

UNITED NATIONS
GENERAL
ASSEMBLY



Distr.
GENERAL

A/AC.135/36
28 August 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

Working paper on the draft Declaration of General Principles proposed by Argentina, Brazil, Ceylon, Chile, Ecuador, El Salvador, India, Kenya, Liberia, Libya, Pakistan, Peru, Thailand, United Arab Republic and United Republic of Tanzania concerning the item "Examination of the question of the reservation exclusively for peaceful purposes of the sea-bed and the ocean floor, and the subsoil thereof, underlying the high seas beyond the limits of present national jurisdiction, and the use of their resources in the interests of mankind"

The General Assembly,

Recalling its resolution 2340 (XXII) of 18 December 1967, on the "Examination of the question of the reservation exclusively for peaceful purposes of the sea-bed and ocean floor, and the subsoil thereof, underlying the high seas, beyond the limits of present national jurisdiction, and the use of their resources in the interests of mankind",

Bearing in mind the perspectives that technological advances have opened up with regard to the sea-bed and ocean floor, and the subsoil thereof, as referred to in the title of the item, an area which constitutes the major portion of the earth surface,

Considering that the exploration, use and exploitation of the resources of this area, and the subsoil thereof are a matter of common interest to all mankind,

Convinced that the exploration, use and exploitation of the sea-bed and ocean floor, and the subsoil thereof, as referred to in

the title of the item, should be carried on for the benefit of all States, whether coastal or land-locked, and specially for the benefit of the developing countries, taking into account the interests of the coastal States in the protection, conservation and exploitation of the resources that lie within their jurisdiction,

Recognizing that the reservation of this area exclusively for peaceful purposes will serve the principles and purposes of the Charter of the United Nations and thereby the cause of mankind,

Believing also that the use of the sea-bed and ocean floor should contribute to strengthen co-operation and assistance among States,

Firmly convinced that the exploration, use and exploitation of the sea-bed and ocean floor, and the subsoil thereof, as referred to in the title of the item, should conform to the purposes and principles of the Charter of the United Nations so as to safeguard international peace and security, ensure the territorial integrity of States and promote international co-operation,

Considering further that the United Nations has the responsibility for the promotion of the common interest of mankind in the exploration, use and exploitation of the sea-bed and ocean floor, and the subsoil thereof, as referred to in the title of the item,

Recognizing the need for promoting scientific investigation on the peaceful utilization of the sea-bed and the ocean floor, and the subsoil thereof, as referred to in the title of the item, and the importance of furthering international co-operation in such investigation,

Mindful of the necessity of establishing general principles to guide all activities in the exploration, use and exploitation of the sea-bed and ocean floor, and the subsoil thereof, as referred to in the title of the item,

Declares the following general principles:

1. The sea-bed and ocean floor, and the subsoil thereof, as referred to in the title of the item, are the common heritage of mankind and no State may claim or exercise sovereignty over any part of the area mentioned in resolution 2340 (XXII);

2. The exploration, use and exploitation of the sea-bed and ocean floor, and the subsoil thereof, as referred to in the title of the item, shall be carried on exclusively for peaceful purposes;

3. The exploration, use and exploitation of this area, and the subsoil thereof, as referred to in the title of the item, shall be carried out for the benefit and in the interest of mankind;

4. The exploration and use of the sea-bed and ocean floor, and the subsoil thereof, as referred to in the title of the item, and the exploitation of their resources shall be carried on in accordance with the principles and purposes of the Charter of the United Nations and an international regime to be established with the purpose of contributing to the maintenance of international peace and security, the respect for the territorial integrity of States and the interests of the coastal States, and the promotion of economic development, particularly that of the developing countries, whether coastal or land-locked;

5. The international regime to be established shall also consider the way for the most appropriate and equitable application of benefits obtained from the exploration, use and exploitation of the sea-bed and ocean floor and the subsoil thereof, as referred to in the title of the item, through a suitable international machinery, for the economic, social, scientific and technological progress of the developing countries;

6. All activities in the sea-bed and ocean floor and the subsoil thereof, as referred to in the title of the item, shall conform to the following guidelines, aimed at protecting the rightful interests of other States:

(a) no impediment shall be created to navigation and fishing nor shall there be undue interference with the laying and the maintenance of submarine cables and pipelines;

(b) coastal States closest to the area in which any activities occur shall be consulted lest their rightful interest be harmed;

(c) any such activity must take into account the economic interests of the developing countries so as not to be detrimental,

in particular, to the activities undertaken within the national jurisdictions of those countries;

(d) appropriate safety measures shall be adopted in all activities of exploration, use and exploitation of the area and international co-operation for assistance in case of mishap shall be facilitated;

(e) pollution of the waters of the marine environment, specially radioactive contamination, shall be avoided by means of international co-operation;

(f) no damage shall be caused to animal and plant life in the marine environment;

(g) damages caused by any such activities entail liability.

7. The sea-bed and ocean floor, and the subsoil thereof, as referred to in the title of the item, shall be open to scientific investigation, without discrimination, and States shall foster international co-operation in this investigation so as to enable all States to have access to it, disseminate its results and provide technical assistance to the developing countries;

8. The United Nations in co-operation with the specialized agencies and the IAEA shall take adequate measures to ensure the observance of these general principles and guidelines and the implementation of the objectives set forth in this declaration with the aim of promoting international co-operation in this field.
