

No. 6465

**AFGHANISTAN, ARGENTINA, AUSTRALIA,
AUSTRIA, BOLIVIA, etc.**

**Final Act of the United Nations Conference on the Law of
the Sea, held at the European Office of the United
Nations, at Geneva, from 24 February to 27 April 1958
(with annexed resolutions); and**

Convention on the High Seas

Both done at Geneva, on 29 April 1958

Official texts: English, French, Chinese, Russian and Spanish.

Registered ex officio on 3 January 1963.

**AFGHANISTAN, ARGENTINE, AUSTRALIE,
AUTRICHE, BOLIVIE, etc.**

**Acte final de la Conférence des Nations Unies sur le droit de
la mer, tenue à l'Office européen des Nations Unies, à
Genève, du 24 février au 27 avril 1958 (avec résolutions
en annexe); et**

Convention sur la haute mer

Faits à Genève, le 29 avril 1958

Textes officiels anglais, français, chinois, russe et espagnol.

Enregistrés d'office le 3 janvier 1963.

No. 6465. FINAL ACT OF THE UNITED NATIONS CONFERENCE ON THE LAW OF THE SEA, HELD AT THE EUROPEAN OFFICE OF THE UNITED NATIONS, AT GENEVA, FROM 24 FEBRUARY TO 27 APRIL 1958. DONE AT GENEVA, ON 29 APRIL 1958

1. The General Assembly of the United Nations, by resolution 1105 (XI) of 21 February 1957,¹ decided to convene an international conference of plenipotentiaries to examine the law of the sea, taking account not only of the legal but also of the technical, biological, economic and political aspects of the problem, and to embody the results of its work in one or more international conventions or such other instruments as it might deem appropriate. The General Assembly also recommended that the conference should study the question of free access to the sea of land-locked countries, as established by international practice or treaties.

2. The United Nations Conference on the Law of the Sea met at the European Office of the United Nations at Geneva from 24 February to 27 April 1958.

3. The Governments of the following eighty-six States were represented at the Conference :

Afghanistan	Cuba
Albania	Czechoslovakia
Argentina	Denmark
Australia	Dominican Republic
Austria	Ecuador
Belgium	El Salvador
Bolivia	Federation of Malaya
Brazil	Finland
Bulgaria	France
Burma	Federal Republic of Germany
Byelorussian Soviet Socialist Republic	Ghana
Cambodia	Greece
Canada	Guatemala
Ceylon	Haiti
Chile	Holy See
China	Honduras
Colombia	Hungary
Costa Rica	Iceland

¹ United Nations, *Official Records of the General Assembly, Eleventh Session, Supplement No. 17 (A/3572)*, p. 54.

India	Peru
Indonesia	Philippines
Iran	Poland
Iraq	Portugal
Ireland	Romania
Israel	San Marino
Italy	Saudi Arabia
Japan	Spain
Jordan	Sweden
Republic of Korea	Switzerland
Laos	Thailand
Lebanon	Tunisia
Liberia	Turkey
Libya	Ukrainian Soviet Socialist Republic
Luxembourg	Union of South Africa
Mexico	Union of Soviet Socialist Republics
Monaco	United Arab Republic
Morocco	United Kingdom of Great Britain and Northern Ireland
Nepal	United States of America
Netherlands	Uruguay
New Zealand	Venezuela
Nicaragua	Republic of Viet-Nam
Norway	Yemen
Pakistan	Yugoslavia
Panama	
Paraguay	

4. At the invitation of the General Assembly, the following Specialized Agencies had observers at the Conference :

Food and Agriculture Organization of the United Nations;
International Civil Aviation Organization;
International Labour Organisation;
International Telecommunication Union;
United Nations Educational, Scientific and Cultural Organization;
World Health Organization;
World Meteorological Organization.

5. At the invitation of the General Assembly, the following intergovernmental organizations also had observers at the Conference :

Conseil général des pêches pour la Méditerranée;
Indo-Pacific Fisheries Council;
Inter-American Tropical Tuna Commission;

Intergovernmental Committee for European Migration;
International Council for the Exploration of the Sea;
International Institute for the Unification of Private Law;
League of Arab States;
Organization of American States;
Permanent Conference for the Exploitation and Conservation of the Maritime Resources of the South Pacific.

6. The Conference elected His Royal Highness Prince Wan Waithayakon Krommun Naradhip Bongsprabandh (Thailand) as President.

7. The Conference elected as Vice-presidents Argentina, China, France, Guatemala, India, Italy, Mexico, Netherlands, Poland, the Union of Soviet Socialist Republics, the United Arab Republic, the United Kingdom of Great Britain and Northern Ireland, and the United States of America.

8. The following committees were set up :

General Committee

Chairman: The President of the Conference

First Committee (Territorial Sea and Contiguous Zone)

Chairman: Mr. K. H. Bailey (Australia)

Vice-Chairman: Mr. S. Gutiérrez Olivos (Chile)

Rapporteur: Mr. Vladimir M. Koretsky (Ukrainian Soviet Socialist Republic)

Second Committee (High Seas : General Régime)

Chairman: Mr. O. C. Gundersen (Norway)

Vice-Chairman: Mr. Edwin Glaser (Romania)

Rapporteur: Mr. José Madeira Rodrigues (Portugal)

Third Committee (High Seas : Fishing; the Conservation of Living Resources)

Chairman: Mr. Carlos Sucre (Panama)

Vice-Chairman: Mr. E. Krispis (Greece)

Rapporteur: Mr. N. K. Pannikar (India)

Fourth Committee (Continental Shelf)

Chairman: Mr. A. B. Perera (Ceylon)

Vice-Chairman: Mr. R. A. Quarshie (Ghana)

Rapporteur: Mr. L. Díaz González (Venezuela)

Fifth Committee (Question of Free Access to the Sea of Land-locked Countries)

Chairman: Mr. J. Žourek (Czechoslovakia)

Vice-Chairman: Mr. W. Guevara Arze (Bolivia)

Rapporteur: Mr. A. H. Tabibi (Afghanistan)

Drafting Committee

Chairman: Mr. J. A. Correa (Ecuador)

Credentials Committee

Chairman: Mr. M. Wershof (Canada)

9. The Secretary-General of the United Nations was represented by Mr. C. A. Stavropoulos, the Legal Counsel. Mr. Yuen-li Liang, Director of the Codification Division of the Office of Legal Affairs of the United Nations, was appointed Executive Secretary.

10. The General Assembly, by its resolution convening the Conference, referred to the Conference the report of the International Law Commission covering the work of its eighth session as a basis for consideration of the various problems involved in the development and codification of the law of the sea; the General Assembly also referred to the Conference the verbatim records of the relevant debates in the General Assembly, for consideration by the Conference in conjunction with the Commission's report.

11. The Conference also had before it the comments by Governments on the articles concerning the law of the sea prepared by the International Law Commission, the memorandum submitted by the preliminary Conference of Land-locked States held in Geneva from 10 to 14 February 1958, and preparatory documentation prepared by the Secretariat of the United Nations, by certain specialized agencies and by independent experts invited by the Secretariat to assist in the preparation of this documentation.

12. On the basis of the deliberations, as recorded in the summary records and reports of the committees and in the records of the plenary meetings, the Conference prepared and opened for signature the following *Conventions* (annexes I to IV):

Convention on the Territorial Sea and the Contiguous Zone¹ (adopted on 27 April 1958, on the report of the First Committee);

Convention on the High Seas² (adopted on 27 April 1958, on the report of the Second Committee);

Convention on Fishing and Conservation of the Living Resources of the High Seas¹ (adopted on 26 April 1958, on the report of the Third Committee);

Convention on the Continental Shelf¹ (adopted on 26 April 1958, on the report of the Fourth Committee).

The Conference also adopted the following *Protocol* (annex V):

¹ This Convention has not yet entered into force.

² See p. 82 of this volume.

Optional Protocol of Signature concerning the compulsory settlement of disputes¹ (adopted by the Conference on 26 April 1958).

In addition, the Conference adopted the following *resolutions* (annex VI):²

Nuclear tests on the high seas (resolution adopted on 27 April 1958, on the report of the Second Committee, in connexion with article 2 of the Convention on the High Seas);

Pollution of the high seas by radio-active materials (resolution adopted on 27 April 1958, on the report of the Second Committee, relating to article 25 of the Convention on the High Seas);

International fishery conservation conventions (resolution adopted on 25 April 1958, on the report of the Third Committee);

Co-operation in conservation measures (resolution adopted on 25 April 1958, on the report of the Third Committee);

Humane killing of marine life (resolution adopted on 25 April 1958, on the report of the Third Committee);

Special situations relating to coastal fisheries (resolution adopted on 26 April 1958, on the report of the Third Committee);

Régime of historic waters (resolution adopted on 27 April 1958, on the report of the First Committee);

Convening of a second United Nations Conference on the Law of the Sea (resolution adopted by the Conference on 27 April 1958);

Tribute to the International Law Commission (resolution adopted by the Conference on 27 April 1958).

IN WITNESS WHEREOF the representatives have signed this Final Act.

DONE at Geneva this twenty-ninth day of April, one thousand nine hundred and fifty-eight, in a single copy in the Chinese, English, French, Russian and Spanish languages, each text being equally authentic. The original texts shall be deposited in the archives of the United Nations Secretariat.

Wan WAITHAYAKON
President

Yuen-li LIANG
Executive Secretary

¹ See p. 169 of this volume.

² See p. 58 of this volume.

FOR AFGHANISTAN:

POUR L'AFGHANISTAN:

阿富汗

За Афганистан

FOR EL AFGANISTÁN:

Dr. Abdul H. TABIBI

FOR ALBANIA:

POUR L'ALBANIE:

阿爾巴尼亞

За Албанию

FOR ALBANIA:

D. LAMANI

FOR ARGENTINA:

POUR L'ARGENTINE:

阿根廷

За Аргентину

FOR LA ARGENTINA:

A. LESCURE

FOR AUSTRALIA:

POUR L'AUSTRALIE:

澳大利亞

За Австралию

FOR AUSTRALIA:

K. H. BAILEY

FOR AUSTRIA:

POUR L'AUTRICHE:

奧地利

За Австрию

FOR AUSTRIA:

Johannes WILLFORT

FOR BOLIVIA:

POUR LA BOLIVIE:

玻利維亞

За Боливии

FOR BOLIVIA:

C. SALAMANCA

FOR BRAZIL:

POUR LE BRÉSIL:

巴西

За Бразилию

FOR EL BRASIL:

Gilberto AMADO

FOR BULGARIA:

POUR LA BULGARIE:

保加利亞

За България

FOR BULGARIA:

P. GRIGOROV

FOR THE BYELORUSSIAN SOVIET SOCIALIST REPUBLIC:

POUR LA RÉPUBLIQUE SOCIALISTE SOVIÉTIQUE DE BIÉLORUSSIE:

白俄羅斯蘇維埃社會主義共和國

За Белорусскую Советскую Социалистическую Республику

FOR LA REPÚBLICA SOCIALISTA SOVIÉTICA DE BIELORRUSIA:

I. E. GERONIN

FOR CAMBODIA:

