out two years ago, [the Government of Luxembourg] wishes to make it abundantly clear that, notwithstanding its decision to sign the Convention today, the Grand Duchy of Luxembourg is not here and now determined to ratify it.

It will take a separate decision on this point, at a later date, which will take account of what the Preparatory Commission has accomplished to make the international régime of the sea-bed acceptable to all.

[The Government of Luxembourg] also wishes to recall that Luxembourg is a member of the European Economic Community and, by virtue thereof, has transferred to the Community powers in certain areas covered by the Convention. Detailed declarations on the nature and extent of the powers transferred will be made in due course, in accordance with the provisions of Annex IX of the Convention.

Like other members of the Community, the Grand Duchy of Luxembourg also reserves its position on all declarations made at the final session of the Third United Nations Conference on the Law of the Sea, at Montego Bay, that may contain elements of interpretation concerning the provisions of the United Nations Convention on the Law of the Sea.

Kuwait

[Original: Arabic]

Declaration made upon ratification (2 May 1986):

Understanding

It is understood that the ratification by the State of Kuwait of the United Nations Convention on the Law of the Sea, signed at Montego Bay on 10 December 1982, does not mean in any way a recognition of Israel by the Government of the State of Kuwait. Furthermore, no treaty relations will arise between the State of Kuwait and Israel.

Lithuania

Declaration made upon accession (12 November 2003)

"... in accordance with paragraph 1 of Article 287 of the Convention, the Republic of Lithuania chooses the following means for the settlement of dispute concerning the interpretation or application of this Convention:

- (a) The International Tribunal for the Law of the Sea established in accordance with Annex VI;
- (b) The International Court of Justice."

Madagascar

[Original: French]

On 20 December 2012

Declaration under article 287:

"In accordance with article 287, paragraph 1, of the United Nations Convention on the Law of the Sea, the Government of the Republic of Madagascar declares that, with regard to the settlement of disputes concerning the interpretation or application of the Convention, it accepts the competence of the International Tribunal for the Law of the Sea."

Malaysia

Upon ratification (14 October 1996):

In accordance with article 310 of the United Nations Convention on the Law of the Sea, the Government of Malaysia makes the following declarations:

1. The Malaysian Government is not bound by any domestic legislation or by any declaration issued by other States upon signature or ratification of this Convention. Malaysia reserves the right to state its position concerning all such legislations or declarations at the appropriate time. In particular, Malaysia's ratification of the Convention in no way constitutes recognition of the maritime claims of any other State having signed or ratified the Convention, where such claims are inconsistent with the relevant principles of international law and the provisions of the Convention on the Law of the Sea and which are prejudicial to the sovereign rights and jurisdiction of Malaysia in its maritime areas.
2. The Malaysian Government understands that the provisions of article 301, prohibiting "any threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the principles of international law embodied in the Charter of the United Nations", apply in particular to the maritime areas under the sovereignty or jurisdiction of the coastal State.
3. The Malaysian Government also understands that the provisions of the Convention do not authorize other States to carry out military exercises or manoeuvres, in particular those involving the use of weapons or explosives in the exclusive economic zone without the consent of the coastal State.
4. In view of the inherent danger entailed in the passage of nuclear-powered vessels or vessels carrying nuclear material or other material of a similar nature and in view of the provision of article 22, paragraph 2, of the Convention on the Law of the Sea concerning the right of the coastal State to confine the passage of such vessels to sea lanes designated by the State within its territorial sea, as well as that of article 23 of the Convention, which requires such vessels to carry documents and observe special precautionary measures as specified by international agreements, the Malaysian Government, with all of the above in mind, requires the aforesaid vessels to obtain prior authorization of passage before entering the territorial sea of Malaysia until such time as the international agreements referred to in article 23 are concluded and Malaysia becomes a party thereto. Under all circumstances, the flag State of such vessels shall assume all responsibility for any loss or damage resulting from the passage of such vessels within the territorial sea of Malaysia.
5. The Malaysian Government also wishes to reiterate the statement relating to article 233 of the Convention in its application to the Straits of Malacca and Singapore which has been annexed to a letter dated 28 April 1982 transmitted to the President of the Third United Nations Conference on the Law of the Sea.
6. The ratification of the Convention by the Malaysian Government shall not in any manner affect its rights and obligations under any agreements and treaties on maritime matters entered into which the Malaysian Government is a party.
7. The Malaysian Government interprets article 74 and article 83 to the effect that in the absence of agreement on the delimitation of the exclusive economic zone or continental shelf or other maritime zones, for an equitable solution to be achieved, the boundary shall be the median line, namely a line every point of which is equidistant from the nearest points of the baselines from which the breadth of the territorial sea of Malaysia and of such other States is measured.

Malaysia is also of the view that in accordance with the provisions of the Convention, namely article 56 and article 76, if the maritime area is less [than] or to a distance of 200 nautical miles from the baselines, the boundary for the continental shelf and the exclusive economic zone shall be on the same line (identical).

8. The Malaysian Government declares, without prejudice to article 303 of the Convention on the Law of the Sea, that any objects of an archaeological and historical nature found within the maritime areas over which it exerts sovereignty or jurisdiction shall not be removed, without its prior notification and consent.

Mali

Upon signature (19 October 1983):

On signing the United Nations Convention on the Law of the Sea, the Republic of Mali remains convinced of the interdependence of the interests of all peoples and of the need to base international co-operation on, in particular, mutual respect, equality, solidarity at the international, regional and sub-regional levels, and positive good-neighbourliness between States.

It thus reiterates its statement of 30 April 1982, reaffirming that the United Nations Convention on the Law of the Sea, in the negotiation and adoption of which the Government of Mali participated in good faith, constitutes a perfectible international legal instrument.

Nevertheless, Mali's signature of the said Convention is without prejudice to any other instrument concluded or to be concluded by the Republic of Mali with a view to improving its status as a geographically disadvantaged and land-locked State. It is likewise without prejudice to the elements of any position which the Government of Mali may deem it necessary to take with regard to any question of the Law of the Sea pursuant to article 310.

In any case, the present signature has no effect on the course of Mali's foreign policy or on the rights it derives from its sovereignty under its Constitution or the Charter of the United Nations and any other relevant rule of international law.

Malta

Upon ratification (20 May 1993) Z:

The ratification of the United Nations Convention on the Law of the Sea is a reflection of Malta's recognition of the many positive elements it contains, including its comprehensiveness and its role in the application of the concept of the common heritage of mankind.

At the same time, it is realized that the effectiveness of the regime established by the Convention depends to a great extent on the attainment of its universal acceptance, not least by major maritime States and those with technology which are most affected by the regime.

The effectiveness of the provisions of Part IX on "enclosed or semi-enclosed seas", which provide for cooperation of States bordering such seas, like the Mediterranean, depends on the acceptance of the Convention by the States concerned. To this end, the Government of Malta encourages and actively supports all efforts at achieving this universality.

The Government of Malta interprets articles 69 and 70 of the Convention as meaning that access to fishing in the exclusive economic zone of third States by vessels of developed land-locked and geographically disadvantaged States is dependent upon the prior granting of access by the coastal States in question to the nationals of other States which have habitually fished in the said zone.

The baselines as established by Maltese legislation for the delimitation of the territorial sea and related areas, for the archipelago of the islands of Malta and which incorporate the island of Filfla as one of the points from which baselines are drawn, are fully in line with the relevant provisions of the Convention.

The Government of Malta interprets article 74 and article 83 to the effect that in the absence of agreement on the delimitation of the exclusive economic zone or the continental shelf or other maritime zones, for an equitable solution to be achieved, the boundary shall be the median line, namely a line every point of which is equidistant from the nearest points of the baselines from which the breadth of the territorial waters of Malta and of such other States is measured.

The exercise of the right of innocent passage of warships through the territorial sea of other States should also be perceived to be a peaceful one. Effective and speedy means of communication are easily available and make the prior notification of the exercise of the right of innocent passage of warships reasonable and not incompatible with the Convention. Such notification is already required by some States. Malta reserves the right to legislate on this point.

Malta is also of the view that such a notification requirement is needed in respect of nuclear-powered ships or ships carrying nuclear or other inherently dangerous or noxious substances. Furthermore, no such ships shall be allowed within Maltese internal waters without the necessary authorization.

Malta is of the view that the sovereign immunity contemplated in article 236 does not exonerate a State from such obligation, moral or otherwise, in accepting responsibility and liability for compensation and relief in respect of damage caused by pollution of the marine environment by any warship, naval auxiliary, other vessels or aircraft owned or operated by the State and used on government non-commercial service.

Legislation and regulations concerning the passage of ships through Malta's territorial sea are compatible with the provisions of the Convention. At the same time, the right is reserved to develop further this legislation in conformity with the Convention as may be required.

Malta declares itself in favour of establishing sea lanes and special regimes for foreign fishing vessels transversing its territorial sea.

Note is taken of the statement by the European Community made at the time of signature of the Convention regarding the fact that its member States have transferred competence to it with regard to certain aspects of the Convention. In view of Malta's application to join the European Community, it is understood that this will also become applicable to Malta on membership.

The Government of Malta does not consider itself bound by any of the declarations which other States may have made, or will make upon signing or ratifying the Convention, reserving the right as necessary to determine its position with regard to each of them at the appropriate time. In particular, ratification of the Convention does not imply automatic recognition of maritime or territorial claims by any signatory or ratifying State.

