

ment programmes in keeping with the long-term development objectives and strategies at the national, subregional and regional levels.

Taking note of the final document on the critical economic situation in Africa adopted by the Ninth Conference of Heads of State or Government of Non-Aligned Countries, held at Belgrade from 4 to 7 September 1989,⁷⁶ as well as paragraph 12 of section II of the Caracas Declaration of the Ministers for Foreign Affairs of the member countries of the Group of Seventy-seven, adopted at the special ministerial meeting of the Group, held at Caracas from 21 to 23 June 1989,⁷⁷

Recalling resolution CM/RES.1222(L) adopted by the Council of Ministers of the Organization of African Unity at its fiftieth ordinary session, held at Addis Ababa from 17 to 22 July 1989,⁵²

Recalling also Economic and Social Council resolution 1989/116 of 28 July 1989.

1. *Takes note with interest* of the African Alternative Framework to Structural Adjustment Programmes for Socio-Economic Recovery and Transformation;⁷⁸

2. *Invites* the international community, including the multilateral financial and development institutions, to consider the African Alternative Framework as a basis for constructive dialogue and fruitful consultation.

60th plenary meeting
17 November 1989

44/26. Law of the sea

The General Assembly,

Recalling its resolutions 37/66 of 3 December 1982, 38/59 A of 14 December 1983, 39/73 of 13 December 1984, 40/63 of 10 December 1985, 41/34 of 5 November 1986, 42/20 of 18 November 1987 and 43/18 of 1 November 1988, regarding the law of the sea,

Recognizing that, as stated in the third preambular paragraph of the United Nations Convention on the Law of the Sea,⁶⁶ the problems of ocean space are closely interrelated and need to be considered as a whole,

Convinced that it is important to safeguard the unified character of the Convention and related resolutions adopted therewith and to apply them in a manner consistent with that character and with their object and purpose,

Emphasizing the need for States to ensure consistent application of the Convention, as well as the need for harmonization of national legislation with the provisions of the Convention,

Considering that, in its resolution 2749 (XXV) of 17 December 1970, it proclaimed that the sea-bed and ocean floor, and the subsoil thereof, beyond the limits of national jurisdiction (hereinafter referred to as "the Area"), as well as the resources of the Area, are the common heritage of mankind,

Recalling that the Convention provides the régime to be applied to the Area and its resources,

Welcoming the expressions of willingness to explore all possibilities of addressing issues, as referred to in the statements made at the end of the meeting of the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea, held

in New York from 14 August to 1 September 1989, in order to secure universal participation in the Convention.

Recognizing the need for co-operation in the early and effective implementation by the Preparatory Commission of resolution II of the Third United Nations Conference on the Law of the Sea,⁷⁹

Noting with satisfaction the progress made in the Preparatory Commission since its inception, including the registration in 1987 as pioneer investors of the Institut français de recherche pour l'exploitation de la mer (IFREMER), the Government of India, Deep Ocean Resources Development Co., Ltd. (DORD) and Yuzh-morgeologiya, whose applications were submitted by the Governments of France, India, Japan and the Union of Soviet Socialist Republics respectively, bearing in mind that such registration entails both rights and obligations.

Noting also with satisfaction the designation by the Preparatory Commission of reserved areas for the Authority from the application areas submitted by the pioneer investors pursuant to resolution II,

Noting that the Preparatory Commission has decided to hold its eighth regular session at Kingston from 5 to 30 March 1990 and to hold a summer meeting in New York in 1990,⁸⁰

Noting also the increasing needs of countries, especially developing countries, for information, advice and assistance in the implementation of the Convention and in their developmental process for the full realization of the benefits of the comprehensive legal régime established by the Convention,

Concerned that the developing countries are as yet unable to take effective measures for the full realization of these benefits owing to the lack of resources and of the necessary scientific and technological capabilities,

Recognizing the need to enhance and supplement the efforts of States and competent international organizations to enable developing countries to acquire such capabilities.

Recognizing also that the Convention encompasses all uses and resources of the sea and that all related activities within the United Nations system need to be implemented in a manner consistent with it,

Noting with appreciation the important initiative of the Secretary-General in convening inter-agency consultations on international and regional developments in ocean affairs and the law of the sea,⁸¹

Deeply concerned at the current state of the marine environment,

Mindful of the importance of the Convention for the protection of the marine environment,

Noting with concern the use of fishing methods and practices that can have an adverse impact on the conservation and management of marine living resources,

Taking special note of the report of the Secretary-General on the protection and preservation of the marine environment prepared in pursuance of paragraph 15 of General Assembly resolution 43/18,⁸²

Conscious of the urgent need to increase the scientific knowledge of the marine environment,

⁷⁶ See A/44/551-S/20870, annex.

⁷⁷ A/44/361, annex.

⁷⁸ A/44/315, annex.

⁷⁹ *Official Records of the Third United Nations Conference on the Law of the Sea*, vol. XVII (United Nations publication, Sales No. F.84.V.3), document A/CONF.62/121, annex I.