POUR LE CAMBODGE:

高棉

За Камбоджу

FOR CAMBOJA:

M. PHLEK-CHHAT

FOR CANADA:
POUR LE CANADA:
加拿大
За Канаду
POR EL CANADÁ:

George A. DREW

FOR CEYLON:
POUR CEYLAN:
錫蘭
За Цейлон
POR CEILÁN:

N. T. D. KANAKARATNE

FOR CHILE:
POUR LE CHILI:
智利
За Чили
POR CHILE:

Luis MELO LECAROS

FOR CHINA:
POUR LA CHINE:
中國
За Кита́й
POR LA CHINA:

Liu CHIEH

Yu-chi HSUEH

FOR COLOMBIA:

POUR LA COLOMBIE:

哥倫比亞

За Колумбию

POR COLOMBIA:

Juan URIBE HOLGUÍN

José Joaquín CAICEDO CASTILLA

FOR COSTA RICA:

POUR LE COSTA-RICA:

哥斯大黎加

За Коста-Рику

POR COSTA RICA:

Raúl TREJOS FLORES

FOR CUBA:

POUR CUBA:

古巴

За Кубу

POR CUBA:

F. V. GARCÍA AMADOR

FOR CZECHOSLOVAKIA:

POUR LA TCHÉCOSLOVAQUIE:

捷克斯拉夫

За Чехословакию

POR CHECOESLOVAQUIA:

Jan OBHLÍDAL

Dr. Jaroslav ŽOUREK

FOR DENMARK:

POUR LE DANEMARK:

丹麥

За Данию

POR DINAMARCA:

Max SORENSEN

T. OLDENBURG

FOR THE DOMINICAN REPUBLIC:

POUR LA RÉPUBLIQUE DOMINICAINE:

多明尼加共和國

За Доминиканскую Республику

POR LA REPÚBLICA DOMINICANA:

A. ALVAREZ AYBAR

FOR ECUADOR:

POUR L'ÉQUATEUR:

厄瓜多

За Эквадор

POR EL ECUADOR:

José V. TRUJILLO

José A. CORREA

Enrique PONCE Y CORBA

FOR EL SALVADOR:

POUR LE SALVADOR:

薩爾瓦多

За Сальвадор

POR EL SALVADOR:

Francisco R. LIMA

G. FUENTES CASTELLANOS

FOR FINLAND:

POUR LA FINLANDE:

芬蘭

За Финляндию

FOR FINLANDIA:

T. TIKANVAARA

FOR FRANCE:

POUR LA FRANCE:

法蘭西

За Францию

FOR FRANCIA:

DE CURTON

FOR THE FEDERAL REPUBLIC OF GERMANY:

POUR LA RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE:

德意志聯邦共和國

За Федеративную Республику Германии

FOR LA REPÚBLICA FEDERAL ALEMANA:

Peter H. PFEIFFER

FOR GHANA:

POUR LE GHANA.

迦納

За Гану

FOR GHANA:

Richard QUARSHIE

K. B. ASANTE

FOR GREECE:

POUR LA GRÈCE:

希臘

За Грецию

FOR GRECIA:

Elias KRISPIS

G. BENSIS

FOR GUATEMALA:

POUR LE GUATEMALA:

瓜地馬拉

За Гватемалу

FOR GUATEMALA:

L. AYCINENA SALAZAR

FOR HAÏTI:

POUR HAÏTI:

海地

За Гаити

FOR HAÏTI.

RIGAL

FOR THE HOLY SEE:

POUR LE SAINT-SIÈGE:

教廷

За Святейший Престол

FOR LA SANTA SEDE:

P. DEMEUR

30.4.1958

FOR HONDURAS:

POUR LE HONDURAS:

洪都拉斯

За Гондурас

FOR HONDURAS:

F. José DURÓN

FOR HUNGARY:

POUR LA HONGRIE:

匈牙利

За Венгрию

FOR HUNGÁRIA:

Dr. János SZITA

FOR ICELAND:

POUR L'ISLANDE:

冰島

За Исландию

FOR ISLANDIA:

H. G. ANDERSEN

FOR INDIA:

POUR L'INDE:

印度

За Индию

FOR LA INDIA:

E. E. JHIRAD

FOR INDONESIA:

POUR L'INDONÉSIE:

印度尼西亚

За Индонезию

FOR INDONESIA:

Ahmad SOEBARDJO

8th May 1958

FOR IRAN:

POUR L'IRAN:

伊朗

За Иран

POR IRÁN:

Prof. Dr. A. MATINE-DAFTARY

FOR IRAQ:

POUR L'IRAK:

伊拉克

За Ирак

POR IRAK:

Hasan ZAKARIYA

30th April 1958

FOR ISRAEL:

POUR ISRAËL:

以色列

За Израиль

POR ISRAEL:

Shabtai ROSENNE

FOR ITALY:

POUR L'ITALIE:

義大利

За Италию

POR ITALIA:

Roberto AGO

FOR JAPAN:

POUR LE JAPON:

日本

За Японию

FOR EL JAPÓN:

I. KAWASAKI

16th May 1958

FOR LEBANON:

POUR LE LIBAN:

黎巴嫩

За Ливан

FOR EL LÍBANO:

N. SADAKA

23 mai 1958

FOR LIBERIA:

POUR LE LIBÉRIA:

賴比瑞亞

За Либерию

FOR LIBERIA:

Nathan BARNES

Rocheforte L. WEEKS

FOR LIBYA:

POUR LA LIBYE:

利比亞

За Ливию

FOR LIBIA:

Fuad CAABAZI

FOR MEXICO:

POUR LE MEXIQUE:

墨西哥

За Мексика

POR MÉXICO:

Pablo CAMPOS ORTIZ

A. GARCÍA ROBLES

FOR MONACO:

POUR MONACO:

摩納哥

За Монако

POR MÓNACO:

C. SOLAMITO

J. RAIMBERT

FOR MOROCCO:

POUR LE MAROC:

摩洛哥

За Марокко

POR MARRUECOS:

Nasser Bel LARBI

FOR NEPAL:

POUR LE NÉPAL:

尼泊爾

За Непал

POR NEPAL:

Rishikesh SHAHA

FOR THE KINGDOM OF THE NETHERLANDS:

POUR LE ROYAUME DES PAYS-BAS:

荷蘭王國

За Королевство Нидерландов

POR EL REINO DE LOS PAÍSES BAJOS:

J. H. W. VERZIJL

FOR NEW ZEALAND:

POUR LA NOUVELLE-ZÉLANDE:

紐西蘭

За Новую Зеландию

POR NUEVA ZELANDIA:

G. L. O'HALLORAN

FOR NICARAGUA:

POUR LE NICARAGUA:

尼加拉瓜

За Никарагуа

POR NICARAGUA:

I. PORTOCARRERO

FOR THE KINGDOM OF NORWAY:

POUR LE ROYAUME DE NORVÈGE:

挪威王國

За Королевство Норвегии

POR EL REINO DE NORUEGA:

Bredo STABELL

Finn SEYERSTED

FOR PAKISTAN:

POUR LE PAKISTAN:

巴基斯坦

За Пакистан

POR EL PAKISTÁN:

Edward SNELSON

FOR PANAMA:

POUR LE PANAMA:

巴拿馬

За Панамы

POR PANAMÁ:

Carlos SUCRE C.

FOR PERU:

POUR LE PÉROU:

祕魯

За Перу

POR EL PERÚ:

Alberto ULLOA

FOR POLAND:

POUR LA POLOGNE:

波蘭

За Польшы

POR POLONIA:

T. OCIOZYNSKI

FOR PORTUGAL:

POUR LE PORTUGAL:

葡萄牙

За Португалию

FOR PORTUGAL:

TOVAR

FOR ROMANIA:

POUR LA ROUMANIE.

羅馬尼亞

За Румынию

FOR RUMANIA:

A. LAZAREANU

FOR SAN MARINO:

POUR SAINT-MARIN:

聖馬利諾

За Сан-Марино

FOR SAN MARINO:

H. REYNAUD

30.4.1958

FOR SPAIN:

POUR L'ESPAGNE:

西班牙

За Испанию

FOR ESPAÑA:

Marqués DE MIRAFLORES

FOR SWITZERLAND:

POUR LA SUISSE:

瑞士

За Швейцарию

POR SUIZA:

Paul RUEGGER

A. SCHALLER

FOR THAILAND:

POUR LA THAÏLANDE:

泰國

За Таиланд

POR TAILANDIA:

LUANG CHAKRAPANI SRISILVISUDDHI

FOR TUNISIA:

POUR LA TUNISIE:

突尼西亞

За Тунис

POR TÚNEZ:

M. ABDESSELEM

FOR TURKEY:

POUR LA TURQUIE:

土耳其

За Турцию

FOR TURQUIA:

Necmettin TUNCEL

FOR THE UKRAINIAN SOVIET SOCIALIST REPUBLIC:

POUR LA RÉPUBLIQUE SOCIALISTE SOVIÉTIQUE D'UKRAINE:

烏克蘭蘇維埃社會主義共和國

За Украинскую Советскую Социалистическую Республику

FOR LA REPÚBLICA SOCIALISTA SOVIÉTICA DE UCRANIA:

V. KORETSKY

FOR THE UNION OF SOUTH AFRICA:

POUR L'UNION SUD-AFRICAINE:

南非聯邦

За Южно-Африканский Союз

FOR LA UNIÓN SUDAFRICANA:

L. H. WESSELS

FOR THE UNION OF SOVIET SOCIALIST REPUBLICS:
POUR L'UNION DES RÉPUBLIQUES SOCIALISTES SOVIÉTIQUES:
蘇維埃社會主義共和國聯邦
За Союз Советских Социалистических Республик
POR LA UNIÓN DE REPÚBLICAS SOCIALISTAS SOVIÉTICAS:

G. TUNKIN

FOR THE UNITED ARAB REPUBLIC:
POUR LA RÉPUBLIQUE ARABE UNIE:
聯合阿拉伯共和國
За Объединенную Арабскую Республику
POR LA REPÚBLICA ARABE UNIDA:

Omar LOUTFI

FOR THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND:
POUR LE ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE DU NORD:
大不列顛及北愛爾蘭聯合王國
За Соединенное Королевство Великобритании и Северной Ирландии
POR EL REINO UNIDO DE LA GRAN BRETAÑA E IRLANDA DEL NORTE:

G. G. FITZMAURICE

Joyce A. C. GUTTERIDGE

FOR THE UNITED STATES OF AMERICA:
POUR LES ÉTATS-UNIS D'AMÉRIQUE:
美利堅合衆國
За Соединенные Штаты Америки
POR LOS ESTADOS UNIDOS DE AMÉRICA:

Raymund T. YINGLING

Marjorie M. WHITEMAN

FOR URUGUAY:

POUR L'URUGUAY:

烏拉圭

За Уругвай

POR EL URUGUAY:

Carlos CARBAJAL

FOR VENEZUELA:

POUR LE VENEZUELA:

委內瑞拉

За Венесуэлу

POR VENEZUELA:

Ramón CARMONA

FOR YUGOSLAVIA:

POUR LA YUGOSLAVIE:

南斯拉夫

За Югославию

POR YUGOESLAVIA:

Milan BARTOS

V. POPOVIC

ANNEX VI¹RESOLUTIONS ADOPTED BY THE UNITED NATIONS CONFERENCE ON
THE LAW OF THE SEA

NUCLEAR TESTS ON THE HIGH SEAS

Resolution adopted on 27 April 1958, on the report of the Second Committee, in connexion with article 2 of the Convention on the High Seas

The United Nations Conference on the Law of the Sea,

Recalling that the Conference has been convened by the General Assembly of the United Nations in accordance with resolution 1105 (XI) of 21 February 1957,²

Recognizing that there is a serious and genuine apprehension on the part of many States that nuclear explosions constitute an infringement of the freedom of the seas,

Recognizing that the question of nuclear tests and production is still under review by the General Assembly under various resolutions on the subject and by the Disarmament Commission, and is at present under constant review and discussion by the Governments concerned,

Decides to refer this matter to the General Assembly of the United Nations for appropriate action.

