



UNITED NATIONS
GENERAL
ASSEMBLY



Distr.
LIMITED

A/AC.138/SC.II/L.21
2 April 1973
ENGLISH
ORIGINAL: SPANISH

COMMITTEE ON THE PEACEFUL USES OF THE
SEA-BED AND THE OCEAN FLOOR BEYOND THE
LIMITS OF NATIONAL JURISDICTION

Colombia, Mexico and Venezuela: draft articles of treaty

Territorial sea

Section I. General Provisions

Article 1. 1. The coastal State has sovereignty over an area of the sea immediately contiguous to its territory and inland waters designated as the territorial sea.

2. The sovereignty of a coastal State extends to the sea-bed and subsoil and the superjacent air space of the territorial sea.

3. The sovereignty of the coastal State is exercised in accordance with the provisions of these articles and other rules of international law.

Article 2. The breadth of the territorial sea shall not exceed 12 nautical miles to be measured from the applicable baselines.

Article 3. Without prejudice to the provisions of these articles, ships of all States, whether coastal or not, shall enjoy the right of innocent passage through the territorial sea.

Section II. Limits (Applicable baselines and delimitation between States)

.....

Section III. Right of Innocent Passage

.....

Patrimonial sea

Article 4. The coastal State has sovereign rights over the renewable and non-renewable natural resources which are found in the waters, in the sea-bed and in the subsoil of an area adjacent to the territorial sea called the patrimonial sea.

Article 5. The coastal State has the right to adopt the necessary measures to ensure its sovereignty over the resources and prevent marine pollution of its patrimonial sea.

Article 6. The coastal State has the duty to promote and the right to regulate the conduct of scientific research within the patrimonial sea.

Article 7. The coastal State shall authorize and regulate the emplacement and use of artificial islands and any kind of facilities on the surface of the sea, in the water column and on the sea-bed and subsoil of the patrimonial sea.

Article 8. The outer limit of the patrimonial sea shall not exceed 200 nautical miles from the applicable baselines for measuring the territorial sea.

Article 9. In the patrimonial sea, ships and aircraft of all States, whether coastal or not, shall enjoy the right of freedom of navigation and overflight with no restrictions other than those resulting from the exercise by the coastal State of its rights within the area.

Article 10. Subject only to the limitations established in the preceding article, the coastal State shall respect the freedom to lay submarine cables and pipelines.

Article 11. 1. The coastal State shall exercise jurisdiction and supervision over the exploration and exploitation of the renewable and non-renewable resources of the patrimonial sea and over allied activities.

2. In exercising such powers, the coastal State shall take appropriate measures to ensure that such activities are carried out with due consideration for other legitimate uses of the sea by other States.

Article 12. In exercising the freedoms and rights this Convention confers on other States, the latter shall not interfere in the activities referred to in the preceding article.

Continental shelf

Article 13. The term "continental shelf" means:

(a) The sea-bed and subsoil of the submarine areas adjacent to the coast, but outside the area of the territorial sea, to the outer limits of the continental rise bordering on the ocean basin or abyssal floor;

/...

(b) The sea-bed and subsoil of analogous submarine regions adjacent to the coasts of islands.

Article 14. The coastal State exercises sovereign rights over the continental shelf for the purpose of exploring it and exploiting its natural resources.

Article 15. In that part of the continental shelf covered by the patrimonial sea, the legal régime provided for the latter shall apply.

With respect to the part beyond the patrimonial sea, the régime established by international law for the continental shelf shall apply.

High seas

Article 16. Freedom of navigation, overflight and the laying of submarine cables and pipelines shall exist in the high seas. Fishing in this zone shall be neither unrestricted nor indiscriminate.

Article 17. The coastal State has a special interest in maintaining the productivity of the living resources of the sea in an area adjacent to the patrimonial sea.

Regional agreements

Article 18. No provision of this Treaty shall be interpreted as preventing or restricting the right of any State to conclude regional or subregional agreements to regulate exploitation or distribution of the living resources of the sea, preservation of the marine environment or scientific research, or as affecting the legal validity of existing agreements.
