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

SUB-COMMITTEE III

DRAFT REPORT OF THE SUB-COMMITTEE  
ON ITS WORK IN 1972

INTRODUCTION

1. Sub-Committee III of the Committee on the Peaceful Uses of the Sea-bed and the Ocean Floor beyond the Limits of National Jurisdiction continued in 1972 the work which the Committee entrusted to it under the terms of the agreement reached on the organization of work, of 12 March 1971, which allocated to Sub-Committee III the following subjects and functions:

"to deal with the preservation of the marine environment (including inter alia the prevention of pollution) and scientific research and to prepare draft treaty articles thereon."

2. During 1972, Sub-Committee III held two sessions. The first took place in New York from 28 February to 31 March and consisted of five meetings (15th through 19th). The second session was held in Geneva from 17 July to 18 August 1972 during which the Sub-Committee held meetings (20th through ).

3. Being a sub-committee of the whole, Sub-Committee III was composed of the States members of the Committee. Accordingly, the five States (China, Fiji, Finland, Nicaragua and Zambia) which joined the Committee pursuant to General Assembly resolution 2381 (XXVI) of 21 December 1971 also participated in the work of the Sub-Committee. The States Members of the United Nations which accepted the invitation to participate as observers<sup>1/</sup> in the Committee's proceedings also attended the meetings. The FAO, IAEA, IMCO, UNESCO and its International Oceanographic Commission, WMO, WHO and UNCTAD were also represented.

<sup>1/</sup> Barbados, Bhutan, Burma, Cuba, Dominican Republic, Haiti, Honduras, Ireland, Israel, Jordan, Khmer Republic, Malawi, Mongolia, Oman, People's Democratic Republic of Yemen, Portugal, Saudi Arabia, South Africa, Syria.

4. As in 1971 the Bureau of Sub-Committee III was composed as follows:

<u>Chairman:</u>	Mr. M. Alfred VAN DER ESSEN (Belgium)
<u>Vice-Chairmen:</u>	Mr. Mebratu Gebre KIDAN (Ethiopia) Mr. Augusto ESPINOSA VALDERRAMA (Colombia)
<u>Rapporteur:</u>	Mr. Takeo IGUCHI (Japan)

5. Part of the March session was devoted to the consideration of the programme of work on the basis of a proposal by Canada, which as revised and amended in the course of the Sub-Committee's work was finally adopted as document A/AC.138/SC.III/L.14 at the 19th meeting on 29 March 1972. The Programme of work, which is annexed to this report (Annex I), contains five main headings as follows:

- A. Preservation of the marine environment (including the sea-bed)
- B. Elimination and prevention of pollution of the marine environment (including the sea-bed)
- C. Scientific research concerning the marine environment (including the sea-bed)
- D. Development and transfer of technology
- E. Other matters

The programme makes provision for general debate as well as for the formulation of legal principles and draft treaty articles. It also envisages co-ordination with related efforts in other forms within which Sub-Committee III would be enabled to ensure appropriate support on pertinent matters from the FAO, the Stockholm Conference on the Human Environment, IMCO, IOC, as well as with other Specialized Agencies or intergovernmental bodies or conferences which are also concerned with matters within the purview of this Sub-Committee. Also it was understood that the programme was subject to change and the order of the items in the programme did not establish the order of priority for consideration in the Sub-Committee.

6. As part of the process of co-ordination and communication, the Sub-Committee agreed to a suggestion by Australia that the Chairman should communicate the results of discussions at the March session to the Stockholm Conference on the Human Environment. Accordingly, the Chairman, Mr. van der Essen, addressed a letter, outlining the discussions in Sub-Committee III as reflected in the summary records, to the Chairman of the Committee, Mr. H.S. Amerasinghe, who in turn transmitted it together with the summary record of the March session which contained a number of valuable suggestions on principles to be adopted at Stockholm to the Conference with the Committee's consent.