POLLUTION OF THE HIGH SEAS BY RADIO-ACTIVE MATERIALS

Resolution adopted on 27 April 1958, on the report of the Second Committee, relating to article 25 of the Convention on the High Seas

The United Nations Conference on the Law of the Sea,

Recognizing the need for international action in the field of disposal of radio-active wastes in the sea,

Taking into account action which has been proposed by various national and international bodies and studies which have been published on the subject,

Noting that the International Commission on Radiological Protection has made recommendations regarding the maximum permissible concentration of radio-isotopes in the human body and the maximum permissible concentration in air and water,

Recommends that the International Atomic Energy Agency, in consultation with existing groups and established organs having acknowledged competence in the field of radiological protection, should pursue whatever studies and take whatever action is necessary to assist States in controlling the discharge or release of radio-active materials to the sea, in promulgating standards, and in drawing up internationally acceptable regulations to prevent pollution of the sea by radio-active materials in amounts which would adversely affect man and his marine resources.

¹ Annexes I, III and IV are not published herein, the Conventions contained in these annexes having not yet entered into force. For the text of annexes II and V, see pp. 82 and 169.

² United Nations, *Official Records of the General Assembly, Eleventh Session, Supplement No. 17* (A/3572), p. 54.

INTERNATIONAL FISHERY CONSERVATION CONVENTIONS

Resolution adopted on 25 April 1958, on the report of the Third Committee

The United Nations Conference on the Law of the Sea,

Taking note of the opinion of the International Technical Conference on the Conservation of the Living Resources of the Sea, held in Rome in April/May 1955, as expressed in paragraph 43 of its report, as to the efficacy of international conservation organizations in furthering the conservation of the living resources of the sea,

Believing that such organizations are valuable instruments for the co-ordination of scientific effort upon the problem of fisheries and for the making of agreements upon conservation measures,

Recommends:

1. That States concerned should co-operate in establishing the necessary conservation régime through the medium of such organizations covering particular areas of the high seas or species of living marine resources and conforming in other respects with the recommendations contained in the report of the International Technical Conference on the Conservation of the Living Resources of the Sea;

2. That these organizations should be used so far as practicable for the conduct of the negotiations between States envisaged under articles 4, 5, 6 and 7 of the Convention on Fishing and Conservation of the Living Resources of the High Seas,¹ for the resolution of any disagreements and for the implementation of agreed measures of conservation.

CO-OPERATION IN CONSERVATION MEASURES

Resolution adopted on 25 April 1958, on the report of the Third Committee

The United Nations Conference on the Law of the Sea,

Taking note of the opinion of the International Technical Conference on the Conservation of the Living Resources of the Sea, held in Rome in April/May 1955, as reported in paragraphs 43 (a), 54 and others of its report, that any effective conservation management system must have the participation of all States engaged in substantial exploitation of the stock or stocks of living marine organisms which are the object of the conservation management system or having a special interest in the conservation of that stock or stocks,

Recommends to the coastal States that, in the cases where a stock or stocks of fish or other living marine resources inhabit both the fishing areas under their jurisdiction and areas of the adjacent high seas, they should co-operate with such international conservation agencies as may be responsible for the development and application of conservation measures in the adjacent high seas, in the adoption and enforcement, as far as practicable, of the necessary conservation measures on fishing areas under their jurisdiction.

¹ This Convention has not yet entered into force.

HUMANE KILLING OF MARINE LIFE

Resolution adopted on 25 April 1958, on the report of the Third Committee

The United Nations Conference on the Law of the Sea,

Requests States to prescribe, by all means available to them, those methods for the capture and killing of marine life, especially of whales and seals, which will spare them suffering to the greatest extent possible.

SPECIAL SITUATIONS RELATING TO COASTAL FISHERIES

Resolution adopted on 26 April 1958, on the report of the Third Committee

The United Nations Conference on the Law of the Sea,

Having considered the situation of countries or territories whose people are overwhelmingly dependent upon coastal fisheries for their livelihood or economic development,

Having considered also the situation of countries whose coastal population depends primarily on coastal fisheries for the animal protein of its diet and whose fishing methods are mainly limited to local fishing from small boats,

Recognizing that such situations call for exceptional measures befitting particular needs,

Considering that, because of the limited scope and exceptional nature of those situations, any measures adopted to meet them would be complementary to provisions incorporated in a universal system of international law,

Believing that States should collaborate to secure just treatment of such situations by regional agreements or by other means of international co-operation,

Recommends:

1. That where, for the purpose of conservation, it becomes necessary to limit the total catch of a stock or stocks of fish in an area of the high seas adjacent to the territorial sea of a coastal State, any other States fishing in that area should collaborate with the coastal State to secure just treatment of such situation, by establishing agreed measures which shall recognize any preferential requirements of the coastal State resulting from its dependence upon the fishery concerned while having regard to the interests of the other States;

2. That appropriate conciliation and arbitral procedures shall be established for the settlement of any disagreement.

RÉGIME OF HISTORIC WATERS

Resolution adopted on 27 April 1958, on the report of the First Committee

The United Nations Conference on the Law of the Sea,

Considering that the International Law Commission has not provided for the régime of historic waters, including historic bays,

Recognizing the importance of the juridical status of such areas,

Decides to request the General Assembly of the United Nations to arrange for the study of the juridical régime of historic waters, including historic bays, and for the communication of the results of such study to all States Members of the United Nations.

CONVENING OF A SECOND UNITED NATIONS CONFERENCE ON THE LAW OF THE SEA

Resolution adopted by the Conference on 27 April 1958

The United Nations Conference on the Law of the Sea,

Considering that, on the basis of the report prepared by the International Law Commission, it has approved agreements and other instruments on the régime applicable to fishing and the conservation of the living resources of the high seas, the exploration of the continental shelf and the exploitation of its natural resources and other matters pertaining to the general régime of the high seas and to the free access of land-locked States to the sea,

Considering that it has not been possible to reach agreement on the breadth of the territorial sea and some other matters which were discussed in connexion with this problem,

Recognizing that, although agreements have been reached on the régime applicable to fishing and the conservation of the living resources of the high seas, it has not been possible, in those agreements, to settle certain aspects of a number of inherently complex questions,

Recognizing the desirability of making further efforts at an appropriate time to reach agreement on questions of the international law of the sea, which have been left unsettled,

Resolves to request the General Assembly of the United Nations to study, at its thirteenth session, the advisability of convening a second international conference of plenipotentiaries for further consideration of the questions left unsettled by the present Conference.

TRIBUTE TO THE INTERNATIONAL LAW COMMISSION

Resolution adopted by the Conference on 27 April 1958

The United Nations Conference on the Law of the Sea, on the conclusion of its proceedings,

Resolves to pay a tribute of gratitude, respect and admiration to the International Law Commission for its excellent work in the matter of the codification and development of international law, in the form of various drafts and commentaries of great juridical value.

CONVENTION¹ ON THE HIGH SEAS. DONE AT GENEVA, ON 29 APRIL 1958

The States Parties to this Convention,

Desiring to codify the rules of international law relating to the high seas,

Recognizing that the United Nations Conference on the Law of the Sea, held at Geneva from 24 February to 27 April 1958, adopted the following provisions as generally declaratory of established principles of international law,

Have agreed as follows :

Article 1

The term "high seas" means all parts of the sea that are not included in the territorial sea or in the internal waters of a State.

Article 2

The high seas being open to all nations, no State may validly purport to subject any part of them to its sovereignty. Freedom of the high seas is ex-

¹ In accordance with article 34, the Convention came into force on 30 September 1962, the thirtieth day following the date of deposit of the twenty-second instrument of ratification or accession. Following is a list of States on behalf of which the instruments of ratification or accession (a) were deposited with the Secretary-General of the United Nations, showing the respective dates of deposit :

Afghanistan	28 April	1959	*Nigeria	26 June	1961
United Kingdom of Great Britain and Northern Ireland	14 March	1960	Indonesia	10 August	1961
Cambodia	18 March	1960 (a)	Venezuela	15 August	1961
Haiti	29 March	1960	Czechoslovakia	31 August	1961
Union of Soviet Socialist Republics	22 November	1960	Israel	6 September	1961
Federation of Malaya	21 December	1960 (a)	Guatemala	27 November	1961
Ukrainian Soviet Socialist Republic	12 January	1961	Hungary	6 December	1961
Byelorussian Soviet Socialist Republic	27 February	1961	Romania	12 December	1961
United States of America	12 April	1961	*Sierra Leone	13 March	1962
Senegal	25 April	1961 (a)	Poland	29 June	1962
			Madagascar	31 July	1962 (a)
			Bulgaria	31 August	1962
			Central African Republic	15 October	1962 (a)
			Nepal	28 December	1962
			Portugal	8 January	1963

For declarations and reservations made upon signature, see list of signatures and for those made upon ratification, as well as for objections to certain declarations and reservations, see pp. 162 to 167.

* By communications received on 26 June 1961 and 13 March 1962, respectively, the Governments of Nigeria and Sierra Leone have informed the Secretary-General that they consider themselves bound by the ratification by the Government of the United Kingdom of Great Britain and Northern Ireland of the Convention of the High Seas, done at Geneva on 29 April 1958, which was effective for their territories prior to the attainment of independence.

exercised under the conditions laid down by these articles and by the other rules of international law. It comprises, *inter alia*, both for coastal and non-coastal States :

- (1) Freedom of navigation;
- (2) Freedom of fishing;
- (3) Freedom to lay submarine cables and pipelines;
- (4) Freedom to fly over the high seas.

These freedoms, and others which are recognized by the general principles of international law, shall be exercised by all States with reasonable regard to the interests of other States in their exercise of the freedom of the high seas.

Article 3

1. In order to enjoy the freedom of the seas on equal terms with coastal States, States having no sea-coast should have free access to the sea. To this end States situated between the sea and a State having no sea-coast shall by common agreement with the latter, and in conformity with existing international conventions, accord :

(a) To the State having no sea-coast, on a basis of reciprocity, free transit through their territory; and

(b) To ships flying the flag of that State treatment equal to that accorded to their own ships, or to the ships of any other States, as regards access to sea-ports and the use of such ports.

