

*United Nations Legislative Series*

**LAWS AND REGULATIONS**  
*on the*  
**REGIME OF THE HIGH SEAS**

*Volume I*

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- 1. Continental Shelf*
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2. In addition, the authorities of the Union of Soviet Socialist Republics and the Russian Soviet Federative Socialist Republic shall exercise customs control and combat smuggling in the parts of the Gulf of Finland which lie between the waters specified in article 1 and lines drawn as follows:

(a) From a point four miles from the coast of Finland and situated on a straight line connecting a point on the meridian of the Stirsudensky lighthouse in a latitude  $60^{\circ} 08' 9''$  and a point in latitude  $59^{\circ} 58' 8''$  and longitude  $28^{\circ} 24' 5''$ , in a straight line westwards to a point situated in latitude  $60^{\circ} 07' 2''$  and longitude  $28^{\circ} 51' 7''$ ;

Thence, northwards along a line running six nautical miles from the coast of Finland to a point situated in latitude  $60^{\circ} 09' 7''$  and longitude  $28^{\circ} 48' 7''$ ;

Thence, westwards following a straight line to a point situated in latitude  $60^{\circ} 04' 4''$  and longitude  $28^{\circ} 28' 6''$ ;

Thence, southwards following a line running three nautical miles from the coast of the Island of Seiskari to a point situated in latitude  $60^{\circ} 00' 5''$  and longitude  $28^{\circ} 31' 4''$ ;

(b) From a point situated in latitude  $59^{\circ} 54' 6''$  and longitude  $27^{\circ} 52' 2''$  westwards along a line running three nautical miles from the coast of the Island of Lavansaari to a point situated in latitude  $59^{\circ} 54' 9''$  and longitude  $27^{\circ} 48' 2''$ ;

Thence, southwards along a line running six nautical miles from the coast of the Union of Soviet Socialist Republics to a point situated in latitude  $59^{\circ} 49' 0''$  and longitude  $27^{\circ} 46' 8''$ ;

Thence, eastwards along parallel  $59^{\circ} 40' 0''$  to a point situated four nautical miles from the coast of the Union of Soviet Socialist Republics.

*Note to articles 1 and 2.* The distances "from the coast" referred to in articles 1 and 2 shall be taken to mean, in places where there are skerries, the distances from the islands and rocks, furthest from the coast, which rise above the surface of the water.

The longitudes referred to in articles 1 and 2 shall be taken to mean longitudes from Greenwich.

(f) ORDER OF THE COUNCIL OF PEOPLE'S COMMISSARS, NO. 2157, FOR THE REGULATION OF FISHING AND THE CONSERVATION OF FISHERIES RESOURCES, 25 SEPTEMBER 1935. "SOBRANIE ZAKONOV I RASPORJAZHENII SSSR", 1935, NO. 50, C. 420, P. 741. TRANSLATION BY THE SECRETARIAT OF THE UNITED NATIONS

For the purpose of regulating and improving the management of fisheries and of conserving and increasing their resources, the Council of People's Commissars of the USSR orders as follows:

1. All waters used for the catching of fish, water mammals, crustaceans and other water animals and products shall be regarded as fishing waters.

2. Fishing waters are divided into: (1) riverine and lacustrine, and (2) marine.

Riverine and lacustrine fishing waters embrace all rivers, lakes and ponds, including their frontier waters.

Marine fishing waters embrace all inland maritime waters of the USSR and a maritime coastal zone twelve sea miles in breadth.

*Note.* In the Gulf of Finland the fishing waters shall cover the maritime zone described in article 1 of the Order of the Central Executive Committee and the Council of People's Commissars of the USSR of 3 August 1930 on the water area of the Gulf of Finland under USSR and RSFSR authorities (*Sobranie Zakonov SSSR*, 1930, no. 44, c. 450).

3. Riverine, lacustrine and marine fishing waters are divided into industrial and non-industrial fisheries. The latter consist of fisheries generally used only by the local population to supply their own needs.

4. Industrial fisheries are subdivided into Union, republican and local fisheries.

A list of Union fisheries and a list of other fisheries to which Union fisheries' regulations apply are appended hereto (see schedules 1 and 2).

Lists of republican fisheries shall be drawn up by councils of people's commissars of Union republics.

Lists of local industrial fisheries shall be drawn up by people's commissariats for local industry of Union republics.

5. The People's Commissariat for the Food Industry (Central Department for the Protection and Regulation of Fishing, Pisciculture and Fisheries Improvement—*Glavrybvod*) shall manage Union fisheries, regulate fishing therein, supervise them and apply measures to maintain and protect their resources.

