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Chairman: Mr. Piero VINCI (Italy).

In the Chairman's absence, Mr. Galindo Pohl (El Salvador), Vice-Chairman, took the Chair.

AGENDA ITEM 26

Examination of the question of the reservation exclusively for peaceful purposes of the sea-bed and the ocean floor, and the subsoil thereof, underlying the high seas beyond the limits of present national jurisdiction, and the use of their resources in the interests of mankind: report of the *Ad Hoc* Committee to Study the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction (*continued*) (A/7230; A/C.1/973; A/C.1/L.425 and Add.1-6 and Add.1, L.427 and Corr.1, L.428, L.429/Rev.1, L.430 and L.431)

1. The CHAIRMAN (*translated from Spanish*): Before I call on the speakers on my list, I give the floor to the representative of Iceland, who will introduce draft resolution A/C.1/L.431.

2. Mr. SHRAM (Iceland): It gives my delegation great pleasure to introduce at this meeting of the First Committee the draft resolution contained in document A/C.1/L.431 on a study of means for minimizing the danger of pollution of the marine environment which might arise from the exploration and exploitation of the sea-bed and ocean floor and the subsoil thereof.

3. This draft resolution is co-sponsored by the following States: Argentina, Australia, Austria, Bulgaria, Canada, Ceylon, Chile, Czechoslovakia, Denmark, El Salvador, Finland, France, Iceland, India, Ireland, Italy, Japan, Libya, Norway, Pakistan, Peru, Poland, Romania, Senegal, Sudan, Sweden, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America.

4. My delegation would like to use this opportunity to express our deep appreciation and thanks to all the co-sponsors.

5. Allow me to add that we would welcome other co-sponsors for the resolution. In the past few days we have had consultations regarding our draft with as many delegations as the limited time and frequent meetings have allowed, primarily with members of the *Ad Hoc* Committee. If we have failed to approach and consult some of the delegations we would have liked to consult, within or outside the group of thirty-five, this has been entirely owing to lack of time.

6. Those delegations that have been represented on the *Ad Hoc* Committee to study the uses of the sea-bed and ocean floor might by now well labour under the impression that my delegation was endowed with a rather one-track mind, as we have already on occasion in the past drawn attention to the questions dealt with in this draft resolution. We are certainly not going to blame them for having gained that impression, but our excuse for this persistency is that we believe that we are here dealing with a question of great importance and urgency, which merits the undivided attention of the international community.

7. At the third session of the *Ad Hoc* Committee to study the uses of the sea-bed and ocean floor, held in Rio de Janeiro in August 1968, the Icelandic delegation submitted its draft resolution on marine pollution control [*see A/7230, annex III*] for the attention of the Committee. This proposal was very favourably received by a number of delegations at the meeting, and in the final report of the *Ad Hoc* Committee [*A/7230, para. 61*] the following is said on the subject: "The proposal was widely welcomed and supported as one of the practical means which might be commended for the consideration of the General Assembly".

8. Consequently we have felt it right to bring this proposal on marine pollution emanating from the exploration and exploitation of the sea-bed and ocean floor to the attention of the present General Assembly.

9. At the third session of the *Ad Hoc* Committee, as well as in the course of our consultations with delegations during the past week, several delegations have made suggestions to us regarding minor amendments or drafting changes in the text of the draft resolutions. These suggestions have been most helpful in improving both the language of the text and the formulation of the proposals which it contains. My delegation is grateful for all the helpful hints and proposals. We have tried to accommodate the different viewpoints expressed, in so far as possible, and we believe that the text as now submitted represents a

consensus of the co-sponsors. It is, therefore, our hope that the draft resolution will commend itself to the First Committee as a non-controversial proposal.

10. Indeed, all the delegations that, in their interventions in the general debate on this item, have commented on the Icelandic draft resolution originally submitted to the *Ad Hoc* Committee have done so in most favourable terms. I wish to express to them the sincere thanks and appreciation of my delegation.

11. In the exploitation of the resources of the sea-bed and ocean floor there has been created a new factor of potential threat to the marine environment, which has not existed before. With the best of will we know from experience in mining and drilling on land that it is not possible completely to prevent accidents. The danger of such happenings increases as the nations of the world move into hitherto unknown regions, operating in a new and infinitely more difficult element. This has been borne out by the limited experience we have already gained in submarine exploration. While pollution from exploitation of mineral resources on land can usually easily be contained, it is inherent in the nature of exploitation of the resources of the ocean bottom that a case of pollution can present a grave threat to countries and resources far distant from the original source.

