

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

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Document:-

**A/CONF.62/C.2/L.35**

## **Haiti and Jamaica: draft articles on rights of developing geographically disadvantaged States within the economic zone or patrimonial sea**

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)*

bour system and which are above water at high tide shall be regarded as forming part of the coast.

*Article . . .*

Roadsteads which are normally used for the loading, unloading and anchoring of ships, and which would otherwise be situated wholly or partly outside the outer limit of the territorial sea, are included in the territorial sea. The coastal State

must clearly demarcate such roadsteads and indicate them on charts, together with their boundaries, to which due publicity must be given.

*Article . . .*

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.

**DOCUMENT A/CONF.62/C.2/L.34**

Turkey: draft article on delineation between adjacent and opposite States

[Original: English]

[1 August 1974]

Where the coasts of two or more States are adjacent or opposite to each other, the delimitation of the respective economic zones shall be determined by agreement among them in accordance with equitable principles, taking into account all the relevant factors including, *inter alia*, the geomorphological and geological structure of the sea-bed area involved, and special circumstances such as the general configuration of the respective coasts, and the existence of islands, islets or rocks within the area.

2. The States shall make use of any of the methods envisaged in Article 33 of the Charter of the United Nations, as well as those established under international agreements to which they are parties, or other peaceful means open to them, in case any of the parties refuses to enter into or continue negotiations or in order to resolve differences which may arise during such negotiations.

3. The States may decide to apply any one or a combination of methods and principles appropriate for arriving at an equitable delimitation based on agreement.

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*Article 1*

The régime applicable to any economic zone or patrimonial sea provided for in article . . . of this Convention shall be subject to the rights of developing geographically disadvantaged States as contained in articles 2, 3, 4 and 5 below.

*Article 2*

1. In any region where there are geographically disadvantaged States, the nationals of such States shall have the right to exploit the renewable resources within the economic zones or patrimonial seas of the region for the purpose of fostering the development of their fishing industry and satisfying the nutritional needs of such populations.

2. The States of the region shall co-operate to the fullest extent in order to secure the enjoyment of this right.

*Article 3*

Except as provided in article 4, nothing in articles 1 and 2 shall apply to territories under foreign domination or forming an integral part of metropolitan powers outside the region.

*Article 4*

In the application of articles 1 and 2 to the Associated States, self-governing territories and territories under foreign domina-

tion, the rights thereby conferred shall be so applied as only to confer rights on the inhabitants of such territories for the purpose of their domestic needs.

*Article 5*

For the purposes of these articles:

1. "Geographically disadvantaged States" means developing States which

(a) Are land-locked; or

(b) For geographical, biological or ecological reasons:

(i) Derive no substantial economic advantage from establishing an economic zone or patrimonial sea; or

(ii) Are adversely affected in their economies by the establishment of economic zones or patrimonial seas by other States; or

(iii) Have short coastlines and cannot extend uniformly their national jurisdiction.

2. "Nationals" include enterprises substantially owned and effectively controlled by nationals.