

The Law of the Sea

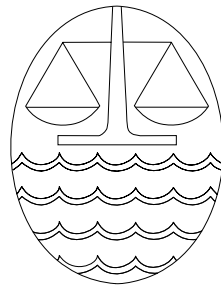


Guidelines on deposit with the Secretary-General of charts and lists of geographical coordinates of points under the United Nations Convention on the Law of the Sea



United Nations
New York, 2021

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



The Law of the Sea

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of charts and lists of geographical coordinates
of points under the United Nations Convention
on the Law of the Sea**



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NOTE

Since the opening for signature of the United Nations Convention on the Law of the Sea on 10 December 1982, the Office for Ocean Affairs and the Law of the Sea and, subsequently, the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the United Nations have prepared numerous publications related to the Convention. Those materials have been aimed at facilitating the implementation of this comprehensive multilateral treaty known to many as the “Constitution for the Oceans” through a better understanding of its multiple facets.

The present publication endeavours to provide practical information to the Governments of coastal States. It may also serve as a useful reference to other stakeholders, such as United Nations programmes, funds and agencies, as well as other governmental and non-governmental organizations, academic institutions and private individuals. It should not, however, be understood as providing a legal interpretation of the Convention, nor does it purport to express any opinion on the part of the Secretariat of the United Nations in respect of acts of States under the Convention. Any information included in the publication with regard to developments relating to the law of the sea emanating from actions and decisions taken by States does not imply recognition by the United Nations of the validity of the actions and decisions in question.

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FOREWORD

The present guidelines were prepared in response to paragraph 363 of General Assembly resolution 74/19 of 10 December 2019, in which the Assembly requested the Secretary-General to continue the publication activities of the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs, in particular through the publication of guidelines on deposits with the Secretary-General of charts and lists of geographical coordinates of points under the United Nations Convention on the Law of the Sea.

The guidelines are part of a series of publications prepared in fulfilment of the responsibilities entrusted to the Secretary-General in the Convention. In its resolution 52/26 of 26 November 1997, among others, the General Assembly listed a number of activities to be conducted by the Secretary-General, and that are discharged through the Division, including undertaking efforts to promote a better understanding of the Convention and the Agreement relating to the implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 in order to ensure their effective implementation, and ensuring appropriate responses to requests of States, in particular developing States, for advice and assistance in implementing the provisions of the Convention and the Agreement.

Additional background information on the deposit with the Secretary-General of charts and lists of geographical coordinates of points under the Convention is contained in the note by the Secretariat on the practice of the Secretary-General in respect of the deposit of charts and/or lists of geographical coordinates of points under the Convention (document SPLOS/30/12).

I. INTRODUCTION

1. The provisions of the Convention under which coastal States are required to deposit with the Secretary-General charts or lists of geographical coordinates of points are contained in its article 16, paragraph 2; article 47, paragraph 9; article 75, paragraph 2; and article 84, paragraph 2. In addition, pursuant to article 76, paragraph 9, coastal States must deposit with the Secretary-General charts and relevant information, including geodetic data,¹ permanently describing the outer limits of their continental shelves (see annex I).²
2. In its resolutions on oceans and the law of the sea, which are adopted annually, the General Assembly regularly calls upon States parties to the Convention that have not yet done so to deposit with the Secretary-General charts or lists of geographical coordinates of points, as provided for in the Convention, preferably using the generally accepted and most recent geodetic data.³

II. THE ACT OF DEPOSIT

Communication from the coastal State

3. The deposit of charts or of lists of geographical coordinates of points with the Secretary-General is an international act by a coastal State. Consequently, it requires, as a general rule, an official communication addressed to the Secretary-General by a person who is duly authorized or considered to be representing that State.
4. In the context of such an act, by virtue of their functions, the Heads of State and Government, ministers for foreign affairs and permanent representatives to the United Nations are considered to represent their respective depositing States. However, communications from the permanent missions to the United Nations are also accepted by the Secretary-General, on the understanding that such communications are being transmitted under the authority of the permanent representative to the United Nations.
5. The communication addressed to the Secretary-General should:
 - (a) Clearly state the intention to deposit charts or lists of geographical coordinates of points under the Convention;
 - (b) Make specific reference to the relevant article or articles of the Convention;
 - (c) Be accompanied by the charts (and, in the case of a deposit under article 76, paragraph 9, of the Convention, relevant information, including geodetic data) and/or lists of geographical coordinates of points to be deposited.
6. In addition, as a result of the duty of coastal States to give due publicity to such charts or lists of geographical coordinates of points (with the exception of cases falling under article 76, paragraph 9, of the Convention, according to which this duty rests with the Secretary-General), the communication should also contain a request to the Secretary-General to provide assistance in giving due publicity to the deposited charts or lists of geographical coordinates of points.
7. To facilitate the drafting of communications addressed to the Secretary-General, a template is provided in annex II.

¹ Geodetic data consist of geographical coordinates of points, as well as information on the geodetic datum (coordinate system) within which those geographical coordinates are identified (located).

² The Convention contains a number of technical terms within its provisions concerning the deposit with the Secretary-General of charts and lists of geographical coordinates of points. Such terms are defined in the Hydrographic Dictionary of the International Hydrographic Organization and A Manual on Technical Aspects of the United Nations Convention on the Law of the Sea – 1982 of the International Hydrographic Organization and the International Association of Geodesy.

³ See, for example, resolution 74/19, para. 5.

Supplementary material and information

Legislation and treaties

8. In most cases, the source material for the charts and lists of geographical coordinates of points is the relevant texts of national legislation and maritime boundary delimitation treaties.

