

MEMORANDUM OF UNDERSTANDING ON THE AVOIDANCE OF OVERLAPS AND
CONFLICTS RELATING TO DEEP SEABED AREAS

The Government of the Kingdom of Belgium, the Government of Canada, the Government of the Federal Republic of Germany, the Government of the Republic of Italy, the Government of the Kingdom of the Netherlands, the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the United States of America, on the one hand, and the Government of the People's Republic of China, on the other hand, hereinafter referred to as the "Parties";

Considering that an entity sponsored by the People's Republic of China has submitted to the Preparatory Commission for the International Seabed Authority and the International Tribunal for the Law of the Sea, hereinafter referred to as the "Preparatory Commission", an application for registration as a pioneer investor in respect of an area the coordinates of which are shown in Annex I to this Memorandum of Understanding, hereinafter referred to as the "Memorandum";

Taking into account the interests of the entities mentioned in Paragraph 1(a)(ii) of Resolution II of the Third United Nations Conference on the Law of the Sea, in areas the coordinates of which have been published in Law of the Sea Bulletins 7, 11, and 12, and which coordinates are shown in Annex II to this Memorandum;

Taking note with satisfaction that there are no overlaps among the above-mentioned areas;

Wishing to ensure mutual respect for those areas in order to avoid possible conflict in the future;

Have agreed as follows:

Article 1

(1) Upon attribution by the Preparatory Commission, to the entity sponsored by the People's Republic of China as a pioneer investor, of the area referred to in Annex I to this Memorandum, the Governments of Belgium, Canada, Germany, Italy, the Netherlands, the United Kingdom and the United States shall respect that area.

(2) The Government of the People's Republic of China shall respect the areas referred to in Annex II to this Memorandum.

(3) The obligations referred to in paragraphs 1 and 2 above shall not apply to those areas relinquished by the Parties in the future.

Article 2

(1) The Governments of Belgium, Canada, Germany, Italy, the Netherlands, the United Kingdom and the United States shall not act, themselves or in association with third parties, in a manner that could prevent registration of the application which has been submitted by the People's Republic of China to the Preparatory Commission, for the area referred to in Annex I to this Memorandum.

(2) The People's Republic of China shall not act, itself or in association with third parties, in a manner that could prevent registration of applications which may be submitted in the future by any or all the other Parties for any or all of the areas referred to in Annex II to this Memorandum.