Mexico

Declaration made after ratification (6 January 2003)

In accordance with the terms of article 287 of the United Nations Convention on the Law of the Sea, the Government of Mexico declares that it chooses, in no order of preference, one of the following means for the settlement of disputes concerning the interpretation or application of the Convention:

1. The International Tribunal for the Law of the Sea established in accordance with annex VI;
2. The International Court of Justice;
3. A special arbitral tribunal constituted in accordance with annex VIII for one or more of the categories of disputes specified therein.

"The Government of Mexico declares that, pursuant to article 298 of the Convention, it does not accept the procedures provided for in part XV, section 2, with respect to the following categories of disputes:

1. Disputes relating to sea boundary delimitations, or those involving historic bays or titles, pursuant to paragraph 1 (a) of article 298;
2. Disputes concerning military activities and the other activities referred to in paragraph 1 (b) of article 298.

Moldova

Declaration (upon accession, 6 February 2007):

As a country without seashore and geographically disadvantaged bordering a sea poor in living resources, Republic of Moldova affirms the necessity to develop international cooperation for the exploitation of the living resources of the economic zones, on the basis of just and equitable agreements that should ensure the access of the countries from this category to the fishing resources in the economic zones of other regions or sub regions.

Montenegro

Confirmed upon succession:

Declaration:

"1. Proceeding from the right that State Parties have on the basis of article 310 of the United Nations Convention on the Law of the Sea, the [Government of Montenegro] considers that a coastal State may, by its laws and regulations, subject the passage of foreign warships to the requirement of previous notification to the respective coastal State and limit the number of ships simultaneously passing, on the basis of the international customary law and in compliance with the right of innocent passage (articles 17-32 of the Convention).

2. The [Government of Montenegro] also considers that it may, on the basis of article 38, para. 1, and article 45, para. 1 (a) of the Convention, determine by its laws and regulations which of the straits used for international navigation in the territorial sea of [Montenegro] will retain the regime of innocent passage, as appropriate.

3. Due to the fact that the provisions of the Convention relating to the contiguous zone (article 33) do not provide rules on the delimitation of the contiguous zone between States with opposite or adjacent coasts, the [Government of Montenegro] considers that the principles of the customary international law, codified in article 24, para. 3, of the Convention on the Territorial Sea and the Contiguous Zone, signed in Geneva on 29 April 1958, will apply to the delimitation of the contiguous zone between the Parties to the United Nations Convention on the Law of the Sea."

Declaration under Article 287 (1):

"Pursuant to paragraph 1 of Article 287 of the Convention, for the settlement of disputes concerning the interpretation or application of the Convention, Montenegro chooses, in order of preference, (i) the International Tribunal for the Law of the Sea established in accordance with Annex VI of the Convention and (ii) the International Court of Justice."

Declaration under Article 298 (1) (a):

"Pursuant to paragraph 1 (a) of Article 298 of the aforementioned Convention, Montenegro does not accept any of the procedures provided for in section 2 of Part XV of the Convention with respect to disputes concerning the interpretation or application of Articles 15, 74 and 83 relating to sea boundary delimitations or disputes involving historic bays or titles."

Morocco

Declaration upon ratification (31 May 2007):

The laws and regulations relating to maritime areas in force in Morocco shall remain applicable without prejudice to the provisions of the United Nations Convention on the Law of the Sea.

The Government of the Kingdom of Morocco affirms once again that Sebta, Melilla, the islet of Al-Hoceima, the rock of Badis and the Chafarinas Islands are Moroccan territories.

Morocco has never ceased to demand the recovery of these territories, which are under Spanish occupation, in order to achieve its territorial unity.

On ratifying the Convention, the Government of the Kingdom of Morocco declares that ratification may in no way be interpreted as recognition of that occupation.

The Government of the Kingdom of Morocco does not consider itself bound by any national legal instrument or declaration that has been made or may be made by other States when they sign or ratify the Convention and reserves the right to determine its position on any such instruments or declarations at the appropriate time.

The Government of the Kingdom of Morocco reserves the right to make, at the appropriate time, declarations pursuant to articles 287 and 298 relating to the settlement of disputes.

Netherlands

Upon ratification (28 June 1996):

A. DECLARATION IN RESPECT OF ARTICLE 287 OF THE CONVENTION

The Kingdom of the Netherlands hereby declares that, having regard to article 287 of the Convention, it accepts the jurisdiction of the International Court of Justice in the settlement of disputes concerning the interpretation and application of the Convention with States Parties to the Convention which have likewise accepted the said jurisdiction.

B. OBJECTIONS

The Kingdom of the Netherlands objects to any declaration or statement excluding or modifying the legal effect of the provisions of the United Nations Convention on the Law of the Sea.

This is particularly the case with regard to the following matters:

I. Innocent passage in the territorial sea

The Convention permits innocent passage in the territorial sea for all ships, including foreign warships, nuclear-powered ships and ships carrying nuclear or hazardous waste, without any prior consent or notification, and with due observance of special precautionary measures established for such ships by international agreements.

II. Exclusive economic zone

1. Passage through the exclusive economic zone

Nothing in the Convention restricts the freedom of navigation of nuclear-powered ships or ships carrying nuclear or hazardous waste in the exclusive economic zone, provided such navigation is in accordance with the applicable rules of international law. In particular, the Convention does not authorize the coastal State to make the navigation of such ships in the exclusive economic zone dependent on prior consent or notification.

2. Military exercises in the exclusive economic zone

The Convention does not authorize the coastal State to prohibit military exercises in its exclusive economic zone. The rights of the coastal State in its exclusive economic zone are listed in article 56 of the Convention, and no such authority is given to the coastal State. In the exclusive economic zone all States enjoy the freedoms of navigation and overflight, subject to the relevant provisions of the Convention.

3. Installations in the exclusive economic zone

The coastal State enjoys the right to authorize, operate and use installations and structures in the exclusive economic zone for economic purposes. Jurisdiction over the establishment and use of installations and structures is limited to the rules contained in article 56 paragraph 1, and is subject to the obligations contained in article 56 paragraph 2, article 58 and article 60 of the Convention.

4. Residual rights

The coastal State does not enjoy residual rights in the exclusive economic zone. The rights of the coastal State in its exclusive economic zone are listed in article 56 of the Convention, and cannot be extended unilaterally.

III. Passage through straits

Routes and sea lanes through straits shall be established in accordance with the rules provided for in the Convention. Considerations with respect to domestic security and public order shall not affect navigation in straits used for international navigation. The application of other international instruments to straits is subject to the relevant articles of the Convention.

IV. Archipelagic States

The application of Part IV of the Convention is limited to a State constituted wholly by one or more archipelagos, and may include other islands. Claims to archipelagic status in contravention of article 46 are not acceptable. The status of archipelagic State, and the rights and obligations deriving from such status, can only be invoked under the conditions of part IV of the Convention.

V. Fisheries

The Convention confers no jurisdiction on the coastal State with respect to the exploitation, conservation and management of living marine resources other than sedentary species beyond the exclusive economic zone.

The Kingdom of the Netherlands considers that the conservation and management of straddling fish stocks and highly migratory species should, in accordance with articles 63 and 64 of the Convention, take place on the basis of international cooperation in appropriate subregional and regional organizations.

VI. Underwater cultural heritage

Jurisdiction over objects of an archaeological and historical nature found at sea is limited to articles 149 and 303 of the Convention. The Kingdom of the Netherlands does however consider that there may be a need to further develop, in international cooperation, the international law on the protection of the underwater cultural heritage.

VII. Baselines and delimitation

A claim that the drawing of baselines or the delimitation of maritime zones is in accordance with the Convention will only be acceptable if such lines and zones have been established in accordance with the Convention.

VIII. National legislation

As a general rule of international law, as stated in articles 27 and 46 of the Vienna Convention on the Law of Treaties, States may not rely on national legislation as a justification for a failure to implement the Convention.

IX. Territorial claims

Ratification by the Kingdom of the Netherlands does not imply recognition or acceptance of any territorial claim made by a State party to the Convention.

X. Article 301

Article 301 must be interpreted, in accordance with the Charter of the United Nations, as applying to the territory and the territorial sea of a coastal State.

XI. General declaration

The Kingdom of the Netherlands reserves its right to make further declarations relative to the Convention and to the Agreement, in response to future declarations and statements.

C. DECLARATION IN ACCORDANCE WITH ANNEX IX OF THE CONVENTION

Upon depositing its instrument of ratification the Kingdom of the Netherlands recalls that, as State member of the European Community, it has transferred competence to the Community with respect to certain matters governed by the Convention. A detailed declaration on the nature and extent of the competence transferred to the European Community will be made in due course in accordance with the provisions in Annex IX of the Convention.

13 February 2009

[\[to be included\]](#)

Nicaragua ^{1/}

[Original: Spanish]

Upon signature (9 December 1984):

In accordance with article 310, Nicaragua declares that such adjustments of its domestic law as may be required in order to harmonize it with the Convention will follow from the process of constitutional change initiated by the revolutionary State of Nicaragua, it being understood that the Convention and the Resolutions adopted on 10 December 1982 and the Annexes to the Convention constitute an inseparable whole.

For the purposes of articles 287 and 298 and of other articles concerning the interpretation and application of the Convention, the Government of Nicaragua shall, if and as the occasion demands, exercise the right conferred by the Convention to make further supplementary or clarificatory declarations.

