



Law of the Sea Information Circular



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Division for Ocean Affairs and the Law of the Sea
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IS REPRODUCED IN WHOLE OR IN PART,
DUE ACKNOWLEDGEMENT SHOULD BE GIVEN TO:**

**THE DIVISION FOR OCEAN AFFAIRS AND THE LAW OF THE SEA,
OFFICE OF LEGAL AFFAIRS, UNITED NATIONS SECRETARIAT**

FOREWORD

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

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

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I. INFORMATION RELATING TO THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA OF 1982, THE AGREEMENT RELATING TO THE IMPLEMENTATION OF PART XI OF THE CONVENTION AND THE AGREEMENT FOR THE IMPLEMENTATION OF THE PROVISIONS OF THE CONVENTION RELATING TO THE CONSERVATION AND MANAGEMENT OF STRADDLING FISH STOCKS AND HIGHLY MIGRATORY FISH STOCKS

A. Status of the Convention and of the Agreements as at 31 October 2008

1. From April to October 2008, there were two additional ratifications of or accessions to the Convention. On 9 July 2008, the **Republic of Congo** ratified the Convention. On 25 September 2008, **Liberia** acceded to the Convention. Thus, as at 31 October 2008, there were 157 Parties to that the Convention, including the European Community.
2. From April to October 2008, four States expressed their consent to be bound by the Agreement relating to the implementation of Part XI of the Convention. **Cape Verde** ratified this Agreement on 23 April 2008. The **Republic of Congo** expressed its consent to be bound by this Agreement on 9 July 2008. On 25 September 2008, **Guyana** acceded to this Agreement and **Liberia** expressed its consent to be bound by it. Thus, as at 31 October 2008, there were 135 parties to that Agreement, including the European Community.
3. From April to October 2008, two States acceded to the 1995 Agreement for the implementation of the provisions of the Convention relating to the conservation and management of straddling fish stocks and highly migratory fish stocks: **Oman** on 14 May 2008 and **Hungary** on 16 May 2008. Thus, as at 31 October 2008, there were 71 Parties to this Agreement, including the European Community.
4. Official information regarding the status of the Convention and its Agreements (ratification, accession, etc.) is available on the website of the Treaty Section of the Office of Legal Affairs of the United Nations at:
<http://treaties.un.org/Pages/Treaties.aspx?id=21&subid=0&lang=en>.
5. For ease of reference, a consolidated table and chronological lists recapitulating the status of the Convention and the related Agreements prepared by the Division for Ocean Affairs and the Law of the Sea (thereafter, “the Division”), Office of Legal Affairs, are also available on the website of the Division at:
http://www.un.org/Depts/los/reference_files/status2008.pdf;
http://www.un.org/Depts/los/reference_files/chronological_lists_of_ratifications.htm.

B. Declarations and statements under articles 287, 298 and 310 of the Convention and under articles 30, 43 and 47 of the 1995 United Nations Fish Stocks Agreement

6. Official information regarding the declarations and statements under articles 287, 298 and 310 of the Convention and under articles 30, 43 and 47 of the 1995 United Nations Fish Stocks Agreement is available on the website of the Treaty Section of the Office of Legal Affairs of the United Nations at:
<http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&id=458&chapter=21&lang=en>
<http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&id=459&chapter=21&lang=en>
<http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&id=460&chapter=21&lang=en>

7. For ease of reference, the declarations and statements are also published on the website of the Division at:
http://www.un.org/Depts/los/convention_agreements/convention_declarations.htm
http://www.un.org/Depts/los/convention_agreements/fish_stocks_agreement_declarations.htm.
8. From April to October 2008, no States made declarations or statements.

C. Settlement of disputes mechanism

1. Settlement of disputes mechanism under the Convention:
 Choice of procedure under article 287 and optional exceptions
 to applicability of Part XV, Section 2, of the Convention under article 298 of the Convention

9. From April to October 2008, no State made a declaration on the choice of procedure under article 287. There were no declarations related to optional exceptions to applicability of Part XV, Section 2, of the Convention under article 298 of the Convention.
10. The official texts of declarations and statements, which contain the choice of procedure under article 287 of the Convention and optional exceptions to applicability of Part XV, Section 2, under article 298 of the Convention, are available on the website of the Treaty Section of the Office of Legal Affairs of the United Nations at:
<http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&id=458&chapter=21&lang=en>.
11. For ease of reference, the declarations and statements are also available on the website of the Division at:
http://www.un.org/Depts/los/convention_agreements/convention_declarations.htm.
12. In addition, a quick-reference recapitulative table on the choice of procedure and optional exceptions to applicability of Part XV, Section 2, of the Convention, is available on the website of the Division at:
http://www.un.org/Depts/los/settlement_of_disputes/choice_procedure.htm.

2. Settlement of disputes mechanism under the Agreement for the Implementation
 of the Provisions of the Convention relating to the Conservation and Management
 of Straddling Fish Stocks and Highly Migratory Fish Stocks:
 Choice of procedure and optional exceptions to applicability of Part XV of the Convention
 under article 30 of the Agreement

13. The official texts of declarations, which contain choice of procedure and optional exceptions to applicability of Part XV of the Convention under article 30 of the Agreement, are available on the website of the Treaty Section of the Office of Legal Affairs of the United Nations at:
<http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&id=460&chapter=21&lang=en>.
14. The declarations are also available on the website of the Division at:
http://www.un.org/Depts/los/convention_agreements/fish_stocks_agreement_declarations.htm.

