

ABSTRACT

The "new" dissatisfied and underdeveloped states of the South attempted to reformulate some aspects of international law, which, for centuries, made them objects of the law. With regard to the law of the sea, UNCLOS III was a suitable occasion for the Region to contribute to right many of the wrongs of the colonial period.

This Thesis attempts to examine the contribution of the South to the establishment of the Deep Sea-Bed Regime, to determine the extent to which such contribution represents a thrust toward the advancement of a NIEO.

Part 1, which is made up of three chapters, seeks to provide the relevant economic, political, and ideological factors which not only provide an appropriate background and perspective, but also intricately inter-relate to colour the approach of the principal protagonists during the sea-bed negotiations. In short, these factors are reflected in the negotiating positions.

Economically, the South is characterized by inadequate financial resources, heavy dependence on the export of one or two primary commodities, and

technological impoverishment. The main political element impinging on the position of the developing countries is their common colonial background, and their independence subsequent to the convening of UNCLOS I and II. This common characteristic contributed to the strong agglutination of the countries of the Region, and the ability to adhere to a regional position throughout the deliberations, notwithstanding significant intra-regional diversities.

The one chapter of Part 2 deals with the genesis of the Deep Sea-Bed Regime, focusing on discussions within the parameters of both the AHC and the SBC.

Part 3, of three chapters, is concerned with negotiations relative to the establishment of (1) The System of Exploitation, (2) Production Control, and (3) The Institutional Arrangements for the ISA. As in Part 2, emphasis is placed on the contribution of the South. Nevertheless, that of the other major actors are juxtaposed with that of the South.

Finally, the contribution made by the South to Part XI of the UNC is examined in Part 4, within the context of the NIEO. The Deep Sea-Bed Regime, by the nature of the participation of the South, is seen as contributing significantly toward the creation of a NIEO.