12. At the same time that this added factor of influence on the ecology of the marine resources appears on the horizon we have, on the other hand, an ever increasing need for such management of the world's fisheries as will lead to their maximum sustainable yield, as they represent one of the world's most important food resources. In a world where malnutrition is a common phenomenon this is, indeed, a factor of some relevance. For the time being there are not in existence any generally accepted principles of international law on the conduct of nations as regards pollution control on an international scale. There is therefore a clear need for intergovernmental agreements to be concluded on this subject when the necessary groundwork has been done, enunciating a code of rules to be followed by members of the world community in this respect. I will not, Mr. Chairman, take the time of the Committee to read out the text of the proposal in document A/C.1/L.431 but allow me to say a few words about the substance of the proposal and how it fits within the terms of reference of the proposed standing committee on the sea-bed question, proposed in document A/C.1/L.425 and Add.1-6. In the draft resolution contained in that document, on the establishment of a Committee on the peaceful uses of the sea-bed, it is proposed, in paragraph 2(e) that the Committee should, among other things, "examine proposed measures of co-operation to be adopted by the international community in order to prevent the marine pollution which may result from the exploration and exploitation of the resources" of the area in question. The aim of the draft resolution submitted by my delegation is two-fold.

13. First, to have a study made of such measures of co-operation in the field of marine pollution as the proposal contained in document A/C.1/L.425 and Add.1-6 calls for. This would provide the sea-bed committee with the necessary material prepared by experts in order to enable the Committee to make useful and constructive proposals

regarding this important aspect of the question relating to the peaceful uses of the sea-bed.

14. Second, to focus, as of now, the attention of States and of the international community on the grave dangers of pollution of the sea, on a scale hitherto unheard of, which may result from the exploration and use of the resources of the sea-bed and ocean floor unless all precautionary measures are taken to prevent and control such pollution and other harmful effects.

15. The first of these aims seems to my delegation fully to warrant the adoption of this resolution now, at this session of the General Assembly, so that the sea-bed committee, which we hope will be established, may profit as soon as possible from the material which the proposed study will provide.

16. Let me now turn briefly to a question that easily comes to one's mind, namely: What would the proposed study be expected to accomplish, and what would be the contents of the study and of the proposals it might produce? Is there not already sufficient work being done in this field by international organizations concerned, such as the Inter-Governmental Maritime Consultative Organization (IMCO) and others?

17. Indeed, there is important activity going on in the field of pollution control, but the work being done has been somewhat limited in scope. Thus IMCO, which is the depositary organization of the International Convention for the Prevention of Pollution of the Sea by Oil, 1954, as amended in 1962,¹ is vitally concerned in developing and implementing internationally agreed control measures and practices for the prevention of pollution of the sea by oil. But this is with particular reference to pollution from ships. In dealing with the problem of prevention of marine pollution, IMCO has recently given priority to studying and developing measures with a view to avoiding pollution not only by oil, but also by any other dangerous or noxious substance, and to limiting pollution once it has occurred. Once again, these studies have been mainly concerned with the problem of pollution from ships. However, it has been pointed out to my delegation that many of the principles and rules governing safety at sea and the prevention of pollution with which IMCO has been concerned would be applicable, *mutatis mutandis*, to drilling rigs and operating platforms. Thus, the knowledge and activities of IMCO concerning these problems could be applied to the various industrial activities localized at sea, both actual and future. The problem seems to fall into three main categories: technical, administrative and legal.

18. Under the technical heading fall such questions as the safety of rigs and installations; safety of navigation to prevent accidents; and measures to limit pollution in case of accident, such as new methods for removal of oil from the sea, new agents for absorbing or precipitating the oil, new chemical and mechanical agents for protecting coastal areas from pollution, and, finally, the means of detecting marine pollution in order that it may be penalized.

19. Under the administrative category would come such questions as arrangements for transmission of information

¹ United Nations, *Treaty Series*, vol. 327 (1959), No. 4714 and vol. 600 (1967).

relating to accidental pollution to the Governments of countries affected; arrangements for dealing with major cases of pollution; and ways to promote regional co-operation among States bordering on specific areas of exploitation of the sea-bed.