15. A recapitulative table on the choice of procedure and optional exceptions to applicability of Part XV of the Convention under article 30 of the Agreement is available on the website of the Division at:

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

16. From April to October 2008, no States made declarations or statements.

3. Lists of conciliators and arbitrators
nominated under article 2 of Annex V and article 2 of Annex VII to the Convention

(a) List of conciliators

17. From April to October 2008, no State nominated conciliators. It is recalled that, under article 2 Annex V to the Convention, a list of conciliators shall be drawn up and maintained by the Secretary-General of the United Nations. Every State Party shall be entitled to nominate four conciliators, each of whom shall be a person enjoying the highest reputation for fairness, competence and integrity. The names of the persons so nominated shall constitute the list. If at any time the conciliators nominated by a State Party in the list so constituted shall be fewer than four, that State Party shall be entitled to make further nominations as necessary. The name of a conciliator shall remain on the list until withdrawn by the State Party which made the nomination, provided that such conciliator shall continue to serve on any conciliation commission to which that conciliator has been appointed until the completion of the proceedings before that commission.

18. The official information regarding the list of conciliators is available on the website of the Treaty Section of the Office of Legal Affairs of the United Nations at:

<http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&id=458&chapter=21&lang=en>.

19. For ease of reference, a list of conciliators is also posted on the website of the Division:

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

(b) List of arbitrators

20. From April to October 2008, no State nominated arbitrators. It is recalled that, under article 2, Annex VII to the Convention, a list of arbitrators shall be drawn up and maintained by the Secretary-General of the United Nations. Every State Party shall be entitled to nominate four arbitrators, each of whom shall be a person experienced in maritime affairs and enjoying the highest reputation for fairness, competence and integrity. The names of the persons so nominated shall constitute the list. If at any time the arbitrators nominated by a State Party in the list so constituted shall be fewer than four, that State Party shall be entitled to make further nominations as necessary. The name of an arbitrator shall remain on the list until withdrawn by the State Party which made the nomination, provided that such arbitrator shall continue to serve on any arbitral tribunal to which that arbitrator has been appointed until the completion of the proceedings before that arbitral tribunal.

21. The official information regarding the list of arbitrators is available on the website of the Treaty Section of the Office of Legal Affairs of the United Nations at:

<http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&id=458&chapter=21&lang=en>.

22. A list of arbitrators is also posted on the website of the Division at:

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

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

23. Article 2 of Annex VIII reads as follows:

*“Article 2
Lists of experts*

- “1. A list of experts shall be established and maintained in respect of each of the fields of (1) fisheries, (2) protection and preservation of the marine environment, (3) marine scientific research, and (4) navigation, including pollution from vessels and by dumping.
- “2. The lists of experts shall be drawn up and maintained, in the field of fisheries by the Food and Agriculture Organization of the United Nations, in the field of protection and preservation of the marine environment by the United Nations Environment Programme, in the field of marine scientific research by the Intergovernmental Oceanographic Commission, in the field of navigation, including pollution from vessels and by dumping, by the International Maritime Organization, or in each case by the appropriate subsidiary body concerned to which such organization, programme or commission has delegated this function.
- “3. Every State Party shall be entitled to nominate two experts in each field whose competence in the legal, scientific or technical aspects of such field is established and generally recognized and who enjoy the highest reputation for fairness and integrity. The names of the persons so nominated in each field shall constitute the appropriate list.
- “4. If at any time the experts nominated by a State Party in the list so constituted shall be fewer than two, that State Party shall be entitled to make further nominations as necessary.
- “5. The name of an expert shall remain on the list until withdrawn by the State Party which made the nomination, provided that such expert shall continue to serve on any special arbitral tribunal to which that expert has been appointed until the completion of the proceedings before that special arbitral tribunal.”

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

- (a) List of experts in the field of fisheries maintained by the Food and Agriculture Organization of the United Nations (communicated on 27 September 2001)
- (b) List of experts in the field of protection and preservation of the marine environment maintained by the United Nations Environment Programme (communicated on 8 November 2002)
- (c) List of experts in the field of marine scientific research maintained by the Intergovernmental Oceanographic Commission of UNESCO (communicated on 22 January 2008)
- (d) List of experts in the field of navigation, including pollution from vessels and by dumping, maintained by the International Maritime Organization (communicated on 19 May 2005)

25. These lists are available at:

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

D. Communications received with regard to declarations

Communication by the Government of Spain with regard to the declaration made by Morocco upon ratification of the United Nations Convention on the Law of the Sea

26. On 10 September 2008, the Secretary-General received from the Government of Spain the following communication with regard to the declaration made by Morocco upon ratification of the Convention:

“Spain would like to make the following declarations in respect of the declaration made by Morocco on 31 May 2007 upon its ratification of the United Nations Convention on the Law of the Sea:

“(i) The autonomous cities of Ceuta and Melilla, the islets of Peñon de Alhucemas and Peñon Vélez de la Gomera, and the Chafarinas Islands are an integral part of the Kingdom of Spain, which exercises full and total sovereignty over said territories, as well as their marine areas, in accordance with the United Nations Convention on the Law of the Sea.

“(ii) The Moroccan laws and regulations on marine areas are not opposable to Spain except insofar as they are compatible with the United Nations Convention on the Law of the Sea, nor do they have any effect on the sovereign rights or jurisdiction that Spain exercises, or may exercise, over its own marine areas, as defined in accordance with the Convention and other applicable international provisions.”

