



1 - STATES AND STATES ARTIES

Every state acknowledged as such by the community of nations (about 160) can become a party to the 1982 Convention by ratification or accession. (Art. 306-307) Instruments of ratification or accession must be deposited with the Secretary-General of the United Nations, who is the depository of the Convention. (Art. 319, Para. 1) Once the Convention has entered into force, a state becomes a State Party (Art. 1, Subpara. 2(1)) and internationally bound with respect to other States Parties on the thirtieth day following the deposit of its instrument of ratification or accession. (Art. 308, Para. 2) States which deposit their instruments of ratification or accession before the entry into force of the Convention become State Parties and contractually bound to other States (Parties) twelve months after the date of deposit of the sixtieth instrument of ratification or accession, as this is the point in time at which the Convention enters into force. (Art. 308, Para. 1)

The Convention mentions "States" alone, e.g., "States shall...", but also generalized ("All States", "Every State", "State Party") and specified ("Coastal State", "Flag State", "Archipelagic State", "Developing State", and so on). But in spite of this variety of expressions, the Convention speaks to and means only States Parties, i.e., states which have consented to be bound by the Convention (Art. 1, Subpara. 2(1)) until there is a formal denunciation. (Art. 307) Applicable law of the sea between states party to the Convention and states which are not party to the Convention must be determined according to legal sources other than the 1982 Convention.

2. COASTAL STATES

Coastal states have one of the most significant positions in the 1982 Convention. That should come as no surprise as they not only make up three-quarters of the community of nations (about 120 of 160 states), but also have an overwhelming share (over 90%) of world industry, world trade, and world population. The naval forces of the world are exclusively in the hands of the coastal states. Then, too, there is tradition: coastal states have historically had sole influence in matters of the sea.

Whereas the coastal states' interests five decades ago had been reduced to little more than questions concerning foreign vessels in a territorial sea with a breadth of three nautical miles and sometimes, on a small scale, matters related to fishing, the picture today has changed considerably. The coastal states have become the "owners" of about 70% of the known non-living and 90% of the known living resources of the oceans; in addition, they have been vested with more administrative power with respect to prevention and control of pollution (Art. 56; Part XII) and marine scientific research. (Art. 56; Part XIII)

The fact that such a large part of the ocean's riches is now in the hands of the coastal states is the result of a zone system established by the Convention (Part II-Part VI) The extension of administrative power is related to protection and security interests of coastal states. As far as pollution is concerned, it is only necessary to call to mind the disastrous tanker accidents which have occurred since the 1950's.

The 1982 Convention provides the necessary framework for the coastal states' rights and obligations as well as the limits thereof for the protection of other states' interests. Other states' interests can be summarized as follows:

- (a) Coastal states have to exercise their powers with respect to pollution and marine scientific research in a manner which protects and develops the use of the oceans (Art. 192; Art. 239; Art. 246) and which is conducted with due regard to the rights and duties of other states; (Art. 56, Para. 2)
- (b) The deep-sea Area is reserved for mankind as a whole; (Art. 136-137)
- (c) The high seas (Part VII) or any part thereof cannot in general be subject to the sovereignty of any state; (Art. 89)

- (d) The regime of navigation, which is sub-divided into
 - (aa) navigation in the territorial sea,
 - (bb) navigation in the exclusive economic zone, with the further subdivision of navigation in the contiguous zone, and
 - (cc) freedom of navigation on the high seas, can be exercised on an equal non-discriminatory basis (Art. 24-26; Art. 42; Art. 52; Art. 227) around the globe. (Part II-VII)

Almost every Part or section of the Convention has a direct or indirect impact or reference to the position of coastal states (See e.g. Art. 116, Subpara. (b); Art. 142), many of them ensuring that coastal states do not extend their interests beyond the limits laid down by the Convention.

3. PORT STATES

The Convention, which has no jurisdiction over the internal waters and ports of a coastal state, refers to "Port State" only once with respect to certain investigative and procedural powers in pollution cases and, most significantly, for cases of discharge from vessels on the high seas (Art. 218; Para. 1.) or, at the request of the flag state or the state affected by the violation, in the zones of other states. (Art. 218, Para. 2) The term Port State is derived from the fact that a state can institute investigations of such matters which have occurred outside its own internal waters, territorial sea, or exclusive economic zone only when the vessel is voluntarily within a port of that state.