7. As part of the close co-operation called for in General Assembly resolution 2750 (C) (XXV), Sub-Committee III heard reports or received information concerning the relevant work of the following bodies and conferences: the second session of the Intergovernmental Working Group on Marine Pollution held in Ottawa and the United Nations Conference on the Human Environment, IMCO, IOC and the Preparatory Conference of Government Experts to formulate a Draft Convention on Legal Status of Ocean Data Acquisition Systems (ODAS) held under UNESCO-IOC auspices, FAO and the FAO Technical Conference on Marine Pollution and its Effect on Living Resources and Fishing (Rome, December 1970), and the Oslo Regional Conference on Ocean Dumping which adopted the Oslo Convention for the Prevention of Marine Pollution by Dumping from Ships and Aircraft, signed at Oslo on 15 February 1972. Documents presented to the Sub-Committee during 1972 are as follows:

Convention for the Prevention of Marine Pollution by Dumping from Ships and Aircraft. Signed at Oslo, Norway, on 15 February 1972.  
(A/AC.138/SC.III/L.9)

Report on the Preparatory Work for the International Conference on Marine Pollution to be convened by IMCO in 1973.  
(A/AC.138/SC.III/L.15)

Report by the Representative of the Department of Economic and Social Affairs at the 20th meeting of Sub-Committee III held on 20 July 1972 on actions taken at the United Nations Conference on the Human Environment regarding marine pollution and the preservation of the marine environment.  
(A/AC.138/SC.III/L.16)

Decisions of the United Nations Conference on the Human Environment (5-16 June 1972) relating to the preservation of the marine environment and marine pollution.  
(A/AC.138/SC.III/L.17)

Working Paper submitted by the Canadian Delegation: Principles on Marine Scientific Research.  
(A/AC.138/SC.III/L.18)

Union of Soviet Socialist Republics: draft resolution on measures for preventing the pollution of the marine environment.  
(A/AC.138/SC.III/L.19)

Peru: Proposed amendments to the definition of marine pollution and the general principles for assessment and control of marine pollution which are the subject of Recommendation 92 of the United Nations Conference on the Human Environment.

(A/AC.138/SC.III/L.17, Recommendation 92, and A/CONF.48/8, para. 197) - (A/AC.138/SC.III/L.20)

Statement made by the representative of the Inter-Governmental Maritime Consultative Organization on the activities of the Organization pertaining to ships' routeing, traffic separation schemes, areas to be avoided by certain ships and related questions, at the 22nd meeting of Sub-Committee III held on 26 July 1972.

(A/AC.138/SC.III/L.21)

Australia, Canada, Chile, Colombia, Fiji, Indonesia, Japan, Malaysia, New Zealand, Peru, Philippines, Singapore and Thailand: draft resolution.

(A/AC.138/SC.III/L.22)

Working paper submitted by the People's Republic of Bulgaria, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics: Basic principles concerning international co-operation in marine scientific research.

(A/AC.138/SC.III/L.23)

8. The discussions in the Sub-Committee covered both the preservation of the marine environment, including the prevention of pollution, scientific research and transfer of technology. The general discussion on marine pollution was deemed to have concluded and the Sub-Committee decided, at its 23rd meeting on 28 July 1972, to set up a working group on marine pollution based on the same formula as the working group on the régime in Sub-Committee I, the membership of which would be designated by the various regional groups, on the understanding that any member of Sub-Committee III could participate in the group's discussions. A suggestion was made that the Sub-Committee should lay down as terms of reference for its working group the preparation of a list of specific topics to form the basis of concrete proposals concerning the draft articles, and that this list might include consideration of draft resolutions on the prevention of marine pollution. The general discussion on scientific research continued through the end of the present session.

9. Views were expressed in the course of discussions with regard to some aspects of the Sub-Committee's terms of reference, such as the relationship and co-ordination with other interested organizations such as IMCO and IOC, and the definition of the scope and extent of the draft treaty articles which the Sub-Committee has to formulate and submit to the Conference on the Law of the Sea. Such issues raised and other related matters are set out below with reference to both the preservation of the marine environment, including the prevention of pollution, and scientific research.

Preservation of the marine environment, including the prevention of marine pollution

