

*Bulletin No. 116*

# **Law of the Sea**



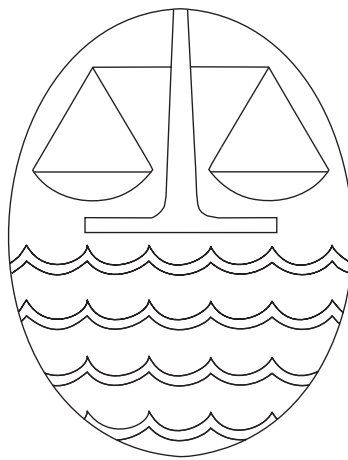
*Division for Ocean Affairs  
and the Law of the Sea  
Office of Legal Affairs*



United Nations

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

# *Law of the Sea*



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United Nations  
New York, 2025

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United Nations publication  
ISBN 978-92-1002985-8  
eISBN 978-92-1358658-7  
ISSN 1015-1885  
eISSN 2218-6018

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Printed at the United Nations, New York

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## I. UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

STATUS OF THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA, THE AGREEMENT RELATING TO THE IMPLEMENTATION OF PART XI OF THE CONVENTION, 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, AND THE AGREEMENT UNDER THE CONVENTION ON THE CONSERVATION AND SUSTAINABLE USE OF MARINE BIOLOGICAL DIVERSITY OF AREAS BEYOND NATIONAL JURISDICTION AS AT 30 NOVEMBER 2024<sup>1</sup>

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

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

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

State or entity	United Nations Convention on the Law of the Sea <i>(in force as from 16/11/1994)</i>		Agreement relating to the Implementation of Part XI of the Convention <i>(in force as from 28/07/1996)</i>		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 <i>(in force as from 11/12/2001)</i>		Agreement under the Convention on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction <i>(opened for signature 20 September 2023; not yet in force)</i>			
	Signature (dd/mm/yyyy)	Ratification/ accession (dd/mm/yyyy)	Declaration	Signature (dd/mm/yyyy)	Ratification/ accession (dd/mm/yyyy)	Signature (dd/mm/yyyy)	Ratification/ accession (dd/mm/yyyy)	Signature (dd/mm/yyyy)	Ratification/ accession (dd/mm/yyyy)	Declaration
TOTALS	157	170		79	153	59	93	105	15	
Afghanistan	18/03/1983									
Albania		23/06/2003(a)			23/06/2003(p)					
Algeria	10/12/1982 <input type="checkbox"/>	11/06/1996	<input type="checkbox"/>	29/07/1994	11/06/1996(p)					
Andorra										

<sup>1</sup> Source: *Multilateral Treaties Deposited with the Secretary-General*, chap. XXI.6 Available from <https://treaties.un.org>. "Status of Treaties Deposited with the Secretary-General". In accordance with article 308, paragraphs 1 and 2, of the Convention:

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

State or entity	United Nations Convention on the Law of the Sea (in force as from 16/11/1994)		Agreement relating to the Implementation of Part XI of the Convention (in force as from 28/07/1996)		Agreement for the Implementation of the Provisions of the Convention relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (in force as from 11/12/2001)		Agreement under the Convention on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction (opened for signature 20 September 2023; not yet in force)			
	Signature (dd/mm/yyyy)	Ratification/ accession (dd/mm/yyyy)	Declaration	Signature (dd/mm/yyyy)	Ratification/ accession (dd/mm/yyyy)	Signature (dd/mm/yyyy)	Ratification/ accession (dd/mm/yyyy)	Signature (dd/mm/yyyy)	Ratification/ accession (dd/mm/yyyy)	Declaration
Angola	10/12/1982	05/12/1990		07/09/2010(a)						
Antigua and Barbuda	07/02/1983	02/02/1989		03/05/2016(a)				20/09/2023		
Argentina	05/10/1984	01/12/1995		29/07/1994	01/12/1995	04/12/1995		18/06/2024		
Armenia		09/12/2002(a)			09/12/2002(a)					
Australia	10/12/1982	05/10/1994		29/07/1994	05/10/1994	04/12/1995	23/12/1999	20/09/2023		
Austria	10/12/1982	14/07/1995		29/07/1994	14/07/1995	27/06/1996	19/12/2003	20/09/2023		
Azerbaijan		16/06/2016(a)			16/06/2016(a)					
Bahamas	10/12/1982	29/07/1983		29/07/1994	28/07/1995(sp)		16/01/1997(a)	12/04/2024		
Bahrain	10/12/1982	30/05/1985								
Bangladesh	10/12/1982	27/07/2001			27/07/2001(a)	04/12/1995	05/11/2012	20/09/2023	26/09/2024	
Barbados	10/12/1982	12/10/1993		15/11/1994	28/07/1995(sp)	22/09/2000(a)		26/09/2024	26/09/2024	
Belarus	10/12/1982	30/08/2006			30/08/2006(a)					
Belgium	05/12/1984	13/11/1998		29/07/1994	13/11/1998(p)	03/10/1996	19/12/2003	20/09/2023		
Belize	10/12/1982	13/08/1983			21/10/1994(ds)	04/12/1995	14/07/2005	22/09/2023	08/04/2024	
Benin	30/08/1983	16/10/1997			16/10/1997(p)		02/11/2017(a)			
Bhutan	10/12/1982									
Bolivia (Plurinational State of)	27/11/1984	28/04/1995			28/04/1995(p)			20/09/2023		
Bosnia and Herzegovina		12/01/1994(s)			26/05/2021(a)					
Botswana	05/12/1984	02/05/1990			31/01/2005(a)			24/09/2024		
Brazil	10/12/1982	22/12/1988		29/07/1994	25/10/2007	04/12/1995	08/03/2000	21/09/2023		
Brunei Darussalam	05/12/1984	05/11/1996			05/11/1996(p)					
Bulgaria	10/12/1982	15/05/1996			15/05/1996(a)		13/12/2006(a)	20/09/2023		
Burkina Faso	10/12/1982	25/01/2005		30/11/1994	25/01/2005(p)	15/10/1996		25/09/2024		

Burundi	10/12/1982								
Cabo Verde	10/12/1982	10/08/1987	29/07/1994	23/04/2008				20/09/2023	
Cambodia	01/07/1983				06/03/2020(a)				
Cameroon	10/12/1982	19/11/1985	24/05/1995	28/08/2002					
Canada	10/12/1982	07/11/2003	29/07/1994	07/11/2003	04/12/1995	03/08/1999		04/03/2024	
Central African Republic	04/12/1984								
Chad	10/12/1982	14/08/2009		14/08/2009(p)					
Chile	10/12/1982	25/08/1997		25/08/1997(a)	11/02/2016(a)			20/09/2023	20/02/2024
China	10/12/1982	07/06/1996		29/07/1994	07/06/1996(p)	06/11/1996		20/09/2023	
Colombia	10/12/1982							20/09/2023	
Comoros	06/12/1984	21/06/1994							
Congo	10/12/1982	09/07/2008		09/07/2008(p)				20/09/2023	
Cook Islands	10/12/1982	15/02/1995		15/02/1995(a)	01/04/1999(a)			22/09/2023	
Costa Rica	10/12/1982	21/09/1992		20/09/2001(a)	18/06/2001(a)			20/09/2023	
Côte d'Ivoire	10/12/1982	26/03/1984	25/11/1994	28/07/1995(sp)	24/01/1996			24/09/2024	
Croatia		05/04/1995(s)		05/04/1995(p)	10/09/2013(a)			20/09/2023	
Cuba	10/12/1982	15/08/1984		17/10/2002(a)				20/09/2023	28/06/2024
Cyprus	10/12/1982	12/12/1988	01/11/1994	27/07/1995	25/09/2002(a)			20/09/2023	
Czechia	22/02/1993	21/06/1996	16/11/1994	21/06/1996	19/03/2007(a)			29/09/2023	
Democratic People's Republic of Korea	10/12/1982								
Democratic Republic of the Congo	22/08/1983	17/02/1989							
Denmark	10/12/1982	16/11/2004	29/07/1994	16/11/2004	27/06/1996	19/12/2003		20/09/2023	
Djibouti	10/12/1982	08/10/1991							
Dominica	28/03/1983	24/10/1991						21/09/2023	
Dominican Republic	10/12/1982	10/07/2009		10/07/2009(p)				20/09/2023	
Ecuador		24/09/2012(a)		24/09/2012(p)	07/12/2016(a)			21/09/2023	
Egypt	10/12/1982	26/08/1983	22/03/1995	05/12/1995				14/10/2024	
El Salvador	05/12/1984								
Equatorial Guinea	30/01/1984	21/07/1997		21/07/1997(p)					
Eritrea									



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	Signature (dd/mm/yyyy)	Ratification/ accession (dd/mm/yyyy)	Declaration	Signature (dd/mm/yyyy)	Ratification/ accession (dd/mm/yyyy)		Signature (dd/mm/yyyy)	Ratification/ accession (dd/mm/yyyy)	Declaration	Signature (dd/mm/yyyy)	Ratification/ accession (dd/mm/yyyy)	Declaration
Estonia		26/08/2005(a)	☐		26/08/2005(a)			07/08/06(a)	☐	20/09/2023		
Eswatini	18/01/1984	24/09/2012		12/10/1994	24/09/2012(p)							
Ethiopia	10/12/1982											
European Union	07/12/1984☐	01/04/1998(fc)	☐	29/07/1994	01/04/1998(fc)		27/06/1996☐	19/12/2003	☐	20/09/2023		
Fiji	10/12/1982	10/12/1982	☐	29/07/1994	28/07/1995		04/12/1995	12/12/1996		20/09/2023		
Finland	10/12/1982☐	21/06/1996	☐	29/07/1994	21/06/1996		27/06/1996	19/12/2003	☐	20/09/2023		
France	10/12/1982☐	11/04/1996	☐	29/07/1994	11/04/1996		04/12/1996☐	19/12/2003	☐	20/09/2023		
Gabon	10/12/1982	11/03/1998	☐	04/04/1995	11/03/1998(p)		07/10/1996			20/09/2023		
Gambia	10/12/1982	22/05/1984								27/09/2024		
Georgia		21/03/1996(a)			21/03/1996(p)							
Germany		14/10/1994(a)	☐	29/07/1994	14/10/1994		28/08/1996	19/12/2003	☐	20/09/2023		
Ghana	10/12/1982	07/06/1983			23/09/2016(a)			27/01/2017(a)		20/09/2023		
Greece	10/12/1982☐	21/07/1995	☐☐	29/07/1994	21/07/1995		27/06/1996	19/12/2003	☐	21/09/2023		
Grenada	10/12/1982	25/04/1991		14/11/1994	28/07/1995(sp)							
Guatemala	08/07/1983	11/02/1997	☐		11/02/1997(p)							
Guinea	04/10/1984☐	06/09/1985		26/08/1994	28/07/1995(sp)			16/09/2005(a)				
Guinea Bissau	10/12/1982	25/08/1986	☐				04/12/1995					
Guyana	10/12/1982	16/11/1993			25/09/2008(a)					20/09/2023		
Haiti	10/12/1982	31/07/1996			31/07/1996(p)							
Holy See												
Honduras	10/12/1982	05/10/1993	☐		28/07/2003(a)					20/09/2023		
Hungary	10/12/1982	05/02/2002	☐		05/02/2002(a)			16/05/2008(a)	☐	21/09/2023		
Iceland	10/12/1982	21/06/1985	☐	29/07/1994	28/07/1995(sp)		04/12/1995	14/02/1997	☐	20/09/2023		
India	10/12/1982	29/06/1995	☐	29/07/1994	29/06/1995			19/08/2003(a)	☐	25/09/2024		
Indonesia	10/12/1982	03/02/1986	☐	29/07/1994	02/06/2000		04/12/1995	28/09/2009		20/09/2023		
Iran (Islamic Republic of)	10/12/1982☐							17/04/1998(a)				
Iraq	10/12/1982☐	30/07/1985										

Ireland	10/12/1982	21/06/1996	29/07/1994	21/06/1996	27/06/1996	19/12/2003	20/09/2023
Israel					04/12/1995		
Italy	07/12/1984	13/01/1995	29/07/1994	13/01/1995	27/06/1996	19/12/2003	22/09/2023
Jamaica	10/12/1982	21/03/1983	29/07/1994	28/07/1995(sp)	04/12/1995		24/09/2024
Japan	07/02/1983	20/06/1996	29/07/1994	20/06/1996	19/11/1996	07/08/2006	
Jordan		27/11/1995(a)		27/11/1995(p)			
Kazakhstan							
Kenya	10/12/1982	02/03/1989	29/07/1994(ds)	29/07/1994(ds)		13/07/2004(a)	24/09/2024
Kiribati		24/02/2003(a)		24/02/2003(p)		15/09/2005(a)	
Kuwait	10/12/1982	02/05/1986		02/08/2002(a)			
Kyrgyzstan							
Lao People's Democratic Republic	10/12/1982	05/06/1998	27/10/1994	05/06/1998(p)			20/09/2023
Latvia		23/12/2004(a)		23/12/2004(a)		05/02/2007(a)	20/09/2023
Lebanon	07/12/1984	05/01/1995		05/01/1995(p)			
Lesotho	10/12/1982	31/05/2007		31/05/2007(p)			
Liberia	10/12/1982	25/09/2008		25/09/2008(p)		16/09/2005(a)	24/09/2024
Libya	03/12/1984						
Liechtenstein	30/11/1984						
Lithuania		12/11/2003(a)		12/11/2003(a)		01/03/2007(a)	20/09/2023
Luxembourg	05/12/1984	05/10/2000	29/07/1994	05/10/2000	27/06/1996	19/12/2003	20/09/2023
Madagascar	25/02/1983	22/08/2001		22/08/2001(p)			25/09/2024
Malawi	07/12/1984	28/09/2010		28/09/2010(p)			20/09/2023
Malaysia	10/12/1982	14/10/1996	02/08/1994	14/10/1996(p)			
Maldives	10/12/1982	07/09/2000	10/10/1994	07/09/2000(p)	08/10/1996	30/12/1998	03/09/2024 24/09/2024
Mali	19/10/1983	16/07/1985					
Malta	10/12/1982	20/05/1993	29/07/1994	26/06/1996		11/11/2001(a)	20/09/2023
Marshall Islands		09/08/1991(a)		04/12/1995		19/03/2003	20/09/2023
Mauritania	10/12/1982	17/07/1996	02/08/1994	17/07/1996(p)	21/12/1995		22/09/2023

State or entity	United Nations Convention on the Law of the Sea (in force as from 16/11/1994)				Agreement relating to the Implementation of Part XI of the Convention (in force as from 28/07/1996)				Agreement for the Implementation of the Provisions of the Convention relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (in force as from 11/12/2001)				Agreement under the Convention on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction (opened for signature 20 September 2023; not yet in force)			
	Signature (dd/mm/yyyy)	Ratification/ accession (dd/mm/yyyy)	Declaration	Signature (dd/mm/yyyy)	Ratification/ accession (dd/mm/yyyy)	Signature (dd/mm/yyyy)	Ratification/ accession (dd/mm/yyyy)	Signature (dd/mm/yyyy)	Ratification/ accession (dd/mm/yyyy)	Signature (dd/mm/yyyy)	Ratification/ accession (dd/mm/yyyy)	Signature (dd/mm/yyyy)	Ratification/ accession (dd/mm/yyyy)	Signature (dd/mm/yyyy)	Ratification/ accession (dd/mm/yyyy)	Declaration
Mauritius	10/12/1982	04/11/1994		04/11/1994(p)	04/11/1994(p)		25/03/1997(a)		20/09/2023	30/05/2024			20/09/2023			
Mexico	10/12/1982	18/03/1983		10/04/2003(a)					20/09/2023				20/09/2023			
Micronesia (Federated States of)		29/04/1991(a)		10/08/1994	06/09/1995	04/12/1995	23/05/1997		20/09/2023	03/06/2024			20/09/2023			
Monaco	10/12/1982	20/03/1996		30/11/1994	20/03/1996(p)		09/06/1999(a)		20/09/2023	09/05/2024			20/09/2023			
Mongolia	10/12/1982	13/08/1996		17/08/1994	13/08/1996(p)											
Montenegro		23/10/2006(ds)			23/10/2006(ds)											
Morocco	10/12/1982	31/05/2007		19/10/1994	31/05/2007	04/12/1995	19/09/2012		21/09/2023				21/09/2023			
Mozambique	10/12/1982	13/03/1997			13/03/1997(a)		10/12/2008(a)									
Myanmar	10/12/1982	21/05/1996			21/05/1996(a)											
Namibia	10/12/1982	18/04/1983		29/07/1994	28/07/1995(sp)	19/04/1996	08/04/1998									
Nauru	10/12/1982	23/01/1996			23/01/1996(p)		10/01/1997(a)		22/09/2023				22/09/2023			
Nepal	10/12/1982	02/11/1998			02/11/1998(p)				20/09/2023				20/09/2023			
Netherlands (Kingdom of the)	10/12/1982	28/06/1996		29/07/1994	28/06/1996	28/06/1996	19/12/2003		20/09/2023				20/09/2023			
New Zealand	10/12/1982	19/07/1996		29/07/1994	19/07/1996	04/12/1995	18/04/2001		20/09/2023				20/09/2023			
Nicaragua	09/12/1984	03/05/2000			03/05/2000(p)											
Niger	10/12/1982	07/08/2013			07/08/2013(p)											
Nigeria	10/12/1982	14/08/1986		25/10/1994	28/07/1995(sp)		02/11/2009(a)		03/05/2024				03/05/2024			
Niue	05/12/1984	11/10/2006			11/10/2006(p)	04/12/1995	11/10/2006									
North Macedonia		19/08/1994(s)			19/08/1994(p)											
Norway	10/12/1982	24/06/1996			24/06/1996(a)	04/12/1995	30/12/1996		20/09/2023				20/09/2023			
Oman	01/07/1983	17/08/1989			26/02/1997(a)		14/05/2008(a)									
Pakistan	10/12/1982	26/02/1997		10/08/1994	26/02/1997(p)	15/02/1996										
Palau		30/09/1996(a)			30/09/1996(p)		26/03/2008(a)		20/09/2023	22/01/2024			20/09/2023			
Panama	10/12/1982	01/07/1996			01/07/1996(p)		16/12/2008(a)		20/09/2023	23/10/2024			20/09/2023			

