

Article 8

This Convention shall, until 30 October 1958, be open for signature by all States Members of the United Nations or of any of the specialised agencies, and by any other state invited by the General Assembly of the United Nations to become a Party to the Convention.

Article 9

This Convention is subject to ratification. The instruments of ratification shall be deposited with the Secretary General of the United Nations.

Article 10

This Convention shall be open for accession by any states belonging to any of the categories mentioned in Article 8. The instrument of accession shall be deposited with the Secretary General of the United Nations.

Article 11

- 1 This Convention shall come into force on the thirtieth day following the date of deposit of the twenty-second instrument of ratification or accession with the Secretary General of the United Nations.
- 2 For each state ratifying or acceding to the Convention after the deposit of the twenty-second instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after deposit by such States of its instrument of ratification or accession.

Article 12

- 1 At the time of signature, ratification or accession, any state may make reservations to articles of the Convention other than to Articles 1 to 3 inclusive.
- 2 Any contracting state making a reservation in accordance with the preceding paragraph may at any time withdraw the reservation by a communication to that effect addressed to the Secretary General of the United Nations.

Article 13

- 1 After the expiration of a period of five years from the date on which this Convention shall enter into force, a request for the revision of this Convention may be made at any time by any Contracting Party by means of a notification in writing addressed to the Secretary General of the United Nations.
- 2 The General Assembly of the United Nations shall decide upon the steps, if any, to be taken in respect of such request.

Article 14

The Secretary General of the United Nations shall inform all States Members of the United Nations and the other States referred to in Article 8:

- (a) of signatures to this Convention and of the deposit of instruments of ratification or accession, in accordance with Articles 8, 9 and 10;
- (b) of the date on which this Convention will come into force, in accordance with Article 11;
- (c) of requests for revision in accordance with Article 13;
- (d) of reservations to this Convention, in accordance with Article 12.

Article 15

The original of this Convention, of which the Chinese, English, French, Russian, and Spanish texts are equally authentic, shall be deposited with the Secretary

General of the United Nations, who shall send certified copies thereof to all States referred to in Article 31.

IN WITNESS WHEREOF the undersigned plenipotentiaries, being duly authorised thereto by their respective governments, have signed this Convention.

DONE AT GENEVA, this twenty-ninth day of April one thousand nine hundred and fifty-eight.

UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

Signed at Montego Bay, Jamaica, 10 December 1982

The States Parties to this Convention,

Prompted by the desire to settle, in a spirit of mutual understanding and co-operation, all issues relating to the law of the sea and aware of the historic significance of this Convention as an important contribution to the maintenance of peace, justice and progress for all peoples of the world,

Noting that developments since the United Nations Conferences on the Law of the Sea held at Geneva in 1958 and 1960 have accentuated the need for a new and generally acceptable Convention on the law of the sea,

Conscious that the problems of ocean space are closely interrelated and need to be considered as a whole,

Recognising the desirability of establishing through this Convention, with due regard for the sovereignty of all states, a legal order for the seas and oceans which will facilitate international communication, and will promote the peaceful uses of the seas and oceans, the equitable and efficient utilisation of their resources, the conservation of their living resources, and the study, protection and preservation of the marine environment,

Bearing in mind that the achievement of these goals will contribute to the realisation of a just and equitable international economic order which takes into account the interests and needs of mankind as a whole and, in particular, the special interests and needs of developing countries, whether coastal or land-locked,

Desiring by this Convention to develop the principles embodied in Resolution 2749 (XXV) of 17 December 1970 in which the General Assembly of the United Nations solemnly declared *inter alia* that the area of the sea bed and ocean floor and the subsoil thereof, beyond the limits of national jurisdiction, as well as its resources, are the common heritage of mankind, the exploration and exploitation of which shall be carried out for the benefit of mankind as a whole, irrespective of the geographical location of States,

Believing that the codification and progressive development of the law of the sea achieved in this Convention will contribute to the strengthening of peace, security, co-operation and friendly relations among all nations in conformity with the principles of justice and equal rights and will promote the economic and social advancement of all peoples of the world, in accordance with the Purposes and Principles of the United Nations as set forth in the Charter,

Affirming that matters not regulated by this Convention continue to be governed by the rules and principles of general international law,

Have agreed as follows:

