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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

Note by the Chairman of Working Group 2
addressed to the Chairman of Sub-Committee III

(Addendum)

Annex 2

Texts contained in the Informal Working Papers Prepared for
Working Group 2 by the Informal Consultations Among Authors
of Proposals Submitted to Sub-Committee III and Other Delegations

Wf.2 Papers No. 10 and No. 10/Add.1

"Global and Regional Co-operation"

(a) States shall co-operate on a global basis and as appropriate on a regional basis, directly or through competent international organizations, global or regional, to formulate and elaborate treaties, rules, standards and procedures consistent with this Convention, for the prevention of marine pollution, taking into account characteristic regional features.

OR

(a) States shall co-operate on a global basis and as appropriate on a regional basis, directly or through competent international organizations, global or regional, to formulate and elaborate treaties, rules, standards and procedures consistent with this Convention, for the prevention of marine pollution, taking into account characteristic regional features and economic factors.

(b) A State which becomes aware of cases in which the marine environment is in imminent danger of being damaged or has been damaged by pollution shall immediately notify other States likely to be affected by such damage, as well as the competent international organizations.

(c) In the cases referred to in paragraph (b) above, States in the area affected, in accordance with their capabilities, and the competent international organizations, shall co-operate, to the extent possible, in eliminating the effects of pollution and preventing or minimizing damage.

(d) States shall co-operate directly or through competent international organizations for the purpose of promoting studies undertaking programmes of scientific research and encouraging the exchange of information and data acquired about pollution of the marine environment. They shall actively support and contribute to international programmes to acquire knowledge for the assessment of pollutant sources, pathways, exposures, risks and remedies.

(e) In the light of the information and data so acquired, States shall co-operate directly or through competent international organizations in working out appropriate scientific criteria for the formulation and elaboration of rules and standards for the prevention of marine pollution."

WG.2 Paper No. 12

"Technical Assistance

1. States shall, directly or through competent international organizations:
 - (a) Promote programmes of scientific, educational, technical and other assistance to developing countries for the preservation of the marine environment and the prevention of marine pollution. Such assistance shall include, inter alia, the training of scientific and technical personnel and the facilitation of their participation in the international programmes referred to in paragraph [(d) of WG.2/Paper No. 10/Add.1], the supply of necessary equipment, advice and facilities for research, education and other programmes for the prevention of marine pollution or the minimization of its effects.
 - (b) Provide appropriate assistance, in particular to developing countries, for the minimization of the effects of major incidents which may cause serious pollution in the marine environment.
 - (c) For the purposes of paragraph (b), promote and develop contingency plans for responding to such major incidents and to requests for assistance in dealing with them.
2. Developing States shall, for purposes of the prevention of marine pollution or the minimization of its effects, be granted preference in:
 - (a) the allocation of appropriate funds and technical assistance facilities of international organizations, and
 - (b) the utilization of their specialized services."

WG.2 Paper No. 13

"Monitoring

1. States shall employ suitable systems of observation, measurement, evaluation and analysis to determine the risk or effect of pollution on the marine environment, especially pollution likely to arise from activities which they permit or in which they engage.
2. States shall disseminate, as soon as possible, the data and information obtained on the risks and effects of pollution on the marine environment to States likely to be affected and to the international organizations concerned, with a request to disseminate such data and information."

WG.2 Paper No. 11

A text dealing with the consideration of economic factors in determining whether States have discharged their obligations under this Convention in respect of land-based sources of marine pollution was considered essential by some delegations but inappropriate by others. The following is offered as a possible text:

"In determining whether a State has discharged its obligations under this Convention in respect to land-based sources of marine pollution, due regard must be paid to all relevant factors including in particular the economic and financial ability of a State to provide the resources necessary for the discharge of such obligations and the stage of economic development of the State."

WG.2 Paper No. 14

Text drafted on 24 July for further consideration at a later date, particularly in connexion with the draft articles currently tabulated under sections dealing with Responsibility and Liability, Settlement of Disputes, and Restriction or Termination of Activities:

"In case of violations of the obligations under the present Convention resulting in pollution of the marine environment, the State responsible for these violations shall immediately take steps, to the extent practicable, to put an end to them and to the effects thereof."