The People's Commissariat for the Food Industry, through the *Glavrybvod*, shall also regulate and supervise fishing in the fisheries enumerated in schedule 2, and apply measures to maintain and protect the resources thereof. Such fisheries shall be managed by the people's commissariats for local industry of the Union republics (fisheries departments).

The people's commissariats for local industry of the Union republics (fisheries departments) shall manage other fisheries, regulate fishing therein, supervise them and apply measures to maintain and protect their resources.

6. Fisheries authorities shall divide commercial fisheries into separate fishing lots and give to each lot a name and number.

7. To meet the requirements of fishing industries an area of land shall be allocated sufficient to accommodate fisheries' equipment and buildings, which shall be of a nature and type befitting the requirements of the industry in each lot and the length of time during which the lot is to be used. On lots situated within the boundaries of a town such equipment and buildings may be erected only by agreement with the town Soviet.

The procedure for allocating areas of land shall be determined by the law of the Union republic concerned.

8. [Fishing lots in Union fresh water fisheries].

9. Fishing lots in salt water fisheries shall be leased to the State fishery trusts, collective fishery undertakings, co-operatives and others for periods of from one to five years. State fishery trusts and collective fishery undertakings may take part in the auction of fishing-lot leases even though they hold other fishing lots leased to them without auction.

10. Fishing and other aquatic industries employing special fishing vessels shall be carried on in salt water fisheries and in Union lakes (cf. schedule 1) by licence of authorities of the *Glavrybvod* and in accordance with the fisheries regulations laid down by that body.

11. Fishing and other aquatic industries may be carried on in the open sea from vessels flying the flag of the USSR and licensed by authorities of the *Glavrybvod* to carry on a particular industry, subject to observance of the regulations relating to the protection of fish, sea animals and other sea products laid down by the *Glavrybvod* and in international treaties concluded by the USSR.

12. Foreign nationals and foreign legal persons may not carry on fishing or any other aquatic industry in any USSR fishery, except as provided for by an international treaty concluded by the USSR or under a concession granted by the Government of the USSR.

*Note.* The procedure to be followed in allocating and utilizing areas of land attached to fishing lots in the cases provided for by this article shall be laid down by the Council of People's Commissars of the USSR.

13. Fishing to supply personal requirements shall be allowed to all workers in all fisheries except in prohibited areas, fish nurseries and fishpond farms in accordance with the regulations laid down by the fisheries authorities.

14. Fishing and other aquatic industries and fishing to supply personal requirements in frontier waters of the USSR must be carried on in accordance with the law and with the regulations made by the frontier defence authorities of the People's Commissariat of Internal Affairs relating to the frontier régime and the prevention of piracy by foreign vessels.

15. Separate fishing regulations shall be issued for each fishing area and shall specify:

- (a) Areas permanently or temporarily closed to fishing;
- (b) Close seasons for fishing;
- (c) Size of mesh in fishing equipment and restrictions on the use of particular fishing equipment or instruments;
- (d) The minimum size of fish and sea animals which may be caught;
- (e) The maximum quantities of each kind of fish, sea animal and other marine product that may be caught.

16. It is forbidden:

- (a) To use for fishing any explosive, toxic or narcotic substance;
- (b) To cover more than two-thirds of the width of a river or channel with fixed or floating fishing equipment, or to infringe the regulations for navigation and floatage or for the use of various types of hydraulic construction;
- (c) To embank for agricultural purposes plots of land which are spawning grounds, or to restore embankments on plots formerly embanked, without the consent of the fisheries authorities;
- (d) To erect obstructions or obstacles on channels connecting estuaries, marshes, lakes and residual floodwaters with main fisheries and with each other, or to drain water from them (except for sanitary waterworks carried out by land authorities under a plan by agreement with fisheries authorities);
- (e) In floating timber, to litter rivers used for spawning or paths leading to them.

17. In respect of Union fisheries and the fisheries mentioned in schedule 2, the People's Commissariat for the Food Industry through the *Glavrybvod*, and in respect of other fisheries, the fisheries departments of the people's commissariats for local industry shall:

(a) By agreement with land authorities, issue and enforce regulations governing the use of fisheries for agricultural purposes;

(b) Draw up and carry out plans for improvements and piscicultural works to maintain and extend fisheries resources;

(c) Approve and supervise the execution of improvement plans and of plans for works to protect fry and increase stocks of fish carried out by fisheries organizations to which fishing lots have been allocated (and in particular leased) for use.

18. Fisheries authorities shall mark on the spot by means of conspicuous signs (e.g., beacons, posts, boundary marks or buoys) the boundaries of areas closed to fishing and of spawning grounds in rivers, and shall maintain such signs at all times in good condition.

On all navigable fisheries the procedure for setting up distinguishing signs and the form thereof shall be determined by agreement with the local authorities of the People's Commissariat for Water Transport.