9. While legislation and treaties are not the object of a deposit, under the Convention, their transmission in the context of the deposit is acceptable and considered as supplementary material and information.⁴

10. With regard to maritime boundary delimitation treaties containing charts or lists of geographical coordinates of points, it is noted that such treaties should be registered with the Secretary-General under Article 102 of the Charter of the United Nations, prior to their transmission to the Division for Ocean Affairs and the Law of the Sea in connection with a deposit under the Convention.⁵

Judgments and awards

11. In the case of lines of delimitation, the source material for charts and lists of geographical coordinates of points may be judgments of international courts or tribunals or arbitral awards in respect of cases to which the depositing State was a party. Such judgments or awards may also be referred to at the time of a deposit and would be considered as supplementary information.

Illustrative maps

12. Illustrative maps that do not qualify as nautical charts (see para. 19) but are enclosed to show baselines, outer limit lines or lines of delimitation are also considered as supplementary information.

Observations and statements

13. If a coastal State wishes to address matters that it deems relevant for the deposit in the form of observations or statements, it should include those observations or statements either in the main body of the communication or in an annex.

14. Such observations or statements should ideally be concise and accompanied by a translation, if appropriate and whenever possible, into English or French or both languages. They may relate to, inter alia:

- (a) Notifying the supersession of earlier deposits (see para. 15);
- (b) Referencing the source of the deposited material, such as the national legislation or maritime boundary delimitation treaties, or providing other relevant context;
- (c) Referencing recommendations of the Commission on the Limits of the Continental Shelf, in relation to the deposit of charts and relevant information, including geodetic data, under article 76, paragraph 9, of the Convention;
- (d) Outlining the interpretation by the depositing State of relevant provisions of the Convention;
- (e) Addressing technical aspects concerning the deposited material;
- (f) Indicating whether the deposit is also being made with the Secretary-General of the International Seabed Authority, in the case of deposits pursuant to article 84, paragraph 2, of the Convention.

⁴ The mere existence or adoption of national legislation in relation to the limits of maritime zones, the transmission of such information to the Secretariat for information without specifying the intent to deposit or the conclusion of a maritime boundary delimitation treaty registered with the Secretariat under Article 102 of the Charter of the United Nations cannot be interpreted as an act of deposit with the Secretary-General under the Convention, even if such national or international instruments should contain charts or lists of geographical coordinates of points.

⁵ For more information and guidance concerning the registration of treaties under Article 102 of the Charter, see the Treaty Handbook, available at https://treaties.un.org/pages/Resource.aspx?path=Publication/TH/Page1_en.xml.

*Supersession
of previous deposits*

15. When a coastal State deposits charts or lists of geographical coordinates of points concerning a geographical area that is already covered in a previous deposit made by that State, the intention to replace, in full or in part, the previously deposited charts or lists of geographical coordinates of points should be clearly stated in the communication accompanying the deposited material.

16. To that end, such communication should contain the following information:

- (a) A reference to the maritime zone notification through which the previous deposit was publicized;
- (b) The exact details of the part of the previously deposited material that is meant to be superseded, with reference to the superseding material;
- (c) If applicable, other relevant information, such as the repeal and replacement of national legislation containing the relevant charts or lists of geographical coordinates of points.

III. FORMAT OF THE DEPOSITED INFORMATION

Communication

17. The coastal State should address a communication accompanying the deposited material to the Secretary-General in one of the official languages of the United Nations and transmit a copy of the communication to the Division.

18. The communication should be transmitted both in hard copy and electronically. The electronic copy should be in an unalterable pdf format, as well as in a Microsoft Word format or, in consultation with the Secretariat, other text-processing format.

Charts

19. If the coastal State wishes to deposit charts under the Convention, the communication addressed to the Secretary-General should enclose nautical charts, that is, charts that are based on hydrographic surveys and specifically designed to meet the requirements of marine navigation, showing depths of water, the nature of the seabed, elevations, configuration and characteristics of the coast, dangers and aids to navigation.

20. The coastal State should deposit only nautical charts that it recognizes. As a general rule, official nautical charts are issued by, or on the authority of, a Government, an authorized hydrographic office or another relevant government institution and should carry all relevant chart information, including the geodetic datum, chart projection and chart scale.⁶

21. Maps other than nautical charts are deemed to be illustrative maps. As such, they are not suitable for deposit and are considered as material and information supplemental to the deposit of lists of geographical coordinates of points.

22. Following receipt of deposited charts, the Secretariat verifies that:

- (a) The charts, or the accompanying communication, specify the geodetic datum;
- (b) The charts show the lines in accordance with the deposit intention, as articulated in the accompanying communication from the coastal State;
- (c) There are no apparent typographical errors, such as mislabelled lines, or mislabelled latitude or longitude values on the chart;
- (d) The charts are at a scale or scales adequate for ascertaining the position of the deposited lines.

⁶ See International Association of Geodesy and International Hydrographic Organization, *A Manual on Technical Aspects of the United Nations Convention on the Law of the Sea – 1982*, 5th ed., Special Publication No. 51 (Monaco, International Hydrographic Bureau, 2014).

Charts (*con't*)

23. It should be noted that the expression “scale or scales adequate for ascertaining [the] position” refers to the fact that the accuracy with which a position can be determined by the user on a chart is a function of its scale, which is the ratio between features depicted on a chart and their actual size.⁷ The range of suitable scales will normally be:

- From 1:50,000 to 1:100,000, for the depiction of baselines and limits of the territorial sea and contiguous zone, as well as delimitation lines thereof
- From 1:100,000 to 1:1,000,000, for the depiction of limits of the exclusive economic zone and continental shelf, as well as delimitation lines thereof⁸

24. It is recommended that the coastal State choose the largest useful scale in relation to the area to be defined to ensure the greatest accuracy possible.

