

PART III
THE INTERACTION OF USES
AND THEIR INSTITUTIONAL REQUIREMENTS

Members are encouraged to include a wide representation of technological and economic disciplines and mining expertise in their delegations to Conference sessions.

3. The Third Chamber shall be elected by the Committee on Fisheries, with due regard to regional representation and the participation of industrialized and non-industrialized, coastal and landlocked, socialist and free-enterprise nations.

Members not represented in the Third Chamber for a three-year period have mandatory precedence in the elections for the next following Conference.

Members are encouraged to include a wide representation of marine biological sciences and fishing expertise in their delegations to Conference sessions.

4. The Fourth Chamber shall be elected by the General Assembly of IMCO, with due regard to regional representation and the participation of industrialized and non-industrialized, coastal and landlocked, socialist and free-enterprise nations.

Members not represented in the Fourth Chamber for a three-year period have mandatory precedence in the elections for the next following Conference.

Members are encouraged to include a wide representation of naval construction and navigation expertise in their delegations to Conference sessions.

5. The Fifth Chamber shall be elected by the Assembly of members of IOC, with due regard to regional representation and the participation of industrialized and non-industrialized, coastal and geographically disadvantaged, socialist and free-enterprise nations.

Members not represented in the Fifth Chamber for a three-year period have mandatory precedence in the elections for the next following Conference.

Members are encouraged to include a wide representation of oceanographic sciences in their delegations to Conference sessions.

Article 13

Each Delegation in each Chamber shall have one vote.

Article 14

Each Chamber shall elect its own President. The Conference as a whole shall elect its President and make its own rules of procedure.

Article 15

Decisions require the consensus of two Chambers, viz., the First Chamber and the Chamber competent in the matter to be decided upon.

If either Chamber fails to reach a consensus among its own members, the matter shall be put to a vote and adopted by a majority of those present and voting.

If the two Chambers fail to reach a consensus among themselves, they shall discuss the matter in joint session and vote jointly. A majority of those present and voting shall be required for the adoption of any decision.

In any dispute as to which Chamber is competent in a matter, the decision of the First Chamber shall be final.

Article 16

The initiative in proposing decisions, making recommendations, and expressing opinions shall be shared equally by all five Chambers.

Article 17

The Conference may discuss any questions or any matters within the scope of this Convention; issue decisions and recommendations for enactment by the Council, and give recommendations and opinions to States on any such question or matter.

Article 18

The Conference shall

- (a) elect the Secretary General
- (b) Discuss any question relating to the maintenance of international law and order in ocean space;
- (c) call the attention of the Council and of the Secretary General to situations which are likely to endanger international law and order in ocean space or the territorial, jurisdictional, or ecological integrity of International Ocean Space;
- (d) adopt the Ocean Development Plan or return it

to the Planning Council in part or as a whole. The Council shall then submit an amended Plan to the Conference within one month;

(d) approve the budget of the Institutions and the Basic Organizations or return it to the Council with its recommendations. The Council shall then submit an amended Budget to the Conference within one month;

(e) make basic rules for revenue raising and revenue sharing;

(f) review the basic conditions for the exploration and exploitation of the seabed and the subsoil thereof beyond the limits of national jurisdiction and propose amendments when required;

(g) review the basic conditions for the exploration and exploitation of the seabed and subsoil thereof within national ocean space and examine the possibilities of the impact of such activities on International Ocean Space or the National Ocean Space of other States; and, where such impact is likely to exist, to make appropriate recommendations to States;

(h) make rules for the international activities of national or multinational corporations;

(i) approve general criteria for the conservation, development and exploitation of the living resources of ocean space;

(j) approve rules and establish general criteria with regard to overflight, the use of marine satellites, the safety of navigation; ship construction, and the construction of ports and superports;

(k) make rules for the construction of artificial islands, pipelines, submarine cables, underwater habitats in international ocean space; review such activities in national ocean space, examine their possible impact on International Ocean Space or the National Ocean Space of other nations, and make appropriate recommendations to States;

(l) make rules for the extraction of energy from international ocean space; in cooperation with the IAEA, establish safety standards for floating atomic power systems, whether based on fission or thermonuclear fusion processes; monitor and keep an inventory of levels of energy production from tidal, ocean-current, ocean-thermal, or wave production plants, or biological energy production systems, and their environmental impact; study the interaction between energy production in ocean space and other uses of ocean space and resources and make rules for the equitable dis-

tribution of ocean energy supplies, with special regard for the needs of non-industrialized nations; and harmonize the activities of land-based and ocean-based energy systems;

