

Third United Nations Conference on the Law of the Sea

1973-1982

Concluded at Montego Bay, Jamaica on 10 December 1982

Document:-

A/CONF.62/C.3/L.12

Brazil, Colombia, Congo, Ecuador, Egypt, Gambia, Iran, Jamaica, Liberia, Libyan Arab Republic, Mexico, Morocco, Nigeria, Oman, Pakistan, Panama, Peru, Republic of Korea, Republic of Viet-Nam, Senegal, Somalia, Sri Lanka, Trinidad and Tobago, Tunisia, United Republic of Tanzania, Uruguay, Venezuela and Yugoslavia: draft articles on the development and transfer of technology

Extract from the *Official Records of the Third United Nations Conference on the Law of the Sea, Volume III (Documents of the Conference, First and Second Sessions)*

DOCUMENT A/CONF.62/C.3/L.12

Brazil, Colombia, Congo, Ecuador, Egypt, Gambia, Iran, Jamaica, Liberia, Libyan Arab Republic, Mexico, Morocco, Nigeria, Oman, Pakistan, Panama, Peru, Republic of Korea, Republic of Viet-Nam, Senegal, Somalia, Sri Lanka, Trinidad and Tobago, Tunisia, United Republic of Tanzania, Uruguay, Venezuela and Yugoslavia: draft articles on the development and transfer of technology

[Original: English]
[22 August 1974]

Article 1

1. All States shall actively promote the development of the scientific and technological capacity of developing States with regard to the exploration, exploitation, conservation and management of marine resources, the preservation of the marine environment and the legitimate uses of ocean space, with a view to accelerating their social and economic development.

2. To this end, States shall, *inter alia*, either directly or through appropriate international organizations:

(a) Promote the acquisition, development and dissemination of marine scientific and technological knowledge;

(b) Facilitate the transfer of technology, including know-how and patented and non-patented technology;

(c) Promote the development of human resources and the training of personnel;

(d) Facilitate access to scientific and technological information and data;

(e) Promote international co-operation at all levels, particularly at the regional, subregional and bilateral levels.

3. In order to achieve the above-mentioned objectives and taking into account the interests, special needs and conditions of developing States, States shall *inter alia*:

(a) Establish programmes of technical assistance for the effective transfer of all kinds of marine technology to developing States;

(b) Conclude agreements, contracts and other similar arrangements, under equitable and reasonable conditions;

(c) Hold conferences, meetings and seminars on appropriate scientific and technological subjects;

(d) Promote the exchange of scientists, technologists and other experts;

(e) Undertake projects, including joint ventures, mixed enterprises and other forms of bilateral and multilateral co-operation.

Article 2

All States are under a duty to co-operate actively with the "Authority" to encourage and facilitate the transfer of skills in marine scientific activities and related technology to developing States and their nationals.

Article 3

The "Authority" shall, within its competence, ensure:

(a) That adequate provisions are made in its legal arrangements with juridical and natural persons engaged in marine scientific activities, the exploration of the international area, the exploitation of its resources and related activities to take on under training, as members of the managerial, scientific and

technical staff constituted for these purposes, nationals of developing States whether coastal, land-locked or otherwise geographically disadvantaged, on an equitable geographical distribution basis;

(b) That all blueprints and patents of the equipment, machinery, devices and processes used in the exploration of the international area, the exploitation of its resources and related activities be made available to all developing States upon request;

(c) That adequate provisions are made by it to facilitate the acquisition by any developing State, or its nationals, of the necessary skills and know-how including professional training in any undertaking by the Authority for exploration of the international area, exploitation of its resources and related activities;

(d) That a special fund is established to assist developing States in the acquisition of necessary equipment, processes, plant and other technical know-how required for the exploration and exploitation of their marine resources.

Article 4

1. States shall promote the establishment in developing States of regional marine scientific and technological research centres, in co-ordination with the Authority, international organizations and national marine scientific and technological institutions.

2. The functions of such regional scientific and technological research centres shall include, *inter alia*:

(a) Training and educational programmes at all levels on various aspects of marine scientific and technological research, particularly marine biology, including conservation and management of living resources, oceanography, hydrography, engineering, geology, sea-bed mining and desalination technologies;

(b) Management studies;

(c) Study programmes related to the preservation of the marine environment and the control of pollution;

(d) Organization of regional seminars, conferences and symposia;

(e) Acquisition and processing of marine scientific and technological data and information, in order to serve as regional data centres;

(f) Prompt dissemination of results of marine scientific and technological research in readily available publications;

(g) Serving as a repository of marine technologies for the States of the region covering both patented and non-patented technologies and know-how; and

(h) Technical assistance to the countries of the region.