

UNITED NATIONS

GENERAL
ASSEMBLY



Distr.
LIMITED

A/AC.138/SC.III/L.18
25 July 1972

Original: ENGLISH

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

Sub-Committee III

Working Paper submitted by the
Canadian Delegation

PRINCIPLES

ON

MARINE SCIENTIFIC RESEARCH

For the Third Law of the Sea Conference

PREAMBLE

1. All mankind has an interest in the facilitation of marine scientific research and the publication of its results.
2. Marine scientific research is any study, whether fundamental or applied, intended to increase knowledge about the marine environment, including all its resources and living organisms, and embraces all related scientific activity.
3. The objectives of marine scientific research include achievement of a level of understanding which allows accurate assessment and prediction of oceanic processes and provide the basis for the development of a management policy which will ensure that the quality and resources of the marine environment are not impaired, and for the rational use of this environment, in the service of human welfare, international equity and economic progress and, in the interest of peace and international co-operation among States.

PRINCIPLES

1. Knowledge resulting from marine scientific research is part of the common heritage of all mankind, and such knowledge and information of a non-proprietary or non-military nature should be exchanged and made available to the whole world.

2. Marine scientific research constitutes a legitimate activity within the marine environment. Every State, whether coastal or not, and every competent international organization has the right to conduct or authorize the conduct of scientific research in the marine environment, in accordance with the rules and recognized principles of international law and subject to the provisions of the present principles.
3. Marine scientific research as such shall not form the legal basis for any claims of exploitation rights or any other rights in areas beyond the limits of national jurisdiction.
4. Marine scientific research shall be conducted in a reasonable manner, and shall not result in any unjustifiable interference with other uses of the marine environment; nor shall other uses of the marine environment result in any unjustifiable interference with marine scientific research.
5. Marine scientific research shall not entail excessive collection of specimens and samples, nor cause pollution or undue disturbance of the marine environment.
6. The availability to every State of information and knowledge resulting from marine scientific research shall be facilitated by effective international communication of proposed major programmes and their objectives, and by publication and dissemination through international channels of their results.
7. States shall take steps to further the development and growth of marine scientific research and to obviate interference with its progress, and shall co-operate in the elaboration of international rules to facilitate such research. States shall promote arrangements and agreements to advance marine scientific research and the exchange of data and information on a regional, as well as on a global basis, in co-operation with other States and with international organizations, whether governmental or non-governmental.
8. States shall, both individually and in co-operation with other States and with competent international organizations, promote the flow of scientific data and information and the transfer of experience resulting from marine scientific research to developing countries and the strengthening of the marine research capabilities of these countries to a level corresponding to their needs and resources, including programmes to provide adequate training of the technical and scientific personnel of these countries.
9. Marine scientific research in areas within the jurisdiction of a coastal State shall only be conducted with the consent of the coastal State. If such consent is granted, the coastal State shall have the right to participate or to be represented in such marine scientific research and shall have the right of utilizing samples, the right of access to data, and results, and the right to require that the results be published.

10. The coastal State prior to determining whether it will grant consent to marine scientific research in areas within its jurisdiction, may require information such as the period, location, nature and purpose of the proposed investigations, the observations to be made, the proposed disposition of all material collected, the means to be employed and, where applicable, the name of the ship with its full description, including tonnage, type and class, the name of the agency sponsoring the investigations, and the names of the Master of the vessel, the proposed scientific leaders and members of the scientific party and particulars of any proposed entry into a coastal State port. The coastal State shall be kept informed of any changes in the above information.
11. The coastal State shall reply promptly to a request accompanied by information required by it in accordance with the provisions of Principle 10. The coastal State shall facilitate the conduct of marine scientific research to which it has consented by extending necessary facilities to ships and scientists while they are operating in areas within its jurisdiction wherever possible.
12. Marine scientific research shall comply with all the coastal State's laws and regulations when carried out in areas within the jurisdiction of the coastal State, including the resource management regulations and directions in areas where the coastal State has authority over resources appertaining to its continental shelf, the environmental protection regulations in areas where the coastal State has a primary responsibility for environmental protection, the management regulations in areas under fishery management, where in addition all information resulting from such research shall be made available to the authority managing such area, and the regulations and directions necessary to protect the security of the coastal State.
13. Marine scientific research concerning the sea-bed and ocean floor, and the subsoil thereof, beyond the limits of national jurisdiction shall comply with any regulations developed by a competent international organization to minimize disturbance and prevent pollution of the marine environment and interference with exploration and exploitation activity.
14. States shall devise means to enable responsibility to be fixed with States or international organizations that have caused damage in the course of marine scientific research or where such damage has been caused by the activities of persons under their jurisdiction, to the marine environment or to any other State or to its nationals.