25. Coastal States are encouraged to provide the deposited charts also in electronic format to avoid errors during the processing of the information, inter alia, for purposes of giving due publicity. To allow for adequate reproduction in the Law of the Sea Bulletin, the electronic copy of charts should meet the following requirements:

- (a) The file format should be one of the following: tiff, jpg/jpeg, bmp or pdf;
- (b) The minimum acceptable resolution of the images is 300 dpi;
- (c) The images must be in 24-bit colour and uncompressed;
- (d) The file size or canvas size should be at least 100 per cent of the desired image size.

26. It is recommended that electronic versions of charts be created by directly exporting an output from the software in which the charts are produced, ensuring that they have the quality and resolution described above.

27. If the coastal State wishes to deposit lists of geographical coordinates of points under the Convention, the communication addressed to the Secretary-General should enclose such lists in an unalterable pdf format, as well as in an electronic format from which the lists of coordinates can be extracted (preferably xml or tab-delimited txt). Ideally, such electronic versions should be created by directly exporting an output from the software used to create the files and in sufficient quality and resolution.

28. Following receipt of deposited lists of geographical coordinates of points, the Secretariat verifies that:

- (a) The geodetic datum of the listed coordinates is specified;
- (b) There are no apparent typographical errors in the geographical coordinates of points.

Lists of geographical coordinates of points

⁷ See International Hydrographic Organization, Hydrographic Dictionary. Available at <http://iho-ohi.net/S32/>.

⁸ See International Association of Geodesy and International Hydrographic Organization, A Manual on Technical Aspects of the United Nations Convention on the Law of the Sea.

Lists of geographical coordinates of points (*con't*)

29. When preparing their deposits, especially those of lists of geographical coordinates of points, it is recommended that coastal States:⁹
- (a) Provide the list of geographical coordinates of points referenced to the World Geodetic System 1984 (WGS 84), or provide all necessary parameters for the conversion of the deposited geographical coordinates from the original datum into WGS 84;
 - (b) Specify which sets of points in the lists are to be connected and constitute single lines. This is particularly useful in the case of separate straight baseline segments, which may be interrupted by segments of normal baseline, and in the case of baselines or limits of maritime zones around islands, to ensure that the last point in the list connects back to the first point, if applicable. This is also useful where a deposit may include points on the normal baseline;
 - (c) Specify how the points included in a list of geographical coordinates of points are to be connected, that is, whether by geodesics, loxodromes (also known as “rhumb lines”) or arcs constructed at a specific distance from defined centre points on the baseline, which would also need to be included in the deposit. Alternatively, coastal States may consider depositing a list of geographical coordinates of points extrapolated from the geodesics, loxodromes or arcs, located at short distances, so that, when connected, the resulting line will be the same as the geodesic, loxodrome or arc from which they were extrapolated.

⁹ The listed requirements will be entirely covered if coastal States follow the Maritime Limits and Boundaries Product Specification (S-121) of the International Hydrographic Organization (version 1.0.0 is available for download at http://registry.iho.int/productspec/view.do?idx=177&product_ID=S-121&statusS=5 or by following the relevant link at <https://iho.int/en/standards-and-specifications>).

The Maritime Limits and Boundaries Product Specification was developed in response to the observed diversity of approaches with regard to the technical aspects of the act of deposit by Member States. In its resolution 59/24 of 17 November 2004, the General Assembly requested the Secretary-General to improve the existing geographic information system for the deposit by States of charts and geographical coordinates concerning maritime zones, including lines of delimitation, in particular by implementing, in cooperation with relevant international organizations, the technical standards for the collection, storage and dissemination of the information deposited, in order to ensure compatibility among the geographic information system, electronic nautical charts and other systems developed by those organizations.

In a letter dated 30 October 2019, the Chair of the Hydrographic Services and Standards Committee of the International Hydrographic Organization announced that the Maritime Limits and Boundaries Product Specification (S-121), version 1.0.0, had been finalized and published for initial implementation, testing and evaluation, as well as further stakeholder review.

Subsequently, in paragraph 6 of its resolution 74/19, the General Assembly noted the ongoing efforts of the Secretary-General to improve the existing geographic information system for the deposit by States of charts and geographical coordinates concerning maritime zones, including lines of delimitation, submitted pursuant to the Convention, and to give due publicity thereto, also noted the ongoing cooperation and progress achieved in the development by the International Hydrographic Organization, in cooperation with the Division for Ocean Affairs and the Law of the Sea, of the technical standards for the collection, storage and dissemination of the information deposited, which are not legally binding, in order to ensure compatibility among geographic information systems, electronic nautical charts and other systems, and re-emphasized the importance of the completion of those efforts through wide participation and reviews by Member States.

The Maritime Limits and Boundaries Product Specification (S-121) is optional; no State is required to use the product specification in whole or in part. However, the submission of deposited material in a widely shared and recognized standardized format is highly desirable in order to achieve the objective outlined in resolution 59/24.

Supplementary material and information

30. If the coastal State also intends to transmit with the deposited information national legislation or maritime boundary delimitation treaties that have been registered under Article 102 of the Charter, such legislation or treaties should be provided as a high-resolution pdf file, ideally created as a direct export from the software used to create the files and in sufficient quality and resolution (for the technical requirements applying to such files, see paras. 25 (a) and (b)), for publication on the website of the Division. The text of the legislation or treaties should also be provided in a Microsoft Word format or, in consultation with the Secretariat, another text-processing format, to facilitate the processing and translation into English, French and Spanish, for publication in the Law of the Sea Bulletin.

