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

PRINCIPLES GOVERNING THE ACTIVITIES OF STATES WITH RESPECT TO
THE SEA-BED AND THE OCEAN FLOOR, AND THE SUBSOIL THEREOF,
UNDERLYING THE HIGH SEAS BEYOND THE LIMITS OF NATIONAL
JURISDICTION

Brazil, Cameroon, Ceylon, Chile, India, Kenya, Kuwait, Libya,
Madagascar, Sierra Leone, Sudan, Tanzania, Thailand, Trinidad
and Tobago, and Yugoslavia: draft resolution

The General Assembly,

Recalling its resolutions 2340 (XXII) of 18 December 1967, 2467 (XXIII) of
21 December 1968 and 2574 (XXIV) of 15 December 1970 concerning the area to which
the title of the items refers,

Reaffirming the objectives set forth in those resolutions,

Reaffirming that there is an area of the sea-bed and the ocean floor, and the
subsoil thereof, that lies beyond the limits of national jurisdiction,

Recognizing that it is in the interests of mankind as a whole that the sea-bed
and the ocean floor, and the subsoil thereof, beyond the limits of national
jurisdiction be reserved exclusively for peaceful purposes,

Convinced of the need for international co-operation in the exploration,
conservation, use and exploitation of that area and its resources for the benefit
of mankind as a whole, irrespective of the geographical location of States, taking
into special consideration the interests and needs of the developing countries,
whether land-locked or coastal,

Believing it essential to that end to establish within the United Nations system, international machinery with jurisdiction over the area and its resources and having responsibility for regulating, co-ordinating, supervising and controlling activities with respect thereto,

Recognizing that it is in the common interest of all nations that the exploration, conservation, use and exploitation of that area and its resources should be conducted in such a manner as to avoid infringement of the other legitimate interests and established rights of nations with respect to the uses of the sea,

Taking into account that the existing legal régime for the high seas is not applicable to the sea-bed and the ocean floor, and the sub-soil thereof, beyond the limits of national jurisdiction,

Mindful of the threat to the marine environment caused by pollution and other hazardous and harmful effects which might result from such activities,

Desiring to promote effective national and international measures for prevention and control of such pollution and to allay the serious damage which might be caused to the marine environment, and, in particular, the living marine resources which constitute one of mankind's most valuable food resources,

Seeking to enrich the knowledge of all mankind by encouraging a free flow and dissemination of information on the oceans to all States,

I

Solemnly declares that the sea-bed and the ocean floor, and the subsoil thereof, beyond the limits of national jurisdiction including the resources of that area (all hereinafter collectively referred to as the "international zone") are the common heritage patrimony of mankind. Accordingly, the principles hereinafter set forth shall apply with respect to the international zone;

1. The international zone shall not be subject to appropriation by any means by States or by persons, natural or juridical, nor shall any State claim or exercise sovereignty or sovereign rights over any part of it. Except as may be permitted pursuant to the régime to be established for the international zone, no State or person, natural or juridical, may claim or exercise any right with respect to the resources of that zone;

2. The international zone shall be reserved exclusively for peaceful purposes. All military uses of the international zone and all military activities within it shall be prohibited. One or more international agreements shall be concluded as soon as possible in implementation of this principle;

3. Exploration, conservation, use and exploitation of the resources of the international zone shall be carried out in accordance with the provisions of the régime to be established which shall take into account the applicable rules of international law, including the relevant provisions of the Charter of the United Nations;

4. All activities with respect to the international zone, including the exploration, conservation, use and exploitation thereof, shall be carried out for the benefit of mankind as a whole, irrespective of the geographical location of States, taking into special consideration the interests and needs of the developing countries, whether land-locked or coastal;

5. The régime to be established shall provide for the orderly development and rational management of the resources of the international zone and for equitable sharing in the proceeds and other benefits derived therefrom, taking into account the paramount need to accelerate thereby the economic growth of the developing countries;

6. As part of the aforesaid régime, there shall be established, within the United Nations system, international machinery with jurisdiction over the international zone and having responsibility for regulating, co-ordinating supervising and controlling exploitation, conservation, use and exploitation of that zone;

7. The exploration, conservation, use and exploitation of the resources of the international zone shall be undertaken in such a manner as to foster healthy development of the world economy and balanced growth of international trade. In particular, measures shall be taken to minimize any fluctuation of prices of raw materials that may result from those activities;

8. The international zone shall be open to scientific research exclusively for peaceful purposes by or on behalf of all States undertaking to promote international co-operation in such research

(a) through timely prior publication of research programmes and making available to all, without delay or discrimination, the results thereof; and

(b) by collaboration in measures to strengthen the research capabilities of developing countries, including participation of nationals of other States in such research programmes;

provided, however, that no such activity shall form the basis for any claim with respect to any part of the international zone;

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9. Nothing herein shall affect the legal status of the waters superjacent to the international zone as high seas or that of the air space above those waters;

10. In regard to any activity with respect to the international zone, States shall pay due regard to the rights and interests of all other States, in particular those of any coastal State adjacent to the area of that activity. Close and continuing consultations shall be maintained with the coastal State concerned with a view to avoiding any infringement of such rights and interests;

11. States shall also:

(a) Adopt and ensure the application of appropriate measures, including internationally acceptable standards and procedures, for

- (i) prevention of pollution of, and other hazards to, the marine environment;
- (ii) the safety of life and property;
- (iii) application of sound operational practices;
- (iv) protection and conservation of the living resources of the seas;
- (v) collaboration in case of accident, distress or danger; and

(b) Ensure that the laying or maintenance of submarine cables or pipelines on the sea-bed is not impeded;

12. A State shall bear responsibility for any activity with respect to the sea-bed whether carried on by governmental agencies or non-governmental entities, and for assuring that any such activity is carried on in conformity with the international régime to be established;

II

Requests the Committee on the Peaceful Uses of the Sea-bed and the Ocean Floor beyond the Limits of National Jurisdiction to make recommendations to the General Assembly at its twenty-sixth session concerning the establishment as early as practicable, by means of an international agreement, of the régime contemplated for the international zone, including the international machinery as specified in paragraph 6 of the foregoing Declaration;

III

Invites the specialized agencies, the International Atomic Energy Agency and other intergovernmental bodies including the Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific and Cultural Organization to co-operate fully with the Committee with a view to ensuring the observance of the principles set forth in the foregoing Declaration.