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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

Bulgaria, Poland, Ukrainian Soviet Socialist Republic,
Union of Soviet Socialist Republics: draft article for
a convention on scientific research in the world ocean

Article 1

Definition of scientific research

Scientific research in the world ocean means any fundamental or applied research and related experimental work, conducted by States and their juridical and physical persons, as well as by international organizations, which does not aim directly at industrial exploitation but is designed to obtain knowledge of all aspects of the natural processes and phenomena occurring in ocean space, on the sea-bed and in the subsoil thereof, which is necessary for the peaceful activity of States for the further development of navigation and other forms of utilization of the sea and also utilization of the air space above the world ocean.

Article 2

Principle of freedom of scientific research

All States, irrespective of their geographical location, as well as international organizations, shall enjoy on a basis of equality and without any discrimination the right of freedom to conduct scientific research in the world ocean.

The term "world ocean" as used in this Convention covers all ocean space, the sea-bed and the subsoil thereof, with the exception of internal and territorial waters and the bed and subsoil of the continental shelf.

Article 3

Means by which scientific research may be conducted

Scientific research in the world ocean may be conducted through the use of all types of vessels, platforms, floating stations, mobile or fixed installations, aircraft and other means, both specially designed and adapted or used for such purposes, using the appropriate scientific methods and equipment.

Article 4

Co-operation among States in the conduct of scientific research

States agree to co-operate with one another through the conclusion of bilateral and multilateral agreements in creating favourable conditions for the conduct of scientific research in the world ocean for peaceful purposes, the removal of obstacles to such research and the uniting of efforts by scientists in studying the essence of and the interrelations between the phenomena and processes occurring in the world ocean.

Article 5

Provision of assistance to developing countries and
land-locked countries

States shall co-operate in carrying out measures designed to extend the research capacity of the developing countries and the land-locked countries, including participation of scientists from such countries in scientific research, training of scientific staff from among their nationals and the transfer of expertise in the conduct of scientific research work.

Article 6

Participation of States in international scientific
research programmes

All States may participate in the conduct of international scientific research programmes in the world ocean, and shall encourage participation of their scientists in carrying out the measures provided for by such programmes. States shall co-operate in the implementation of the long-term and expanded programme of oceanic exploration conducted under the auspices of UNESCO's Intergovernmental Oceanographic Commission.

Article 7

Exchange and publication of scientific data

States shall encourage the mutual exchange of scientific data obtained as a result of the conduct of research, and especially the provision of such data to developing countries as part of the scientific and technical assistance provided to them.

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States shall also adopt and encourage measures to ensure the publication and broad dissemination of the results of scientific research in the world ocean, inter alia through the system of world and regional data centres.

Article 8

Simplified procedure for the entry of scientific research vessels into ports and internal maritime waters

States shall, in the interests of international co-operation and in order to facilitate the conduct of scientific research, adopt measures, including legislation, to simplify the procedure for the entry of vessels conducting scientific research work in the world ocean into their ports and internal maritime waters.

Article 9

Legal status of installations and facilities for scientific research

Fixed scientific research installations, whether standing on the ground or at anchor, and also floating stations or mobile installations, shall be subject to the jurisdiction of the State which installed them. However, they shall not possess the status of islands or have their own territorial waters, and their presence shall not affect the determination of the limits of the continental shelf.

Article 10

Safety of navigation and the principle of freedom of the high seas

Safety zones may be established around fixed and temporary installations and facilities at a distance of not more than 500 metres from their outer edges. Such installations and facilities shall not be placed at points where they may obstruct international sea-lanes or air routes, or in areas of intense fishing activity.

Notice shall be given in accordance with existing maritime practice of the erection and removal of all installations and facilities.

Fixed and floating stations and installations shall bear identification markings indicating the State or international organization to which they belong, and shall carry the necessary permanent warning devices, such as signs and signals, to ensure the safety of navigation on and overflight of the high seas.

Scientific research in the world ocean shall not be subjected to unjustified interference, nor shall scientific research itself cause unjustified interference with navigation, fishing, overflight in air space or any other legal activity in the world ocean.

Article 11

Prevention of pollution of the marine environment

Existing international norms to prevent pollution of the marine environment shall be respected in the conduct of scientific research, with a view to protecting the environment from harmful effects which may interfere with its ecological balance.

Article 12

Scientific research in territorial waters and on the
continental shelf

Scientific research in territorial waters and on the continental shelf may be conducted only with the consent of the coastal State.

The coastal State shall have the right to participate or be represented in the research.

Scientific data on the results of research in the territorial waters or on the continental shelf of a coastal State shall be made available to that State on the basis of mutual agreement.

Article 13

Responsibility for possible damage caused during the
conduct of scientific research

States shall be held internationally liable for national activity in the world ocean, irrespective of whether it is carried out by government organs or by juridical or physical persons, and for ensuring that national activities are conducted in accordance with the provisions of this Convention.

States shall be held internationally liable for damage which may be caused to other States, to their juridical or physical persons, or to international organizations during the conduct of scientific research in the world ocean, on the sea-bed and in the subsoil thereof.

Article 14

Obligations under the United Nations Charter and other
international agreements

In implementing the provisions of this Convention, States shall act in accordance with the purposes and principles of the United Nations Charter and with other generally accepted norms of international law.

Nothing in this Convention shall affect the rights and obligations of States under other international treaties relating to its subject.