31. The electronic copy of illustrative maps representing supplementary material should meet the same technical requirements as those outlined for nautical charts in paragraph 25.

Checklists

32. When preparing the communication and the material for a deposit, it is recommended that the coastal State use the following checklists. Should there be any doubt, the coastal State should contact the Division to obtain all necessary procedural and technical clarifications (email: doalos@un.org, tel.: +1 212 963 3962).

Procedural checklist

The communication transmitting the deposit should:

- Be a note verbale or a letter from a duly authorized representative of the coastal State, such as a Head of State or Government, a minister for foreign affairs or a permanent representative or a permanent observer to the United Nations, or any person duly authorized by either of them
- Be addressed to the Secretary-General of the United Nations
- Be also addressed to the Secretary-General of the International Seabed Authority, as a separate communication, for deposits made under article 84, paragraph 2, of the Convention
- Clearly state the intention to make a deposit under the Convention
- Specify the relevant article or articles of the Convention that are invoked
- Specify whether the deposit is of charts and/or lists of geographical coordinates of points and describe what those charts or lists represent
- Specify the geodetic datum
- Include, as applicable, information or observations relevant to the deposit
- Be accompanied by charts or lists of geographical coordinates of points, or both, or by the relevant national legislation or act or maritime boundary delimitation treaty containing those charts or lists (for formats, see the technical checklist below)
- Be delivered to:
Division for Ocean Affairs and the Law of the Sea
Office of Legal Affairs
Room DC2-0450
United Nations
New York, NY 10017
United States of America

Technical checklist

- The electronic copy of the deposit should be delivered on a standard electronic data storage medium, such as DVD, flash memory or external hard drive, which can be retrieved after the electronic copy of the deposit has been delivered
- The electronic copy of the charts or illustrative maps should meet the following requirements:
 - The file format should be one of the following: tiff, jpg/jpeg, bmp or pdf
 - The minimum acceptable resolution of the images is 300 dpi
 - The images must be in 24-bit colour and uncompressed
 - The file size or canvas size should be at least 100 per cent of the desired image size
- Lists of geographical coordinates of points should:
 - Be referenced to the World Geodetic System 1984 (WGS 84)
 - Be provided in electronic format as an xml file or a tab-delimited txt file and as an unalterable pdf file
 - Specify the connections between points (see para. 29)

IV. PROCEDURAL AND ADMINISTRATIVE ASPECTS OF THE DEPOSIT AND DUE PUBLICITY

Timeline, scope and frequency of updates

33. There are no time limits for deposits by coastal States of charts and lists of geographical coordinates of points.
34. There are no requirements as to whether the deposit of data and information should be done in a single act or multiple acts, that is, whether there should be a single comprehensive deposit of such information or multiple deposits concerning different coastal regions, maritime zones or boundaries.
35. There are also no requirements as to the frequency of updates of the deposited information.

Assistance by the Division for Ocean Affairs and the Law of the Sea

36. When preparing a deposit, a coastal State may contact the Division at any time to seek assistance with regard to the procedural and technical requirements of the deposit. The Division can be contacted at doalos@un.org or at +1 212 963 3692.
37. The Division may contact a coastal State following receipt of a communication transmitting a deposit and the technical review thereof if it is necessary to address issues regarding the deposit, such as typographical errors, missing information, lack of clarity as to whether a complete or partial supersession of previous deposits is intended, inconsistencies or other technical matters.

Technical review of the deposit by the Secretariat

38. Upon receipt of an official communication conforming to the aforementioned formal requirements, the Secretariat proceeds with a technical review of the deposited charts or lists of geographical coordinates of points with a view to ascertaining whether they correspond to the stated intention of the depositing State and meet the technical requirements specified in the Convention.
39. This review does not involve any determination as to the conformity of the deposited material with the relevant provisions of the Convention.

Due publicity by the depositary

40. After completing the technical review of the deposited materials, the Secretariat circulates a “maritime zone notification” in English and French to all States Members of the United Nations, as well as to States parties to the Convention, to inform them of the deposit.

41. Maritime zone notifications contain the following details:

- (a) The date of receipt of the deposit;
- (b) The name of the depositing State;
- (c) The articles of the Convention invoked by the depositing State;
- (d) A specification of whether the State has deposited charts or lists of geographical coordinates of points, or both;
- (e) A description of what the charts or lists of geographical coordinates of points represent, as provided by the depositing State;
- (f) The specified geodetic datum;
- (g) Information as to whether the deposit supersedes any previous deposits made by the coastal State;
- (h) Relevant observations or statements included in the communication from the depositing State, if any;
- (i) Standard language referring the reader to the website of the Division to consult the deposited material.

42. Maritime zone notifications are circulated to States through the global documentation management system (gDoc) and published on the website of the Division in its Maritime Space database,¹⁰ together with the deposited charts and lists of geographical coordinates of points and any illustrative maps provided with the communication.

43. Supplementary material, such as the texts of national legislation or maritime boundary delimitation treaties containing deposited charts or lists, as well as illustrative maps, if any, are also published on the website of the Division, as well as in the Law of the Sea Bulletin.

44. The Secretariat also transmits a note verbale to the depositing State to acknowledge receipt of the deposit and confirm that a maritime zone notification will be circulated and that the deposited materials will be published on the website of the Division and in the Law of the Sea Bulletin, as relevant.