PART I
INTRODUCTION

Article 1 Use of terms and scope

1 For the purposes of this Convention:

- (1) 'Area' means the sea bed and ocean floor and subsoil thereof beyond the limits of national jurisdiction;
 - (2) 'Authority' means the International Sea Bed Authority;
 - (3) 'activities in the Area' means all activities of exploration for, and exploitation of, the resources of the Area;
 - (4) 'pollution of the marine environment' means the introduction by man, directly or indirectly, of substances or energy into the marine environment, including estuaries, which results or is likely to result in such deleterious effects as harm to living resources and marine life, hazards to human health, hindrance to marine activities, including fishing and other legitimate uses of the sea, impairment of quality for use of sea water and reduction of amenities;
 - (5) (a) 'dumping' means:
 - (i) any deliberate disposal of wastes or other matter from vessels, aircraft, platforms or other man-made structures at sea;
 - (ii) any deliberate disposal of vessels, aircraft, platforms or other man-made structures at sea
 - (b) 'dumping' does not include:
 - (i) the disposal of wastes or other matter incidental to, or derived from the normal operations of vessels, aircraft, platforms or other man-made structures at sea and their equipment, other than wastes or other matter transported by or to vessels, aircraft, platforms or other man-made structures at sea, operating for the purpose of disposal of such matter or derived from the treatment of such wastes or other matter on such vessels, aircraft, platforms or structures;
 - (ii) placement of matter for a purpose other than the mere disposal thereof, provided that such placement is not contrary to the aims of this Convention.
- 2 (1) 'States Parties' means states which have consented to be bound by this Convention and for which this Convention is in force.
- (2) This Convention applies *mutatis mutandis* to the entities referred to in Article 305, para 1(b), (c), (d), (e) and (f), which become parties to this Convention in accordance with the conditions relevant to each, and to that extent 'States Parties' refers to those entities.

PART II
TERRITORIAL SEA AND CONTIGUOUS ZONE
SECTION 1 GENERAL PROVISIONS

Article 2 Legal status of the territorial sea, of the air space over the territorial sea and of its bed and subsoil

- 1 The sovereignty of a coastal state extends, beyond its land territory and internal waters and, in the case of an archipelagic state, its archipelagic waters, to an adjacent belt of sea, described as the territorial sea.

- 2 This sovereignty extends to the air space over the territorial sea as well as to its bed and subsoil.
- 3 The sovereignty over the territorial sea is exercised subject to this Convention and to other rules of international law.

SECTION 2 LIMITS OF THE TERRITORIAL SEA

Article 3 Breadth of the territorial sea

Every state has the right to establish the breadth of its territorial sea up to a limit not exceeding 12 nautical miles, measured from baselines determined in accordance with this Convention.

Article 4 Outer limit of the territorial sea

The outer limit of the territorial sea is the line every point of which is at a distance from the nearest point of the baseline equal to the breadth of the territorial sea.

Article 5 Normal baseline

Except where otherwise provided in this Convention, the normal baseline for measuring the breadth of the territorial sea is the low-water line along the coast as marked on large-scale charts officially recognised by the coastal state.

Article 6 Reefs

In the case of islands situated on atolls or of islands having fringing reefs, the baseline for measuring the breadth of the territorial sea is the seaward low-water line of the reef, as shown by the appropriate symbol on charts officially recognised by the coastal state.

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 para 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 8 Internal waters

- 1 Except as provided in Part IV, waters on the landward side of the baseline of the territorial sea form part of the internal waters of the state.
- 2 Where the establishment of a straight baseline in accordance with the method set forth in Article 7 has the effect of enclosing as internal waters areas which had not previously been considered as such, a right of innocent passage as provided in this Convention shall exist in those waters.

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 this Convention, a bay is a well-marked indentation whose penetration is in such proportion to the width of its mouth as to contain land-locked 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 semicircle 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.
- 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 11 Ports

For the purpose of delimiting the territorial sea, the outermost permanent harbour works which form an integral part of the harbour system are regarded as forming part of the coast. Off-shore installations and artificial islands shall not be considered as permanent harbour works.

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 13 Low-tide elevations

- 1 A low-tide elevation is a naturally formed area of land which is surrounded by and above water at low tide but submerged at high tide. Where a low-tide elevation is situated wholly or partly at a distance not exceeding the breadth of the territorial sea from the mainland or an island, the low-water line on that elevation may be used as the baseline for measuring the breadth of the territorial sea.
- 2 Where a low-tide elevation is wholly situated at a distance exceeding the breadth of the territorial sea from the mainland or an island, it has no territorial sea of its own.

Article 14 Combination of methods for determining baselines

The coastal state may determine baselines in turn by any of the methods provided for in the foregoing articles to suit different conditions.

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 co-ordinates

- 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 co-ordinates of points, specifying the geodetic datum, may be substituted.
- 2 The coastal state shall give due publicity to such charts or lists of geographical co-ordinates and shall deposit a copy of each such chart or list with the Secretary General of the United Nations.

SECTION 3 INNOCENT PASSAGE IN THE TERRITORIAL SEA
SUB-SECTION A RULES APPLICABLE TO ALL SHIPS

Article 17 Right of innocent passage

Subject to this Convention, ships of all states, whether coastal or land-locked, enjoy the right of innocent passage through the territorial sea.