27. The official information regarding communications received with regard to declarations are available on the website of the Treaty Section of the Office of Legal Affairs of the United Nations at:

<http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&id=458&chapter=21&lang=en>

II. OBLIGATIONS OF DEPOSIT
AND DUE PUBLICITY

28. Coastal States, under article 16, paragraph 2, article 47, paragraph 9, article 75, paragraph 2, and article 84, paragraph 2, of the Convention, are required to deposit with the Secretary-General of the United Nations charts showing straight baselines and archipelagic baselines as well as the outer limits of the territorial sea, the exclusive economic zone and the continental shelf; alternatively, the lists of geographical coordinates of points, specifying the geodetic datum, may be substituted. Coastal States are also required to give due publicity to all these charts and lists of geographical coordinates. Furthermore, under article 76, paragraph 9, coastal States are required to deposit with the Secretary-General charts and relevant information permanently describing the outer limits of the continental shelf extending beyond 200 nautical miles. In this case, due publicity is to be given by the Secretary-General. Together with the submission of their charts and/or lists of geographical coordinates, States parties are required to provide appropriate information regarding original geodetic datum.

29. In this connection, it should be noted that the deposit of charts or of lists of geographical coordinates of points with the Secretary-General of the United Nations is an international act by a State party to the Convention in order to conform with the deposit obligations referred to above, after the entry into force of the Convention. This act is addressed to the Secretary-General in the form of a note verbale or a letter by the Permanent Representative to the United Nations or other person considered as representing the State party, which should be accompanied by the relevant information, clearly state the intention to deposit and specify the relevant article(s) of the Convention. The mere existence or adoption of legislation or the conclusion of a maritime boundary delimitation treaty registered with the Secretariat, even if they contain charts or lists of coordinates, cannot be interpreted as an act of deposit with the Secretary-General under the Convention.

30. In resolution 62/215 of 22 December 2007, the General Assembly once again encouraged States parties to the Convention to deposit with the Secretary-General such charts and lists of geographical coordinates. So far, only 41 States have fully or partially complied with their deposit obligations. Recapitulative information on submissions by States Parties in compliance with their deposit obligations is available on the website of the Division at:

<http://www.un.org/Depts/los/LEGISLATIONANDTREATIES/depositpublicity.htm>.

31. States parties are encouraged to provide all the necessary information for conversion of the submitted geographic coordinates from the original datum into the World Geodetic System 84 (WGS 84), a geodetic datum system that is used by the Division for its internal data storage.

32. The Division has also sought to assist States in fulfilling their other obligations of due publicity established by the Convention. These obligations relate to all laws and regulations adopted by the coastal State relating to innocent passage through the territorial sea (article 21 (3)) and all laws and regulations adopted by States bordering straits relating to transit passage through straits used for international navigation (article 42 (3)).

33. The Division informs States of the deposit of charts and geographical coordinates through a "maritime zone notification". The notifications are also reproduced in the *Law of the Sea Information Circular*, together with other relevant information concerning the discharge by States of the due publicity obligation. The past issues of the *Law of the Sea Information Circular* that have already been issued give ample evidence of the practice of States in this respect. The texts of the relevant legislation together with illustrative maps are then published in the *Law of the Sea Bulletin*.

34. In addition, States continue to discharge their obligations of due publicity regarding sea lanes and traffic separation schemes under articles 22, 41 and 53 of the Convention, inter alia, through IMO, which provides for the adoption of ships' routing systems under SOLAS regulation V/8 and the adoption or amendment of traffic separation schemes (TSS) in rules 1 (d) and 10 of Convention on the International Regulations for Preventing Collisions at Sea, 1972 (COLREG). Guidelines and criteria developed by IMO for the adoption of routing measures are contained in the IMO General Provisions on Ship's Routing (IMO Assembly resolution A.572 (14), as amended). These measures include traffic separation schemes (TSS), two-way routes, recommended tracks, areas to be avoided, inshore traffic zones, roundabouts, precautionary areas and deep-water routes. Information on recent new and amended traffic separation schemes and other routing measures are published by the IMO Secretariat in Safety of Navigation Circulars and COLREG (Collision Regulations) Circulars and are available on the IMO website at <http://www.imo.org/home.asp>, under selection "Circulars", sub-items "COLREG (Collision Regulations)" and "SN (Safety of Navigation)".

35. Furthermore, concerning due publicity, article 25, paragraph 3, of the United Nations Convention on the Law of the Sea of 10 December 1982 stipulates that a coastal State may, without discrimination in form or in fact among foreign ships, suspend temporarily, in specified areas of its territorial sea the innocent passage of foreign ships if such suspension is essential for the protection of its security, including weapons exercises. Such suspension takes effect, according to the same article, only after having been duly published.

A. Communications addressed to States Parties
for the purpose of assisting them to comply
with their deposit and due publicity obligations under the Convention

36. Upon a coastal State becoming a State Party to the Convention, the Division informs the State concerned of its deposit and due publicity obligations pursuant to the Convention.

37. From April to October 2008, there were two ratifications or accessions to the Convention by coastal States, namely by the **Republic of Congo** and **Liberia**. Consequently, communications recalling the deposit and due publicity obligations and offering assistance to States Parties with a view to ensuring compliance were transmitted, as follows:

- a. Note verbale MZ/SP/62 addressed to **the Republic of Congo**, requesting the submission of charts or lists of geographical coordinates of baselines and various maritime limits pursuant to articles 16(2), 75(2) and 84(2);
- b. Note verbale MZ/SP/63 addressed to **Liberia** requesting the submission of charts or lists of geographical coordinates of baselines and various maritime limits pursuant to articles 16(2), 75(2) and 84(2).

