



UNITED NATIONS
GENERAL
ASSEMBLY



Distr.
GENERAL

A/AC.135/23
25 June 1968

ORIGINAL: ENGLISH

AD HOC COMMITTEE TO STUDY THE PEACEFUL
USES OF THE SEA-BED AND THE OCEAN
FLOOR BEYOND THE LIMITS OF NATIONAL
JURISDICTION

REGULATORY ASPECTS OF EXPLORATION AND EXPLOITATION INCLUDING RULES
RESPECTING OCEAN DATA STATIONS, DRILLING RIGS, PRODUCTION PLATFORMS
AND OTHER DEVICES

Note by the Inter-Governmental Maritime Consultative Organization

Rational shared use of ocean space is made possible through existing regulatory régimes covering a multitude of maritime situations. IMCO is a forum for common action which operates mainly through the formulation and implementation of multilateral conventions, both legal and technical in character, and through continuing consultation relating to them.

With regard to the better understanding of the marine environment and the employment of devices to investigate its nature and resources, IMCO and UNESCO, in 1962, collaborated in launching a study - for the use of the Intergovernmental Oceanographic Commission - of legal problems associated with the use of manned and unmanned ocean data stations. The planned study of the legal status of these devices also envisaged the regulation of their use in and on the seas. A document (IOC/INF-108, March 1967) containing material of interest in this regard has been made available to the Secretary-General of the United Nations by UNESCO. The IOC is continuing with its development of the law of the sea in this regard and IMCO will collaborate with it in formulating any international prescriptions or advice.

At the stage of projecting or developing engineering complexes to extract the mineral resources of the sea-bed and the ocean floor and the subsoil thereof, a variety of special types of craft is put to use, in addition to conventional ships. It is highly important to ensure the safety of these craft used for exploration and

exploitation, and, when they are manned, to ensure the safety of the persons manning them.

The special craft include drilling rigs, production platforms, dredges and other devices, including submersibles. Of drilling rigs alone, there were in operation some 280 throughout the world in 1966 and their number has since increased.

While some States have introduced safety requirements for drilling rigs, or are in the process of legislating for them, the known existing regulations do not cover all safety aspects and differ widely from each other. It will accordingly be necessary to develop, on an international basis, uniform and comprehensive requirements or recommendations which may cover all safety aspects of these devices. Such international solutions would also serve as guidelines for shaping national rules for special craft intended for operation primarily within the areas of national jurisdiction. These craft should be so constructed and equipped as to provide the necessary degree of safety, both when they are in operation and when in movement from one place to another.

IMCO is especially aware that consideration must be given to the hazard which special craft may present to conventional ships navigating in the area where the exploration or exploitation is taking place. The craft should be properly marked and equipped with the appropriate light and sound signals giving warning of their presence to conventional vessels and other craft. Such light signals as may be used should not be susceptible of confusion with other navigational or land-based lights.

It is important that conventional ships should be informed of the location of drilling platforms and similar installations or devices and of their movements. This information may be disseminated through "Notices to Mariners" or other publications of that character.

The following are among the particular subjects which should be covered by safety regulations for special craft designed and constructed for the exploration or exploitation of mineral resources of the sea-bed and ocean floor and the subsoil thereof:

- (i) constructional features (watertight integrity, strength, protection of crews, etc.)
- (ii) stability

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- (iii) subdivision
- (iv) fire protection and fire-fighting equipment
- (v) life-saving appliances
- (vi) means of communication, including radio-communication facilities
- (vii) light and sound signals
- (viii) marking, and
- (ix) constructional features and equipment for preventing spillage of oil and other polluting substances into the sea.

All of the foregoing questions are being dealt with by IMCO, and the last of them may warrant a few words of **amplification**.

The Working Group will be aware that IMCO is the depositary of the International Convention for the Prevention of Pollution of the Sea by Oil, 1954, as amended, which is implemented by nearly forty States. While this Convention is addressed to pollution originating from "ships" it will be evident that devices of exploration and exploitation will in large measure be cognate to ships, and that the use of such devices may give rise to accidents or misadventures such as blow-outs, causing pollution of the sea.

Both with respect to the amendment of the conventions for which IMCO is responsible and in its general consultative work on the prevention of pollution, the possible consequences of undersea drilling and mineral extraction must be taken into account. The prevention of destructive consequences of pollution is, of course, of the utmost importance. When pollution occurs or is threatened, however, in areas beyond national jurisdiction where the consequences for States and other interests may be grave, it is important also to provide internationally acceptable means by which protective measures may be implemented by the States affected. It is equally of interest to the international community to make provision for the liabilities to which destructive consequences give rise: what their nature will be and by whom they will be borne. The Legal Committee of IMCO is presently considering the drafts of two prospective conventions with regard to these two areas of legal concern. Their provisions would be the natural complement of the measures being developed by the organization for more effective prevention of the spillage of oil and other pollutants into the sea.

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With regard to the disposal of radio-active wastes from ships into the sea, IMCO continues to follow the work of the IAEA in the complex task of evolving an eventual system of feasible international standards. Pursuant to a resolution of the fourteenth session of the IMCO Assembly (A.85 (IV)), the organization is similarly keeping in touch with other international agencies, particularly with the FAO and UNESCO/IOC with respect to the investigation, prevention and control of pollution of the sea by other substances, particularly when they are discharged from ships.
