

Division for Ocean Affairs and the Law of the Sea

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

United Nations Regional Cartographic Conference for the Americas
20 August 2013



DIVISION FOR OCEAN AFFAIRS AND THE LAW OF THE SEA
UNITED NATIONS

Presentation Overview

- 1** The UN Convention on the Law of the Sea
- 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/due publicity obligations under UNCLOS which may be included in a Maritime Information System:

- innocent passage through the territorial sea (article 21);
- suspension of innocent passage (article 25(3));
- 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.

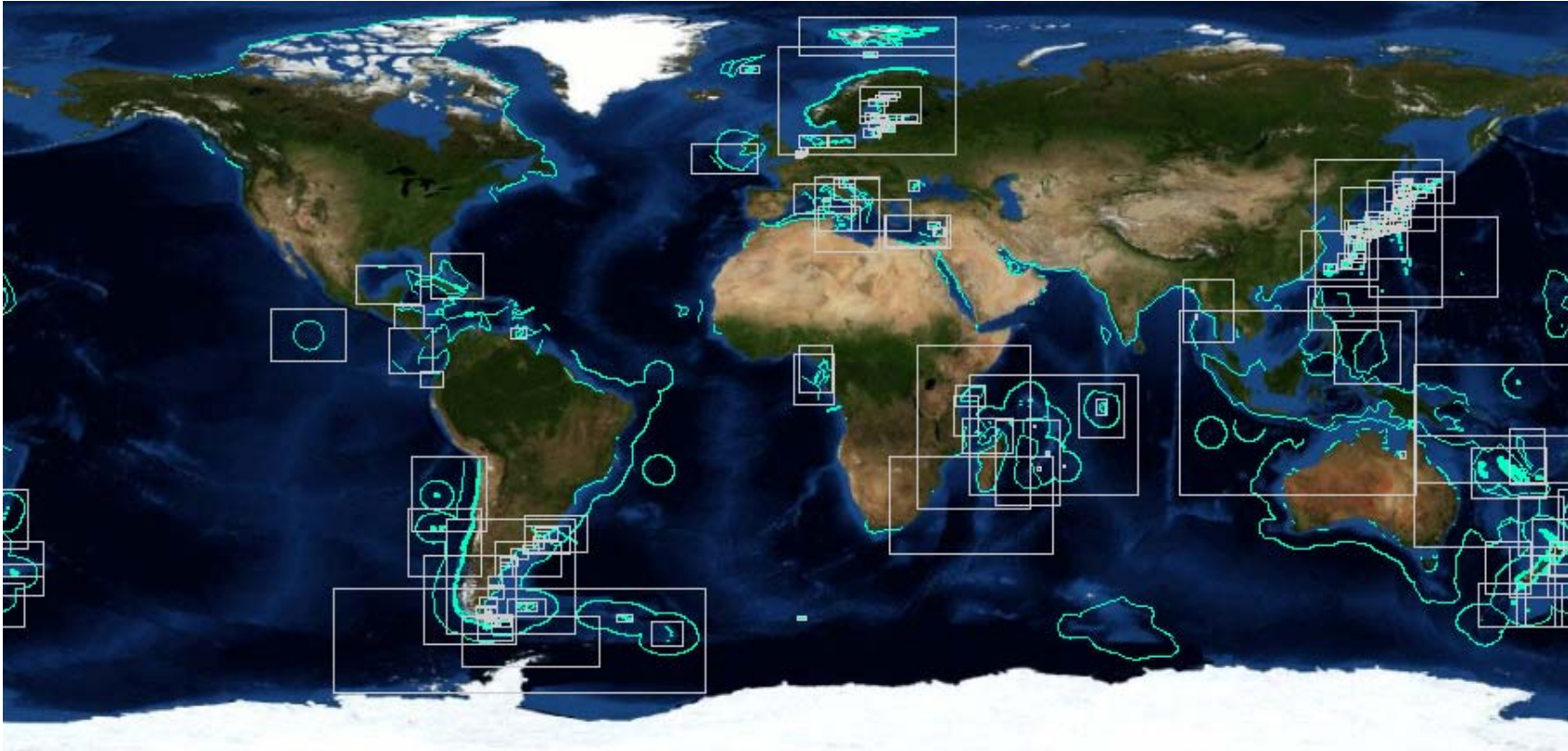
■ Due publicity: States & Secretariat

- **Depositary 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



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■ 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