Papua New Guinea	10/12/1982	14/01/1997	14/01/1997(p)	04/12/1995	04/06/1999
Paraguay	10/12/1982	26/09/1986	29/07/1994	10/07/1995	
Peru					
Philippines	10/12/1982	08/05/1984	15/11/1994	23/07/1997	24/09/1996
Poland	10/12/1982	13/11/1998	29/07/1994	13/11/1998(p)	14/03/2006(a)
Portugal	10/12/1982	03/11/1997	29/07/1994	03/11/1997	19/12/2003
Qatar	27/11/1984	09/12/2002		09/12/2002(p)	
Republic of Korea	14/03/1983	29/01/1996	07/11/1994	29/01/1996	26/11/1996
Republic of Moldova		06/02/2007(a)		06/02/2007(p)	01/02/2008
Romania	10/12/1982	17/12/1996		17/12/1996(a)	16/07/2007(a)
Russian Federation	10/12/1982	12/03/1997		12/03/1997(a)	04/12/1995
Rwanda	10/12/1982	18/05/2023		18/05/2023(p)	04/08/1997
Saint Kitts and Nevis	07/12/1984	07/01/1993			23/02/2018(a)
Saint Lucia	10/12/1982	27/03/1985		12/12/1995	09/08/1996
Saint Vincent and the Grenadines	10/12/1982	01/10/1993			29/10/2010(a)
Samoa	28/09/1984	14/08/1995	07/07/1995	14/08/1995(p)	04/12/1995
San Marino		19/07/2024(a)		19/07/2024(p)	25/10/1996
Sao Tome and Principe	13/07/1983	03/11/1987			20/09/2023
Saudi Arabia	07/12/1984	24/04/1996		24/04/1996(p)	24/09/2024
Senegal	10/12/1982	25/10/1984	09/08/1994	25/07/1995	22/06/2023(a)
Serbia		12/03/2001(s)		12/05/1995	30/01/1997
Seychelles	10/12/1982	16/09/1991	29/07/1994	15/12/1994	28/07/1995(sp) <sup>3</sup>
Sierra Leone	10/12/1982	12/12/1994		12/12/1994(p)	20/03/1998
Singapore	10/12/1982	17/11/1994		17/11/1994(p)	20/09/2023
Slovakia	28/05/1993	08/05/1996	14/11/1994	08/05/1996	06/11/2008(a)
Slovenia		16/06/1995(s)		19/01/1995	15/06/2006(a)

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

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

State or entity	United Nations Convention on the Law of the Sea (in force as from 16/11/1994)			Agreement relating to the Implementation of Part XI of the Convention (in force as from 28/07/1996)			Agreement for the Implementation of the Provisions of the Convention relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (in force as from 11/12/2001)			Agreement under the Convention on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction (opened for signature 20 September 2023; not yet in force)		
	Signature (dd/mm/yyyy)	Ratification/ accession (dd/mm/yyyy)	Declaration	Signature (dd/mm/yyyy)	Ratification/ accession (dd/mm/yyyy)		Signature (dd/mm/yyyy)	Ratification/ accession (dd/mm/yyyy)	Declaration	Signature (dd/mm/yyyy)	Ratification/ accession (dd/mm/yyyy)	Declaration
Solomon Islands	10/12/1982	23/06/1997		23/06/1997(p)	13/02/1997(a)	20/09/2023						
Somalia	10/12/1982	24/07/1989										
South Africa	05/12/1984	23/12/1997		03/10/1994	23/12/1997	14/08/2003(a)						
South Sudan												
Spain	04/12/1984	15/01/1997		29/07/1994	15/01/1997	03/12/1996	19/12/2003		20/09/2023			
Sri Lanka	10/12/1982	19/07/1994		29/07/1994	28/07/1995(sp)	09/10/1996	24/10/1996					
State of Palestine		02/01/2015(a)			02/01/2015(p)				20/09/2023			
Sudan	10/12/1982	23/01/1985		29/07/1994								
Suriname	10/12/1982	09/07/1998			09/07/1998(p)							
Sweden	10/12/1982	25/06/1996		29/07/1994	25/06/1996	27/06/1996	19/12/2003		20/09/2023			
Switzerland	17/10/1984	01/05/2009		26/10/1994	01/05/2009							
Syrian Arab Republic												
Tajikistan												
Thailand	10/12/1982	15/05/2011			15/05/2011(a)	28/04/2017(a)						
Timor-Leste		08/01/2013(a)			08/01/2013(p)				20/09/2023	26/09/2024		
Togo	10/12/1982	16/04/1985		03/08/1994	28/07/1995(sp)	11/05/2022(a)			22/09/2023			
Tonga		02/08/1995(a)			2/08/1995(p)	04/12/1995	31/07/1996		26/01/2024			
Trinidad and Tobago	10/12/1982	25/04/1986		10/10/1994	28/07/1995(sp)	13/09/2006(a)						
Tunisia	10/12/1982	24/04/1985		15/05/1995	24/05/2002							
Türkiye									27/09/2024			
Turkmenistan												
Tuvalu	10/12/1982	09/12/2002			09/12/2002(p)	02/02/2009(a)			20/09/2023			
Uganda	10/12/1982	09/11/1990		09/08/1994	28/07/1995(sp)	10/10/1996						
Ukraine	10/12/1982	26/07/1999		28/02/1995	26/07/1999	04/12/1995	27/02/2003					



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

### (a) *The Convention*

As at 30 November 2024, the information in the chronological list published in *Law of the Sea Bulletin* No. 115 (pp. 10–11) remains valid (see [www.un.org/Depts/los/doalos\\_publications/los\\_bult.htm](http://www.un.org/Depts/los/doalos_publications/los_bult.htm)).

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

As at 30 November 2024, the information in the chronological list published in *Law of the Sea Bulletin* No. 115 (pp. 12–13) remains valid (see [www.un.org/Depts/los/doalos\\_publications/los\\_bult.htm](http://www.un.org/Depts/los/doalos_publications/los_bult.htm)).

### (c) *Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks*

No new ratifications, accessions or successions took place during the period covered by the present issue.

As at 30 November 2024, the information in the chronological list published in *Law of the Sea Bulletin* No. 114 (pp. 14–15) remains valid (see [www.un.org/Depts/los/doalos\\_publications/los\\_bult.htm](http://www.un.org/Depts/los/doalos_publications/los_bult.htm)).

*(d) Agreement under the United Nations Convention on the Law of the Sea on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction*

1. Palau (22 January 2024)
2. Chile (20 February 2024)
3. Belize (8 April 2024)
4. Seychelles (13 April 2024)
5. Monaco (9 May 2024)
6. Mauritius (30 May 2024)
7. Micronesia (Federated States of) (3 June 2024)
8. Cuba (28 June 2024)
9. Maldives (24 September 2024)
10. Singapore (24 September 2024)
11. Bangladesh (26 September 2024)
12. Timor-Leste (26 September 2024)
13. Barbados (26 September 2024)
14. Panama (23 October 2024)
15. Saint Lucia (26 November 2024)



### 3. *Declarations*

#### *Türkiye: Declaration under the Agreement under the Convention on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction<sup>6</sup>*

“... the signature, ratification, accession, acceptance or approval of the agreement under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (BBNJ Agreement) by the Government of the Republic of Türkiye is without prejudice to the rights and interests of Türkiye as a non-party to the United Nations Convention on the Law of the Sea, 1982 (UNCLOS) and cannot be construed as a change in the legal position of Türkiye with regard to UNCLOS.

Recalling Türkiye’s statement made during the adoption of the United Nations Declaration on the Rights of Indigenous Peoples, Türkiye declares that there does not exist any group of people in its territory which could be considered as ‘indigenous peoples’ within the framework of the Agreement.

This declaration is without prejudice to additional declarations and/or reservations that may be made in the future by Türkiye.”

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<sup>6</sup> *Original: English.* See C.N.395.2024.TREATIES-XXI.10 (Depositary Notification) of 27 September 2024.

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

### A. LEGISLATION

#### *Papua New Guinea*

#### *Maritime Zones Act 2015 (No. 47 of 2015)*<sup>7</sup>

#### PART I – PRELIMINARY

1. Compliance with constitutional and other requirements.
2. Interpretation -
  - “aircraft”
  - “archipelagic air route passage”
  - “archipelagic sea lane”
  - “archipelagic sea lanes passage”
  - “archipelagic waters”
  - “baseline”
  - “captain”
  - “coastal waters”
  - “competent international organization”
  - “contiguous zone”
  - “continental margin”
  - “continental self”
  - “enforcement authority”
  - “exclusive economic zone”
  - “extended continental shelf”
  - “foreign aircraft”
  - “foreign person or body”
  - “foreign vessel”
  - “geodetic datum”
  - “hazardous waste”
  - “high seas”
  - “inland waterways”
  - “installation”
  - “internal waters”
  - “international navigation”
  - “low water line”
  - “marine scientific research”
  - “maritime cultural zone”

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<sup>7</sup> *Original*: English. Transmitted to the Secretariat on 4 April 2019 and 26 July 2024. Lists of geographical coordinates of points were deposited with the Secretary-General under articles 16(2), 47(9) and 75(2) of the Convention (see Maritime Zone Notification M.Z.N.164.2024.LOS of 3 September 2024). Available from [www.un.org/Depts/los/LEGISLATIONANDTREATIES/PDFFILES/mzn\\_s/Mzn164Png.pdf](http://www.un.org/Depts/los/LEGISLATIONANDTREATIES/PDFFILES/mzn_s/Mzn164Png.pdf).

“maritime zone”  
“master”  
“median line”  
“mile”  
“Minister”  
“MSR”  
“MSR activity”  
“MSR approval”  
“MSR Committee”  
“MSR Guidelines”  
“MSR organization”  
“passage”  
“Prevention of Collisions Convention”  
“road stead”  
“safety zone”  
“State vessel”  
“territorial sea”  
“transit passage”  
“UNCLOS”  
“UNESCO Convention”  
“vessel”  
“waters of Papua New Guinea”  
“written law”

3. Papua New Guinea an archipelagic State.
4. Baseline.
5. Boundaries with other States.

#### **PART II – INTERNAL WATERS**

6. Internal waters.
7. Closing lines for internal waters.

#### **PART III – ARCHIPELAGIC WATERS**

8. Archipelagic waters.
9. Jurisdiction over the archipelagic waters.

#### **PART IV – TERRITORIAL SEA**

10. Territorial sea.
11. Jurisdiction over the territorial sea.
12. Power to declare road steads.

#### **PART V – COASTAL WATERS.**

13. Declaration of coastal waters.

#### **PART VI – RIGHTS OF PASSAGE**

14. Innocent passage through the territorial sea.
15. Criminal jurisdiction in relation to foreign vessels.
16. Civil jurisdiction in relation to foreign vessels.
17. Sea lanes and traffic separation schemes in the territorial sea.
18. Innocent passage through or over the archipelagic waters.
19. Archipelagic sea lanes, air routes and traffic separation schemes.
20. Archipelagic sea lane and air route passage.
21. Regulation of passage of vessels.
22. Straits use for international navigation.
23. Enforcement of rules of passage.
24. Foreign State vessels and aircrafts.

#### **PART VII – CONTIGUOUS ZONE**

25. Contiguous zone.
26. Jurisdiction in the contiguous zone.

#### **PART VIII – EXCLUSIVE ECONOMIC ZONE**

27. Exclusive economic zone.
28. Rights, jurisdiction and duties of Papua New Guinea in the exclusive economic zone.
29. Exercise of jurisdiction by Papua New Guinea in the exclusive economic zone.

#### **PART IX – CONTINENTAL SHELF**

30. Continental shelf.
31. Rights of Papua New Guinea over the continental shelf.
32. Regulation of continental shelf.
33. Submarine cables and pipelines on the continental shelf.
34. Exercise of jurisdiction by Papua New Guinea in the continental shelf.

#### **PART X – INSTALLATIONS, SAFETY ZONES AND SAFETY OF NAVIGATION**

35. Installations in the waters of Papua New Guinea.
36. Jurisdiction over installations.
37. Safety zones around installations.
38. Safety of navigation in the waters of Papua New Guinea

## PART XI – MARINE ENVIRONMENTAL PROTECTION

39. Protection of the marine environment.
40. Designation of marine protected areas.
41. Trans-shipment of hazardous waste.
42. Operating a ship in a manner that causes pollution or damage to the marine environment.
43. Failure to ensure ship is operated in a manner that does not cause pollution or damage to the marine environment.
44. Aggravated offence of causing pollution to the marine environment.

## PART XII – MARINE SCIENTIFIC RESEARCH

45. Control of marine scientific research.
46. Designated marine scientific research areas.
47. Marine Scientific Research Committee.
48. Approval of marine scientific research proposals.

## PART XIII – UNDERWATER CULTURAL HERITAGE

49. Underwater cultural heritage.
50. Maritime cultural zone.

## PART XIV. – MISCELLANEOUS

51. Geodetic datum.
52. Publication of notices, etc.
53. Publication of charts.
54. Notification of dangers, etc.
55. Application of other laws.
56. Offences.
57. Prosecution of offences.
58. Confiscation.
59. Non-justiciable issues.
60. Regulations.
61. Repeal and savings.
62. Transitional provisions.

## SCHEDULES<sup>8</sup>

- Schedule 1. – Baselines.
- Schedule 2. – Territorial Seas of the Independent State of Papua New Guinea.
- Schedule 3. – Contiguous Zone of the Independent State of Papua New Guinea.
- Schedule 4. – Exclusive Economic Zone of the Independent State of Papua New Guinea.

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<sup>8</sup> The schedules are available at: [www.un.org/Depts/los/LEGISLATIONANDTREATIES/STATEFILES/PNG.htm](http://www.un.org/Depts/los/LEGISLATIONANDTREATIES/STATEFILES/PNG.htm).

Schedule 5. – Charts.

Schedule 6. – Marine Scientific Research Committee of Papua New Guinea.

Schedule 7. – Convention on the Protection of the Underwater Cultural Heritage 2001.

Schedule 8. – Maritime Boundary.

Schedule 9. – Notice of Making powers.

Schedule 10.- Source of information for Geodetic Datum.

*No. 47 of 2015*

*An Act*

*entitled*

**Maritime Zones Act 2015,**

Being an Act to -

- (a) provide for the delimitation of the maritime zones of Papua New Guinea; and
- (b) assert the rights of Papua New Guinea in relation to those zones; and
- (c) incorporate into the law of Papua New Guinea provisions of the United Nations Convention on the Law of the Sea; and
- (d) regulate marine scientific research in the waters of Papua New Guinea; and
- (e) make provision with regard to marine environmental protection and the underwater cultural heritage; and
- (f) repeal the *National Seas Act* (Chapter 361), and for related purposes.

MADE by the National Parliament to come into operation in accordance with a notice in the National Gazette by the Head of State, acting with, and in accordance with, the advice of the Minister.