2. States situated between the sea and a State having no sea-coast shall settle, by mutual agreement with the latter, and taking into account the rights of the coastal State or State of transit and the special conditions of the State having no sea-coast, all matters relating to freedom of transit and equal treatment in ports, in case such States are not already parties to existing international conventions.

Article 4

Every State, whether coastal or not, has the right to sail ships under its flag on the high seas.

Article 5

1. Each State shall fix the conditions for the grant of its nationality to ships, for the registration of ships in its territory, and for the right to fly its flag. Ships have the nationality of the State whose flag they are entitled to fly. There must exist a genuine link between the State and the ship; in particular, the State must effectively exercise its jurisdiction and control in administrative, technical and social matters over ships flying its flag.

2. Each State shall issue to ships to which it has granted the right to fly its flag documents to that effect.

Article 6

1. Ships shall sail under the flag of one State only and, save in exceptional cases expressly provided for in international treaties or in these articles, shall be subject to its exclusive jurisdiction on the high seas. A ship may not change its flag during a voyage or while in a port of call, save in the case of a real transfer of ownership or change of registry.

2. A ship which sails under the flags of two or more States, using them according to convenience, may not claim any of the nationalities in question with respect to any other State, and may be assimilated to a ship without nationality.

Article 7

The provisions of the preceding articles do not prejudice the question of ships employed on the official service of an inter-governmental organization flying the flag of the organization.

Article 8

1. Warships on the high seas have complete immunity from the jurisdiction of any State other than the flag State.

2. For the purposes of these articles, the term "warship" means a ship belonging to the naval forces of a State and bearing the external marks distinguishing warships of its nationality, under the command of an officer duly commissioned by the government and whose name appears in the Navy List, and manned by a crew who are under regular naval discipline.

Article 9

Ships owned or operated by a State and used only on government non-commercial service shall, on the high seas, have complete immunity from the jurisdiction of any State other than the flag State.

Article 10

1. Every State shall take such measures for ships under its flag as are necessary to ensure safety at sea with regard *inter alia* to :

(a) The use of signals, the maintenance of communications and the prevention of collisions;

(b) The manning of ships and labour conditions for crews taking into account the applicable international labour instruments;

(c) The construction, equipment and seaworthiness of ships.

2. In taking such measures each State is required to conform to generally accepted international standards and to take any steps which may be necessary to ensure their observance.

Article 11

1. In the event of a collision or of any other incident of navigation concerning a ship on the high seas, involving the penal or disciplinary responsibility of the master or of any other person in the service of the ship, no penal or disciplinary proceedings may be instituted against such persons except before the judicial or administrative authorities either of the flag State or of the State of which such person is a national.

2. In disciplinary matters, the State which has issued a master's certificate or a certificate of competence or licence shall alone be competent, after due legal process, to pronounce the withdrawal of such certificates, even if the holder is not a national of the State which issued them.

3. No arrest or detention of the ship, even as a measure of investigation, shall be ordered by any authorities other than those of the flag State.

Article 12

1. Every State shall require the master of a ship sailing under its flag, in so far as he can do so without serious danger to the ship, the crew or the passengers,

(a) To render assistance to any person found at sea in danger of being lost;

(b) To proceed with all possible speed to the rescue of persons in distress if informed of their need of assistance, in so far as such action may reasonably be expected of him;

(c) After a collision, to render assistance to the other ship, her crew and her passengers and, where possible, to inform the other ship of the name of his own ship, her port of registry and the nearest port at which she will call.

2. Every coastal State shall promote the establishment and maintenance of an adequate and effective search and rescue service regarding safety on and over the sea and—where circumstances so require—by way of mutual regional arrangements co-operate with neighbouring States for this purpose.

Article 13

Every State shall adopt effective measures to prevent and punish the transport of slaves in ships authorized to fly its flag, and to prevent the unlawful use of its flag for that purpose. Any slave taking refuge on board any ship, whatever its flag, shall *ipso facto* be free.

Article 14

All States shall co-operate to the fullest possible extent in the repression of piracy on the high seas or in any other place outside the jurisdiction of any State.

Article 15

Piracy consists of any of the following acts :

(1) Any illegal acts of violence, detention or any act of depredation, committed for private ends by the crew or the passengers of a private ship or a private aircraft, and directed :

- (a) On the high seas, against another ship or aircraft, or against persons or property on board such ship or aircraft;
- (b) Against a ship, aircraft, persons or property in a place outside the jurisdiction of any State;

(2) Any act of voluntary participation in the operation of a ship or of an aircraft with knowledge of facts making it a pirate ship or aircraft;

(3) Any act of inciting or of intentionally facilitating an act described in sub-paragraph 1 or sub-paragraph 2 of this article.

Article 16

The acts of piracy, as defined in article 15, committed by a warship, government ship or government aircraft whose crew has mutinied and taken control of the ship or aircraft are assimilated to acts committed by a private ship.

Article 17

A ship or aircraft is considered a pirate ship or aircraft if it is intended by the persons in dominant control to be used for the purpose of committing one of the acts referred to in article 15. The same applies if the ship or aircraft has been used to commit any such act, so long as it remains under the control of the persons guilty of that act.

Article 18

A ship or aircraft may retain its nationality although it has become a pirate ship or aircraft. The retention or loss of nationality is determined by the law of the State from which such nationality was derived.

Article 19

On the high seas, or in any other place outside the jurisdiction of any State, every State may seize a pirate ship or aircraft, or a ship taken by piracy and under the control of pirates, and arrest the persons and seize the property on board. The courts of the State which carried out the seizure may decide upon the penalties to be imposed, and may also determine the action to be taken with regard to the ships, aircraft or property, subject to the rights of third parties acting in good faith.

Article 20

Where the seizure of a ship or aircraft on suspicion of piracy has been effected without adequate grounds, the State making the seizure shall be liable to the State the nationality of which is possessed by the ship or aircraft, for any loss or damage caused by the seizure.

Article 21

A seizure on account of piracy may only be carried out by warships or military aircraft, or other ships or aircraft on government service authorized to that effect.

Article 22

1. Except where acts of interference derive from powers conferred by treaty, a warship which encounters a foreign merchant ship on the high seas is not justified in boarding her unless there is reasonable ground for suspecting :

- (a) That the ship is engaged in piracy; or
- (b) That the ship is engaged in the slave trade; or
- (c) That though flying a foreign flag or refusing to show its flag, the ship is, in reality, of the same nationality as the warship.

2. In the cases provided for in sub-paragraphs (a), (b) and (c) above, the warship may proceed to verify the ship's right to fly its flag. To this end, it may send a boat under the command of an officer to the suspected ship. If suspicion remains after the documents have been checked, it may proceed to a further examination on board the ship, which must be carried out with all possible consideration.

3. If the suspicions prove to be unfounded, and provided that the ship boarded has not committed any act justifying them, it shall be compensated for any loss or damage that may have been sustained.

Article 23

1. The hot pursuit of a foreign ship may be undertaken when the competent authorities of the coastal State have good reason to believe that the ship has violated the laws and regulations of that State. Such pursuit must be commenced when the foreign ship or one of its boats is within the internal waters or the territorial sea or the contiguous zone of the pursuing State, and may only be continued outside the territorial sea or the contiguous zone if the pursuit has not been interrupted. It is not necessary that, at the time when the foreign ship within the territorial sea or the contiguous zone receives the order to stop, the ship giving the order should likewise be within the territorial sea or the contiguous zone. If the foreign ship is within a contiguous zone, as defined in article 24 of the Convention on the Territorial Sea and the Contiguous Zone, the pursuit may only be undertaken if there has been a violation of the rights for the protection of which the zone was established.

2. The right of hot pursuit ceases as soon as the ship pursued enters the territorial sea of its own country or of a third State.

3. Hot pursuit is not deemed to have begun unless the pursuing ship has satisfied itself by such practicable means as may be available that the ship pursued or one of its boats or other craft working as a team and using the ship pursued as a mother ship are within the limits of the territorial sea, or as the case may be within the contiguous zone. The pursuit may only be commenced after a visual or auditory signal to stop has been given at a distance which enables it to be seen or heard by the foreign ship.

4. The right of hot pursuit may be exercised only by warships or military aircraft, or other ships or aircraft on government service specially authorized to that effect.

5. Where hot pursuit is effected by an aircraft :

(a) The provisions of paragraph 1 to 3 of this article shall apply *mutatis mutandis*;

(b) The aircraft giving the order to stop must itself actively pursue the ship until a ship or aircraft of the coastal State, summoned by the aircraft, arrives to take over the pursuit, unless the aircraft is itself able to arrest the ship. It does not suffice to justify an arrest on the high seas that the ship was merely sighted by the aircraft as an offender or suspected offender, if it was not both

ordered to stop and pursued by the aircraft itself or other aircraft or ships which continue the pursuit without interruption.

6. The release of a ship arrested within the jurisdiction of a State and escorted to a port of that State for the purposes of an enquiry before the competent authorities may not be claimed solely on the ground that the ship, in the course of its voyage, was escorted across a portion of the high seas, if the circumstances rendered this necessary.

7. Where a ship has been stopped or arrested on the high seas in circumstances which do not justify the exercise of the right of hot pursuit, it shall be compensated for any loss or damage that may have been thereby sustained.

Article 24

Every State shall draw up regulations to prevent pollution of the seas by the discharge of oil from ships or pipelines or resulting from the exploitation and exploration of the seabed and its subsoil, taking account of existing treaty provisions on the subject.

Article 25

1. Every State shall take measures to prevent pollution of the seas from the dumping of radio-active waste, taking into account any standards and regulations which may be formulated by the competent international organizations.

2. All States shall co-operate with the competent international organizations in taking measures for the prevention of pollution of the seas or air space above, resulting from any activities with radio-active materials or other harmful agents.

Article 26

1. All States shall be entitled to lay submarine cables and pipelines on the bed of the high seas.

2. Subject to its right to take reasonable measures for the exploration of the continental shelf and the exploitation of its natural resources, the coastal State may not impede the laying or maintenance of such cables or pipelines.

3. When laying such cables or pipelines the State in question shall pay due regard to cables or pipelines already in position on the seabed. In particular, possibilities of repairing existing cables or pipelines shall not be prejudiced.

Article 27

Every State shall take the necessary legislative measures to provide that the breaking or injury by a ship flying its flag or by a person subject to its jurisdiction of a submarine cable beneath the high seas done wilfully or through culpable negligence, in such a manner as to be liable to interrupt or obstruct telegraphic or telephonic communications, and similarly the breaking or injury of a submarine pipeline or high-voltage power cable shall be a punishable offence. This provision shall not apply to any break or injury caused by persons who acted merely with the legitimate object of saving their lives or their ships, after having taken all necessary precautions to avoid such break or injury.

Article 28

Every State shall take the necessary legislative measures to provide that, if persons subject to its jurisdiction who are the owners of a cable or pipeline beneath the high seas, in laying or repairing that cable or pipeline, cause a break in or injury to another cable or pipeline, they shall bear the cost of the repairs.

