

DOCUMENT A/CONF.62/80

Resolution 16 (Cg-VIII) adopted by the World Meteorological Organization at its eighth congress at Geneva in April/May 1979*

[Original: English/French
Russian/Spanish]
[9 August 1979]

*The Congress,
Noting*

(1) Resolution 2750 C (XXV), of the United Nations General Assembly, of 17 December 1970, by which the United Nations decided to convene the Third United Nations Conference on the Law of the Sea,

(2) The informal composite negotiating text prepared by the Conference, in particular part XIII, entitled "Marine scientific research",

(3) Action taken by the Executive Committee and the Secretary-General to ensure that the meteorological interests are adequately safeguarded during the consideration of relevant articles of the negotiating text,

Realizing that activities of the members of the World Meteorological Organization in the oceans fall under the following two major categories:

(1) Operational activities such as the collection of meteorological information from voluntary observing ships, buoys, other ocean platforms, aircraft and meteorological satellites,

(2) Research activities, both meteorological and oceanographic, such as those carried out during the Global Weather Experiment,

*Circulated at the request of the Secretary General of the World Meteorological Organization.

Considering

(1) That an adequate marine meteorological data coverage from ocean areas, in particular from those areas in the so-called "exclusive economic zone", is indispensable for the issue of timely and accurate storm warnings for the safety of life at sea and the protection of life and property in coastal and off-shore areas,

(2) That the International Convention for the Safety of Life at Sea, of 1960 specifies that the contracting Governments undertake, *inter alia*, to issue warnings of gales, storms and tropical storms and to arrange for selected ships to take meteorological observations,

(3) That members of the World Meteorological Organization have undertaken the responsibility of issuing warnings for the high seas and coastal waters according to internationally agreed procedures,

Expresses the hope that the legal provisions specified in the informal composite negotiating text which govern marine scientific research will not result in restrictions to operational meteorological and related oceanographic observational activities carried out in accordance with international programmes such as World Weather and the integrated Global Ocean Station System;

Appeals to members to ensure that their delegations to the United Nations Conference on the Law of the Sea are made aware of the vital need for observational data from sea areas for the timely issue of weather forecasts and storm warnings,

Requests the Secretary-General to follow closely the developments in the Conference, in particular by ensuring representation at sessions of the Conference, as appropriate.

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Letter dated 15 August 1979 from the representative of Costa Rica to the President of the Conference

[Original: Spanish]
[15 August 1979]

On instructions from my Government, I have the honour to transmit to you herewith—with the request that you have it circulated to the delegations participating in the Third United Nations Conference on the Law of the Sea—the communiqué issued yesterday by the Government of Costa Rica in response to the decision by the United States Government to disregard the sovereignty of States over their territorial sea when the latter exceeds the 3-mile limit:

"Late last week, according to international dispatches, the United States Government ordered its Air Force and Navy to enter national territorial waters which exceed the 3-mile limit.

"The Government of Costa Rica objects to the unilateral decision by the United States Government, which implies disrespect for the legal position taken by a majority of countries, which set the limit of territorial waters at 12 miles and claim an exclusive economic zone extending 200 miles; this decision also represents a retreat in the matter of the law of the sea and revives ideas which have been made obsolete by international practice, doctrine and justice.

"There is no general norm of international treaty or customary law which sets a maximum limit to the breadth of the territorial sea just as there are no international norms

which clearly and specifically limit the traditional authority of States to determine the breadth of the territorial sea freely and on a universal basis. However, this absence of international agreement should not prompt any country to take unilateral action that has no legal basis and is not sanctioned by international practice for the purpose of defending its own interests to the detriment of the majority.

"Legal doctrine is unanimous in recognizing the traditional authority of countries freely to determine these limits, and the great majority of States favour a 12-mile limit for their territorial waters in addition to an adjacent zone of special jurisdiction extending 200 miles.

"By virtue of this authority, article 6 of the Costa Rican Constitution provides that the Costa Rican State exercises full and exclusive sovereignty in its territorial waters to a distance of 12 miles and special jurisdiction over the seas adjacent to its territory in an area extending 200 miles known as the patrimonial sea or exclusive economic zone.

"The Government of Costa Rica is guided by the provisions of its Constitution and cannot in any manner tolerate interference by any other nation or nations in its internal decisions to the detriment of its sovereignty and its economic interests.