

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

1973-1982

Concluded at Montego Bay, Jamaica on 10 December 1982

Document:-  
**A/CONF.62/53**

## **Letter dated 8 February 1977 from the representative of the Union of Soviet Socialist Republics to the President of the Conference**

*Extract from the Official Records of the Third United Nations Conference on the Law of the Sea, Volume VII (Summary Records, Plenary, General Committee, First, Second and Third Committees, as well as Documents of the Conference, Sixth Session)*

# DOCUMENTS OF THE CONFERENCE

## DOCUMENT A/CONF.62/52/REV.1

### Provisional agenda of the sixth session of the Conference

[Original: English]  
[17 May 1977]

1. Opening of the session by the President of the Conference
2. Minute of silence for prayer or meditation
3. Adoption of the agenda
4. Statement by the Secretary-General
5. Statement by the President
6. Organization of negotiations
7. Consideration of the subject-matter referred to in paragraph 3 of General Assembly resolution 3067 (XXVIII) of 16 November 1973
8. Adoption of a convention dealing with all matters relating to the law of the sea, pursuant to paragraph 3 of General Assembly resolution 3067 (XXVIII) of 16 November 1973, and of the final act of the Conference
9. Signature of the convention and the final act (at Caracas).

## DOCUMENT A/CONF.62/53

### Letter dated 8 February 1977 from the representative of the Union of Soviet Socialist Republics to the President of the Conference

[Original: Russian]  
[15 February 1977]

I have the honour to enclose herewith the text of the Decree "on provisional measures to conserve living resources and regulate fishing in the sea areas adjacent to the coast of the USSR" adopted by the Presidium of the Supreme Soviet of the USSR on 10 December 1976.

I should be grateful if you would circulate the text of this Decree as an official document of the Third United Nations Conference on the Law of the Sea.

(Signed) O. TROYANOVSKY  
*Permanent Representative of the  
Union of Soviet Socialist Republics  
to the United Nations*

#### DECREE OF THE PRESIDUM OF THE SUPREME SOVIET OF THE USSR ON PROVISIONAL MEASURES TO CONSERVE LIVING RESOURCES AND REGULATE FISHING IN THE SEA AREAS ADJACENT TO THE COAST OF THE USSR

The Presidium of the Supreme Soviet of the USSR notes that recently an increasing number of States, including some adjoining the USSR, have been establishing economic or fishery zones off their coasts up to a distance of 200 nautical miles without waiting for the conclusion of the international convention now in preparation at the Third United Nations Conference on the Law of the Sea.

The Soviet Union will continue to advocate that urgent problems relating to the legal régime of the world ocean should be settled on an international basis and that a convention should be concluded to that end which will resolve such problems, in particular those of utilizing coastal living marine resources, in a comprehensive and interrelated manner and with due regard for the legitimate interests of all States.

Considering that pending the conclusion of such a convention immediate action is needed to protect the interests of the Soviet State with regard to the conservation, reproduction and optimum utilization of the living resources of the sea areas adjacent to the coast of the USSR, the Presidium of the Supreme Soviet of the USSR decrees:

1. Provisional measures are hereby established, pursuant to the provisions of this Decree, to conserve the living resources of and regulate fishing in the sea areas adjacent to the coast of the USSR and extending to a distance of up to 200 nautical miles from the baselines from which the territorial waters of the USSR are measured.

The establishment of such provisional measures shall not affect the régime of the territorial waters of the USSR.

2. The USSR shall, within the sea areas referred to in article 1 of this Decree, exercise sovereign rights over fish and other living resources for the purpose of their exploration and conservation. These rights of the USSR shall also apply to anadromous species of fish within their migration area except when they may occur within other States' territorial waters and economic or fishery zones recognized by the USSR.

3. The taking of fish and other living resources as well as exploration and other operations related thereto, which are hereinafter referred to as "fishing", may be conducted by foreign juridical and natural persons within the areas referred to in article 1 of this Decree solely on the basis of agreements or other arrangements between the USSR and foreign States.