ⁿ
(n) adopt standards for the conservation of the marine environment and the prevention of pollution from all sources;

^e
(e) adopt rules for scientific research in ocean space and the transfer of technologies;

^p
(p) give or withhold authorization with regard to projects of macro-engineering, including dams, isthmuses, canals, installations, whether in National or International Ocean Space, the effect of which, either on the environment or on populations, are transnational;

^g
(g) regulate the interaction between all uses of ocean space and resources;

ⁿ
(n) regulate the interaction between management systems in International and National Ocean Space;

^s
(s) approve, or object to, the way States delimit National Ocean Space by drawing baselines, defining historic bays, determining the breadth of safety zones and regulations to be observed with regard to reefs, low-tide elevations and islets not situated within national ocean space;

^t
(t) arbitrate or adjudicate delimitations between States;

^m
(m) give or withhold authorization for thermonuclear explosions for peaceful purposes in ocean space;

^v
(v) give or withhold authorization for waste disposal or the storage of petroleum in international ocean space;

^w
(w) adopt rules and regulations for waste disposal or storage of petroleum in National Ocean Space;

^x
(x) approve the annual report of the Planning Council;

approve the reports to be submitted to the United Nations as required by the relationship agreement between the Institutions and the United Nations;

^y
(y) approve any agreement between the Institutions, the Basic Organizations, and other organizations;

^z
(z) approve rules and limitations regarding the exercise of borrowing powers by the Planning Council; approve rules

regarding the acceptance of grants to the Institutions
and approve the manner in which general funds may be used;

²
 promote the harmonization of national maritime law
and the development of international law relating to
ocean space;

²
 approve amendments to this Convention.

Chapter VI: The Planning Council

Article 19

The Planning Council (hereinafter called "The Council") shall consist of seventeen members and shall be composed as follows:

(1) The outgoing Council (or in the case of the first Council, the U.N. Conference on the Law of the Sea) shall designate seven members for membership in the Council;

(2) The Conference shall elect ten members in the following manner:

Each of the five Chambers shall nominate four members, that is, a total of twenty members, of which the Conference as a whole shall elect ten, with due regard to equitable representation of developed and developing, maritime and landlocked, socialist and free-enterprise States;

(3) Any State not represented on the Council may appoint an ad hoc representative, with the right to vote, whenever its own vital interests are directly concerned; but the number of ad hoc members at any time shall be limited to four and the final decision regarding their participation rests with the Council.

The members of the Council shall serve for three years; they shall be eligible for re-election for the following term of office.

Article 20

The Council shall be so organized as to be able to function continuously. Each member (except ad hoc members) shall for this purpose be represented at all times at the seat of the Institutions.

Article 21

The Council may establish such subsidiary organs as it deems necessary for the performance of its functions. The Council shall review every six years the continued need for such organs as it may establish.

Article 22

The Council shall elect its own President and make its own rules of procedure.

Each member of the Council shall have one vote.

Article 23

Decisions of the Council shall be made, whenever possible, by consensus. When all efforts at reaching a consensus have been exhausted, a vote shall be taken, and a majority of those present and voting shall suffice for the adoption of any decision.

Article 24

The Council shall carry out the activities of the Conference between sessions of the latter.

Article 25

The Council shall be responsible for revising, harmonizing and integrating the Plans submitted by the Basic Organizations and present them in the form of an integrated Ocean Development Plan to the Conference.

Each Basic Organization shall submit each year to the Council a progress report and development plan to be stored in the Council's computer and included in the Ocean Development Plan. In integrating the plans, the Council shall give due consideration to:

- (1) the usefulness of the plan, including its scientific and technical feasibility;
- (2) the adequacy of funds and technical personnel to assure its effective execution;
- (3) the adequacy of proposed health, safety, and environmental standards;
- (4) the equitable distribution of financial grants;
- (5) the special needs of the underdeveloped areas of the world;
- (6) and such other matters as may be relevant.

Article 26

The Council shall make long-range ecological and economic projections and over-all forecasts up to fifty years and beyond; ten-year plans, and annual programs. The long-range projections shall be published every five years. The ten-year plan shall be a general estimate of probable developments; the annual program shall provide readjustment to developing conditions and fix the annual budget.