Article 18 Meaning of passage

- 1 Passage means navigation through the territorial sea for the purpose of:
 - (a) traversing that sea without entering 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 such roadstead or port facility.
- 2 Passage shall be continuous and expeditious. However, passage includes stopping and anchoring, but only in so far as the same are incidental to

ordinary navigation or are rendered necessary by force majeure or distress or for the purpose of rendering assistance to persons, ships or aircraft in danger or distress.

Article 19 Meaning of innocent passage

- 1 Passage is innocent so long as it is not prejudicial to the peace, good order or security of the coastal state. Such passage shall take place in conformity with this Convention and with other rules of international law.
- 2 Passage of a foreign ship shall be considered to be prejudicial to the peace, good order or security of the coastal state if in the territorial sea it engages in any of the following activities:
 - (a) any threat or use of force against the sovereignty, territorial integrity or political independence of the coastal state, or in any other manner in violation of the principles of international law embodied in the Charter of the United Nations;
 - (b) any exercise or practice with weapons of any kind;
 - (c) any act aimed at collecting information to the prejudice of the defence or security of the coastal state;
 - (d) any act of propaganda aimed at affecting the defence or security of the coastal state;
 - (e) the launching, landing or taking on board of any aircraft;
 - (f) the launching, landing or taking on board of any military device;
 - (g) the loading or unloading of any commodity, currency or person contrary to the customs, fiscal, immigration or sanitary laws and regulations of the coastal state;
 - (h) any act of wilful and serious pollution contrary to this Convention;
 - (i) any fishing activities;
 - (j) the carrying out of research or survey activities;
 - (k) any act aimed at interfering with any systems of communication or any other facilities or installations of the coastal state;
 - (l) any other activity not having a direct bearing on passage.

Article 20 Submarines and other underwater vehicles

In the territorial sea, submarines and other underwater vehicles are required to navigate on the surface and to show their flag.

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 22 Sea lanes and traffic separation schemes in the territorial sea

- 1 The coastal state may, where necessary having regard to the safety of navigation, require foreign ships exercising the right of innocent passage through its territorial sea to use such sea lanes and traffic separation schemes as it may designate or prescribe for the regulation of the passage of ships.
- 2 In particular, tankers, nuclear-powered ships and ships carrying nuclear or other inherently dangerous or noxious substances or materials may be required to confine their passage to such sea lanes.
- 3 In the designation of sea lanes and the prescription of traffic separation schemes under this article, the coastal state shall take into account:
 - (a) the recommendations of the competent international organisation;
 - (b) any channels customarily used for international navigation;
 - (c) the special characteristics of particular ships and channels; and
 - (d) the density of traffic.
- 4 The coastal state shall clearly indicate such sea lanes and traffic separation schemes on charts to which due publicity shall be given.

Article 23 Foreign nuclear-powered ships and ships carrying nuclear or other inherently dangerous or noxious substances

Foreign nuclear-powered ships and ships carrying nuclear or other inherently dangerous or noxious substances shall, when exercising the right of innocent passage through the territorial sea, carry documents and observe special precautionary measures established for such ships by international agreements.

Article 24 Duties of the coastal state

- 1 The coastal state shall not hamper the innocent passage of foreign ships through the territorial sea except in accordance with this Convention. In particular, in the application of this Convention or of any laws or regulations adopted in conformity with this Convention, the coastal state shall not:
 - (a) impose requirements on foreign ships which have the practical effect of denying or impairing the right of innocent passage; or
 - (b) discriminate in form or in fact against the ships of any state or against ships carrying cargoes to, from or on behalf of any state.
- 2 The coastal state shall give appropriate publicity to any danger to navigation, of which it has knowledge, within its territorial 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.

Article 26 Charges which may be levied upon foreign ships

- 1 No charge may be levied upon foreign ships by reason only of their passage through the territorial sea.
- 2 Charges may be levied upon a foreign ship passing through the territorial sea as payment only for specific services rendered to the ship. These charges shall be levied without discrimination.