Article 29

Every State shall take the necessary legislative measures to ensure that the owners of ships who can prove that they have sacrificed an anchor, a net or any other fishing gear, in order to avoid injuring a submarine cable or pipeline, shall be indemnified by the owner of the cable or pipeline, provided that the owner of the ship has taken all reasonable precautionary measures beforehand.

Article 30

The provisions of this Convention shall not affect conventions or other international agreements already in force, as between States Parties to them.

Article 31

This Convention shall, until 31 October 1958, be open for signature by all States Members of the United Nations or of any of the specialized agencies, and by any other State invited by the General Assembly of the United Nations to become a Party to the Convention.

Article 32

This Convention is subject to ratification. The instruments of ratification shall be deposited with the Secretary-General of the United Nations.

Article 33

This Convention shall be open for accession by any States belonging to any of the categories mentioned in article 31. The instruments of accession shall be deposited with the Secretary-General of the United Nations.

Article 34

1. This Convention shall come into force on the thirtieth day following the date of deposit of the twenty-second instrument of ratification or accession with the Secretary-General of the United Nations.

2. For each State ratifying or acceding to the Convention after the deposit of the twenty-second instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after deposit by such State of its instrument of ratification or accession.

Article 35

1. After the expiration of a period of five years from the date on which this Convention shall enter into force, a request for the revision of this Convention may be made at any time by any Contracting Party by means of a notification in writing addressed to the Secretary-General of the United Nations.

2. The General Assembly of the United Nations shall decide upon the steps, if any, to be taken in respect of such request.

Article 36

The Secretary-General of the United Nations shall inform all States Members of the United Nations and the other States referred to in article 31 :

(a) Of signatures to this Convention and of the deposit of instruments of ratification or accession, in accordance with articles 31, 32 and 33;

(b) Of the date on which this Convention will come into force, in accordance with article 34;

(c) Of requests for revision in accordance with article 35.

Article 37

The original of this Convention, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the

Secretary-General of the United Nations, who shall send certified copies thereof to all States referred to in article 31.

IN WITNESS WHEREOF the undersigned Plenipotentiaries, being duly authorized thereto by their respective Governments, have signed this Convention.

DONE at Geneva, this twenty-ninth day of April one thousand nine hundred and fifty-eight.

FOR AFGHANISTAN:

POUR L'AFGHANISTAN:

阿富汗:

За Афганистан:

POR EL AFGANISTÁN:

A. R. PAZHWAQ

Oct. 30, 1958

FOR ALBANIA:

POUR L'ALBANIE:

阿爾巴尼亞:

За Албанию:

POR ALBANIA:

FOR ARGENTINA:

POUR L'ARGENTINE:

阿根廷:

За Аргентину:

POR LA ARGENTINA:

A. LESCURE

FOR AUSTRALIA:

POUR L'AUSTRALIE:

澳大利亞:

За Австралию:

POR AUSTRALIA:

E. Ronald WALKER

30th October 1958

FOR AUSTRIA:

POUR L'AUTRICHE:

奧地利:

За Австрию:

POR AUSTRIA:

Dr. Franz MATSCH

Oct. 27th 1958

FOR THE KINGDOM OF BELGIUM:

POUR LE ROYAUME DE BELGIQUE:

比利時王國:

За Королевство Бельгии:

POR EL REINO DE BÉLGICA:

FOR BOLIVIA:

POUR LA BOLIVIE:

玻利維亞:

За Болевию:

POR BOLIVIA:

M. TAMAYO

17th October, 1958

FOR BRAZIL:

POUR LE BRÉSIL:

巴西:

За Бразилию:

POR EL BRASIL:

FOR BULGARIA:

POUR LA BULGARIE:

保加利亞:

За България:

POR BULGARIA:

Оговорка:

По статье 9: « Правительство Н. Р. Болгарии считает, что принцип международного права, согласно которому в открытом море судно подчиняется юрисдикции лишь того государства, под флагом которого оно плавает, относится без каких-либо ограничений ко всем государственным судам ».

Заявление: « Правительство Н. Р. Болгарии считает, что определение пиратства, данное в Конвенции, не охватывает некоторые действия, которые по современному международному праву должны считаться пиратскими, и не отвечает интересам обеспечения свободы мореплавания на международных морских путях ».

Д-р Вутов¹

31st October 1958

FOR THE UNION OF BURMA:

POUR L'UNION BIRMANE:

緬甸聯邦:

За Бирманский Союз:

POR LA UNIÓN BIRMANA:

¹ [TRANSLATION]

Reservation to article 9: The Government of the People's Republic of Bulgaria considers that the principle of international law according to which ships have complete immunity from the jurisdiction of any State other than the flag State relates without any restriction to all government ships.

Declaration: The Government of the People's Republic of Bulgaria considers that the definition of piracy given in the Convention does not cover certain acts which under contemporary international law should be considered as acts of piracy and does not serve to ensure freedom of navigation on international sea routes.

Dr. Voutov

¹ [TRADUCTION]

Réserve à l'article 9: Le Gouvernement de la République populaire de Bulgarie considère que le principe du droit international selon lequel un navire n'est soumis en haute mer qu'à la juridiction de l'État sous le pavillon duquel il navigue, s'applique sans limitation d'aucune sorte à tous les navires d'État.

Déclaration: Le Gouvernement de la République populaire de Bulgarie considère que la définition de la piraterie donnée dans la Convention ne mentionne pas certains actes qui doivent être considérés comme actes de piraterie selon le droit international actuel et ne répond pas à la nécessité d'assurer la liberté de navigation sur les routes maritimes internationales.

D^r Voutov

FOR THE BYELORUSSIAN SOVIET SOCIALIST REPUBLIC:

POUR LA RÉPUBLIQUE SOCIALISTE SOVIÉTIQUE DE BIÉLORUSSIE:

白俄羅斯蘇維埃社會主義共和國:

За Белорусскую Советскую Социалистическую Республику:

POR LA REPÚBLICA SOCIALISTA SOVIÉTICA DE BIELORRUSIA:

С оговоркой по статье 9* и заявлением.** Текст оговорки и заявление прилагаются.

К. Киселев¹

30. X. 1958

* По статье 9: « Правительство Белорусской Советской Социалистической Республики считает, что принцип международного права, согласно которому в открытом море судно подчиняется юрисдикции лишь того государства, под флагом которого оно плавает, относится без каких-либо ограничений ко всем государственным судам ».

** При подписании Конвенции об открытом море Правительство Белорусской Советской Социалистической Республики считает нужным заявить следующее: « Правительство Белорусской Советской Социалистической Республики считает, что определение пиратства, данное в Конвенции, не охватывает некоторые действия, которые по современному международному праву должны считаться пиратскими, и не отвечает интересам обеспечения свободы мореплавания на международных морских путях ».

¹ [TRANSLATION]: With a reservation* to article 9 and a declaration**; texts of both attached.

K. KISELEV

* *Reservation:*

To article 9: The Government of the Byelorussian Soviet Socialist Republic considers that the principle of international law according to which a ship on the high seas is not subject to any jurisdiction except that of the flag State applies without restriction to all government ships.

** *Declaration:*

The Government of the Byelorussian Soviet Socialist Republic considers that the definition of piracy given in the Convention does not cover certain acts which under contemporary international law should be considered as acts of piracy and does not serve to ensure freedom of navigation on international sea routes.

¹ [TRADUCTION]: Avec réserve* à l'article 9 et déclaration**. Texte de la réserve et de la déclaration jointen annexe.

K. KISELEV

* *Réserve:*

Article 9: Le Gouvernement de la République socialiste soviétique de Biélorussie considère que le principe du droit international selon lequel un navire n'est soumis en haute mer qu'à la juridiction de l'État sous le pavillon duquel il navigue s'applique sans limitation d'aucune sorte à tous les navires d'État.

** *Déclaration:*

Le Gouvernement de la République socialiste soviétique de Biélorussie considère que la définition de la piraterie donnée dans la Convention ne mentionne pas certains actes qui doivent être considérés comme actes de piraterie selon le droit international actuel et ne répond pas à la nécessité d'assurer la liberté de navigation sur les routes maritimes internationales.

FOR CAMBODIA:

POUR LE CAMBODGE:

柬埔寨:

За Камбоджу:

POR CAMBOYA:

FOR CANADA:

POUR LE CANADA:

加拿大:

За Канаду:

POR EL CANADÁ:

George A. DREW

FOR CEYLON:

POUR CEYLAN:

錫蘭:

За Цейлон:

POR CEILÁN:

C. COREA

30/X/58

FOR CHILE:

POUR LE CHILI:

智利:

За Чили:

POR CHILE:

FOR CHINA:

POUR LA CHINE:

中國:

За Китай:

POR LA CHINA:

Liu Chieh

Yu-chi HSUEH

FOR COLOMBIA:

POUR LA COLOMBIE:

哥倫比亞:

За Колумбию:

POR COLOMBIA:

Juan URIBE HOLGUÍN

José Joaquín CAICEDO CASTILLA

FOR COSTA RICA:

POUR LE COSTA-RICA:

哥斯大黎加:

За Коста-Рику:

POR COSTA RICA:

Raúl TREJOS FLORES

FOR CUBA:

POUR CUBA:

古巴:

За Кубу:

POR CUBA:

F. V. GARCÍA AMADOR

FOR CZECHOSLOVAKIA:

POUR LA TCHÉCOSLOVAQUIE:

捷克斯洛伐克:

За Чехословакию:

POR CHECOESLOVAQUIA:

With the following reservation to article 9 :

“ The Government of the Czechoslovak Republic holds that under international law in force government ships operated for commercial purposes also enjoy on the high seas complete immunity from the jurisdiction of any State other than the flag State. ”*

Karel KURKA**

30 October 1958

FOR DENMARK:

POUR LE DANEMARK:

丹麥:

За Данию:

POR DINAMARCA:

Max SORENSEN

T. OLDENBURG

* [TRADUCTION — Translation] : Avec la réserve suivante à l'article 9 : Le Gouvernement de la République tchécoslovaque estime qu'en vertu du droit international en vigueur, les navires d'État affectés à un service commercial jouissent aussi, en haute mer, d'une immunité complète de juridiction de la part de tout État autre que l'État du pavillon.

** *Declaration*: “ The Government of the Czechoslovak Republic maintains that the notion of piracy as defined in the Convention is neither in accordance with the present international law nor with the interest of safeguarding the freedom of navigation on the high seas. ”

[TRADUCTION — Translation] : *Déclaration* — Le Gouvernement de la République tchécoslovaque soutient que la notion de piraterie, telle qu'elle est définie dans la Convention, n'est ni conforme au droit international actuel, ni de nature à protéger, comme il convient, la liberté de la navigation en haute mer.

