

## Division for Ocean Affairs and the Law of the Sea

### **Navigating A Maritime Information System: *Obligations of States Parties to UNCLOS and technical issues***



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### **Presentation Overview**

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- 2 Obligations and purpose of deposit**
- 3 Making a deposit and due publicity**
- 4 Status**
- 5 Technical issues**



## ■ The UN Convention on the Law of the Sea

Coastal States are required under the United Nations Convention on the Law of the Sea (UNCLOS) to deposit with the Secretary-General of the United Nations charts or, alternatively, the lists of geographical coordinates of points, specifying the geodetic datum, with respect to:

- straight (art. 16) and archipelagic (art. 47) baselines,
- the outer limits of maritime zones (territorial sea, contiguous zone, the exclusive economic zone and the continental shelf) (articles 16, 75, 76, and 84), and
- the lines of delimitation (articles 16, 75, and 84).

In the case of the outer limit lines of the continental shelf, they shall also deposit the charts/lists with the S-G of the International Seabed Authority.



## ■ The UN Convention on the Law of the Sea

Other depository obligations under UNCLOS which may be included in a Maritime Information System:

- innocent passage through the territorial sea (article 21);
- transit passage through straits used for international navigation (article 42);
- sea lanes and traffic separation schemes (articles 22, 41 and 53), inter alia, through IMO.



## ■ Obligations and purpose of deposit

To ensure that the international community is adequately informed of the extents of the maritime zones of a coastal State, the baselines (straight or archipelagic) utilised, and lines of delimitation between States.



## ■ Obligations and purpose of deposit

The objective in making such information available is:

- to protect the sovereignty/sovereign rights/jurisdiction of the coastal States in its maritime zones; and
- to provide adequate information to ensure that international navigation does not unwittingly enter the territorial sea of a coastal State and infringe the rules regarding innocent passage
- or that vessels flying the flag of other States do not unwittingly infringe coastal States' sovereign rights over natural resources of the exclusive economic zone or the continental shelf or their jurisdiction over activities, installations, etc., related to these resources.



## ■ Making a deposit and due publicity

The deposit of charts, or of lists of geographical coordinates of points, with the Secretary-General of the UN is an international act by a State Party to UNCLOS in order to conform with the deposit obligations, after the entry into force of UNCLOS.

The mere existence or adoption of legislation or the conclusion of a maritime boundary delimitation treaty registered with the Secretariat, even if they contain charts or lists of coordinates, cannot be interpreted as an act of deposit with the Secretary-General under UNCLOS.



## ■ Making a deposit and due publicity

### Due publicity: States and the Secretariat

- Coastal States are also required to give due publicity to deposited charts and lists of geographical coordinates.
- In the case of the continental shelf, due publicity is to be given by the Secretary-General.



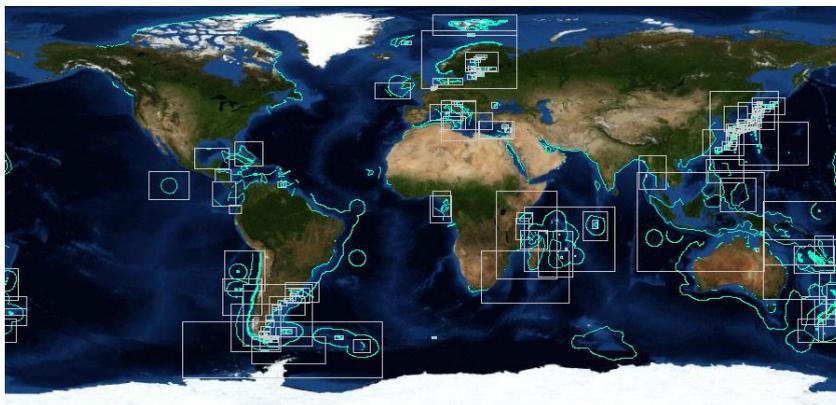
## ■ Due publicity: States & Secretariat

### • Depository facilities established by the Secretary-General

The Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs as the responsible substantive unit of the United Nations Secretariat, has established procedures for receiving the deposits and dissemination of information received in order to assist States in complying with their due publicity obligations.