Communications received from States in response to deposits

45. States that intend to react to the act of deposit by another State by responding to a maritime zone notification should address a communication to the Secretary-General and transmit a copy of that communication to the Division. Such communications should:

- (a) Be in the form of a letter or note verbale;
- (b) Be from an authorized representative or other individual considered as representing that State;
- (c) Make a specific reference to the relevant maritime zone notification.

46. As a general rule, such communications are published on the website of the Division. Where specifically requested, the communication may also be published in the Law of the Sea Bulletin or given another form of publicity.

47. For the format of those communications, see paragraph 18.

¹⁰ See www.un.org/Depts/los/LEGISLATIONANDTREATIES/depositpublicity.htm and www.un.org/Depts/los/LEGISLATIONANDTREATIES/index.htm.

Deposit of outer limits of the continental shelf

48. Where a coastal State makes a deposit concerning the outer limits of the continental shelf, up to and/or beyond 200 nautical miles, under article 84, paragraph 2, of the Convention, the deposit is to be made with the Secretary-General of the United Nations and the Secretary-General of the International Seabed Authority.¹¹ As concerns the International Seabed Authority, further information in this regard is available on its website¹² and in the annual reports of its Secretary-General to the Assembly of the Authority on the work of the Authority (see, for example, document ISBA/26/A/2, paras. 7–9).

49. When preparing the deposit of material with the Secretary-General of the International Seabed Authority, a coastal State may contact the secretariat of the Authority to seek assistance with regard to the procedural and technical requirements of the deposit. The secretariat of the Authority can be contacted at secretary-general@isa.org.jm or at +1 876 922 9105.

50. To facilitate the drafting of the communication addressed to the Secretary-General of the International Seabed Authority to make a deposit, a template is provided in annex III.

Other due publicity obligations under the Convention

51. The Division also assists coastal States in fulfilling certain other due publicity obligations under the Convention,¹³ concerning:

- (a) Laws and regulations relating to innocent passage, pursuant to article 21, paragraph 3;
- (b) The suspension of innocent passage in specified areas of a territorial sea, pursuant to article 25, paragraph 3;
- (c) Laws and regulations relating to transit passage through straits, pursuant to article 42, paragraph 3.

52. A request from a coastal State for publicity to be given to the aforementioned information, pursuant to the relevant provisions of the Convention, should be addressed to the Secretary-General of the United Nations in an official communication, a copy of which should be transmitted to the Division. For the format in which legislation should be provided, see paragraph 30.

53. Notifications of suspensions of innocent passage are published on the website of the Division.¹⁴ Should the coastal State require additional forms of publicity, a request to that effect should be addressed to the Secretariat.

¹¹ The United Nations and the International Seabed Authority have developed a practice of periodically sharing information concerning charts and lists defining the outer limits of the continental shelf, pursuant to the Agreement concerning the Relationship between the United Nations and the International Seabed Authority (resolution 52/27, annex).

¹² See www.isa.org.jm/index.php/deposit-charts.

¹³ Due publicity obligations under articles 22, 41 and 53 of the Convention regarding sea lanes and traffic separation schemes are discharged through the International Maritime Organization (see www.imo.org).

¹⁴ See www.un.org/Depts/los/convention_agreements/innocent_passages_suspension.htm.

ANNEX I

RELEVANT ARTICLES OF THE CONVENTION¹⁵

I. Deposit and due publicity related to maritime zones

PART II

TERRITORIAL SEA AND CONTIGUOUS ZONE

...

Article 7

Straight baselines

1. In localities where the coastline is deeply indented and cut into, or if there is a fringe of islands along the coast in its immediate vicinity, the method of straight baselines joining appropriate points may be employed in drawing the baseline from which the breadth of the territorial sea is measured.
2. Where because of the presence of a delta and other natural conditions the coastline is highly unstable, the appropriate points may be selected along the furthest seaward extent of the low-water line and, notwithstanding subsequent regression of the low-water line, the straight baselines shall remain effective until changed by the coastal State in accordance with this Convention.
3. The drawing of straight baselines must not depart to any appreciable extent from the general direction of the coast, and the sea areas lying within the lines must be sufficiently closely linked to the land domain to be subject to the regime of internal waters.
4. Straight baselines shall not be drawn to and from low-tide elevations, unless lighthouses or similar installations which are permanently above sea level have been built on them or except in instances where the drawing of baselines to and from such elevations has received general international recognition.
5. Where the method of straight baselines is applicable under paragraph 1, account may be taken, in determining particular baselines, of economic interests peculiar to the region concerned, the reality and the importance of which are clearly evidenced by long usage.
6. The system of straight baselines may not be applied by a State in such a manner as to cut off the territorial sea of another State from the high seas or an exclusive economic zone.

Article 9

Mouths of rivers

If a river flows directly into the sea, the baseline shall be a straight line across the mouth of the river between points on the low-water line of its banks.

Article 10

Bays

1. This article relates only to bays the coasts of which belong to a single State.
2. For the purposes of the Convention, a bay is a well-marked indentation whose penetration is in such proportion to the width of its mouth as to contain landlocked waters and constitute more than a mere curvature of the coast. An indentation shall not, however, be regarded as a bay unless its area is as large as, or larger than, that of the semi-circle whose diameter is a line drawn across the mouth of that indentation.
3. For the purpose of measurement, the area of an indentation is that lying between the low-water mark around the shore of the indentation and a line joining the low-water mark of its natural entrance points. Where, because of the presence of islands, an indentation has more than one mouth, the semi-circle shall be drawn on a line as long as the sum total of the lengths of the lines across the different mouths. Islands within an indentation shall be included as if they were part of the water area of the indentation.