The Convention does not define what is meant by discharge, but in conducting an investigation a port state has to apply international rules; such an applicable rule might be the definition of the Convention for the Prevention of Pollution from Ships 1973 (MARPOL), which establishes that:

'Discharge' in relation to harmful substances or effluents containing such substances, means any release, however caused, from a ship and includes any escape, disposal, spilling, leaking, pumping, emitting, or emptying. (Three exceptions are not given here.)

This delegation of power to all states, regardless of whether they have been affected by such discharge, is significant in light of the exclusive jurisdiction of the flag state on the high seas, (Art. 92) even if such investigations might be suspended at the request of the flag state (Art. 228) or of the state within whose zones the violation occurred. This establishes the principle that other states may take action against vessels polluting the oceans in spite of the reluctance or hesitation of the flag state. This global investigative machinery may have a great influence on the further evolution of the law of the sea.

4. FLAG STATES

A flag state is a state which grants vessels using international waters, regardless of type and purpose, the right to fly its flag (Art. 91, Para. 1) and, in so doing, gives the ships its nationality. (Art. 91, Para. 1) This right is to be documented by the flag state. (Art. 91, Para. 2) The term "flag state" is generally used in conjunction with non-official vessels (merchant, fishing, etc.), but it is also used for warships and other official vessels e.g., (Art. 31; 95) and in reference to installations, structures, or other devices, e.g., (Art. 209, Para. 2) and would also apply to ships employed by the United Nations, related organizations, (Art. 93) or other entities. (Art. 1, Subpara. 2(2); Annex IX, Art. 1)

The interest of flag states in exercising their right of navigation (Art. 90) has always been quick to conflict with the interests of the coastal states. Whereas the former want their vessels to be able to sail the seas with the greatest freedom and the least interference possible, the latter

seek the greatest possible legislative and enforcement power in order to further their national interests in the waters near the coast. Until recently, the flag state's freedom of navigation took priority over all of the ocean surface except for a small section close to the coastal state's coastline; under the 1982 Convention, however, the situation has changed. The flag state's position is affected most by three regimes of passage ("innocent passage" (Art. 17-32) through the territorial sea, "transit passage" (Art. 37-44) through straits, and "archipelagic sea lane passage" (Art. 53-54) through archipelagic waters) and regulations for the prevention of pollution. (Part XII, Sec. 5-7) Nonetheless, there is no change of the flag state's principal responsibility for and jurisdiction over vessels of its nationality. The provisions governing the topics mentioned above exemplify various attempts to strike a balance between opposing interests, e.g., (Art. 24, 27, 41; Part XII, Sec. 7).

5. REGISTER STATE

The Convention uses the term "State of Registry" in regard to, among other things, installations used for unauthorized broadcasting from the high seas, (Art. 109, Para. 3) aircraft, (Art. 212, 216, 222) marine scientific research installations, (Art. 262) or other structures and devices. (Art. 209, Para. 2) With the exception of a few pollution regulations, e.g., (Art. 212, Para. 1; Art. 222) the Convention uses the terms "flag state" or "flying a state's flag" when referring to vessels, although the flag state is always to register the vessel, (Art. 91; Art. 94, Subpara. 2(a)i) and is consequently also a State of Registry. For the purposes of this Convention, "Flag State" and "Register State" are therefore the same.

As the Convention requires that all states fix conditions for the registration of ships in their territory, (Art. 91, Para. 1; Art. 94, Subpara. 2(a)) a United Nations conference held under the auspices of the United Nations Conference on Trade and Development (UNCTAD) adopted in 1986 a convention on conditions for registration of ships. One of the aims of this registration convention is of a political and economic nature and related to the topic of "flag of convenience".

