

**DECLARATIONS OF STATES PARTIES RELATING TO SETTLEMENT OF
DISPUTES IN ACCORDANCE WITH ARTICLE 298
(OPTIONAL EXCEPTIONS TO THE APPLICABILITY OF
PART XV, SECTION 2, OF THE CONVENTION)**

Argentina

[Original: Spanish]

The Argentine Government also declares that it does not accept the procedures provided for in Part XV, section 2, with respect to the disputes specified in article 298, paragraph 1 (a), (b) and (c).

Australia

Declaration made 22 March 2002

"The Government of Australia further declares, under paragraph 1 (a) of article 298 of the United Nations Convention on the Law of the Sea done at Montego Bay on the tenth day of December one thousand nine hundred and eighty-two, that it does not accept any of the procedures provided for in section 2 of Part XV (including the procedures referred to in paragraphs (a) and (b) of this declaration) with respect to disputes concerning the interpretation or application of articles 15, 74 and 83 relating to sea boundary delimitations as well as those involving historic bays or titles.

These declarations by the Government of Australia are effective immediately."

Canada

"With regard to Article 298, paragraph 1 of the Convention on the Law of the Sea, Canada does not accept any of the procedures provided for in Part XV, section 2, with respect to the following disputes:

- Disputes concerning the interpretation or application of articles 15, 74 and 83 relating to sea boundary delimitations, or those involving historic bays or titles;
- Disputes concerning military activities, including military activities by government vessels and aircraft engaged in non-commercial service, and disputes concerning law enforcement activities in regard to the exercise of sovereign rights or jurisdiction excluded from the jurisdiction of a court or tribunal under article 297, paragraph 2 or 3;
- Disputes in respect of which the Security Council of the United Nations is exercising the functions assigned to it by the Charter of the United Nations, unless the Security Council decides to remove the matter from its agenda or calls upon the parties to settle it by the means provided for in the Convention."

Cape Verde

"The Republic of Cape Verde, in accordance with article 298 of the United Nations Convention on the Law of the Sea, declares that it does not accept the procedures provided for in Part XV, Section 2, of the said Convention for the settlement of disputes concerning military activities, including military activities by government-operated vessels and aircraft engaged in non-commercial service, as well as disputes concerning law enforcement activities in regard to the exercise of sovereign rights or jurisdiction excluded from the jurisdiction of a court or tribunal under article 297, paragraphs 2 and 3, of the aforementioned Convention."

Chile

[Original: Spanish]

In accordance with article 298 of the Convention, Chile declares that it does not accept any of the procedures provided for in Part XV, section 2, with respect to the disputes referred to in article 298, paragraphs 1 (a), (b) and (c), of the Convention.

Cuba

[Original: Spanish]

With regard to article 287 on the choice of procedure for the settlement of disputes concerning the interpretation or application of the Convention, the Government of the Republic of Cuba declares that it does not accept the jurisdiction of the International Court of Justice and, consequently, will not accept either the jurisdiction of the Court with respect to the provisions of either article 297 or 298.

Denmark

“The Government of the Kingdom of Denmark declares pursuant to article 298 of the Convention that it does not accept an arbitral tribunal constituted in accordance with Annex VII for any of the categories of disputes mentioned in article 298.”

Equatorial Guinea

Declaration made 20 February 2002

[Original: Spanish]

The Government of the Republic of Equatorial Guinea hereby enters a reservation and declares that, under article 298, paragraph 1, of the United Nations Convention of 1982 on the Law of the Sea, it does not recognize as mandatory ipso facto with respect to any other State any of the procedures provided for in part XV, section 2, of the Convention as regards the categories of disputes set forth in article 298, paragraph 1 (a).

