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**A/CONF.62/C.2/L.36**

## **Jamaica: draft articles on rights of developing geographically disadvantaged States within a territorial sea beyond 12 miles**

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)*

## DOCUMENT A/CONF.62/C.2/L.36

**Jamaica: draft articles on rights of developing geographically disadvantaged States within a territorial sea beyond 12 miles**

[Original: English]  
[5 August 1974]

*Article 1*

The régime applicable to any territorial sea extending beyond 12 miles 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 any territorial sea extending beyond 12 miles in such a region, for the purpose of fostering the development of their fishing industry and satisfying the nutritional needs of their 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 domination, 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 are
  - (a) Land-locked; or
  - (b) For geographical, biological or ecological reasons
    - (i) Derive no substantial economic advantage from establishing a territorial sea extending beyond 12 miles; or
    - (ii) Are adversely affected in their economies by the establishment of a territorial sea beyond 12 miles 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.

## DOCUMENT A/CONF.62/C.2/L.37

## Denmark: draft article on anadromous species

[Original: English]  
[5 August 1974]

The exploitation of anadromous species shall be regulated by agreement among interested States or by international arrangements through the appropriate intergovernmental fisheries organization.

All interested States shall have an equal right to participate in such arrangements and organizations. Any arrangement shall take into account the interests of the State of origin and the interests of other coastal States.

## DOCUMENT A/CONF.62/C.2/L.38\*

## Bulgaria, Byelorussian Soviet Socialist Republic, German Democratic Republic, Poland, Ukrainian Soviet Socialist Republic, and Union of Soviet Socialist Republics: draft articles on the economic zone

[Original: Russian]  
[5 August 1974]

The delegations of the Byelorussian SSR, the German Democratic Republic, the People's Republic of Bulgaria, the Polish People's Republic, the Ukrainian SSR and the Union of Soviet Socialist Republics, noting the understanding reached at the Conference that all questions concerning the law of the sea are interrelated and must be resolved in the form of a "package deal", are prepared to agree to the establishment of an economic zone, as set forth in the present draft articles on condition that mutually acceptable decisions are also accepted by the Conference on the other basic questions of the law of the sea

(12-mile breadth of territorial waters, freedom of passage through international straits, freedom of navigation, freedom of scientific research, determination of the outer limits of the continental shelf, the sea-bed régime and the prevention of pollution of the sea environment).

## I. GENERAL PROVISIONS

*Article 1*

The coastal State shall have the right to establish a zone, contiguous to its territorial sea, for the purposes of the preser-

\*Incorporating document A/CONF.62/C.2/L.38/Corr.1.