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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 I

ARCHEOLOGICAL AND HISTORICAL TREASURES OF THE
SEA-BED AND THE OCEAN FLOOR BEYOND THE
LIMITS OF NATIONAL JURISDICTION

Submitted by the delegation of Greece

INTRODUCTION

1. This document aims to set out tentatively some of the general guidelines which could be adopted for the protection of archeological and historical treasures of the sea-bed area beyond the limit of national jurisdiction.
2. This working paper is presented as a possible basis for discussion in the Committee. It does not necessarily provide the definitive views of the Greek Government on specific solutions, which could be elaborated in the Committee.
3. The suggestions included in this paper are inspired by the following considerations:
 - (a) The sea-bed area beyond the limits of national jurisdiction, contains certain archeological and historical treasures that constitute a heritage of our civilization.
 - (b) The protection of the archeological and historical treasures of the sea-bed area beyond the limits of national jurisdiction could be achieved through the International Sea-Bed Authority to be established.
 - (c) In this connexion the International Convention on the Sea-Bed could provide a framework for an international regulation of the exploration, recovery and utilization of the archeological discoveries of the sea-bed area beyond the limits of national jurisdiction.
 - (d) The protection of the archeological and historical treasures could be achieved through:
 - (i) regional co-operation in scientific research for archeological purposes in the sea-bed area,

- (ii) measures to ensure that the exploration and exploitation of the natural resources of the sea-bed area beyond the limits of national jurisdiction do not damage the archeological and historical treasures of the said areas,
 - (iii) measures to ensure that the archeological and historical treasures of the sea-bed area do not become the object of an illicit traffic by private individuals, but instead be protected as a common heritage of our civilization.
- (e) The Declaration of Principles on the Sea-Bed and the Ocean Floor, and the Subsoil Thereof, beyond the Limits of National Jurisdiction, adopted by resolution 2749 (XXV) of 17 December 1970, provides the foundation on which the exploration, discovery and protection of the archeological and historical treasures of the international sea-bed area can be established.

GENERAL PRINCIPLES

1. The International Convention should ensure that the archeological and historical treasures of the sea-bed and the ocean floor, beyond the limits of national jurisdiction, should be protected as a common heritage of mankind.
2. The territorial jurisdiction of the International Sea-Bed Authority as far as the protection of the archeological and historical treasures is concerned is confined to the sea-bed and the ocean floor and the subsoil thereof beyond the limits of the continental shelf and to the extent that the international limits of the Sea-Bed Authority are prescribed in the Convention.
3. Exploration and exploitation of the resources of the international sea-bed area shall be carried out in such a manner as to prevent damage to the archeological and historical treasures to be found in the area.
4. If the International Authority will not undertake itself exploitation activities of the resources of the sea-bed area, all persons, natural or juridical, public or private, national or international, exploiting the area by a system of contracts or by the establishment of joint ventures, are to be obliged to report to the Authority the discovery of any item of archeological or historical value.
5. The exploration and utilization of the archeological and historical treasures of the international sea-bed in closed or semi-closed seas could be supervised by appropriate regional organs established or to be established for this purpose, in which

the coastal States of the region whose scientific institutions desire to explore the sea-bed area will have an equal right to participate. For this purpose regional committees of experts could exercise advisory functions with the International Sea-Bed Authority. The activities of these regional organs will not interfere with the right of the international Authority to supervise any exploration and archeological activity.

6. As soon as an item of antiquity is spotted in the international sea-bed area operations should be temporarily suspended if necessary until the appropriate international or regional competent organ studies the discovery and takes proper protective measures for safeguarding the item during the recovery operation.

7. The person, natural or juridical, conducting the exploration of the international sea-bed area will be obliged not to sell to an unauthorized person, natural or juridical any discovered archeological or historical object.

8. Such items have to be surrendered to the International Sea-Bed Authority or to the Regional Organ.

9. The International Authority and the competent Regional Organ will notify the State or States of cultural origin of the object or discovery.

10. The Authority should pay due regard to the interests of the State or group of States of origin of the discovered archeological or historical treasures. To this effect the Authority should promote, in co-operation with the regional organ, the universal sharing of the cultural benefits derived from the discovery of such treasures, taking into particular consideration the rightful interests of the State of historical origin of the discovered treasure.

11. The State of historical origin of the archeological or historical discovery possesses preferential rights to acquire this item. If such a right to acquire by compensating the finder is not exercised within a reasonable time, the object will be disposed of at the discretion of the finder.

12. Each State shall make it an offence for its nationals and vessels to violate the relevant regulations adopted pursuant to the International Sea-Bed Convention.