**PART I –PRELIMINARY**

**1. COMPLIANCE WITH CONSTITUTIONAL REQUIREMENTS**

(1) This Act, to the extent that it regulates or restricts a right or freedom referred to in Division III.3.C (*qualified rights*) of the *Constitution*, namely –

- (a) the right to freedom from arbitrary search and entry conferred by Section 44; and
- (b) the right to freedom of employment conferred by Section 48 and
- (c) the right to privacy conferred by Section 49; and
- (d) the right to freedom of movement conferred by Section 52, of the *Constitution*, is a law that is made for the purpose of giving effect to the public interest in public order and public welfare.

(2) Nothing in this Act alters the provincial boundaries set out in Schedule 1 of the *Organic Law on Provincial Boundaries*.

(3) For the purposes of Section 41(2) of the *Organic Law on Provincial Governments and Local-level Government*, it is declared that this Act relates to a matter of national interest.

(4) For the purposes of Section 41(6) of the *Organic Law*, it is declared that this is an Act on a matter specified in Section 42 or 44, and prevails over any law made under Section 42 or 44 to the extent of any inconsistency.

(5) For the purposes of Section 53(1) of the *Constitution* (protection from unjust deprivation of property), maritime zones purposes are hereby declared to be for public purposes.

## 2. INTERPRETATION

(1) In this Act, unless the contrary intention appears –

“aircraft” means a machine that can derive support in the atmosphere from the reactions of the air otherwise than by the reactions of the air against the surface of the earth;

“archipelagic sea lane” means a sea lane or air route designated through or over archipelagic waters pursuant to Section 19;

“archipelagic air route passage” means over flight by an aircraft over the archipelagic waters in a normal manner solely for the purpose of continuous, expeditious and unobstructed transit between one part of the high seas or the exclusive economic zone and another part of the high seas or the exclusive economic zone;

“archipelagic sea lanes passage” means navigation by a vessel through the archipelagic waters in a normal manner solely for the purpose of continuous, expeditious and unobstructed transit between one part of the high seas or the exclusive economic zone and another part of the high seas or the exclusive economic zone;

“archipelagic waters” means the archipelagic waters of Papua New Guinea, as defined in Section 8;

“baseline” means the line from which the breadth of the territorial sea is measured;

“captain” in relation to an aircraft, means the person in charge of the aircraft;

“coastal waters” means areas within the internal waters, archipelagic waters or territorial sea that may be declared as coastal waters by the Head of State acting on advice;

“competent international organisation” means the organisation competent to deal with the subject under the UNCLOS;

“contiguous zone” means the contiguous zone as defined in Section 25;

“continental margin” –

(a) means the submerged prolongation of the land mass of Papua New Guinea; and

(b) consists of the seabed and subsoil of the shelf, the slope and the rise;

(c) does not include the deep ocean floor with its oceanic ridges or the subsoil of the floor;

“continental shelf” means the continental shelf as defined in Section 30;

“enforcement authority” means the Commissioner of Police or other body or person authorized under legislation to enforce the law;

“exclusive economic zone” means the exclusive economic zone as defined in Section 27;

“extended continental shelf” means an area declared under Section 30(2) as an area where the continental margin extends beyond 200 miles from the baseline;

“foreign aircraft” means an aircraft of a foreign state or an aircraft not registered in Papua New Guinea;

“foreign person or body” means a person not a citizen of Papua New Guinea or a body not incorporated in Papua New Guinea;

“foreign vessel” means a vessel of a foreign State or a vessel not registered in Papua New Guinea;

“geodetic datum” means World Geodetic System 1984 (WGS84), which is a geocentric datum with a major (equatorial) radius of 6378137 metres and a flattening of 100/29825.7223563, and the source of this information is in Schedule 10;

“hazardous waste” means any materials of biological, chemical, or radioactive origin that possess dangerous toxic properties which can cause serious injury or damage to humans, fauna, or the environment;

“high seas” means those parts of the sea that are not included in the internal waters, archipelagic waters, territorial sea or exclusive economic zone of any State;

“inland waterways” means lakes, rivers, inlets or canals which provide shipping and transportation of goods and services regulated under the *Merchant Shipping Act* (Chapter 242);

“installation” means an artificial island, installation, structure or other device constructed, operated or used for a purpose mentioned in Section 28(1) or any other economic purpose;

“internal waters” includes inland waterways and waters in bays, gulfs, inlets of the sea, rivulets, streams, lakes, lagoons, ports and harbours as defined in Section 6;

“international navigation” means navigation between one part of the high seas or an exclusive economic zone and another part of the high seas or an exclusive economic zone;

“low water line” means the low water line at lowest astronomical tide;

“marine scientific research” means conduct of scientific research in the waters of Papua New Guinea;

“maritime cultural zone” has its meaning under Section 50;

“maritime zone” means the internal waters, archipelagic waters, the territorial sea, the contiguous zone, the maritime cultural zone, the exclusive economic zone or the continental shelf;

“master” means the person in charge of the ship, but does not include a pilot;

“median line” means a line every point of which is equidistant from the nearest points of the baselines from which the breadth of the territorial seas of Papua New Guinea and of any opposite or adjacent State or territory are measured;

“mile” refers to an international nautical mile(m), that is, 1,852.00 metres;

“Minister” means the Minister responsible for the conduct of Papua New Guinea’s foreign affairs matters unless otherwise stated;

“MSR” means marine scientific research;

“MSR activity” means conducting MSR, setting up any installation, structure or device or system for the purpose of MSR or taking any other step preparatory to such research, other than producing feasibility studies, costing and proposals for consideration by the MSR Committee;

“MSR approval” means written approval for MSR granted under Part XII;

“MSR Committee” means the committee established by Section 47 and reflected in Schedule 6;

“MSR Guidelines” means the guidelines to the policies and procedures of the MSR Committee issued pursuant to Section 47(7);

“MSR organisation” means a person or body that is qualified to undertake research and is given approval to conduct MSR;

“passage” means navigation in the archipelagic waters or territorial sea for the purpose of –

- (a) traversing the sea or waters without entering the internal waters or calling at a roadstead or port facility outside internal waters; or
- (b) proceeding to or from internal waters or a call at a roadstead or port facility;

“Prevention of Collisions Convention” means the *Convention on the International Regulations for Preventing Collisions at Sea 1972*;

“roadstead” means an area offshore used for the loading, unloading and anchoring of ships;

“safety zone” means an area established under Section 37;

“State vessel” or “State aircraft” means a vessel or aircraft owned or operated by the government of a foreign State;

“territorial sea” means the territorial sea as defined in Section 10;

“transit passage” means innocent passage by a vessel or aircraft through or over straits used for international navigation;

“UNCLOS” means the *United Nations Convention on the Law of the Sea 1982*;

“UNESCO Convention” means the *UNESCO Convention on the Protection of the Underwater Cultural Heritage 2001*;



“vessel” includes a ship, hovercraft, boat, ferry, raft, yacht, canoe or pontoon that is used as a conveyance in or on water, whether or not it is self-propelled;

“waters of Papua New Guinea” means internal waters, the archipelagic waters, the territorial sea, the contiguous zone, the exclusive economic zone and the water superjacent to the continental shelf;

“written law” means this Act including regulations, notices or schedules made under this Act or in any other Act and regulations made under an Act of Parliament.

(2) In this Act, unless the contrary intention appears –

Unless a contrary intention appears, words and expressions defined in the *UNCLOS* or the *UNESCO Convention* and used in this Act shall have the same meaning in this Act as they have when used in the *UNCLOS* or the *UNESCO Convention* respectively.

### 3. PAPUA NEW GUINEA, AN ARCHIPELAGIC STATE

Papua New Guinea is an archipelagic State.

### 4. BASELINES

(1) The baseline from which the breadth of the territorial sea, the contiguous zone, the exclusive economic zone and the continental shelf is measured is the low water line unless specified otherwise in Schedule 1.

(2) The Minister may, by notice in the National Gazette, amend the baseline in Schedule 1.

(3) An amendments shall be in accordance with this Act, the *UNCLOS* and other rules of international law.

(4) In amending Schedule 1, the Minister may adopt -

(a) the low-water line for normal baselines as specified in Article 5 of the *UNCLOS*; or

(b) the seaward low-water line of reefs as specified in Article 6 of the *UNCLOS*; or

(c) straight baselines determined in the manner specified in Articles 7, 9, 10, 11, 12 and 13 of the *UNCLOS*; or

(d) archipelagic baselines determined in the manner specified in Article 47 of the *UNCLOS*; or

(e) a combination of the baselines mentioned in Paragraphs(a),(b),(c) or(d) as provided for in Article 14 of the *UNCLOS*.

(5) For the purposes of this Act, the outermost permanent harbour works which form an integral part of a harbour system are to be regarded as forming part of the coast, but this subsection does not apply to off-shore installations or artificial islands.

(6) An amendment of Schedule 1 must be -

(a) by reference to lists of geographical coordinates expressed in terms of the geodetic datum; or

(b) shown on charts of a scale or scales adequate for ascertaining their position, and the charts be published in accordance with Section 52 or 53.

(7) The Minister shall –

(a) give appropriate publicity to Schedule 1; and

(b) deposit a copy of Schedule 1 and any amendment of it with the Secretary-General of the United Nations.

### 5. BOUNDARIES WITH OTHER STATES

(1) Where the coast of Papua New Guinea is opposite or adjacent to the coast of another State –

(a) the territorial sea of Papua New Guinea must not extend beyond the median line unless –

(i) there is an agreement between Papua New Guinea and that other State to the contrary;  
or

- (ii) it is necessary by reason of historic title or other special circumstances to delimit the territorial seas of the two States in some other way; and
  - (b) the delimitation of the exclusive economic zone or continental shelf between Papua New Guinea and the other State is to be effected by agreement on the basis of international law to achieve an equitable solution; and
  - (c) if there is a delimitation agreement in force between Papua New Guinea and the other State, questions relating to the delimitation of the exclusive economic zone or continental shelf are to be determined in accordance with the provisions of the agreement.
- (2) Any variation of an outer limit pursuant to this section shall be done in the manner provided in this Act and the variation shall be published in accordance with Section 52.
  - (3) An agreement between Papua New Guinea and another State to which this section applies is prescribed in Schedule 8.
  - (4) The Minister may, by notice in the National Gazette, amend Schedule 8.

## PART II – INTERNAL WATERS

### 6. INTERNAL WATERS

All waters landward of the low water line and closing lines declared under Section 7 are internal waters.

### 7. CLOSING LINES FOR INTERNAL WATERS

- (1) The Head of State acting on advice may make regulations determining closing lines to delimit internal waters in the case of the mouths of rivers or entrances to lagoons, bays, permanent harbour works, gulfs, inlets of the sea, rivulets and streams.
- (2) The closing lines must be determined in accordance with the *UNCLOS*.
- (3) A determination under Subsection (1) may be by reference to physical features marked on official charts or to lists of geographical coordinates, specifying the geodetic datum.
- (4) Closing lines determined under Subsection (1) -
  - (a) may be by reference to lists of geographical coordinates expressed in terms of the geodetic datum; or
  - (b) may be shown on charts of a scale or scales adequate for ascertaining their position, and be published in accordance with Section 53.

## PART III – ARCHIPELAGIC WATERS

### 8. ARCHIPELAGIC WATERS

- (1) The archipelagic waters are all waters on the landward side of the archipelagic baselines.
- (2) The archipelagic waters on the landward side of the baseline do not form part of the internal waters.

### 9. JURISDICTION OVER THE ARCHIPELAGIC WATERS

- (1) The sovereign jurisdiction of Papua New Guinea extends to –
  - (a) the archipelagic waters; and
  - (b) the airspace over the archipelagic waters; and
  - (c) the seabed and subsoil under the archipelagic waters and the resources contained in the seabed and subsoil.
- (2) The sovereign jurisdiction declared under Subsection (1) shall be exercised –

- (a) in accordance with this Act, the *UNCLOS* and other rules of international law; and
- (b) with due respect for traditional fishing rights and other activities of adjacent States in the archipelagic waters, as determined by bilateral agreements with such States.

#### PART IV – TERRITORIAL SEA

##### 10. TERRITORIAL SEA

- (1) Subject to Section 5, the territorial sea comprises the waters from the baseline established in Section 4 and a geodesic line joining every point of which is at a distance of 12 nautical miles from the nearest point of the baselines.
- (2) The outer limits of the territorial sea are as set out in Schedule 2.
- (3) The Minister may, by notice in the National Gazette, amend Schedule 2, having regard to the provisions of Section 5 in relation to opposite or adjacent States.
- (4) An amendment of Schedule 2 -
  - (a) may be by reference to lists of geographical coordinates expressed in terms of the geodetic datum; or
  - (b) may be shown on charts of a scale or scales adequate for ascertaining their position, and shall be published in accordance with Section 52 or 53.

##### 11. JURISDICTION OVER THE TERRITORIAL SEA

- (1) The sovereignty of Papua New Guinea extends -
  - (a) beyond its land territory, internal waters and archipelagic waters to the territorial sea; and
  - (b) to the air space over the territorial sea and to its bed and subsoil,
- (2) The sovereignty declared under Subsection (1)(a) and (b) must be exercised in accordance with this Act, the *UNCLOS* and other rules of international law.

##### 12. POWER TO DECLARE ROADSTEADS

- (1) The Minister may, by notice in the National Gazette, declare roadsteads.
- (2) Where a roadstead is situated wholly or partly beyond the outer limits of the territorial sea, it is deemed to be within the limits of the territorial sea.

#### PART V – COASTAL WATERS

##### 13. COASTAL WATERS

- (1) The Head of State, acting on advice, may make regulations declaring any waters to be coastal waters.
- (2) Regulations may only be made following consultation and agreement between the National Government and the relevant Provincial Government.

#### PART VI – RIGHTS OF PASSAGE

##### 14. INNOCENT PASSAGE THROUGH THE TERRITORIAL SEA

- (1) Subject to this Part, foreign vessels of all States have the right of innocent passage through the territorial sea.

- (2) For the purposes of this Act, passage is innocent so long as it is not prejudicial to the peace, good order or security of Papua New Guinea.
- (3) Passage shall take place in accordance with this Act, the *UNCLOS* and other rules of international law.
- (4) Passage shall be continuous and expeditious, but may include stopping and anchoring –
  - (a) for purposes incidental to ordinary navigation; or
  - (b) if necessary because of superior force or distress or to render assistance to a person, vessel or aircraft in danger or distress.
- (5) Passage of a foreign vessel is considered to be prejudicial to the peace, good order or security of Papua New Guinea if, in the territorial sea, the vessel -
  - (a) makes any threat or use of force against the sovereignty, territorial integrity or political independence of Papua New Guinea; or
  - (b) in any other manner violates the principles of international law embodied in the Charter of the United Nations; or
  - (c) exercises or practices with weapons of any kind; or
  - (d) collects information to the prejudice of the defence or security of Papua New Guinea; or
  - (e) issues propaganda aimed at affecting the defence or security of Papua New Guinea; or
  - (f) launches, lands or takes on board any aircraft or military device; or
  - (g) loads or unloads any commodity, currency or person contrary to the customs, revenue, immigration or health laws of Papua New Guinea; or
  - (h) commits any act of willful and serious pollution contrary to the *Marine Pollution (Sea Dumping) Act 2013*, this Act or other marine pollution legislation of Papua New Guinea; or
  - (i) engages in any fishing activity except as permitted by or under the laws of Papua New Guinea; or
  - (j) engages in any research or survey activity except as permitted by this Act or other laws of Papua New Guinea; or
  - (k) does any act aimed at interfering with any systems of communication or any other facility or installation of Papua New Guinea; or
  - (l) engages in any other activity that does not have a direct bearing on passage.
- (6) The Minister may, by notice in the National Gazette, suspend temporarily in specified areas of the territorial sea, the right of passage of all or of specified foreign vessels to protect the security of Papua New Guinea.
- (7) A notice under Subsection (6) shall not discriminate, in form or in fact, among the vessels to which it relates.
- (8) A notice under Subsection (6) may be revoked when passage is no longer prejudicial to the peace, good order or security of Papua New Guinea by notice published in the National Gazette.

