

- (g) the placing of observers or trainees on board such vessels by the coastal state;
  - (h) the landing of all or any part of the catch by such vessels in the ports of the coastal state;
  - (i) terms and conditions relating to joint ventures or other co-operative arrangements;
  - (j) requirements for the training of personnel and the transfer of fisheries technology, including enhancement of the coastal state's capability of undertaking fisheries research;
  - (k) enforcement procedures.
- 5 Coastal states shall give due notice of conservation and management laws and regulations.

**Article 63 Stocks occurring within the exclusive economic zones of two or more coastal States or both within the exclusive economic zone and in an area beyond and adjacent to it**

1. Where the same stock or stocks of associated species occur within the exclusive economic zones of two or more coastal states, these states shall seek, either directly or through appropriate subregional or regional organisations, to agree upon the measures necessary to co-ordinate and ensure the conservation and development of such stocks without prejudice to the other provisions of this Part.
2. Where the same stock or stocks of associated species occur both within the exclusive economic zone and in an area beyond and adjacent to the zone, the coastal state and the states fishing for such stocks in the adjacent area shall seek, either directly or through appropriate subregional or regional organisations, to agree upon the measures necessary for the conservation of these stocks in the adjacent area.

**Article 64 Highly migratory species**

- 1 The coastal state and other states whose nationals fish in the region for the highly migratory species listed in Annex I shall co-operate directly or through appropriate international organisations with a view to ensuring conservation and promoting the objective of optimum utilisation of such species throughout the region, both within and beyond the exclusive economic zone. In regions for which no appropriate international organisation exists, the coastal state and other states whose nationals harvest these species in the region shall co-operate to establish such an organisation and participate in its work.
- 2 The provisions of para 1 apply in addition to the other provisions of this Part.

**Article 65 Marine mammals**

Nothing in this Part restricts the right of a coastal state or the competence of an international organisation, as appropriate, to prohibit, limit or regulate the exploitation of marine mammals more strictly than provided for in this Part. States shall co-operate with a view to the conservation of marine mammals and in the case of cetaceans shall in particular work through the appropriate international organisations for their conservation, management and study.

**Article 66 Anadromous stocks**

- 1 States in whose rivers anadromous stocks originate shall have the primary interest in and responsibility for such stocks.

- 2 The state of origin of anadromous stocks shall ensure their conservation by the establishment of appropriate regulatory measures for fishing in all waters landward of the outer limits of its exclusive economic zone and for fishing provided for in para 3(b). The state of origin may, after consultations with the other states referred to in paras 3 and 4 fishing these stocks, establish total allowable catches for stocks originating in its rivers.
- 3 (a) Fisheries for anadromous stocks shall be conducted only in waters landward of the outer limits of exclusive economic zones, except in cases where this provision would result in economic dislocation for a state other than the state of origin. With respect to such fishing beyond the outer limits of the exclusive economic zone, states concerned shall maintain consultations with a view to achieving agreement on terms and conditions of such fishing giving due regard to the conservation requirements and the needs of the state of origin in respect of these stocks.
  - (b) The state of origin shall co-operate in minimising economic dislocation in such other states fishing these stocks, taking into account the normal catch and the mode of operations of such states, and all the areas in which such fishing has occurred.
  - (c) States referred to in sub-para (b), participating by agreement with the state of origin in measures to renew anadromous stocks, particularly by expenditures for that purpose, shall be given special consideration by the state of origin in the harvesting of stocks originating in its rivers.
  - (d) Enforcement of regulations regarding anadromous stocks beyond the exclusive economic zone shall be by agreement between the state of origin and the other states concerned.
- 4 In cases where anadromous stocks migrate into or through the waters landward of the outer limits of the exclusive economic zone of a state other than the state of origin, such state shall co-operate with the state of origin with regard to the conservation and management of such stocks.
- 5 The state of origin of anadromous stocks and other states fishing these stocks shall make arrangements for the implementation of the provisions of this article, where appropriate, through regional organisations.

