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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

REPORT OF THE WORKING GROUP ON  
INTERNATIONAL REGIME AND MACHINERY

38. During the March-April session the Working Group held thirty meetings and during the July-August session ..... meetings.

39. As noted in paragraph 16 above, at the conclusion of its meetings in 1972 the Working Group had carried out its first reading of a number of texts relating to the international régime, some of which also received a second reading. (See Annex II, 1 to the 1972 Report). In the March-April session in 1973 the Working Group completed its second reading of texts relating to the international régime. In addition it began its consideration of a working paper relating to the international machinery (Doc.3). Consideration of the texts relating to the international machinery was continued during the July-August session.

40. As regards the international régime, the Working Group carried out a first reading of texts relating to the limits of the Area, and completed a second reading of texts concerning the following twenty subjects: the common heritage of mankind; activities regarding exploration and exploitation; non-appropriation or claim or exercise of sovereignty or sovereign rights, or of rights incompatible with the treaty rights, and the non-recognition of any such claims or exercise of rights; use of the Area by all States without discrimination; general conduct in the Area and in relation to the Area; benefit of mankind as a whole; preservation of the Area exclusively for peaceful purposes; who may exploit the Area; general norms regarding exploitation; scientific research; transfer of technology; protection of the marine environment; protection of human life; due regard to the rights of coastal States; legal status of waters superjacent to the Area; accommodation of activities in the marine environment and in the Area; responsibility to ensure observance of the international régime and liability for damages; access to and from the Area; archaeological and historical objects; and settlement of disputes.

41. With regard to the international machinery, the Working Group carried out a first reading of texts concerning the following subjects: establishment of international machinery; nature of the Authority; installations and other facilities for the exploration of the Area and the exploitation of its resources; operation of vessels and emplacement of installations by the Authority; privileges and immunities; relationships with other organizations; fundamental principles of the functioning of

the Authority; purposes of the Authority; powers and functions of the Authority; the Assembly; powers and functions of the Assembly; the Council; powers and functions of the Council; the system of settlement of disputes [including the Tribunal]; the Enterprise; the Operations Commission; the Permanent Board; the Management and Development Commission; the International Sea-bed Operations Organization; the Exploration and Production Agency; the Exploitation Commission; the Secretariat; the Rules and Recommended Practices Commission; the Planning/Price Stabilization Commission; the Scientific and Technological Commission; the Legal Commission; the International Sea-bed Boundary Review Commission; the Inspection and Conservation Commission; and a miscellaneous provision.

42. The Working Group completed its second reading of texts concerning the following subjects: the Assembly; powers and functions of the Assembly; the Council; powers and functions of the Council; the system of settlement of disputes [including the Tribunal]; the Enterprise; the Operations Commission; the Permanent Board; the Management and Development Commission; the International Sea-bed Operations Organization; the Exploration and Production Agency; and the Exploitation Commission.

43. Some delegations objected to the consideration of certain texts and to their inclusion in the report, on the ground of the non-competence of the Working Group. In every such case an appropriate footnote has been inserted.

44. A proposed preamble was submitted for a first reading in the Working Group. The view was expressed that consideration of the preamble was outside the mandate of the Working Group, while other delegations took a contrary view. Owing to lack of time the Working Group was not able to complete its discussion of this issue and no alternative texts were presented. The inclusion of the preamble is therefore without prejudice to the position of any delegation.

45. The Working Group has, in discharging its mandate, attempted to reflect areas of agreement and disagreement concerning all these items in the series of texts appended to this report. Square brackets are used and alternative texts prepared in order to indicate areas where it did not prove possible to accommodate views in a single text.

46. It should be noted (a) that the Group did not take a decision concerning headings or margin notes, or the question of the eventual position of texts; (b) that some members of the Group expressed reservations as to whether certain of the subjects dealt with in the texts fell within the terms of reference of the Working Group; and (c) that some members did not consider the matters covered by the texts as necessarily exhaustive.

47. In the Working Group it was considered that there were a number of additional matters which might need to be dealt with. These could include general rules and regulations regarding exploration of the Area and exploitation of its resources which, according to the type of administration adopted as regards exploration and exploitation, might cover such subjects as notice to mariners and other safety procedures, areas to be allotted, work requirements, work plans, inspection, service contracts, licensing, joint ventures, fees payable, revocation of service contracts, revocation of licences; integrity of investments; regional arrangements; the participation of disadvantaged countries; the Statute of the Tribunal; criteria for the sharing of benefits; the parties to the treaty and other final clauses; and transitional provisions. This list was not accepted in its entirety by all delegations.