

February 2002

**DIVISION FOR OCEAN AFFAIRS AND THE LAW OF THE SEA (DOALOS)
OFFICE OF LEGAL AFFAIRS**

**Questionnaire on the implementation of the 1982 United Nations
Convention on the Law of the Sea**

(Please transmit to all ministries or departments concerned with ocean affairs)

Note

Please provide copies of all relevant laws and regulations that relate to the implementation of the Convention in your country, in original language and, if possible, translations into English, French or Spanish, either in hard copy (by regular mail) or in electronic format (by e-mail to: doalos@un.org). In this connection, you may consult the DOALOS website to ascertain whether your country's laws and regulations have been published (<http://www.un.org/Depts/los>). Whenever appropriate, please answer the questions below by referring to those laws and regulations.

A. Implementation of the Convention

1. How did the Convention gain the force of law in your country, binding the relevant competent authorities and your courts to apply it?

.....
.....
.....
.....
.....

1.1 Please specify whether the legislative action was limited to authorizing ratification or accession to the Convention, or whether that action included legislation implementing the Convention. (In case that the relevant action was not taken by the legislature but by another governmental body, please specify the action)

.....
.....
.....
.....
.....
.....
.....

1.2 Does the implementing legislation incorporate the text of the Convention or merely refer to it?

.....
.....
.....

1.3 If the text is incorporated, does the implementing legislation reproduce the text of the Convention or does it paraphrase it?

.....
.....
.....

1.4 In the event that the text of the Convention is paraphrased in the implementing legislation, what is the legal significance of the text of the Convention? For example, may, or must, the relevant competent authorities or courts in your country rely on the text of the implementing legislation where it differs from the text appearing in the Convention?

.....
.....
.....

1.5 Which are the relevant competent authorities (ministries or departments) in your country responsible for administering as well as overseeing matters dealing with the Convention?

.....
.....
.....

1.6 Does your country have an oceans policy? If so, what is the duration of that policy (short, medium or long-term)? How was that policy adopted (by legislation, governmental decree or executive order)?

.....
.....
.....

1.7 Are there any administrative mechanisms established to carry out the responsibilities set out in the Convention and thereby ensure the effective implementation of the Convention/ocean policy in your country?

.....
.....
.....
.....

1.8 What type of coordination exists between the different competent authorities (ministries and departments) in carrying out the implementation of the Convention, in particular for cross-cutting issues regarding the Convention?

.....
.....
.....

1.9 Are there any consultations on ocean policy conducted between the local, regional and national levels?

.....
.....
.....

1.10 Does the text of the Convention, as implemented in your country, stand alone or is it incorporated into a larger text (e.g., a maritime code, oceans act, etc.)?

.....
.....
.....
.....

1.11 If the implementing legislation is part of a broader legislative text, does this affect the practical implementation or interpretation of the Convention?

.....
.....
.....
.....

1.12 Generally, what rules of interpretation would the relevant competent authorities or courts apply in interpreting the Convention and/or the implementing legislation (travaux préparatoires of the Convention; practice of the relevant competent authorities; court cases, etc.)

.....
.....
.....
.....
.....

1.13 In your view, does the method of implementation result in any substantial differences between the implementing legislation and the provisions of the Convention, and if so, in which respect? If feasible, please indicate the places where the implementing legislation is different from the text of the Convention.

.....
.....
.....
.....
.....

1.14 Have any procedural requirements or conditions for enforcement been established by the relevant competent authorities or by a court decision? If so, please explain.

.....
.....
.....
.....
.....

B. Comment

Do you have any additional comments with regard to the rules governing the implementation of the Convention in your country?

.....
.....
.....
.....
.....