

No. 7477. CONVENTION ON THE TERRITORIAL SEA AND THE CONTIGUOUS ZONE. DONE AT GENEVA ON 29 APRIL 1958¹

OBJECTION to the notification of denunciation by Senegal² of the above-mentioned Convention

Notification addressed to the Secretary-General of the United Nations on :

2 January 1973

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND³

Note No. 21/4/119

The Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations presents his compliments to the Secretary-General of the United Nations and has the honour to refer to the letter, dated the 30th of June, 1972, from the Director of the General Legal Division, in charge of the Office of Legal Affairs, to the Secretary of State for Foreign and Commonwealth Affairs under cover of which the Director of the General Legal Division transmitted copies of certain correspondence between the Government of Senegal and the Secretariat of the United Nations. That correspondence concerned a notification by the Government of Senegal purporting to denounce the Convention on the Territorial Sea and the Contiguous Zone⁴ and the Convention on Fishing and the Conservation of the Living Resources of the High Seas,⁵ both done at Geneva on the 29th of April, 1958, and it in turn referred to the earlier correspondence on the same subject, copies of which were sent to the Secretary of State for Foreign and Commonwealth Affairs under cover of the letter from the Legal Counsel dated the 5th of January, 1972.

The Government of the United Kingdom have carefully studied the views expressed in the correspondence referred to above. As regards the notification by the Government of Senegal purporting to denounce the two Conventions of 1958, the Government of the United Kingdom wish to place on record that in their view those Conventions are not susceptible to unilateral denunciation by a State which is a party to them and they therefore cannot accept the validity or effectiveness of the purported denunciation by the Government of Senegal. Accordingly, the Government of the United Kingdom regard the Government of Senegal as still bound by the obligations which they assumed when they became a party to those Conventions and the Government of the United Kingdom fully reserve all their rights under them as well as their rights and the rights of their nationals in respect of any action which the Government of Senegal have taken or may take as a consequence of the said purported denunciation.

As regards the various arguments that are set out in the correspondence referred to above with reference to certain other questions relating to the law of treaties, including in particular the question of the functions of the Secretary-General as a depositary of the Conventions of 1958 and the question of the duties of the Secretariat in relation to the registration of treaties and in relation to acts, notifications and communications relating to treaties, the Government of the United Kingdom do not consider it necessary at this stage to express any view on those matters but they fully reserve their position in relation thereto and expressly reserve their right formally to make their views known at a later date.

The Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations requests that copies of this note should be transmitted by

¹ United Nations, *Treaty Series*, vol. 516, p. 205; for subsequent actions, see references in Cumulative Indexes Nos. 7 to 10, as well as annex A in volumes 751, 752, 767, 771, 781, 786 and 807.

² *Ibid.*, vol. 781, p. 332.

³ See also p. 220 of this volume.

⁴ United Nations, *Treaty Series*, vol. 516, p. 205.

⁵ *Ibid.*, vol. 559, p. 285.

the Secretariat to all States concerned, that is to say, all States Members of the United Nations or Members of any of the Specialised Agencies, and, since the notification by the Government of Senegal was registered by Senegal, further requests that the statement of the position of the Government of the United Kingdom in relation to that notification, as set out in the second paragraph of the present note, should similarly be registered.

The Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations avails himself of this opportunity to renew to the Secretary-General of the United Nations the assurance of his highest consideration.
New York, 2 January 1973.

United Kingdom Mission to the United Nations

Authentic text of the objection: English.

Certified statement was registered by the United Kingdom of Great Britain and Northern Ireland on 2 January 1973.