FOR THE DOMINICAN REPUBLIC:

POUR LA RÉPUBLIQUE DOMINICAINE:

多明尼加共和國:

За Доминиканскую Республику:

POR LA REPÚBLICA DOMINICANA:

A. ALVAREZ AYBAR

FOR ECUADOR:

POUR L'ÉQUATEUR:

厄瓜多:

За Эквадор:

POR EL ECUADOR:

FOR EL SALVADOR:

POUR LE SALVADOR:

薩爾瓦多:

За Сальвадор:

POR EL SALVADOR:

FOR ETHIOPIA:

POUR L'ÉTHIOPIE:

阿比西尼亞:

За Эфиопию:

POR ETIOPÍA:

FOR THE FEDERATION OF MALAYA:

POUR LA FÉDÉRATION DE MALAISIE:

馬來亞聯邦:

За Малайскую Федерацию:

POR LA FEDERACIÓN MALAYA:

FOR FINLAND:

POUR LA FINLANDE:

芬蘭:

За Финляндию:

POR FINLANDIA:

G. A. GRIPENBERG

27 octobre 1958

FOR FRANCE:

POUR LA FRANCE:

法蘭西:

За Францию:

POR FRANCIA:

G. GEORGES-PICOT

30 octobre 1958

FOR THE FEDERAL REPUBLIC OF GERMANY:

POUR LA RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE:

德意志聯邦共和國

За Федеративную Республику Германии

POR LA REPÚBLICA FEDERAL ALEMANA:

Werner DANKWORT

30 October 1958

FOR GHANA:

POUR LE GHANA:

迦納

За Ганы

FOR GHANA:

Richard QUARSHIE

K. B. ASANTE

FOR GREECE:

POUR LA GRÈCE:

希臘:

За Грещию:

FOR GRECIA:

FOR GUATEMALA:

POUR LE GUATEMALA:

瓜地馬拉:

За Гватемалу:

FOR GUATEMALA:

L. AYCINENA SALAZAR

FOR HAITI:

POUR HAÏTI:

海地:

За Гаити:

FOR HAÏTÍ:

RIGAL

FOR THE HOLY SEE:

POUR LE SAINT-SIÈGE:

教廷:

За Святейший Престол:

POR LA SANTA SEDE:

P. DEMEUR

30.4.1958

FOR HONDURAS:

POUR LE HONDURAS:

洪都拉斯:

За Гондурас:

POR HONDURAS:

FOR HUNGARY:

POUR LA HONGRIE:

匈牙利:

За Венгрию:

POR HUNGRIA:

Subject to reservation* attached to article 9:¹

Dr. SZITA János**

31.X.1958

** Reservation:*

"The Government of the Hungarian People's Republic is of the opinion that, according to the general rules of international law, ships owned or operated by a State and used on government service, whether commercial or non commercial, enjoy on the high seas the same immunity as warships."

*** Declaration:*

"The Government of the Hungarian People's Republic declares that the definition of piracy as given in the Convention is not consistent with present international law and does not serve the general interests of the freedom of navigation on the high seas."

No. 6465

¹ [TRADUCTION — TRANSLATION] Avec réserve* à l'article 9, dont texte joint en annexe.

Dr SZITA János**

** Réserve:*

Le Gouvernement de la République populaire de Hongrie estime que, selon les règles générales du droit international, les navires appartenant à un État ou exploités par lui et affectés à un service gouvernemental, commercial ou non commercial, jouissent en haute mer de la même immunité que les navires de guerre.

*** Déclaration:*

Le Gouvernement de la République populaire de Hongrie déclare que la définition de la piraterie donnée dans la Convention n'est pas conforme au droit international actuel et ne répond pas à la nécessité d'assurer la liberté de navigation en haute mer.

FOR ICELAND:

POUR L'ISLANDE:

冰島:

За Исландию:

FOR ISLANDIA:

H. G. ANDERSEN

FOR INDIA:

POUR L'INDE:

印度:

За Индию:

FOR LA INDIA:

FOR INDONESIA:

POUR L'INDONÉSIE:

印度尼西亞:

За Индонезию:

FOR INDONESIA:

Ahmad SOEBARDJO

8th May 1958

FOR IRAQ:

POUR L'IRAQ:

伊拉克:

За Ирак:

FOR IRAK:

FOR IRAN:

POUR L'IRAN:

伊朗:

За Иран:

FOR IRÁN:

Subject to reservations¹

Dr. A. MATINE-DAFTARY

May 28, 1958

FOR IRELAND:

POUR L'IRLANDE:

愛爾蘭:

За Ирландию:

FOR IRLANDA:

Frank AIKEN

2-10-1958

¹ "En signant la Convention sur la haute mer, je fais les réserves suivantes :

* *l'article 2*: en ce qui concerne la phrase « aucun État ne peut légitimement prétendre en soumettre une partie quelconque à sa souveraineté », il est bien entendu que cette interdiction ne s'applique pas au plateau continental régi par l'article 2 de la Convention sur le plateau continental.

* *les articles 2, 3 et 4*: le Gouvernement iranien maintient l'exception d'incompétence opposée par sa délégation à la Conférence sur le droit de la mer, à la douzième séance plénière de la Conférence, tenue le 24 avril 1958, contre les articles recommandés par la Cinquième Commission de la Conférence et incorporés dans ces articles de la Convention sur la haute mer. Ainsi, le Gouvernement de l'Iran se réserve tous les droits en ce qui concerne le contenu de ces articles qui touche les pays dépourvus de littoral.

* *l'article 2, paragraphe 3 — l'article 26, paragraphes 1 et 2*: les stipulations de ces articles traitant de la pose des câbles et des pipe-lines sous-marins seront sujettes à l'autorisation de l'État riverain en ce qui concerne le plateau continental. *

[TRANSLATION — TRADUCTION] In signing the Convention on the High Seas, I make the following reservations :

Article 2. With respect to the words " no State may validly purport to subject any part of them to its sovereignty ", it shall be understood that this prohibition does not apply to the continental shelf, which is governed by article 2 of the Convention on the Continental Shelf.

Articles 2, 3 and 4. The Iranian Government maintains the objection on the ground of excess of competence, expressed by its delegation at the twelfth plenary meeting of the Conference on the Law of the Sea on 24 April 1958, to the articles recommended by the Fifth Committee of the Conference and incorporated in the afore-mentioned articles of the Convention on the High Seas. The Iranian Government accordingly reserves all rights regarding the contents of these articles in so far as they relate to countries having no sea coast.

Article 2(3)—article 26, paragraphs 1 and 2. Application of the provisions of these articles relating to the laying of submarine cables and pipelines shall be subject to the authorization of the coastal State, in so far as the continental shelf is concerned.

FOR ISRAEL:
POUR ISRAËL:
以色列:
За Израиль:
POR ISRAEL:

Shabtai ROSENNE

FOR ITALY:
POUR L'ITALIE:
義大利:
За Италию:
POR ITALIA:

FOR JAPAN:
POUR LE JAPON:
日本:
За Японию:
POR EL JAPÓN:

FOR THE HASHEMITE KINGDOM OF JORDAN:
POUR LE ROYAUME DE LA JORDANIE HACHÉMITE:
約旦哈希米德王國:
За Хашемитское Королевство Иордании:
POR EL REINO DE JORDANIA HACHIMITA:

FOR THE REPUBLIC OF KOREA:
POUR LA RÉPUBLIQUE DE CORÉE:
大韓民國
За Корейскую Республику
POR LA REPÚBLICA DE COREA:

FOR LAOS:
POUR LE LAOS:
寮國:
За Лаос:
POR LAOS:

FOR LEBANON:
POUR LE LIBAN:
黎巴嫩:
За Ливан:
POR EL LÍBANO:

N. SADAKA
29 mai 1958

FOR LIBERIA:
POUR LE LIBÉRIA:
利比里亞:
За Либерию:
POR LIBERIA:

Rocheforte L. WEEKS
27/5/58

FOR LIBYA:

POUR LA LIBYE:

利比亞:

За ЛИБИЮ:

POR LIBIA:

FOR THE GRAND DUCHY OF LUXEMBOURG:

POUR LE GRAND-DUCHÉ DE LUXEMBOURG:

盧森堡大公國:

За Великое Герцогство Люксембург:

POR EL GRAN DUCADO DE LUXEMBURGO:

FOR MEXICO:

POUR LE MEXIQUE:

墨西哥:

За Мексику:

POR MÉXICO:

FOR MONACO:

POUR MONACO:

摩納哥:

За МОНАКО:

POR MÓNACO:

FOR MOROCCO:

POUR LE MAROC:

摩洛哥:

За Марокко:

POR MARRUECOS:

FOR NEPAL:

POUR LE NÉPAL:

尼泊爾:

За Непал:

POR NEPAL:

Rishikesh SHANA

FOR THE KINGDOM OF THE NETHERLANDS:

POUR LE ROYAUME DES PAYS-BAS:

荷蘭王國:

За Королевство Нидерландов:

POR EL REINO DE LOS PAÍSES BAJOS:

C. SCHURMANN

31 October 1958

FOR NEW ZEALAND:

POUR LA NOUVELLE-ZÉLANDE:

紐西蘭:

За Новую Зеландию:

POR NUEVA ZELANDIA:

Foss SHANAHAN

29 October 1958

FOR NICARAGUA:

POUR LE NICARAGUA:

尼加拉瓜:

За Никарагуа:

POR NICARAGUA:

FOR THE KINGDOM OF NORWAY:

POUR LE ROYAUME DE NORVÈGE:

挪威王國:

За Королевство Норвегии:

POR EL REINO DE NORUEGA:

FOR PAKISTAN:

POUR LE PAKISTAN:

巴基斯坦:

За Пакистан:

POR EL PAKISTÁN:

Aly KHAN

31st October 1958

FOR PANAMA:

POUR LE PANAMA:

巴拿馬:

За Панаму:

POR PANAMÁ:

Carlos SUCRE C.

2.5.1958

FOR PARAGUAY:

POUR LE PARAGUAY:

巴拉圭:

За Парагвай:

POR EL PARAGUAY:

FOR PERU:

POUR LE PÉROU:

秘魯:

За Перу:

POR EL PERÚ:

FOR THE PHILIPPINE REPUBLIC:

POUR LA RÉPUBLIQUE DES PHILIPPINES:

菲律賓共和國:

За Филиппинскую Республику:

POR LA REPÚBLICA DE FILIPINAS:

FOR POLAND:

POUR LA POLOGNE:

波蘭:

За Польшу:

POR POLONIA:

“The Government of the Polish People's Republic considers that the rule expressed in article 9 applies to all ships owned or operated by a State.”*

J. WINIEWICZ**

Oct., 31, 58

* [TRANSDUCTION — TRANSLATION] Le Gouvernement de la République populaire de Pologne considère que la règle formulée dans l'article 9 s'applique à tous les navires appartenant à un État ou exploités par lui.

** Declaration: “The Government of the Polish People's Republic considers that the definition of piracy as contained in the Convention does not fully correspond with the present state of international law in this respect.”

[TRANSDUCTION — TRANSLATION] Le Gouvernement de la République populaire de Pologne considère que la définition de la piraterie donnée dans la Convention ne correspond pas entièrement à l'état actuel du droit international en la matière.

