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

PROPOSALS IN REGARD TO THE ORGANIZATION OF THE COMMITTEE'S WORK
PRESENTED TO THE COMMITTEE BY THE CHAIRMAN AT THE 90TH MEETING
HELD ON 5 MARCH 1973

Addendum

The present annex sets out the Chairman's proposals with respect to each
Sub-Committee.

SUB-COMMITTEE I

1. International régime for the sea-bed and ocean floor beyond national jurisdiction
 - 1.1 Nature and characteristics
 - 1.2 International machinery: structure, functions, powers
 - 1.3 Economic implications
 - 1.4 Equitable sharing of benefits bearing in mind the special interests and needs of the developing countries, whether coastal or land-locked
 - 1.5 Definition and limits of the area (to be dealt with in accordance with the agreement of 27 August 1971 - see paragraph 12 of document A/AC.138/L.13)
 - 1.6 Use exclusively for peaceful purposes (as 1.5)

5. Continental shelf

5.4 Natural resources of the continental shelf (the responsibility of Sub-Committee I so far as international jurisdiction is involved, and the responsibility of Sub-Committee II so far as national jurisdiction is involved)

5.5 Régime for waters superjacent to the continental shelf (the responsibility of Sub-Committee I so far as international jurisdiction is involved, and the responsibility of Sub-Committee II so far as national jurisdiction is involved)

6. Exclusive economic zone beyond the territorial sea

6.7 Sea-bed within national jurisdiction (primary responsibility of Sub-Committee II, but Sub-Committee I might need to consider it in relation to "Sea-bed beyond national jurisdiction").

7. Coastal State preferential rights or other non-exclusive jurisdiction over resources beyond the territorial sea

7.2 Sea-bed resources (primary responsibility of Sub-Committee II, but Sub-Committee I might need to consider it in relation to "Sea-bed beyond national jurisdiction")

9. Land-locked countries

9.2.3 Free access to the international sea-bed area beyond national jurisdiction

9.2.4 Participation in the international régime, including the machinery and the equitable sharing in the benefits of the area

9.3 Particular interests and needs of developing land-locked countries in the international régime

10. Rights and interests of shelf-locked States and States with narrow shelves or short coastlines

10.1 International régime

14. Development and transfer of technology

(This item and related subitems are assigned to Sub-Committee III. Sub-Committees I and II would also have to consider the subitems so far as they are relevant to their respective mandates)

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15. Regional arrangements

(Dealt with by all Sub-Committees, so far as it is relevant to their respective mandates)

16. Archipelagos

(Assigned to Sub-Committee II; Sub-Committees I and III would be entitled to consider the question where it relates to any aspect of their respective mandates)

17. Enclosed and semi-enclosed seas (as 16)18. Artificial islands and installations (as 16)19. Régime of islands:

(a) Islands under colonial dependence or foreign domination or control;
(as 16)

(b) Other related matters. (as 16)

20. Responsibility and liability for damage resulting from the use of the marine environment (as 15)21. Settlement of disputes (as 15)22. Peaceful uses of the ocean space; zones of peace and security (to be dealt with in accordance with the agreement of 27 August 1971 - see paragraph 12 of document A/AC.138/L.13)23. Archaeological and historical treasures on the sea-bed and ocean floor beyond the limits of national jurisdiction

SUB-COMMITTEE II

The items and subitems are grouped in categories, as set out in the Chairman's proposals.

Category I2. Territorial sea

2.1 Nature and characteristics, including the question of the unity or plurality of régimes in the territorial sea

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2.2 Historic waters

2.3 Limits

2.3.1 Question of the delimitation of the territorial sea; various aspects involved

2.3.2 Breadth of the territorial sea. Global or regional criteria. Open seas and oceans, semi-enclosed seas and enclosed seas

2.4 Innocent passage in the territorial sea

2.5 Freedom of navigation and overflight resulting from the question of plurality of régimes in the territorial sea

3. Contiguous zone

3.1 Nature and characteristics

3.2 Limits

3.3 Rights of coastal States with regard to national security, customs and fiscal control, sanitation and immigration regulations

4. Straits used for international navigation

4.1 Innocent passage

4.2 Other related matters including the question of the right of transit

16. Archipelagos

(Assigned to Sub-Committee II; Sub-Committees I and III would also be entitled to consider the question where it relates to any aspect of their respective mandates)

17. Enclosed and semi-enclosed seas (as 16)

Category II

6. Exclusive economic zone beyond the territorial sea

6.1 Nature and characteristics, including rights and jurisdiction of coastal States in relation to resources, pollution control and scientific research in the zone. Duties of States (subject to questions of pollution control and scientific research in the zone and duties of States relating thereto being assigned to Sub-Committee III).

/...