20. The legal aspect is presumably the one where further studies and exploratory work would be most needed. The following are some of the problems which come under this category:

First, the extent to which States may take measures of self-protection when threatened or affected by casualties beyond their territorial seas;

Second, liabilities arising from casualties involving discharge of pollutants;

Third, measures of international co-operation relating to official enquiries and to casualties.

21. These are some of the problems that might be dealt with in the proposed study. Some of the studies already being made under the terms of reference of the Convention on pollution from ships have already reached an advanced stage of preparation. These will provide a wealth of information and useful material. The study proposed in our draft resolution would, on the other hand, identify problems and provide ideas and proposals with a direct bearing on the mandate and terms of reference of the committee on the peaceful uses of the sea-bed.

22. In the previous discussions we have had in this Committee it has been pointed out by the representatives of Malta [1589th meeting] and Ireland [1595th meeting] that, although the proposals contained in document A/C.1/L.425 and Add.1-6 were valuable, they were probably too limited in scope as they dealt only with pollution from the exploitation of the sea-bed and ocean floor and not from other causes, such as the disposal into the sea of chemical and radio-active atomic waste.

23. Let me hasten to mention that my delegation is in full agreement with those delegations that such pollution of the marine environment can constitute and does constitute a serious potential threat to the living resources of the sea, and that it is imperative that the international community take action for the prevention of such contamination of the oceans. The sea-bed committee's terms of reference have, however, been limited to factors and problems that have to deal with the exploration of the sea-bed. Therefore, the proposal contained in document A/C.1/L.425 and Add.1-6 does deal only with marine pollution from these causes, which clearly falls within the scope and terms of reference of the item we are here dealing with.

24. In the consultations my delegation has had with co-sponsors of the draft resolution it has emerged that, in the view of certain delegations and their Governments, it is questionable, or at least debatable, whether pollution of the sea from disposal of atomic waste would properly fall within the terms of reference of the sea-bed committee. For this reason, my delegation was not able to incorporate into the draft resolution the amendment suggested by Malta

[1589th meeting, para. 28] and supported by Ireland [1595th meeting, para. 18].

25. In fact, pollution of the living resources of the sea arising from other causes than the exploitation of the ocean floor might perhaps more suitably be dealt with by the Second Committee of the General Assembly, which will take up discussion of agenda item 41, "Resources of the sea: report of the Secretary-General", when we have concluded our consideration of the sea-bed item here in the First Committee, or possibly in the context of item 91, "The problems of human environment", which will come up for consideration in the General Assembly plenary meetings.

26. Before concluding my remarks, I should like briefly to explain the intent and purpose of my delegation as regards the formulation of operative paragraph 4 of the draft resolution. By that paragraph, the Secretary-General is requested to entrust to the appropriate bodies the study asked for in the draft resolution, and to submit a report thereon to the General Assembly and the committee on the peaceful uses of the sea-bed.

27. The original Icelandic draft resolution had asked for the study to be submitted to the General Assembly. At the third session of the *Ad Hoc* Committee, it was suggested that this wording be amended so as to read that the report should be submitted to the General Assembly through the sea-bed committee that, it was hoped, would be created. My delegation agreed to take this suggestion into account. It had, indeed, been our intention from the beginning that the proposed study or report should be primarily a working document for the future sea-bed committee, for its relevant consideration of the problem of formulating adequate rules for preventing and controlling pollution from activities of exploitation of the resources of the sea-bed.

28. But at the same time, my delegation is of the opinion that the proposed study will furnish important factual information and useful proposals highly relevant to consideration in the Second Committee of the item on the resources of the sea. Furthermore, a most remarkable proposal by Sweden² has recently been entered on the agenda of the General Assembly [item 91], to study the problem of preserving the human environment in all its aspects. The proposed study on marine pollution will provide useful and important information on one aspect of that problem.

29. Bearing these considerations in mind, we have drafted paragraph 4 to read to the effect that the report should be submitted to the General Assembly and the sea-bed committee.

30. It has given my delegation great pleasure to see how many delegations have decided to co-sponsor the draft resolution on marine pollution. We believe that this is still another indication of a general awareness of the question. The aim of harvesting the riches of the sea sensibly and rationally is one of the keys to solving the problem of lack of food in the world today. Few, if any, issues should loom

² *Official Records of the Economic and Social Council, Forty-fifth Session, Annexes, agenda item 12, document E/4466/Add.1.*

higher on the horizon of our Organization than that of combating hunger and human suffering in the economically and technically depressed areas of the world. Rational management of the riches of the oceans can do much to increase greatly the supply of food for human consumption. The prevention of pollution is an integral part of any such successful management.