France

[Original: French]

With reference to the provisions of article 298, paragraph 1, France does not accept any of the procedures provided for in Part XV, section 2, with respect to the following disputes:

- Disputes concerning the interpretation or application of articles 15, 74 and 83 relating to sea boundary delimitations, or those involving historic bays or titles;
- Disputes concerning military activities, including military activities by governmental vessels and aircraft engaged in non-commercial service, and disputes concerning law enforcement activities in regard to the exercise of sovereign rights or jurisdiction excluded from the jurisdiction of a court or tribunal under article 297, paragraph 2 or 3;
- Disputes in respect of which the Security Council of the United Nations is exercising the functions assigned to it by the Charter of the United Nations, unless the Security Council decides to remove the matter from its agenda or calls upon the parties to settle it by the means provided for in the Convention.

Guinea-Bissau

[Original: Portuguese]

The Government of the Republic of Guinea-Bissau declares that, as regards article 287 on the choice of a procedure for the settlement of disputes concerning the interpretation or application of the United Nations Convention on the Law of the Sea, it does not accept the jurisdiction of the International Court of Justice and consequently will not accept that jurisdiction with respect to articles 297 and 298.

Iceland

"Upon depositing the instrument of ratification of the United Nations Convention on the Law of the Sea, the Permanent Representative of Iceland, on behalf of the Government of Iceland, declares that under article 298 of the Convention the right is reserved that any interpretation of article 83 shall be submitted to conciliation under annex V, section 2 of the Convention."

Italy

"Italy has the honour to declare, under paragraph 1 (a) of article 298 of the Convention, that it does not accept any of the procedures provided for in section 2 of Part XV with respect to disputes concerning the interpretation of articles 15, 74 and 83 relating to sea boundary delimitations as well as those involving historic bays or titles."

Mexico

Declaration made 6 January 2003

[Original: Spanish]

The Government of Mexico declares that, pursuant to article 298 of the Convention, it does not accept the procedures provided for in part XV, section 2, with respect to the following categories of disputes:

1. Disputes relating to sea boundary delimitations, or those involving historic bays or titles, pursuant to paragraph 1 (a) of article 298;
2. Disputes concerning military activities and the other activities referred to in paragraph 1 (b) of article 298.

Nicaragua

[Original: Spanish]

Nicaragua hereby declares that it accepts only recourse to the International Court of Justice as a means for the settlement of the categories of disputes set forth in subparagraphs (a), (b) and (c) of paragraph 1 of article 298 of the Convention.

Norway

"The Government of the Kingdom of Norway declares pursuant to Article 298 of the Convention that it does not accept an arbitral tribunal constituted in accordance with Annex VII for any of the categories of disputes mentioned in Article 298."

Portugal

[Original: Portuguese]

Portugal declares that, without prejudice to the provisions contained in Part XV, section 1, of the Convention, it does not accept the compulsory procedures referred to in section 2 of the said Part, with respect to one or more of the categories specified in article 298, subparagraphs 1 (a), (b) and (c), of the Convention.

Russian Federation

Declaration made upon signature by the Union of Soviet Socialist Republics

[Original: Russian]

The Union of Soviet Socialist Republics declares that, in accordance with article 298 of the Convention, it does not accept the compulsory procedures entailing binding decisions for the consideration of disputes relating to sea boundary delimitations, disputes concerning military activities, or disputes in respect of which the Security Council of the United Nations is exercising the functions assigned to it by the Charter of the United Nations.

Declaration made upon ratification

[Original: Russian]

The Russian Federation declares that, in accordance with article 298 of the United Nations Convention on the Law of the Sea, it does not accept the procedures, provided for in section 2 of Part XV of the Convention, entailing binding decisions with respect to disputes concerning the interpretation or application of articles 15, 74 and 83 of the Convention, relating to sea boundary delimitations, or those involving historic bays or titles; disputes concerning military activities, including military activities by government vessels and aircraft, and disputes concerning law-enforcement activities in regard to the exercise of sovereign rights or jurisdiction; and disputes in respect of which the Security Council of the United Nations is exercising the functions assigned to it by the Charter of the United Nations.