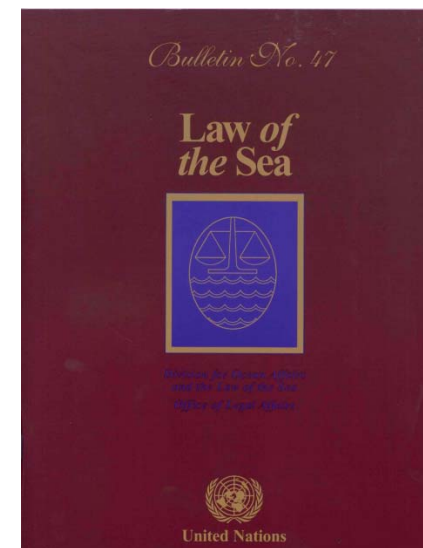
Law of the Sea Information Circular:

- 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

OCEANS & LAW OF THE SEA
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DIVISION FOR OCEAN AFFAIRS AND THE LAW OF THE SEA

New developments and recent additions

Calendar of meetings

[Secretary-General's Oceans Compact](#)

8 June - World Oceans Day

[Video on UNCLOS in action](#)

30th ANNIVERSARY OF THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA 1982-2012

<p>THE CONVENTION AND THE RELATED AGREEMENTS</p> <ul style="list-style-type: none"> United Nations Convention on the Law of the Sea Agreement relating to the implementation of Part XI of the Convention 1995 United Nations Fish Stocks Agreement <ul style="list-style-type: none"> Review Conference Informal Consultations Assistance fund Meeting of States Parties to the Convention Status of the Convention and of the Agreements Deposit of charts/lists of coordinates under the Convention Suspension of innocent passage 	<p>OCEANS AND THE LAW OF THE SEA IN THE GENERAL ASSEMBLY</p> <ul style="list-style-type: none"> United Nations Open-ended Informal Consultative Process Reports of the Secretary-General General Assembly resolutions Other General Assembly documents Official Records of the General Assembly A regular process for global reporting and assessment of the state of the marine environment, including socio-economic aspects Ad Hoc Open-ended Informal Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction <p>THEMES</p> <ul style="list-style-type: none"> Marine biological diversity beyond areas of national jurisdiction Ocean noise: peer-reviewed scientific studies Ecosystem approaches Oceans and climate change Piracy 	<p>BODIES ESTABLISHED BY THE CONVENTION</p> <ul style="list-style-type: none"> Commission on the Limits of the Continental Shelf International Seabed Authority International Tribunal for the Law of the Sea ITLOS Trust Fund 	<p>SETTLEMENT OF DISPUTES</p> <ul style="list-style-type: none"> Choice of procedure under article 287 of the Convention International Court of Justice International Tribunal for the Law of the Sea Lists of Arbitrators and Conciliators List of experts 	<p>THE DIVISION, ITS FUNCTIONS AND ACTIVITIES</p> <ul style="list-style-type: none"> H.S. Amazingha Fellowship TRAIN-SEA-COAST Technical Cooperation Trust Fund - United Nations and The Nippon Foundation of Japan Technical Assistance United Nations publications prepared by the Division Study - Available assistance to and measures that may be taken by developing States
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[Maritime space: legislation and treaties \(database\)](#)
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■ 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)



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



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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