Upon ratification (3 May 2000):

In accordance with article 310 of the United Nations Convention on the Law of the Sea, the Government of Nicaragua hereby declares:

1. That it does not consider itself bound by any of the declarations or statements, however phrased or named, made by other States when signing, accepting, ratifying or acceding to the Convention and that it reserves the right to state its position on any of those declarations or statements at any time.
2. That ratification of the Convention does not imply recognition or acceptance of any territorial claim made by a State party to the Convention, nor automatic recognition of any land or sea border.

In accordance with article 287, paragraph 1, of the Convention, Nicaragua hereby declares that it accepts only recourse to the International Court of Justice as a means for the settlement of disputes concerning the interpretation or application of the Convention.

Nicaragua hereby declares that it accepts only recourse to the International Court of Justice as a means for the settlement of the categories of disputes set forth in subparagraphs (a), (b) and (c) of paragraph 1 of article 298 of the Convention.

...

^{1/} Refer to depositary notification C.N.302.2000.TREATIES-1 of 22 May 2000 (Nicaragua: Consent to be bound following the ratification of the Convention).

Norway

Upon ratification (24 June 1996):

Declarations

According to article 309 of the Convention, no reservations or exceptions other than those expressly permitted by its provisions may be made. A declaration pursuant to its article 310 cannot have the effect of an exception or reservation for the State making it. Consequently, the Government of the Kingdom of Norway declares that it does not consider itself bound by declarations pursuant to article 310 of the Convention that are or will be made by other States or international organizations. Passivity with respect to such declarations shall be interpreted neither as acceptance nor as rejection of such declarations. The Government reserves Norway's right at any time to take a position on such declarations in the manner deemed appropriate.

Declaration pursuant to article 287 of the Convention

The Government of the Kingdom of Norway declares pursuant to article 287 of the Convention that it chooses the International Court of Justice for the settlement of disputes concerning the interpretation or application of the Convention.

Declaration pursuant to article 298 of the Convention

The Government of the Kingdom of Norway declares pursuant to article 298 of the Convention that it does not accept an arbitral tribunal constituted in accordance with Annex VII for any of the categories of disputes mentioned in Article 298.

Oman

[Original: Arabic]

Upon signature (1 July 1983):

"It is the understanding of the Government of the Sultanate of Oman that the application of the provisions of articles 19, 25, 34, 38 and 45 of the Convention does not preclude a coastal State from taking such appropriate measures as are necessary to protect its interest of peace and security."

Upon ratification (17 August 1989):

Pursuant to the provisions of article 310 of the Convention and further to the earlier declaration by the Sultanate of Oman dated 1 June 1982 concerning the establishment of straight baselines at any point on the coastline of the Sultanate of Oman and the lines enclosing waters within inlets and bays and waters between islands and the coastline, in accordance with article 2 (c) of Royal Decree No. 15/81 and in view of the desire of the Sultanate of Oman to bring its laws into line with the provisions of the Convention, the Sultanate of Oman issues the following declarations:

Declaration No. 1. on the territorial sea

1. The Sultanate of Oman determines that its territorial sea, in accordance with article 2 of Royal Decree No. 15/81 dated 10 February 1981, extends 12 nautical miles in a seaward direction, measured from the nearest point of the baselines.
2. The Sultanate of Oman exercises full sovereignty over its territorial sea, the space above the territorial sea and its bed and subsoil, pursuant to the relevant laws and regulations of the Sultanate and in conformity with the provisions of this Convention concerning the principle of innocent passage.

Declaration No. 2. on the passage of warships through Omani territorial waters

Innocent passage is guaranteed to warships through Omani territorial waters, subject to prior permission. This also applies to submarines, on condition that they navigate on the surface and fly the flag of their home State.

Declaration No. 3. on the passage of nuclear-powered ships and the like through Omani territorial waters

With regard to foreign nuclear-powered ships and ships carrying nuclear or other substances that are inherently dangerous or harmful to health or the environment, the right of innocent passage, subject to prior permission, is guaranteed to the types of vessel, whether or not warships, to which the descriptions apply. This right is also guaranteed to submarines to which the descriptions apply, on condition that they navigate on the surface and fly the flag of their home State.

Declaration No. 4. on the contiguous zone

The contiguous zone extends for a distance of 12 nautical miles measured from the outer limit of the territorial waters, and the Sultanate of Oman exercises the same prerogatives over it as are established by the Convention

Declaration No. 5. on the exclusive economic zone

1. The Sultanate of Oman determines that its exclusive economic zone, in accordance with article 5 of Royal Decree No. 15/81 dated 10 February 1981, extends 200 nautical miles in a seaward direction, measured from the baselines from which the territorial sea is measured.
2. The Sultanate of Oman possesses sovereign rights over its economic zone and also exercises jurisdiction over that zone as provided for in the Convention. It further declares that, in exercising its rights and performing its duties under the Convention in the exclusive economic zone, it will have due regard to the rights and duties of other States and will act in a manner compatible with the provisions of the Convention.

Declaration No. 6. on the continental shelf

The Sultanate of Oman exercises over its continental shelf sovereign rights for the purpose of exploring it and exploiting its natural resources, as permitted by geographical conditions and in accordance with this Convention.

Declaration No. 7. on the procedure chosen for the settlement of disputes under the Convention

Pursuant to article 287 of the Convention, The Sultanate of Oman declares its acceptance of the jurisdiction of the International Tribunal for the Law of the Sea, as set forth in annex VI to the Convention, and the jurisdiction of the International Court of Justice, with a view to the settlement of any dispute that may arise between it and another State concerning the interpretation or application of the Convention.

Pakistan

Upon ratification (26 February 1997):

Whereas the United Nations Convention on the Law of the Sea was adopted on 10 December 1982 at Montego Bay and was opened for signature immediately thereafter;

Whereas article 306 of the Convention provides that the present Convention shall be ratified and the instrument of ratification deposited with the Secretary-General of the United Nations;

And whereas the Government of the Islamic Republic of Pakistan has decided to ratify the said Convention subject to the following declarations:

- (i) The Government of the Islamic Republic of Pakistan shall, at an appropriate time, make declarations provided for in articles 287 and 298 relating to the settlement of disputes;
- (ii) The Law of the Sea Convention, while dealing with transit through the territory of the transit State, fully safeguards the sovereignty of the transit State. Consequently, in accordance with article 125, the rights and facilities of transit to the land-locked State ensure that it shall not in any way infringe upon the sovereignty and the legitimate interest of the transit State. The precise content of the freedom of transit consequently, in each case, has to be agreed upon by the transit State and the land-locked State concerned.

In the absence of such an agreement concerning the terms and modalities for exercising the right of transit, through the territory of the Islamic Republic of Pakistan shall be regulated only by national laws of Pakistan;

- (iii) It is the understanding of the Government of the Islamic Republic of Pakistan that the provisions of the Convention on the Law of the Sea do not in any way authorize the carrying out in the exclusive economic zone and in the continental shelf of any coastal State military exercises or manoeuvres by other States, in particular where the use of weapons or explosives is involved, without the consent of the coastal State concerned.

Panama

[Original: Spanish]

Upon ratification (1 July 1996):

The Republic of Panama, in depositing its instrument of ratification of the United Nations Convention on the Law of the Sea (adopted by Law No. 38 of 4 June 1996 and promulgated in Official Journal No. 23.056 of 12 June 1996), declares that it has exclusive sovereignty over the "historic Panamanian bay" of the Golfo de Panamá, a well-marked geographic configuration the coasts of which belong entirely to the Republic of Panama. It is a large indentation or inlet to the south of the Panamanian isthmus, where sea-waters superjacent to the seabed and subsoil cover the area between latitudes 7°28'00" North and 7°31'00" North and longitudes 79°59'53" and 78°11'40", both west of Greenwich, these being the positions of Punta Mala and Punta Jaqué respectively, west and east of the entrance of the Golfo de Panamá. This large indentation penetrates fairly deep into the Panamanian isthmus. The width of its entrance, from Punta Mala to Punta de Jaqué is some 200 kilometres and it penetrates inland a distance of 165 kilometres (measured from the imaginary line joining Punta Mala and Punta Jaqué to the mouths of the Rio Chico east of Panama City).

Given its present and potential resources, the historic bay of the Golfo de Panamá is a vital necessity for the Republic of Panama, both in terms of security and defence (this has been the case since time immemorial) and in economic terms, as its marine resources have been utilized since ancient times by the inhabitants of the Panamanian isthmus.

It is oblong in shape, with a coastal outline that roughly resembles a calf's head, and its coastal perimeter, which measures some 668 kilometres, is under the maritime control of Panama. According to this delimitation, the historic bay of the Golfo de Panamá has an area of approximately 30,000 square kilometres.

The Republic of Panama declares that, in the exercise of its sovereign and territorial rights and in compliance with its duties, it will act in a manner compatible with the provisions of the Convention and reserves the right to issue further statements on the Convention if necessary.

