



**ΠΑΡΑΡΤΗΜΑ ΠΡΩΤΟ**  
**ΤΗΣ ΕΠΙΣΗΜΗΣ ΕΦΗΜΕΡΙΔΑΣ ΤΗΣ ΔΗΜΟΚΡΑΤΙΑΣ**  
**Αρ. 2967 της 20ής ΑΠΡΙΛΙΟΥ 1995**  
**ΝΟΜΟΘΕΣΙΑ**

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**ΜΕΡΟΣ ΙΙΙ**

Ο περί της Συμφωνίας για την Εφαρμογή του Μέρους ΧΙ της Σύμβασης των Ηνωμένων Εθνών για το Δίκαιο της Θάλασσας (Κυρωτικός) Νόμος του 1995 εκδίδεται με δημοσίευση στην Επίσημη Εφημερίδα της Κυπριακής Δημοκρατίας σύμφωνα με το Άρθρο 52 του Συντάγματος.

Αριθμός 9(ΙΙΙ) του 1995

**ΝΟΜΟΣ ΠΟΥ ΚΥΡΩΝΕΙ ΤΗ ΣΥΜΦΩΝΙΑ Η ΟΠΟΙΑ ΣΧΕΤΙΖΕΤΑΙ  
ΜΕ ΤΗΝ ΕΦΑΡΜΟΓΗ ΤΟΥ ΜΕΡΟΥΣ ΧΙ ΤΗΣ ΣΥΜΒΑΣΗΣ  
ΤΩΝ ΗΝΩΜΕΝΩΝ ΕΘΝΩΝ ΓΙΑ ΤΟ ΔΙΚΑΙΟ ΤΗΣ ΘΑΛΑΣΣΑΣ  
ΤΗΣ 10ης ΔΕΚΕΜΒΡΙΟΥ 1982**

ΕΠΕΙΔΗ η Κυπριακή Δημοκρατία, δυνάμει του περί της Σύμβασης των Προσώμο. Ηνωμένων Εθνών για το Δίκαιο της Θάλασσας (Κυρωτικού) Νόμου του 1988, κατέστη και είναι ήδη Συμβαλλόμενο Μέρος της πιο πάνω αναφερόμενης Σύμβασης.

ΚΑΙ ΕΠΕΙΔΗ στις 28 Ιουλίου 1994 ανοίχθηκε για υπογραφή στην Έδρα των Ηνωμένων Εθνών Συμφωνία σχετική με την Εφαρμογή του Μέρους ΧΙ της Σύμβασης των Ηνωμένων Εθνών για το Δίκαιο της Θάλασσας.

ΚΑΙ ΕΠΕΙΔΗ, κατόπιν Αποφάσεως του Υπουργικού Συμβουλίου υπ' Αρ. 41.573 και ημερομηνίας 14 Σεπτεμβρίου 1994, η πιο πάνω αναφερόμενη Συμφωνία υπεγράφη εκ μέρους της Κυπριακής Δημοκρατίας την 1η Νοεμβρίου 1994.

ΓΙ' ΑΥΤΟ η Βουλή των Αντιπροσώπων ψηφίζει τα ακόλουθα:

1. Ο παρών Νόμος θα αναφέρεται ως ο περί της Συμφωνίας για την Εφαρ- Συνοπτικός τίτλος.  
μογή του Μέρους ΧΙ της Σύμβασης των Ηνωμένων Εθνών για το Δίκαιο της Θάλασσας (Κυρωτικός) Νόμος του 1995.

Εμπνεΐα.

2. Στον παρόντα Νόμο—

«Συμφωνία» σημαίνει τη συμφωνία η οποία σχετίζεται με την Εφαρμογή του Μέρους XI της Σύμβασης των Ηνωμένων Εθνών για το Δίκαιο της Θάλασσας της 10ης Δεκεμβρίου 1982, η οποία υιοθετήθηκε και ανοίχθηκε για υπογραφή στην Έδρα των Ηνωμένων Εθνών στις 28 Ιουλίου 1994.

Κύρωση της Συμφωνίας. Πίνακας: Μέρος I Μέρος II.

3. Με τον παρόντα Νόμο κυρώνεται η Συμφωνία, της οποίας το κείμενο στο αγγλικό πρωτότυπο εκτίθεται στο Μέρος I του Πίνακα και σε ελληνική μετάφραση στο Μέρος II αυτού:

Νοείται ότι σε περίπτωση διαφοράς μεταξύ του κειμένου του Μέρους I και εκείνου του Μέρους II του Πίνακα θα υπερισχύει το κείμενο που εκτίθεται στο Μέρος I αυτού.

