

United Nations Conference on the Law of the Sea

Geneva, Switzerland
24 February to 27 April 1958

Documents:

A/CONF.13/L.15

**Yugoslavia: amendment to article 72 as adopted by the Fourth Committee
(A/CONF.13/L.12)**

A/CONF.13/L.16

**Canada: amendment to the recommendations of the Fourth Committee concerning final
clauses (A/CONF.13/L.12)**

Extract from the *Official Records of the United Nations Conference on the Law of
The Sea, Volume II (Plenary Meetings)*

DOCUMENT A/CONF.13/L.15**Yugoslavia: amendment to article 72
as adopted by the Fourth Committee (A/CONF.13/L.12)**[Original text: English]
[21 April 1958]

In paragraphs 1 and 2 of article 72 delete the following words:
“and unless another boundary line is justified by special circumstances”.

Comment

As for the delimitation, it is desirable to know *in advance* what criteria can be taken into consideration in drawing boundary lines, in order to avoid future misunderstandings and arbitrary interpretations. As regards the delimitation of two adjacent continental shelves, there are only two firm and solid criteria: (a) agreement between the States concerned, and (b) the principle of median lines. No other criterion is admissible and in particular no “special circumstances” can be taken into account, for their vagueness and arbitrary character could constitute a breeding ground for misunderstandings and dissensions. Where and in what Manual of International Law are such circumstances enumerated? And, in the final analysis, in whose interest is it that uneasiness and ill-temper in the relations between neighbouring States should be introduced?

DOCUMENT A/CONF.13/L.16**Canada: amendment to the recommendations of the Fourth Committee
concerning final clauses (A/CONF.13/L.12)**[Original text: English]
[21 April 1958]

Add a final clause concerning reservations as follows:

“Reservations

“At the time of signature, ratification or accession, any State may make reservations to articles of the Convention other than to articles 67 to 73 inclusive.

“Any contracting State making a reservation in accordance with the preceding paragraph may at any time withdraw the reservation by a communication to that effect addressed to the Secretary-General of the United Nations.”

DOCUMENT A/CONF.13/L.17¹**Report of the Second Committee**[Original text: English]
[21 April 1958]**I. OFFICERS OF THE COMMITTEE**

1. At the first meeting of the Committee, on 26 February 1958, Mr. O. C. Gundersen (Norway) was elected as Chairman; and, at the second meeting, on 28 February 1958, the Committee elected Mr. Glaser (Romania) as Vice-Chairman and Mr. J. Madeira Rodrigues (Portugal) as Rapporteur.

II. TERMS OF REFERENCE OF THE COMMITTEE

2. The rules of procedure adopted by the Conference at its first plenary meeting on 24 February 1958 provided

in rule 47 that the Second Committee should consider those articles concerning the law of the sea, contained in the report of the International Law Commission covering the work of its eighth session (A/3159), which dealt with the general régime of the high seas—namely, articles 26 to 48 and 61 to 65.

III. ORGANIZATION OF THE WORK OF THE COMMITTEE

3. The Committee held thirty-seven meetings.
4. Ten meetings were devoted to a general debate on the articles referred to the Committee (4th to 13th meetings).²

¹ Incorporating A/CONF.13/L.17/Corr.1, L.17/Add.1 and L.17/Add.1/Corr.1.

² At its 12th meeting, the Committee heard a statement by the representative of the International Labour Office concerning articles 29, 34 and 35.