**Article 67 Catadromous species**

- 1 A coastal state in whose waters catadromous species spend the greater part of their life cycle shall have responsibility for the management of these species and shall ensure the ingress and egress of migrating fish.
- 2 Harvesting of catadromous species shall be conducted only in waters landward of the outer limits of exclusive economic zones. When conducted in exclusive economic zones, harvesting shall be subject to this article and the other provisions of this Convention concerning fishing in these zones.
- 3 In cases where catadromous fish migrate through the exclusive economic zone of another state, whether as juvenile or maturing fish, the management, including harvesting, of such fish shall be regulated by agreement between the state mentioned in para 1 and the other state concerned. Such agreement shall ensure the rational management of the species and take into account the responsibilities of the state mentioned in para 1 for the maintenance of these species.

**Article 68 Sedentary species**

This Part does not apply to sedentary species as defined in Article 77, para 4.

**Article 69 Right of land-locked states**

- 1 Land-locked states shall have the right to participate, on an equitable basis, in the exploitation of an appropriate part of the surplus of the living resources of the exclusive economic zones of coastal states of the same subregion or region, taking into account the relevant economic and geographical circumstances of all the states concerned and in conformity with the provisions of this article and of Articles 61 and 62.
- 2 The terms and modalities of such participation shall be established by the states concerned through bilateral, subregional or regional agreements taking into account, *inter alia*:
  - (a) the need to avoid effects detrimental to fishing communities or fishing industries of the coastal state;
  - (b) the extent to which the land-locked state, in accordance with the provisions of this article, is participating or is entitled to participate under existing bilateral, subregional or regional agreements in the exploitation of living resources of the exclusive economic zones of other coastal states;
  - (c) the extent to which other land-locked states and geographically disadvantaged states are participating in the exploitation of the living resources of the exclusive economic zone of the coastal state and the consequent need to avoid a particular burden for any single coastal state or a part of it;
  - (d) the nutritional needs of the populations of the respective states.
- 3 When the harvesting capacity of a coastal state approaches a point which would enable it to harvest the entire allowable catch of the living resources in its exclusive economic zone, the coastal state and other states concerned shall co-operate in the establishment of equitable arrangements on a bilateral, subregional or regional basis to allow for participation of developing land-locked states of the same subregion or region in the exploitation of the living resources of the exclusive economic zones of coastal states of the subregion or region, as may be appropriate in the circumstances and on terms satisfactory to all parties. In the implementation of this provision the factors mentioned in para 2 shall also be taken into account.
- 4 Developed land-locked states shall, under the provisions of this article, be entitled to participate in the exploitation of living resources only in the exclusive economic zones of developed coastal states of the same subregion or region having regard to the extent to which the coastal state, in giving access to other states to the living resources of its exclusive economic zone, has taken into account the need to minimise detrimental effects on fishing communities and economic dislocation in States whose nationals have habitually fished in the zone.
- 5 The above provisions are without prejudice to arrangements agreed upon in subregions or regions where the coastal states may grant to land-locked states of the same subregion or region equal or preferential rights for the exploitation of the living resources in the exclusive economic zones.