19. Fishing vessels may not stop within prohibited fishing areas except at permanent settlements and in acute emergency (e.g. storm, fog or damage).

20. Organizations and persons granted the use (particularly under lease) of fishing lots shall:

(a) Take steps to keep fishing grounds, delta waters, channels and springs clean and prevent their pollution;

(b) Admit breeding fish into spawning grounds;

(c) Under contract, supply hatcheries with breeding fish and share in the expense of fish breeding;

(d) Carry out the most simple breeding operations and improvements under the instructions and control of the fisheries authorities, or share in the expense of such work under contract;

(e) Take steps to rescue fry of commercially valuable fish from lakes and marshes shut off from rivers, under the instructions and control of the fisheries authorities;

(f) At the end of the fishing season, clear fishing lots of all gear fouling the bottom or littering the water;

(g) Not carry out on fishing lots without special permission from the fisheries authorities work altering the natural conditions therein.

21. A fishing log shall be kept for each fishing lot and vessel in respect of which a fishing licence has been issued and presented on request to the authority supervising commercial fishing.

22. In planning hydraulic power and irrigation works and in constructing plants which would discharge effluents harmful to fish, planning and constructing organizations shall provide in their plans and estimates for special measures to protect fish reserves (and in particular to allow the passage of fish), and for the use of newly-formed reservoirs by the fishing industry, and shall agree to such measures with the People's Commissariat for the Food Industry or with people's commissariats for local industry of Union republics, as the case may be (article 5).

23. To enforce the regulations for fishing and conserve fisheries and other aquatic resources, a fisheries control service shall be organized.

. . .

24. If fishing or any other aquatic industry is carried on in Union or republican fisheries, or in the local fisheries described in schedule 2,

by any person whatsoever without the proper permission or during the close season or in prohibited areas or with prohibited implements, means or methods, the fisheries control authorities shall arrest the offenders and seize the unlawfully taken catch and the fishing implements, and shall refer the case to the court for the trial of the offenders. The seized catch shall be sold at the established prices to fish-products factories (or, where there is no fish-products factory, to trade organizations), and the fishing implements shall be held until the sentence of the court is pronounced.

In the event of commission of an offence described in this article (whatever the nature of the fishery) or of systematic breach of contract or of failure to use a fishing lot by the organization or person to whom its use has been granted (or in particular leased), the contract may be rescinded by process of law, and its effect may be suspended by the fisheries authorities pending the judgment of the court. In the event of the commission of an offence described in this article, the licence to carry on commercial fishing from vessels may be withdrawn by the fisheries authorities.

25. In the event of violation of fisheries regulations other than those mentioned in the first part of article 24, head officers and senior inspectors of the fisheries control service may impose on the offenders a fine not exceeding 300 roubles, and area inspectors a fine not exceeding 100 roubles and may seize the unlawful catch and sell it to fish-products factories (or, where there is no fish-products factory, to trade organizations) at the established prices.

*Note.* Payment of a fine shall not exempt from payment of any penalty due for breach of contract.

26. Amendments to the legislation of the USSR consequential on the present Order shall be presented by the People's Commissariat for the Food Industry within twenty days for approval by the Council of People's Commissars of the USSR.

*Schedule 1. List of Union fisheries*

<i>Name</i>	<i>Extent and boundaries</i>
1. Caspian Sea . . . . .	Within the frontiers of the USSR
2. River Volga . . . . .	
3. River Ural . . . . .	
4. River Terek . . . . .	
5. River Samur . . . . .	
6. River Sulak . . . . .	
7. River Kura . . . . .	
8. Sea of Azov . . . . .	The whole area, together with all bays, river mouths and estuaries.
9. River Kuban . . . . .	
10. Black Sea . . . . .	The waters described in article 2 of the Order on the regulation of fishing and the conservation of fishery resources.
11. River Don . . . . .	
12. River Dnieper . . . . .	
13. Southern Bug River . . . . .	