10. It was generally expressed that the Sub-Committee had the responsibility to develop the overall legal framework and to draft legal principles to govern the protection of the marine environment. It was further pointed out that the development of such a legal framework should be based on the Declaration of the Human Environment, the 23 principles on marine pollution and the statement of objectives, adopted by the Conference on the Human Environment, and that the Sub-Committee should not attempt to draft technical regulations. At the same time, the Sub-Committee would also examine the three principles on marine pollution, also drafted at the Ottawa meeting, which were neither endorsed nor rejected by the Human Environment Conference but referred to the Conference on the Law of the Sea "for such action as may be appropriate". It was understood that some governments who had not participated in the Stockholm Conference had reserved their right to determine their attitude at a later date to the documents and decisions of the Stockholm Conference, and that the participation of their delegations in the meetings of Sub-Committee III did not imply a change in their position. It was also stated that the Sub-Committee should also be wary of assuming that the Sea-bed Committee had the right or duty to co-ordinate the activities of others, although that did not mean that the Sub-Committee should not consider the work being done in other fora. But it should not trespass on the detailed and often highly technical work being carried out elsewhere nor should it duplicate such work. It was important that the Sub-Committee should have due regard for the experience possessed by such organizations. It was stated that under its terms of reference the Sub-Committee was not empowered to make recommendations of any kind to other international bodies, but it might express views concerning the work of such bodies.

11. On the other hand, it was stated that although there was a need for co-operation and co-ordination, that did not mean that the Sub-Committee should accept a subordinate or passive role and merely limit itself to examining the work being done by other organizations. The Sub-Committee had its own field of competence and an expressed mandate from the General Assembly to formulate legal principles and to draft treaty articles, and therefore, should not necessarily wait for suggestions or decisions from other bodies. It was pointed out that it was Sub-Committee III that had the sole competence to prepare general legal principles for the guidance of all other organizations engaged in this field. It was further expressed that other United Nations bodies dealing with the problems of the sea should be informed of the mandate of the Sea-bed Committee and Sub-Committee III and that it was for the General Assembly to clarify the situation.
12. It was generally agreed that the Sub-Committee would focus its attention on the basic legal principles which would form the basis for drafty treaty articles of a general nature. Where appropriate, the Sub-Committee would also consider more specific problems. It was suggested that the basic materials for the work of the Sub-Committee should be the Declaration of the Human Environment, the 23 Principles on marine pollution, and the statement of objectives, adopted at Stockholm, and referred to this Committee as well as the three principles drafted at Ottawa, referred to above, and the proposals made at the Sub-Committee meetings. Special attention would be paid to ways in which these principles could best be developed within the broader concept of maritime law.
13. Since the Stockholm Declaration and general principles were not cast in the language of international treaties, although some of them reflected rules of international law, they needed to be supplemented by more specific provisions, and efforts are needed to define and elaborate rules and measures to give effect to these principles within the broader context of maritime law. The working group might consider whether there should be a single comprehensive convention or several conventions dealing with different aspects of the preservation of marine environment.
14. It was stressed that marine pollution could effectively be dealt with by a combination of global, regional and national rules and standards, with the global ones fixing the minimum provision to be made for the preservation of the marine environment, and the regional and national ones laying down particular and stricter provisions as may be required to deal with special situations prevailing in a region or a country. It was

observed that broad guidelines would also improve regional efforts and prevent the emergence of a series of piecemeal conventions. Proliferation of independent regional agreements could lead to difficulties in subsequent co-ordination.

15. It was expressed that the task of the Sub-Committee included examining the feasibility of drafting, for the 1973 Conference on the Law of the Sea, treaty articles of a general nature concerning pollution from all sources in ocean space as a whole so as to replace Articles 24 and 25 of the 1958 Geneva Convention on the High Seas. It was further pointed out that existing technical conventions, already concluded or under consideration, on various aspects of marine pollution or on pollution in specific regions of the world, could find their proper place within the framework of such general treaty articles. The Sub-Committee should also examine the feasibility of drafting treaty articles of a general nature concerning the conservation of the marine environment both within and beyond national jurisdiction. It was suggested that in drafting general treaty articles on this subject the Sub-Committee should keep in mind existing relevant conventions and current and prospective work of the specialized agencies. Owing to the indivisibility of the marine environment, it was further suggested that the draft treaty articles should cover marine pollution in the territorial seas as well as in the high seas.

16. While the Stockholm Conference had recognized that the greater part of marine pollution came from activities on land, it was suggested that the Committee should primarily concentrate on the marine-based forms of pollution. Further suggestion was made that this Sub-Committee should concentrate its attention on pollution from vessels. It was, however, also felt that any set of rules and standards should be applied universally to control all sources of pollution regardless of their location, since ocean should be treated as an integrated whole. While many measures would be taken primarily at the national level on land-based pollution, it would be well to agree on very basic guidelines in order to reduce the lack of uniformity in national legislation. It was pointed out that the most pressing need was for universally applicable norms that would prevent pollution in areas beyond national jurisdiction. In this respect, it was expressed, however, that Sub-Committee I should resolve questions of pollution from exploration and exploitation of the sea-bed area since they could not be taken separately from other elements of the sea-bed régime.