**Article 70 Right of geographically disadvantaged States**

- 1 Geographically disadvantaged states shall have the right to participate, on an equitable basis, in the exploitation of an appropriate part of the surplus of the living resources of the exclusive economic zones of coastal states of the same subregion or region, taking into account the relevant economic and geographical circumstances of all the states concerned and in conformity with the provisions of this article and of Articles 61 and 62.
- 2 For the purposes of this Part, 'geographically disadvantaged states' means coastal states, including states bordering enclosed or semi-enclosed seas, whose geographical situation makes them dependent upon the exploitation of the living resources of the exclusive economic zones of other states in the subregion or region for adequate supplies of fish for the nutritional purposes of their populations or parts thereof, and coastal states which can claim no exclusive economic zones of their own.
- 3 The terms and modalities of such participation shall be established by the states concerned through bilateral, subregional or regional agreements taking into account, *inter alia*:
  - (a) the need to avoid effects detrimental to fishing communities or fishing industries of the coastal state;
  - (b) the extent to which the geographically disadvantaged state, in accordance with the provisions of this article, is participating or is entitled to participate under existing bilateral, subregional or regional agreements in the exploitation of living resources of the exclusive economic zones of other coastal states;
  - (c) the extent to which other geographically disadvantaged states and land-locked states are participating in the exploitation of the living resources of the exclusive economic zone of the coastal state and the consequent need to avoid a particular burden for any single coastal state or a part of it;
  - (d) the nutritional needs of the populations of the respective states.
- 4 When the harvesting capacity of a coastal state approaches a point which would enable it to harvest the entire allowable catch of the living resources in its exclusive economic zone, the coastal state and other states concerned shall co-operate in the establishment of equitable arrangements on a bilateral, subregional or regional basis to allow for participation of developing geographically disadvantaged states of the same subregion or region in the exploitation of the living resources of the exclusive economic zones of coastal states of the subregion or region, as may be appropriate in the circumstances and on terms satisfactory to all parties. In the implementation of this provision the factors mentioned in para 3 shall also be taken into account.
- 5 Developed geographically disadvantaged states shall, under the provisions of this article, be entitled to participate in the exploitation of living resources only in the exclusive economic zones of developed coastal states of the same subregion or region having regard to the extent to which the coastal state, in giving access to other states to the living resources of its exclusive economic zone, has taken into account the need to minimise detrimental effects on fishing communities and economic dislocation in states whose nationals have habitually fished in the zone.
- 6 The above provisions are without prejudice to arrangements agreed upon in subregions or regions where the coastal states may grant to geographically disadvantaged states of the same subregion or region equal or preferential

rights for the exploitation of the living resources in the exclusive economic zones.

**Article 71 Non-applicability of Articles 69 and 70**

The provisions of Articles 69 and 70 do not apply in the case of a coastal state whose economy is overwhelmingly dependent on the exploitation of the living resources of its exclusive economic zone.

**Article 72 Restrictions on transfer of rights**

- 1 Rights provided under Articles 69 and 70 to exploit living resources shall not be directly or indirectly transferred to third states or their nationals by lease or licence, by establishing joint ventures or in any other manner which has the effect of such transfer unless otherwise agreed by the states concerned.
- 2 The foregoing provision does not preclude the states concerned from obtaining technical or financial assistance from third states or international organisations in order to facilitate the exercise of the rights pursuant to Articles 69 and 70, provided that it does not have the effect referred to in para 1.

**Article 73 Enforcement of laws and regulations of the coastal state**

- 1 The coastal state may, in the exercise of its sovereign rights to explore, exploit, conserve and manage the living resources in the exclusive economic zone, take such measures, including boarding, inspection, arrest and judicial proceedings, as may be necessary to ensure compliance with the laws and regulations adopted by it in conformity with this Convention.
- 2 Arrested vessels and their crews shall be promptly released upon the posting of reasonable bond or other security.
- 3 Coastal state penalties for violations of fisheries laws and regulations in the exclusive economic zone may not include imprisonment, in the absence of agreements to the contrary by the states concerned, or any other form of corporal punishment.
- 4 In cases of arrest or detention of foreign vessels the coastal state shall promptly notify the flag state, through appropriate channels, of the action taken and of any penalties subsequently imposed.

