

THE NOTION OF THE "ECONOMIC ZONE"

"...the economic zone concept originated from the patrimonial sea proposal put forth by certain Latin American states... and certain other countries. All of these proposals had in common the same basic elements, namely, coastal state sovereign rights over the resources of both seabed and the water column - that is to say, both the living and non-living resources - out to a distance of 200 miles, coupled with certain defined and restricted jurisdictions for the purposes of preserving the marine environment and controlling scientific research.the coastal state does not exercise sovereignty or jurisdiction within the zone.

The above proposal, however is one of the most radical to emerge from the Law of the Sea Conference and it remains to some extent controversial, both in doctrinal and in more practical terms. The major maritime powers continue, for example, to assert that the waters of the economic zone have the status of high seas, while some states would consider them as quasi-territorial sea. The majority view, however, is quite clearly that the waters of the economic zone are neither high seas nor territorial sea but have a status incorporating some elements of each of these two regimes, but constituting, in fact, a totally new legal regime. There is criticism of the concept on the grounds that it divides up large portions of the world amongst coastal states. These criticisms characterize coastal states as being somehow outside the international community when, in fact over 90% of the peoples of the world reside in coastal states, and the coastal states comprise the majority of the states of the world. This is not, to suggest that the legitimate interests of the land-locked states should be overlooked. On the contrary, these states must be given equitable treatment in the new emerging regime... it is quite misleading to suggest that coastal states are seizing something from the international community when they together represent the major part of humanity. It follows, that they owe a duty to reflect the interests of states which do not have a coastline, or which have a very short one...."

.....extract from an address entitled
The Third Law of the Sea Conference: The Consequences of Success or Failure
by J. Alan Beesley. (1976)

*In Summary
Coastal States should
have the sovereign
rights over the
resources of both seabed
and water column
out to 200 miles,
and jurisdiction
over scientific
research & conservation.*