4. Optimum utilization of fish and other living resources within the areas referred to in article 1 of this Decree shall be effected on the basis of relevant scientific data and, when appropriate, with due regard for the recommendations of competent international organizations. To this end there shall be established, *inter alia*:

(a) A total annual allowable catch for each species of fish and other living resources;

(b) That part of the annual allowable catch of fish or other living resources which may be harvested by foreign fishing vessels, provided that the size of the total allowable catch of any stock of commercial species exceeds the harvesting capacity of the Soviet fishing effort;

(c) Measures to ensure rational conduct of fishing as well as to conserve and reproduce living resources.

5. Subject to the provisions of articles 2, 3 and 4 of this Decree, quotas of catch may be fixed for foreign States, and in accordance with these quotas foreign fishing vessels shall be issued fishing permits. No fishing shall be permitted without such permits.

6. The Council of Ministers of the USSR shall decide upon the conditions and dates for introducing provisional measures to conserve living resources and to regulate fishing in respect of specific sea areas adjacent to the coast

of the USSR, the establishment of measures to enforce the provisions of this Decree, and the procedure for application of articles 2, 3, 4 and 5 thereof.

7. Persons guilty of violating the provisions of this Decree or regulations issued in pursuance thereof shall be liable to a fine. The amount of the fine to be imposed by administrative procedure, shall not exceed 10,000 roubles.

Where such violations have caused substantial damage, have had other grave consequences or have been committed repeatedly, the persons guilty of them shall be prosecuted. The amount of the fine, to be imposed by judicial procedure, shall not exceed 100,000 roubles. Upon application by the authorities responsible for the protection of fish and other living resources in the areas referred to in article 1 of this Decree, the court may order the forfeiture of the vessel, fishing gear and appurtenances used by the violators as well as their entire illegal catch.

In the event of the seizure or detention of a foreign vessel, the competent Soviet authorities concerned shall promptly notify the flag State of the action taken and of any penalties subsequently imposed. The detained vessel and its crew shall be promptly released upon the posting of reasonable bond or other security.

8. The provisions of this Decree shall remain in force pending the adoption, in the light of the work of the Third United Nations Conference on the Law of the Sea, of another legislative act of the USSR governing the régime of the sea areas referred to in article 1 of this Decree.

(Signed) N. PODGORNÝ  
Chairman of the Presidium of  
the Supreme Soviet of the USSR

(Signed) M. GEORGADZE  
Secretary of the Presidium of the  
Supreme Soviet of the USSR

Kremlin, Moscow  
10 December 1976

#### DOCUMENT A/CONF.62/54

Letter dated 6 June 1977 from the representative of the United Kingdom of Great Britain and Northern Ireland to the President of the Conference

[Original: English/French]  
[8 June 1977]

You will remember the letter<sup>1</sup> which was addressed to you on 10 September 1976 by the acting Chairman of the delegation of the Kingdom of the Netherlands, Mr. Riphagen, in his capacity of representative of the member State which at that time held the Presidency of the Council of Ministers of the European Communities. By this letter he drew your attention to the transfer of competences to the European Economic Community which has occurred according to the Rome Treaty in various fields examined by the Conference and therefore to the necessity that the European Economic Community becomes a contracting party to the future instruments which the Conference is elaborating. At his request this letter was

distributed as a document of the Conference. It was, however, not discussed because the discussion on the final clauses had not yet been undertaken.

As the leader of the delegation of a member State having, during the first six months of 1977, the Presidency of the Council of the European Communities, I have the honour to confirm to you in the name of all member States that in view of the transfer of competences which has occurred, the member States of the Community cannot undertake engagements with respect to third States in respect of those matters examined at the Conference over which the Community has competence. It is accordingly necessary that engagements with regard to these matters should be undertaken by the Community and this requires that it becomes a party to the future Convention together with its member States. This system of joint participation

<sup>1</sup> Official Records of the Third United Nations Conference on the Law of the Sea, vol. VI (United Nations publication, Sales No. E.77.V.2), document A/CONF.62/48.