**Article 74 Delimitation of the exclusive economic zone between states with opposite or adjacent coasts**

- 1 The delimitation of the exclusive economic zone between states with opposite or adjacent coasts shall be effected by agreement on the basis of international law, as referred to in Article 38 of the Statute of the International Court of Justice, in order to achieve an equitable solution.
- 2 If no agreement can be reached within a reasonable period of time, the states concerned shall resort to the procedures provided for in Part XV.
- 3 Pending agreement as provided for in para 1, the states concerned, in a spirit of understanding and co-operation, shall make every effort to enter into provisional arrangements of a practical nature and, during this transitional period, not to jeopardise or hamper the reaching of the final agreement. Such arrangements shall be without prejudice to the final delimitation.
- 4 Where there is an agreement in force between the states concerned, questions relating to the delimitation of the exclusive economic zone shall be determined in accordance with the provisions of that agreement.

**Article 75 Charts and lists of geographical co-ordinates**

- 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 co-ordinates 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 co-ordinates 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 sea bed 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 paras 4 to 6.
- 3 The continental margin comprises the submerged prolongation of the land mass of the coastal state, and consists of the sea bed 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 para 7 by reference to the outermost fixed points at each of which the thickness of sedimentary rocks is at least 1% of the shortest distance from such point to the foot of the continental slope; or
  - (ii) a line delineated in accordance with para 7 by reference to fixed points not more than 60 nautical miles from the foot of the continental slope.(b) In the absence of evidence to the contrary, the foot of the continental slope shall be determined as the point of maximum change in the gradient at its base.
- 5 The fixed points comprising the line of the outer limits of the continental shelf on the sea bed, drawn in accordance with para 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 para 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 co-ordinates 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 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 77 Rights of the coastal state over the continental shelf**

- 1 The coastal state exercises over the continental shelf sovereign rights for the purpose of exploring it and exploiting its natural resources.
- 2 The rights referred to in para 1 are exclusive in the sense that if the coastal state does not explore the continental shelf or exploit its natural resources, no one may undertake these activities without the express consent of the coastal state.
- 3 The rights of the coastal state over the continental shelf do not depend on occupation, effective or notional, or on any express proclamation.
- 4 The natural resources referred to in this Part consist of the mineral and other non-living resources of the sea bed and subsoil together with living organisms belonging to sedentary species, that is to say, organisms which, at the harvestable stage, either are immobile on or under the sea bed or are unable to move except in constant physical contact with the sea bed or the subsoil.

**Article 78 Legal status of the superjacent waters and air space and the rights and freedoms of other states**

- 1 The rights of the coastal state over the continental shelf do not affect the legal status of the superjacent waters or of the air space above those waters.
- 2 The exercise of the rights of the coastal state over the continental shelf must not infringe or result in any unjustifiable interference with navigation and other rights and freedoms of other states as provided for in this Convention.

**Article 79 Submarine cables and pipelines on the continental shelf**

- 1 All states are entitled to lay submarine cables and pipelines on the continental shelf, in accordance with the provisions of this article.

- 2 Subject to its right to take reasonable measures for the exploration of the continental shelf, the exploitation of its natural resources and the prevention, reduction and control of pollution from pipelines, the coastal state may not impede the laying or maintenance of such cables or pipelines.
- 3 The delineation of the course for the laying of such pipelines on the continental shelf is subject to the consent of the coastal state.
- 4 Nothing in this Part affects the right of the coastal state to establish conditions for cables or pipelines entering its territory or territorial sea, or its jurisdiction over cables and pipelines constructed or used in connection with the exploration of its continental shelf or exploitation of its resources or the operations of artificial islands, installations and structures under its jurisdiction.
- 5 When laying submarine cables or pipelines, states shall have due regard to cables or pipelines already in position. In particular, possibilities of repairing existing cables or pipelines shall not be prejudiced.

**Article 80 Artificial islands, installations and structures on the continental shelf**

Article 60 applies *mutatis mutandis* to artificial islands, installations and structures on the continental shelf.

**Article 81 Drilling on the continental shelf**

The coastal state shall have the exclusive right to authorise and regulate drilling on the continental shelf for all purposes.

