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A/CONF.62/C.2/L.52

**Bulgaria, German Democratic Republic and Poland: amendments to document
A/CONF.62/C.2/L.49**

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DOCUMENT A/CONF.62/C.2/L.52*

Bulgaria, German Democratic Republic and Poland: amendments to document
A/CONF.62/C.2/L.49[Original: Russian]
[12 August 1974]

Change the texts of articles 1 and 4, and of article 5, paragraphs 8,9 and 10, as follows:

"Article 1

"1. These articles apply only to archipelagic States.

"2. An archipelagic State is a State consisting wholly of one or several archipelagos forming a geographical, historical, political and economic entity.

"3. All waters within the archipelagic State shall be under its sovereignty and shall be designated as archipelagic waters.

"4. The sovereignty of the archipelagic State shall also extend to the air space over the archipelagic waters and to the surface and subsoil of the sea-bed of such waters. All resources of the archipelagic waters shall be under the sovereignty of the archipelagic State.

"5. The archipelagic State shall exercise that sovereignty in accordance with the provisions of the present articles and other rules of international law.

"Article 4

"All ships shall enjoy equally freedom of passage in archipelagic straits, the approaches thereto, and those areas

*Incorporating document A/CONF.62/C.2/L.52/Corr.1 of 26 August 1974.

in the archipelagic waters of the archipelagic State along which normally lie the shortest sea lanes used for international navigation between one part and another part of the high seas.

"Article 5

"8. Foreign ships exercising the right of free passage through the archipelagic waters or the sea lanes designated under the provisions of this article shall comply with the relevant laws and regulations made by the archipelagic State under the provisions of this article.

"9. All ships passing through the straits and waters of archipelagic States shall not in any way endanger the security of such States, their territorial integrity or political independence. Warships passing through such straits and waters may not engage in any exercises or gunfire, use any form of weapon, launch or take on aircraft, carry out hydrographic surveys or engage in any similar activity unrelated to their passage. All ships shall inform the archipelagic State of any damage, unforeseen stoppage, or of any action rendered necessary by *force majeure*.

"10. An archipelagic State may not interrupt or suspend the transit of ships through its straits or archipelagic waters, or take any action which may impede their passage."

DOCUMENT A/CONF.62/C.2/L.53

Romania: draft articles on definition of and régime applicable to islets and islands similar to islets

[Original: French]
[12 August 1974]

Article 1

1. An islet is a naturally formed elevation of land (or simply an eminence of the sea-bed) less than one square kilometre in area, surrounded by water, which is above water at high tide.

2. An island similar to an islet is a naturally formed elevation of land (or simply an eminence of the sea-bed) surrounded by water, which is above water at high tide, which is more than one square kilometre but less than . . . square kilometres in area, which is not or cannot be inhabited (permanently) or which does not or cannot have its own economic life.

Article 2

1. In principle, a State may not invoke the existence, in one of its maritime zones, of islets or islands similar to islets, as defined in article 1, for the purpose of extending the marine spaces which belong to its coasts.

2. Where such elevations of land are situated along the coast of the same State, in immediate proximity thereto, they shall be taken into consideration, in accordance with the provisions of this Convention, for the purpose of establishing the

baseline from which the breadth of the territorial sea is measured.

3. Where an islet or island similar to an islet is situated in the territorial sea of the same State but very close to its outer limit, the State in question may reasonably extend its territorial waters seaward or establish an additional maritime zone for the protection of lighthouses or other installations on such islet or island. The additional zones thus established shall in no way affect the marine spaces belonging to the coasts of the neighbouring State or States.

4. Islets or islands similar to islets which are situated beyond the territorial sea, on the continental shelf or in the economic zone of the same State, may have around them or around some of their sectors security areas or even territorial waters in so far as this is without prejudice to the marine spaces which belong to the coasts of the neighbouring State or States.

Where such eminences of the sea-bed are situated very close to the outer limit of the continental shelf or of the economic zone, the extension of their security zones or their territorial waters shall be established by agreement with the neighbouring State or States, or, where appropriate, with the authority for