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

38. From April to October 2008, **Palau** and **Mauritius** deposited with the Secretary-General nautical charts and lists of geographical coordinates of points specifying the baselines and the outer limits of their maritime zones. In order to give due publicity to these nautical charts and the lists of geographical coordinates deposited with the Secretary-General of the United Nations, "Maritime Zone Notifications" Nos. 62 and 63 were circulated to all Member States of the United Nations, as well as States Parties to the Convention:

- a. Maritime Zone Notification M.Z.N.62.2008.LOS of 24 June 2008 concerning the deposit by **Palau**, pursuant to article 75(2), of the Convention, of a Chart entitled "Republic of Palau – Maritime Boundary Contention" and the corresponding lists of geographical coordinates of points, specifying the geodetic datum;
- b. Maritime Zone Notification M.Z.N.63.2008.LOS of 27 June 2008 concerning the deposit by **Mauritius** pursuant to articles 16(2) and 47(9) of the Convention, of charts and lists of geographical coordinates of points, specifying the geodetic datum, representing the basepoints and defining the baselines from which the maritime zones of Mauritius shall be measured.

39. All deposited charts and lists of geographical coordinates may be consulted at the Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs, United Nations Secretariat.

40. The *Law of the Sea Information Circular* reproduces the texts of Maritime Zone Notifications (Annex I to this publication). Recapitulative information on submissions by States Parties in compliance with their deposit obligations is available on the website of the Division at:

<http://www.un.org/Depts/los/LEGISLATIONANDTREATIES/depositpublicity.htm>.

C. Submissions by States Parties in compliance with their due publicity obligations

41. From April to October 2008, no State transmitted to the Secretariat a copy of laws and regulations to which States Parties should give due publicity, as required by articles 21 and 42 of the Convention.

42. Recapitulative information regarding submissions by States Parties in compliance with their publicity obligations as required by articles 21 and 42 of the Convention is available on the website of the Division at:

<http://www.un.org/Depts/los/LEGISLATIONANDTREATIES/dupublicity.htm>.

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

43. From April to October 2008, the Secretary-General received requests to publish information relating to temporary suspensions of the innocent passage of foreign ships, pursuant to article 25, paragraph 3, of the Convention, from the following States parties:

Mexico - by four communications dated respectively 15 September 2008, 26 August 2008, 3 October 2008 and 8 October 2008.

Guatemala - by a communication dated 23 October 2008.

44. The texts of notifications relating to temporary suspensions of the innocent passage of foreign ships are posted on the website of the Division at:

http://www.un.org/Depts/los/convention_agreements/innocent_passages_suspension.htm

III. INFORMATION ON OTHER ACTIONS TAKEN BY STATES

Communications received by the Secretary-General

45. In connection with the deposit by Japan (see MZN.51.2008), the Secretary-General received, on 15 May 2008, a communication from the Government of China dated 14 May 2008.

46. In reaction to the communication from the Government of China dated 14 May 2008 (see paragraph 45 above), the Secretary-General received, on 20 June 2008, a communication from the Government of Japan.

47. The texts of the above-mentioned communications are reproduced in Annex II to this publication.

IV. INFORMATION ON ACTIONS REGARDING OUTER LIMITS OF THE CONTINENTAL SHELF BEYOND 200 NAUTICAL MILES FROM THE BASELINES

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

1. Submission made by Barbados to the Commission

48. On 8 May 2008, **Barbados** submitted to the Commission on the Limits of the Continental Shelf, in accordance with Article 76, paragraph 8, of the United Nations Convention on the Law of the Sea of 10 December 1982, information on the limits of the continental shelf beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured.

49. It is noted that the Convention entered into force for Barbados on 16 November 1994.

50. In accordance with the Rules of Procedure of the Commission, a communication was circulated to all Member States of the United Nations, as well as States Parties to the Convention, in order to make public the executive summary of the submission, including all charts and coordinates contained in that summary.

51. The consideration of the submission made by Barbados was included in the agenda of the twenty-second session of the Commission held in New York from 11 August to 12 September 2008. Upon completion of the consideration of the submission, the Commission shall make recommendations pursuant to Article 76 of the Convention.

2. Submission made by the United Kingdom of Great Britain and Northern Ireland to the Commission

52. On 9 May 2008, **the United Kingdom of Great Britain and Northern Ireland** submitted to the Commission on the Limits of the Continental Shelf, in accordance with Article 76, paragraph 8, of the United Nations Convention on the Law of the Sea of 10 December 1982, information on the limits of the continental shelf beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured relating to the continental shelf of Ascension Island.

53. It is noted that the Convention entered into force for the United Kingdom of Great Britain and Northern Ireland, including St. Helena and Dependencies, on 24 August 1997.

54. In accordance with the Rules of Procedure of the Commission, a communication was circulated to all Member States of the United Nations, as well as States Parties to the Convention, in order to make public the executive summary of the submission, including all charts and coordinates contained in that summary.

55. The consideration of the submission made by the United Kingdom was included in the agenda of the twenty-second session of the Commission held in New York from 11 August to 12 September 2008. Upon completion of the consideration of the submission, the Commission shall make recommendations pursuant to Article 76 of the Convention.

3. Submission made by Indonesia to the Commission

56. On 16 June 2008, **Indonesia** submitted to the Commission on the Limits of the Continental Shelf, in accordance with Article 76, paragraph 8, of the United Nations Convention on the Law of the Sea of 10 December 1982, information on the limits of the continental shelf beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured relating to the continental shelf of North West of Sumatra Island.

57. It is noted that the Convention entered into force for Indonesia on 16 November 1994.

58. In accordance with the Rules of Procedure of the Commission, a communication was circulated to all Member States of the United Nations, as well as States Parties to the Convention, in order to make public the executive summary of the submission, including all charts and coordinates contained in that summary.