**Article 82 Payments and contributions with respect to the exploitation of the continental shelf beyond 200 nautical miles**

- 1 The coastal state shall make payments or contributions in kind in respect of the exploitation of the non-living resources of the continental shelf beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured.
- 2 The payments and contributions shall be made annually with respect to all production at a site after the first five years of production at that site. For the sixth year, the rate of payment or contribution shall be 1% of the value or volume of production at the site. The rate shall increase by 1% for each subsequent year until the twelfth year and shall remain at 7% thereafter. Production does not include resources used in connection with exploitation.
- 3 A developing state which is a net importer of a mineral resource produced from its continental shelf is exempt from making such payments or contributions in respect of that mineral resource.
- 4 The payments or contributions shall be made through the Authority, which shall distribute them to States Parties to this Convention, on the basis of equitable sharing criteria, taking into account the interests and needs of developing states, particularly the least developed and the land-locked among them.

**Article 83 Delimitation of the continental shelf between States with opposite or adjacent coasts**

- 1 The delimitation of the continental shelf between states with opposite or adjacent coasts shall be effected by agreement on the basis of international law, as referred to in Article 38 of the Statute of the International Court of Justice, in order to achieve an equitable solution.



- 2 If no agreement can be reached within a reasonable period of time, the states concerned shall resort to the procedures provided for in Part XV.
- 3 Pending agreement as provided for in para 1, the states concerned, in a spirit of understanding and co-operation, shall make every effort to enter into provisional arrangements of a practical nature and, during this transitional period, not to jeopardise or hamper the reaching of the final agreement. Such arrangements shall be without prejudice to the final delimitation.
- 4 Where there is an agreement in force between the states concerned, questions relating to the delimitation of the continental shelf shall be determined in accordance with the provisions of that agreement.

**Article 84 Charts and lists of geographical co-ordinates**

- 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 co-ordinates 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 graphical co-ordinates 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.

**Article 85 Tunnelling**

This Part does not prejudice the right of the coastal state to exploit the subsoil by means of tunnelling, irrespective of the depth of water above the subsoil.

PART VII

HIGH SEAS

SECTION 1 GENERAL PROVISIONS

**Article 86 Application of the provisions of this Part**

The provisions of this Part apply to all parts of the sea that are not included in the exclusive economic zone, in the territorial sea or in the internal waters of a state, or in the archipelagic waters of an archipelagic state. This article does not entail any abridgement of the freedoms enjoyed by all states in the exclusive economic zone in accordance with Article 58.

**Article 87 Freedom of the high seas**

- 1 The high seas are open to all states, whether coastal or land-locked. Freedom of the high seas is exercised under the conditions laid down by this Convention and by other rules of international law. It comprises, *inter alia*, both for coastal and land-locked states:
  - (a) freedom of navigation;
  - (b) freedom of overflight;
  - (c) freedom to lay submarine cables and pipelines, subject to Part VI;
  - (d) freedom to construct artificial islands and other installations permitted under international law, subject to Part VI;
  - (e) freedom of fishing, subject to the conditions laid down in section 2;
  - (f) freedom of scientific research, subject to Parts VI and XIII.

- 2 These freedoms shall be exercised by all states with due regard for the interests of other states in their exercise of the freedom of the high seas, and also with due regard for the rights under this Convention with respect to activities in the Area.

**Article 88 Reservation of the high seas for peaceful purposes**

The high seas shall be reserved for peaceful purposes.

**Article 89 Invalidity of claims of sovereignty over the high seas**

No state may validly purport to subject any part of the high seas to its sovereignty.

**Article 90 Right of navigation**

Every state, whether coastal or land-locked, has the right to sail ships flying its flag on the high seas.

**Article 91 Nationality of ships**

- 1 Every state shall fix the conditions for the grant of its nationality to ships, for the registration of ships in its territory, and for the right to fly its flag. Ships have the nationality of the state whose flag they are entitled to fly. There must exist a genuine link between the state and the ship.
- 2 Every state shall issue to ships to which it has granted the right to fly its flag documents to that effect.