6. FLAG OF CONVENIENCE STATE

The term "flag of convenience" refers to a state which registers foreign-owned vessels, granting the vessel its nationality and the right to fly its flag, giving the vessel the benefit of registration fees, annual fees, and taxes which are considerably less than in other states. In addition to the detrimental effect on fee scales, such registrations can have negative results in terms of social benefits and wages of the crew and the safety standards of the vessel. About 30% of the world merchant shipping tonnage navigates under three to four flags of convenience such as Liberia, Panama, and Cyprus. This situation has long been unacceptable for many developing countries, who believe that it hinders them in their efforts to build up their own merchant fleets, and has been criticized by seamen's trade unions in industrialized countries. The Convention attempts to require a "genuine link" between the register state and the vessel, (Art. 91, Para. 1) but does not go into detail. However, the Convention does permit a ship sailing under two or more flags according to convenience to be assimilated to a ship without nationality, (Art. 92, Para. 2) depriving such a vessel of the protection of any state. (Art. 92, Para. 1; Art. 110, Subpara. 1(d)) The meaning of a "genuine link" is described by the UN Convention on Conditions for Registration of Ships, 1986, which requires participation of nationals of the flag (register) state in ownership, manning, and management of the vessel. The register state may choose between "manning" and "ownership", but at least one of these conditions must be met.

7. ARCHIPELAGIC STATES

An archipelago is a “group of islands” which in some way forms an intrinsic unit. (Art. 46, Subpara. (b)) As early as the 1930’s, questions about the treatment of groups of islands arose in conjunction with discussions of the territorial sea concept, but this had more to do with the inclusion of coastal islands than the status of a mid-ocean group of islands. The discussion focused on the problem of where the baseline dividing the internal waters from the territorial sea should be drawn. The 1958 and 1960 Conferences on the Law of the Sea did not recognize mid-ocean archipelagos, although the states concerned were even then seeking a specific solution. A global solution could be found only after an economic zone of two hundred nautical miles had been accepted. The two leading proponents of a concept of a mid-ocean archipelago, Indonesia and the Philippines, then received the solution they had long urged. During the early stages of the 1973-1982 Conference, the Indonesian foreign minister declared:

“Indonesia has always considered its land, water, and people to be inseparably linked to each other; the survival of the Indonesian nation depended on the unity of these three elements”.

Indonesia in 1957 and the Philippines in 1961 had passed laws declaring the waters between the islands to be inland waters.

The Convention has now created a new legal concept (Part IV) which is based on two principal elements: the unity doctrine of archipelagic states (Art. 49) and the concept of archipelagic sea lane passage through the archipelagic waters. (Art. 53-54)

The following countries already apply (or might be interested in applying) the archipelago concept: Indonesia, Philippines, Tonga, Fiji, Mauritius, Bahamas, Papua New Guinea, Madagascar, West Samoa, Maldives, and Micronesia (non-exclusive list).

8. GEOGRAPHICALLY DISADVANTAGED STATES

Geographically disadvantaged states are those states which have direct access to the sea, but which because of geography (e.g., a relatively short coastline) feel that they are at a disadvantage in comparison with other states. In the context of fishing rights in the exclusive economic zone, the Convention defines “geographically disadvantaged states” as coastal states, including states bordering enclosed or semi-enclosed seas, whose geographical situation makes them dependent upon other coastal states (which are not disadvantaged) in the subregion or region, and coastal states which can claim no exclusive economic zone of their own. (Art. 70, Para. 2) Prior to the Conference and during the Conference itself, these states worked together closely with the land-locked states, as they were annoyed by the blunt manner in which the non-disadvantaged coastal states (a group of about eighty states) pushed for an exclusive economic zone with a limit of two hundred nautical miles. In spite of this, they found themselves in a weak position in the Convention. To be sure, they have the right to participate on an equitable basis with the coastal state of the same region or subregion in the exploitation of an appropriate part of the surplus of the living resources. (Art. 70, Para. 1) But this right is only very rarely enforceable. (Art. 70, Para. 5; Art. 71; Art. 297, Para. 3) Geographically disadvantaged states are also to be given the opportunity to participate in proposed marine scientific research projects of coastal states. (Art. 254) For all practical purposes, the geographically disadvantaged states were unable to achieve any more. The situation does improve slightly if the state is also a developing country, e.g., (Art. 70, Para. 4; Art. 148; Art. 269, Subpara. (a))

At the time of the 1973-1982 Conference, the following states considered themselves to be geographically disadvantaged (list not necessarily complete):

Africa:	Algeria, Ethiopia, Gambia, Egypt, Sudan, United Republic of Cameroon, Zaire
America:	Jamaica
Asia:	Singapore
Europe:	Belgium, Bulgaria, Finland, German Democratic Republic, Greece, Federal Republic of Germany, Netherlands, Poland, Romania, Sweden, Turkey
Middle East:	Bahrain, Iraq, Jordan, Kuwait, Qatar, Syria, United Arab Emirates