<i>Name</i>	<i>Extent and boundaries</i>
14. Gulf of Finland . . . .	The waters mentioned in article 1 of the Order of the Central Executive Committee and the Council of People's Commissars of the USSR of 3 August 1930 on the water area of the Gulf of Finland under USSR and RSFSR authorities ( <i>Sobraniye Zakonov SSSR</i> , 1930, no. 44, c. 450).
15. Lakes Ladoga, Chudskoye, Tioploye and Pskovskoye . . . .	
16. Arctic Ocean . . . . .	The waters described in article 2 of the present Order.
17. River Tuloma . . . . .	
18. White Sea . . . . .	The whole area to the south of a line joining Cape Svyatoy Nos and Cape Kanin.
19. Rivers Ponoy, Varzuga and Uмба . . . . .	
20. River Onega . . . . .	
21. River Pechora . . . . .	
22. Gulf of Ob . . . . .	The whole area.
23. River Ob . . . . .	
24. Bering Sea, Sea of Okhotsk and Sea of Japan, Tatarskie Straits and other waters of the Pacific Ocean . . . . .	The waters described in article 2 of the Order on the regulation of fishing and the conservation of fisheries resources, together with the rivers flowing into those fisheries within the territory of the USSR and providing spawning grounds for fish of the salmon type.
25. Amur Estuary . . . . .	Within the following boundaries: to the north, a line joining Cape Petrovski and Cape Vitovtov; and to the south, a line joining Cape Lazarev and Cape Pogibi.
26. River Amur . . . . .	
27. Lake Khanka . . . . .	
28. Lakes: Kizi, Kadi, Udyl, Aki, Orel, Chlya, Tyoploye and Bolon . . . . .	
29. Sea of Aral . . . . .	The whole area.
30. River Syr-Darya . . . . .	
31. River Amu-Darya . . . . .	
32. Lake Balkhash . . . . .	The whole area.

*Schedule 2. List of local fisheries.*

[35 rivers and lakes.]

*Note.* Less detailed provisions were contained in the Russian rules for sea fishing industries in the Maritime Governor-Generalship, annexed to Law No. 1066 of 29 May/11 June 1911 (*Papers relating to the Foreign Relations of the United States, 1912*, p. 1303), which read as follows:

"1. Where the extent of the seashore radius is not defined by special international enactment or treaties, the present rules cover the coastal sea to a distance of three geographical miles (= 12.02 marine miles = 20.87 versts), counting from the line of the lowest ebb-tide, or from the extremity of the coastal standing ice.

“The present rules do not cover the Amur estuary from a line connecting Cape Lazareff on the mainland to Cape Pogobi on the island of Saghalin, to a line connecting Cape Perovski on the mainland with the northern tributaries to the Baikal Gulf on the island of Saghalin.

“2. The carrying on of sea-fishing industries is permitted (that is, the catching of fish and their preparation) on sites defined for this purpose, which constitutes special governmental quit-rent locations, and also from trading-vessels.

“The trading sites, consisting of a defined area, shall be leased either: (1) for the catching and preparation of fish, with the right of fishing in the waters adjacent to the shore over a surface of the width of one marine mile; or (2) only for the preparation of fish, without the right of fishing.

“Outside the limits of one marine mile from the shore the fishing shall be carried on from vessels with an arrangement of special permits.

“The Chief Manager of Land Works and Agriculture, in agreement with the Maritime Governor-General, has the right to declare, for a definite time, separate rayons of the coastal waters as closed altogether to fishing, or to separate phases of fishing (catching fish or their preparation), and also to establish periods when fishing is not allowed.”

### 35. Uruguay

- (a) PRESIDENTIAL DECREE ESTABLISHING RULES OF NEUTRALITY TO BE OBSERVED IN THE PORTS, ROADSTEADS AND TERRITORIAL WATERS OF URUGUAY, 7 AUGUST 1914. “REGISTRO NACIONAL DE LEYES”, 1914, P. 393. TRANSLATION FROM U.S. NAVAL WAR COLLEGE, “INTERNATIONAL LAW TOPICS”, 1916, P. 106

*Article 1.* In case of war between two or more countries, the Republic remaining neutral, the following rules will be applied with respect to the ports, roadsteads, and territorial waters of the same.

*Article 2.* In accordance with the principle established by the treaty of Montevideo in 1889 (Penal Law, article 12), and with the principles generally accepted in these matters, the waters will be considered as territorial waters to a distance of five miles from the coast of the mainland and islands, from the visible outlying shoals, and the fixed marks which determine the limit of the banks not visible. With regard to bays, the distance of five miles will be measured along a straight line run across the bay at the point nearest its entrance. In addition to the bays or roadsteads established as such by law and custom, those places on the coast will be considered as such which possess their characteristic form and also have an opening of not more than ten miles. For the other boundary waters the rule will be according to each case, the middle line, the *thalweg* (channel) or the common jurisdiction as determined by the various treaties and situations.

### 36. Venezuela

- (a) PRESIDENTIAL DECREE CONCERNING THE EXTENT OF TERRITORIAL WATERS FOR NEUTRALITY PURPOSES, 15 SEPTEMBER 1939. “GACETA OFICIAL”, VOL. 67, NO. 19,981, P. 124,325. TRANSLATION BY THE SECRETARIAT OF THE UNITED NATIONS

Eleazar Lopez Contreras, President of the United States of Venezuela, in view of the state of neutrality of Venezuela, declared in the Executive Decree of 4 September 1939,