31. In the view of my delegation the end-result of our deliberations should be an international treaty on this subject.

32. In working out suitable rules and taking effective measures to prevent pollution, we shall be ensuring that the living resources of the oceans are preserved, so that they also may be exploited for the benefit of all mankind.

33. The CHAIRMAN (*translated from Spanish*): Following the presentation of the draft resolution on the prevention and control of marine pollution just made by the representative of Ireland, I shall now call upon the speakers on my list, beginning with the representative of Czechoslovakia.

34. Mr. ČERNÍK (Czechoslovakia): Since this is the first time that I have spoken in this Committee, I should like to avail myself of this opportunity to express to Mr. Vinci the cordial congratulations of the Czechoslovak delegation on his unanimous election to the chairmanship of the First Committee. I am convinced that his great experience and personal qualities will contribute to a successful consideration of the questions on this Committee's agenda. I also congratulate the Vice-Chairman and the Rapporteur on their respective unanimous elections.

35. It is almost a year since the representative of Malta, Mr. Pardo, explained in this Committee the proposal to establish an *ad hoc* committee to study the peaceful uses of the sea-bed and the ocean floor beyond the limits of national jurisdiction. His very comprehensive and well-founded explanation of a subject which at first sight might recall the Utopian novels of Jules Verne retained the full attention of the Czechoslovak delegation, which also supported the creation of the proposed *ad hoc* committee to study in detail fundamental questions related to the above-mentioned comprehensive and complicated problem.

36. Even if its relation to the sea is determined by its geographical position Czechoslovakia has already striven in the past to intensify and expand that relation, within its possibilities, in various spheres concerning the sea. It took part in the 1958 Geneva negotiations to codify the law of the sea, where it tried, together with other States, to establish the rights of landlocked countries, and in 1961 it became a party to the Conventions on the Territorial Sea and the Contiguous Zone,³ on the High Seas,⁴ and on the Continental Shelf.⁵ In particular, it took an active part in the conclusion of the Convention on Transit Trade of Land-Locked States⁶, a Convention which it ratified in

1967. At the same time its modest, although ever-increasing merchant marine, led Czechoslovakia to join the activities of the Inter-Governmental Maritime Consultative Organization—activities in which it has taken an active part for several years.

37. The consideration of this question on our agenda offers us an opportunity to expand further our relation to the sea. This area underlying the high seas, the sea-bed and the ocean floor beyond the limits of national jurisdiction is of interest to us firstly because we could deepen our knowledge in the respective scientific disciplines by learning about new aspects unknown to us, and so far remote to us; and secondly because, as a small landlocked country with a limited raw material basis, we see here an opportunity to participate, at least partially, in the exploitation of the rich deposits in the sea. Our interest has been strengthened in the past year by the fact that the very name of the subject of our discussion contains one of the fundamental principles for future activities of our Organization in this field, namely, the exploitation of the resources of the sea-bed and the ocean floor to the benefit of all mankind. This principle, whose concrete elaboration will be one of our next tasks, means in substance that all our present and future work connected with scientific exploration, research and exploitation of the sea-bed and the ocean floor beyond the limits of national jurisdiction has to take into consideration the interests of all States without distinction, and irrespective of their relation to this field—that is, landlocked countries also. Those are the reasons why Czechoslovakia, as one of the few representatives of the landlocked countries, participated in the activities of the *Ad Hoc* Committee with which the report before us deals. For those reasons Czechoslovakia is interested in taking part in further activities in this field also in the future.