Philippines

Understanding made upon signature (10 December 1982) and confirmed upon ratification (8 May 1984) 8/9

1. The signing of the Convention by the Government of the Republic of the Philippines shall not in any manner impair or prejudice the sovereign rights of the Republic of the Philippines under and arising from the Constitution of the Philippines.
2. Such signing shall not in any manner affect the sovereign rights of the Republic of the Philippines as successor of the United States of America, under and arising out of the Treaty of Paris between Spain and the United States of America of 10 December 1898, and the Treaty of Washington between the United States of America and Great Britain of 2 January 1930.
3. Such signing shall not diminish or in any manner affect the rights and obligations of the contracting parties under the Mutual Defence Treaty between the Philippines and the United States of America of 30 August 1951 and its related interpretative instruments; nor those under any other pertinent bilateral or multilateral treaty or agreement to which the Philippines is a party.
4. Such signing shall not in any manner impair or prejudice the sovereignty of the Republic of the Philippines over any territory over which it exercises sovereign authority, such as the Kalayaan Islands, and the waters appurtenant thereto.
5. The Convention shall not be construed as amending in any manner any pertinent laws and Presidential Decrees or Proclamation of the Republic of the Philippines; the Government of the Republic of the Philippines maintains and reserves the right and authority to make any amendments to such laws, decrees or proclamations pursuant to the provisions of the Philippines Constitution.
6. The provisions of the Convention on archipelagic passage through sea lanes do not nullify or impair the sovereignty of the Philippines as an archipelagic State over the sea lanes and do not deprive it of authority to enact legislation to protect its sovereignty, independence and security.
7. The concept of archipelagic waters is similar to the concept of internal waters under the Constitution of the Philippines, and removes straits connecting these waters with the economic zone or high sea from the rights of foreign vessels to transit passage for international navigation.
8. The agreement of the Republic of the Philippines to the submission for peaceful resolution, under any of the procedures provided in the Convention, of disputes under article 298 shall not be considered as a derogation of Philippines sovereignty.

Portugal

[Original: Portuguese]

Upon ratification (3 November 1997):

In accordance with article 310 of the United Nations Convention on the Law of the Sea, the Portuguese Government made the following declarations:

1. Portugal reaffirms, for the purpose of delimitation of the territorial sea, the continental shelf and the exclusive economic zone, its rights under domestic law in respect of the mainland and of the archipelagos and the islands incorporated therein;
2. Portugal declares that, within a 12 nautical mile zone contiguous to its territorial sea, it shall take such control measures as it deems to be necessary, in accordance with the provisions of article 33 of the Convention;
3. Pursuant to the provisions of the United Nations Convention on the Law of the Sea, Portugal enjoys sovereign rights and jurisdiction over an exclusive economic zone of 200 nautical miles from the baselines from which the breadth of the territorial sea is measured;
4. The maritime boundary lines between Portugal and the States whose coasts are opposite or adjacent to its own coasts are those which historically have been established on the basis of international law;
5. Portugal expresses its understanding that the Resolution III of the United Nations Third Conference on the Law of the Sea shall fully apply to the non-self-governing Territory of East Timor, of which it remains the administering Power, under the United Nations Charter and the relevant Resolutions of the General Assembly and of the Security Council. Accordingly, the application of the Convention, in particular a delimitation, if any, of the maritime areas of the territory of East Timor, shall take into consideration the rights of its people under the Charter and the Resolutions and, furthermore, the responsibilities incumbent upon Portugal as administering Power of the Territory of East Timor;
6. Portugal declares, without prejudice to the provisions of Article 303 of the United Nations Convention on the Law of the Sea and to the application of other legal instruments of international law regarding the protection of the underwater archaeological heritage, any objects of a historical or archaeological nature found in the maritime zones under its sovereignty or jurisdiction may be removed only after prior notice to and subject to the consent of the competent Portuguese authorities;
7. Ratification by Portugal of this Convention does not imply the automatic recognition of any maritime or land boundary;
8. Portugal does not consider itself bound by the declarations made by other States and it reserves its position as regards each declaration to be expressed in due time;
9. Bearing in mind the available scientific information and with a view to the protection of the environment and the sustained growth of economic activities based on the sea, Portugal will, preferably through international cooperation and taking into account the precautionary principle, carry out control activities beyond the areas under national jurisdiction;
10. For the purposes of Article 287 of the Convention, Portugal declares that, in the absence of non-judicial means for the settlement of disputes arising out of the application of this Convention, it will choose one of the following means for the settlement of disputes:

(a) the International Tribunal for the Law of the Sea, established in pursuance of Annex VI;

(b) the International Court of Justice;

(c) an arbitral tribunal constituted in accordance with Annex VII;

(d) a special arbitral tribunal, constituted in accordance with Annex VIII;

11. In the absence of any other peaceful means for the settlement of disputes, Portugal will, in accordance with Annex VIII to the Convention, choose the recourse to a special arbitral tribunal in so far as the application of the provisions of this Convention, or the interpretation thereof, to the matters relating to fisheries, protection and preservation of living marine resources and marine environment, scientific research, navigation and marine pollution are concerned;
12. Portugal declares that, without prejudice to the provisions contained in Section 1, Part XV of this Convention, it does not accept the compulsory procedures referred to in Section 2 of the said Part, with respect to one or more of the categories specified in Article 298 (a) (b) (c) of this Convention;
13. Portugal notes that, as a Member State of the European Community, it has transferred to the Community competence over a few matters governed by this Convention. A detailed declaration will be submitted in due time, specifying the nature and extent of the matters in respect of which it has transferred competence to the Community, in accordance with the provisions of Annex IX of the Convention.

Qatar

Upon signature (27 November 1984) 10:

The State of Qatar declares that its signature of the Convention on the Law of the Sea shall in no way imply recognition of Israel or any dealing with Israel or, lead to entry with Israel into any of the relations governed by the Convention or entailed by the implementation of the provisions thereof.

Republic of Korea

Declaration made after ratification (18 April 2006)

1. In accordance with paragraph 1 of Article 298 of the Convention, the Republic of Korea does not accept any of the procedures provided for in section 2 of Part XV of the Convention with respect to all the categories of disputes referred to in paragraph 1(a), (b) and (c) of Article 298 of the Convention.
2. The present declaration shall be effective immediately.
3. Nothing in the present declaration shall affect the right of the Republic of Korea to submit a request to a court or tribunal referred to in Article 287 of the Convention to be permitted to intervene in the proceedings of any dispute between other States.

Republic of Palau

Declaration made after ratification (27 April 2006)

Declaration under article 298:

"The Government of the Republic of Palau declares under paragraph 1 (a) of Article 298 of the 1982 United Nations Convention on the Law of the Sea that it does not accept compulsory procedures entailing binding decisions relating to the delimitation and/or interpretation of maritime boundaries."

Romania

Declarations made upon signature (10 December 1982) and confirmed upon ratification (17 December 1996):

1. As a geographically disadvantaged country bordering a sea poor in living resources, Romania reaffirms the necessity to develop international cooperation for the exploitation of the living resources of the economic zones, on the basis of just and equitable agreements that should ensure the access of the countries from this category to the fishing resources in the economic zones of other regions or subregions.

2. Romania reaffirms the right of coastal States to adopt measures to safeguard their security interests, including the right to adopt national laws and regulations relating to the passage of foreign warships through their territorial sea.

The right to adopt such measures is in full conformity with articles 19 and 25 of the Convention, as it is also specified in the Statement by the President of the United Nations Conference on the Law of the Sea in the plenary meeting of the Conference on 26 April 1982.

3. Romania states that according to the requirements of equity - as it results from articles 74 and 83 of the Convention on the Law of the Sea - the uninhabited islands without economic life can in no way affect the delimitation of the maritime spaces belonging to the mainland coasts of the coastal States.

Russian Federation

[Original: Russian]

Upon signature (10 December 1982):

1. The Union of Soviet Socialist Republics declares that, under article 287 of the United Nations Convention on the Law of the Sea, it chooses an arbitral tribunal constituted in accordance with Annex VII as the basic means for the settlement of disputes concerning the interpretation or application of the Convention. It opts for a special arbitral tribunal constituted in accordance with Annex VIII for the consideration of matters relating to fisheries, the protection and preservation of the marine environment, marine scientific research, and navigation, including pollution from vessels and dumping. It recognizes the competence of the International Tribunal for the Law of the Sea, as provided for in article 292, in matters relating to the prompt release of detained vessels and crews.

2. The Union of Soviet Socialist Republics declares that, in accordance with article 298 of the Convention, it does not accept the compulsory procedures entailing binding decisions for the consideration of disputes relating to sea boundary delimitations, disputes concerning military activities, or disputes in respect of which the Security Council of the United Nations is exercising the functions assigned to it by the Charter of the United Nations.

Upon ratification (12 March 1997):

The Russian Federation declares that, in accordance with article 298 of the United Nations Convention on the Law of the Sea, it does not accept the procedures, provided for in section 2 of Part XV of the Convention, entailing binding decisions with respect to disputes concerning the interpretation or application of articles 15, 74 and 83 of the Convention, relating to sea boundary delimitations, or those involving historic bays or titles; disputes concerning military activities, including military activities by government vessels and aircraft, and disputes concerning law-enforcement activities in regard to the exercise of sovereign rights or jurisdiction; and disputes in respect of which the Security Council of the United Nations is exercising the functions assigned to it by the Charter of the United Nations.

The Russian Federation, bearing in mind articles 309 and 310 of the Convention, declares that it objects to any declarations and statements made in the past or which may be made in future when signing, ratifying or acceding to the Convention, or made for any other reason in connection with the Convention, that are not in keeping with the provisions of article 310 of the Convention. The Russian Federation believes that such declarations and statements, however phrased or named, cannot exclude or modify the legal effect of the provisions of the Convention in their application to the party to the Convention that made such declarations or statements, and for this reason they shall not be taken into account by the Russian Federation in its relations with that party to the Convention.

