

# **Third United Nations Conference on the Law of the Sea**

1973-1982

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Document:-

**A/CONF.62/23**

## **The Kampala Declaration**

Extract from the *Official Records of the Third United Nations Conference on the Law of the Sea, Volume III (Documents of the Conference, First and Second Sessions)*

tatives of Hungary and China subsequently associated themselves with the position of the representative of Chad concerning the credentials submitted in the names of South Africa and Portugal.

10. The Chairman then noted that, subject to the observations made by various delegations, the Committee considered that the delegations present at the first session of the Conference should be seated.

## DOCUMENT A/CONF.62/23

### The Kampala Declaration\*

[Original: English]  
[2 May 1974]

*The Conference* of the Developing Land-locked and other Geographically Disadvantaged States, meeting in Kampala, Uganda, from 20 March to 22 March 1974,

*Having in mind* the Third United Nations Conference on the Law of the Sea, inaugurated in New York on 3 December 1973, the second session of which is due to be held in Caracas, Venezuela, from 20 June to 29 August 1974,

*Aware* of the fact that the Conference is called upon to draw up a future comprehensive legal order for the sea and ocean space,

*Believing* that the Conference should strive, in drawing up the said order, to ensure the common interests of the international community as a whole and to provide for the orderly and equitable development and enjoyment of ocean resources, with the participation of all nations, including the land-locked and other geographically disadvantaged States,

*Emphasizing* the necessity of taking into consideration the needs and interests of the developing countries, particularly those of the land-locked and other geographically disadvantaged States,

*Calling once again* the attention of all States to the vital role and importance of the exercise by land-locked States of their right of free access to and from the sea, and their right of free transit and other facilities in the process of their economic development, and recognizing that developing land-locked States are among the least developed of the developing countries,

*Affirming* that the peaceful uses of the sea and the development and enjoyment of its resources represent vital and crucial elements of trade, commerce and communications in the world, which in turn play a very significant role in the process of economic development of nations,

*Recognizing* the needs of the land-locked States for the availability, suitability and operating efficiency of the transportation system, and port and other facilities in the transit States, upon which facilities they depend for their international trade,

*Recalling* that numerous international legal instruments have recognized the rights of land-locked States of free access to and from the sea and other related matters,

*Convinced* that the viability of the legal order of the oceans depends upon the fulfilment of the needs and interests of all nations on the basis of equality and non-discrimination in attaining higher levels of economic prosperity for their peoples,

*Declares* that the future legal order of the oceans should embody in an appropriate form the following principles representing the essential rights and interests of the developing land-locked and other geographically disadvantaged States:

1. The right of land-locked States of free and unrestricted access to and from the sea is one of the cardinal rights recognized by international law.

2. The right of geographically disadvantaged States of free and unrestricted access to and from the high seas is one of the cardinal rights recognized by international law.

3. Transit States shall respect and facilitate the exercise of the right of free access to and from the sea by land-locked States and their right of free and unrestricted transit, and provide them with all other facilities necessary for traffic in transit without discrimination, by all means of transport and communication, through all the routes of access in the transit State.

4. Land-locked States and other geographically disadvantaged States shall have the right of free access to and from the area of the sea-bed, in order to enable them to participate in the exploration and exploitation of the area and its resources and to derive benefits therefrom.

5. In order that land-locked States shall exercise the right to sail ships under their own flag and to use ports, coastal States shall respect the right of land-locked States to use on an equal basis, facilities, equipment and all other installations in the ports.

6. Traffic in transit shall not be subject to any customs duties, taxes or other charges except charges levied for specific services rendered in connexion with such traffic.

7. Land-locked and other geographically disadvantaged States shall be adequately and proportionately represented in all the organs of the international sea-bed machinery, the decisions of which shall be made with due regard to their special needs and problems.

8. In the exploitation of the resources of the sea and seabed and subsoil thereof, beyond the territorial sea, the following principles shall apply:

(a) The rights and interests of all States, whether coastal or land-locked, shall be taken into account.

(b) All rights which land-locked and other geographically disadvantaged States have with regard to such resources under existing international law shall be maintained.

(c) The international area that would be governed under the concept of the common heritage, within the meaning of United Nations General Assembly resolution 2467 A (XXIII), shall be so extensive and contain such resources, as to ensure viable economic exploitation.

9. With respect to the exercise of jurisdiction over resources in areas adjacent to the territorial sea, the land-locked States and other geographically disadvantaged States shall have equal rights with other States and without discrimination in the exercise of such jurisdiction, in accordance with international standards to be drawn up by the Third United Nations Conference on the Law of the Sea.

\*Circulated at the request of the Representative of Uganda.