¹⁵ Bold print has been used to highlight the provisions related to deposit and due publicity obligations.

4. If the distance between the low-water marks of the natural entrance points of a bay does not exceed 24 nautical miles, a closing line may be drawn between these two low-water marks, and the waters enclosed thereby shall be considered as internal waters.
5. Where the distance between the low-water marks of the natural entrance points of a bay exceeds 24 nautical miles, a straight baseline of 24 nautical miles shall be drawn within the bay in such a manner as to enclose the maximum area of water that is possible with a line of that length.
6. The foregoing provisions do not apply to so-called "historic" bays, or in any case where the system of straight baselines provided for in article 7 is applied.

Article 12
Roadsteads

Roadsteads which are normally used for the loading, unloading and anchoring of ships, and which would otherwise be situated wholly or partly outside the outer limit of the territorial sea, are included in the territorial sea.

Article 15
Delimitation of the territorial sea between States with opposite or adjacent coasts

Where the coasts of two States are opposite or adjacent to each other, neither of the two States is entitled, failing agreement between them to the contrary, to extend its territorial sea beyond the median line every point of which is equidistant from the nearest points on the baselines from which the breadth of the territorial seas of each of the two States is measured. The above provision does not apply, however, where it is necessary by reason of historic title or other special circumstances to delimit the territorial seas of the two States in a way which is at variance therewith.

Article 16
Charts and lists of geographical coordinates

1. **The baselines for measuring the breadth of the territorial sea determined in accordance with articles 7, 9 and 10, or the limits derived therefrom, and the lines of delimitation drawn in accordance with articles 12 and 15 shall be shown on charts of a scale or scales adequate for ascertaining their position. Alternatively, a list of geographical coordinates of points, specifying the geodetic datum, may be substituted.**
2. **The coastal State shall give due publicity to such charts or lists of geographical coordinates and shall deposit a copy of each such chart or list with the Secretary-General of the United Nations.**

Article 33
Contiguous zone

1. In a zone contiguous to its territorial sea, described as the contiguous zone, the coastal State may exercise the control necessary to:
 - (a) Prevent infringement of its customs, fiscal, immigration or sanitary laws and regulations within its territory or territorial sea;
 - (b) Punish infringement of the above laws and regulations committed within its territory or territorial sea.
2. The contiguous zone may not extend beyond 24 nautical miles from the baselines from which the breadth of the territorial sea is measured.

...

PART IV
ARCHIPELAGIC STATES

...

Article 47
Archipelagic baselines

1. An archipelagic State may draw straight archipelagic baselines joining the outermost points of the outermost islands and drying reefs of the archipelago provided that within such baselines are included the main islands and an area in which the ratio of the area of the water to the area of the land, including atolls, is between 1 to 1 and 9 to 1.
2. The length of such baselines shall not exceed 100 nautical miles, except that up to 3 per cent of the total number of baselines enclosing any archipelago may exceed that length, up to a maximum length of 125 nautical miles.
3. The drawing of such baselines shall not depart to any appreciable extent from the general configuration of the archipelago.
4. Such baselines shall not be drawn to and from low-tide elevations, unless lighthouses or similar installations which are permanently above sea level have been built on them or where a low-tide elevation is situated wholly or partly at a distance not exceeding the breadth of the territorial sea from the nearest island.
5. The system of such baselines shall not be applied by an archipelagic State in such a manner as to cut off from the high seas or the exclusive economic zone the territorial sea of another State.
6. If a part of the archipelagic waters of an archipelagic State lies between two parts of an immediately adjacent neighbouring State, existing rights and all other legitimate interests which the latter State has traditionally exercised in such waters and all rights stipulated by agreement between those States shall continue and be respected.
7. For the purpose of computing the ratio of water to land under paragraph 1, land areas may include waters lying within the fringing reefs of islands and atolls, including that part of a steep-sided oceanic plateau which is enclosed or nearly enclosed by a chain of limestone islands and drying reefs lying on the perimeter of the plateau.
8. The baselines drawn in accordance with this article shall be shown on charts of a scale or scales adequate for ascertaining their position. Alternatively, lists of geographical coordinates of points, specifying the geodetic datum, may be substituted.
9. The archipelagic State shall give due publicity to such charts or lists of geographical coordinates and shall deposit a copy of each such chart or list with the Secretary-General of the United Nations.

...

PART V
EXCLUSIVE ECONOMIC ZONE

...

Article 75
Charts and lists of geographical coordinates

1. Subject to this Part, the outer limit lines of the exclusive economic zone and the lines of delimitation drawn in accordance with article 74 shall be shown on charts of a scale or scales adequate for ascertaining their position. Where appropriate, lists of geographical coordinates of points, specifying the geodetic datum, may be substituted for such outer limit lines or lines of delimitation.
2. The coastal State shall give due publicity to such charts or lists of geographical coordinates and shall deposit a copy of each such chart or list with the Secretary-General of the United Nations.