Saint Vincent and the Grenadines

After ratification (22 November 2010):

Declaration:

In accordance with Article 287, of the 1982 United Nations Convention on the Law of the Sea of 10 December 1982, ... the Government of Saint Vincent and the Grenadines declares that it chooses the International Tribunal for the Law of the Sea established in accordance with Annex VI, as the means of settlement of disputes concerning the arrest or detention of its vessels.

Sao Tome and Principe

[Original: français]

Upon signature (13 July 1983):

I. The signing of the Convention by the Government of the Democratic Republic of Sao Tome and Principe will in no way affect or prejudice the sovereign rights of the Democratic Republic of Sao Tome and Principe embodied in and flowing from the Constitution of Sao Tome and Principe;

II. The Government of the Democratic Republic of Sao Tome and Principe reserves the right to adopt laws and regulations relating to the innocent passage of foreign warships through its territorial sea or its archipelagic waters and to take any other measures aimed at safeguarding its security;

III. The Government of the Democratic Republic of Sao Tome and Principe considers that the provisions of the Convention relating to archipelagic waters, the territorial sea and the exclusive economic zone are compatible with the legislation of the Republic of Sao Tome and Principe as regards its sovereignty and its jurisdiction over the maritime space adjacent to its coasts;

IV. The Government of the Democratic Republic of Sao Tome and Principe considers that, in accordance with the provisions of the Convention, where the same stock or stocks of associated species occur within the exclusive economic zone or in an area adjacent thereto, the States fishing for such stocks in the adjacent area are under an obligation to agree with the coastal State upon the measures necessary for the conservation of the stock or stocks of associated species;

V. The Government of the Democratic Republic of Sao Tome and Principe, in accordance with the relevant provisions of the Convention, reserves the right to adopt laws and regulations to ensure the conservation of highly migratory species and to co-operate with the States whose nationals harvest these species in order to promote the optimum

utilization thereof.

Saudi Arabia

[Original: Arabic]

Upon ratification (24 April 1996):

1. The Government of the Kingdom of Saudi Arabia is not bound by any domestic legislation or by any declaration issued by other States upon signature or ratification of this Convention. The Kingdom reserves the right to state its position concerning all such legislation or declarations at the appropriate time. In particular, the Kingdom's ratification of the Convention in no way constitutes recognition of the maritime claims of any other State having signed or ratified the Convention, where such claims are inconsistent with the provisions of the Convention on the Law of the Sea and prejudicial to the sovereign rights and jurisdiction of the Kingdom in its maritime areas.
2. The Government of the Kingdom of Saudi Arabia is not bound by any international treaty or agreement which contains provisions that are inconsistent with the Convention on the Law of the Sea and prejudicial to the sovereign rights and jurisdiction of the Kingdom in its maritime areas.
3. The Government of the Kingdom of Saudi Arabia considers that application of the provisions of Part IX of the Convention concerning the cooperation of States bordering enclosed or semi-enclosed areas is subject to the acceptance of the Convention by all States concerned.
4. The Government of the Kingdom of Saudi Arabia considers that the provisions of the Convention relating to application of the system for transit passage through straits used for international navigation which connect one part of the high seas or an exclusive economic zone with another part of the high seas or an exclusive economic zone also apply to navigation between islands adjacent or contiguous to such straits, particularly where the sea lanes used for entrance to or exit from the strait, as designated by the competent international organization, are situated near such islands.
5. The Government of the Kingdom of Saudi Arabia considers that innocent passage does not apply to its territorial sea where there is a route to the high seas or an exclusive economic zone which is equally suitable as regards navigational and hydrographic features.
6. In view of the inherent danger entailed in the passage of nuclear-powered vessels or vessels carrying nuclear material or other material of a similar nature and in view of the provision of article 22, paragraph 2, of the Convention on the Law of the Sea concerning the right of the coastal State to confine the passage of such vessels to sea lanes designated by the State within its territorial sea, as well as that of article 23 of the Convention, which requires such vessels to carry documents and observe special precautionary measures as specified by international agreements, the Kingdom of Saudi Arabia, with all of the above in mind, requires the aforesaid vessels to obtain prior authorization of passage before entering the territorial sea of the Kingdom until such time as the international agreements referred to in article 23 are concluded and the Kingdom becomes a party thereto. Under all circumstances, the flag State of such vessels shall assume all responsibility for any loss or damage resulting from the innocent passage of such vessels within the territorial sea of the Kingdom of Saudi Arabia.
7. The Kingdom of Saudi Arabia shall issue its internal procedures for the maritime areas subject to its sovereignty and jurisdiction, so as to affirm the sovereign rights and jurisdiction and guarantee the interests of the Kingdom in those areas.

[Original: Arabic]

10 January 2014

The Government of the Kingdom of Saudi Arabia wishes to declare its non-acceptance of any of the procedures set forth in section (2) of Part XV of the United Nations Convention on the Law of the Sea, in relation to paragraph 1 (a) of Article 298 of the Convention.

Serbia and Montenegro

Confirmed upon succession (12 March 2001) 16:

1. Proceeding from the right that States parties have on the basis of article 310 of the United Nations Convention on the Law of the Sea, the Government of the Socialist Federal Republic of Yugoslavia considers that a coastal State may, by its laws and regulations, subject the passage of foreign warships to the requirement of previous notification to the respective coastal State and limit the number of ships simultaneously passing, on the basis of the international customary law and in compliance with the right of innocent passage (articles 17 to 32 of the Convention).
2. The Government of the Socialist Federal Republic of Yugoslavia also considers that it may, on the basis of article 38, paragraph 1, and article 45, paragraph 1 (a) of the Convention, determine by its laws and regulations which of the straits used for international navigation in the territorial sea of the Socialist Federal Republic of Yugoslavia will retain the regime of innocent passage, as appropriate.
3. Owing to the fact that the provisions of the Convention relating to the contiguous zone (article 33) do not provide rules on the delimitation of the contiguous zone between States with opposite or adjacent coasts, the Government of the Socialist Federal Republic of Yugoslavia considers that the principles of the customary international law, codified in article 24, paragraph 3, of the Convention on the Territorial Sea and the Contiguous Zone, signed at Geneva on 29 April 1958, will apply to the delimitation of the contiguous zone between the parties to the United Nations Convention on the Law of the Sea.

Slovenia

Declaration made upon succession (16 June 1995) 11:

The Republic of Slovenia does not consider itself to be bound by the declaratory statement on the basis of article 310 of the Convention, given by the former Socialist Federal Republic of Yugoslavia.

On the basis of article 310 of the Convention, the Republic of Slovenia wishes to give the following declaratory statement:

"Proceeding from the right that States Parties have on the basis of article 310 of the United Nations Convention on the Law of the Sea, the Republic of Slovenia considers that its Part V 'Exclusive economic zone', including the provisions of article 70, 'Right of geographically disadvantaged States', forms part of the general customary international law."

This notification of succession is considered to have taken effect as of 25 June 1991, the date on which the Republic of Slovenia assumed responsibility for its international relations.

Declarations made after succession (11 October 2001):

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

The Government of the Republic of Slovenia declares pursuant to article 287 of the Convention that it chooses an arbitral tribunal constituted in accordance with Annex VII for the settlement of disputes concerning the interpretation or application of the Convention

Declaration pursuant to article 298 of the United Nations Convention on the Law of the Sea

The Government of the Republic of Slovenia declares pursuant to article 298 of the Convention that it does not accept an arbitral tribunal constituted in accordance with Annex VII for any of the categories of disputes mentioned in article 298.

South Africa

I. The Government of the Republic of South Africa withdraws the declarations made on behalf of South Africa upon signature of the Convention on 5 December 1994.

Upon ratification (23 December 1997) ^{12/}:

II. The Government of the Republic of South Africa shall, at an appropriate time, make declarations provided for in Articles 287 and 298 of the Convention relating to the settlement of disputes.

Spain

[Original: Spanish]

Upon signature (4 December 1984):

1. The Spanish Government, upon signing this Convention, declares that this act cannot be interpreted as recognition of any rights or situations relating to the maritime spaces of Gibraltar which are not included in article 10 of the Treaty of Utrecht of 13 July 1713 between the Spanish and British Crowns. The Spanish Government also considers that Resolution III of the Third United Nations Conference on the Law of the Sea is not applicable in the case of the Colony of Gibraltar, which is undergoing a decolonization process in which only the relevant resolutions adopted by the United Nations General Assembly apply.
2. It is the Spanish Government's interpretation that the régime established in Part III of the Convention is compatible with the right of the coastal State to issue and apply its own air regulations in the air space of the straits used for international navigation so long as this does not impede the transit passage of aircraft.
3. With regard to article 39, paragraph 3, it takes the word "normally" to mean "except in cases of *force majeure* or distress".
4. With regard to Article 42, it considers that the provisions of paragraph 1 (b) do not prevent it from issuing, in accordance with international law, laws and regulations giving effect to generally accepted international regulations.
5. The Spanish Government interprets articles 69 and 70 of the Convention as meaning that access to fishing in the economic zones of third States by the fleets of developed land-locked and geographically disadvantaged States is dependent upon the prior granting of access by the coastal States in question to the nationals of other States who have habitually fished in the economic zone concerned.
6. It interprets the provisions of Article 221 as not depriving the coastal State of a strait used for international navigation of its powers, recognized by international law, to intervene in the case of the casualties referred to in that article.
7. It considers that Article 233 must be interpreted, in any case, in conjunction with the provisions of Article 34.
8. It considers that, without prejudice to the provisions of Article 297 regarding the settlement of disputes, Articles 56, 61 and 62 of the Convention preclude considering as discretionary the powers of the coastal State to determine the allowable catch, its harvesting capacity and the allocation of surpluses to other States.
9. Its interpretation of Annex III, Article 9, is that the provisions thereof shall not obstruct participation, in the joint ventures referred to in paragraph 2, of the States Parties whose industrial potential precludes them from participating directly as contractors in the exploitation and resources of the Area.