#### 15. CRIMINAL JURISDICTION IN RELATION TO FOREIGN VESSELS

- (1) No person may be arrested and no investigation may be conducted in connection with an offence alleged to have been committed on board a foreign vessel during its passage through the territorial sea, unless -
  - (a) the consequences of the offence extend to Papua New Guinea; or
  - (b) the offence is of a kind to disturb the peace of Papua New Guinea or the good order of the territorial sea; or
  - (c) the assistance of the authorities of Papua New Guinea has been requested by the master of the vessel or by a diplomatic agent or consular officer of the flag State; or

- (d) the arrest or investigation is necessary for the suppression of illicit traffic in narcotic drugs or psychotropic substances.
- (2) Subsection (1) does not limit any power conferred by the laws of Papua New Guinea to make an arrest or conduct an investigation on board a foreign vessel passing through the territorial sea after leaving internal waters.
- (3) If an arrest or investigation is to be carried out on a vessel pursuant to Subsections (1) or (2), the enforcement authority shall, if the master of the vessel so requests -
  - (a) notify a diplomatic agent or consular officer of the flag State before authorising the arrest or investigation; and
  - (b) facilitate contact between the agent or officer and the ship's crew.
- (4) In a case of emergency, the notification required by Subsection (3) may be communicated while the measures are being taken.
- (5) In considering whether and how an arrest should be made, the enforcement authority, must have due regard to the interests of navigation.
- (6) Except as provided in Part XI (Marine Environmental Protection) or in respect of a contravention of any written laws relating to the exclusive economic zone, the enforcement authority shall not authorise an arrest or investigation on board a foreign vessel passing through the territorial sea in respect of an offence committed before the ship entered the territorial sea, if the ship -
  - (a) is proceeding from a foreign port; and
  - (b) is only passing through the territorial sea without entering internal waters.

#### **16. CIVIL JURISDICTION IN RELATION TO FOREIGN VESSELS**

- (1) A foreign vessel passing through the territorial sea -
  - (a) shall not be stopped or diverted only for the purpose of exercising civil jurisdiction in relation to a person on board the vessel; and
  - (b) is not subject to execution of civil process or arrest for the purpose of civil proceedings, except in respect of obligations or liabilities assumed or incurred by the vessel in the course, or for the purpose, of its voyage through the waters of Papua New Guinea.
- (2) Subsection (1) does not affect the right of any agency of the State, in accordance with the laws of Papua New Guinea, to levy execution against or to arrest, for the purpose of any civil proceedings, a foreign vessel in the territorial sea, or passing through the territorial sea after leaving internal waters.

#### **17. SEA LANES AND TRAFFIC SEPARATION SCHEMES IN THE TERRITORIAL SEA**

- (1) The Minister responsible for transport matters may, by notice in the National Gazette -
  - (a) designate sea lanes for the passage of foreign vessels through the territorial sea; and
  - (b) prescribe traffic separation schemes in such sea lanes.
- (2) In a notice under Subsection (1), the Minister responsible for transport matters may -
  - (a) specify the classes of vessel to which it applies; or
  - (b) make particular provision for tankers, nuclear-powered vessels and vessels carrying nuclear or other inherently dangerous or noxious substances or materials; or
  - (c) specify the permitted deviations from the sea lane passage.
- (3) In making a notice under Subsection (1), the Minister responsible for transport matter shall -
  - (a) have regard to the safety of navigation; and
  - (b) take into account -
    - (i) any recommendations about sea lanes and separation schemes made by the competent international organisation; and

- (ii) the special characteristics of particular ships and channels; and
- (iii) the density of traffic.

#### **18. INNOCENT PASSAGE THROUGH OR OVER THE ARCHIPELAGIC WATERS**

- (1) Subject to this Part, and without affecting the jurisdiction of Papua New Guinea over its internal waters, vessels and aircraft of all States have the right of innocent passage through or over the archipelagic waters.
- (2) Section 14(2), (3), (4) and (5) apply –
  - (a) to passage by vessels through the archipelagic waters as they apply to passage by vessels through the territorial sea; and
  - (b) to passage by aircraft over the archipelagic waters as they apply to passage by vessels through those waters, with necessary modifications.
- (3) The Minister may, by notice in the National Gazette, suspend temporarily, in specified areas of the archipelagic waters, the right of passage of all or of specified foreign vessels or aircraft in order to protect the security of Papua New Guinea.
- (4) A notice under Subsection (3) shall not discriminate in form or in fact among the vessels and aircraft to which it relates.
- (5) A notice under Subsection (3) may be revoked when passage is no longer prejudicial to the security of PNG.

#### **19. ARCHIPELAGIC SEALANES, AIR ROUTES AND TRAFFIC SEPARATION SCHEMES**

- (1) The Minister responsible for transport matters may, by notice in the National Gazette –
  - (a) designate sea lanes suitable for the continuous and expeditious passage of foreign vessels through the archipelagic waters; and
  - (b) prescribe traffic separation schemes for the purpose of ensuring the safe passage of ships through narrow channels in sea lanes designated under Paragraph(a).
- (2) The Minister responsible for civil aviation matters may, by notice in the National Gazette, designate air routes suitable for the flight of foreign aircraft over the archipelagic waters.
- (3) Sea lanes or air routes designated under Subsection (1) or (2) respectively –
  - (a) shall be defined by a series of continuous axis lines from the entry points of passage routes to the exit points; and
  - (b) shall traverse the archipelagic waters and the adjacent territorial sea; and
  - (c) shall include –
    - (i) all normal passage routes used as routes for international navigation or overflight through or over the archipelagic waters; and
    - (ii) within such routes, in relation to vessels, all normal navigational channel, but need not duplicate routes of similar convenience between the same entry and exit points.
- (4) A notice under Subsection (1) or (2) and any amendment or replacement notice must conform to generally accepted international standards relating to sea lanes and air routes.
- (5) Before publishing a notice under Subsection (1) or (2) designating a sea lane or air route or prescribing a traffic separation scheme, or amending or replacing a previous notice, the Minister responsible for transport matters or Minister for civil aviation matters shall obtain the agreement of the competent international organisation to the proposed notice.
- (6) When a notice is published under Subsection (1) or (2) –
  - (a) the axis lines of the sea lanes and air routes; and
  - (b) the particulars of any traffic separation scheme, shall be clearly indicated on charts of a scale or scales adequate for them to be readily determined and the charts must be published in accordance with Section 53.

- (7) Subject to this Act and other laws of Papua New Guinea that comply with the rules of international law, sea lanes or air routes designated under Subsection (1) or (2) respectively, and the rights of sea lanes passage or over flight may be exercised through and over the routes normally used for international navigation or over flight.

## 20. ARCHIPELAGIC SEA LANE AND AIR ROUTE PASSAGE

- (1) In sea lanes designated under Section 19(1)(a), all vessels have the right of archipelagic sea lane passage.
- (2) On air routes designated under Section 19(2), all aircraft have the right of archipelagic air route passage.
- (3) A vessel or aircraft exercising the right of archipelagic sea lane or air route passage shall not -
  - (a) deviate more than 25 miles to either side of the axis lines during passage; and
  - (b) navigate or fly closer to the coast than 10% of the distance between the nearest points on islands bordering the sea lane or air route.
- (4) A vessel or aircraft exercising the right of archipelagic sea lane or air route passage shall -
  - (a) proceed without delay through or over the archipelagic waters; and
  - (b) refrain from any threat or use of force against the sovereignty, territorial integrity or political independence of Papua New Guinea; and
  - (c) refrain from any activity other than those incident to normal transit unless required by force majeure or by distress; and
  - (d) comply with other relevant provisions of this Act.
- (5) A vessel exercising the right of archipelagic sea lane passage shall -
  - (a) comply with the *Merchant Shipping Act 1975*, the *National Maritime Safety Act 2003* and other legislation of Papua New Guinea relating to safety at sea; and
  - (b) comply with the *Marine Pollution (Sea Dumping) Act 2013*, this Act and other marine pollution legislation of Papua New Guinea.
- (6) An aircraft exercising the right of archipelagic air route passage shall -
  - (a) comply with the *Civil Aviation Act 2000* and other legislation of Papua New Guinea relating to rules of the air; and
  - (b) at all times monitor the radio frequency assigned by the competent internationally designated air traffic control authority or the appropriate international distress radio frequency.
- (7) No vessel, including a marine scientific research or hydrographic vessel, while exercising the right of archipelagic sea lane passage, shall carry out any survey activity without the prior authorisation of the Minister on the advice of the MSR Committee in writing.
- (8) Subject to Subsection (9), the laws of Papua New Guinea apply in respect of vessels and aircraft exercising the right of archipelagic sea lane or air route passage in relation to -
  - (a) the safety of navigation and the regulation of maritime traffic; and
  - (b) the safety of aviation and regulation of air traffic; and
  - (c) preventing, reducing and controlling pollution, including the discharge of oily wastes and other noxious substances in the sea lane; and
  - (d) control of fishing and the stowage of fishing gear; and
  - (e) the loading or unloading of any commodity, currency or person contrary to the customs, revenue, immigration or health laws of Papua New Guinea.
- (9) A law referred to in Subsection (8) is unenforceable in terms of this Act if and to the extent that it -
  - (a) discriminates amongst foreign vessels or aircraft; or
  - (b) denies or hampers the right of sea lane passage or air route passage.

## 21. REGULATION OF PASSAGE OF VESSELS

- (1) Subject to Subsection (3), the laws of Papua New Guinea in relation to -
  - (a) the safety of navigation and the regulation of maritime traffic; and
  - (b) conservation of the living resources of the sea; and
  - (c) the control of fisheries; and
  - (d) preserving the environment and preventing, reducing and controlling pollution of it; and
  - (e) preventing infringement of the customs, revenue, immigration and health matters, apply in respect of vessels exercising the right of innocent passage through archipelagic waters and the territorial sea.
- (2) The Head of State, acting on advice, may make Regulations in respect of passage through the archipelagic waters and the territorial sea -
  - (a) protecting navigational aids and facilities and other facilities or installations; and
  - (b) protecting cables and pipelines; and
  - (c) regulating hydrographic surveys.
- (3) A law referred to in Subsection (1) or a Regulation made under Subsection (2) is unenforceable in terms of this Act to the extent that it -
  - (a) applies to the design, construction, manning or equipment of foreign vessels (unless it gives effect to generally accepted international rules or standards); or
  - (b) imposes requirements on foreign vessels that have the effect of denying or impairing the right of passage; or
  - (c) discriminates against the vessels of any State or against vessels carrying cargoes to, from, or on behalf of, any State.
- (4) In the archipelagic waters and territorial sea, every submarine and every other underwater vehicle shall navigate on the surface and show its flag.
- (5) Charges on a vessel passing through the archipelagic waters or the territorial sea -
  - (a) may not be levied by reason only of the passage of the vessel through those waters; or
  - (b) may be levied on the vessel as payment for specific services rendered to it; or
  - (c) shall not discriminate against foreign vessels.

## 22. STRAITS USED FOR INTERNATIONAL NAVIGATION

- (1) Subject to the Subsections (2), (3), (4) and (5), provisions of this Part apply with necessary modifications to the passage of vessels in, and the overflight of aircraft over, straits within the waters of Papua New Guinea that are used for international navigation.
- (2) Passage by a vessel or aircraft in a strait to which this section applies, is transit passage and shall be exercised in the same manner as the right of innocent passage in the territorial sea and the archipelagic waters.
- (3) Nothing in this section prevents passage through a strait for the purpose of entering, leaving or returning from a State bordering the strait.
- (4) Before designating sea lanes or prescribing separation schemes under Section 17 or 19 in straits to which this section applies, the Minister responsible for transport matters shall consult the government of any State bordering the straits, and the competent international organisation.
- (5) The Minister responsible for transport matters does not have the power to suspend transit passage.

## 23. ENFORCEMENT OF RULES OF PASSAGE

- (1) The Minister responsible for transport matters may issue notices published in the National Gazette -



- (a) to control the exercise by foreign vessels and aircraft of the rights of navigation and overflight in and over internal waters and the territorial sea as provided in Section 11; and
- (b) to enforce any conditions in respect of a vessel or aircraft that are attached to -
  - (i) a right of passage through or over internal waters; or
  - (ii) a right to call at a port facility.
- (2) Notices published under this Part include power to stop, board and search a vessel or aircraft exercising a right of passage that is reasonably suspected of being in breach of the requirements of that right.

#### 24. FOREIGN STATE VESSELS AND AIRCRAFT

- (1) The provisions of this Part apply to foreign States vessels, including warships, as provided by Part II.3.C and Article 42.5 of the *UNCLOS*.
- (2) The provisions of this Part apply to foreign State aircraft in the same manner as they apply to foreign State vessels, to the extent possible.

### PART VII – CONTIGUOUS ZONE

#### 25. CONTIGUOUS ZONE

- (1) The contiguous zone is the area of water contiguous to the territorial sea and extending 24 nautical miles from the baselines established under Section 4.
- (2) The outer limits of the contiguous zone are set out in Schedule 3.

#### 26. JURISDICTION IN THE CONTIGUOUS ZONE

- (1) In order to enforce a law of Papua New Guinea relating to customs, revenue, immigration, health, sanitary, or phytosanitary outside the territorial sea, if and to the extent that the law does not provide for such enforcement, the enforcement authority may take any action in the contiguous zone -
  - (a) that is in other respects lawful; and
  - (b) that the authority considers necessary to prevent or prosecute a contravention within the land territory or the archipelagic waters or territorial sea of Papua New Guinea of that law.
- (2) A contravention of a law of the kind described in Subsection (1) in the contiguous zone may be prosecuted and punished as if it took place within the land territory of Papua New Guinea.

### PART VIII – EXCLUSIVE ECONOMIC ZONE

#### 27. EXCLUSIVE ECONOMIC ZONE

- (1) Subject to section 5, the exclusive economic zone comprises the waters from the baseline established in Section 4 and a geodesic line joining every point of which is at a distance of 200 nautical miles from the nearest point of the baselines.
- (2) The outer limits of the exclusive economic zone are as set out in Schedule 4.
- (3) The Head of State, acting on advice, may make regulations, for the purpose of implementing any international agreement or the award of any international body, or otherwise -
  - (a) determine that the outer limits of the exclusive economic zone extend to a line, one or more points of which are at a distance of less than 200 nautical miles from the nearest point of the appropriate baseline; and
  - (b) determine that the exclusive economic zone does not extend to any specified area of the sea, seabed, or subsoil that would otherwise be included within the exclusive economic zone by virtue of this section.

- (4) Any Regulations made under Subsection (3) which amend the outer limits of the exclusive economic zone as set out in Schedule 4 may be -
  - (a) by reference to lists of geographical coordinates expressed in terms of the geodetic datum; or
  - (b) shown on charts of a scale or scales adequate for ascertaining their position, and shall be published in accordance with Section 53.

## **28. RIGHTS, JURISDICTION AND DUTIES OF PAPUA NEW GUINEA IN THE EXCLUSIVE ECONOMIC ZONE**

- (1) Papua New Guinea has, in the exclusive economic zone -
  - (a) sovereign rights -
    - (i) 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; and
    - (ii) with regard to other activities, for the economic exploitation and exploration of the zone, such as the production of energy from the water, currents and winds; and
  - (b) jurisdiction with regard to -
    - (i) the establishment and use of artificial islands, installations and structures; and
    - (ii) marine scientific research; and
    - (iii) the protection and preservation of the marine environment; and
  - (c) such other rights and duties as are provided for by international law.
- (2) In exercising the rights stated in Subsection (1), Papua New Guinea must have due regard to the rights and duties of other States and act in accordance with the *UNCLOS*.
- (3) Subject to this and any other Act, all States and their nationals have, in the exclusive economic zone -
  - (a) the rights of navigation and overflight referred to in Article 87 of the *UNCLOS*; and
  - (b) the right to lay submarine cables and pipelines; and
  - (c) the right to use the sea in any manner related to those rights that is compatible with the rules of international law.
- (4) Except in accordance with an agreement entered into with Papua New Guinea or under the authority of a licence granted by the responsible authority under the relevant legislation, no person may, in the exclusive economic zone explore or exploit any natural resources, whether living or non-living.
- (5) Articles 88 to 115 of the *UNCLOS* (concerning the uses of the high seas) apply to the exclusive economic zone so far as they are not inconsistent with any other written law.

## **29. EXERCISE OF JURISDICTION BY PAPUA NEW GUINEA IN THE EXCLUSIVE ECONOMIC ZONE**

- (1) To enable Papua New Guinea to exercise the sovereign rights and jurisdiction it has in the exclusive economic zone, there is extended to that zone, to the extent recognized by the *UNCLOS*, the laws in force in Papua New Guinea.
- (2) The laws of Papua New Guinea shall apply to artificial islands, installations and structures in the exclusive economic zone as if they were in the territorial sea.

## PART IX – CONTINENTAL SHELF

### 30. CONTINENTAL SHELF

- (1) The continental shelf of Papua New Guinea comprises the seabed and subsoil of the submarine areas that extend beyond its territorial sea throughout the natural prolongation of its land territory –
  - (a) subject to Paragraph 2 of Article 76 of *UNCLOS*, to the outer edge of the continental margin; or
  - (b) where the outer edge of the continental margin does not extend up to that distance, a distance of 200 nautical miles from the baselines from which the breadth of the territorial sea is measured.
- (2) Where, by virtue of Paragraph 2 of Article 76 of *UNCLOS*, the outer limits of the continental shelf are determined in accordance with Article 76, Paragraphs 4 to 6 of *UNCLOS*, the Head of State, acting on advice, may make regulations to provide for the outer limit to be determined by any method specified in Paragraph 4 of Article 76 of the *UNCLOS*.
- (3) Regulations may be made to amend the outer limits of the continental shelf -
  - (a) by reference to lists of geographical coordinates expressed in terms of the geodetic datum; or
  - (b) by being shown on charts of a scale or scales adequate for ascertaining their position, and shall be published in accordance with Section 53.