PART VI
CONTINENTAL SHELF

Article 76
Definition of the continental shelf

1. The continental shelf of a coastal State comprises the seabed and subsoil of the submarine areas that extend beyond its territorial sea throughout the natural prolongation of its land territory to the outer edge of the continental margin, or to a distance of 200 nautical miles from the baselines from which the breadth of the territorial sea is measured where the outer edge of the continental margin does not extend up to that distance.
2. The continental shelf of a coastal State shall not extend beyond the limits provided for in paragraphs 4 to 6.
3. The continental margin comprises the submerged prolongation of the land mass of the coastal State, and consists of the seabed and subsoil of the shelf, the slope and the rise. It does not include the deep ocean floor with its oceanic ridges or the subsoil thereof.
4. (a) For the purposes of this Convention, the coastal State shall establish the outer edge of the continental margin wherever the margin extends beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured, by either:
 - (i) A line delineated in accordance with paragraph 7 by reference to the outermost fixed points at each of which the thickness of sedimentary rocks is at least 1 per cent of the shortest distance from such point to the foot of the continental slope; or
 - (ii) A line delineated in accordance with paragraph 7 by reference to fixed points not more than 60 nautical miles from the foot of the continental slope.(b) For the purposes of this Convention, the coastal State shall establish the outer edge of the continental margin wherever the margin extends beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured, by either:
5. The fixed points comprising the line of the outer limits of the continental shelf on the seabed, drawn in accordance with paragraph 4 (a) (i) and (ii), either shall not exceed 350 nautical miles from the baselines from which the breadth of the territorial sea is measured or shall not exceed 100 nautical miles from the 2,500 metre isobath, which is a line connecting the depth of 2,500 metres.
6. Notwithstanding the provisions of paragraph 5, on submarine ridges, the outer limit of the continental shelf shall not exceed 350 nautical miles from the baselines from which the breadth of the territorial sea is measured. This paragraph does not apply to submarine elevations that are natural components of the continental margin, such as its plateaux, rises, caps, banks and spurs.
7. The coastal State shall delineate the outer limits of its continental shelf, where that shelf extends beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured, by straight lines not exceeding 60 nautical miles in length, connecting fixed points, defined by coordinates of latitude and longitude.
8. Information on the limits of the continental shelf beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured shall be submitted by the coastal State to the Commission on the Limits of the Continental Shelf set up under annex II [of the Convention] on the basis of equitable geographical representation. The Commission shall make recommendations to coastal States on matters related to the establishment of the outer limits of their continental shelf. The limits of the shelf established by a coastal State on the basis of these recommendations shall be final and binding.
9. **The coastal State shall deposit with the Secretary-General of the United Nations charts and relevant information, including geodetic data, permanently describing the outer limits of its continental shelf. The Secretary-General shall give due publicity thereto.**
10. The provisions of this article are without prejudice to the question of delimitation of the continental shelf between States with opposite or adjacent coasts.

Article 84
Charts and lists of geographical coordinates

1. Subject to this Part, the outer limit lines of the continental shelf and the lines of delimitation drawn in accordance with article 83 shall be shown on charts of a scale or scales adequate for ascertaining their position. Where appropriate, lists of geographical coordinates of points, specifying the geodetic datum, may be substituted for such outer limit lines or lines of delimitation.
2. The coastal State shall give due publicity to such charts or lists of geographical coordinates and shall deposit a copy of each such chart or list with the Secretary-General of the United Nations and, in the case of those showing the outer limit lines of the continental shelf, with the Secretary-General of the Authority.

II. Other due publicity obligations under the Convention

PART II TERRITORIAL SEA AND CONTIGUOUS ZONE

Article 21
Laws and regulations of the coastal State relating to innocent passage

1. The coastal State may adopt laws and regulations, in conformity with the provisions of this Convention and other rules of international law, relating to innocent passage through the territorial sea, in respect of all or any of the following:
 - (a) The safety of navigation and the regulation of maritime traffic;
 - (b) The protection of navigational aids and facilities and other facilities or installations;
 - (c) The protection of cables and pipelines;
 - (d) The conservation of the living resources of the sea;
 - (e) The prevention of infringement of the fisheries laws and regulations of the coastal State;
 - (f) The preservation of the environment of the coastal State and the prevention, reduction and control of pollution thereof;
 - (g) Marine scientific research and hydrographic surveys;
 - (h) The prevention of infringement of the customs, fiscal, immigration or sanitary laws and regulations of the coastal State.
2. Such laws and regulations shall not apply to the design, construction, manning or equipment of foreign ships unless they are giving effect to generally accepted international rules or standards.
3. **The coastal State shall give due publicity to all such laws and regulations.**
4. Foreign ships exercising the right of innocent passage through the territorial sea shall comply with all such laws and regulations and all generally accepted international regulations relating to the prevention of collisions at sea.

Article 25
Rights of protection of the coastal State

1. The coastal State may take the necessary steps in its territorial sea to prevent passage which is not innocent.
2. In the case of ships proceeding to internal waters or a call at a port facility outside internal waters, the coastal State also has the right to take the necessary steps to prevent any breach of the conditions to which admission of those ships to internal waters or such a call is subject.
3. The coastal State may, without discrimination in form or in fact among foreign ships, suspend temporarily in specified areas of its territorial sea the innocent passage of foreign ships if such suspension is essential for the protection of its security, including weapons exercises. **Such suspension shall take effect only after having been duly published.**

PART III
STRAITS USED FOR INTERNATIONAL NAVIGATION

Article 42

Laws and regulations of States bordering straits relating to transit passage

1. Subject to the provisions of this section, States bordering straits may adopt laws and regulations relating to transit passage through straits, in respect of all or any of the following:
 - (a) The safety of navigation and the regulation of maritime traffic, as provided in article 41;
 - (b) The prevention, reduction and control of pollution, by giving effect to applicable international regulations regarding the discharge of oil, oily wastes and other noxious substances in the strait;
 - (c) With respect to fishing vessels, the prevention of fishing, including the stowage of fishing gear;
 - (d) The loading or unloading of any commodity, currency or person in contravention of the customs, fiscal, immigration or sanitary laws and regulations of States bordering straits.
2. Such laws and regulations shall not discriminate in form or in fact among foreign ships or in their application have the practical effect of denying, hampering or impairing the right of transit passage as defined in this section.
3. **States bordering straits shall give due publicity to all such laws and regulations.**
4. Foreign ships exercising the right of transit passage shall comply with such laws and regulations.
5. The flag State of a ship or the State of registry of an aircraft entitled to sovereign immunity which acts in a manner contrary to such laws and regulations or other provisions of this Part shall bear international responsibility for any loss or damage which results to States bordering straits.

