

ABSTRACT

Guarding the Common Heritage of Mankind: The Case of the International Seabed Authority

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The common heritage of mankind has emerged as a new principle in international law and the International Seabed Authority has been created as a new form of international organisation to oversee the implementation of the meaning of this principle.

In an analytical process, this thesis examines the administrative and operational machinery designed in the 1982 Convention on the Law of the Sea to equip the Authority to function for the benefit and in the interest of mankind. The specific objectives of international regulation are determined by the meaning of the principle and are used as the standard against which the several areas of operation of the Authority are measured, in terms of their capacity to effectively achieve them.

It is recognised that there are two opposing positions of interest in this area of activity - the interest of developed and developing countries - and they have had their role in determining the envisaged structure, function and powers of the Authority.

Cognizance is taken of the importance of the reconciliation of these interests in order to ensure that the common heritage is truly common to all.

The contention throughout is that a well-articulated and organised machinery can form a strong precedent for future world-wide institution building to deal with the complex problems of resource management in a high technology era. In this way, it plays an integral role in the achievement of a new international order.

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