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Nigeria: revised draft articles on the exclusive economic zone

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2. The régime of passage provided for in this article shall, however, be applied in accordance with the following provisions:

(a) During passage, ships shall observe all international regulations concerning the prevention of collisions and shall accordingly comply with such traffic separation schemes as may derive from this convention or from recommendations by the Inter-Governmental Maritime Consultative Organization;

(b) Ships shall likewise take all preventive measures necessary to avoid causing any damage to the coastal States bordering the straits;

(c) Damage caused to the coastal State as a result of the exercise by a ship of the right of passage under the régime of free transit shall entitle that State to claim compensation;

(d) No State shall be entitled to interrupt or suspend free transit through straits or to take any measures likely to hamper such transit.

3. The provisions of this article:

(a) Apply only to straits which connect two parts of the high seas and which are traditionally used for international navigation;

(b) Do not apply to straits already regulated by international conventions.

Article 2

1. Warships and government ships operated for non-commercial purposes which are passing through straits under the conditions provided for in article 1, paragraph 1, shall enjoy the right of innocent passage.

2. The régime of innocent passage must be established in such a way as to safeguard the legitimate rights and interests of coastal States with regard, *inter alia*, to national security and safety of navigation.

DOCUMENT A/CONF.62/C.2/L.21/REV.1

Nigeria: revised draft articles on the exclusive economic zone

[Original: English]
[5 August 1974]

Article 1

RIGHTS AND COMPETENCES OF A COASTAL STATE

1. A coastal State has the right to establish, beyond its territorial sea, an exclusive economic zone the outer limit of which shall not exceed 200 nautical miles measured from the applicable baselines for measuring the territorial sea.

2. A coastal State has the following rights and competences in its exclusive economic zone:

(a) Exclusive right to explore and exploit the renewable living resources of the sea and the sea-bed;

(b) Sovereign rights for the purpose of exploring and exploiting the non-renewable resources of the continental shelf, the sea-bed and the subsoil thereof;

(c) Exclusive right for the management, protection and conservation of the living resources of the sea and sea-bed, taking into account the recommendations of the appropriate international or regional fisheries organizations;

(d) Exclusive jurisdiction for the purpose of control, regulation and preservation of the marine environment including pollution control and abatement;

(e) Exclusive jurisdiction for the purpose of control, authorization and regulation of scientific research;

(f) Exclusive jurisdiction for the purpose of protection, prevention and regulation of other matters ancillary to the rights and competences aforesaid and, in particular, the prevention and punishment of infringements of its customs, fiscal, immigration or sanitary regulations within its territorial sea and economic zone.

3. A coastal State shall have the exclusive right to authorize and regulate in the exclusive economic zone, the continental shelf, ocean bed and subsoil thereof, the construction, emplacement, operation and use of offshore artificial islands and other installations for purposes of the exploration and exploitation of the non-renewable resources thereof.

4. A coastal State may establish a reasonable area of safety zones around its offshore artificial islands and other installations in which it may take appropriate measures to ensure the safety both of its installations and of navigation. Such safety zones shall be designed to ensure that they are reasonably related to the nature and functions of the installations.

Article 2

RIGHTS AND COMPETENCES OF OTHER STATES

1. All States shall have the following rights in the exclusive economic zone of a coastal State:

(a) Freedom of navigation and overflight; and

(b) Freedom of laying of submarine cables and pipelines.

2. All States may exercise, subject to an appropriate bilateral or regional arrangement or agreement, the competence to exploit an agreed level of the living resources of the zone.

3. Land-locked and geographically disadvantaged States shall have the right to explore and exploit the living resources of the exclusive economic zones of neighbouring coastal States, subject to appropriate bilateral or regional arrangements or agreements with such coastal States.

Article 3

DUTIES OF A COASTAL STATE

1. A coastal State shall use its exclusive economic zone for peaceful purposes only.

2. A coastal State, in its exclusive economic zone, shall enforce applicable international standards regarding the safety of navigation.

3. A coastal State, in its exclusive economic zone, is under an international duty not to interfere without reasonable justification with:

(a) The freedom of navigation and overflight and

(b) The freedom of laying of submarine cables and pipelines.

4. A coastal State shall not erect or establish artificial islands and other installations, including safety zones around them, in such a manner as to interfere with the use by all States of recognized sea lanes and traffic separation schemes essential to international navigation.