Upon ratification (15 January 1997):

1. The Kingdom of Spain recalls that, as a member of the European Union, it has transferred competence over certain matters governed by the Convention to the European Community. A detailed declaration will be made in due course as to the nature and extent of the competence transferred to the European Community, in accordance with the provisions of Annex IX of the Convention.
2. In ratifying the Convention, Spain wishes to make it known that this act cannot be construed as recognition of any rights or status regarding the maritime space of Gibraltar that are not included in article 10 of the Treaty of Utrecht of 13 July 1713 concluded between the Crowns of Spain and Great Britain. Furthermore, Spain does not consider that Resolution III of the Third United Nations Conference on the Law of the Sea is applicable to the colony of Gibraltar, which is subject to a process of decolonization in which only relevant resolutions adopted by the United Nations General Assembly are applicable.
3. Spain understands that:
 - a) The provisions laid down in Part III of the Convention are compatible with the right of a coastal State to dictate and apply its own regulations in straits used for international navigation, provided that this does not impede the right of transit passage.
 - b) In article 39, paragraph 3 (a), the word 'normally' means 'unless by *force majeure* or by distress'.
 - c) The provisions of article 221 shall not deprive a State bordering a strait used for international navigation of its competence under international law regarding intervention in the event of the casualties referred to in that article.
4. Spain interprets that:
 - a) Articles 69 and 70 of the Convention mean that access to fisheries in the exclusive economic zone of third States by the fleets of developed landlocked or geographically disadvantaged States shall depend on whether the relevant coastal States have previously granted access to the fleets of States which habitually fish in the relevant exclusive economic zone.

(b) With regard to article 297, and without prejudice to the provisions of that article in respect of settlement of disputes, articles 56, 61 and 62 of the Convention do not allow of an interpretation whereby the rights of the coastal State to determine permissible catches, its capacity for exploitation and the allocation of surpluses to other States may be considered discretionary.

5. The provisions of article 9 of Annex III shall not prevent States Parties whose industrial potential does not enable them to participate directly as contractors in the exploitation of the resources of the zone from participating in the joint ventures referred to in paragraph 2 of that article.

6. In accordance with the provisions of article 287, paragraph 1, Spain chooses the International Court of Justice as the means for the settlement of disputes concerning the interpretation or application of the Convention.

Declaration made after ratification (19 July 2002)

Declarations under articles 287 and 298:

Pursuant to article 287, paragraph 1, the Government of Spain declares that it chooses the International Tribunal for the Law of the Sea and the International Court of Justice as means for the settlement of disputes concerning the interpretation or application of the Convention.

The Government of Spain declares, pursuant to the provisions of article 298, para. 1(a) of the Convention, that it does not accept the procedures provided for in part XV, section 2, with respect to the settlement of disputes concerning the interpretation or application of articles 15, 74 and 83 relating to sea boundary delimitations, or those involving historic bays or titles.

Sudan

Upon signature (10 December 1982):

Declarations made in plenary meeting at the Final Part of the Eleventh Session of the Third United Nations Conference on the Law of the Sea, held at Montego Bay, Jamaica, from 6 to 10 December 1982, and reiterated upon signature

[1] In accordance with article 310 of the Convention, the Sudanese Government will make such declarations as it deems necessary in order to clarify its position regarding the content of certain provisions of this instrument.

[2] [The Sudan] wishes to reiterate [the statement by the President of the Conference] in plenary meeting during the Third United Nations Conference on the Law of the Sea, on 26 April 1982, concerning article 21, in which deals with the laws and regulations of the coastal State relating to innocent passage: namely, that the withdrawal of the amendment submitted at the time by a number of States did not prejudge the right of coastal States to take all necessary measures, particularly in order to protect their security, in accordance with article 19 on the meaning of the term "innocent passage" and article 25 on the rights of protection of the coastal State.

[3] The Sudan also wishes to state that, according to its interpretation, the definition of the term "geographically disadvantaged States" given in article 70, paragraph 2, applies to all the parts of the Convention in which this term appears.

[4] The fact that [the Sudan] is signing this Convention and the Final Act of the Conference in no way means that [it] recognizes any State whatsoever which it does not recognize or with which it has no relations.

Sweden

Upon signature (10 December 1982):

"As regards those parts of the Convention which deal with innocent passage through the territorial sea, it is the intention of the Government of Sweden to continue to apply the present régime for the passage of foreign warships and other government-owned vessels used for non-commercial purposes through the Swedish territorial sea, that régime being fully compatible with the Convention.

It is also the understanding of the Government of Sweden that the Convention does not affect the rights and duties of a neutral State provided for in the Convention concerning the Rights and Duties of Neutral Powers in case of Naval Warfare (XIII Convention), adopted at The Hague on 18 October 1907."

Upon signature and confirmed upon ratification (25 June 1996):

"It is the understanding of the Government of Sweden that the exception from the transit passage régime in straits, provided for in Article 35 (c) of the Convention is applicable to the strait between Sweden and Denmark (Oresund) as well as to the strait between Sweden and Finland (the Åland islands). Since in both those straits the passage is regulated in whole or in part by long-standing international conventions in force, the present legal régime in the two straits will remain unchanged."

Upon ratification (25 June 1996):

It is the understanding of the Government of the Kingdom of Sweden that the exception from the transit passage régime in straits, provided for in article 35 of the Convention is applicable to the strait between Sweden and Denmark (Oresund), as well as to the strait between Sweden and Finland (the Åland islands). Since in both those straits the passage is regulated in whole or in part by long-standing international conventions in force, the present legal régime in the two straits will remain unchanged.

The Government of the Kingdom of Sweden hereby chooses, in accordance with article 287 of the Convention, the International Court of Justice for the settlement of disputes concerning the interpretation or application of the Convention and the Agreement Implementing Part XI of the Convention.

The Kingdom of Sweden recalls that, as a member of the European Community, it has transferred competence in respect of certain matters governed by the Convention. A detailed declaration on the nature and extent of the competence transferred to the European Community will be made in due course in accordance with the provisions of Annex IX of the Convention.

Switzerland

1 May 2009

Declaration under article 287:

The Tribunal for the Law of the Sea has been designated as the only competent organ for disputes concerning law of the sea matters.

Thailand

15 May 2011

Declaration:

I. The Government of the Kingdom of Thailand declares, in relation to Article 310 of the United Nations Convention on the Law of the Sea, as follows:

1. The Government of the Kingdom of Thailand intends to undertake a comprehensive review of existing domestic laws and regulations with a view to progressively harmonizing them with the provisions of the Convention.
2. The Government of the Kingdom of Thailand is not bound either by any declaration or position excluding or modifying the legal scope of the provisions of the Convention, or by any domestic legislation which is inconsistent with the relevant principles of international law and the Convention. The Government of the Kingdom of Thailand reserves the right to state its position concerning all such legislations or declarations at the appropriate time.
3. Ratification by the Government of the Kingdom of Thailand does not imply recognition or acceptance of any territorial claim made by a State party to the Convention.
4. The Government of the Kingdom of Thailand understands that, in the exclusive economic zone, enjoyment of the freedom of navigation in accordance with relevant provisions of the Convention excludes any non-peaceful use without the consent of the coastal State, in particular, military exercises or other activities which may affect the rights or interests of the coastal State; and it also excludes the threat or use of force against the territorial integrity, political independence, peace or security of the coastal State.
5. The Government of the kingdom of Thailand reserves the right to make, at an appropriate time, the declaration provided for in Article 287 relating to the settlement of disputes concerning the interpretation or application of the Convention.

II. The Government of the Kingdom of Thailand declares, in relation to Article 298 of the United Nations Convention on the Law of the Sea, as follows:

With reference to Article 298, paragraph 1, the Government of the Kingdom of Thailand does not accept any of the procedures provided for in Part XV, Section 2, with respect to the following disputes:

- disputes concerning the interpretation or application of Articles 15, 74 and 83 relating to sea boundary delimitations, or those involving historic bays or titles;
- disputes concerning military activities, including military activities by government vessels and aircraft engaged in non-commercial service, and disputes concerning law enforcement activities in regard to the exercise of sovereign rights or jurisdiction excluded from the jurisdiction of a court or tribunal under Article 297, paragraph 2 or 3;
- disputes in respect of which the Security Council of the United Nations is exercising the functions assigned to it by the Charter of the United Nations, unless the Security Council decides to remove the matter from its agenda or calls upon the parties to settle it by the means provided for in the Convention.