17. It was observed that whatever the final nature of the articles to be drafted, proper weight must be given to the needs and interest of developing countries. It was considered desirable that such articles conform strictly to the relevant principles laid down in the Stockholm Declaration on the Human Environment. It was suggested that appropriate provisions would need to be made for training and for technical and financial assistance to developing countries to enable these countries to comply with any future rules and standards in respect of the prevention and control of marine pollution. In this context, it was pointed out that the greater onus and burden for the task of preserving the environment must be placed on the industrially developed countries for they were the most responsible for creating pollution; it was important to recognize that future regulations for the prevention of pollution should not be applied with the same standards for all States and that it was essential that the developing countries should not be hindered in their quest for progress.

18. Principle 21 of the Declaration on the Human Environment was considered to be the starting-point for work in developing a régime for the preservation of the marine environment since it presented the proper balance between coastal States' rights and obligations. Mutual accommodation must be found not only as between national interests but also between national interests and the interests of the international community.

19. It was expressed that the question whether a coastal State had the right of jurisdiction over a given area adjacent to its territorial sea, for purposes of preventing pollution damage within its territory, was an issue to be discussed at some length in the Sub-Committee. On the one hand it was felt that a coastal State had the right to adopt the necessary measures for such areas and to demand compensation from the States causing pollution. On the other hand, it was pointed out that the partitioning of ocean space was incompatible with the basic legal framework envisaged in the principles to apply global standards and rules to every part of the sea. It was further suggested that the zonal approach was not effective and would produce a dichotomy in the mode of control and that the enforcement of individual and inevitably varied national legislation might product confusion on the high seas. It was also pointed out that the flat State jurisdiction in enforcement was a kind of unilateral approach, and that the national jurisdiction of coastal States would not necessarily be incompatible with global standards.



20. It was suggested that the Sub-Committee recognize that the three principles on coastal State rights drafted at Ottawa raise very fundamental issues in maritime law. It was further pointed out that the first of these principles represents a logical extension of the special interests of coastal States in the management of resources as recognized in the Statement of Objectives adopted at Stockholm and also the logical corollary to the emphasis on obligations of coastal States found in most of the 23 Principles on marine pollution. It was urged that responsibilities must be balanced with the necessary rights and powers and that where there were no international standards, coastal States must be able to enforce its own reasonable standards, extending the application of "innocent passage" to areas adjacent to their territorial sea. On the other hand, it was stated that vesting wide powers in coastal States would not promote a proper balance of interests among maritime, shipping and coastal States or prevent pollution of the open sea.

21. The concept of ocean space management set out in the Statement of Objectives, it was suggested, was essential not only to problems of marine pollution but also to such other aspects of the law of the sea such as fisheries and scientific research, and was therefore of importance to the Committee as a whole. It was suggested that a number of principles could be regarded as existing duties under customary international law, e.g., Principles 1, 7 and 17. Principle 1 in its dual accommodation of national and community interests could be the basic approach of the Sub-Committee. It was considered that it was essential to define more clearly the responsibilities of States to control pollution of the high seas, deriving from their own territories including their territorial sea, as well as their rights to prevent damage to coastal areas from marine pollution coming from outside their territorial waters. It was further suggested that this principle could be looked at from the point of view of the liability of a State for damage caused by individuals within its jurisdiction or under its control, and that such a duty could include preventing individuals from causing damage.

22. The point was raised that this question of liability, the subject also of Principle 22 of the Declaration, involved consideration of the theory of the created risk. It was pointed out that since most damage was caused accidentally, consideration should be given to the requirement of compulsory insurance for uses of the ocean which were sufficiently dangerous to warrant applying the theory of the created risk, and that since insurance systems varied this question should be studied in greater detail. Principle 18 on marine pollution, adopted at Stockholm, should be studied in this context.

23. It was felt that the 1969 international convention on civil liability for oil pollution damage and the 1971 supplementary convention could serve as the starting-point for further development of rules of law in the area of liability and compensation. It was also suggested that the formulation contained in General Assembly resolution 2749 might be a guide but that some system of no-fault insurance compensation would have to be investigated in connexion with claims for civil liability.