Slovenia

Declaration made 11 October 2001

"The Government of the Republic of Slovenia declares pursuant to article 298 of the Convention that it does not accept an arbitral tribunal constituted in accordance with Annex VII of any of the categories [in respect of] disputes mentioned in article 298."

Spain

Declaration made 19 July 2002

[Original: Spanish]

The Government of Spain declares, pursuant to the provisions of article 298, para. 1(a) of the Convention, that it does not accept the procedures provided for in part XV, section 2, with respect to the settlement of disputes concerning the interpretation or application of articles 15, 74 and 83 relating to sea boundary delimitations, or those involving historic bays or titles.

Tunisia

[Original: Arabic]

The Republic of Tunisia, in accordance with the provisions of article 298 of the United Nations Convention on the Law of the Sea, declares that it does not accept the procedures provided for in Part XV, section 2, of the said Convention with respect to the following categories of disputes:

(a) (i) Disputes concerning the interpretation or application of articles 15, 74 and 83 relating to sea boundary delimitations, or those involving historic bays or titles, provided that a State having made such a declaration shall, when such a dispute arises subsequent to the entry into force of this Convention and where no agreement within a reasonable period of time is reached in negotiations between the parties, at the request of any party to the dispute, accept submission of the matter to conciliation under Annex V, section 2; and provided further that any dispute that necessarily involves the concurrent consideration of any unsettled dispute concerning sovereignty or other rights over continental or insular land territory shall be excluded from such submission;

(ii) After the conciliation commission has presented its report, which shall state the reasons on which it is based, the parties shall negotiate an agreement on the basis of that report; if these negotiations do not result in an agreement, the parties shall, by mutual consent, submit the question to one of the procedures provided for in section 2, unless the parties otherwise agree;

(iii) This subparagraph does not apply to any sea boundary dispute finally settled by an agreement between the parties, or to any such dispute which is to be settled in accordance with a bilateral or multilateral agreement binding upon those parties;

(b) Disputes concerning military activities, including military activities by governmental vessels and aircraft engaged in non-commercial service, and disputes concerning law enforcement activities in regard to the exercise of sovereign rights or jurisdiction excluded from the jurisdiction of a court or tribunal under article 297, paragraph 2 or 3;

(c) Disputes in respect of which the Security Council of the United Nations is exercising the functions assigned to it by the Charter of the United Nations, unless the Security Council decides to remove the matter from its agenda or calls upon the parties to settle it by the means provided for in this Convention.

Ukraine

Declaration made upon signature by the Ukrainian Soviet Socialist Republic
[Original: Russian]

The Ukrainian Soviet Socialist Republic declares, in accordance with article 298 of the Convention, that it does not accept compulsory procedures, involving binding decisions, for the consideration of disputes relating to sea boundary delimitations, disputes concerning military activities and disputes in respect of which the Security Council of the United Nations is exercising the functions assigned to it by the Charter of the United Nations.

Declaration made upon ratification
[Original: Ukrainian]

Ukraine declares, in accordance with article 298 of the Convention, that it does not accept, unless otherwise provided by specific international treaties of Ukraine with relevant States, the compulsory procedures entailing binding decisions for the consideration of disputes relating to sea boundary delimitations, disputes involving historic bays or titles, and disputes concerning military activities.

United Kingdom of Great Britain and Northern Ireland

Declaration made 7 April 2003

"...the United Kingdom of Great Britain and Northern Ireland does not accept any of the procedures provided for in section 2 of Part XV of the Convention with respect to the categories of disputes referred to in paragraph 1(b) and (c) of article 298."

Uruguay

[Original: Spanish]

Pursuant to the provisions of article 298, Uruguay declares that it will not accept the procedures provided for in Part XV, section 2, of the Convention, in respect of disputes concerning law enforcement activities in regard to the exercise of sovereign rights or jurisdiction excluded from the jurisdiction of a court or tribunal under article 297, paragraphs 2 and 3.