

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.18

Norway: working paper on 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)*

articles . . . of this Convention, the consent of the coastal State is required for the conduct of the research.

The installations referred to in this article shall not have the status of islands or possess their own territorial waters, and their existence shall not affect the delimitation of the territorial sea, continental shelf or economic zone of the coastal State.

FRANCE

The emplacement of scientific research installations (ODAS) within the limits of national jurisdiction of a State shall require the consent of that State in the same conditions as for the conduct of scientific research.

Such installations shall be subject to the jurisdiction of the State which has emplaced them, unless otherwise agreed between the State conducting the research and the coastal State.

C. RESPONSIBILITY AND LIABILITY

BELGARIA, POLAND, UKRAINIAN SOVIET SOCIALIST REPUBLIC,
UNION OF SOVIET SOCIALIST REPUBLICS

Article 13

States shall be held internationally liable for national activity in the world ocean, irrespective of whether it is carried out by government organs or by juridical or physical persons, and for ensuring that national activities are conducted in accordance with the provisions of this Convention.

VENEZUELA

*Amendment to first paragraph of Article 13, document
A/AC.138/SC.III/L.31*

Replace the words "the world ocean, irrespective of whether it is carried out by government organs or by juridical or phy-

sical persons" by the words "areas under the jurisdiction of other States or in the international zone".

SPAIN

*Amendments to first paragraph of Article 13, document
A/AC.138/SC.III/L.31*

(a) Insert the words "international organizations" after the word "States";

(b) Insert the words "scientific research" after the words "for national activity";

(c) Replace the words "in the world ocean" by the words "in the marine environment".

CANADA²⁶

States shall be responsible for marine scientific research conducted in the marine environment by them or by their nationals, natural or juridical.

States shall be liable for damage, caused to the marine environment, including damage to other States and their environment, arising out of marine scientific research, when such damage is attributable to them. When such damage is attributable to their nationals, States undertake to provide recourse with a view to ensuring equitable compensation for the victims thereof.

²⁶Any text on marine scientific research—responsibility and liability—should be developed together with any similar provision regarding marine pollution damage and therefore this text may have to be amended or expanded upon at a later date.

DOCUMENT A/CONF.62/C.3/L.18

Norway: working paper on preservation of the marine environment

[Original: English]
[23 August 1974]

The following is suggested as a tentative draft provision on the maintenance of the natural state of the marine environment:

1. States shall not undertake or permit activities which may cause significant and extensive harmful changes in the natural state of the marine environment by the deliberate introduction thereto or the transfer from one area to another thereof of species alien or new thereto. If the effects of any proposed activity could give rise to uncertainty in this respect, the State concerned shall in any event consult with interested States and appropriate international organizations prior to undertaking or permitting any such activity.

States shall take appropriate measures to guard against the accidental introduction or transfer of alien or new species, and to restore the previously existing state of the marine environment in cases where a disturbance has occurred due to any introduction or transfer of alien or new species.

2. This article shall be without prejudice to the application of the provisions of this Convention relating to the prevention of the pollution of the marine environment.

DOCUMENT A/CONF.62/C.3/L.19

Austria, Belgium, Bolivia, Botswana, Denmark, Germany (Federal Republic of), Laos, Lesotho, Liberia, Luxembourg, Nepal, Netherlands, Paraguay, Singapore, Uganda, Upper Volta and Zambia: draft articles on marine scientific research

[Original: English]
[23 August 1974]

Note. These draft articles do not necessarily represent the final position of the sponsors on individual articles or on the

draft as a whole. Sponsorship does not prejudice their position on previous or future draft proposals.