

UPSC Civil Services Examination

UPSC Notes [GS-III]

Topic: UNCLOS-Law of the Sea Convention

The United Nations Convention on the Law of the Sea (UNCLOS) is an international agreement that was signed on 10th December 1982. UNCLOS also is known as the Law of the Sea Convention or the Law of the Sea Treaty defines the rights and responsibilities of the nation towards the use of the world's oceans. The third session of UNCLOS (UNCLOS III) which was held between 1973 to 1982 led to the formation of UNCLOS. The Law of the Sea Convention also establishes guidelines for businesses, environment and management of marine natural resources. The Convention which concluded in the year 1982 replaced the quad-treaty of 1958 also known as Convention on the High Seas. UNCLOS became effective in the year 1994 and later in the year 2016, UNCLOS was joined by 167 countries and the European Union.

Formation of UNCLOS

UNCLOS was formed by replacing the older concept of the 17th-century known as 'freedom of the seas' where the national rights were only limited to a specified belt of water that extended usually up to 3 nautical miles (5.6 km) from a nation's coastlines. Therefore, the belts of water that were beyond the national boundaries were considered international waters. Later, during the early 20th century, several nations addressed their needs for extending the national claims that included mineral resources, protection of fish stocks and supply of resources to enforce pollution controls. As a result, in the year 1945, President Harry S. Truman extended United States control to all the natural resources of its continental shelf. Soon, between 1946-1950, three more nations namely Chile, Peru, and Ecuador also extended their rights to a distance of 370 km to cover their Humboldt Current fishing grounds whereas, the other nations extended their territorial seas to 22 km.

The issues related to the varying claims of the territorial waters were raised in the year 1967 in the United Nations. It was during the Third UN Conference on the Law of the Sea (UNCLOS III) of 1973 where the UN ambassador, Mr. Arvid Pardo requested for a legal power that could bring about international governance over the oceanic floor and bed.

Initiatives under UNCLOS

The first Conference on the Law of the Sea (UNCLOS I) was held in the year 1956 at Geneva, Switzerland by the United Nations. This conference resulted in the following four treaties:

- Convention on the Territorial Sea and Contiguous Zone
- Convention on the Continental Shelf
- Convention on the High Seas
- Convention on Fishing and Conservation of Living Resources of the High Seas

Several initiatives were taken after the establishment of the United Nations Conference on the Law of the Sea (UNCLOS) which are mentioned below:

1. **International Tribunal for the Law of the Sea (ITLOS):** Established by the UNCLOS, the International Tribunal for the Law of the Sea is an independent judicial body that adjudicates disputes arising out of the convention. ITLOS was signed on December 10, 1982, and entered into force on November 16, 1994. To know more on [ITLOS](#), refer to the linked page.
2. **International Seabed Authority:** It was formed in 1994 under the United Nations Convention on the Law of the Sea (1982) for regulating the exploration and exploitation of marine non-living resources of oceans in international waters. To know about the functions of the [International Seabed Authority](#), refer to the linked page.
3. **Commission on the Limits of the Continental Shelf (CLCS):** Established under United Nations Convention on the Law of the Sea, CLCS is responsible for facilitating the implementation of UNCLOS with respect to the establishment of the outer limits of the continental shelf beyond 200 nautical miles.

UNCLOS covers an important part of the UPSC syllabus. Candidates preparing for the [UPSC 2020](#) should have a clear concept about the various organisations of the world. Candidates should also keep a track of the latest current affairs to know about any new developments in the world.