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

DRAFT ARTICLES ON EXCLUSIVE ECONOMIC ZONE

proposed by Algeria, Cameroon, Ethiopia, Ghana, Kenya,  
Liberia, Madagascar, Mauritius, Sierra Leone, Somalia, Sudan,  
Tunisia, United Republic of Tanzania and Zaire.

ARTICLE I

All States have a right to determine the limits of their jurisdiction over the seas adjacent to their coasts beyond a territorial sea of .... miles in accordance with the criteria which take into account their own geographical, geological, biological, ecological, economic and national security factors.

ARTICLE II

In accordance with the foregoing Article, all States have the right to establish an Economic Zone beyond the territorial sea for the benefit of their peoples and their respective economies in which they shall have sovereignty over the renewable and non renewable natural resources for the purpose of exploration and exploitation. Within the zone they shall have exclusive jurisdiction for the purpose of control, regulation and exploitation of both living and non-living resources of the Zone and their preservation, and for the purpose of prevention and control of pollution.

The rights exercised over the Economic Zone shall be exclusive and no other State shall explore and exploit the resources therein without obtaining permission from the Coastal State on such terms as may be laid down in conformity with the laws and regulations of the Coastal State.

The coastal State shall exercise jurisdiction over its Economic Zone and third States or their nationals shall bear responsibility for damage resulting from their activities within the Zone.

ARTICLE III

The limits of the Economic Zone shall be fixed in nautical miles in accordance with criteria in each region, which take into consideration the resources of the region and the rights and interests of developing land-locked, near land-locked, shelf-locked States and States with narrow shelves and without prejudice to limits adopted by any State within the region. The Economic Zone shall not in any case exceed 200 nautical miles, measured from the baselines for determining territorial sea.

ARTICLE IV

In the Economic Zone, ships and aircrafts of all States, whether coastal or not, shall enjoy the right of freedom of navigation and overflight and to lay submarine cables and pipelines with no restrictions other than those resulting from the exercise by the coastal state within the area.

ARTICLE V

Each State shall ensure that any exploration or exploitation activity within its Economic Zone is carried out exclusively for peaceful purposes and in such a manner as not to interfere unduly with the legitimate interests of other States in the region or those of the International Community.

ARTICLE VI

The exercise of sovereignty over the resources and jurisdiction over the zone shall encompass all the economic resources of the area, living and non-living, either on the water surface or within the water column, or on the soil or sub-soil of the sea-bed and ocean floor below.

ARTICLE VII

Without prejudice to the general jurisdictional competence conferred upon the coastal State by Article II above, the State may establish special regulations within its Economic Zone for:

- (a) Exclusive exploration and exploitation of renewable resources;
- (b) Protection and conservation of the renewable resources;
- (c) Control, prevention and elimination of pollution of the marine environment;
- (d) Scientific research.

ARTICLE VIII

Nationals of a developing land-locked State shall enjoy the privilege to fish in the exclusive economic Zones of the adjoining neighbouring coastal States. The modalities of the enjoyment of this privilege and the area to which they relate shall be settled by agreement between the coastal State and the land-locked State concerned. The right to prescribe and enforce management measures in the area shall be with the Coastal State.

The African States endorse the principle of the right of access to and from the sea by the land-locked countries, and the inclusion of such a provision in the universal treaty to be negotiated at the Law of the Sea Conference.

ARTICLE IX

The deliniation of the Economic Zone between adjacent and opposite States shall be carried out in accordance with international law. Disputes arising therefrom shall be settled in conformity with the Charter of the United Nations and any other relevant regional arrangements.

ARTICLE X

Neighbouring developing States shall give reciprocal preferential treatment to one another in the exploitation of the living resources of their respective Economic Zones.

ARTICLE XI

No State exercising foreign domination and control over a territory shall be entitled to establish an Economic Zone or to enjoy any other right or privilege referred to in these articles with respect to such territory.

ARTICLE XII

Draft Article Under Article 19, Regime of Islands

1. Maritime spaces of islands shall be determined according to equitable principles taking into account all relevant factors and circumstances including, inter alia:
  - (a) The size of islands;
  - (b) The population or the absence thereof;
  - (c) Their contiguity to the principal territory;
  - (d) Whether or not they are situated on the continental shelf of another territory;
  - (e) Their geological and geomorphological structure and configuration.
2. Island States and the regime of archipelagic States as set out under the present Convention shall not be affected by this article.