ΠΙΝΑΚΑΣ

(Άρθρο 3)

ΜΕΡΟΣ I

AGREEMENT RELATING TO THE IMPLEMENTATION OF PART XI  
OF THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA  
OF 10 DECEMBER, 1982

The States Parties to this Agreement,

Recognizing the important contribution of the United Nations Convention on the Law of the Sea of 10 December, 1982 (hereinafter referred to as "the Convention" ) to the maintenance of peace, justice and progress for all peoples of the world,

Reaffirming that the seabed and ocean floor and subsoil thereof, beyond the limits of national jurisdiction (hereinafter referred to as "the Area" ), as well as the resources of the Area, are the common heritage of mankind,

Mindful of the importance of the Convention for the protection and preservation of the marine environment and of the growing concern for the global environment,

Having considered the report of the Secretary-General of the United Nations on the results of the informal consultations among States held from 1990 to 1994 on outstanding issues relating to Part XI and related provisions of the Convention (hereinafter referred to as "Part XI" ),

Noting the political and economic changes, including market-oriented approaches, affecting the implementation of Part XI,

Wishing to facilitate universal participation in the Convention,

Considering that an agreement relating to the implementation of Part XI would best meet that objective,

Have agreed as follows:

Article 1

Implementation of Part XI

1. The States Parties to this Agreement undertake to implement Part XI in accordance with this Agreement.

2. The Annex forms an integral part of this Agreement.

Article 2

Relationship between this Agreement and Part XI

1. The provisions of this Agreement and Part XI shall be interpreted and applied together as a single instrument. In the event of any inconsistency between this Agreement and Part XI, the provisions of this Agreement shall prevail.

2. Articles 309 to 319 of the Convention shall apply to this Agreement as they apply to the Convention.

### Article 3

#### Signature

This Agreement shall remain open for signature at United Nations Headquarters by the States and entities referred to in article 305, paragraph 1(a), (c), (d), (e) and (f) of the Convention for 12 months from the date of its adoption.

### Article 4

#### Consent to be bound

1. After the adoption of this Agreement, any instrument of ratification or formal confirmation of or accession to the Convention shall also represent consent to be bound by this Agreement.

2. No State or entity may establish its consent to be bound by this Agreement unless it has previously established or establishes at the same time its consent to be bound by the Convention.

3. A State or entity referred to in article 3 may express its consent to be bound by this Agreement by:

- (a) Signature not subject to ratification, formal confirmation or the procedure set out in article 5;
- (b) signature subject to ratification or formal confirmation, followed by ratification or formal confirmation;
- (c) signature subject to the procedure set out in article 5; or
- (d) accession.

4. Formal confirmation by the entities referred to in article 305, paragraph 1(f) of the Convention shall be in accordance with Annex IX of the Convention.

5. The instruments of ratification, formal confirmation or accession shall be deposited with the Secretary-General of the United Nations.

### Article 5

#### Simplified procedure

1. A State or entity which has deposited before the date of the adoption of this Agreement an instrument of ratification or formal confirmation of or accession to the Convention and which has signed this Agreement in accordance with article 4, paragraph 3(c), shall be considered to have established its consent to be bound by this Agreement 12 months after the date of its adoption, unless that State or entity notifies the depositary in writing before that date that it is not availing itself of the simplified procedure set out in this article.

2. In the event of such notification, consent to be bound by this Agreement shall be established in accordance with article 4, paragraph 3(b).

### Article 6

#### Entry into force

1. This Agreement shall enter into force 30 days after the date on which 40 States have established their consent to be bound in accordance with articles 4 and 5, provided that such States include at least seven of the States referred to in paragraph 1(a) of Resolution II of the Third United Nations Conference on the Law of the Sea (hereinafter referred to as "Resolution II") and that at least five of those States are developed States. If these conditions for entry into force are fulfilled before 16 November 1994, this Agreement shall enter into force on 16 November, 1994.

2. For each State or entity establishing its consent to be bound by this Agreement after the requirements set out in paragraph 1 have been fulfilled, this Agreement shall enter into force on the thirtieth day following the date of establishment of its consent to be bound.

## Article 7

## Provisional application

1. If on 16 November, 1994 this Agreement has not entered into force, it shall be applied provisionally pending its entry into force by:

- (a) States which have consented to its adoption in the General Assembly of the United Nations, except any such State which before 16 November, 1994 notifies the depositary in writing either that it will not so apply this Agreement or that it will consent to such application only upon subsequent signature or notification in writing.
- (b) States and entities which sign this Agreement, except any such State or entity which notifies the depositary in writing at the time of signature that it will not so apply this Agreement.
- (c) States and entities which consent to its provisional application by so notifying the depositary in writing.
- (d) States which accede to this Agreement.

