Article 137, paragraph 2: after "these resources are not subject to alienation", delete the rest of the paragraph.24

Article 138: add a paragraph 2 reading as follows:

"2. Signatories to this treaty agree to enforce internationally recognized labour standards regarding working conditions and maritime safety. Internationally recognized labour standards are defined as those standards specified in the conventions and the recommendations of the International Labour Organization, with special reference to the Minimum Standards in the Merchant Ships Convention (Number 147) and safety standards established by the Intergovernmental Maritime Consultative Organization.".

Article 140, paragraph 1: after "taking into particular consideration the interests and needs of the developing States," delete the rest of the paragraph.25

Article 150, subparagraph (d): delete "as needed in conjunction with minerals produced from other sources".

Article 150, subparagraph (e): redraft the text to read as follows:

"(e) the promotion of just and stable prices remunerative to producers and fair to consumers for minerals produced from the resources of the Area and promotion of long-term equilibrium between supply and demand":

Add a new article 150 (d)(ii), reading as follows:

"In the interpretation and exercise of its powers and functions the Authority shall at all times be guided by the objective of facilitating the development of the resources of the Area, without prejudice to the provisions of Article 151, paragraph 2.".

Article 151, paragraph 1: redraft the text to read as follows:

"1. Without prejudice to the objectives set forth in article 150 and for the purpose of implementing the provisions of article 150, subparagraph (g), the Authority, acting through existing forums or such new arrangements or agreements as may be appropriate, in which all interested affected parties, including both producers and consumers, participate, may take measures necessary to promote the growth, efficiency and stability of markets for those commodities produced from the resources of the Area, at prices remunerative to producers and fair to consumers. All States Parties shall co-operate to this end. The Authority shall have the right to participate in any commodity conference dealing with those commodities and in which all affected parties including both producers and consumers participate. The Authority shall have the right to become a party to any such arrangement or agreement resulting from such conferences as are referred to above. The participation by the Authority in any organs established under the arrangements or agreements referred to above shall be in respect of Enterprise production in the Area and in accordance with the rules of procedure established for such organs. The Authority shall carry out its obligations under such arrangements or agreements in a manner which assures a uniform and non-discriminatory implementation in respect of all production in the Area of the minerals concerned. In doing so, the Authority shall act in a manner consistent with the terms of existing contracts and approved plans of work of the Enterprise.".

Article 151, paragraph 2 (b) (ii): at the end of the subparagraph add the following text:

"After the first five years of commercial production and for the following ten years the percentage of the difference between the trend line value for nickel consumption referred to above, which begins at 60 per cent, shall be increased by 2 per cent per year."

Article 151, paragraph 2 (c): for "An operator may in any year produce less than or up to 8 per cent" read "An operator may in any year produce up to 8 per cent."

Article 151, paragraph 4: redraft the text as follows:

"These amendments refer to the text contained in document A/CONF.62/L.78 but do not take into account the modifications made therein on the basis of the recommendations of the Drafting Committee referred to in the memorandum by the Collegium (A/CONF.62/L.55).

See also article 1 of annex III.

Consequential changes will be made to articles 160 (2) (f) (g) and 181 (1) (a) (b)."
"4. Following the recommendations from the Council on the basis of advice from the Economic Planning Commission, the Assembly shall establish a system of measures of economic adjustment assistance including co-operation with specialized agencies and other international organizations to assist developing countries,".

Article 151: add a paragraph 5 reading as follows:

"5. The Authority shall ensure that all of the entities referred to in paragraph 1 (a) of the [PIP Resolution] receive production authorizations when they apply for them under annex III, article 7, notwithstanding the provisions of paragraph 2 of this Article. In the event the requirements of this paragraph create a temporary excess over the allowable ceiling in any one year or years, the Authority shall delay the issuance of production authorizations for subsequent applicants until the ceiling allows for new production."

Article 152, paragraph 2: redraft the paragraph to read as follows:

"2. Nevertheless, special consideration for developing States Parties, including particular consideration for the land-locked and geographically disadvantaged among them, shall be permitted, as specifically provided for in article 140, paragraph 2; article 143; article 144; article 148; article 151, paragraph 2; annex III, article 9; article 15; paragraph 14; article 15; annex IV, article 11 (b)(c), paragraph 4."

Article 153, paragraph 2 (b): delete the phrase "in association with the Authority".