59. The consideration of the submission made by Indonesia will be included in the provisional agenda of the twenty-third session of the Commission to be held in New York in March-April 2009. Upon completion of the consideration of the submission, the Commission shall make recommendations pursuant to Article 76 of the Convention.

60. Executive summaries of submissions made to the Commission on the Limits of the Continental Shelf are available on the website of the Division, at : www.un.org/Depts/los.

4. Continental Shelf Notifications

61. "Continental Shelf Notifications" are circulated to all Member States of the United Nations, as well as States Parties to the Convention, in order to make public the executive summary of the submission made by a coastal State to the Commission on the Limits of the Continental Shelf pursuant to article 76, paragraph 8, of the Convention. From April to October 2008, the Division has circulated three continental shelf notifications, as follows:

Continental Shelf Notification (CLCS.10.2008.LOS of 8 May 2008) regarding the receipt of the submission made by **Barbados** to the Commission on the Limits of the Continental Shelf.

Continental Shelf Notification (CLCS.11.2008.LOS of 12 May 2008) regarding the receipt of the submission made by **the United Kingdom of Great Britain and Northern Ireland to the Commission** to the Commission on the Limits of the Continental Shelf.

Continental Shelf Notification (CLCS.12.2008.LOS of 25 June 2008) regarding the receipt of the submission made by **Indonesia** to the Commission on the Limits of the Continental Shelf.

62. The texts of the above-mentioned continental shelf notifications are reproduced in Annex III to this publication.

B. Communications from States in response to Continental Shelf Notifications from the Secretary-General informing about submissions to the Commission

63. From April to October 2008, three communications were received with reference to the submission by **Barbados** of 8 May 2008 (CLCS. 10. 2008. LOS): a note dated 7 August 2008 from **Suriname**; a note dated 11 August 2008 from **Trinidad and Tobago**; a note dated 17 September 2008 from **Venezuela**. Communications from Trinidad and Tobago and from Venezuela were circulated, upon their request, to Member States of the United Nations as well as States Parties to the Convention (respectively through, CLCS.10.2008.LOS/TTO of 27 August 2008 and CLCS.10.2008.LOS/VEN of 7 October 2008). All three communications were provided to the members of the Commission on the Limits of the Continental Shelf and are posted on the website of the Division at:

http://www.un.org/Depts/los/clcs_new/clcs_home.htm.

ANNEX I
MARITIME ZONE NOTIFICATIONS

PALAU
M.Z.N. 62. 2008. LOS
(Maritime Zone Notification)
24 June 2008

Deposit by the Republic of Palau of a chart and lists of geographical coordinates of points, pursuant to article 75, paragraph 2, of the Convention

The Secretary-General of the United Nations communicates the following:

On 13 May 2008, the Republic of Palau deposited with the Secretary-General, in accordance with article 75, paragraph 2, of the Convention, a chart and lists of geographical coordinates of points, as follows:

(1) Chart entitled “Republic of Palau – Maritime Boundary Contention” showing the 200-nautical-mile outer limit of the Exclusive Economic Zone of the Republic of Palau, as well as the line of delimitation between the Republic of Palau and the Federated States of Micronesia, as contained in the 2006 Palau-Federated States of Micronesia Maritime Boundary Treaty.

(2) The lists of geographical coordinates of points, specifying the geodetic datum, relating to the above-mentioned 200-nautical-mile limit of the exclusive economic zone of Palau and the line of delimitation between the Republic of Palau and the Federated States of Micronesia.

The note accompanying the deposit states that the chart also shows the equidistant lines between Palau and both Indonesia and the Philippines. The note also states that the chart and the corresponding coordinates are without prejudice to forthcoming agreements between Palau and either country regarding the delimitation of maritime boundaries and that these equidistant lines should therefore not be considered as deposited.

PALAUOS
M.Z.N. 62. 2008. LOS
(Notification Zone Maritime)
Le 24 juin 2008

Dépôt par la République des Palaos d’une carte marine et de listes de coordonnées géographiques de points, conformément au paragraphe 2 de l’article 75, de la Convention

Le Secrétaire général des Nations Unies communique ce qui suit:

Le 13 mai 2008, la République des Palaos a déposé auprès du Secrétaire général, conformément au paragraphe 2 de l’article 75, de la Convention, une carte marine et des listes de coordonnées géographiques de points, comme suit:

- 1) une carte marine intitulée « République des Palaos - Assertion des frontières maritimes » indiquant la limite extérieure de 200 milles marins de la zone exclusive économique de la République des Palaos ; ainsi que la ligne de délimitation entre la République des Palaos et les États fédérés de Micronésie, telle que contenue dans le Traité sur la frontière maritime Palaos-États fédérés de Micronésie de 2006;
- 2) des listes de coordonnées géographiques de points, spécifiant le système géodésique, relatives à la limite extérieure de 200 milles marins de la zone économique exclusive et à la ligne de délimitation entre la République des Palaos et les États fédérés de Micronésie.

La note qui accompagne le dépôt déclare que la carte marine indique également les lignes équidistantes entre les Palaos et les Philippines et l’Indonésie. La note déclare également que cette carte marine et les coordonnées y relatives sont sans préjudice des futurs accords sur la délimitation des frontières maritimes entre la République des Palaos et les pays concernés. Par conséquent, ces lignes équidistantes ne devraient pas être considérées comme faisant partie du dépôt.