### 31. RIGHTS OF PAPUA NEW GUINEA OVER THE CONTINENTAL SHELF

- (1) Papua New Guinea has the exclusive right –
  - (a) to explore the continental shelf and to exploit its natural resources; and
  - (b) to authorize and regulate search, excavation and drilling operations on the continental shelf for all purposes.
- (2) Except in accordance with an agreement entered into with Papua New Guinea, or under the authority of a licence granted by the responsible authority under the relevant legislation, no person may, in relation to the seabed or subsoil of the continental shelf –
  - (a) explore or exploit any natural resources; or
  - (b) carry out any search, excavation, or drilling operation.
- (3) The sovereign rights of Papua New Guinea do not depend on –
  - (a) occupation of any part of the continental shelf by or on behalf of the State; or
  - (b) any proclamation or other express legislative statement, but are subject to Article 82 of the *UNCLOS* concerning payments with respect to the exploitation of the continental shelf beyond 200 miles from the baselines.
- (4) The rights of Papua New Guinea over the continental shelf do not affect the legal status of the superjacent waters or of the air space above those waters.
- (5) The rights of Papua New Guinea in the continental shelf shall not be exercised in a manner that infringes or unreasonably interferes with navigation and other rights and freedoms of other States as provided for in the *UNCLOS*.
- (6) For the purposes of this Part, “natural resources” means –
  - (a) the mineral and other natural non-living resources of the seabed and subsoil; and
  - (b) living organisms belonging to sedentary species, that is, organisms which, at the harvestable stage, either are immobile on or under the seabed or are unable to move except in constant physical contact with the seabed or subsoil; and
  - (c) other organisms and microorganisms on the continental shelf.

### 32. REGULATION OF THE CONTINENTAL SHELF

- (1) Subject to Section 31(6), the laws of Papua New Guinea relating to the exploration, exploitation, conservation, utilization and management of natural resources apply to the continental shelf as they apply to the seabed and subsoil of the territorial sea.
- (2) Without limiting Subsection (1), the provisions of any Act relating to –
  - (a) exploration for and exploitation of natural resources shall apply to natural resources on or under the continental shelf; and
  - (b) mining shall apply to minerals, hydrocarbons, and other chemical compounds on or under the continental shelf; and
  - (c) fisheries shall apply to sedentary species of shell-fish and other benthos, including sponges, on or under the continental shelf; and
  - (d) other organisms shall apply to any forms of micro-organisms.
- (3) A provision of an Act or other law referred to in Subsection (1) or (2) applies to the continental shelf as if –
  - (a) a reference to Papua New Guinea included a reference to the continental shelf and the waters above it; and
  - (b) a reference to land included a reference to the seabed and subsoil of the continental shelf; and
  - (c) a reference to the territorial waters of Papua New Guinea included a reference to the waters above the continental shelf.
- (4) For the purpose of enforcing any laws of Papua New Guinea that apply to the continental shelf the enforcement authority may –
  - (a) cause a vessel above the continental shelf to be boarded, inspected and arrested; and
  - (b) seize any document or thing on board the vessel that may be relevant in the prosecution of an offence under the law; and
  - (c) take judicial proceedings against the vessel or any of its crew.
- (5) If a foreign vessel is arrested or detained under this section –
  - (a) the vessel, and any member of the crew so arrested, shall be released upon the posting of a bond or other security (which must not be fixed at an unreasonable level); and
  - (b) the enforcement authority shall, as soon as reasonably practicable, notify the flag State, through appropriate channels, of the action taken and of any penalties subsequently imposed.
- (6) This section does not affect the right of Papua New Guinea to enter into an agreement with any other State or with a foreign person or body that permits or requires the law of some other State to apply to operations in the continental shelf by a foreign State, person or body.

### 33. SUBMARINE CABLES AND PIPELINES ON THE CONTINENTAL SHELF

- (1) Depending on the purpose for which a pipeline or cable is to be laid under relevant national law, a person intending to lay a submarine cable or pipeline on the continental shelf shall apply to the responsible Minister to obtain consent for the delineation, with full information on the proposed course of the cable or pipeline.
- (2) On an application under Subsection (1), the responsible Minister's consent under the relevant legislation shall not be unreasonably refused.
- (3) The responsible Minister under the relevant legislation may issue notices –
  - (a) establishing conditions for the entry of cables or pipelines into the territory or territorial sea; and

- (b) governing the laying, use and maintenance of cables and pipelines constructed or used in connection with -
  - (i) the exploration of the continental shelf or exploitation of its resources; or
  - (ii) the operations of installations to which Part X apply.

#### **34. EXERCISE OF JURISDICTION BY PAPUA NEW GUINEA IN THE CONTINENTAL SHELF**

- (1) To enable Papua New Guinea to exercise the sovereign rights and jurisdiction it has in the continental shelf, there is extended to that zone, to the extent recognised by international laws, the law in force in Papua New Guinea.
- (2) The laws of Papua New Guinea shall apply to artificial islands, installations and structures in the continental shelf as if they were in the territorial sea.

### **PART X – INSTALLATIONS, SAFETY ZONES AND SAFETY OF NAVIGATION**

#### **35. INSTALLATIONS IN THE WATERS OF PAPUA NEW GUINEA**

- (1) Subject to Subsection (3), Papua New Guinea may construct, operate and use, and authorise the construction, operation and use of artificial islands, installations, structures and other devices in its waters for the purposes stated in Section 28(1) and other economic purposes.
- (2) Except in accordance with an agreement entered into with Papua New Guinea or under the authority of a licence granted by the responsible authority under the relevant legislation, no person may construct, maintain or operate an installation in the waters of Papua New Guinea.
- (3) No installations shall be constructed where they might interfere with the use of recognised sea lanes essential to international navigation.
- (4) If Papua New Guinea proposes to construct an installation in its waters, the Minister responsible for transport matters shall ensure that –
  - (a) appropriate publicity is given to the proposal; and
  - (b) permanent means for giving warning of the presence of the installation are maintained.
- (5) If an installation in the waters of Papua New Guinea is abandoned or disused, the Minister responsible for transport matters shall take all reasonable steps to ensure that –
  - (a) the installation is removed so as to maintain the safety of navigation -
    - (i) taking into account any generally accepted international standards established in this regard by the competent international organisation; and
    - (ii) having due regard to fishing, the protection of the marine environment and the rights and duties of other States; and
  - (b) appropriate publicity is given to the depth, position and dimensions of any installation not entirely removed.

#### **36. JURISDICTION OVER INSTALLATIONS**

- (1) Papua New Guinea has exclusive jurisdiction over an installation in the waters of Papua New Guinea, including, but not limited to, jurisdiction with regard to customs and revenue, health and safety and immigration matters.
- (2) Any act or omission which –
  - (a) takes place on, under or above an installation in the exclusive economic zone or on the continental shelf, or any waters within 500 metres of the installation; and
  - (b) would, if it took place within Papua New Guinea, constitute an offence under the laws of Papua New Guinea, may be prosecuted as if it had taken place within Papua New Guinea.

- (3) For the purposes of the customs laws of Papua New Guinea, an installation that is brought into the exclusive economic zone or placed on the continental shelf is, and any materials or parts used in its construction or maintenance are, deemed to have been imported when the installation is constructed, erected or placed in, on or above the seabed.
- (4) The Head of State, acting on advice, may make regulations -
  - (a) prescribing the notice to be given of the construction, erection or placing of installations in the waters of Papua New Guinea; and
  - (b) prescribing the measures to be taken for giving warning to shipping and aircraft of the presence of installations; and
  - (c) providing for the removal of installations that have been abandoned.
- (5) Section 39(3) applies in respect of the control of marine pollution from installations.
- (6) This section does not affect the right of Papua New Guinea to enter into an agreement with any other State or with a foreign person or body that permits or requires the law of some other State to apply to acts or omissions on an installation by a foreign State or person.

### **37. SAFETY ZONES AROUND INSTALLATIONS**

- (1) The Minister responsible for transport matters may, for the purpose of protecting an installation in the waters of Papua New Guinea, by notice in the National Gazette -
  - (a) establish a safety zone around any installation; or
  - (b) prohibit vessels or aircraft from entering or remaining in a safety zone; or
  - (c) issue other directions and institute measures in relation to the safety zone to ensure the safety of navigation and of the installation.
- (2) When a safety zone is established under Subsection (1) -
  - (a) the zone shall bear a reasonable relationship to the nature and function of the installation; and
  - (b) the breadth of the zone shall not exceed 500 metres from the outer edge of the installation or structure, except as authorised by generally accepted international standards or as recommended by the competent international organisation; and
  - (c) appropriate publicity shall be given of the extent of the safety zone.
- (3) The Minister responsible for transport matter may issue notices published in the National Gazette -
  - (a) prescribing measures in a safety zone for the protection of the installation for which the safety zone is established; and
  - (b) prescribing measures in a safety zone for the protection of the living resources of the sea and the natural resources of the seabed and subsoil from harmful agents; and
  - (c) prescribing penalties for breaches of the notices not exceeding K1, 000,000.00 (for an individual) or not exceeding K2,000, 000.00 (for a corporation) or a fine not exceeding those amounts for each day on which the breach occurs.
- (4) The master or person in control of a ship and the captain of an aircraft shall -
  - (a) comply with any directions or measures issued under Subsection (1), in respect of a safety zone; and
  - (b) comply with Papua New Guinea law, or, if there is no relevant law, with generally accepted international standards regarding navigation in the vicinity of installations and in safety zones.

### **38. SAFETY OF NAVIGATION IN THE WATERS OF PAPUA NEW GUINEA**

- (1) In the waters of Papua New Guinea, no person may, without the written consent of the Minister responsible for transport matters -

- (a) construct, alter or improve any works on, under or over any part of the seabed; or
  - (b) remove any object or any material from any part of the seabed, in such manner that any obstruction or danger to navigation is caused or is likely to arise.
- (2) An application to the Minister responsible for transport matters for consent under Subsection (1) must be supported by such plans and particulars as the Minister considers necessary.
  - (3) If the Minister responsible for transport matters is of the opinion that any operation in respect of which an application is made under this section will cause or is likely to cause any obstruction or danger to navigation, the Minister may either refuse consent or give consent subject to conditions, having regard to the nature and extent of the obstruction or danger which would otherwise be caused or be likely to result.
  - (4) The consent of the Minister responsible for transport matters may be given so as to continue in force, unless renewed, only if the operation begins or is completed within a period specified in the consent and any renewal of the consent may be limited similarly.
  - (5) If a person has constructed, altered or improved any works in contravention of Subsection (1) or failed to comply with a condition on which consent was given under that subsection, the Minister responsible for transport matters may -
    - (a) serve a notice requiring the person, within a period of not less than 30 days as specified in the notice, to remove or alter the works; or
    - (b) if it appears to the Minister responsible for transport matters that the removal is urgently necessary, arrange for the works to be removed or altered, as the case may be.
  - (6) If, within the period specified in a notice served under Subsection (5)(a) or (b) the person upon whom the notice is served fails to comply, the Minister responsible for transport matters may arrange for the works to be removed or altered, as the case may be.
  - (7) If the Minister responsible for transport matters, pursuant to Subsection 5 or 6, arranges for the works to be removed or altered, the expenses incurred may be recovered as a debt to the State from the person by whom the works were constructed, altered or improved.

## PART XI – MARINE ENVIRONMENTAL PROTECTION

### 39. PROTECTION OF THE MARINE ENVIRONMENT

- (1) The *Marine Pollution (Sea Dumping) Act 2013* and all other laws of Papua New Guinea relating to pollution of the marine environment apply in the exclusive economic zone the internal waters, the archipelagic waters and the territorial sea.
- (2) The Minister responsible for transport matters, in consultation with the Minister responsible for environment and conservation matters, may, for the purpose of this section, issue notices published in the National Gazette -
  - (a) controlling the release of toxic, harmful and noxious substances from land-based sources; or
  - (b) preventing intentional and unintentional discharges; or
  - (c) prescribing measures for preventing accidents and dealing with emergencies; or
  - (d) regulating the design, construction, equipment, operation and manning of vessels, in compliance with the *UNCLOS* and internationally accepted rules or standards; or
  - (e) generally, ensuring the safety of operations at sea.
- (3) In order to minimise pollution from installations in the waters of Papua New Guinea, the Head of State, acting on advice, may make regulations in compliance with the *UNCLOS* and internationally accepted rules and standards –
  - (a) governing the design, construction, equipment, operation and manning of installations in the waters of Papua New Guinea; and

- (b) prescribing measures for preventing accidents and dealing with emergencies relating to installations; and
- (c) generally, ensuring the safety of operations at sea.

#### **40. DESIGNATION OF MARINE PROTECTED AREAS**

- (1) The Minister responsible for environment and conservation matters, in consultation with the Minister responsible for fisheries matters, may, by notice published in the National Gazette, declare -
  - (a) an area of the waters of Papua New Guinea, including the seabed underlying such waters; or
  - (b) any land associated with the waters of Papua New Guinea; or
  - (c) any wetland, to be a Marine Protected Area.
- (2) A Marine Protected Area may be designated as -
  - (a) a fishing reserve; or
  - (b) a marine park; or
  - (c) a marine reserve; or
  - (d) consistent with its designation by the competent international organisation, a Particularly Sensitive Sea Area.
- (3) The Minister responsible for environment and conservation matters, in consultation with the Minister responsible for fisheries matters, may, by notice published in the National Gazette, prescribe measures for the conservation and management of a Marine Protected Area, including -
  - (a) the prohibition of certain activities; and
  - (b) the carrying out of certain activities subject to certain conditions.

#### **41. TRANSSHIPMENT OF HAZARDOUS WASTES**

- (1) The Head of State, acting on advice, may make regulations requiring ships -
  - (a) to carry prescribed documents; and
  - (b) to notify the Minister responsible for transport matters of an intention to pass through the internal waters, archipelagic waters or territorial sea of Papua New Guinea; and
  - (c) to comply with prescribed precautionary measures in relation to the passage of nuclear powered vessels or the trans-shipment of hazardous wastes.
- (2) Regulations shall be made -
  - (a) after consultation with the Ministers responsible for transport, communications and environment and conservation matters; and
  - (b) in a manner consistent with any relevant international agreement to which Papua New Guinea is a party.
- (3) This section applies to -
  - (a) foreign nuclear-powered ships; and
  - (b) ships of any nationality carrying nuclear or radioactive materials or other inherently dangerous or noxious substances or hazardous waste that are entering or passing through, or that propose to enter or pass through, the territorial sea, archipelagic waters or internal waters of Papua New Guinea.

#### **42. OPERATING A SHIP IN A MANNER THAT CAUSES POLLUTION OR DAMAGE TO THE MARINE ENVIRONMENT**

- (1) A master or person in control of a ship who operates the ship in a reckless or negligent manner that causes -



- (a) pollution to the marine environment in the waters of Papua of New Guinea; or
  - (b) damage to the marine environment in the waters of Papua New Guinea commits an offence and shall be liable upon conviction to a fine not exceeding K1, 000, 000.00 or a term of imprisonment not exceeding two years.
- (2) In determining the standard of care a reasonable person would exercise in operating the ship and whether there was a risk that a result mentioned in Paragraph (1)(a) or(b) would happen, the matters to which the Court may have regard to include, but are not limited to, the following:
- (a) the characteristics of the ship; and
  - (b) the ship's cargo and the risks of pollution or damage to the marine environment if that cargo is released; and
  - (c) the amount of bunker oil on board the ship and the risk of pollution or damage to the marine environment if that amount of oil is released; and
  - (d) the state of visibility; and
  - (e) the state of the wind, sea and current; and
  - (f) the presence of other ships in the vicinity; and
  - (g) the presence of navigation hazards in the vicinity; and
  - (h) the rules under the Prevention of Collisions Convention; and
  - (i) other operational requirements imposed by law.