Article 153, paragraph 4: number paragraph 4 as 4 (a) and add a new subparagraph 4 (b) reading as follows:

"(b) In order to provide such assistance a State Party which sponsors an entity referred to in paragraph 2 (b) shall take necessary measures to ensure that activities in the Area carried out by such entities comply with the relevant provisions of this Part, the rules, regulations and procedures of the Authority, and plans of work approved in accordance with paragraph 3. In the first instance, the Authority shall rely on the obligations of the Sponsoring State Party under this paragraph. The Council may take action under article 162, paragraph 2 (b), if it determines that such measures are not adequate." 39

Article 153, paragraph 5: redraft as follows:

"5. The Authority shall have the right to take at any time any measures provided for under this Part to ensure compliance with its terms. The Authority shall have the right to inspect all installations in the Area used for the conduct of activities in the Area."

Article 155, paragraphs 3 and 4: replace paragraphs 3 and 4 by the following text:

The Review Conference shall establish its own rules of procedure. The decision-making procedure applicable at the Review Conference shall be the same as that applicable at the Third United Nations Conference on the Law of the Sea unless otherwise decided by the Conference. The Conference shall make every effort to reach agreement on any amendments by way of consensus and there should be no voting on such matters until all efforts at consensus have been exhausted.

"5 (a) If five years after its commencement, the Review Conference has not reached agreement on the system of exploitation and exploration of the resources of the Area, it may decide during the ensuing twelve months to adopt and submit to the States Parties for ratification or accession such amendments changing or modifying the system as it determines necessary and appropriate taking into account the experience gained as to the effectiveness and viability of the system laid down in article 153, paragraph 2.

"(b) The amendments shall enter into force twelve months after the date of deposit of instruments of ratification or accession by all States Parties. Exploration and exploitation of the resources of the Area shall thereafter be governed by this Part and the relevant annexes as amended."

Article 158, paragraph 4: replace the paragraph by the following text:

"4. Each organ shall be responsible for exercising the powers and functions which have been conferred upon it. No organ shall take any action that derogates from or impedes the exercise of specific powers and functions conferred upon another organ." 39

Article 160, paragraph 1: at the end of the paragraph add the following text: "Nothing in this paragraph shall derogate from the provisions of article 158, paragraph 4."

Article 160, paragraph 2: delete "in addition" at the beginning of the paragraph.

Article 160, paragraph 2 (g): at the end of the paragraph, add the following text: "If the Assembly does not approve the proposed annual budget of the Authority, the Assembly shall return it, together with the Assembly's recommendations thereon, to the Council for reconsideration and resubmission to the Assembly."

Article 161, paragraph 1 (a): redraft the text to read as follows:

"(a) Four members from among the eight States Parties which have the largest investments in preparation for and in the conduct of activities in the Area, being those among the said eight States Parties which account for the largest proportion of assessments based upon the scale used for the regular budget of the United Nations. This group shall at all times include the State Party which is the largest consumer of the commodities produced from the categories of minerals to be derived from the Area, and shall include at least one State from the Eastern (Socialist) European region."

Article 161, paragraph 1 (d): at the end of the paragraph add the following text: "and two States from among the eight States Parties specified in paragraph (d) which account for the largest proportion of assessments based upon the scale used for the regular budget of the United Nations."

Article 161, paragraph 1 (c): add a paragraph reading as follows:

"(c) (bis) Decisions on questions of substance arising under the following provisions shall be taken by a three-fourths majority of the members present and voting provided that such majority shall also include a majority of each of the categories enumerated in paragraphs 1 (a) to (d) and a majority in each geographical region enumerated in paragraph 1 (e): article 162, paragraphs 2 (l), (m), (n), (q), (r), (s), (t), (w) and (ab)".

Article 161, paragraph 7 (d): for "article 162, paragraphs 2 (l) and (a)" read "article 162, paragraph 2 (c)."

Article 161, paragraph 7 (e): delete the following references: "article 162, (h), (l), (m), (q), (r), (s), (t), (w)".

Article 161, paragraph 7 (d): redraft the text to read as follows:

"7. (d) Decisions on questions of substance arising under the following provisions shall be decided by consensus: article 162, paragraph 1 and paragraph 2 (f); adoption of amendments to Part XV."

Article 162, paragraph 2: for "In addition, the Council shall read "The powers and functions of the Council shall be:"

39 Consequential drafting changes may be required in annex III.