## ■ Due publicity: States & Secretariat



## ■ Due publicity: States & Secretariat

### • Maritime Zone Notifications:

The Division informs States of the deposit of charts and/or geographical coordinates through a “maritime zone notification” (95 MZN circulated so far).



## ■ Due publicity: States & Secretariat

### Law of the Sea Information Circular:

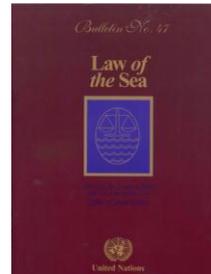
- The notifications are subsequently summarised in the *Law of the Sea Information Circular*, together with other relevant information concerning the discharge by States of the due publicity obligation;
- 36 LOSICs have been circulated so far (2 issues every year).



■ Due publicity: States & Secretariat

Law of the Sea Bulletins:

- The texts of the relevant legislation together with illustrative maps are then published in the *Law of the Sea Bulletin* and also on the web site.
- 81 Bulletins have been circulated so far (3 issues every year).



■ Due publicity: States & Secretariat

Information resources on the web: [www.un.org/Depts/los](http://www.un.org/Depts/los)

The screenshot shows the website interface for 'Oceans & Law of the Sea' under the 'DIVISION FOR OCEAN AFFAIRS AND THE LAW OF THE SEA'. It features a navigation menu with categories like 'The Convention and the related instruments', 'Agreements on the Law of the Sea', 'Dispute Settlement', 'Settlement of disputes', and 'The division, its functions and activities'. A search bar is visible at the bottom left, and a footer contains contact information and a disclaimer.

## ■ Status

- As of May 2013, only 57 coastal States out of more than 130 coastal States Parties have mainly partially complied with their deposit obligations;
- The information is in the format of paper charts, and/or list of geographic coordinates as required by UNCLOS.



## ■ Status

*“6. 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, as provided for in the Convention, preferably using the generally accepted and most recent geodetic datums;”*

***General Assembly resolution 67/78***



## ■ Technical aspects

“[...] 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.”



*United Nations Convention on the Law of the Sea (1982)*



## ■ Technical aspects

### ■ Deposit of Charts

“ [...] the term ‘chart’ as used in the Law of the Sea Convention implies the use of ‘nautical chart’ which is defined as a chart specifically designed to meet the requirements of navigation .”



*A Manual On Technical Aspects of the  
United Nations Convention on the Law of the Sea*

*Published by the International Hydrographic Organization*



## ■ Technical aspects

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## ■ Technical aspects

### ■ Deposit of lists of coordinates

The information should be provided in digital format, as shown in the table below:

Point (number/name)	Original Geodetic Datum		World Geodetic Datum 84 (WGS 84)	
	Longitude (E/W)	Latitude (N/S)	Longitude (E/W)	Latitude (N/S)
1	00°00' 00.00"	00°00' 00.00"	00.00000°	00.00000°

Additional information may include the following:

Segment	Length (km/m/nm)	Line type	Maritime limit
Point 1- point 7		Straight geodetic line	Straight Baseline
			Archipelagic Baseline
			Territorial Sea



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## ■ Technical aspects

### ■ Issues related to deposits

Unusual datums

States encouraged to deposit in "the most recent" datums to avoid reprojection by the Secretariat





## ■ Technical aspects

### ■ Technical Standards

#### Technical Standard goals :

- Definition of feature classes describing outer limits of maritime zones and international maritime boundaries in S-100;
- Provision of guidance to States Parties to UNCLOS to, if they wish so, structure their deposit for the purpose of data exchange in compliance with this technical standard;
- Design and maintenance of a GIS database based on this technical standard and enable users to seamlessly download the information and use it in their systems and/or ENCs.



Questions ?