ANNEX II

TEMPLATE FOR A COMMUNICATION ADDRESSED TO THE SECRETARY-GENERAL OF THE UNITED NATIONS

[Opening courtesy salutation addressed to the Secretary-General of the United Nations.]

[Add sender here: e.g., *The Permanent Mission/Permanent Representative of... to the United Nations*] has the honour to deposit with the Secretary-General, as depositary of the United Nations Convention on the Law of the Sea, [charts] [and/or] [lists of geographical coordinates of points], [accompanied by illustrative maps,] [as contained in [*specify the title of the national legislation or maritime boundary delimitation treaty, if applicable*]] [attached herewith]] concerning [*include any of the following, as applicable, specifying the geographical area to which they belong, as appropriate*]:

- The baselines from which the breadth of the territorial sea is measured, pursuant to article 16, paragraph 2, of the Convention
- The outer limits of the territorial sea and/or lines of delimitation thereof, pursuant to article 16, paragraph 2, of the Convention
- The outer limits of the contiguous zone and/or lines of delimitation thereof, pursuant to article 16, paragraph 2, of the Convention
- Archipelagic baselines, pursuant to article 47, paragraph 9, of the Convention
- The outer limits of the exclusive economic zone and/or lines of delimitation thereof, pursuant to article 75, paragraph 2, of the Convention
- The outer limits of the continental shelf and/or lines of delimitation thereof, pursuant to article 76, paragraph 9, and/or article 84, paragraph 2, of the Convention

[The [list] [lists] of geographical coordinates of points [as contained in *legislation or treaty*] [is] [are] referred to [*specify the geodetic datum, e.g., the World Geodetic System 1984 (WGS 84)*].

[**Relevant observations – examples**]

[*Legislation/treaty title*] repeals and replaces [*legislation/treaty title*]. The present deposit hereby supersedes [fully] [in part] the previous deposit made by [State] on [date], which was given due publicity through maritime zone notification [M.Z.N...]. [*If the supersession is partial, clearly identify which parts of the previously deposited material are not affected by the supersession and remain valid.*]

[The outer limits of the continental shelf of [State] beyond 200 nautical miles from the baselines are established on the basis of the *Recommendations adopted by the Commission on the Limits of the Continental Shelf of [date] in respect of the submission made by [State].*]

[**All communications**]

[The Secretary-General is requested to assist [State] in giving due publicity to the deposit, in accordance with the aforementioned [article] [articles] of the Convention, including through the publication of the deposited material and information in the *Law of the Sea Bulletin* and on the website of the Division for Ocean Affairs and the Law of the Sea. [*In view of the depositary practice of the Secretary-General (see document SPLOS/30/12), the inclusion of such a paragraph is optional, but highly desirable.*]

[Closing salutation addressed to the Secretary-General of the United Nations.]

ANNEX III
TEMPLATE FOR A COMMUNICATION
ADDRESSED TO THE SECRETARY-GENERAL
OF THE INTERNATIONAL SEABED AUTHORITY¹⁶

[Opening salutation addressed to the Secretary-General of the International Seabed Authority.]

[Add sender here: e.g., *The Permanent Mission/Permanent Representative of [State] to the International Seabed Authority*] has the honour to deposit with the Secretary-General of the International Seabed Authority, [charts] [and/or] [lists of geographical coordinates of points], [as contained in the attached national legislation or maritime boundary delimitation treaty,] [accompanied by illustrative maps,] showing the outer limit lines of the continental shelf, pursuant to article 84, paragraph 2 of the Convention.

The [list] [lists] of geographical coordinates of points [as contained in *legislation* or *treaty*] [is] [are] referenced to [specify the geodetic datum, e.g., *the World Geodetic System 1984 (WGS 84)*].

[Relevant observations – examples]

[Add sender here: e.g., *The Permanent Mission/Permanent Representative of [State]*] wishes to inform the Secretary-General that [*legislation/treaty*] repeals and replaces [*legislation/treaty*]. The present deposit hereby supersedes the previous deposit made by [State] on [date], which was given due publicity by the Secretary-General of the United Nations through maritime zone notification [M.Z.N...].]

[Add sender here: e.g., *The Permanent Mission/Permanent Representative of [State]*] wishes to inform the Secretary-General that [State] formally established the outer limits of its continental shelf in accordance with the *Recommendations adopted by the Commission on the Limits of the Continental Shelf of [date] in respect of the submission made by [State].*]

[All communications]

[Add sender here: e.g., *The Permanent Mission/Permanent Representative of [State]*] requests that due publicity be given to the deposit in accordance with the aforementioned article of the Convention.

[Closing salutation addressed to the Secretary-General of the International Seabed Authority.]

¹⁶ Charts and lists of geographical coordinates of points showing or defining the outer limit of the continental shelf should include outer limit lines both beyond 200 nautical miles and up to 200 nautical miles (see para. 48 of the present guidelines).

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