⁸⁰ A/44/650 and Corr.1, para. 118.

⁸¹ *Ibid.*, para. 20c.

⁸² A/44/461 and Corr.1.

Taking note of activities carried out in 1989 under the major programme on marine affairs, set forth in chapter 25 of the medium-term plan for the period 1984-1989, in accordance with the report of the Secretary-General,⁸³ as approved in General Assembly resolution 38/59 A, and the report of the Secretary-General,⁸⁴

Recalling its approval of the financing of the expenses of the Preparatory Commission from the regular budget of the United Nations,

Taking special note of the report of the Secretary-General prepared in pursuance of paragraph 14 of General Assembly resolution 43/18,⁸⁴

1. Recalls the historic significance of the United Nations Convention on the Law of the Sea as an important contribution to the maintenance of peace, justice and progress for all peoples of the world;

2. Expresses its satisfaction at the increasing and overwhelming support for the Convention, as evidenced, *inter alia*, by the one hundred and fifty-nine signatures and forty-two of the sixty ratifications or accessions required for entry into force of the Convention;

3. Invites all States to make renewed efforts to facilitate universal participation in the Convention;

4. Calls upon all States that have not done so to consider ratifying or acceding to the Convention at the earliest possible date to allow the effective entry into force of the new legal régime for the uses of the sea and its resources;

5. Calls upon all States to safeguard the unified character of the Convention and related resolutions adopted therewith and to apply them in a manner consistent with that character and with their object and purpose;

6. Also calls upon States to observe the provisions of the Convention when enacting their national legislation;

7. Notes the progress being made by the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea in all areas of its work;

8. Reiterates its conviction that the early, satisfactory and successful conclusion of the current consultations in the Preparatory Commission on the implementation of the obligations of the registered pioneer investors and the certifying States would constitute an important contribution to the overall progress in the work of the Commission;

9. Expresses its appreciation to the Secretary-General for his efforts in support of the Convention and for the effective execution of the major programme on marine affairs set forth in chapter 25 of the medium-term plan for the period 1984-1989 and requests him to take into account the prospective entry into force of the Convention and the increased needs of States for assistance in the implementation of the Convention in the medium-term plan for the period 1992-1997;

10. Also expresses its appreciation for the report of the Secretary-General prepared in pursuance of paragraph 14 of General Assembly resolution 43/18⁸⁴ and requests him to carry out the activities outlined therein, as well as those aimed at the strengthening of the legal régime of the sea, special emphasis being placed on the work of the Preparatory Commission, including the implementation of resolution II of the Third United Nations Conference on the Law of the Sea;

11. Calls upon the Secretary-General to continue to assist States in the implementation of the Convention and in the development of a consistent and uniform approach to the legal régime thereunder, as well as in their national, subregional and regional efforts towards the full realization of the benefits therefrom, and invites the organs and organizations of the United Nations system to co-operate and lend assistance in these endeavours;

12. Requests the competent international organizations, in accordance with their respective policies, to intensify financial, technological, organizational and managerial assistance to the developing countries in their efforts to realize the benefits of the comprehensive legal régime established by the Convention and to examine means of strengthening co-operation among themselves and with donor States in the provision of such assistance;

13. Requests the Secretary-General to present to the General Assembly at its forty-fifth and forty-sixth sessions a report identifying the needs of States in regard to the development and management of ocean resources and the measures currently taken by States and by the competent international organizations in responding to those needs, and to suggest methods and mechanisms for maximizing opportunities for the early realization for all States, during the decade beginning in 1990, of the benefits of the comprehensive legal régime established by the Convention;

14. Approves the decision of the Preparatory Commission to hold its eighth regular session at Kingston from 5 to 30 March 1990 and to hold a summer meeting in New York in 1990;

15. Recognizes that the protection of the marine environment will be significantly enhanced by the implementation of applicable provisions of the Convention;

16. Expresses its appreciation to the Secretary-General for his report on the protection and preservation of the marine environment⁸² and requests him to make the report available to the intergovernmental meetings to be held in preparation of the proposed 1992 United Nations conference on environment and development;

17. Requests the Secretary-General to prepare an updated and expanded report on the protection and preservation of the marine environment as a contribution to the proposed 1992 conference, taking into account, *inter alia*, the comments thereon;

18. Calls upon States and other members of the international community to strengthen their co-operation in the conservation of marine living resources, including the prevention of the use of fishing methods and practices that can have an adverse impact on the conservation and management of marine living resources;

19. Also requests the Secretary-General to prepare for the General Assembly at its forty-fifth session a study on marine scientific research in the light of the provisions of the United Nations Convention on the Law of the Sea;

20. Further requests the Secretary-General to report to the General Assembly at its forty-fifth session on developments pertaining to the Convention and all related activities and on the implementation of the present resolution;

21. Decides to include in the provisional agenda of its forty-fifth session the item entitled "Law of the sea".

⁸³ A/38/570 and Corr.1 and Add.1 and Add.1/Corr.1.

⁸⁴ A/44/650 and Corr.1.