**Article 92 Status of ships**

- 1 Ships shall sail under the flag of one state only and, save in exceptional cases expressly provided for in international treaties or in this Convention, shall be subject to its exclusive jurisdiction on the high seas. A ship may not change its flag during a voyage or while in a port of call, save in the case of a real transfer of ownership or change of registry.
- 2 A ship which sails under the flags of two or more states, using them according to convenience, may not claim any of the nationalities in question with respect to any other state, and may be assimilated to a ship without nationality.

**Article 93 Ships flying the flag of the United Nations, its specialised agencies and the International Atomic Energy Agency**

The preceding articles do not prejudice the question of ships employed on the official service of the United Nations, its specialised agencies or the International Atomic Energy Agency, flying the flag of the organisation.

**Article 94 Duties of the flag state**

- 1 Every state shall effectively exercise its jurisdiction and control in administrative, technical and social matters over ships flying its flag.
- 2 In particular every state shall:
  - (a) maintain a register of ships containing the names and particulars of ships flying its flag, except those which are excluded from generally accepted international regulations on account of their small size; and
  - (b) assume jurisdiction under its internal law over each ship flying its flag and its master, officers and crew in respect of administrative, technical and social matters concerning the ship.
- 3 Every state shall take such measures for ships flying its flag as are necessary to ensure safety at sea with regard, *inter alia*, to:
  - (a) the construction, equipment and seaworthiness of ships;

- (b) the manning of ships, labour conditions and the training of crews, taking into account the applicable international instruments;
  - (c) the use of signals, the maintenance of communications and the prevention of collisions.
- 4 Such measures shall include those necessary to ensure:
- (a) that each ship, before registration and thereafter at appropriate intervals, is surveyed by a qualified surveyor of ships, and has on board such charts, nautical publications and navigational equipment and instruments as are appropriate for the safe navigation of the ship;
  - (b) that each ship is in the charge of a master and officers who possess appropriate qualifications, in particular in seamanship, navigation, communications and marine engineering, and that the crew is appropriate in qualification and numbers for the type, size, machinery and equipment of the ship;
  - (c) that the master, officers and, to the extent appropriate, the crew are fully conversant with and required to observe the applicable international regulations concerning the safety of life at sea, the prevention of collisions, the prevention, reduction and control of marine pollution, and the maintenance of communications by radio.
- 5 In taking the measures called for in paras 3 and 4 each state is required to conform to generally accepted international regulations, procedures and practices and to take any steps which may be necessary to secure their observance.
- 6 A state which has clear grounds to believe that proper jurisdiction and control with respect to a ship have not been exercised may report the facts to the flag state. Upon receiving such a report, the flag state shall investigate the matter and, if appropriate, take any action necessary to remedy the situation.
- 7 Each state shall cause an inquiry to be held by or before a suitably qualified person or persons into every marine casualty or incident of navigation on the high seas involving a ship flying its flag and causing loss of life or serious injury to nationals of another state or serious damage to ships or installations of another state or to the marine environment. The flag state and the other state shall co-operate in the conduct of any inquiry held by that other state into any such marine casualty or incident of navigation.

**Article 95 Immunity of warships on the high seas**

Warships on the high seas have complete immunity from the jurisdiction of any state other than the flag state.

**Article 96 Immunity of ships used only on government non-commercial service**

Ships owned or operated by a state and used only on government non-commercial service shall, on the high seas, have complete immunity from the jurisdiction of any state other than the flag state.

**Article 97 Penal jurisdiction in matters of collision or any other incident of navigation**

- 1 In the event of a collision or any other incident of navigation concerning a ship on the high seas, involving the penal or disciplinary responsibility of the master or of any other person in the service of the ship, no penal or disciplinary proceedings may be instituted against such person except before the judicial or administrative authorities either of the flag state or of the state of which such person is a national.