9. LAND-LOCKED STATES

There are about thirty land-locked states, which means that roughly one-fifth of the members of the community of nations have no direct access to the sea, or, as defined by the Convention, are states which have no sea-coast. (Art. 124, Subpara. 1(a)) Although this number is high, the actual impact of these states on global economic and population figures is rather slight. But this basic disadvantage forces them to find reasonable and reliable access to regional or global communication and transport systems on the basis of established international law. The first efforts on the part of these states to carve out a niche for themselves in this respect (other than certain bilateral agreements) were made at the Barcelona Conference of 1921, later at a United Nations Conference on Trade and Employment, in Havana in 1948, then at various conferences, including the 1958 Conference on the Law of the Sea, which adopted the first small step for establishing a global legal framework for transit. (1958 Convention on the High Seas, Art. 3)

When as a result of the Ambassador Arvid Pardo proposal in 1967 the Sea-Bed Committee was instructed to discuss the future of the sea-bed, the land-locked states were anxious to place their problems on the agenda as well. In 1970, the UN General Assembly instructed the Secretary-General to prepare a study

on the question of free access to the sea of land-locked countries, with a report on the special problems of land-locked countries relating to the exploration and exploitation of the resources of the sea-bed and the ocean floor.

As far as the sea-bed is concerned, the land-locked states did not get preferential access to sea mining, not even in the Area. (See Art. 141; Art. 148, 152, and 160, Subpara. 2(k) apply only to developing countries) The right of participation in coastal states fisheries (Art. 69) is weak, (Art. 69, Para. 3; Art. 71) and the right of transit Part X still depends to a considerable extent on the willingness of the transit state to co-operate; (Art. 125, Para. 2-3) nonetheless, the Convention includes some improvements compared to the period prior to 1982. Land-locked states may also participate in marine scientific research. (Art. 254)

The only guarantees for land-locked states found in the Convention are the right of navigation (Art. 90) or participation in the freedom of the high seas (Art. 86) and the right to equal treatment of their vessels in maritime ports. (Art. 131) The following is a list of land-locked states:

Africa:	Botswana, Burkina Faso, Burundi, Central African Republic, Chad, Lesotho, Malawi, Mali, Niger, Rwanda, Swaziland, Uganda, Zambia, Zimbabwe
Asia:	Afghanistan, Bhutan, Laos, Mongolia, Nepal,
Europe:	Austria, Czechoslovakia, Hungary, Luxembourg, Switzerland
South America:	Bolivia, Paraguay

10. TRANSIT STATES

Transit state means a state, with or without a sea-coast, situated between a land-locked state and the sea, through whose territory traffic in transit passes. (Art. 124, Subpara. 1(b)) The Convention does not use the term in any other context than the right of access of land-locked states to and from the sea and freedom of transit. (Part X)

11. DEVELOPING STATES

Of the approximately 160 state members of the United Nations, more than 100 are developing states. The answer to the question of who is a developing state depends on the judgement of each state itself, on whether it feels comparable or competitive with or as developed as the industrialized or developed states. The Convention does not offer any help in this respect; it refers only to developing states in general, and, rarely, to developing geographically disadvantaged or land-locked states, e.g., (Art. 148; Art. 140; Art. 69, Para. 3; Art. 70, Para. 4) In December 1967, the United Nations General Assembly instructed its Secretary-General to study the interests and needs of developing states with respect to the deep-sea area and the proposed Mining Authority, a consideration of preferential treatment which was made part of the 1970 Assembly Declaration of Principles governing the sea-bed. (Preamble)

The Convention provides numerous provisions designed to promote and support the growth of developing countries. Three broad themes intended for the benefit of developing states can be found in the Convention: co-operation (a), training (b), and preferential treatment (c).