Article 4

DUTIES OF OTHER STATES

1. In the exclusive economic zone of the coastal State, all other States are duty bound not to interfere with the exercise by the coastal State of its rights and competences.

2. In such an exclusive economic zone, all other States shall ensure compliance by vessels of their flag with:

(a) Applicable international standards regarding the safety of navigation outside safety zones established by a coastal State around offshore artificial islands and other installations used for the exploration and exploitation of the non-renewable resources of the zone; and

(b) The regulations of the coastal State regarding the safety of the said offshore artificial islands and other installations as well as ancillary regulations of the coastal State regarding the enforcement of its customs, fiscal, immigration and sanitation laws.

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Greece: draft articles

[Original: English]
[25 July 1974]

PART II. NATIONAL MARITIME ZONES

I. GENERAL

Article 1

ZONES

1. The national maritime zones comprise: (a) the internal or archipelagic waters; (b) the territorial sea; (c) the contiguous zone; (d) the economic zone, in which the coastal State exercises its national sovereignty or jurisdiction in accordance with the provisions of this Convention.

2. The national maritime zones extend up to a maximum seaward limit of 200 nautical miles.

Article 2

MARITIME ZONES UNDER NATIONAL SOVEREIGNTY

1. The sovereignty of a coastal State extends beyond its continental or insular territory to its: (a) internal or archipelagic waters; (b) territorial sea; (c) continental shelf area of the economic zone.

2. The sovereignty of a coastal State extends also beyond its continental or insular territory to the air space over the internal or archipelagic territory, to the air space over the internal or archipelagic waters, over the territorial sea, and to the sea-bed and subsoil thereof and to the continental shelf, as well as to their resources.

3. This sovereignty is exercised subject to the provisions of these articles and to the other rules of international law.

Article 3

MARITIME ZONES UNDER NATIONAL JURISDICTION

1. Subject to the provisions of this Convention the coastal State exercises jurisdiction over the contiguous zone and the economic zone.

II. INTERNAL OR ARCHIPELAGIC WATERS AND BASELINES

Article 4

INTERNAL AND ARCHIPELAGIC WATERS

1. Internal waters are the waters adjacent to the coast of a State on the landward side of the baseline of its territorial sea.

2. Archipelagic waters are the waters adjacent to the coast of archipelagic islands on the landward side of the baseline of their territorial sea in accordance with the provisions of this Convention.

Article 5

BASELINES

1. The baseline is the line, normal or straight, which divides the internal or archipelagic waters from the territorial sea.

2. The normal baseline is the natural low-water line along the continental or insular coast as marked on charts officially recognized by the coastal State.

3. The straight baseline is the line employed in drawing the line separating the internal or archipelagic waters from the territorial sea.

4. The method of straight baselines joining appropriate points of the coast may be employed: (a) where the natural coastline is indented and cut into; (b) in the case of bays under the provisions of this section; (c) if there is a fringe of islands; (d) in the case of archipelagos.

5. The drawing of such baselines must not depart to any appreciable extent from the general direction of the coast, and the sea areas lying within the lines must be sufficiently closely linked to the land domain to be subject to the régime of internal waters.

6. Baselines shall not be drawn to and from low-tide elevations, unless lighthouses or similar installations which are permanently above sea level have been built on them.

7. If a river flows directly into the sea, the baseline shall be a straight line across the mouth of the river between points on the low-tide line of its banks.

8. The system of straight baselines may not be applied by a State in such a manner as to cut off from the high seas the territorial sea of another State.

9. The coastal State must clearly indicate straight baselines on charts, to which due publicity must be given.

Article 6

BAYS

1. This article relates only to bays the coasts of which belong to a single State.

2. For the purpose of this article, a bay is a well-marked indentation whose penetration is in such proportion to the width of its mouth as to contain land-locked waters and constitute more than a mere curvature of the coast. An indentation shall not, however, be regarded as a bay unless its area is as large as, or larger than, that of the semi-circle whose diameter is a line drawn across the mouth of that indentation.

3. For the purpose of measurement, the area of an indentation is that lying between the low-water mark around the shore of the indentation and a line joining the low-water mark of its natural entrance points. Where, because of the presence of islands, an indentation has more than one mouth, the semi-circle shall be drawn on a line as long as the sum total of the

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