FOR PORTUGAL:

POUR LE PORTUGAL:

葡萄牙:

За Португалию:

FOR PORTUGAL:

Sous réserve de ratification¹

Vasco Vieira GARIN

28 octobre 1958

FOR ROMANIA:

POUR LA ROUMANIE:

羅馬尼亞:

За Румынию:

FOR RUMANIA:

Sous la réserve suivante à l'article 9 :

« Le Gouvernement de la République Populaire Roumaine estime que le principe du droit international selon lequel un navire n'est soumis en haute mer qu'à la juridiction de l'État sous le pavillon duquel il navigue s'applique à tous les navires d'État indifféremment du but en vue duquel ils sont utilisés. »*

M. MAGHERU**

31 octobre 1958

¹ Subject to ratification.

* [TRANSLATION — TRADUCTION] With the following reservation to article 9: The Government of the Romanian People's Republic considers that the principle of international law according to which a ship on the high seas is not subject to any jurisdiction except that of the flag State applies to all government ships regardless of the purpose for which they are used.

** *Déclaration*: « Le Gouvernement de la République Populaire Roumaine estime que la définition de la piraterie telle qu'elle est formulée dans l'article 15 de la Convention sur la haute mer ne comprend pas certaines actions qui, selon le droit international contemporain, doivent être considérées comme constituant des actes de piraterie. »

[TRANSLATION — TRADUCTION] The Government of the Romanian People's Republic considers that the definition of piracy as given in article 15 of the Convention on the High Seas does not cover certain acts which under contemporary international law should be considered as acts of piracy.

FOR SAN MARINO:

POUR SAINT-MARIN:

聖馬利諾:

За Сан-Марино:

POR SAN MARINO:

FOR SAUDI ARABIA:

POUR L'ARABIE SAOUDITE:

蘇地亞拉伯:

За Саудовскую Аравию:

POR ARABIA SAUDITA:

FOR SPAIN:

POUR L'ESPAGNE:

西班牙:

За Испанию:

POR ESPAÑA:

FOR THE SUDAN:

POUR LE SOUDAN:

蘇丹:

За Судан:

POR EL SUDÁN:

FOR SWEDEN:

POUR LA SUÈDE:

瑞典:

За Швецию:

POR SUECIA:

FOR SWITZERLAND:

POUR LA SUISSE:

瑞士:

За Швейцарию:

POR SUIZA:

Paul RUEGGER

24 mai 1958

FOR THAILAND:

POUR LA THAÏLANDE:

泰國:

За Таиланд:

POR TAILANDIA:

Luang CHAKRAPANI SRISILVISUDDHI

Major General Dr. jur. Ambhorn SRIJAYANTA

Chapikorn SRESHTHAPUTRA

FOR TUNISIA:

POUR LA TUNISIE:

突尼西亞:

За Тунис:

POR TÚNEZ:

Mongi SLIM

Le 30 octobre 1958

FOR TURKEY:

POUR LA TURQUIE:

土耳其:

За Турцию:

POR TURQUÍA:

FOR THE UKRAINIAN SOVIET SOCIALIST REPUBLIC:

POUR LA RÉPUBLIQUE SOCIALISTE SOVIÉTIQUE D'UKRAINE:

烏克蘭蘇維埃社會主義共和國:

За Украинскую Советскую Социалистическую Республику:

POR LA REPÚBLICA SOCIALISTA SOVIÉTICA DE UCRANIA:

C оговоркой по статье 9* и заявлением.** Текст оговорки и заявление прилагаются.

Л. ПАЛАМАРЧУК¹

30 October 1958

FOR THE UNION OF SOUTH AFRICA:

POUR L'UNION SUD-AFRICAINE:

南非聯邦:

За Южно-Африканский Союз:

POR LA UNIÓN SUDAFRICANA:

* По статье 9: « Правительство Украинской Советской Социалистической Республики считает, что принцип международного права, согласно которому в открытом море судно подчиняется юрисдикции лишь того государства, под флагом которого оно плавает, относится без каких-либо ограничений ко всем государственным судам ».

** При подписании Конвенции об открытом море Правительство Украинской Советской Социалистической Республики считает нужным заявить следующее: « Правительство Украинской Советской Социалистической Республики считает, что определение пиратства, данное в Конвенции, не охватывает некоторые действия, которые по современному международному праву должны считаться пиратскими, и не отвечает интересам обеспечения свободы мореплавания на международных морских путях ».

¹ [TRANSLATION: With a reservation* to article 9 and a declaration;** texts of both attached.

L. PALAMARCHUK

* *Reservation:*

To article 9: The Government of the Ukrainian Soviet Socialist Republic considers that the principle of international law according to which a ship on the high seas is not subject to any jurisdiction except that of the flag State applies without restriction to all government ships.

** *Declaration:*

The Government of the Ukrainian Soviet Socialist Republic considers that the definition of piracy given in the Convention does not cover certain acts which under contemporary international law should be considered as acts of piracy and does not serve to ensure freedom of navigation on international sea routes.

¹ [TRANSLATION]: Avec réserve* à l'article 9 et déclaration**. Texte de la réserve et de la déclaration joint en annexe.

L. PALAMARTCHOUK

* *Réserve:*

Article 9: Le Gouvernement de la République socialiste soviétique d'Ukraine considère que le principe du droit international selon lequel un navire n'est soumis en haute mer qu'à la juridiction de l'État sous le pavillon duquel il navigue s'applique sans limitation d'aucune sorte à tous les navires d'État.

** *Déclaration:*

Le Gouvernement de la République socialiste soviétique d'Ukraine considère que la définition de la piraterie donnée dans la Convention ne mentionne pas certains actes qui doivent être considérés comme actes de piraterie selon le droit international actuel et ne répond pas à la nécessité d'assurer la liberté de navigation sur les routes maritimes internationales.

FOR THE UNION OF SOVIET SOCIALIST REPUBLICS:

POUR L'UNION DES RÉPUBLIQUES SOCIALISTES SOVIÉTIQUES:

蘇維埃社會主義共和國聯盟:

За Союз Советских Социалистических Республик:

POR LA UNIÓN DE REPÚBLICAS SOCIALISTAS SOVIÉTICAS:

С оговоркой по статье 9* и заявлением.** Текст оговорки и заявление прилагаются.

В. ЗОРИН¹

30 October 1958

FOR THE UNITED ARAB REPUBLIC:

POUR LA RÉPUBLIQUE ARABE UNIE:

阿拉伯聯合共和國:

За Объединенную Арабскую Республику:

POR LA REPÚBLICA ARABE UNIDA:

* По статье 9: « Правительство Союза Советских Социалистических Республик считает, что принцип международного права, согласно которому в открытом море судно подчиняется юрисдикции лишь того государства, под флагом которого оно плавает, относится без каких-либо ограничений ко всем государственным судам ».

** При подписании Конвенции об открытом море Правительство Союза Советских Социалистических Республик считает нужным заявить следующее: « Правительство Союза Советских Социалистических Республик считает, что определение пиратства, данное в Конвенции, не охватывает некоторые действия, которые по современному международному праву должны считаться пиратскими, и не отвечает интересам обеспечения свободы мореплавания на международных морских путях ».

¹ [TRANSLATION]: With a reservation* to article 9 and a declaration;** texts of both attached.

V. ZORIN

¹ [TRADUCTION]: Avec réserve* à l'article 9 et déclaration**. Texte de la réserve et de la déclaration joint en annexe.

V. ZORINE

* Reservation:

To article 9: The Government of the Union of Soviet Socialist Republics considers that the principle of international law according to which a ship on the high seas is not subject to any jurisdiction except that of the flag State applies without restriction to all government ships.

** Declaration:

The Government of the Union of Soviet Socialist Republics considers that the definition of piracy given in the Convention does not cover certain acts which under contemporary international law should be considered as acts of piracy and does not serve to ensure freedom of navigation on international sea routes.

* Réserve:

Article 9: Le Gouvernement de l'Union des Républiques socialistes soviétiques considère que le principe du droit international selon lequel un navire n'est soumis en haute mer qu'à la juridiction de l'État sous le pavillon duquel il navigue s'applique sans limitation d'aucune sorte à tous les navires d'État.

** Déclaration:

Le Gouvernement de l'Union des Républiques socialistes soviétiques considère que la définition de la piraterie donnée dans la Convention ne mentionne pas certains actes qui doivent être considérés comme actes de piraterie selon le droit international actuel et ne répond pas à la nécessité d'assurer la liberté de navigation sur les routes maritimes internationales.

FOR THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND:

POUR LE ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE DU NORD:

大不列顛及北愛爾蘭聯合王國:

За Соединенное Королевство Великобритании и Северной Ирландии:

POR EL REINO UNIDO DE LA GRAN BRETAÑA E IRLANDA DEL NORTE:

Pierson DIXON

9 Sept. 1958

FOR THE UNITED STATES OF AMERICA:

POUR LES ETATS-UNIS D'AMÉRIQUE:

美利堅合衆國:

За Соединенные Штаты Америки:

POR LOS ESTADOS UNIDOS DE AMÉRICA:

Arthur H. DEAN

15 Sept. 1958

FOR URUGUAY:

POUR L'URUGUAY:

烏拉圭:

За Уругвай:

POR EL URUGUAY:

Víctor POMES

FOR VENEZUELA:

POUR LE VENEZUELA:

委內瑞拉:

За Венесуэлу:

POR VENEZUELA:

Ad referendum

Carlos SOSA RODRÍGUEZ

October 30th 1958

FOR VIET-NAM:

POUR LE VIETNAM:

越南

За Вьетнам

FOR VIET-NAM:

FOR YEMEN:

POUR LE YÉMEN:

葉門:

За Йемен:

FOR EL YEMEN:

FOR YUGOSLAVIA:

POUR LA YOUGOSLAVIE:

南斯拉夫:

За Югославию:

FOR YUGOESLAVIA:

Avec la réserve de ratification¹

Milan BARTOS

V. POPOVIC

¹ Subject to ratification.

DECLARATIONS AND RESERVATIONS MADE UPON RATIFICATION¹DÉCLARATIONS ET RÉSERVATIONS FAITES AU MOMENT DE LA RATIFICATION¹

BULGARIA

BULGARIE

[BULGARIAN TEXT — TEXTE BULGARE]

Уговорка по чл. 9 — « Правителството на Народна република България смята, че принципът на международното право, съгласно с който плавателният съд в открито море се подчинява на тази държава, под чийто флаг плава, се отнася без каквито и да са ограничения към всички държавни плавателни съдове ».

Декларация: « Правителството на Народна република България смята, че определението на пиратството, дадено в Конвенцията не обхваща някои действия, които според съвременното международно право, трябва се да смятат за пиратски, и не отговаря на интересите за осигуряване свободата на мореплаването по международните морски пътища ».

[TRANSLATION]

[TRADUCTION]

Reservation concerning article 9: The Government of the People's Republic of Bulgaria considers that the principle of international law according to which ships on the high seas are subject to the jurisdiction of the flag State applies without restriction to all government ships.

Declaration: The Government of the People's Republic of Bulgaria considers that the definition of piracy given in the Convention does not cover certain acts which under contemporary international law should be considered as

Réserve en ce qui concerne l'article 9 — « Le Gouvernement de la République Populaire de Bulgarie estime que le principe du droit international en vertu duquel le navire en haute mer se trouve sous la juridiction de l'État dont il bat le pavillon, s'applique, sans aucune restriction, à tous les navires d'État ».

