

No. 6466

**AUSTRIA, BOLIVIA, CANADA, CEYLON,
COLOMBIA, etc.**

**Optional Protocol of Signature concerning the Compulsory
Settlement of Disputes. Adopted by the United Nations
Conference on the Law of the Sea, held at Geneva from
24 February to 27 April 1958, and opened for signature
on 29 April 1958**

Official texts: English, French, Chinese, Russian and Spanish.

Registered ex officio on 3 January 1963.

**AUTRICHE, BOLIVIE, CANADA, CEYLAN,
COLOMBIE, etc.**

**Protocole de signature facultative concernant le règlement
obligatoire des différends. Adopté par la Conférence des
Nations Unies sur le droit de la mer, tenue à Genève du
24 février au 27 avril 1958, et ouvert à la signature le
29 avril 1958**

Textes officiels anglais, français, chinois, russe et espagnol.

Enregistré d'office le 3 janvier 1963.

No. 6466. OPTIONAL PROTOCOL OF SIGNATURE¹ CONCERNING THE COMPULSORY SETTLEMENT OF DISPUTES. ADOPTED BY THE UNITED NATIONS CONFERENCE ON THE LAW OF THE SEA, HELD AT GENEVA FROM 24 FEBRUARY TO 27 APRIL 1958, AND OPENED FOR SIGNATURE ON 29 APRIL 1958

The States Parties to this Protocol and to any one or more of the Conventions on the Law of the Sea adopted by the United Nations Conference on the Law of the Sea held at Geneva from 24 February to 27 April 1958,

Expressing their wish to resort, in all matters concerning them in respect of any dispute arising out of the interpretation or application of any article of any Convention on the Law of the Sea of 29 April 1958, to the compulsory jurisdiction of the International Court of Justice, unless some other form of settlement is provided in the Convention or has been agreed upon by the Parties within a reasonable period,

Have agreed as follows :

Article I

Disputes arising out of the interpretation or application of any Convention on the Law of the Sea shall lie within the compulsory jurisdiction of the International Court of Justice, and may accordingly be brought before the Court by an application made by any party to the dispute being a Party to this Protocol.

Article II

This undertaking relates to all the provisions of any Convention on the Law of the Sea except, in the Convention on Fishing and Conservation of the Living Resources of the High Seas, articles 4, 5, 6, 7 and 8, to which articles 9, 10, 11 and 12 of that Convention remain applicable.

¹ Came into force on 30 September 1962, the date of entry into force of the Convention on the High Seas (see p. 11 of this volume), between the following States parties to the said Convention which have signed the Protocol without reservation as to ratification or have deposited an instrument of ratification (r) thereof on the dates indicated :

Federation of Malaya	1 May	1961
Haiti	29 March	1960 (r)
Madagascar	10 August	1962
United Kingdom of Great Britain and Northern Ireland	9 September	1958

and on 27 January 1963 as between those States and Nepal for which the Convention on the High Seas came into force on that date and on behalf of which the Optional Protocol was signed without reservation as to ratification on 29 April 1958.

Furthermore, the instruments of ratification of the said Convention and Protocol by Portugal were deposited on 8 January 1963, to take effect on 7 February 1963.

Article III

The Parties may agree, within a period of two months after one party has notified its opinion to the other that a dispute exists, to resort not to the International Court of Justice but to an arbitral tribunal. After the expiry of the said period, either Party to this Protocol may bring the dispute before the Court by an application.

Article IV

1. Within the same period of two months, the Parties to this Protocol may agree to adopt a conciliation procedure before resorting to the International Court of Justice.

2. The conciliation commission shall make its recommendations within five months after its appointment. If its recommendations are not accepted by the parties to the dispute within two months after they have been delivered, either party may bring the dispute before the Court by an application.

Article V

This Protocol shall remain open for signature by all States who become Parties to any Convention on the Law of the Sea adopted by the United Nations Conference on the Law of the Sea and is subject to ratification, where necessary, according to the constitutional requirements of the signatory States.

Article VI

The Secretary-General of the United Nations shall inform all States who become Parties to any Convention on the Law of the Sea of signatures to this Protocol and of the deposit of instruments of ratification in accordance with article V.

Article VII

The original of this Protocol, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations, who shall send certified copies thereof to all States referred to in article V.

IN WITNESS WHEREOF the undersigned Plenipotentiaries, being duly authorized thereto by their respective Governments, have signed this Protocol.

DONE at Geneva, this twenty-ninth day of April one thousand nine hundred and fifty-eight.

FOR AFGHANISTAN:

POUR L'AFGHANISTAN:

阿富汗:

За Афганистан:

POR EL AFGANISTÁN:

FOR ALBANIA:

POUR L'ALBANIE:

阿爾巴尼亞:

За Албанию:

POR ALBANIA:

FOR ARGENTINA:

POUR L'ARGENTINE:

阿根廷:

За Аргентину:

POR LA ARGENTINA:

FOR AUSTRALIA:

POUR L'AUSTRALIE:

澳大利亞:

За Австралию:

POR AUSTRALIA:

D. O. HAY

14th May 1963

FOR AUSTRIA:

POUR L'AUTRICHE:

奧地利:

За Австрию:

POR AUSTRIA:

Subject to ratification¹

Dr. Franz MATSCH

Oct. 27th 1958

FOR THE KINGDOM OF BELGIUM:

POUR LE ROYAUME DE BELGIQUE:

比利時王國:

За Королевство Бельгии:

POR EL REINO DE BÉLGICA:

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FOR BOLIVIA:

POUR LA BOLIVIE:

玻利維亞:

За Боливию:

POR BOLIVIA:

M. TAMAYO

17th October, 1958

FOR BRAZIL:

POUR LE BRÉSIL:

巴西:

За Бразилию:

POR EL BRASIL:

¹ Sous réserve de ratification.