REVISED SINGLE NEGOTIATING TEXT

Note by the President of the Conference

At its 55th 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. The Chairmen were expected, in the preparation of this text, to take into account all the formal and informal discussions that had been held. It was understood that the text would be informal in character and would not prejudice the position of any delegation, nor would it represent any negotiated text or accepted compromise. The Informal Single Negotiating Text was to serve purely as a procedural device and only provide a basis for negotiation without affecting either the status of proposals already made by delegations or the right of delegations to submit amendments or introduce new proposals.

The Informal Single Negotiating Texts which were released before the adjournment of the third session of the Third United Nations Conference on the Law of the Sea as documents A/CONF.62/Misc.8/Parts I, II and III have been the subject of informal negotiations both during the intersessional period and during almost this entire fourth session which started on 15 March 1976.

At the first meeting of the fourth session the President indicated that the next phase should be the preparation by the Chairmen of the three Committees of a revised Single Negotiating Text in respect of each of their Committees and that this revised text would reflect as far as possible the result of the informal negotiations that had taken place.

The revised Single Negotiating Text would represent a further stage in the work of the Conference. The Chairmen of the three Committees have accordingly prepared revised Single Negotiating Texts. These texts have been prepared entirely on their own responsibility and will have no other status than that of serving as a basis for continued negotiation without prejudice to the right of any delegation to move any amendments or to introduce any new proposals. The texts must not be regarded as committing any delegation or delegations to any of their provisions. In accordance with the procedure already established, there will be no general discussion of the texts.
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 fulfil in good faith the obligations assumed by them in accordance with this Part.

FUNCTIONS OF THE AUTHORITY

Article 22

1. Activities in the Area shall be conducted directly by the Authority and in association with the Authority and under its control in accordance with paragraph 3 of this article by States Parties, or State enterprises, or persons natural or juridical which possess the nationality of States Parties or are effectively controlled by them or their nationals, when sponsored by such States, or any group of the foregoing in accordance with the provisions of Annex I, the rules, regulations and procedures of the Authority adopted under Article 28 (2)(xii) and the Statute of the Enterprise.

2. Activities in the Area shall be carried out in accordance with a formal written plan of work drawn in accordance with Annex I and approved by the Council after review by the Technical Commission. In the case of activities in the Area conducted on behalf of the Authority such a plan of work shall be in the form of a contract of exploration and exploitation.

3. The Authority shall exercise control over activities in the Area for the purpose of securing effective compliance with the relevant provisions of this Convention, Annex I and the rules, regulations and procedures of the Authority adopted under Article 28 (2)(xii) and the plan of work approved in accordance with paragraph 2. States Parties who sponsor persons natural or juridical shall assist the Authority by taking all necessary and appropriate measures to secure effective compliance by such persons.

Article 23

1. The Authority shall avoid discrimination in the exercise of its powers and functions, including the granting of opportunities for activities in the Area, except as specifically provided for in this Part of the Convention. All rights granted under it shall be fully safeguarded in accordance with the provisions of this Part of the Convention.

2. Special consideration for developing countries specifically provided for in this Part of the Convention shall not be deemed to be discrimination.