La carte marine et les listes de coordonnées géographiques de points, telles que déposées par la République des Palaos peuvent être consultées au Secrétariat des Nations Unies (Division des affaires

The chart and lists of geographical coordinates, as deposited by the Republic of Palau may be consulted at the Secretariat of the United Nations (Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs, DC2-0450, telephone: (212) 963-3962 or fax: (212) 963-5847)).

maritimes et du droit de la mer du Bureau des affaires juridiques, DC2-0450, téléphone (212) 963-3962 ou télécopie : (212) 963-5847)).

MAURITIUS
M.Z.N. 63. 2008. LOS
(Maritime Zone Notification) 27 June 2008

Deposit by the Republic of Mauritius of charts and lists of geographical coordinates of points, pursuant to article 16, paragraph 2, and article 47, paragraph 9, of the Convention

The Secretary-General of the United Nations communicates the following:

On 20 June 2008, the Republic of Mauritius deposited with the Secretary-General, in accordance with article 16, paragraph 2, and article 47, paragraph 9, of the Convention, charts and lists of geographical coordinates of points, as follows:

(1) Charts:

Chart entitled "Mauritius: Basepoints and Straight Baselines", Scale 1:180,000; Datum WGS 84; January 2007;

Chart entitled "Rodrigues: Basepoints", Scale 1:100,000; Datum WGS 84; January 2007;

Chart entitled "Agalega: Basepoints", Scale 1:60,000; Datum WGS 84; January 2007;

Chart entitled "Saint Brandon: Basepoints and Archipelagic Baselines", Scale 1:160,000; Datum WGS 84; January 2007;

Chart entitled "Tromelin: Basepoints", Scale 1:12,500; Datum WGS 84; January 2007.

(2) The lists of geographical coordinates of points representing the basepoints and defining the baselines from which the maritime zones of Mauritius shall be measured, as contained in the "Regulations made by the Prime Minister under sections 4, 5 and 27 of the Maritime Zones Act 2005"; together with an illustrative map entitled "Chagos Archipelago: Archipelagic Baselines"; February 2007.

The charts and lists of geographical coordinates, as deposited by Mauritius may be consulted at the Secretariat of the United Nations (Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs, DC2-0450, telephone: (212) 963-3962 or fax: (212) 963-5847). The "Regulations made by the Prime Minister under sections 4, 5 and 27 of the

MAURICE
M.Z.N. 63. 2008. LOS
(Notification Zone Maritime) Le 27 juin 2008

Dépôt par la République de Maurice de cartes marines et de listes de coordonnées géographiques de points, conformément au paragraphe 2 de l'article 16, et au paragraphe 9 de l'article 47, de la Convention

Le Secrétaire général des Nations Unies communique ce qui suit:

Le 20 juin 2008, la République de Maurice a déposé auprès du Secrétaire général, conformément au paragraphe 2 de l'article 16, et au paragraphe 9 de l'article 47, de la Convention, des cartes marines et des listes de coordonnées géographiques de points, comme suit:

(1) Cartes marines:

Carte marine intitulée « Île Maurice: Points de base et les lignes de base droites », Échelle 1 / 180,000; système géodésique WGS 84; janvier 2007;

Carte marine intitulée « Rodrigues: Points de base », Échelle 1 / 100,000; système géodésique WGS 84; janvier 2007;

Carte marine intitulée « Agalega: Points de base », Échelle 1 / 60,000; système géodésique WGS 84; janvier 2007;

Carte marine intitulée « Saint Brandon: Points de base et les lignes de base archipélagiques », Échelle 1 / 160,000; système géodésique WGS 84; janvier 2007;

Carte marine intitulée « Tromelin: Points de base », Échelle 1 / 12,500; système géodésique WGS 84; janvier 2007.

(2) Les listes de coordonnées géographiques des points indiquant les points de base et définissant les lignes de base à partir desquelles la largeur des zones maritimes de la République de Maurice est mesurée, telles que contenues dans le « Règlement établi par le Premier ministre conformément aux sections 4, 5 and 27 de la Loi sur les zones maritimes 2005 »; accompagnées d'une carte illustrative intitulée « Archipel Chagos: Lignes de base archipélagiques »; février 2007.

Les cartes marines et les listes de coordonnées géographiques de points, telles que déposées par la République de Maurice, peuvent être consultées au

Maritime Zones Act 2005” will be published in Law of the Sea Bulletin No. 67.

Secrétariat des Nations Unies (Division des affaires maritimes et du droit de la mer du Bureau des affaires juridiques, DC2-0450, téléphone (212) 963-3962 ou télécopie : (212) 963-5847)). Le « Règlement établi par le Premier ministre conformément aux sections 4, 5 and 27 de la Loi portant sur les zones maritimes 2005 » paraîtra dans le Bulletin du droit de la mer no. 67.

ANNEX II
COMMUNICATIONS RECEIVED BY THE SECRETARY-GENERAL

(Translation)

CML/14/2008

New York, 14 May 2008

The Permanent Mission of the People's Republic of China to the United Nations presents its compliments to the Secretary-General of the United Nations and, with reference to the charts deposited on 14 March 2008 by Japan with the Secretary-General, the depositary of the *United Nations Convention on the Law of the Sea*, has the honor to inform the latter of the position of the Chinese Government as follows:

The chart No. W210 deposited by Japan illegally marks Diaoyu Islands as Senkaku Shoto and delimits their territorial seas. The chart also illegally marks Diaoyu Dao (Diaoyu Island), Huangwei Yu (Huangwei island) and Chiwei Yu (Chiwei Island) respectively as Uotsuri Shima, Kuba Shima and Taisho To.