Timor-Leste

Declaration [upon accession]:

1. Timor-Leste reaffirms, for the purposes of delimitation of the territorial sea, the Continental shelf and the exclusive economic zone, its rights under domestic law, that historically incorporate the eastern part of island of Timor, the enclave Oecusse-Ambeno, the island of Ataúro and the island of Jaco;
2. Ratification by Timor-Leste of this Convention does not imply the automatic recognition of any maritime or land boundary;
3. Timor-Leste does not consider itself bound by the declarations made by other States and it reserves its position as regards each declaration to be expressed in due time;
4. For the purposes of article 287 of the Convention, Timor-Leste declares that, in the absence of non-judicial means for the settlement of disputes arising out of the application of this Convention, it will choose one of the following means for the settlement of disputes:
 - a) The International Tribunal for the Law of the Sea, established in pursuance of Annex VI;
 - b) The International Court of Justice;
 - c) An arbitral tribunal, constituted in accordance with Annex VII;
 - d) A special arbitral tribunal, constituted in accordance with Annex VIII.

Trinidad and Tobago

17 October 2007

Declaration under article 287:

"The Republic of Trinidad and Tobago ... declare[s] that in the absence of or failing any other peaceful means, The Republic of Trinidad and Tobago chooses the following means in order of priority for the settlement of disputes concerning the interpretation or application of the United Nations Convention on the Law of the Sea:

- a. The International Tribunal for the Law of the Sea established in accordance with Annex VI;
- b. The International Court of Justice."

13 February 2009

Declaration under article 298:

"... [The] Minister of Foreign Affairs of the Republic of Trinidad and Tobago, do hereby declare under paragraph 1 (a) of article 298 of the United Nations Convention on the Law of the Sea done at Montego Bay on the tenth day of December one thousand nine hundred and eighty-two, that the Republic of Trinidad and Tobago does not accept any of the procedures provided for in Part XV, section 2 of the Convention with respect to the categories of disputes concerning the interpretation or application of articles 15, 74 and 83 relating to sea boundary delimitations as well as those involving historic bays or titles."

[Original: Arabic]

Upon ratification (24 April 1985)

Declaration 1

The Republic of Tunisia, on the basis of resolution 4262 of the Council of the League of Arab States, dated 31 March 1983, declares that its accession to the United Nations Convention on the Law of the Sea does not imply recognition of or dealings with any State which the Republic of Tunisia does not recognize or have dealings with.

Declaration 2

The Republic of Tunisia, in accordance with the provisions of article 311, and in particular paragraph 6 thereof, declares its adherence to the basic principle relating to the common heritage of mankind and that it will not be a party to any agreement in derogation thereof. The Republic of Tunisia calls upon all States to avoid any unilateral measure or legislation of this kind that would lead to disregard of the provisions of the Convention or to the exploitation of the resources of the seabed and ocean floor and the subsoil thereof outside of the legal regime of the seas and oceans provided for in this Convention and in the other legal instruments pertaining thereto, in particular resolution I and resolution II.

Declaration 3

The Republic of Tunisia, in accordance with the provisions of article 298 of the United Nations Convention on the Law of the Sea, declares that it does not accept the procedures provided for in part XV, section 2, of the said Convention with respect to the following categories of disputes:

- (a) (i) Disputes concerning the interpretation or application of articles 15, 74 and 83 relating to sea boundary delimitations, or those involving historic bays or titles, provided that a State having made such a declaration shall, when such a dispute arises subsequent to the entry into force of this Convention and where no agreement within a reasonable period of time is reached in negotiations between the parties, at the request of any party to the dispute, accept submission of the matter to conciliation under annex V, section 2; and provided further that any dispute that necessarily involves the concurrent consideration of any unsettled dispute concerning sovereignty or other rights over continental or insular land territory shall be excluded from such submission;
- (ii) After the conciliation commission has presented its report, which shall state the reasons on which it is based, the parties shall negotiate an agreement on the basis of that report; if these negotiations do not result in an agreement, the parties shall, by mutual consent, submit the question to one of the procedures provided for in section 2, unless the parties otherwise agree;
- (iii) This subparagraph does not apply to any sea boundary dispute finally settled by an arrangement between the parties, or to any such dispute which is to be settled in accordance with a bilateral or multilateral agreement binding upon those parties;
- (b) Disputes concerning military activities, including military activities by government vessels and aircraft engaged in non-commercial service, and disputes concerning law enforcement activities in regard to the exercise of sovereign rights or jurisdiction excluded from the jurisdiction of a court or tribunal under article 297, paragraph 2 or 3;
- (c) Disputes in respect of which the Security Council of the United Nations is exercising the functions assigned to it by the Charter of the United Nations, unless the Security Council decides to remove the matter from its agenda or calls upon the parties to settle it by the means provided for in this Convention.

Declaration 4

The Republic of Tunisia, in accordance with the provisions of article 310 of the United Nations Convention on the Law of the Sea, declares that its legislation currently in force does not conflict with the provisions of this Convention. However, laws and regulations will be adopted as soon as possible in order to ensure closer harmony between the provisions of the Convention and the requirements for completing Tunisian legislation in the maritime sphere.

Declaration made after ratification (22 May 2001)

Declaration under article 287

In accordance with the provisions of article 287 of the United Nations Convention on the Law of the Sea, the Government of Tunisia declares that it accepts, in order of preference, the following means for the settlement of disputes relating to the interpretation or implementation of the above-mentioned Convention:

- (a) The International Tribunal for the Law of the Sea;
- (b) An arbitral tribunal established in accordance with Annex VII.

Ukraine

[Original: Ukrainian]

Upon signature (10 December 1982):

1. The Ukrainian Soviet Socialist Republic declares that, in accordance with article 287 of the United Nations Convention on the Law of the Sea, it chooses as the principal means for the settlement of disputes concerning the interpretation or application of this Convention an arbitral tribunal constituted in accordance with Annex VII. For the consideration of questions relating to fisheries, protection and preservation of the marine environment, marine scientific research and navigation, including pollution from vessels and by dumping, the Ukrainian SSR chooses a special arbitral tribunal constituted in accordance with Annex VIII. The Ukrainian SSR recognizes the competence, as stipulated in article 292, of the International Tribunal for the Law of the Sea in respect of questions relating to the prompt release of detained vessels or their crews.

2. The Ukrainian Soviet Socialist Republic declares, in accordance with article 298 of the Convention, that it does not accept compulsory procedures, involving binding decisions, for the consideration of disputes relating to sea boundary delimitations, disputes concerning military activities and disputes in respect of which the Security Council of the United Nations is exercising the functions assigned to it by the Charter of the United Nations.

Upon ratification (26 July 1999):

1. Ukraine declares that, in accordance with article 287 of the United Nations Convention on the Law of the Sea of 1982, it chooses as the principal means for the settlement of disputes concerning the interpretation or application of this Convention an arbitral tribunal constituted in accordance with Annex VII. For the consideration of disputes

concerning the interpretation or application of the Convention in respect of questions relating to fisheries, protection and preservation of the marine environment, marine scientific research and navigation, including pollution from vessels and by dumping, Ukraine chooses a special arbitral tribunal constituted in accordance with Annex VIII.

Ukraine recognizes the competence, as stipulated in article 292 of the Convention, of the International Tribunal for the Law of the Sea in respect of questions relating to the prompt release of detained vessels or their crews.

2. Ukraine declares, in accordance with article 298 of the Convention, that it does not accept, unless otherwise provided by specific international treaties of Ukraine with relevant States, the compulsory procedures entailing binding decisions for the consideration of disputes relating to sea boundary delimitations, disputes involving historic bays or titles, and disputes concerning military activities.

3. Ukraine declares, taking into account articles 309 and 310 of the Convention, that it objects to any statements or declarations, irrespective of when such statements or declarations were or may be made, that may result in a failure to interpret the provisions of the Convention in good faith, or are contrary to the ordinary meaning of terms in the context of the Convention or its object and purpose.

4. As a geographically disadvantaged country bordering a sea poor in living resources, Ukraine reaffirms the necessity to develop international cooperation for the exploitation of the living resources of economic zones, on the basis of just and equitable agreements that should ensure the access to fishing resources in the economic zones of other regions and sub-regions.

United Kingdom of Great Britain and Northern Ireland

Upon accession (25 July 1997):

(a) General

The United Kingdom cannot accept any declaration or statement made or to be made in the future which is not in conformity with articles 309 and 310 of the Convention. Article 309 of the Convention prohibits reservations and exceptions (except those expressly permitted by other articles of the Convention). Under article 310 declarations and statements made by a State cannot exclude or modify the legal effect of the provisions of the Convention in their application to the State concerned.

The United Kingdom considers that declarations and statements not in conformity with articles 309 and 310 include, inter alia, the following:

- those which relate to baselines not drawn in conformity with the Convention;
- those which purport to require any form of notification or permission before warships or other ships exercise the right of innocent passage or freedom of navigation or which otherwise purport to limit navigational rights in ways not permitted by the Convention;
- those which are incompatible with the provisions of the Convention relating to straits used for international navigation, including the right of transit passage;
- those which are incompatible with the provisions of the Convention relating to archipelagic states or waters, including archipelagic baselines and archipelagic sea lanes passage;
- those which are not in conformity with the provisions of the Convention relating to the exclusive economic zone or the continental shelf, including those which claim coastal state jurisdiction over all installations and structures in the exclusive economic zone or on the continental shelf, and those which purport to require consent for exercises or manoeuvres (including weapons exercises) in those areas;
- those which purport to subordinate the interpretation or application of the Convention to national laws and regulations, including constitutional provisions.

(b) European Community

The United Kingdom recalls that, as a Member of the European Community, it has transferred competence to the Community in respect of certain matters governed by the Convention. A detailed declaration on the nature and extent of the competence to the European Community will be made in due course in accordance with the provisions of Annex IX of the Convention.

