

INTERGOVERNMENTAL OCEANOGRAPHIC COMMISSION
(of UNESCO)

REPORT OF THE CHAIRMAN ON PARTICIPATION BY
INTERGOVERNMENTAL OCEANOGRAPHIC COMMISSION REPRESENTATIVES
IN THE EIGHTH SESSION OF THE
THIRD UNITED NATIONS CONFERENCE
ON THE LAW OF THE SEA (UNCLOS)

At its eleventh session, the Executive Council decided that the Commission should be represented at the eighth session of the Third UN Conference on the Law of the Sea (UNCLOS), Geneva, 19 March 27 April 1979. The revised mandate for the IOC representative(s) to the Conference was endorsed (Annex III to document IOC/EC-VIII/3), in which the Chairman was requested to prepare a report on such participation. The Chairman submits the attached report in response to the above request.

Attendance at the eighth session of the Third United Nations Conference on the Law of the Sea, convened in Geneva from 19 March to 27 April 1979, was undertaken by the Chairman, two of the four Vice-Chairmen, and the Secretary as follows:

Secretary	19-28 March
Chairman	26-30 March
Dr. C. Druet	2-12 April
Dr. N.J. Campbell	17-27 April

At its resumed seventh session in September 1978, the Conference decided to complete informal negotiations by the end of this session and at that time to consider whether to formalize the revised negotiating text. The Conference was also empowered to hold a second session in 1979 if such a session would advance its work.

The Conference therefore concentrated its efforts during the first three weeks of this session on sea-bed issues including the system for exploration and exploitation of the ocean bottom beyond the limits of national jurisdiction; financial arrangements for exploitation; and the composition, powers and functions of the several organs which will make up the proposed International Sea-bed Authority.

The other hard-core issues dealt with at the Conference included access by land-locked and other States to the fisheries in the 200-mile exclusive economic zone, the settlement of disputes relating to the sovereign rights of coastal States in this zone, the definition of the outer limits of the continental shelf, revenue sharing and delimitation of maritime boundaries.

Because the problems of the First Committee were different in character and scope from those of the Second and Third Committees, a decision

was taken to set up a 'Group of 21' composed of 10 Developing Countries and 11 Industrialized Countries, including the Chairman of the First Committee, the Chairmen of Negotiating Groups 1 and 2 and the Chairman of the Group of Legal Experts. The objective of the 'Group of 21' was to separate sea-bed issues into two categories: those on which a consensus existed and those on which a final consensus was near and could be incorporated into new formulations in the revised negotiating text.

Committee I - Sea-bed Matters

Progress on sea-bed matters took the form of revised and considerably expanded texts on those issues that will govern future exploitation of sea-bed minerals by private enterprise and the International Sea-bed Authority through its own mining operation. The basic proposal is for a parallel system in which both the "Enterprise" and other bodies - government and private - would be entitled to mine the deep sea-bed, all under the control of the Authority.

Much of the deliberations dealt with questions and formulae of financing the "Enterprise", technology transfer and other issues including joint ventures, production policies, selection of applicants for mining contracts, priorities and organs of Authority, the site of the Authority and dispute settlement. Considerable progress has been made on all these issues, but complete agreement and compromises are still pending and will be taken up in New York at the resumed session.

Committee II - Continental Shelf

Committee II, which deals with Continental Shelf issues and questions on the access to the living resources of the economic zone has not completed its work.

No consensus was achieved on the definition of the outer limits of the continental shelf and on what arrangements should be made for sharing revenues from exploitation of the shelf beyond 200 miles. New formulae have been submitted on the definition of the shelf and revenue sharing which offer increased promise for achieving a consensus (a combination of the Irish and Soviet formulae). Various revenue sharing proposals are also before the Committee and these will be examined in detail by the Conference at its next session.

Consideration is also being given to the establishment of a Commission on the Limits of the Continental Shelf. This body would review limits as defined by coastal States and make recommendations.

The report prepared jointly by IOC and IHO on A study of the implications of preparing large-scale maps for the Third United Nations Conference on the Law of the Sea (UNCLOS) (doc. A/CONF.62/C.2/L.99) and its presentation by the Secretary were very well received and proved to be of considerable benefit in aiding the Conference on questions of the outer limits of the Continental Shelf. The UNCLOS Secretariat and numerous delegates commented and referred to the excellence of the work and presentation.

Substantially improved texts and understandings on the right of access of land-locked and geographically disadvantaged States have been found for access to the living resources of the exclusive economic zone of coastal States of the same sub-region or region and in compromise formulae for the settlement of disputes arising from disagreements over the exercise of sovereign rights of coastal States in their economic zones.

Committee III - Marine Environment - Research and Technology

The Third Committee has substantially completed its work on protection of the marine environment and on the development and transfer of marine

technology. Further negotiations are still anticipated on the conduct of marine scientific research by foreign vessels in waters under the jurisdiction of other States, but many delegations are still maintaining their stand that a balance has been achieved between coastal States and researching States and it should not be upset by substantial changes.

Of particular interest to the IOC and Unesco is a new provision calling for States to "promote the establishment, especially developing coastal States, of national marine scientific and technological research centres, and strengthening of national centres, in order to stimulate and advance the conduct of marine scientific research by developing coastal States and for strengthening their national capabilities to utilize and preserve their marine resources for their economic benefit". States will also be required to "give adequate support to facilitate the establishment and strengthening of such national centres, for the provision of advanced training facilities and necessary equipment; skills and know-how, as well as to provide technical experts to such States which may need and request such assistance".

A revision of the ICNT to incorporate the result of negotiations since 1978, is to be issued by the Conference as a basis for negotiations at the next session which is scheduled for 19 July - 24 August 1979, in New York.