Diaoyu Islands have been part of the territory of China since ancient time. The illegal marking on those islands and their territorial seas by Japan severely violates the sovereignty of China and the right of China to delimit its territorial sea. These illegal marking run counter to the general principles of international law and the provisions of the *United Nations Convention on the Law of the Sea* and is, therefore, null and void.

The Chinese government has the honor to request the Secretary-General to communicate the above-mentioned position to all States Parties to the *Convention*.

The Permanent Mission of the People's Republic of China to the United Nations avails itself of this opportunity to renew to the Secretary-General of the United Nations the assurances of its highest consideration.

H.E. Mr. BAN KI-MOON
Secretary-General
United Nations
NEW YORK

PERMANENT MISSION OF JAPAN
TO THE UNITED NATIONS
NEW YORK

SC/08/197

The Permanent Mission of Japan to the United Nations presents its compliments to the Secretary-General of the United Nations and, with reference to the note no. CML/14/2008 dated 14 May 2008 from the Permanent Mission of the People's Republic of China to the Secretary-General of the United Nations, informing of the unique position of the Government of the People's Republic of China that the description of the Senkaku Islands as well as their territorial sea on the chart No. W210 deposited on 14 March 2008 by Japan with the Secretary-General is "illegal" and "null and void", has the honour to inform the Secretary-General of the position of the Government of Japan, as follows:

In the light of historical facts and based upon international law, there is no doubt that the Senkaku Islands are inherent territories of Japan. As a matter of fact, Japan validly controls these islands. Therefore, there is no territorial dispute to be resolved with respect to the Senkaku Islands and the description of the Senkaku Islands as well as their territorial sea on the chart concerned is legitimate.

The Government of Japan has further the honour to request the Secretary-General to communicate the above-mentioned position to all Member States of the United Nations as well as to States Parties to the United Nations Convention on the Law of the Sea.

The Permanent Mission of Japan to the United Nations avails itself of this opportunity to renew to the Secretary-General of the United Nations the assurances of its highest consideration.

20 June 2008



ANNEX III
CONTINENTAL SHELF NOTIFICATIONS

BARBADOS

CLCS. 10. 2008. LOS (Continental Shelf Notification) 8 May 2008

Receipt of the submission made by Barbados to the Commission on the Limits of the Continental Shelf

The Secretary-General of the United Nations communicates the following:

On 8 May 2008, Barbados submitted to the Commission on the Limits of the Continental Shelf, in accordance with Article 76, paragraph 8, of the Convention, information on the limits of the continental shelf beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured.

It is noted that the Convention entered into force for Barbados on 16 November 1994.

In accordance with the Rules of Procedure of the Commission, the present communication is circulated to all Member States of the United Nations, as well as States Parties to the Convention, in order to make public the executive summary of the submission, including all charts and coordinates contained in that summary. The executive summary of the submission is available through the website of the Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs, at: www.un.org/Depts/los.

The consideration of the submission made by Barbados will be included in the provisional agenda of the twenty-second session of the Commission to be held in New York from 11 August to 12 September 2008.

Upon completion of the consideration of the submission, the Commission will make recommendations pursuant to Article 76 of the Convention.

BARBADE

CLCS. 10. 2008. LOS (Notification plateau continental) Le 8 mai 2008

Réception de la demande présentée par la Barbade à la Commission des limites du plateau continental

Le Secrétaire général de l'Organisation des Nations Unies communique ce qui suit:

Le 8 mai 2008, la Barbade a soumis une demande à la Commission des limites du plateau continental conformément au paragraphe 8 de l'article 76 de la Convention. La demande comprend des informations sur les limites extérieures proposées du plateau continental au-delà de 200 milles marins des lignes de base à partir desquelles est mesurée la largeur de la mer territoriale.

Il est noté que la Convention est entrée en vigueur pour la Barbade le 16 novembre 1994.

Conformément au Règlement intérieur de la Commission, la présente communication est transmise à tous les États Membres de l'Organisation des Nations Unies, également aux États Parties à la Convention, afin de rendre public le résumé de la demande, ainsi que les cartes et les listes des coordonnées géographiques qui y sont incluses. Le résumé est disponible sur le site Internet de la Division des affaires maritimes et du droit de la mer, Bureau des affaires juridiques, à l'adresse: www.un.org/Depts/los.

L'examen de la demande soumise par la Barbade sera inscrit à l'ordre du jour provisoire de la vingt-deuxième session de la Commission qui aura lieu à New York du 11 août au 12 septembre 2008.

Une fois l'examen de la demande complété, la Commission formulera des recommandations en conformité avec l'article 76 de la Convention.

UNITED KINGDOM

CLCS. 11. 2008. LOS (Continental Shelf Notification) 12 May 2008

Receipt of the partial submission made by the United Kingdom of Great Britain and Northern Ireland to the Commission on the Limits of the Continental Shelf

The Secretary-General of the United Nations communicates the following:

On 9 May 2008, the United Kingdom of Great Britain and Northern Ireland submitted to the Commission on the Limits of the Continental Shelf, in accordance with Article 76, paragraph 8, of the Convention, information on the limits of the continental shelf beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured relating to the continental shelf of Ascension Island.¹

It is noted that the Convention entered into force for the United Kingdom of Great Britain and Northern Ireland, including Saint Helena and Dependencies, on 24 August 1997.

According to the submitting State, this is a partial submission. The note accompanying the submission contains a statement concerning other partial submissions to be made to the Commission by the United Kingdom. The full text of that note is available through the website of the Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs, at: www.un.org/Depts/los.

