

Second United Nations Conference on the Law of the Sea

Geneva, Switzerland
17 March – 26 April 1960

Document:-
A/CONF.19/L.10

Ghana: amendment to the second proposal in document A/CONF.19/L.4

Extract from the *Official Records of the Second United Nations Conference on the Law of the Sea (Summary Records of Plenary Meetings and of Meetings of the Committee of the Whole, Annexes and Final Act)*

"whose coastal population depends primarily on coastal fisheries for the animal protein of its diet and whose fishing methods are mainly limited to local fishing from small boats",¹⁵ in connexion with the conservation measures which it might become necessary to adopt to limit the total catch of a stock or stocks of fish in areas of the high seas,

That it must further be recognized that the requirements and interests of other coastal States in the matter of the conservation and exploitation of the resources of the sea may also be of a preferential nature, as for instance when the nationals of the said States regularly fish in areas of the high seas adjacent to the territorial sea.

Recommends the conclusion of the following additional protocol to the Convention on Fishing and Conservation of the Living Resources of the High Seas:

¹⁵ *Official Records of the United Nations Conference on the Law of the Sea*, vol. II, annexes, document A/CONF.13/L.56, resolution VI.

ADDITIONAL PROTOCOL TO THE CONVENTION ON FISHING AND CONSERVATION OF THE LIVING RESOURCES OF THE HIGH SEAS

The States Parties to this Protocol,

Considering that when it becomes necessary to limit the total catch of a stock or stocks of fish in order to obtain the optimum sustainable yield therefrom, preferential consideration should be given to the special requirements and interests of the coastal State in the matter of the conservation and exploitation of the said resources,

Have agreed as follows:

Sole article

When the unilateral measures of conservation adopted by the coastal State consist in limiting the total catch of a stock or stocks of fish, sub-paragraph 2(c) of article 7 of the Convention shall not be applicable in so far as this may be necessary to take due account of the special requirements and interests of the said State.

(Followed by the final clauses.)

DOCUMENT A/CONF.19/L.9

Indonesia, Iraq, Lebanon, Mexico, Morocco, Saudi Arabia, Sudan, United Arab Republic, Venezuela and Yemen:
draft resolution

[*Original text: English and Spanish*]

[22 April 1960]

The Second United Nations Conference on the Law of the Sea,

Considering that there still exists wide disagreement on the question of the breadth of the territorial sea,

1. *Requests* the Secretary General of the United Nations to include in the provisional agenda of the twentieth session of the General Assembly an item regarding the advisability of convening, at an appropriate date, another United Nations conference to examine further the question of the breadth of the territorial sea;
2. *Requests* all States participants in this Conference which

had declared their independence prior to 24 October 1945 to abstain from extending the present breadth of their territorial sea, pending the consideration of this question by the General Assembly at the aforesaid session;

3. *Recognizes* that, without prejudice to the question of the breadth of the territorial sea and pending the consideration of this question by the General Assembly, any State is entitled to exercise in the sea adjacent to its coast up to a limit of twelve nautical miles measured from the applicable baseline the same rights in respect of fishing and the exploitation of the living resources of the sea as it has in its territorial sea.

DOCUMENT A/CONF.19/L.10

Ghana: amendment to the second proposal in document A/CONF.19/L.4

[*Original text: English*]

[22 April 1960]

1. After paragraph 1 insert as paragraph 2 the following:

"2. Where the coasts of two States are opposite or adjacent to each other the fixing by either or both of them of the breadth of the territorial sea shall not result in the elimination of a belt of at least three miles in width for the use of the international community."

2. Renumber paragraph 2, which becomes paragraph 3, and add as paragraph 4 the following:

"4. No State is entitled to enter the outer zone of another State by means of a warship or the superjacent

airspace by any military aircraft without prior notification to that State."

3. Renumber paragraph 3, which becomes paragraph 5, and add as paragraph 6 the following:

"6. Where appropriate scientific findings demonstrate the necessity for the conservation of the living resources of the outer zone, the coastal State and the fishing State shall agree upon the necessary conservation measures."

4. Paragraph 4 becomes paragraph 7.