SUBSECTION B RULES APPLICABLE TO MERCHANT SHIPS AND
GOVERNMENT SHIPS OPERATED FOR COMMERCIAL PURPOSES

Article 27 Criminal jurisdiction on board a foreign ship

- 1 The criminal jurisdiction of the coastal state should not be exercised on board a foreign ship passing through the territorial sea to arrest any person or to conduct any investigation in connection with any crime committed on board the ship during its passage, save only in the following cases:
 - (a) if the consequences of the crime extend to the coastal state;
 - (b) if the crime is of a kind to disturb the peace of the country or the good order of the territorial sea;
 - (c) if the assistance of the local authorities has been requested by the master of the ship or by a diplomatic agent or consular officer of the flag state; or
 - (d) if such measures are necessary for the suppression of illicit traffic in narcotic drugs or psychotropic substances.
- 2 The above provisions do not affect the right of the coastal state to take any steps authorised by its laws for the purpose of an arrest or investigation on board a foreign ship passing through the territorial sea after leaving internal waters.
- 3 In the cases provided for in paras 1 and 2, the coastal state shall, if the master so requests, notify a diplomatic agent or consular officer of the flag state before taking any steps, and shall facilitate contact between such agent or officer and the ship's crew. In cases of emergency this notification may be communicated while the measures are being taken.
- 4 In considering whether or in what manner an arrest should be made, the local authorities shall have due regard to the interests of navigation.
- 5 Except as provided in Part XII or with respect to violations of laws and regulations adopted in accordance with Part V, the coastal state may not take any steps on board a foreign ship passing through the territorial sea to arrest any person or to conduct any investigation in connection with any crime

committed before the ship entered the territorial sea, if the ship, proceeding from a foreign port, is only passing through the territorial sea without entering internal waters.

Article 28 Civil jurisdiction in relation to foreign ships

- 1 The coastal state should not stop or divert a foreign ship passing through the territorial sea for the purpose of exercising civil jurisdiction in relation to a person on board the ship.
- 2 The coastal state may not levy execution against or arrest the ship for the purpose of any civil proceedings, save only in respect of obligations or liabilities assumed or incurred by the ship itself in the course or for the purpose of its voyage through the waters of the coastal state.
- 3 Paragraph 2 is without prejudice to the right of the coastal state, in accordance with its laws, to levy execution against or to arrest, for the purpose of any civil proceedings, a foreign ship lying in the territorial sea, or passing through the territorial sea after leaving internal waters.

SUBSECTION C RULES APPLICABLE TO WARSHIPS AND OTHER
GOVERNMENT SHIPS OPERATED FOR NON-COMMERCIAL PURPOSES

Article 29 Definition of warships

For the purposes of this Convention, 'warship' means a ship belonging to the armed forces of a state bearing the external marks distinguishing such ships of its nationality, under the command of an officer duly commissioned by the government of the state and whose name appears in the appropriate service list or its equivalent, and manned by a crew which is under regular armed forces discipline.

Article 30 Non-compliance by warships with the laws and regulations of the coastal state

If any warship does not comply with the laws and regulations of the coastal state concerning passage through the territorial sea and disregards any request for compliance therewith which is made to it, the coastal state may require it to leave the territorial sea immediately.

Article 31 Responsibility of the flag state for damage caused by a warship or other government ship operated for non-commercial purposes

The flag state shall bear international responsibility for any loss or damage to the coastal state resulting from the non-compliance by a warship or other government ship operated for non-commercial purposes with the laws and regulations of the coastal state concerning passage through the territorial sea or with the provisions of this Convention or other rules of international law.

Article 32 Immunities of warships and other government ships operated for non-commercial purposes

With such exceptions as are contained in sub-s A and in Articles 30 and 31, nothing in this Convention affects the immunities of warships and other government ships operated for non-commercial purposes.

SECTION 4 CONTIGUOUS ZONE

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 III

STRAITS USED FOR INTERNATIONAL NAVIGATION

SECTION 1 GENERAL PROVISIONS

Article 34 Legal status of waters forming straits used for international navigation

- 1 The regime of passage through straits used for international navigation established in this Part shall not in other respects affect the legal status of the waters forming such straits or the exercise by the states bordering the straits of their sovereignty or jurisdiction over such waters and their air space, bed and subsoil.
- 2 The sovereignty or jurisdiction of the states bordering the straits is exercised subject to this Part and to other rules of international law.

Article 35 Scope of this Part

Nothing in this Part affects:

- (a) any areas of internal waters within a strait, except where the establishment of a straight baseline in accordance with the method set forth in Article 7 has the effect of enclosing as internal waters areas which had not previously been considered as such;
- (b) the legal status of the waters beyond the territorial seas of states bordering straits as exclusive economic zones or high seas; or
- (c) the legal regime in straits in which passage is regulated in whole or in part by long-standing international conventions in force specifically relating to such straits.

Article 36 High seas routes or routes through exclusive economic zones through straits used for international navigation

This Part does not apply to a strait used for international navigation if there exists through the strait a route through the high seas or through an exclusive economic zone of similar convenience with respect to navigational and hydrographical characteristics; in such routes, the other relevant Parts of this Convention, including the provisions regarding the freedoms of navigation and overflight, apply.

SECTION 2 TRANSIT PASSAGE

Article 37 Scope of this section

This section applies to straits which are used for international 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.

Article 38 Right of transit passage

- 1 In straits referred to in Article 37, all ships and aircraft enjoy the right of transit passage, which shall not be impeded; except that, if the strait is formed by an island of a state bordering the strait and its mainland, transit