■ Technical aspects

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



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■ Technical aspects

■ Issues related to deposits

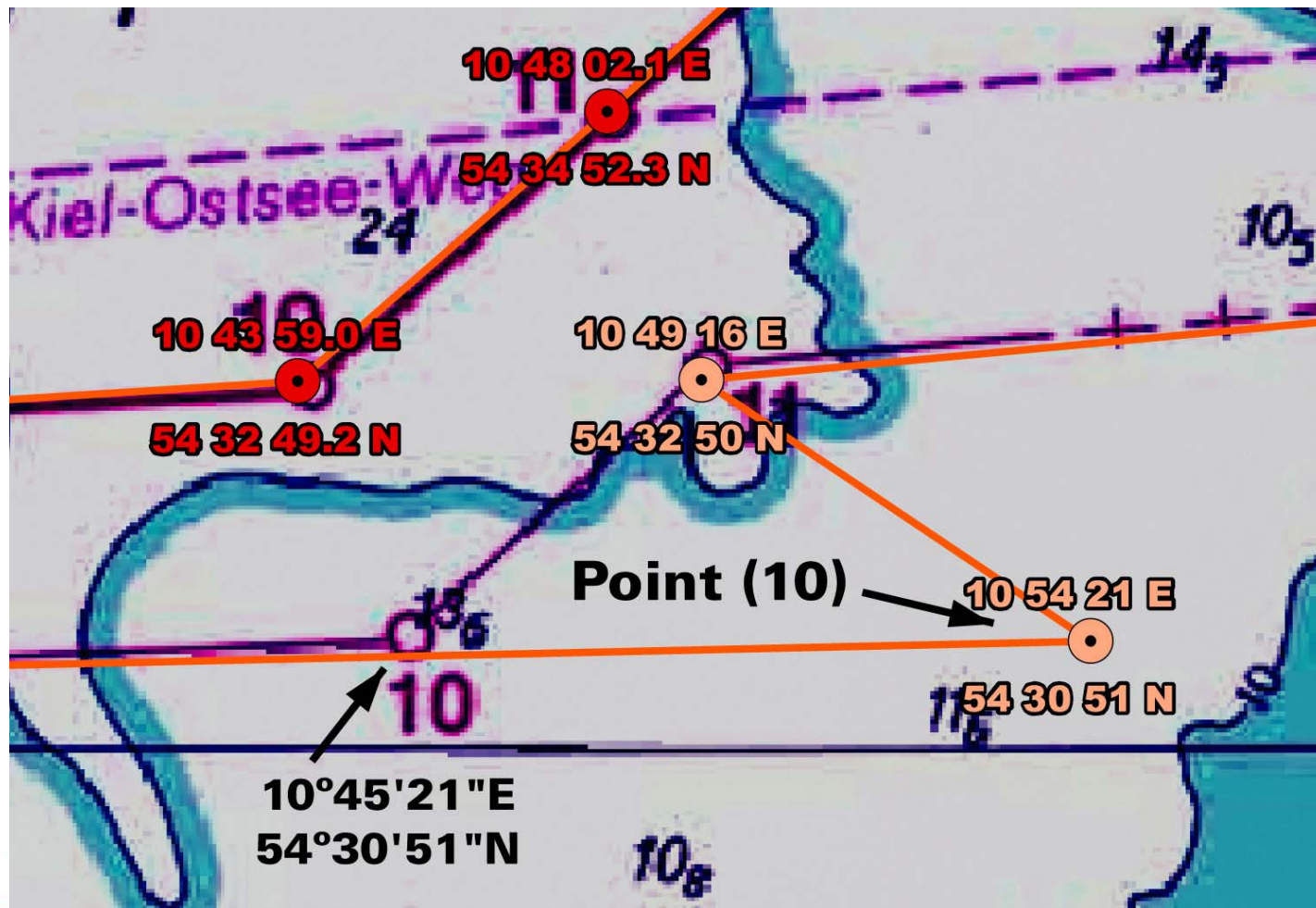
Unusual datums

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

■ Technical aspects

■ Error checking

10° 54' 21" East or 10° 45' 21" E ?



■ Technical aspects

■ Technical Standards

A/RES/59/24, 4 February 2005

“6. *Requests* 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 in compliance with the Convention, and to give due publicity thereto, in particular by implementing, in cooperation with relevant international organizations, such as the International Hydrographic Organization, 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 these organizations;”

General Assembly Resolution 59/24 (2005)



■ 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 ?

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Shawn Stanley, GIS Officer



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