(a) Although the Convention requires states in general to co-operate, (e.g., Preamble, Art. 118, 138, 197, 242, 270) it implies the need for particular care for and co-operation with developing countries. The most significant examples can be found in the provisions governing the Area, as they are applicable for all states, (e.g., Art. 140, Para. 1) and marine scientific research, whether conducted in the Area (Art. 143, Para. 3) or in general to strengthen the coastal state's own technological and research capabilities through development and transfer of marine technology. (Art. 266-278)

(b) In addition to the benefits of co-operation aimed at closing the technological gap, developing countries are to receive technical assistance to aid them in setting up programmes for the full and satisfactory protection of the marine environment. (Art. 202-203) Furthermore, adequate education and training of scientific and technical personnel is to be provided, (Art. 244, Para. 2) including the establishment of national and regional marine scientific and technological centres. (Art. 275-277)

(c) The most effective and supportive provisions for developing states might one day turn out to be those vesting the Sea-Bed Authority with powers and obligations for preferential treatment of developing states. These powers cover several aspects. In addition to support to be given by all states (and by the Sea-Bed Authority), (Art. 143, 148) the Authority is to acquire technology and training programmes from contractors operating in the Area (Art. 144, Subpara.

1(a); Annex III, Art. 5, Para. 3&15) and transfer it to developing countries. (Art. 144, Subpara. 1(b)) The Authority is to show preference to these countries when considering the use of revenues (Art. 150, Subpara. (f); Art. 82, Para. 4; Art. 160, Subpara. 2(f)) and pay compensation to those developing countries which suffer serious adverse effects on their export earnings as a result of the mineral policy of the Authority or of exploitation of minerals from the Area. (Art. 150, Subpara. (h); Art. 151, Para. 10; Art. 160, Subpara. 2(1)) A general clause of the Convention is open enough to allow further supportive measures for developing countries on the part of the Authority (Art. 148, Art. 274) as long as such measures can be covered by the term "activities in the Area". (Ibid; Art. 1, Subpara. 1(3))

Apart from these broad themes, developing countries which are land-locked, (Art. 124, Subpara. 1(a)), geographically disadvantaged, (Art. 70, Para. 2) or border enclosed or semi-enclosed seas (Art. 122; Art. 70, Para. 2) have only weak preferential access to fishing in exclusive economic zones of developed coastal states located in the same area. (Art. 69, Para. 3; Art. 70, Para. 4; Art. 71) But there is another, small supportive measure by the Convention which cannot be found directly in the text. Some provisions are a compromise between the "desirable standard" and the "obtainable standard", e.g., in the provision defining the flag state duties which requires only compliance with generally accepted regulations (Art. 94, Para. 5) or for pollution from land-based sources (taking into account), (Art. 207, Para. 4) so that developing states will not be overburdened with excessive investments for the time being.

12. UNITED NATIONS ORGANIZATION

The United Nations has been deeply involved in the development of the law of the sea since the organization's founding in the 1940's. It is doubtful that the community of nations would have reached the present standard of law governing the sea if there had not been a system of international organizations able and willing to act on the proposals of its members, such as that of the Malta delegate, Arvid Pardo, in 1967. One can also wonder whether an international conference such as the 1973-1982 Conference would have been held, much less succeeded, if it had not been for the United Nations and the support of its administrative machinery. The active participation of various United Nations organs or conferences in certain fields or their studies and recommendations will have had an impact on the drafting of the Convention. Particular mention should be made of the UNEP (United Nations Environmental Program) for its work on regional action plans, (Art. 197; in particular, Art. 123, Subpara. (b)) e.g., Kuwait Regional Convention for Co-operation on the Protection of the Marine Environment on Pollution 1978, and UNCTAD (United Nations Conference on Trade and Development) for its work concerning registration of ships and the "genuine link" (Art. 91; Art. 92, Para. 2) and the transfer of technology, e.g., (Art. 266)

The United Nations is in charge of conducting the administrative part of the Convention. One of its organs, the Secretary-General, is the depository of the Convention (Art. 319) and denunciations are to be addressed to him. (Art. 317) The Secretary-General is to communicate with the States Parties, the Authority, and competent international organizations (Art. 319) concerning all matters relevant to the Convention and is to take the necessary steps concerning amendments in due time and in accordance with the Convention. (Art. 312-314) The Secretary-General is to be supplied with charts and lists which show limit lines or geographical coordinates drawn by coastal states. (Art. 16; Art. 47, Para. 9; Art. 75; Art. 76, Para. 9; Art. 84) The United Nations may employ vessels in its service, and these can fly the flag of the United Nations. (Art. 93)

13. OTHER INTERNATIONAL GOVERNMENTAL ORGANIZATIONS

The international governmental organizations can be divided into two groups. One group works on a global basis, as Organs of the United Nations or are related to it in some degree. The latter are basically independent, have constitutions of their own, and states become members only by means of a separate procedure for each organization. The other group is often established only for regional or specific purposes and is open only to certain countries, but such organizations can also have global character. Many such organizations attended the 1973-1982 Conference as observers. (See Appendix to Final Act) The importance of three organizations will be described below.

