DOALOS: Deposit and due publicity obligations by coastal States

Coastal States, under articles 16, 47, 75, 76 and 84 of the United Nations Convention on the Law of the Sea, are required to deposit with the Secretary-General of the United Nations charts showing: straight baselines, including closing lines of mouths of rivers and bays, and archipelagic baselines; the outer limits, as well as lines of delimitation between States with adjacent or opposite coasts, of the territorial sea (including roadsteds, article 12); the contiguous zone; the exclusive economic zone and the continental shelf. Alternatively, the lists of geographical coordinates of points, specifying the geodetic datum, may be substituted.

In its resolutions 49/28 of 6 December 1994 and 52/26 of 26 November 1997, the General Assembly requested the Secretary-General to establish appropriate facilities, as required by the Convention, for the deposit by States of maps, charts and geographic coordinates concerning national maritime zones and establish a system for their recording and publicity and to develop and maintain [such] facilities for the deposit by States of charts and geographical coordinates concerning maritime zones, including lines of delimitation, and to give due publicity thereto, as required by article 16, paragraph 2, article 47, paragraph 9, article 75, paragraph 2, article 76, paragraph 9 and article 84, paragraph 2, of the Convention. The Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs of the United Nations is the unit of the Secretariat which performs these depositary functions on behalf of the Secretary-General, as part of an integrated programme on the law of the sea and ocean affairs, distinct from the usual depositary functions of the Secretary-General in respect to multilateral treaties.

Subsequently, 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 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. Recent General Assembly resolutions have noted ongoing efforts in this regard.

In addition, the General Assembly, in its annual resolutions on Oceans and the law of the sea, calls upon States Parties to the Convention to fulfil their deposit obligations. Most recently, General Assembly resolution 71/257 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 (para. 6).To facilitate the implementation of the Secretary-General’s depositary functions, coastal States are encouraged to deposit the following information, as a minimum:

1. Geographic coordinates of points in decimal degrees on the straight baselines and archipelagic baselines in common global geodetic datum such as WGS 84, accompanied, as appropriate, by the relevant national legislation;

2. Geographic coordinates of points in decimal degrees on the outer limits as well as lines of delimitation between States with adjacent or opposite coasts for the following maritime zones: territorial sea (including roadsteds); contiguous zone; exclusive economic zone and continental shelf, in common global geodetic datum such as WGS 84, accompanied, as appropriate, by the relevant national legislation. Ideally the points defining the outer limits should be close enough to each other to ensure that the line formed by connecting the points with geodesic lines accurately reflects the outer limit of the maritime zone(s). States Parties are also encouraged to identify in the deposit the points that are part of an international boundary. States Parties are further encouraged to accompany such deposits with the relevant national legislation and/or with references to relevant international treaties.