

# **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.15/Add.1**

## **Results of consideration of proposals and amendments relating to the preservation of the marine environment**

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)*

- (iv) State the proposed date for commencement of the activities and the period for completing the project;
- (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;
- (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- (x) Undertake that results of scientific research shall not be published without the explicit consent of the coastal State; and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 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. Coastal States in considering requests by States to undertake scientific research in their (. . .)<sup>45</sup> shall extend preferential treatment to developing neighbouring land-locked States and other developing neighbouring geographically disadvantaged States, as defined in this Convention.

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 scientific research.

[6. Considering that certain scientific research activities which are not carried out directly in the marine environment should be subject to regulation by the coastal State, the Group of 77 agreed to draw up appropriate provisions on activities carried out by satellites, remote sensing devices or other means, which do not operate in the marine environment.]

#### DOCUMENT A/CONF.62/C.3/L.15/ADD.1<sup>50</sup>

##### Results of consideration of proposals and amendments relating to the preservation of the marine environment

[Original: English]  
[6 May 1975]

VIII. *Draft article on monitoring* (See A/9021,<sup>51</sup> vol. I, p. 92, WG.2/Paper No. 13; and CRP/MP/7/Add.1, 3, 4 and 5)

1. States shall, consistent with the rights of other States endeavour, as much as is practicable<sup>52</sup> individually or collectively through the competent international organizations to observe, measure, evaluate and analyse, by recognized methods the risks or effects of pollution of the marine environment.

In particular, States shall keep under surveillance the effect of any activities which they permit or in which they engage to determine whether these activities are likely to pollute the marine environment.<sup>53</sup>

2. States shall provide at appropriate intervals reports of the results obtained relating to risks or effects of pollution of the marine environment to the United Nations Environment Programme<sup>54</sup> or any other competent inter-

national or regional organizations, which should make them available to all States.

IX. *Draft article on environmental assessment* (See CRP/MP/18, originally proposed in connexion with monitoring)

1. When States have reasonable grounds for expecting that planned activities under their jurisdiction or control may cause substantial pollution of the marine environment, they shall, as far as practicable, assess the potential effects of such activities on the marine environment and shall communicate reports of the results of such assessments in the manner provided in paragraph 2 of article VIII (monitoring).

2. States shall directly or through competent international or regional organizations, on request, provide appropriate assistance, in particular to developing countries, concerning the preparation of such environmental assessments.

X. *Draft article on standards for land-based sources of marine pollution* (See A/9021, vol. I, p. 93, WG.2/Paper No. 15; and CRP/MP/17/Add.2)

1. States shall establish national laws and regulations to prevent, reduce and control pollution of the marine environment from land-based sources including rivers, estuaries, pipelines and outfall structures, taking into account internationally agreed rules, standards and recommended practices and procedures.

<sup>50</sup> This *addendum* incorporates draft articles agreed upon at the level of the informal meetings on item 12 during the third session of the Conference which were originally reproduced as CRP/MP/16 and Add.1-3.

<sup>51</sup> *Official Records of the General Assembly, Twenty-eighth Session, Supplement No. 21* and corrigenda 1 and 3.

<sup>52</sup> The question of the deletion or retention of the words "as much as is practicable" was deferred for consideration at a later stage.

<sup>53</sup> One delegation proposed to add after the words "marine environment" the following sentence "and they shall in any case, keep under surveillance the areas in which they exercise jurisdiction in accordance with this convention".

<sup>54</sup> Some delegations considered that United Nations agencies or other bodies should not be named in this article.

States shall also take such other measures as may be necessary to prevent, reduce and control pollution of the marine environment from land-based sources.

2. States shall endeavour to harmonize their national policies at the appropriate regional level.

3. States, acting in particular through the appropriate intergovernmental organizations or by diplomatic conference, shall endeavour to establish global and regional rules, standards and recommended practices and procedures to prevent, reduce and control pollution of the marine environment from land-based sources.

[or]

3. States, acting in particular through the appropriate intergovernmental organizations or by diplomatic conference, shall endeavour to establish global and regional rules, standards and recommended practices and procedures to prevent, reduce and control pollution of the marine environment from land-based sources, taking into account characteristic regional features, the economic capacity of developing countries and their need for economic development.

4. Laws, regulations and measures, and rules, standards and recommended practices and procedures referred to in paragraphs 1 and 3 respectively shall include those designed to minimize to the fullest possible extent the release of toxic and harmful substances, especially persistent substances, into the marine environment.

XI. *Draft article on pollution from dumping of wastes at sea* (See CRP/MP/20)

1. States shall establish national laws and regulations to prevent, reduce and control pollution of the marine environment from dumping<sup>55</sup> of wastes and other matters.

<sup>55</sup> In the consideration of this subject, the concept of "dumping" was used in substance as found in the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, signed in London in 1972. The need to include a definition of dumping, the exact text thereof for the purpose of this Convention and its placing will be the subject of future consideration.

States shall also take such other measures as may be necessary to prevent, reduce and control such pollution.

Such laws, regulations and measures shall ensure that dumping is not carried out without the permission of the competent authorities of States.

2. States acting in particular through the competent<sup>56</sup> intergovernmental organizations or by diplomatic conference, shall endeavour to establish as soon as possible and to the extent that they are not already in existence, global and regional rules, standards and recommended practices and procedures to prevent, reduce and control pollution of the marine environment by dumping of wastes and other matter.

3. Dumping of wastes and other matter within (. . .)<sup>57</sup> shall not be carried out without the express approval of the coastal State, which has the exclusive<sup>58</sup> right to permit, regulate and control<sup>59</sup> such dumping.<sup>60</sup>

4. . . .<sup>61</sup>

<sup>56</sup> Some delegations suggested that the meaning of this word should be clarified.

<sup>57</sup> Area to be determined at a later stage.

<sup>58</sup> It was understood that this did not limit the right of other States to establish additional or stricter conditions or to prohibit entirely the dumping of wastes and other matter by ships flying their flag, ships or aircraft of their registry or ships or aircraft loading within their territory, including their ports or offshore terminals.

<sup>59</sup> It was understood that this paragraph has to be reviewed in the light of the decision taken on enforcement.

<sup>60</sup> The paragraphs in document CRP/MP/20/Add.1 (contained in document A/CONF.62/C.3/L.30) have neither been approved nor rejected. They will be considered at the next session of the Conference.

<sup>61</sup> This paragraph was not examined due to lack of time. The texts for this paragraph will be considered at the next session of the Conference and for this purpose they have been recorded in document A/CONF.62/C.3/L.30.

DOCUMENT A/CONF.62/C.3/L.22

Description of some types of marine technology and possible methods for their transfer:  
report of the Secretary-General

*(Original: English/  
27 February 1975)*

CONTENTS

	<i>Paragraphs</i>
PREFACE	
I. SOME NOTES ON THE PROCESS OF MARINE TECHNOLOGY TRANSFER . . .	1-20
1. General approach to programme design . . . . .	16-17
2. Regional approach . . . . .	18-20
II. A DESCRIPTION OF SOME MARINE ACTIVITIES . . . . .	21-59
1. Offshore oil and gas . . . . .	22-33
2. Sea-bed mining and dredging . . . . .	34-40
3. Offshore structures, cables and pipelines . . . . .	41-44
4. Submersibles and undersea habitats . . . . .	45-50
5. Extraction of dissolved chemicals from sea-water . . . . .	51-54
6. Desalination of sea-water . . . . .	55-59