#### **43. FAILURE TO ENSURE SHIP IS OPERATED IN A MANNER THAT DOES NOT CAUSE POLLUTION OR DAMAGE TO THE MARINE ENVIRONMENT**

- (1) A master or person in control of a ship who recklessly or negligently fails to ensure that the ship is operated in a manner that does not cause -
- (a) pollution to the marine environment in the waters of Papua New Guinea; or
  - (b) damage to the marine environment in the waters of Papua New Guinea commits an offence and shall be liable upon conviction to a fine not exceeding K 1,000,000.00 or a term of imprisonment not exceeding two years.
- (2) In determining the standard of care a reasonable person would exercise in operating the ship and whether there was a risk that a result mentioned in paragraph (1)(a) or(b) would happen, the matters to which the Court may have regard include, but are not limited to, the following:
- (a) the characteristics of the ship; and
  - (b) the ship's cargo and the risks of pollution or damage to the marine environment if that cargo is released; and
  - (c) the amount of bunker oil on board the ship and the risk of pollution or damage to the marine environment if that amount of oil is released; and
  - (d) the state of visibility; and
  - (e) the state of the wind, sea and current; and
  - (f) the presence of other ships in the vicinity; and
  - (g) the presence of navigation hazards in the vicinity; and
  - (h) the rules under the *Prevention of Collisions Convention*; and
  - (i) operational requirements imposed by law.

#### **44. AGGRAVATED OFFENCE OF CAUSING POLLUTION TO THE MARINE ENVIRONMENT**

- (1) A person commits an aggravated offence if the conduct the person engaged in, that constituted the offence -
- (a) resulted in serious harm to the marine environment in the waters of Papua New Guinea; or

- (b) had the potential to cause serious harm to the marine environment in the waters of Papua New Guinea.
- (2) In determining whether the conduct has resulted in serious harm to the marine environment, the Court may have regard to the following:
  - (a) the harm; and
  - (b) the size of the affected environment; and
  - (c) the sensitivity of the affected environment; and
  - (d) the significance of the affected environment; and
  - (e) whether the harm is irreversible; and
  - (f) the measures required to remedy the harm.
- (3) In determining whether the conduct had the potential to cause serious harm to the marine environment, the Court may have regard to the following:
  - (a) the potential harm; and
  - (b) the size of the potentially affected environment; and
  - (c) the sensitivity of the potentially affected environment; and
  - (d) the significance of the potentially affected environment; and
  - (e) whether the harm would have been irreversible, had it occurred; and
  - (f) the measures that would have been required to remedy the harm, had it occurred.
- (4) If a person is charged with an aggravated offence, the charges in relation to the offence shall specify the relevant aggravated offence.
- (5) If, in the prosecution for aggravated offence under Section 42 or 43, the Court -
  - (a) is not satisfied that the person has committed an aggravated offence against that section; and
  - (b) is satisfied beyond reasonable doubt that the person has contravened that section, the Court may enter a conviction against the person not for the aggravated offence but for the contravention of that section.
- (6) A person convicted of an aggravated offence under Section 42 or 43 shall be liable, upon conviction, to a fine not exceeding K2,000,000.00 or a term of imprisonment not exceeding five years.

## PART XII – MARINE SCIENTIFIC RESEARCH

### 45. CONTROL OF MARINE SCIENTIFIC RESEARCH

- (1) Except in accordance with an agreement entered into with Papua New Guinea or under the authority of a written approval granted by the MSR Committee, no person or body may engage in any MSR activity in the waters of Papua New Guinea or on or under the continental shelf.
- (2) A person, body, foreign State or international organisation that proposes to engage in MSR in the waters of Papua New Guinea or on or under the continental shelf shall, before doing so, obtain approval from the MSR Committee in accordance with this Part.
- (3) Approval for an MSR proposal by a foreign State or international organisation shall be governed by Section 3 of Part XIII of the UNCLOS.
- (4) An application for approval of an MSR proposal shall be -
  - (a) made in writing through the diplomatic channel to the Secretary-General of the MSR Committee; and
  - (b) accompanied by the documents and information required by the MSR Guidelines, and the prescribed fee, if any; and

- (c) copied to the Chairperson of the MSR Committee.
- (5) An application shall -
  - (a) be received no later than 6 months before the MSR expedition plans to leave its home port, or other planned commencement of the MSR program; and
  - (b) in other respects, conform to the MSR Guidelines.
- (6) A foreign person or body proposing to engage in MSR shall affiliate with one of the research institutes listed in the MSR Guidelines for the purposes of technology transfer.
- (7) The Head of State, acting on advice, may make regulations -
  - (a) for the conduct of scientific research within the waters of Papua New Guinea and on the seabed and subsoil of the continental shelf; and
  - (b) which prevail over the conditions of an approval for MSR granted under this Part; and
  - (c) which prescribe contraventions of the conditions of Paragraph(b) and which may be punishable by a penalty not exceeding K500, 000.00 for an individual or K1,000,000.00 for a corporation.
- (8) On conviction of a person or body for an offence under this section or under a Regulation made under it -
  - (a) any MSR approval granted to the person or body is revoked; and
  - (b) the court may order confiscation of equipment used in the commission of the offence (except an installation or vehicle) and of any samples obtained in the course of the research; and
  - (c) the MSR Committee maintains the right to temporarily or permanently exclude, any person or organisation which is deemed to have failed to comply with the approved MSR conditions and guidelines.

#### 46. DESIGNATED MSR AREAS

- (1) The Minister may, by notice published in the National Gazette, designate one or more areas of the extended continental shelf as an area or areas in which exploitation or detailed exploratory operations focused on those areas are occurring or will occur within a reasonable period of time.
- (2) Section 42 applies to an area of the extended continental shelf that has been designated under Subsection (1) as they apply to the continental shelf generally.

#### 47. MSR COMMITTEE

- (1) The Marine Scientific Research Committee known as MSR Committee is established and consists of the representatives of the institutions prescribed in Schedule 6.
- (2) Each member institution is to -
  - (a) appoint a permanent representative to the MSR Committee in accordance with its own rules of procedure; and
  - (b) notify the Secretary-General of the MSR Committee of its permanent representative; and
  - (c) appoint an alternative representative for any meeting of the MSR Committee that the permanent representative is unable to attend.
- (3) The representative of the Department of Justice and Attorney General is the Chairperson of the MSR Committee and convenes meetings of the Committee as required.
- (4) The Secretariat functions for the MSR Committee is to be provided by a person or organisation endorsed by the Committee.
- (5) The purpose of the MSR Committee is -
  - (a) to consider and discuss applications for MSR approval in the waters of Papua New Guinea and, on or under the continental shelf; and

- (b) to make written recommendations to the department responsible for foreign affairs matters regarding approval or rejection or deferral of MSR proposals; and
  - (c) to encourage MSR that will benefit Papua New Guinea and contribute to international knowledge in marine matters; and
  - (d) to advise the Minister on the making of Regulations and procedures with respect to MSR.
- (6) In considering applications for MSR approval, the Committee -
- (a) may adopt rules of procedure, consistent with normal rules of committee procedure, including declarations of interest by members; and
  - (b) must follow the policies set out in the MSR Guidelines in relation to approval of MSR so far as relevant; and
  - (c) in the absence of provision in the MSR Guidelines on a subject, shall be guided by best international practice on the subject; and
  - (d) seek to minimize potential conflicts of interest between MSR organisations, industrial organisations, consultants and the laws and interests of Papua New Guinea; and
  - (e) aim to avoid having more than one research vessel in an area at any time; and
  - (f) generally, have due regard to the provisions of Articles 240 and 246 of the UNCLOS.
- (7) The MSR Committee, with the approval of the National Executive Council, shall publish guidelines as to its policies and requirements for approval of MSR, which must be made available to the public at a nominal fee, if any.
- (8) The Minister may, on advice of the MSR Committee, amend Schedule 6 to include any new member of the Committee by way of notice published in the National Gazette.

#### 48. APPROVAL OF MSR PROPOSALS

- (1) An application for MSR approval may be refused or deferred if -
- (a) the application does not conform to the MSR Guidelines both as to form and substance; or
  - (b) the applicant does not qualify as an MSR organisation in terms of the MSR Guidelines; or
  - (c) the application involves drilling into the continental shelf, the use of explosives or the introduction of harmful substances into the marine environment; or
  - (d) for any other reason, consistent with the UNCLOS and other international laws, the MSR Committee considers that approval should not be granted, or should be deferred.
- (2) A decision on the granting of MSR approval is made by the MSR Committee and -
- (a) may be conveyed direct to the applicant; and
  - (b) must also be given in writing through the diplomatic channel.
- (3) A decision on an application for MSR approval shall be made as soon as reasonably practicable after an application in proper form has been received, but an application may be referred back to the applicant for further information.
- (4) If an application is refused or deferred -
- (a) written reasons must be given; and
  - (b) there is no right of appeal.
- (5) The following conditions may be attached to a MSR approval:
- (a) a requirement for Papua New Guinea inspectors and scientists to accompany an MSR expedition at the MSR organisation's cost; and
  - (b) restrictions on the removal of material from the site of the MSR research; and
  - (c) requirements for reporting findings of the MSR expedition; and
  - (d) requirements for removing equipment and restoring a site at the end of the MSR; and
  - (e) any other conditions depending on the circumstances of the MSR.

- (6) The MSR Guidelines, so far as they impose conditions, apply to every approval, unless replaced by express conditions.
- (7) Failure to observe conditions attached to an approval or contained in the MSR Guidelines amounts to engaging in MSR without approval.
- (8) The MSR Committee may suspend or revoke a MSR approval if -
  - (a) the MSR organisation engages in MSR activity beyond the scope of the approval; or
  - (b) there is a breach of any of the conditions of the approval; or
  - (c) there is a significant change in the geological, environmental or other circumstances relating to the area of the MSR.

### PART XIII – UNDERWATER CULTURAL HERITAGE.

#### 49. UNDERWATER CULTURAL HERITAGE

- (1) The Minister responsible for culture and tourism matters may, in accordance with international law and Article 10 of the *UNESCO Convention*, by notices published in the National Gazette to prohibit or authorise any activity directed at underwater cultural heritage in the waters of Papua New Guinea.
- (2) In this Part, “underwater cultural heritage” means all traces of human existence having a cultural, historical or archaeological character which have been partially or totally under water, periodically or continuously, for at least 100 years, including -
  - (a) sites, structures, buildings, artifacts and human remains together with their archeological and natural context; and
  - (b) vessels, aircraft and other vehicles or any part of them and their cargo or other contents, together with their archaeological and natural context; and
  - (c) objects of prehistoric character, but excluding -
    - (i) pipelines and cables placed on the seabed; and
    - (ii) other installations placed on the seabed and still in use.

#### 50. MARITIME CULTURAL ZONE

- (1) The maritime cultural zone of Papua New Guinea is the area of sea coincident with the contiguous zone.
- (2) The Rules Concerning Activities Directed at Underwater Cultural Heritage in the Annex to the *UNESCO Convention* as set out in Schedule 7 apply in the maritime cultural zone.
- (3) The Head of State, acting on advice, may, in accordance with Article 8 of the *UNESCO Convention*, make regulations to -
  - (a) regulate any activity directed at underwater cultural heritage within the maritime cultural zone; and
  - (b) supplement and enforce Schedule 7 in that zone.
- (4) The Minister may, by notice published in the National Gazette, amend Schedule 7 to bring it into compliance with any amendments to the *UNESCO Convention* to which Papua New Guinea is a party.

## PART XIII – MISCELLANEOUS

### 51. GEODETIC DATUM

Under this Act, the normal baselines, straight baselines, closing lines, archipelagic baselines, maritime zone limits (Territorial Seas, Contiguous Zone and Exclusive Economic Zone), median lines, treaty lines and extended continental shelf limits must be defined by reference to World Geodetic System 1984 (WGS84) and specified on the list of coordinates and charts.

### 52. PUBLICATION OF NOTICES, ETC.

- (1) A notice, or other instrument on any matter made under this Act that has legislative effect and any amendment or replacement of such a notice, or instrument -
  - (a) shall be published in the National Gazette and be given other appropriate publicity; and
  - (b) takes effect upon such publication unless a later date is specified in the notice.
- (2) Copies of the notices or instruments under Subsection (1) must be made available to the public in convenient locations for purchase or study.

### 53. PUBLICATION OF CHARTS

- (1) The Minister shall, by notice published in the National Gazette -
  - (a) all straight baselines, closing lines, archipelagic baselines, normal baselines, maritime limits, median lines, treaty lines and other lines drawn for the purposes of this Act to determine the limits of the maritime zones of Papua New Guinea; and
  - (b) the axis of any sea lane and particulars of any traffic separation scheme, designated or prescribed for the purposes of innocent passage through the territorial sea or the archipelagic waters, to be clearly indicated on charts of a scale or scales adequate for them to be readily determined.
- (2) The charts in Subsection (1) are prescribed in Schedules 1, 2, 3 and 4.
- (3) The Minister shall -
  - (a) ensure that appropriate publicity is given to -
    - (i) any charts produced pursuant to Subsection (1); and
    - (ii) any lists of coordinates to be used for drawing baselines; and
  - (b) make such charts and lists of coordinates available for purchase or inspection by the public; and
  - (c) deposit the charts and lists of coordinates with the Secretary-General of the United Nations.
- (4) The question whether adequate publicity has been given as required by Subsection (3) is non-judicial.
- (5) In any case where there is doubt as to which is the latest relevant chart for the purposes of this Act, the Minister may establish such chart by declaration published in the National Gazette.

### 54. NOTIFICATION OF DANGERS, ETC.

In accordance with the *UNCLOS*, the Minister responsible for transport matters shall give appropriate publicity to any danger to navigation or over flight within or over -

- (a) the territorial sea; or
- (b) the archipelagic waters; or
- (c) straits used for international navigation, of which the Minister has knowledge.

## 55. APPLICATION OF OTHER LAWS

- (1) Proceedings against a person for an offence under this Act in respect of a ship or aircraft do not preclude the bringing of proceedings against the same or any other person for an offence against any other law of Papua New Guinea.
- (2) This Act does not limit the effect of any enactment or rule of law relating to the liability of persons in respect of acts done or omitted to be done outside Papua New Guinea, or the jurisdiction of any court in Papua New Guinea under any such enactment or rule of law.
- (3) This Act does not displace or derogate from any laws relating to marine pollution, environment, minerals, oil and petroleum exploration and exploitation, fisheries, protected areas, customs, revenue, immigration, biosecurity, health or safety of navigation.
- (4) This Act does not displace or derogate from any international obligations assumed by Papua New Guinea which relate to the regulation of maritime zones.

## 56. OFFENCES

- (1) Unless stated otherwise, any person who contravenes this Act or any regulations made under this Act commits an offence and shall be liable –
  - (a) in the case of an individual, a fine not exceeding K500,000.00 or to imprisonment for a term not exceeding 5 years; and
  - (b) in the case of a body corporate, a fine not exceeding K1,000,000.00.
- (2) Where an offence committed by a body corporate under this Act is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of –
  - (a) a director, manager, secretary or other similar officer of the body corporate; or
  - (b) a person who was purporting to act in any such capacity, that person specified in Paragraph(a) or(b) or the body corporate, commits an offence and shall be punished accordingly.
- (3) Where the affairs of a body corporate are managed by its members, Subsection (2) shall apply in relation to the acts and defaults of a member in connection with the member's functions of management as if the member were a director of the body corporate.

## 57. PROSECUTION OF OFFENCES

- (1) Proceedings for –
  - (a) an offence under this Act; or
  - (b) for an offence under any other law that is applied to a maritime zone by virtue of this Act, may be taken, and the offence may be treated as having been committed, in any place in Papua New Guinea.
- (2) No person may be imprisoned or subject to other corporal punishment for an offence against any fishery law committed in the exclusive economic zone or in respect of the continental shelf.
- (3) An offence by a master of a vessel or captain of an aircraft, or by the person for the time being in control of the vessel or aircraft, is deemed also to have been committed by the person who was the owner or charterer of the vessel or aircraft at the time the offence was committed, and that person may be prosecuted for the offence as a principal.

## 58. CONFISCATION

- (1) If a vessel or aircraft is arrested for an offence under this Act, the court may, on conviction for the offence, order the vessel or aircraft to be confiscated to the State.
- (2) On conviction of a person or body for an offence under this Act, the court may order confiscation of equipment used in the commission of the offence (except a building, installation or vehicle) and of any samples obtained in the course of any research into, exploration or exploitation of the resources of the waters of Papua New Guinea or of the continental shelf.

- (3) An article confiscated under this section becomes the property of the State and may be disposed of as directed by the Minister in accordance with the *Public Finances (Management) Act 1995*.
- (4) If there is an appeal against a confiscation order, the Minister may give such directions as are appropriate for holding the article pending the outcome of the appeal.

#### 59. NON-JUSTICIABLE ISSUES

- (1) If this Act provides that anything must be done, or that any law or regulation shall be made, in accordance with the *UNCLOS* or any other rule of international law, the question whether it was so done or made is non-justiciable.
- (2) A requirement imposed by this Act on the Head of State, or the Minister or any other person or body, for -
  - (a) consultation with a person or organisation before making a decision; or
  - (b) appropriate publicity to be given to a notice, Regulation or other instrument,is non-justiciable.
- (3) A requirement imposed by this Act on any person or body expressing opinions or estimates of fish stocks are non-justiciable.
- (4) This section does not displace normal rules of judicial review on the grounds of a decision being made or a power exercised ultra vires.