International Maritime Organization (IMO) This is by far the most important organization for all matters concerning vessels, and this fact can be seen quite clearly in the Convention. The most important regulations which can be traced back to IMO conventions are those concerning the safety of ships, including manning, signal and radio communication, and qualification of crew, (Art. 94, Para. 3-4) search and rescue, (Art. 98, Para. 2) prevention of collisions (Art. 21, Para 4; Art. 39, Para. 2; Art. 94, Subpara. 3(c)) including traffic separation schemes (Art. 22; Art. 41; Art. 53) and the involvement of the organization in the implementation of such schemes, (Art. 22, Subpara. 3(a); Art. 41, Para. 4; Art. 53, Para. 9) documents and precautionary measures by nuclear-powered merchant vessels and vessels carrying dangerous cargo, (Art. 23) and last but not least prevention of pollution e.g., (Art. 211, Para. 2)

International Labour Organization (ILO) A large number of ILO conventions, which make up the International Seafarer's Code, are concerned with working conditions of seamen. The 1982 Convention honours these conventions by urging States Parties to take measures governing labour conditions which conform to generally accepted international regulations. (Art. 94, Subpara. 3(b), Para. 5)

United Nations Food and Agriculture Organization (FAO) This organization and its committees on fisheries influenced to a large extent the provisions on utilization and conservation of fish resources. (Art. 61-68; Art. 117-120)

14. CO-OPERATION - "COMPETENT ORGANIZATIONS"

The 1982 Convention contains numerous directives for co-operation between states, (e.g., Art. 123) between states and international organizations, (e.g., Art. 199) and between international organizations, (e.g., Art. 278) Apparently the co-operation required between states and international organizations will ultimately be of greatest importance for the effectiveness of the Convention, as this enhances the prospects of efficient enforcement of the Convention as

well as unification and development of the law of the sea. Terms often used in this context include "States and competent international organizations shall..." (e.g., Art. 242, Para. 1) "States, in co-ordination with the competent international organization" (e.g., Art. 276, Para. 1) and "States, acting through the competent international organization" (e.g., Art. 211, Para.1)

The competent international organizations for the various parts of the 1982 Convention are as follows (non-exhaustive list):

	Activities	Competent Organization(s)
Part XVII	Convention	United Nations Secretariat
Part VII	Shipping and Navigation	a) International Maritime Organization b) UN Conference for Trade and Development
Part VII	Marine Labour	International Labour Organization
Part VII	Marine Health	World Health Organization
Part V	Living Resources	Food and Agriculture Organization
	Non-living Resources	Ocean economic and technology branch of UN
Part XI	Non-living Resources	International Sea-Bed Authority
Part XII	Marine Environment	a) UN Environment Programme b) International Maritime Organization c) International Atomic Energy Agency
Part XIII	Marine Science	a) UN Educational, Scientific, and Cultural Organization b) Intergovernmental Oceanographic Commission
Part XIV	Marine Technology	UN Industrial Development Organization

15. GOVERNMENTAL ORGANIZATIONS AS PARTIES TO THE CONVENTION

The Convention provides the opportunity for inter-governmental organizations to become "states parties" to the Convention. (Art. 305, Subpara. 1(f) (306-307); Annex IX, Art. 3) This possibility was implemented under pressure from the member states of the European Economic Community (EEC). This move came about as a result of the fact that EEC institutions have certain powers, such as the conclusion of treaties and the establishment of internal rules in fisheries and in certain pollution matters.

The prospect of sea-bed mining gives the so-called "EEC clause" an even more interesting feature. The status of an acceding organization will more likely be that of a principal and agent rather than of a "state party," as a state party remains a "state party to the Convention" regardless of how much competence in matters governed by the Convention (AIX, Art. 1) it might have transferred to the organization, although corresponding rights (e.g., voting) will be affected accordingly. The handling of the "EEC clause" might prove to be somewhat difficult. The European Economic Community was the only inter-governmental organization to sign the Convention.