At its 35th plenary meeting on Friday 18 April 1975 the Conference decided to request the Chairman of its three Main Committees each to prepare a single negotiating text covering the subjects entrusted to his Committee. In his concluding statement, before the Conference made this request, the President stressed that the single text should take account of all the formal and informal discussions held so far, would be informal in character and would not prejudice the position of any delegation nor would it represent any negotiated text or accepted compromise. It should, therefore, be quite clear that the single negotiating text will serve as a procedural device and only provide a basis for negotiation. It must not in any way be regarded as affecting either the status of proposals already made by delegations or the right of delegations to submit amendments or new proposals.

Note by the President of the Conference

Part I: Interpretation

Article 1

For the purposes of this Convention

(i) "States Parties" to this Convention means Contracting Parties.

(ii) "Activities in the Area" means all activities of exploration of the Area and of the exploitation of its resources, as well as other associated activities in the Area including scientific research.

(iii) "Resources" means resources in situ.
2. Stationary and mobile installations relating to the conduct of activities in the Area shall be subject to the following conditions:

(i) Such installations shall be erected, emplaced and removed solely in accordance with the provisions of this Convention and subject to rules and regulations prescribed by the Authority. The erection, emplacement and removal of such installations shall be the subject of timely notification through Notices to Mariners or other generally recognized means of notification;

(ii) Such installations shall not be located in the Area where they may obstruct passage through sea lanes of vital importance for international shipping or in areas of intense fishing activity;

(iii) Safety zones shall be established around such installations with appropriate markings to ensure the safety of both the installations themselves and of shipping. The configuration and location of such safety zones shall not be such as to form a belt impeding the lawful access of shipping to particular maritime zones or navigation along international sea lanes;

(iv) Such installations shall be used exclusively for peaceful purposes;

(v) Such installations shall not possess the status of islands. They shall have no territorial sea, nor shall their presence affect the determination of territorial or jurisdictional limits of any kind.

3. Other activities in the marine environment shall be conducted with reasonable regard for activities in the Area.

RESPONSIBILITY TO ENSURE COMPLIANCE AND LIABILITY FOR DAMAGE

Article 17

1. Every State shall have the responsibility to ensure that activities in the Area, whether undertaken by governmental agencies, or non-governmental entities or persons under its jurisdiction, or acting on its behalf, shall be carried out in conformity with the provisions of this Convention. The same responsibility applies to international organizations and their members for activities in the Area undertaken by such organizations or on their behalf. Damage caused by such activities shall entail liability on the part of the State or international organization concerned, in respect of activities which it undertakes itself or authorizes.

2. A group of States or a group of international organizations acting together shall be jointly and severally responsible under these articles.

3. Every State shall take appropriate measures to ensure that the responsibility provided for in paragraph 1 of this article shall apply mutatis mutandis to international organizations of which it is a member.

PARTICIPATION OF DEVELOPING COUNTRIES, INCLUDING LAND-LOCKED AND OTHER GEOGRAPHICALLY DISADVANTAGED STATES

Article 18

Participation in the activities in the Area of developing countries, including the land-locked and other geographically disadvantaged States among them, shall be promoted, having due regard to their special needs and interests.

ARCHAEOLOGICAL AND HISTORICAL OBJECTS

Article 19

1. All objects of an archaeological and historical nature found in the Area shall be preserved or disposed of by the Authority for the benefit of the international community as a whole, particular regard being paid to the preferential rights of the State of country of origin, or the State of cultural origin, or the State of historical and archaeological origin.

2. The recovery and disposal of wrecks and their contents more than 50 years old found in the Area shall be subject to regulation by the Authority without prejudice to the rights of the owner thereof.

3. Any dispute with regard to a preferential right under paragraph 1 or a right of ownership under paragraph 2, shall, on the application of either party, be subject to the procedure for settlement of disputes provided for in this Convention.

Part III: The International Sea-bed Authority

ESTABLISHMENT OF THE INTERNATIONAL SEA-BED AUTHORITY

Article 20

1. There is hereby established the International Sea-bed Authority which shall function in accordance with the provisions of this Convention.

2. All States Parties to this Convention are members of the Authority.

3. The seat of the Authority shall be at Jamaica.

4. The Authority may establish such regional centres or offices as it deems necessary for the performance of its functions.

NATURE AND FUNDAMENTAL PRINCIPLES OF THE FUNCTIONING OF THE AUTHORITY

Article 21

1. The Authority is the organization through which States Parties shall administer the Area, manage its resources and control the activities of the area in accordance with the provisions of this Convention.

2. The Authority is based on the principle of the sovereign equality of all of its members.

3. All members, in order to ensure to all of them the rights and benefits resulting from membership, shall fulfill in good faith the obligations assumed by them in accordance with this Convention.

