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COMMITTEE ON THE PEACEFUL USES OF THE  
SEA-BED AND THE OCEAN FLOOR BEYOND  
THE LIMITS OF NATIONAL JURISDICTION

Malta: list of subjects and issues relating to the law of the sea  
to be submitted to the Conference on the Law of the Sea

Explanatory note

It is considered that the attached list of subject headings, each grouping a number of subjects and issues relating to the law of the sea, fulfils for all practical purposes the aims of resolution 2750 (C) (XXV). This list is comprehensive and does not prejudice the position of any State or commit any State with regard to any particular subject or issue which may be considered.

The list is designed (a) to serve as a useful framework for discussion and for the drafting of articles, (b) to suggest a rational order of priority for the consideration of groups of interconnected subjects and issues and (c) to facilitate, should it be so desired, a reallocation of subjects and issues to the three sub-committees of the Committee on the Peaceful Uses of the Sea-bed and the Ocean Floor beyond the Limits of National Jurisdiction, taking into account the text of the agreement on the organization of work read out by the Chairman of the Committee on 12 March 1971.

While a reallocation of subjects and issues may not be essential, it is believed that it would be useful were subjects and issues reallocated as follows:

Sub-Committee I: subjects and issues under heading 4;

Sub-Committee II: subjects and issues under headings 1, 2 and 3;

Sub-Committee III: subjects and issues under heading 5.

Heading 6 would be considered in plenary at the appropriate time.

Were the suggested reallocation of duties between the sub-committees to take place, major questions of priority would arise only with regard to the work

of Sub-Committee II. These could be resolved by commencing the examination of the subjects and issues under heading 1 in sub-committee while debate on the subjects and issues under headings 2 and 3 could take place simultaneously in plenary to prepare these matters for sub-committee consideration when consideration of questions under heading 1 is completed.

List of subject headings grouping subjects and issues  
relating to the law of the sea

1. Definitions and general principles relating to the  
law of the sea

Under this heading would be considered all articles contained in the 1958 Geneva Conventions on the Law of the Sea and all subjects, items and issues contained in the draft conventions, draft treaty articles, working papers and draft lists of subjects and issues (including particularly the list of subjects and issues contained in document A/AC.138/66 and the amendments thereto) submitted to the Committee which concern the definition of general concepts and the formulation of general principles relating to the law of the sea, to the marine environment as a whole, its preservation, its uses, and the rights and responsibilities of States therein.

2. Coastal State jurisdiction

Under this heading would be considered all articles contained in the 1958 Geneva Conventions on the Law of the Sea and all subjects, items and issues contained in the draft conventions, draft treaty articles, working papers, and draft lists of subjects and issues (including particularly the list of subjects and issues contained in document A/AC.138/66 and the amendments thereto) submitted to the Committee which concern the limits, extent and manner of delimitation of coastal State jurisdiction for some or for all purposes in the marine environment.

3. Marine environment under national jurisdiction

Under this heading would be considered all articles contained in the 1958 Geneva Conventions on the Law of the Sea and all subjects, items and issues contained in the draft conventions, draft treaty articles, working papers and draft lists of subjects and issues (including particularly the list of subjects and issues contained in document A/AC.138/66 and the amendments thereto) submitted to the Committee which concern the nature, characteristics and scope of the rights and responsibilities of States with regard to the exploitation of living and non-living resources, navigation and other uses of the sea in those portions of the marine environment under their jurisdiction; and regional arrangement.

4. Marine environment beyond national jurisdiction

Under this heading would be considered all articles contained in the 1958 Geneva Conventions on the Law of the Sea not involving general principles, and all subjects, items and issues contained in the draft conventions, draft treaty articles, working papers and draft lists of subjects (including particularly the list of subjects and issues contained in document A/AC.138/66 and the amendments thereto) submitted to the Committee which concern basic principles; the rights and duties of States, institutional arrangements (or machinery) for the sea-bed and its resources and/or for other uses or portions of the marine environment beyond national jurisdiction, including economic implications of resource exploitation and equitable distribution of benefits; the needs and problems of land-locked countries; and arrangements for the settlement of disputes.

5. International co-operation in scientific research and in the promotion and transfer of technology

Under this heading would be considered all subjects, items and issues contained in the draft conventions, draft treaty articles, working papers and draft lists of subjects and issues (including particularly the list of subjects and issues contained in document A/AC.138/66) submitted to the Committee which concern international co-operation in scientific research and in the development of technology and its transfer to technologically less developed countries; the preservation of the marine environment (including, inter alia, the prevention of pollution).

6. Relationship of the draft articles prepared to, and their effects upon, the 1958 Conventions on the Law of the Sea