(c) The Falkland Islands

With regard to paragraph (d) of the Declaration made upon ratification of the Convention by the Government of the Argentine Republic, the Government of the United Kingdom has no doubt about the sovereignty of the United Kingdom over the Falkland Islands and over South Georgia and the South Sandwich Islands. The Government of the United Kingdom, as the administering authority of both Territories, has extended the United Kingdom's accession to the Convention and ratification of the Agreement to the Falkland Islands and to South Georgia and the South Sandwich Islands. The Government of the United Kingdom, therefore, rejects as unfounded paragraph (d) of the Argentine declaration.

(d) Gibraltar

With regard to point 2 of the declaration made upon ratification of the Convention by the Government of Spain, the Government of the United Kingdom has no doubt about the sovereignty of the United Kingdom over Gibraltar, including its territorial waters. The Government of the United Kingdom, as the administering authority of Gibraltar, has extended the United Kingdom's accession to the Convention and ratification of the Agreement to Gibraltar. The Government of the United Kingdom, therefore, rejects as unfounded point 2 of the Spanish declaration.

(e) Extent

These instruments of accession and of ratification extend to:

The United Kingdom of Great Britain and Northern Ireland
The Bailiwick of Jersey
The Bailiwick of Guernsey
The Isle of Man
Anguilla
Bermuda
British Antarctic Territory
British Indian Ocean Territory
British Virgin Islands
Cayman Islands
Falkland Islands

Gibraltar
Montserrat
Pitcairn, Henderson, Ducie and Oeno Islands
St. Helena and Dependencies
South Georgia and South Sandwich Islands
Turks and Caicos Islands

Declaration made after accession

12 January 1998

Declaration on the choice of procedure under article 287

In accordance with Article 287, paragraph 1, of the United Nations Convention on the Law of the Sea, the United Kingdom of Great Britain and Northern Ireland chooses the International Court of Justice for the settlement of disputes concerning the interpretation or application of the Convention.

The International Tribunal for the Law of the Sea is a new institution, which the United Kingdom hopes will make an important contribution to the peaceful settlement of disputes concerning the law of the sea. In addition to those cases where the Convention itself provides for the compulsory jurisdiction of the Tribunal, the United Kingdom remains ready to consider the submission of disputes to the Tribunal as may be agreed on a case-by-case basis.

7 April 2003

Declaration pursuant to article 298, paragraph 1 of the United Nations Convention on the Law of the Sea:

"....the United Kingdom of Great Britain and Northern Ireland does not accept any of the procedures provided for in section 2 of Part XV of the Convention with respect to the categories of disputes referred to in paragraph 1(b) and (c) of article 298."

United Republic of Tanzania

Upon ratification (30 September 1985):

In accordance with article 287 of the United Nations Convention on the Law of the Sea, the United Republic of Tanzania declares that it chooses the International Tribunal for the Law of the Sea for the settlement of disputes concerning the interpretation or application of the Convention.

Uruguay

[Original: Spanish]

Declarations made upon signature (10 December 1982) and confirmed upon ratification (10 December 1982):

- (A) The provisions of the Convention concerning the territorial sea and the exclusive economic zone are compatible with the main purposes and principles underlying Uruguayan legislation in respect of Uruguay's sovereignty and jurisdiction over the sea adjacent to its coast and over its bed and subsoil up to a limit of 200 miles.
- (B) The legal nature of the exclusive economic zone as defined in the Convention and the scope of the rights which the Convention recognizes to the coastal State leave room for no doubt that it is a "sui generis" zone of national jurisdiction different from the territorial sea and that it is not part of the high seas.
- (C) Regulation of the uses and activities not provided for expressly in the Convention (residual rights and obligations) relating to the rights of sovereignty and to the jurisdiction of the coastal State in its exclusive economic zone falls within the competence of that State, provided that such regulation does not prevent enjoyment of the freedom of international communication which is recognized to other States.
- (D) In the exclusive economic zone, enjoyment of the freedom of international communication in accordance with the way it is defined and in accordance with other relevant provisions of the Convention excludes any non-peaceful use without the consent of the coastal State - for instance, military exercises or other activities which may affect the rights or interests of that State; and it also excludes the threat or use of force against the territorial integrity, political independence, peace or security of the coastal State.
- (E) This Convention does not empower any State to build, operate or utilize installations or structures in the exclusive economic zone of another State, neither those referred to in the Convention nor any other kind, without the consent of the coastal State.
- (F) In accordance with all the relevant provisions of the Convention, where the same stock or stocks of associated species occur both within the exclusive economic zone and in an area beyond and adjacent to the zone, the States fishing for such stocks in the adjacent area are duty bound to agree with the coastal State upon the measures necessary for the conservation of these stocks or associated species.
- (G) When the Convention enters into force, Uruguay will apply, with respect to other States parties, the provisions established by the Convention and by Uruguayan legislation, on the basis of reciprocity.
- (H) Pursuant to the provisions of article 287, Uruguay declares that it chooses the International Tribunal for the Law of the Sea for the settlement of such disputes relating to the interpretation or application of the Convention as are not subject to other procedures, without prejudice to its recognition of the jurisdiction of the International Court of Justice and of such agreements with other States as may provide for other means for peaceful settlement.
- (I) Pursuant to the provisions of article 298, Uruguay declares that it will not accept the procedures provided for in part XV, section 2, of the Convention, in respect of disputes concerning law enforcement activities in regard to the exercise of sovereign rights or jurisdiction excluded from the jurisdiction of a court or tribunal under article 297, paragraphs 2 and 3.
- (J) Uruguay reaffirms that, as stated in article 76, the continental shelf is the natural prolongation of the territory of the coastal State to the outer edge of the continental margin.

Viet Nam

Upon ratification (25 July 1994) [13/](#):

The Socialist Republic of Viet Nam, by ratifying the 1982 United Nations Convention on the Law of the Sea, expresses its determination to join the international community in the establishment of an equitable legal order and in the promotion of maritime development and cooperation.

The National Assembly reaffirms the sovereignty of the Socialist Republic of Viet Nam over its internal waters and territorial sea; the sovereign rights and jurisdiction in the contiguous zone, the exclusive economic zone and the continental shelf of Viet Nam, based on the provisions of the Convention and principles of international law; and calls on other countries to respect the above-said rights of Viet Nam.

The National Assembly reiterates Viet Nam's sovereignty over the Hoang Sa and Truong Sa archipelagoes and its position to settle those disputes relating to territorial claims as well as other disputes in the Eastern Sea through peaceful negotiations in the spirit of equality, mutual respect and understanding, and with due respect of international law, particularly the 1982 United Nations Convention on the Law of the Sea, and of the sovereign rights and jurisdiction of the coastal States over their respective continental shelves and exclusive economic zones; the concerned parties should, while exerting active efforts to promote negotiations for a fundamental and long-term solution, maintain stability on the basis of the status quo, refrain from any act that may further complicate the situation and from the use of force or threat of force.

The National Assembly [differentiates] between the settlement of the dispute[s] over the Hoang Sa and Truong Sa archipelagoes and the defence of the continental shelf and maritime zones falling under Viet Nam's sovereignty, rights and jurisdiction, based on the principles and standards specified in the 1982 United Nations Convention on the Law of the Sea.

The National Assembly [authorizes] the National Assembly's Standing Committee and the Government to review all relevant national legislation to consider necessary amendments in conformity with the 1982 United Nations Convention on the Law of the Sea, and to safeguard the interests of Viet Nam.

The National Assembly authorizes the Government to undertake effective measures for the management and defence of the continental shelf and maritime zones of Viet Nam.

Yemen (formerly Democratic Yemen)

[Original: Arabic]

Upon ratification (21 July 1987):

1. The People's Democratic Republic of Yemen will give precedence to its national laws in force which require prior permission for the entry or transit of foreign warships or of submarines or ships operated by nuclear power or carrying radioactive materials.
2. With regard to the delimitation of the maritime borders between the People's Democratic Republic of Yemen and any State having coasts opposite or adjacent to it, the median line basically adopted shall be drawn in a way such that every point of it is equidistant from the nearest points on the baselines from which the breadth of the territorial sea of any State is measured. This shall be applicable to the maritime borders of the mainland territory of the People's Democratic Republic of Yemen and also of its islands.

[Note: The Yemen Arab Republic had signed the Convention on 10 December 1982 with the following declarations:

1. *The Yemen Arab Republic adheres to the rules of general international law concerning rights to national sovereignty over coastal territorial waters, even in the case of the waters of a strait linking two seas.*
2. *The Yemen Arab Republic adheres to the concept of general international law concerning free passage as applying exclusively to merchant ships and aircraft; nuclear-powered craft, as well as warships and warplanes in general, must obtain the prior agreement of the Yemen Arab Republic before passing through its territorial waters, in accordance with the established norm of general international law relating to national sovereignty.*
3. *The Yemen Arab Republic confirms its national sovereignty over all the islands in the Red Sea and the Indian Ocean which have been its dependencies since the period when the Yemen and the Arab countries were a Turkish administration.*
4. *The Yemen Arab Republic declares that its signature of the Convention on the Law of the Sea is subject to the provisions of this declaration and the completion of the constitutional procedures in effect.*

The fact that we have signed the said Convention in no way implies that we recognize Israel or are entering into relations with it.]

Prepared by the Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs, United Nations.

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