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Turkey: draft article on delimitation between States; various aspects involved

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lengths of the lines across the different mouths. Islands within an indentation shall be included as if they were part of the water area of the indentation.

4. If the distance between the low-water marks of the natural entrance points of a bay does not exceed 24 miles, a closing line may be drawn between these two low-water marks, and the waters enclosed thereby shall be considered as internal waters.

5. Where the distance between the low-water marks of the natural entrance points of a bay exceeds 24 miles, a straight baseline of 24 miles shall be drawn within the bay in such a manner as to enclose the maximum area of water that is possible with a line of that length.

6. The foregoing provisions shall not apply to so-called "historic" bays, or in any case where the straight baseline system provided for in article 5 is applied.

III. TERRITORIAL SEA

Article 7

DEFINITION AND BREADTH OF THE TERRITORIAL SEA

1. The territorial sea is the belt of sea extending from the outer limit of the internal or archipelagic waters to 12 nautical miles measured from the baselines, drawn in accordance with article 5 of section II of this Convention.

2. The outer limit of the territorial sea is the line every point of which is at a distance from the nearest point of the baseline equal to the breadth of the territorial sea.

3. 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 8

DELIMITATION OF THE TERRITORIAL SEA

1. Every State shall have the right to determine the breadth of its territorial sea to 12 nautical miles.

2. Where the coasts of two States are opposite or adjacent to each other, neither of two States is entitled, failing agreement between them to the contrary, to extend its territorial sea beyond the median line, every point of which is equidistant from the nearest points on the baselines, continental or insular, from which the breadth of the territorial seas of each of the two States is measured.

3. The line of delimitation between the territorial seas of two States opposite or adjacent to each other shall be marked on charts officially recognized by the coastal States.

4. For the purpose of delimiting the territorial sea, the outermost permanent harbour works which form an integral part of the harbour system shall be regarded as forming part of the coast.

5. Where the establishment of a territorial sea of 12 nautical miles has the effect of enclosing areas which had been previously considered as part of the high sea, the State extending its territorial sea shall ensure peaceful navigation through appropriate sea lanes established for that purpose without prejudice to the régime of straits in accordance with the provisions of section . . . of this Convention.

Article 9

ISLANDS

1. An island is a naturally formed area of land, surrounded by water, which is above water at high tide.

2. An island forms an integral part of the territory of the State to which it belongs. The territorial sovereignty over the island extends to its territorial sea, to the air space over the island and its territorial sea to its sea-bed and subsoil thereof and to its continental shelf for the purpose of exploring it and exploiting its natural resources.

3. The maritime zones of the island are determined in accordance with the same provisions applicable to the measurements of the territorial sea of the continental part of the territory of the State.

4. The above provisions do not prejudice the régime of archipelagic islands.

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1. Where the coasts of two or more States are adjacent and/or opposite, the continental shelf areas appertaining to each State shall be determined by agreement among them, in accordance with equitable principles.

2. In the course of negotiations, the States shall take into account all the relevant factors, including, *inter alia*, the geomorphological and geological structure of the shelf up to the outer limit of the continental margin, and special circumstances such as the general configuration of the respective coasts, the existence of islands, islets or rocks of one State on the continental shelf of the other.

3. 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.

4. 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.