

# **Third United Nations Conference on the Law of the Sea**

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**A/CONF.62/C.3/L.13**

## **Colombia: draft articles on marine scientific research**

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.13\*

Colombia: draft articles on marine scientific research<sup>3</sup>

[Original: English]  
[22 August 1974]

*Item 2 (a)—Right to undertake marine scientific research*

1. Coastal States have the exclusive right to conduct and regulate marine scientific research in their (. . .)<sup>4</sup> and to authorize and regulate such research as provided for in article . . .

2. Marine scientific research in the international area<sup>5</sup> shall be conducted directly by the International Authority and, if appropriate, by persons, juridical or physical, through service contracts or associations or through any other such means as the International Authority may determine, which shall ensure its direct and effective control at all times over such research.

*Item 2 (b)—Consent, participation and obligations of the coastal State*

1. Marine scientific research in the (. . .)<sup>4</sup> of a coastal State shall not be conducted without the explicit consent of that State.

2. States and appropriate international and regional organizations, as well as persons, juridical and physical, seeking consent of the coastal State to conduct marine scientific research in the area referred to in paragraph 1 shall, *inter alia*:

- (i) Undertake to conduct the research exclusively for peaceful purposes;
- (ii) Disclose the nature and objective of the research, as well as the means to be used, including satellites and Oceanic Data Acquisition Systems (ODAS);
- (iii) Indicate the precise geographical area in which the activities concerning such research are to be conducted;
- (iv) State the proposed date for commencement of the activities and the period for completing the project;

\*Incorporating document A/CONF.62/C.3/L.13/Corr.1 of 24 August 1974.

<sup>3</sup>The delegate of Colombia, as the Chairman of the Group of 77, while presenting this document, would like to point out that it represents the consensus of the Group of 77 of the Third Committee, without committing the final position of members of the Group.

<sup>4</sup>A decision on the precise terms to be used here, such as economic zone, patrimonial sea, national sea or area under national jurisdiction and/or sovereignty, and continental shelf, and which do not refer to the international area, shall be adopted in the light of the decisions on the definition and nature of those terms in the Second Committee.

<sup>5</sup>The international area referred to in this paragraph is the area with which the First Committee is concerned. With regard to the remaining international area, the matter will be discussed at a later stage.

(v) Give full information and particulars regarding the sponsoring institution, if any, the scientific staff, and the vessels, equipment and other means to be employed, such as ODAS and remote sensing devices operating in the atmosphere or beyond;

(vi) Provide the coastal State with a detailed description of the research project which shall be kept up to date;

(vii) Include active participation or representation of the coastal State, if it so desires, in all stages of the research project;

(viii) Undertake to supply on time all raw and processed data, including the final evaluations and conclusions and samples to the coastal State;

(ix) Assist the coastal State in assessing the implications of the said data and samples and the results thereof in such a manner as that State may request;

(x) Undertake that results of scientific research shall not be published without the explicit consent of the coastal State; and

(xi) Undertake to comply with all applicable environmental standards and regulations of the coastal State, as well as international standards established or to be established by (insert name or names of appropriate organizations).

3. The coastal State shall have the right to supervise marine scientific research activities undertaken in the area referred to in paragraph 1 and suspend or terminate them if that State finds that these activities are not being carried out for the declared objective or purpose of the research or are not being carried out in accordance with the provisions of these articles.

4. [Participation of developing land-locked States and developing geographically disadvantaged States: on this question, proposals were submitted by the delegations of Singapore, India, Peru and Lesotho and an amendment was submitted by the delegation of Iran to the proposal of Singapore. These proposals, which due to lack of time could not be considered at this session, have been given to the Chairman of the Group of 77 for circulation within the Group, with a decision by the Group that they will be considered at the next session of the Conference or, in case of an intersessional meeting of the Group, at such meeting.]

5. The exercise of innocent passage and navigation does not confer on States, international organizations or other juridical or natural persons the right to undertake marine scientific research.

## DOCUMENT A/CONF.62/C.3/L.14

Note by the Chairman of the informal meetings of the Third Committee on item 12 (Preservation of the marine environment) addressed to the Chairman of the Third Committee

[Original: Spanish]  
[22 August 1974]

In my capacity as Chairman of the informal meetings of the Third Committee, organized to consider item 12 entitled "Preservation of the marine environment", I have the honour to inform you as follows:

There were 11 plenary meetings of the informal meetings on item 12 held between 22 July and 22 August. In addition, there

were 11 meetings of an informal drafting and negotiating group open to participation by all delegations, which was established for the purpose of working out draft articles acceptable to all delegations or to reduce the number of alternatives in those cases where it was impossible to arrive at a single text. I was also Chairman of that group.