24. It was stated that Principle 6 was simply a first approach to the problem of elaborating special provisions to meet the needs of developing countries and that the Sub-Committee would have to go further in elaborating and later implementing this principle.

25. It was suggested that Principle 7 required further careful elaboration in order to devise means of fixing responsibility with States or international organizations for any damage they may cause and that there would be serious substantive implications. It was felt that this principle also recognized the duty to pay compensation for damage to the victims.

26. It was felt that Principle 13 made several points, particularly the need for national and regional measures to be consistent with global measures and that this same consistency should also be applied to the draft articles on ocean dumping. It was suggested, therefore, that greater attention be paid to the draft articles and annexes on ocean dumping since, in many instances, disposal of wastes on land was a far safer procedure. The need to avoid transferring pollution from one area of the environment to another, as expressed in this principle, was considered to be particularly relevant in this respect.

27. It was proposed that the measures adopted for the international sea-bed area and with special reference to Principle 19, should represent the minimum measures to be adopted by States in areas within their jurisdiction.

28. Principle 20, it was commented, was a most constructive guideline for international co-operation in agreeing to universal rules to safeguard freedom of navigation. It was pointed out that this principle was in accordance with the Declaration of Santo Domingo (A/AC.138/80) which recognizes the right of coastal States to take measures to avoid pollution of the patrimonial sea, and the conclusions of the African Seminar of Yaoundé (A/AC.138/79) which contains similar provisions. It was also noted that this principle does not prejudice the rights of a coastal State to protect its territory from damage from activities by other States in adjacent areas.

29. On the subject of ocean dumping, it was felt, on the one hand, that urgent action would be most welcome since there was a need to control this activity of industrialized States. Such early action, as the proposed conference in London in November 1972, to draft a specialized international convention, was not thought to prejudice the later development of a more comprehensive body of maritime law nor the position of any State, as regards the development of such law. It was pointed out that it was expected that many other such specialized conventions, existing or yet to be negotiated, would also be fitted into the wider body of the law of the sea. It was further expressed that the amount of pollutants entering the oceans increases every year, that if this continues unchecked it could threaten the productivity of the world's oceans and the well-being of all mankind and that direct dumping is usually carried out on the high seas and is largely uncontrolled. It was for this reason among others that urgent action was needed.

30. On the other hand it was observed that it was absolutely essential that the question of marine pollution should be studied in a consistent, comprehensive and co-ordinated manner, so as to avoid the adoption of different provisions by different bodies or even by different governments, for this could prove to be a source of conflict. It was stressed that all future undertakings should take place within the framework of basic, universally accepted principles and with due regard to the rights of all States. Furthermore, fragmentation of problems pertaining to the law of the sea could lead to great confusion and therefore the Convention should be given its final form only within the context of the Law of the Sea Conference. In direct reference to the proposed London Conference, it was pointed out that the preparatory meetings, held in Reykavik and London, were insufficiently representative especially of States from the developing world, and that these meetings were held outside the United Nations system and without proper regard for opinions expressed in the Sub-Committee. However, it was also pointed out that several developing States did attend the preparatory meetings and that all States had been informed that they were to be held. The United Nations will also be kept fully informed of the organization of the proposed London conference.

31. Regarding the draft Articles and Annexes, contained in document A/CONF.48/8/Add.1, it was observed that they could provide a basis for the development of an effective convention. It was pointed out that all questions of jurisdiction had been left to the

Law of the Sea Conference to decide. It was stated also that the Articles would be enforceable by coastal States not only against ships under their jurisdiction but also against ships in areas under their jurisdiction. It was suggested that this departure from the flag-State type of convention could be extremely important from an environmental point of view.

32. However, it was pointed out, that the Articles failed to distinguish between developed and developing countries in terms of their relative capacity to pollute the ocean. It was feared thereby that an unfair burden would be imposed on developing countries in the event of such a convention coming into force. It was pointed out that an international convention to control dumping must, in the first place, avoid sanctioning present practices of dumping by industrialized countries, a possibility which has been protested by a large majority of States already. The principle of the common heritage of mankind was thought to give some legal grounds for arguing that dumping on the sea-bed would be in violation of international law.