FUNCTIONS OF THE AUTHORITY

Article 22

1. Activities in the Area shall be conducted directly by the Authority.

2. The Authority may, if it considers it appropriate, and within the limits it may determine, carry out activities in
the Area or any part thereof through States Parties to this Convention, or State enterprises, or persons natural or juridical which possess the nationality of such States or are effectively controlled by them or their nationals, or any group of the foregoing, by entering into service contracts, or joint ventures or any other such form of association which ensures this direct and effective control at all times over such activities.

3. Notwithstanding the provisions of paragraphs 1 and 2 of this article and in order to promote the earliest possible commencement of activities in the area, the Authority, through the Council, shall:

(i) Identify as early as practicable after coming into force of this Convention ten economically viable mining sites in the Area for exploration and exploitation of no more than ... (size, etc.);
(ii) Enter into joint ventures in respect of these sites with States Parties to this Convention or State-enterprises or persons natural and juridical which possess the nationality of such States or are effectively controlled by them or their nationals or any group of the foregoing. Such joint ventures shall be subject to the conditions of exploration and exploitation established by and under this Convention and shall always ensure the direct and effective control of the Authority at all times.

4. In entering into such joint ventures as provided for in paragraph 3 (ii) of this article, the Authority may decide on the basis of available data to reserve certain portions of the mining sites for its own further exploitation.

Article 27

1. In the exercise of its functions the Authority shall take measures pursuant to this Convention to promote and encourage activities in the Area and to secure the maximum financial and other benefit from them.

2. The Authority shall avoid discrimination in the granting of opportunities for such activities and shall, in the implementation of its powers, ensure that all rights granted pursuant to this Convention are fully safeguarded. Special consideration by the Authority under this Convention for the interests and needs of the developing countries, and particularly the land-locked among them, shall not be deemed to be discrimination.

3. The Authority shall ensure the equitable sharing by States in the benefits derived from activities in the Area, taking into particular consideration the interests and needs of the developing countries whether coastal or land-locked.

ORGANS OF THE AUTHORITY

Article 24

1. There are established as the principal organs of the Authority an Assembly, a Council, a Tribunal, an Enterprise and a Secretariat.

2. Such subsidiary organs as may be found necessary may be established in accordance with this Convention.

THE ASSEMBLY

Article 25

1. The Assembly shall consist of all the members of the Authority.

2. The Assembly shall meet in regular session every two years and in such special sessions as may be determined by the Assembly, or convened by the Secretary-General at the request of the Council or of a majority of the members of the Authority.

3. Sessions shall take place at the seat of the Authority unless otherwise determined by the Assembly. At such sessions, each member shall have one representative who may be accompanied by alternates and advisers.

4. The Assembly shall elect its President and such other officers as may be required at the beginning of each session. They shall hold office until the new President and other officers are elected at the next following session.

5. Each member of the Assembly shall have one vote.

6. All decisions on questions of substance, and the question whether a question is one of substance or procedure, shall be made by a two-thirds majority of the members present and voting, provided that such majority shall include at least a majority of the members of the Authority. Decisions on other questions shall be made by a majority of the members present and voting.

7. A majority of the members of the Assembly shall constitute a quorum.

8. Upon a written request to the President supported by not less than one-third of the members of the Assembly, a vote on any matter before the Assembly shall be deferred pending reference to the Tribunal for an Advisory Opinion on any legal question connected therewith. Voting on such matter shall be stayed pending delivery of the Tribunal’s Advisory Opinion, or for a period of six months from the receipt of the request, whichever is earlier.

POWERS AND FUNCTIONS OF THE ASSEMBLY

Article 26

1. The Assembly shall be the supreme policy-making organ of the Authority. It shall have the power to lay down general guidelines and issue directions of a general character as to the policy to be pursued by the Council or other organs of the Authority on any questions or matters within the scope of this Convention. It may also discuss any questions or any matters within the scope of this Convention and make recommendations thereon.

2. In addition, the powers and functions of the Assembly shall include:

(i) Election of the members of the Council in accordance with article 27;
(ii) Appointment, upon the recommendation of the Council, of the members of the Tribunal and of the Governing Board of the Enterprise;
(iii) Establishment, as appropriate, of such subsidiary organs as may be found necessary for the performance of its functions in accordance with the provisions of this Convention;
(iv) Assessment of the contributions of Parties to this Convention as necessary for meeting the administrative budget of the Authority;
(v) Adoption of the financial regulations of the Authority, including rules on borrowing;
(vi) Approval of the budget of the Authority on its submission by the Council;
(vii) Adoption of its rules of procedure;