#### 60. REGULATIONS

- (1) The Head of State, acting on advice, and in accordance with the rules of international law, may make regulations not inconsistent with this Act, prescribing all matters that by this Act are required or permitted to be prescribed, or that are necessary or convenient to be prescribed, for carrying out or giving effect to this Act, and in particular for the following purposes:
  - (a) prescribing closing lines for internal waters under Section 7(1); and
  - (b) prescribing the declaration of coastal waters under Section 13(1); and
  - (c) regulating, in a manner not inconsistent with this Act, the passage of vessels through archipelagic waters under Section 21(2); and
  - (d) prescribing outer limits of Exclusive Economic Zones under Section 27(3); and
  - (e) prescribing outer limits of the Continental Shelf under Section 30(2); and
  - (f) prescribing jurisdiction over installations under Section 36(4) and
  - (g) regulating, in a manner not inconsistent with this Act, the protection of the marine environment under Section 39(3); and
  - (h) regulating, in a manner not inconsistent with this Act, the trans-shipment of hazardous wastes under Section 41(1); and
  - (i) regulating, in a manner not inconsistent with this Act, the control of MSR under Section 45(7); and
  - (j) regulating, in a manner not inconsistent with this Act, the activities of the Maritime Cultural Zone under Section 50(3); and
  - (k) regulating, in a manner not inconsistent with this Act, in respect of transitional provisions under Section 62; and
  - (l) all matters required for giving full effect to the sovereignty and jurisdiction of Papua New Guinea in relation to the waters of Papua New Guinea that are not otherwise provided for by a written law,
  - (m) or the better carrying out of the provisions of this Act and for its due administration.



- (2) Without limiting Subsection (1) and without affecting Section 33(2), regulations made under Subsection (1) may include regulations to protect submarine cables and pipelines beneath the waters of Papua New Guinea.

#### 61. REPEAL AND SAVINGS

- (1) Subject to Subsection (2), the following legislations are repealed:
  - (a) *National Seas Act* (Chapter 361); and
  - (b) *Submarine Cables and Pipelines Protection Act (Adopted)* (Chapter 247).
- (2) The *Submarine Cables and Pipelines Protection Act (Adopted)* (Chapter 247) remains in force until the regulations under Section 60 are made.
- (3) Existing agreements listed in Schedule 8 continue under this Act.
- (4) Existing sea lanes, traffic separation schemes and safety zones continue under this Act.

#### 62. TRANSITIONAL

If a difficulty arises in respect of the transitional provisions in this Act the Head of State, acting on advice, may, by regulation -

- (a) make modifications to those provisions necessary for preventing anomalies during the transition to the provisions of this Act from the provisions of the repealed Acts; and
- (b) make incidental, consequential and supplementary provisions necessary or expedient for giving full effect to those transitional provisions, and any such modifications or provisions have the same force and effect as if they had been enacted by way of an amendment to this Act.

## B. BILATERAL TREATIES

### *Agreement on the delimitation of the maritime boundary between the People's Democratic Republic of Algeria and the Republic of Tunisia, 11 July 2011<sup>9</sup>*

The People's Democratic Republic of Algeria and the Republic of Tunisia, hereinafter referred to as "the parties",

Desiring to consolidate the relations of brotherhood, cooperation and good-neighbourliness that exist between the two fraternal peoples and are based on common historical ties,

Prompted by a determination to strengthen the excellent relations between the two countries in all areas on the basis of brotherhood, solidarity and the promotion of common interests,

Wishing to reinforce the Arab Maghreb Union by strengthening the relations of brotherhood and cooperation between them,

Aware of the need to protect the Mediterranean Sea and conserve its natural resources, both biological and non-biological, for the benefit of present and future generations,

Inspired by the spirit of brotherhood and concord that permitted the conclusion of the Agreement between the two countries on the emplacement of boundary markers, signed at Tunis on 19 March 1983 and ratified by the two Parties,

Determined to delimit the maritime boundary between the two countries in a spirit of mutual understanding, cooperation and fairness,

Pursuant to the provisions of the United Nations Convention on the Law of the Sea, adopted on 10 December 1982 and ratified by the two Parties, and to international law,

Based on the agreement on provisional arrangements for the delimitation of the maritime boundary between the two parties concluded in Algiers on 11 February 2002 and ratified by the two parties, and the procès-verbal of the work of the joint Algerian-Tunisian technical group signed at Algiers on 7 August 2002,

Have agreed on the final delimitation of the maritime boundary between the People's Democratic Republic of Algeria and the Republic of Tunisia as follows:

#### *Article 1*

1. The line of delimitation marking the maritime boundary between the two countries shall consist of straight-line segments connecting points P1, P2, P3 and P4, which have the following Universal Transverse Mercatur (UTM) coordinates:

[...]<sup>10</sup>

2. The above points are also defined using the World Geodetic System 1984 (WGS 84).

3. For the purpose of locating the above four points on nautical charts based on different geodesic systems and projection systems, these points shall be defined in terms of the azimuth and distance from point P1, representing boundary marker No. 001 of the Algerian-Tunisian land boundary.

Point P2: Azimuth = 348° 28' 23", distance = 51860.9625 m.

Point P3: Azimuth = 348° 28' 23", distance = 97459.2693 m.

Point P4: Azimuth = 328° 55' 07", distance = 137601.2365 m.

4. For reference purposes, the line of delimitation as defined in paragraph 1 of this article shall be drawn on international nautical chart 3208.

<sup>9</sup> *Original*: Arabic. Registered with the Secretariat of the United Nations by Algeria and Tunisia on 1 June 2024, registration No. I 58293, pursuant to Article 102(1) of the Charter of the United Nations. Entry into force: 9 March 2017, in accordance with article 8. See [https://treaties.un.org/Pages/showDetails.aspx?objid=0800000280526a14&clang=\\_en](https://treaties.un.org/Pages/showDetails.aspx?objid=0800000280526a14&clang=_en).

<sup>10</sup> See table of coordinates at: <https://treaties.un.org/doc/Publication/UNTS/No%20Volume/58293/Part/I-58293-0800000280526a14.pdf>.

## *Article 2*

The line of delimitation shall extend to the limit of the territorial waters, the contiguous zone, the continental shelf, the exclusive economic zone, or any other maritime zone that is established or might be established under the 1982 United Nations Convention on the Law of the Sea or international law.

## *Article 3*

The People's Democratic Republic of Algeria shall exercise its sovereignty, sovereign rights and jurisdiction west of the maritime boundary. The Republic of Tunisia shall exercise its sovereignty, sovereign rights and jurisdiction east of the maritime boundary.

## *Article 4*

If either party decides to conduct or permit exploration for the purpose of discovering or exploiting mineral resources in direct proximity to the maritime boundary, it shall inform the other party.

## *Article 5*

In the event of the discovery of any geological formation, hydrocarbon or natural gas field, or any non-living natural resources that straddle the maritime boundary referred to in article 1 of this agreement, or if such a field located on one side of the boundary can be exploited wholly or in part from the other side of the aforementioned boundary, the two sides shall exchange any information in that regard, and the two sides shall specify, in a joint agreement, the arrangements for exploitation of such resources.

## *Article 6*

Any dispute between the parties concerning the interpretation or application of this Agreement shall be settled by negotiation. If that proves impossible, then recourse may be had to any other peaceful means accepted by both parties under international law.

## *Article 7*

1. The two parties shall form a joint maritime boundary commission to monitor implementation of this Agreement and overcome any such obstacles as may emerge to its implementation.
2. The joint maritime boundary commission shall consist of a representative from each party, to be assisted by advisers and experts.
3. The joint maritime boundary commission shall meet in regular session every two years, alternating between the two countries. It shall also meet at the explicit request of either of the two parties within two months of such request.
4. The joint maritime boundary commission shall issue recommendations to be submitted to both parties. If such recommendations are adopted by both parties, they shall be binding. In the event that they are not adopted by one of the parties, the provisions of article 6 above shall apply.

## *Article 8*

This Agreement shall be ratified by each party in accordance with its constitutional procedures. The Agreement shall enter into force on the date of the exchange of instruments of ratification.

*Article 9*

The two parties shall jointly register this Agreement with the Secretariat of the United Nations in accordance with Article 102 of the Charter of the United Nations.

DONE at Algiers, on 11 July 2011, in two original copies in the Arabic language, both texts being equally authentic.

For the People's Democratic  
Republic of Algeria:  
MOURAD MEDELCI  
Minister for Foreign Affairs

For the Republic of Tunisia:  
MOHAMED MOULDI KEFI  
Minister for Foreign Affairs

## I. OTHER INFORMATION RELEVANT TO THE LAW OF THE SEA

### A. LIST OF CONCILIATORS NOMINATED UNDER ARTICLE 2 OF ANNEX V AND ARBITRATORS NOMINATED UNDER ARTICLE 2 OF ANNEX VII TO THE CONVENTION AS AT 30 NOVEMBER 2024<sup>11</sup>

<i>State Party</i>	<i>Nominations</i>	<i>Date of deposit of notification with the Secretary-General</i>
Algeria	Mr. Boualem Bouguetaia, Judge and Vice-President of the International Tribunal for the Law of the Sea: Arbitrator	23 November 2016
Argentina	Dr. Frida María Armas Pfirter: Conciliator and Arbitrator	28 September 2009
	Prof. Marcelo Gustavo Kohen: Conciliator and Arbitrator	4 September 2013
	Minister Holger Federico Martinsen: Conciliator and Arbitrator	4 September 2013
	Minister Mario J.A. Oyarzábal, Legal Adviser of the Ministry of Foreign Relations and Worship of the Argentine Republic and Law Professor at the University of La Plata: Conciliator and Arbitrator	19 March 2018
Australia	Mr. Henry Burmester QC, former Chief General Counsel in the Australian Government; Solicitor and former Head of the Office of International Law, Attorney-General's Department: Conciliator and Arbitrator	19 August 1999, 10 April 2017
	Dr. Rosalie Balkin AO, former Director of Legal Affairs and External Relations; former Secretary of the Legal Committee; and former Assistant Secretary-General, International Maritime Organization: Conciliator	10 April 2017
	Mr. Bill Campbell PSM QC, Honorary Professor, Australian National University College of Law; former General Counsel (International Law), Office of International Law, Australian Attorney-General's Department: Conciliator and Arbitrator	10 April 2017
	Prof. Natalie Klein: Conciliator and Arbitrator	29 April 2024
Austria	Prof. Dr. Gerhard Hafner, Department of International Law and International Relations, University of Vienna; Member of the Permanent Court of Arbitration, The Hague; Conciliator at the OSCE Court of Conciliation and Arbitration; former Member of the International Law Commission: Conciliator and Arbitrator	9 January 2008
	Prof. Dr. Gerhard Loibl, Professor at the Diplomatic Academy of Vienna: Conciliator and Arbitrator	9 January 2008
	Ambassador Dr. Helmut Tichy, Deputy Head of the Office of the Legal Adviser, Austrian Federal Ministry for European and International Affairs: Conciliator and Arbitrator	9 January 2008
	Ambassador Dr. Helmut Türk, Judge at the International Tribunal for the Law of the Sea; Member of the Permanent Court of Arbitration, The Hague: Conciliator and Arbitrator	9 January 2008
Belgium	Prof. Erik Franckx, President of the Department of International and European Law at the Vrije University Brussels: Arbitrator	1 May 2014
	Mr. Philippe Gautier, Registrar of the International Tribunal for the Law of the Sea: Arbitrator	1 May 2014

<sup>11</sup> See *Multilateral Treaties Deposited with the Secretary-General*, chap. XXI.6, available at <https://treaties.un.org>. The designations included in this table are reproduced as submitted by States Parties. The lists of experts for the purposes of article 2, annex VIII, to the Convention are available at [www.un.org/depts/los/settlement\\_of\\_disputes/experts\\_special\\_arb.htm](http://www.un.org/depts/los/settlement_of_disputes/experts_special_arb.htm).

<i>State Party</i>	<i>Nominations</i>	<i>Date of deposit of notification with the Secretary-General</i>
Brazil	Dr. Rodrigo Fernandes More: Conciliator and Arbitrator	9 February 2018
	Mr. George Rodrigo Bandeira Galindo: Conciliator and Arbitrator	13 December 2023
	Mr. Wagner Menezes: Arbitrator	13 December 2023
Chile	Helmut Brunner Nöer: Conciliator	18 November 1998
	Rodrigo Díaz Albónico: Conciliator	18 November 1998
	Carlos Martínez Sotomayor: Conciliator	18 November 1998
	Eduardo Vío Grossi: Conciliator	18 November 1998
	José Miguel Barros Franco: Arbitrator	18 November 1998
	María Teresa Infante Caffi: Arbitrator	18 November 1998
	Edmundo Vargas Carreño: Arbitrator	18 November 1998
	Fernando Zegers Santa Cruz: Arbitrator	18 November 1998
Costa Rica	Carlos Fernando Alvarado Valverde: Conciliator and Arbitrator	15 March 2000
Cyprus	Ambassador Andrew Jacovides: Conciliator and Arbitrator	23 February 2007
	Ms. Christine G. Hioureas: Conciliator and Arbitrator	15 January 2016
Czechia	Dr. Václav Mikulka: Conciliator and Arbitrator	27 March 2014
Denmark	Dr. Ole Spiermann, Attorney-at-law: Conciliator and Arbitrator	10 November 2020
	Adjunct Prof. Dr. Bjorn Kunoy, Legal Adviser, Ministry of Foreign Affairs of the Faroe Islands: Conciliator and Arbitrator	10 November 2020
	Mr. Peter Taksoe-Jensen, Ambassador, Ministry of Foreign Affairs of Denmark: Conciliator and Arbitrator	10 November 2020
	Mr. Henning Dobson Fugleberg Knudsen, Chief Counsellor, Ministry of Foreign Affairs of Denmark: Conciliator and Arbitrator	10 November 2020
Estonia	Mrs. Ene Lillipuu, Head of the Legal Department of the Estonian Maritime Administration: Conciliator and Arbitrator	18 December 2006
	Mr. Heiki Lindpere, Director of the Institute of Law of the University of Tartu: Conciliator and Arbitrator	18 December 2006
Finland	Prof. Kari Hakapää: Conciliator and Arbitrator	25 May 2001
	Prof. Martti Koskeniemi: Conciliator and Arbitrator	25 May 2001
	Justice Gutav Möller: Conciliator and Arbitrator	25 May 2001
	Justice Pekka Vihervuori: Conciliator and Arbitrator	25 May 2001
France	Allan Pellet: Arbitrator	16 December 2015
	Pierre-Marie Dupuy: Arbitrator	4 February 1998
	Jean-Pierre Queneudec: Arbitrator	4 February 1998
	Laurent Lucchini: Arbitrator	4 February 1998
Germany	Prof. em. Dr. Dres. h.c. Ruediger Wolfrum, Max Planck Institute for Comparative Public Law and International Law, Heidelberg: Conciliator and Arbitrator	13 May 2020
	Prof. Dr. Silja Voeneky, Chair for Public International Law, Comparative Law and Ethics of Law, University of Freiburg: Conciliator and Arbitrator	13 May 2020
	Prof. Dr. Nele Matz-Lueck, LL.M., Walther Schuecking Institute of Public International Law, University of Kiel: Conciliator and Arbitrator	13 May 2020
	Prof. Dr. Alexander Proelss, Chair for International Law of the Sea and International Environmental Law, Public International Law and Public Law, University of Hamburg: Conciliator and Arbitrator	13 May 2020