2. All such States and entities shall apply this Agreement provisionally in accordance with their national or internal laws and regulations, with effect from 16 November, 1994 or the date of signature, notification of consent or accession, if later.

3. Provisional application shall terminate upon the date of entry into force of this Agreement. In any event, provisional application shall terminate on 16 November, 1998 if at that date the requirement in article 6, paragraph 1, of consent to be bound by this Agreement by at least seven of the States (of which at least five must be developed States) referred to in paragraph 1(a) of Resolution II has not been fulfilled.

## Article 8

## States Parties

1. For the purposes of this Agreement, "States Parties" means States which have consented to be bound by this Agreement and for which this Agreement is in force.

2. This Agreement applies *mutatis mutandis* to the entities referred to in article 305, paragraph 1(c), (d), (e) and (f), of the Convention which become Parties to this Agreement in accordance with the conditions relevant to each, and to that extent "States Parties" refers to those entities.

## Article 9

## Depositary

The Secretary-General of the United Nations shall be the depositary of this Agreement.

## Article 10

## Authentic texts

The original of this Agreement, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

IN WITNESS WHEREOF, the undersigned Plenipotentiaries, being duly authorized thereto, have signed this Agreement.

DONE AT NEW YORK, this 28 day of July, one thousand nine hundred and ninety-four.

## ANNEX

## SECTION 1—COSTS TO STATES PARTIES AND INSTITUTIONAL ARRANGEMENTS

1. The International Seabed Authority (hereinafter referred to as "the Authority" ) is the organization through which States Parties to the Convention shall, in accordance with the regime for the Area established in Part XI and this Agreement, organize and control activities in the

Area, particularly with a view to administering the resources of the Area. The powers and functions of the Authority shall be those expressly conferred upon it by the Convention. The Authority shall have such incidental powers, consistent with the Convention, as are implicit in, and necessary for, the exercise of those powers and functions with respect to activities in the Area.

2. In order to minimize costs to States Parties, all organs and subsidiary bodies to be established under the Convention and this Agreement shall be cost-effective. This principle shall also apply to the frequency, duration and scheduling of meetings.

3. The setting up and the functioning of the organs and subsidiary bodies of the Authority shall be based on an evolutionary approach, taking into account the functional needs of the organs and subsidiary bodies concerned in order that they may discharge effectively their respective responsibilities at various stages of the development of activities in the Area.

4. The early functions of the Authority upon entry into force of the Convention shall be carried out by the Assembly, the Council, the Secretariat, the Legal and Technical Commission and the Finance Committee. The functions of the Economic Planning Commission shall be performed by the Legal and Technical Commission until such time as the Council decides otherwise or until the approval of the first plan of work for exploitation.

5. Between the entry into force of the Convention and the approval of the first plan of work for exploitation, the Authority shall concentrate on:

- (a) Processing of applications for approval of plans of work for exploration in accordance with Part XI and this Agreement.
- (b) Implementation of decisions of the Preparatory Commission for the International Seabed Authority and for the International Tribunal for the Law of the Sea (hereinafter referred to as "the Preparatory Commission" ) relating to the registered pioneer investors and their certifying States, including their rights and obligations, in accordance with article 308, paragraph 5, of the Convention and Resolution II, paragraph 13.
- (c) Monitoring of compliance with plans of work for exploration approved in the form of contracts.
- (d) Monitoring and review of trends and developments relating to deep seabed mining activities, including regular analysis of world metal market conditions and metal prices, trends and prospects.
- (e) Study of the potential impact of mineral production from the Area on the economies of developing land-based producers of those minerals which are likely to be most seriously affected, with a view to minimizing their difficulties and assisting them in their economic adjustment, taking into account the work done in this regard by the Preparatory Commission.
- (f) Adoption of rules, regulations and procedures necessary for the conduct of activities in the Area as they progress. Notwithstanding the provisions of Annex III, article 17, paragraph 2(b) and (c), of the Convention, such rules, regulations and procedures shall take into account the terms of this Agreement, the prolonged delay in commercial deep seabed mining and the likely pace of activities in the Area.
- (g) Adoption of rules, regulations and procedures incorporating applicable standards for the protection and preservation of the marine environment.
- (h) Promotion and encouragement of the conduct of marine scientific research with respect to activities in the Area and the collection and dissemination of the results of such research and analysis, when available, with particular emphasis on research related to the environmental impact of activities in the Area.
- (i) Acquisition of scientific knowledge and monitoring of the development of marine technology relevant to activities in the Area, in particular technology relating to the protection and preservation of the marine environment.
- (j) Assessment of available data relating to prospecting and exploration.