Déclaration: « Le Gouvernement de la République Populaire de Bulgarie estime que la définition de la piraterie dans la Convention ne couvre pas certains actes qui doivent être considérés comme actes de piraterie selon le

¹ The declarations and reservations made upon signature by the Governments of the Byelorussian Soviet Socialist Republic, Czechoslovakia, Hungary, Romania, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics and the reservation made upon signature by the Government of Poland were confirmed in their instruments of ratification.

¹ Dans leurs instruments de ratification, les Gouvernements de la Hongrie, de la République socialiste soviétique de Biélorussie, de la République socialiste soviétique d'Ukraine, de la Roumanie, de la Tchécoslovaquie et de l'Union des Républiques socialistes soviétiques ont confirmé les réserves et déclarations faites au moment de la signature et le Gouvernement polonais a confirmé la réserve faite au moment de la signature.

acts of piracy and does not serve to ensure freedom of navigation on international sea routes.

INDONESIA

Reservation:

“... that the terms ‘territorial sea’ and ‘internal waters’ mentioned in the Convention, as far as the Republic of Indonesia is concerned, are interpreted in accordance with Article 1 of the Government Regulation in Lieu of an Act No. 4 of the Year 1960 (State Gazette 1960, No. 22) concerning Indonesian Waters, which, in accordance with Article 1 of the Act No. 1 of the Year 1961 (State Gazette 1961, No. 3) concerning the Enactment of All Emergency Acts and All Government Regulations in Lieu of an Act which were promulgated before January 1, 1961, has become Act, which Article word by word is as follows:

“*Article 1:* 1. The Indonesian Waters consist of the territorial sea and the internal waters of Indonesia.

“2. The Indonesian territorial sea is a maritime belt of a width of twelve nautical miles, the outer limit of which is measured perpendicular to the baselines or points on the baselines which consist of straight lines connecting the outermost points on the low water mark of the outermost islands or part of such islands comprising Indonesian territory with the provision that in case

droit international moderne et qu'elle ne répond pas aux intérêts de la garantie de la liberté de la navigation sur les voies maritimes internationales ».

INDONÉSIE

[TRADUCTION — TRANSLATION]

Réserve faite au moment de la ratification:

... les mots « mer territoriale » et « eaux intérieures » figurant dans la Convention sont, en ce qui concerne la République d'Indonésie, interprétés conformément à l'article premier du décret gouvernemental tenant lieu de loi (décret n° 4 de l'année 1960 [Journal officiel 1960, n° 22]), relatif aux eaux indonésiennes, qui, conformément à l'article premier de la loi n° 1 de l'année 1961 (Journal officiel 1961, n° 3) relative à la mise en vigueur de toutes les lois d'urgence et de tous les décrets gouvernementaux tenant lieu de loi qui ont été promulgués avant le 1^{er} janvier 1961, est devenu loi, ledit article premier étant conçu comme suit:

Article premier 1. Par eaux indonésiennes il faut entendre la mer territoriale et les eaux intérieures de l'Indonésie.

2. Par mer territoriale indonésienne il faut entendre une bande de mer de 12 milles marins de large dont la limite extérieure est mesurée perpendiculairement aux lignes de base, ou à des points des lignes de base, qui consistent en lignes droites joignant les points extérieurs de la laisse de basse mer le long des îles extérieures, ou d'une partie des îles extérieures, qui font

of straits of a width of not more than twenty-four nautical miles and Indonesia is not the only coastal state the outer limit of the Indonesian territorial sea shall be drawn at the middle of the strait.

“ 3. The Indonesian internal waters are all waters lying within the baselines mentioned in paragraph 2.

“ 4. One nautical mile is sixty to one degree of latitude. ”

UNITED KINGDOM OF GREAT
BRITAIN AND NORTHERN
IRELAND

Declaration:

“ In depositing their instruments of ratification... Her Majesty's Government in the United Kingdom of Great Britain and Northern Ireland declare that, save as may be stated in any further and separate notices that may hereafter be given, ratification of this Convention on behalf of the United Kingdom does not extend to the States in the Persian Gulf enjoying British protection. Multilateral conventions to which the United Kingdom becomes a party are not extended to these States until such time as an extension is requested by the Ruler of the State concerned. ”

partie du territoire indonésien, étant entendu que pour ce qui est des détroits ayant une largeur de 24 milles marins au plus et dont l'Indonésie n'est pas le seul État riverain, la limite extérieure de la mer territoriale indonésienne sera tracée au milieu du détroit.

3. Par eaux intérieures indonésiennes il faut entendre toutes les eaux se trouvant à l'intérieur des lignes de base visées au paragraphe 2.

4. Un mille marin est égal à la longueur d'un arc d'une minute comptée sur le méridien.

ROYAUME-UNI DE GRANDE-
BRETAGNE ET D'IRLANDE
DU NORD

[TRADUCTION — TRANSLATION]

Déclaration:

En déposant son instrument de ratification..., le Gouvernement de Sa Majesté dans le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord déclare que, sauf les dispositions de toute autre notification distincte qui pourra être faite ultérieurement, la ratification de cette Convention au nom du Royaume-Uni ne vaut pas pour les États du golfe Persique qui jouissent de la protection britannique. L'application des conventions multilatérales auxquelles le Royaume-Uni devient partie n'est étendue à ces États que lorsque l'extension est demandée par le Souverain de l'État intéressé.

OBJECTIONS

ISRAEL

“ I am instructed to place on record the Government of Israel's formal objection to all reservations and declarations made in connection with the signing or ratification of or accession to the Convention on the Territorial Sea and the Contiguous Zone and the Convention on the High Seas which are incompatible with the purposes and objects of these Conventions. This objection applies in particular to the declaration or reservation made by Tunisia to Article 16, paragraph 4, of the first of the above-mentioned Conventions on the occasion of signature. ”

ISRAËL

[TRADUCTION — TRANSLATION]

J'ai reçu pour instructions de déclarer que le Gouvernement israélien fait formellement objection à toutes les réserves et déclarations formulées à l'occasion de la signature ou de la ratification de la Convention sur la mer territoriale et la zone contiguë et de la Convention sur la haute mer ou à l'occasion de l'adhésion auxdites Conventions, et qui sont incompatibles avec les buts et l'objet de ces Conventions. L'objection vaut en particulier pour la déclaration ou réserve que la Tunisie, lors de la signature, a formulée en ce qui concerne le paragraphe 4 de l'article 16 de la première des Conventions susmentionnées.

MADAGASCAR

[TRANSLATION — TRADUCTION]

The Malagasy Republic formally expresses its objection to all reservations and declarations made in connexion with the signature or ratification of the Convention on the High Seas or in connexion with accession to the said Convention which are inconsistent with the aims and purposes of this Convention.

This objection applies in particular to the declarations or reservations with regard to the Convention on the High Seas made by Bulgaria, the Byelorussian Soviet Socialist Republic, Czechoslovakia, Hungary, Indonesia, Poland, Romania, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics.

« La République malgache fait formellement objection à toutes les réserves et déclarations formulées à l'occasion de la signature ou de la ratification de la Convention sur la haute mer ou à l'occasion de l'adhésion à ladite Convention, et qui sont incompatibles avec les buts et objets de cette convention.

L'objection vaut en particulier pour les déclarations et réserves faites par la Bulgarie, la Hongrie, l'Indonésie, la Pologne, la République socialiste soviétique de Biélorussie, la République socialiste soviétique d'Ukraine, la Roumanie, la Tchécoslovaquie et l'Union des Républiques socialistes soviétiques à la Convention sur la haute mer. »

UNITED KINGDOM OF GREAT
BRITAIN AND NORTHERN
IRELANDROYAUME-UNI DE GRANDE-
BRETAGNE ET D'IRLANDE
DU NORD

[TRANSDUCTION — TRANSLATION]

The Government of the United Kingdom of Great Britain and Northern Ireland has informed the Secretary-General that it objects to the following reservations :

1. To articles 2, 3 and 4 and article 2 (3) by Iran.
2. To article 9 by Bulgaria, the Byelorussian SSR, Czechoslovakia, Hungary, Poland, Romania, the Ukrainian SSR and USSR.

The Government of the United Kingdom has also informed the Secretary-General that it objects to the reservation made on ratification by the Government of Indonesia and in addition has informed him of the following :

“ Her Majesty's Government have already stated to the Indonesian Government that they cannot regard as valid under international law provisions of ‘ Government Regulation No. 4, 1960, in lieu of an Act concerning Indonesian Waters ’ to the extent that these provisions embody a claim to territorial waters extending to 12 miles or purport to demarcate territorial waters by the drawing of straight base lines between the outermost islands, or points, of a group of islands or purport to treat as internal waters all waters enclosed by those lines. ”

Objections aux réserves suivantes :

1. Aux articles 2, 3 et 4 et au paragraphe 3 de l'article 2, par l'Iran.
2. À l'article 9, par la Bulgarie, la Hongrie, la Pologne, la République socialiste soviétique de Biélorussie, la République socialiste soviétique d'Ukraine, la Roumanie, la Tchécoslovaquie et l'Union des Républiques socialistes soviétiques.

Le Gouvernement du Royaume-Uni a informé le Secrétaire général qu'il fait objection à la réserve faite, au moment de la ratification, par le Gouvernement indonésien et en outre l'a informé de ce qui suit :

Le Gouvernement de Sa Majesté a déjà fait connaître au Gouvernement indonésien qu'il ne peut considérer comme valables en droit international les dispositions du « décret gouvernemental n° 4 de 1960, tenant lieu de loi, relatif aux eaux indonésiennes », dans la mesure où ces dispositions tendent à revendiquer comme eaux territoriales une bande de mer de 12 milles marins de large, ou à délimiter les eaux territoriales en prenant comme lignes de base des lignes droites reliant les îles extérieures, ou les points extérieurs, d'un groupe d'îles, ou à considérer comme eaux intérieures toutes les eaux se trouvant à l'intérieur de ces lignes.

UNITED STATES OF AMERICA

ÉTATS-UNIS D'AMÉRIQUE

[TRADUCTION — TRANSLATION]

Objection to the following reservations:

“ 1. The reservations to article 9 made by the Governments of Bulgaria, the Byelorussian Soviet Socialist Republic, Czechoslovakia, Hungary, Poland, Romania, the Ukrainian Soviet Socialist Republic, and the Union of Soviet Socialist Republics.

“ 2. The reservation made by the Iranian Government to articles 2, 3 and 4 and Article 26, paragraphs 1 and 2.

“ 3. The reservation made by the Government of Indonesia.”

Objections aux réserves suivantes:

1. Les réserves à l'article 9 faites par le Gouvernement bulgare, le Gouvernement hongrois, le Gouvernement polonais, le Gouvernement de la République socialiste soviétique de Biélorussie, le Gouvernement de la République socialiste soviétique d'Ukraine, le Gouvernement roumain, le Gouvernement tchécoslovaque et le Gouvernement de l'Union des Républiques socialistes soviétiques.

2. La réserve faite par le Gouvernement iranien aux articles 2, 3 et 4 et aux paragraphes 1 et 2 de l'article 26.

3. La réserve faite par le Gouvernement indonésien.