<i>State Party</i>	<i>Nominations</i>	<i>Date of deposit of notification with the Secretary-General</i>
Ghana	H.E. Judge Dr. Thomas A. Mensah, former Judge and first President of the UN Tribunal of the Law of the Sea (ITLOS): Conciliator and Arbitrator	30 May 2013
	Prof. Martin Tsamenyi, Professor of Law, University of Wollongong, Australia; and Director, Australian National Center for Ocean Resources and Security (ANCORS): Conciliator and Arbitrator	30 May 2013
Guatemala	Mr. Álvaro Rodrigo Castellanos Howell: Conciliator and Arbitrator	5 June 2024
	Mr. Gustavo Adolfo Orellana Portillo: Conciliator and Arbitrator	5 June 2024
	Ms. Ana Cristina Rodríguez Pineda: Conciliator and Arbitrator	5 June 2024
Iceland	Ambassador Gudmundur Eiríksson: Conciliator and Arbitrator	13 September 2013
	Mr. Tomas H. Heidar, Legal Adviser, Ministry for Foreign Affairs: Conciliator and Arbitrator	13 September 2013
Indonesia	Prof. Dr. Hasjim Djalal, M.A.: Conciliator and Arbitrator	3 August 2001
	Dr. Ety Roesmaryati Agoes, SH, LL.M.: Conciliator and Arbitrator	3 August 2001
	Dr. Sudirman Saad, D.H., M.Hum: Conciliator and Arbitrator	3 August 2001
	Lieutenant Commander Kresno Bruntoro, SH, LL.M.: Conciliator and Arbitrator	3 August 2001
Italy	Prof. Umberto Leanza: Conciliator and Arbitrator	21 September 1999
	Ambassador Luigi Vittorio Ferraris: Conciliator	21 September 1999
	Ambassador Giuseppe Jacoangeli: Conciliator	21 September 1999
	Prof. Tullio Scovazzi: Arbitrator	21 September 1999
	Paolo Guido Spinelli, former Chief of the Service for Legal Affairs, Diplomatic Disputes and International Agreements of the Italian Ministry of Foreign Affairs: Conciliator	28 June 2011
	Maurizio Maresca: Arbitrator	28 June 2011
	Tullio Treves: Arbitrator	28 June 2011
Jamaica	Judge Kathy-Ann Brown of the International Tribunal for the Law of the Sea: Arbitrator	24 September 2024
Japan	Judge Hisashi Owada, Judge, International Court of Justice: Arbitrator	28 September 2000
	Judge Shunji Yanai, President of the International Tribunal for the Law of the Sea: Conciliator and Arbitrator	4 October 2013
	Dr. Masaharu Yanagihara, Professor at the Open University of Japan: Conciliator and Arbitrator	25 September 2017
	Dr. Shigeki Sakamoto, Professor of Doshisha University: Arbitrator	25 September 2017
Lebanon	H.E. Dr. Joseph Akl, Judge at the International Tribunal for the Law of the Sea: Arbitrator	31 January 2014
Madagascar	Dr. Francis Zafindrarendritambahoaka Marson: Arbitrator	6 April 2018
	Dr. Leonide Ylenia Randrianarisoa: Conciliator and Arbitrator	6 April 2018
	Dr. Pablo Ferrara: Arbitrator	6 April 2018
	Dr. Ioannis Konstantinidis: Arbitrator	6 April 2018
	Mr. Jean Baptiste Beresaka: Conciliator	6 April 2018
	Mr. Charles Sylvain Rabotoarison: Conciliator	6 April 2018
	Mr. Dominique Jean Olivier Rakotozafy: Conciliator	6 April 2018

<i>State Party</i>	<i>Nominations</i>	<i>Date of deposit of notification with the Secretary-General</i>
Mauritius	Mr. Dheerendra Kumar Dabee, G.O.S.K., SC, Solicitor-General: Arbitrator	5 November 2014
	Ambassador Milan J.N. Meetarbhan, G.O.S.K., Permanent Representative of Mauritius: Arbitrator	5 November 2014
	Ms. Aruna Devi Narain, Parliamentary Counsel: Arbitrator	5 November 2014
	Mr. Philippe Sands, QC, Professor: Arbitrator	5 November 2014
Mexico	Ambassador Alberto Székely Sánchez, Special Adviser to the Secretary for International Waters Affairs: Arbitrator	9 December 2002
	Dr. Alonso Gómez Robledo Verduzco, Researcher, Institute of Legal Research, National Autonomous University of Mexico, Member of the Inter-American Legal Committee of the Organization of American States: Arbitrator	9 December 2002
	Frigate Captain JN. LD. DEM. Agustín Rodríguez Malpica Esquivel, Chief, Legal Unit, Secretariat of the Navy: Arbitrator	9 December 2002
	Frigate Lieutenant SJN. LD. Juan Jorge Quiroz Richards, Secretariat of the Navy: Arbitrator	9 December 2002
	Ambassador José Luis Vallarta Marrón, Former Permanent Representative of Mexico to the International Seabed Authority: Conciliator	9 December 2002
	Dr. Alejandro Sobarzo, Member of the national delegation to the Permanent Court of Arbitration: Conciliator	9 December 2002
	Joel Hernández García, Deputy Legal Adviser, Ministry of Foreign Affairs: Conciliator	9 December 2002
Mongolia	Dr. Erasmo Lara Cabrera, Director of International Law III, Legal Adviser, Ministry of Foreign Affairs: Conciliator	9 December 2002
	Prof. Rüdiger Wolfrum: Arbitrator	22 February 2005
Nepal	Prof. Jean-Pierre Cot: Arbitrator	22 February 2005
	Prof. Surya P. Subedi: Conciliator and Arbitrator	4 September 2024
Netherlands	E. Hey: Arbitrator	9 February 1998
	Prof. A. Soons: Arbitrator	9 February 1998
	Prof. Dr. Liesbeth Lijnzaad, Legal Adviser, Ministry of Foreign Affairs: Conciliator and Arbitrator	14 February 2017
	Prof. Dr. Alex Oude Elferink, Director, Netherlands Institute for the Law of the Sea: Arbitrator	14 February 2017
	Prof. Dr. René Lefeber, Deputy Legal Adviser, Ministry of Foreign Affairs: Conciliator	14 February 2017
New Zealand	Ms. Elana Geddis, New Zealand Barrister, former Legal Adviser, Ministry of Foreign Affairs and Trade: Conciliator and Arbitrator	31 May 2019
	Prof. Donald MacKay, independent Consultant and Professorial Fellow, Australia National Centre for Oceanic Resources and Security at the University of Wollongong; former Head of Legal Division, Ministry of Foreign Affairs and Trade, New Zealand; and former Ambassador to the United Nations in New York and Geneva: Conciliator and Arbitrator	31 May 2019
	Associate Prof. Joanna Mossop, Professor of Law, Faculty of Law, Victoria University of Wellington: Conciliator and Arbitrator	31 May 2019
	Dr. Penelope Ridings MNZM, New Zealand Barrister, former Head of Legal Division, Ministry of Foreign Affairs and Trade: Conciliator and Arbitrator	31 May 2019
Nicaragua	Dr. Carlos J. Argüello Gómez, Conciliator and Arbitrator	29 March 2023



Norway	Ms. Hilde Indreberg, Supreme Court Judge: Conciliator and Arbitrator	10 August 2017
	Dr. Henrik Bull, Supreme Court Judge: Conciliator and Arbitrator	10 August 2017
	H.E. Mr. Rolf Einar Fife, Ambassador of Norway to France: Conciliator and Arbitrator	10 August 2017
	H.E. Ms. Margit Tveiten, Director General, Norwegian Ministry of Foreign Affairs: Conciliator and Arbitrator	10 August 2017
Poland	Mr. Stanislaw Pawlak: Conciliator and Arbitrator	14 May 2004
	Mrs. Maria Dragun-Gertner: Conciliator and Arbitrator	14 May 2004
	Mr. Cezary Mik, Professor: Conciliator and Arbitrator	7 June 2022
	Mr. Konrad Marciniak Ph.D.: Conciliator and Arbitrator	7 June 2022
Portugal	Prof. José Manuela Pureza: Conciliator	5 October 2011
	Dr. João Madureira: Conciliator	5 October 2011
	Dr. Mateus Kowalski: Conciliator	5 October 2011
	Dr. Tiago Pitta e Cunha: Conciliator	5 October 2011
	Prof. Nuno Sérgio Marques Antunes: Arbitrator	5 October 2011
Republic of Korea	Prof. Jin-Hyun Paik: Conciliator and Arbitrator	14 February 2013
Romania	Mr. Bogdan Aureescu, Secretary of State, Ministry of Foreign Affairs; Member of the Permanent Court of Arbitration: Arbitrator	2 October 2009
	Mr. Cosmin Dinescu, Director General for Legal Affairs, Ministry of Foreign Affairs: Arbitrator	2 October 2009
Russian Federation	Vladimir S. Kotliar: Arbitrator	26 May 1997
	Prof. Kamil A. Bekyashev: Arbitrator	4 March 1998
	Mr. Alexander N. Vylegjanin, Director of the Legal Department of the Council for the Study of Productive Forces of the Russian Academy of Science: Arbitrator	17 January 2003
Saint Vincent and the Grenadines	Dr. Peter Henri Fredericus Bekker, Professor and Chair in International Law, Centre for Energy, Petroleum and Mineral Law and Policy, University of Dundee (UK), Founding Director, Dundee Ocean and Lake Frontiers Institute and Neutrals (DOLFIN) and Member of the New York Bar: Conciliator and Arbitrator	15 April 2021
Singapore	Prof. S. Jayakumar, Professor of Law, National University of Singapore: Conciliator and Arbitrator	5 April 2016
	Prof. Tommy Koh, Professor of Law, National University of Singapore, Ambassador-at-large: Conciliator and Arbitrator	5 April 2016
	Mr. Chan Sek Keong, retired Chief Justice; former Attorney-General: Conciliator and Arbitrator	5 April 2016
	Mr. Lionel Yee Woon Chin S.C., Solicitor-General: Conciliator and Arbitrator	5 April 2016
Slovakia	Dr. Marek Smid, International Law Department of the Ministry of Foreign Affairs of Slovakia: Conciliator	9 July 2004
	Dr. Peter Tomka, Judge of the International Court of Justice: Arbitrator	9 July 2004
South Africa	Judge Albertus Jacobus Hoffmann, Vice-President, International Tribunal for the Law of the Sea: Arbitrator	25 April 2014
	Judge Thembile Elphus Joyini: Conciliator and Arbitrator	14 July 2023

	José Antonio de Yturriaga Barberán, Ambassador-at-large: Conciliator and Arbitrator	23 June 1999
	Juan Antonio Yáñez-Barnuevo García, Ambassador-at-large: Conciliator	23 June 1999
Spain	Aurelio Pérez Giralda, Chief, International Legal Advisory Assistance, Ministry of Foreign Affairs: Conciliator	23 June 1999
	José Antonio Pastor Ridruejo, Judge, European Court of Human Rights: Arbitrator	23 June 1999
	D. Juan Antonio Yáñez-Barnuevo García: Arbitrator	26 March 2012
	Da Concepción Escobar Hernández: Conciliator and Arbitrator	26 March 2012
	Hon. M.S. Aziz, P.C.: Conciliator and Arbitrator	17 January 1996
Sri Lanka	C. W. Pinto, Secretary-General of the Iran-US Tribunal in The Hague: Conciliator and Arbitrator	17 September 2002
	Sayed/Shawgi Hussain: Arbitrator	8 September 1995
	Dr. Ahmed Elmufti: Arbitrator	8 September 1995
Sudan	Dr. Abd Elrahman Elkhalifa: Conciliator	8 September 1995
	Sayed/Eltahir Hamadalla: Conciliator	8 September 1995
	Dr. Marie Jacobsson, Principal Legal Advisor on International Law, Ministry for Foreign Affairs: Arbitrator	2 June 2006
Sweden	Dr. Said Mahmoudi, Professor of International Law, University of Stockholm: Arbitrator	2 June 2006
	Ms. Laurence Boisson de Chazournes, Professor: Arbitrator	14 October 2014
	Mr. Andrew Clapham, Professor: Arbitrator	14 October 2014
Switzerland	Mr. Lucius Cafilisch, Professor: Arbitrator	14 October 2014
	Mr. Robert Kolb, Professor: Arbitrator	14 October 2014
Thailand	H.E. Mr. Kriangsak Kittichaisaree, Ambassador of the Kingdom of Thailand to the Russian Federation: Conciliator and Arbitrator	24 July 2017
Trinidad and Tobago	Mr. Justice Cecil Bernard, Judge of the Industrial Court of the Republic of Trinidad and Tobago: Arbitrator	17 November 2004
	Sir Michael Wood: Conciliator and Arbitrator	2 November 2010
	Sir Elihu Lauterpacht QC: Conciliator and Arbitrator	19 February 1998 2 November 2010
United Kingdom of Great Britain and Northern Ireland	Prof. Vaughan Lowe QC: Conciliator and Arbitrator	2 November 2010
	Mr. David Anderson: Conciliator and Arbitrator	14 September 2005 2 November 2010
United Republic of Tanzania	Ambassador James Kateka, Judge of the International Tribunal for the Law of the Sea: Conciliator and Arbitrator	18 September 2013

	Mr. Pham Quang Hieu, Assistant Foreign Minister of Viet Nam: Conciliator	15 May 2020
	Ambassador Huynh Minh Chinh, former Vice Chairman of the National Boundary Commission, Ministry of Foreign Affairs of Viet Nam: Conciliator	15 May 2020
	Ambassador Nguyen Thi Thanh Ha, former Director-General of the Department of International Law and Treaties, Ministry of Foreign Affairs of Viet Nam, former member of the Permanent Court of Arbitration (2012–2018): Conciliator	15 May 2020
Viet Nam	Mr. Nguyen Quy Binh, former Vice Chairman of the National Boundary Commission, former Director-General of the Department of International Law and Treaties, Ministry of Foreign Affairs of Viet Nam, former member of the Permanent Court of Arbitration (2012–2018): Conciliator	15 May 2020
	Associate Prof. Robert Beckman, Head of the Ocean Law and Policy Programme, Centre for International Law, National University of Singapore: Arbitrator	15 May 2020
	Associate Prof. Dr. Nguyen Hong Thao, Diplomatic Academy of Viet Nam, member of the International Law Commission (2017–2021): Arbitrator	15 May 2020
	Associate Prof. Nguyen Thi Lan Anh, Diplomatic Academy of Viet Nam: Arbitrator	15 May 2020
	Dr. Nguyen Dang Thang, Director-General, the National Boundary Commission, Ministry of Foreign Affairs of Viet Nam, member of the Permanent Court of Arbitration: Arbitrator	15 May 2020

**B. SELECTED DOCUMENTS OF THE GENERAL ASSEMBLY AND  
OF THE SECURITY COUNCIL<sup>12</sup>**

1. S/2024/613: Letter dated 13 August 2024 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the President of the Security Council.
2. A/79/495: Letter dated 4 October 2024 from the Chargé d'affaires a.i. of the Permanent Mission of Oman to the United Nations addressed to the Secretary-General.
3. A/79/207: Report on the work of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea at its twenty-fourth meeting; Letter dated 19 July 2024 from the Co-Chairs of the Informal Consultative Process addressed to the President of the General Assembly.
4. A/79/340: Oceans and the law of the sea: Report of the Secretary-General.

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<sup>12</sup> United Nations documents are available at [www.undocs.org/\[document symbol\]](http://www.undocs.org/[document symbol]), e.g., [www.undocs.org/S/2024/613](http://www.undocs.org/S/2024/613).

### C. MARITIME ZONE NOTIFICATIONS ISSUED FROM 1 AUGUST TO 30 NOVEMBER 2024<sup>13</sup>

<i>Maritime Zone Notification</i>	<i>State(s)</i>	<i>Articles of the Convention</i>
M.Z.N.164.2024.LOS of 3 September 2024	Papua New Guinea	16(2), 47(9), 75(2)

### D. CONTINENTAL SHELF NOTIFICATIONS ISSUED FROM 1 AUGUST TO 30 NOVEMBER 2024<sup>14</sup>

<i>Continental Shelf Notification</i>	<i>Submission</i>
CLCS.47.2009.LOS.Add.1 of 18 November 2024	Spain – in respect of the area of Galicia

### E. SUMMARIES OF RECOMMENDATIONS OF THE COMMISSION ON THE LIMITS OF THE CONTINENTAL SHELF MADE PUBLIC FROM 1 AUGUST TO 30 NOVEMBER 2024<sup>15</sup>

No summaries of recommendations of the Commission on the Limits of the Continental Shelf were made public during the above-mentioned period.

<sup>13</sup> Maritime zone notifications are available in English and French from [www.un.org/Depts/los/LEGISLATIONANDTREATIES/depositpublicity.htm](http://www.un.org/Depts/los/LEGISLATIONANDTREATIES/depositpublicity.htm).

<sup>14</sup> Continental Shelf notifications concerning submissions made by coastal States to the Commission on the Limits of the Continental Shelf, pursuant to article 76(8) of the Convention, are available in English and French on the webpages concerning the respective submissions published at [www.un.org/depts/los/clcs\\_new/commission\\_submissions.htm](http://www.un.org/depts/los/clcs_new/commission_submissions.htm).

<sup>15</sup> Summaries of recommendations of the Commission on the Limits of the Continental Shelf concerning submissions made by coastal States are available on the webpages concerning the respective submissions published at [www.un.org/Depts/los/clcs\\_new/commission\\_submissions.htm](http://www.un.org/Depts/los/clcs_new/commission_submissions.htm).

24-22973

ISBN 978-92-1002985-8



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