33. The point was made that the prohibition of dumping must constitute the basis of the Convention, and therefore exemption to this prohibition must be very carefully worked out. Attention was therefore drawn to the exemption contained in footnote (a) to Annex I because knowledge of sea water effects on containers is inadequate, and to the exemption contained in draft Article V which was thought to need some clarification. It was suggested that the human lives to be safeguarded in this draft article should apply to those aboard ships, platforms and aircraft. The opinion was also stated that the paragraph within square brackets in draft Article IX (d) was unacceptable since sovereign immunity would not negate the duties of ships and aircraft. It was proposed also that highly radioactive wastes and biological and chemical weapon parts should be included in Annex I, and the present brackets removed. With reference to Annex III, it was proposed that dumping be prohibited within marine areas under national jurisdiction. The Working group, referred to in paragraph 8 above was asked to examine the draft Articles and Annexes in accordance with the decision made by the Human Environment Conference to refer these texts to the Sea-bed Committee for information and comment.

34. The representative of IMCO reported that substantial progress had been made at recent meetings of IMCO's sub-committees concerned in the preparation of a draft text of the convention or conventions to be submitted to the IMCO Conference on Marine Pollution. Preparatory work has been directed towards the improvement and the requirements of the 1954 Oil Pollution Convention, as amended in 1969 and 1971, including

the extension of the Convention requirements to cover hazardous and noxious substances other than oil. Not included in the draft convention are activities relating to the sea-bed mineral exploration and exploitation and ocean dumping. It was also pointed out that the 1973 IMCO Conference would be called upon to consider extending the 1969 Intervention Convention. The new instrument now being drafted would give coastal States the right to intervene or to take preventive action to safeguard their coasts from pollution following accidents involving substances other than oil.

35. It was urged that strong support be given to IMCO's work on vessel pollution since the Law of the Sea Conference could not hope to deal with all complex problems of marine pollution and should therefore try to supplement and support other existing efforts, and that all countries that have not done so, adhere to or ratify the various IMCO conventions and endorse the extension of the liability and compensation concepts to cover noxious and hazardous substances other than oil. It was felt that greater consideration should be given to coastal States concerns and proposals, while maintaining throughout a careful balance between the interests, rights and obligations among maritime, shipping and coastal States.

36. It was suggested that all new commercial tankers should carry an International Tanker Construction (Pollution Prevention) Certificate and that this proposal should be included in the 1973 Convention. It was further suggested that refusal of entry to those not possessing this certificate should be made mandatory for non-compliance. The whole subject of pollution prevention was thought to be an important one for the Sub-Committee since it has to deal with the overall problems of marine pollution.

37. It was also felt, however, that IMCO was only a technical body and the 1973 IMCO Convention would have to be subsequently considered by the Law of the Sea Conference, and, if necessary, be revised in the light of the wider body of maritime law. It was stated that since the Sub-Committee had the exclusive competence in legal and political aspects, all relevant technical documents and instruments should be transmitted to it to provide the basis for preparing draft treaty articles. In this respect it was pointed out that IMCO, as a technical body, could only deal with marine pollution in terms of its relationship to navigational safety. It was also suggested, however, that the respective tasks of IMCO and the Law of the Sea Conference were sufficiently clear-cut; the Law of the Sea Conference would develop treaty Articles establishing basic policies while IMCO would provide technical expertise and detailed regulations.

38. It was proposed that IMCO consider broadening certain concepts such as "maritime casualty" so as to expand the criteria of the 1969 Intervention Convention governing instances in which States can act. The Sub-Committee was also informed on the subject of traffic separation schemes and it was suggested that the Law of the Sea Conference should include the requirement in its treaty that all ships proceeding through areas to which international traffic separation schemes apply should be required to follow those schemes in accordance with rules and procedures established by IMCO. It was stated that the treaty should include strict liability for all vessels for accidents caused by deviation from such schemes. The representative of IMCO pointed out that while those schemes are presently recommendations, their adoption by all States was an urgent matter. The Sub-Committee agreed that this subject should also be brought to the attention of Sub-Committee II since it is relevant to straits and areas near straits.