In accordance with the Rules of Procedure of the Commission, the present communication is circulated to all Member States of the United Nations, as well as States Parties to the Convention, in order to make public the executive summary of the partial submission, including all charts and coordinates contained in that summary. The executive summary of the partial submission is available through the website of the Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs, at: www.un.org/Depts/los.

¹ British Overseas Territory, Dependency of Saint Helena

ROYAUME-UNI

CLCS. 11. 2008. LOS (Notification Plateau Continental) Le 12 mai 2008

Réception de la demande partielle présentée par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord à la Commission des limites du plateau continental

Le Secrétaire général de l'Organisation des Nations Unies communique ce qui suit:

Le 9 mai 2008, le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord a communiqué à la Commission des limites du plateau continental, conformément au paragraphe 8 de l'article 76 de la Convention, des informations sur les limites extérieures proposées du plateau continental au-delà de 200 milles marins des lignes de base à partir desquelles est mesurée la largeur de la mer territoriale, concernant le plateau continental de l'île de l'Ascension.²

Il est noté que la Convention est entrée en vigueur pour le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord, y compris Sainte-Hélène et dépendances, le 24 août 1997.

Selon l'Etat qui soumet la demande, il s'agit d'une demande partielle. La note qui accompagne la demande contient une déclaration concernant d'autres demandes partielles qui seront présentées à la Commission par le Royaume-Uni. Le texte intégral de cette note est disponible sur le site web de la Division des affaires maritimes et du droit de la mer du Bureau des affaires juridiques à l'adresse suivante : www.un.org/Depts/los.

Conformément au Règlement intérieur de la Commission, la présente communication est transmise à tous les États Membres de l'Organisation des Nations Unies, également aux États Parties à la Convention, afin de rendre public le résumé de la demande partielle, ainsi que les cartes et les listes des coordonnées géographiques qui y sont incluses. Le résumé est disponible sur le site Internet de la Division des affaires maritimes et du droit de la mer, Bureau des affaires juridiques, à l'adresse: www.un.org/Depts/los.

² Territoire britannique d'outre-mer, dépendance de Sainte-Hélène

The consideration of the submission made by the United Kingdom of Great Britain and Northern Ireland will be included in the provisional agenda of the twenty-second session of the Commission to be held in New York from 11 August to 12 September 2008.

Upon completion of the consideration of the submission, the Commission will make recommendations pursuant to Article 76 of the Convention.

L'examen de la demande soumise par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord sera inscrit à l'ordre du jour provisoire de la vingt-deuxième session de la Commission qui aura lieu à New York du 11 août au 12 septembre 2008.

Une fois l'examen de la demande complété, la Commission formulera des recommandations en conformité avec l'article 76 de la Convention.

INDONESIA

CLCS. 12. 2008. LOS (Continental Shelf Notification) 25 June 2008

Receipt of the submission made by the Republic of Indonesia to the Commission on the Limits of the Continental Shelf

The Secretary-General of the United Nations communicates the following:

On 16 June 2008, the Republic of Indonesia submitted to the Commission on the Limits of the Continental Shelf, in accordance with Article 76, paragraph 8, of the Convention, information on the limits of the continental shelf beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured relating to the continental shelf of North West of Sumatra Island.

It is noted that the Convention entered into force for Indonesia on 16 November 1994.

The note accompanying the submission states that “the Government of Indonesia will be preparing a number of other partial submissions to the Commission”.

In accordance with the Rules of Procedure of the Commission, the present communication is circulated to all Member States of the United Nations, as well as States Parties to the Convention, in order to make public the executive summary of the submission, including all charts and coordinates contained in that summary. The executive summary of the submission is available through the website of the Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs, at: www.un.org/Depts/los.

The consideration of the submission made by Indonesia will be included in the provisional agenda of the twenty-third session of the Commission to be held in New York in March-April 2009.

Upon completion of the consideration of the submission, the Commission will make recommendations pursuant to Article 76 of the Convention.

INDONESIE

CLCS. 12. 2008. LOS (Notification Plateau Continental) Le 25 juin 2008

Réception de la demande présentée par la République d'Indonésie à la Commission des limites du plateau continental

Le Secrétaire général de l'Organisation des Nations Unies communique ce qui suit:

Le 16 juin 2008, la République d'Indonésie a soumis une demande à la Commission des limites du plateau continental conformément au paragraphe 8 de l'article 76 de la Convention. La demande comprend des informations sur les limites extérieures proposées du plateau continental au-delà de 200 milles marins des lignes de base à partir desquelles est mesurée la largeur de la mer territoriale concernant le plateau continental au Nord Ouest de l'Île de Sumatra.

Il est noté que la Convention est entrée en vigueur pour l'Indonésie le 16 novembre 1994.

La note qui accompagne la demande indique que “Le Gouvernement indonésien préparera un certain nombre d'autres demandes partielles à la Commission”.

Conformément au Règlement intérieur de la Commission, la présente communication est transmise à tous les États Membres de l'Organisation des Nations Unies, et également aux États Parties à la Convention, afin de rendre public le résumé de la demande, ainsi que les cartes et les listes des coordonnées géographiques qui y sont incluses. Le résumé est disponible sur le site Internet de la Division des affaires maritimes et du droit de la mer, Bureau des affaires juridiques, à l'adresse: www.un.org/Depts/los.

L'examen de la demande soumise par l'Indonésie sera inscrit à l'ordre du jour provisoire de la vingt-troisième session de la Commission qui aura lieu à New York durant la période mars-avril 2009.

Une fois l'examen de la demande complété, la Commission formulera des recommandations en conformité avec l'article 76 de la Convention.