- 6.2 Resources of the zone
- 6.3 Freedom navigation and overflight
- 6.4 Regional arrangements
- 6.5 Limits: applicable criteria
- 6.6 Fisheries
 - 6.6.1 Exclusive fishery zone
 - 6.6.2 Preferential rights of coastal States
 - 6.6.3 Management and conservation
 - 6.6.4 Protection of coastal State's fisheries in enclosed and semi-enclosed seas
 - 6.6.5 Régime of islands under foreign domination and control in relation to zones of exclusive fishing jurisdiction
- 6.7 Sea-bed within national jurisdiction (primary responsibility of Sub-Committee II, but Sub-Committee I might need to consider it in relation to "Sea-bed beyond national jurisdiction")
 - 6.7.1 Nature and characteristics
 - 6.7.2 Delineation between adjacent and opposite States
 - 6.7.3 Sovereign rights over natural resources
 - 6.7.4 Limits: applicable criteria (to be dealt with in accordance with the agreement of 27 August 1971 - see paragraph 12 of document A/AC.138/L.13)

7. Coastal State preferential rights or other non-exclusive jurisdiction over resources beyond the territorial sea

- 7.1 Nature, scope and characteristics
- 7.2 Sea-bed resources (primary responsibility of Sub-Committee II, but Sub-Committee I might need to consider it in relation to "Sea-bed beyond national jurisdiction")
- 7.3 Fisheries
- 7.4 Prevention and control of pollution and other hazards to the marine environment

/...

7.5 International co-operation in the study and rational exploitation of marine resources

7.6 Settlement of disputes

(Assigned to main Committee, but Sub-Committee II might deal with arrangements for the settlement of disputes so far as questions coming within its purview are concerned)

9. Land-locked countries

9.1 General principles of the law of the sea concerning the land-locked countries

9.2 Rights and interests of land-locked countries

9.2.1 Free access to and from the sea: freedom of transit, means and facilities for transport and communications

9.2.2 Equality of treatment in the ports of transit States

9.4 Rights and interests of land-locked countries in regard to living resources of the sea

10. Rights and interests of shelf-locked States and States with narrow shelves or short coastlines

10.2 Fisheries

10.3 Special interests and needs of developing shelf-locked States and States with narrow shelves or short coastlines

10.4 Free access to and from the high seas

11. Rights and interests of States with broad shelves

19. Régimes of islands:

(a) Islands under colonial dependence or foreign domination or control; (as 16)

(b) Other related matters. (as 16)

Category III

5. Continental shelf

5.1 Nature and scope of the sovereign rights of coastal States over the continental shelf. Duties of States

/...

- 5.2 Outer limit of the continental shelf: applicable criteria
- 5.3 Question of the delimitation between States; various aspects involved
- 5.4 Natural resources of the continental shelf (the responsibility of Sub-Committee II so far as national jurisdiction is involved and the responsibility of Sub-Committee I so far as international jurisdiction is involved)
- 5.5 Régime for waters superjacent to the continental shelf (as 5.4)

Category IV

8. High seas

- 8.1 Nature and characteristics
- 8.2 Rights and duties of States
- 8.3 Question of the freedoms of the high seas and their regulation
- 8.4 Management and conservation of living resources
- 8.5 Slavery, piracy and drugs
- 8.6 Hot pursuit

24. Transmission from the high seas

Category V

18. Artificial islands and installations (as 16)

19. Régime of islands

- (a) Islands under colonial dependence or foreign domination or control;
(as 16)
- (b) Other related matters. (as 16)

/unless either of the two items 18 and 19 could be more appropriately considered in any of the other categories/

/...

Remaining items

14. Development and transfer of technology

(This item and related subitems are assigned to Sub-Committee III. Sub-Committees I and II would also have to consider the subitems so far as they are relevant to their respective mandates)

15. Regional arrangements

(Dealt with by all Sub-Committees, so far as it is relevant to their respective mandates)

20. Responsibility and liability for damage resulting from the use of the marine environment (as 15)

21. Settlement of disputes (as 15)

SUB-COMMITTEE III

5. Continental shelf

5.6 Scientific research

6. Exclusive economic zone beyond the territorial sea

6.1 Nature and characteristics, including rights and jurisdiction of coastal States in relation to resources, pollution control, and scientific research in the zone. Duties of States (only as regards questions of pollution control and scientific research in the zone and duties of States relating thereto. The subitem would otherwise be dealt with by Sub-Committee II).

6.8 Prevention and control of pollution and other hazards to the marine environment

6.8.1 Rights and responsibilities of coastal States

6.9 Scientific research

12. Preservation of the marine environment

12.1 Sources of pollution and other hazards and measures to combat them

12.2 Measures to preserve the ecological balance of the marine environment

/...

12.3 Responsibility and liability for damage to the marine environment and to the coastal State

12.4 Rights and duties of coastal States

12.5 International co-operation

13. Scientific research

13.1 Nature, characteristics and objectives of scientific research of the oceans

13.2 Access to scientific information

13.3 International co-operation

14. Development and transfer of technology

14.1 Development of technological capabilities of developing countries

14.1.1 Sharing of knowledge and technology between developed and developing countries

14.1.2 Training of personnel from developing countries

14.1.3 Transfer of technology to developing countries
(Sub-Committees I and II would also need to consider the subitems under 14, so far as they are relevant to their respective mandates)

15. Regional arrangements

(Dealt with by all Sub-Committees, so far as it is relevant to their respective mandates)

16. Archipelagos

(Assigned to Sub-Committee II; Sub-Committees I and III would be entitled to consider the question where it relates to any aspect of their respective mandates)

17. Enclosed and semi-enclosed seas (as 16)

18. Artificial islands and installations (as 16)

19. Régime of islands: (a) and (b) (as 16)

/...

20. Responsibility and liability for damage resulting from the use of the marine environment (as 15)
21. Settlement of disputes (as 15)
22. Peaceful uses of the ocean space; zones of peace and security
(to be dealt with in accordance with the agreement of 27 August 1971 - paragraph 12 of document A/AC.138/L.13).