ANNEX I

Programme of work for Sub-Committee III as adopted  
by the Sub-Committee at its 19th meeting on  
27 March 1972

- A. Preservation of the marine environment (including the sea-bed)
  1. General debate
  2. Relationship to the preservation of the living resources of the high seas (without prejudice to the terms of reference of Sub-Committee II)
  3. FAO Technical Conference on Marine Pollution and its Effect on Living Resources and Fishing, Rome, December 1970
    - (a) Report on the Conference
    - (b) Discussion of the report
    - (c) Communication of results of discussion to the Stockholm Conference
  4. Meeting of FAO Committee on Fisheries, April 1972 (without prejudice to the terms of reference of Sub-Committee II)
    - (a) Report of the meeting
    - (b) Discussion of the report
  5.
    - (a) Requirements of scientific research
    - (b) Freedom of access to scientific information
    - (c) Participation of littoral States in scientific research and in the results and benefits therefrom
  6. Formulation of legal principles and draft treaty articles
  7. Other matters
- B. Elimination and prevention of pollution of the marine environment (including the sea-bed)
  1. General debate
  2. Stockholm Conference on the Human Environment - Marine Pollution Principles
    - (a) Reports of Intergovernmental Working Group on Marine Pollution, London, June 1971, and Ottawa, November 1971
    - (b) Discussion of the reports

- (c) Communication of results of discussion to the Stockholm Conference
  - (d) Report of the Stockholm Conference
  - (e) Action by the Sea-Bed Committee
- 3. Stockholm Conference on the Human Environment - draft articles on ocean dumping
  - (a) Reports of Intergovernmental Working Group on Marine Pollution, London, June 1971, and Ottawa, November 1971
  - (b) Discussion of the reports
  - (c) Communication of results of discussion to the Reykjavik Meeting and the Stockholm Conference
  - (d) Report of the Stockholm Conference
  - (e) Action by the Sea-Bed Committee
- 4. Stockholm Conference on the Human Environment - marine pollution aspects of the proposed Declaration on the Human Environment
  - (a) Report of the Intergovernmental Working Group on the Declaration on the Human Environment
  - (b) Discussion of the report
  - (c) Communication of results of discussion to the Stockholm Conference
  - (d) Report of the Stockholm Conference
  - (e) Action by the Sea-Bed Committee
- 5. IMCO Conference on the Elimination of Ship-Generated Pollution
  - (i) February/March 1972 Preparatory Meeting
    - (a) Report on the meeting
    - (b) Discussion of the report
    - (c) Communication of results of discussion to IMCO
  - (ii) June 1972 preparatory meeting
    - (a) Report on the meeting
    - (b) Discussion of the report
    - (c) Communication of results of discussion to IMCO



6. Oslo Regional Dumping Convention
  - (a) Report on the Convention
  - (b) Discussion of the report
7. Norway-Canada draft resolution on preliminary measures to prevent and control marine pollution (A/AC.138/SC.III/L.5 and Add.1)
  - (a) Discussion of draft resolution
  - (b) Communication of results of discussion to the Stockholm Conference
8. Examination of existing Conventions relating to marine pollution
9.
  - (a) Requirements of scientific research
  - (b) Freedom of access to scientific information
  - (c) Participation of littoral States in scientific research and in the results and benefits therefrom
10. Formulation of legal principles and draft treaty articles including draft articles which may be considered as follow-up action to the Stockholm Conference
11. Other matters
- C. Scientific research concerning the marine environment (including the sea-bed)
  1. General debate on the nature, characteristics and objectives of scientific research
  2. Consideration of principles set forth in resolution 2749 (XXV) on the subject of scientific research
  3. Intergovernmental Oceanographic Commission (IOC) Working Group on Legal Questions related to Scientific Investigation of the Oceans (New York, February 1970)
    - (a) Report of the IOC Working Group
    - (b) Discussion of the report
    - (c) Communication of results of discussion to IOC
  4. Preliminary Conference of Governmental Experts to Formulate a Draft Convention on the Legal Status of Ocean Data Acquisition Systems (ODAS) Paris, 31 January-12 February 1972
    - (a) Report of the Preliminary Conference
    - (b) Discussion of the report
    - (c) Communication of results of discussion to UNESCO/IOC and IMCO

5. Examination of existing conventional provisions relating to marine scientific research
  6. Freedom of access to scientific information
  7. Formulation of legal principles and draft treaty articles
  8. Other matters
- D. Development and transfer of technology
1. Development of technological capabilities of developing countries
  2. Sharing of knowledge and technology between developed and developing countries
  3. Training of personnel from developing countries
  4. Transfer of technology to developing countries
- E. Other matters

NOTE: The order of the items in the programme does not establish the order of priority for consideration in the Sub-Committee.