38. Permit me to make a few remarks relating to the report submitted by the *Ad Hoc* Committee and to the results of its work. After having studied this report we have come to the conclusion that there are certain differences in the fulfilment of the individual tasks assigned to the *Ad Hoc* Committee by General Assembly resolution 2340 (XXII). Even when taking into consideration the diversity of tasks and the diverse degrees of difficulty with regard to their substance, we cannot fail to get the impression that in certain fields more could have been done. We must of course take into account that we have only started to study a new, very demanding and complicated complex of problems. In the first place, I should like to welcome the consideration of the principle of preserving the sea-bed and the ocean floor exclusively for peaceful purposes, which we consider to be one of the cardinal principles. We see the possibility of its comprehensive solution in the proposal which was submitted by the Soviet Union on the prohibition of use of the sea-bed and ocean floor beyond territorial seas for military purposes [*see A/7230, annex III*]. Furthermore, we fully appreciate the exchange of views on the principle of the freedom of scientific exploration and in that connexion the envisaged expansion of the tasks and rights of the Intergovernmental Oceanographic Commission. Similarly, the discussion on problems relating to the pollution of the seas and other hazards arising from the exploitation of the resources of the sea-bed and the ocean floor yielded positive results. For that reason we have co-sponsored the draft resolution

³ United Nations, *Treaty Series*, vol. 516 (1964), No. 7477.

⁴ *Ibid.*, vol. 450 (1963), No. 6465.

⁵ *Ibid.*, vol. 499 (1964), No. 7302.

⁶ *Ibid.*, vol. 597 (1967), No. 8641.

[A/C.1/L.431] just introduced by the representative of Iceland.

39. As to the indication of practical ways of international co-operation we must emphasize the respective proposals of the Secretary-General contained in his report on marine science and technology [E/4487 and Corr.1-6] and the draft resolution submitted by the United States on the international decade of ocean exploration [A/C.1/L.429/Rev.1].

40. On the other hand, some questions of great importance, the speedy solution of which is entirely indispensable for further progress in this field, have remained in the stage of initial or incomplete consideration. I have particularly in mind the definition of the sphere of the sea-bed and the ocean floor beyond the limits of national jurisdiction, the legal régime of that field, and the principles of the exploitation of the sea-bed and the ocean floor beyond the limits of national jurisdiction in the interest of mankind. They are the most difficult problems, and that is precisely why the greatest attention must be paid to them from the very beginning. Later on they must be elaborated in detail in order to attain harmonious progress in all aspects of the question as a whole so that our work may be most effective and most economical.

41. As regards the question of elaborating legal principles governing international co-operation in the exploration, utilization and exploitation of the sea-bed and the ocean floor beyond the limits of national jurisdiction, a question which the *Ad Hoc* Committee tried to solve. We believe that it should be entrusted to a new committee.

42. From the other parts of the report I should like to underline the economic and technological questions where the Working Group dealing with those problems achieved positive results. Finally, I should like to note that the report presents in a well-arranged way the results attained by the *Ad Hoc* Committee in the course of its three sessions, and comprises all the individual tasks with which the *Ad Hoc* Committee was entrusted by General Assembly resolution 2340 (XXII). Therefore, we may agree that the *Ad Hoc* Committee fulfilled its mission.

43. In this connexion I should like to express our recognition and appreciation of the attainments of the Chairman of the *Ad Hoc* Committee, Mr. Amerasinghe, who contributed considerably to the results achieved, as well as of those of the other members of the Bureau of the *Ad Hoc* Committee. Furthermore, I should like to thank the members of the three sections of the Secretariat which participated in the work and gave comprehensive and capable assistance to the *Ad Hoc* Committee.

44. The results of the first phase of the *Ad Hoc* Committee's study relating to the peaceful utilization of the resources of the sea-bed and the ocean floor beyond the limits of present national jurisdiction in the interest of all mankind, even if modest in scope and not exceeding the framework of a basic analysis of the whole complex of problems, strengthen even more our conviction that we must do our utmost to elaborate further this question which, if implemented, will undoubtedly be beneficial to the whole of mankind. Therefore, we put emphasis on a

consistent development and strengthening of international co-operation in the research, exploration and, later on, exploitation of the sea-bed and the ocean floor which would make it possible for all States without distinction, and irrespective of their geographical location and the degree of their technological and economic advancement, to take an active part in international co-operation and share the fruits of such co-operation. This can best be achieved within the framework of our Organization.

45. At the same time, having taken a lesson from our past experience, we are conscious that the road we are embarked upon will be long and full of obstacles. Therefore, we are of the opinion that the further elaboration of this question within our Organization should be put into the hands of a permanent committee whose rights would be strictly defined and whose authority would be modified in case of need in such a way that it could gradually discuss the most important questions, whose solution would be desirable to Member States at a given stage, in accordance with the harmonious development of the whole complex of problems. As to the number of members of a permanent committee, we believe that the number of members of the *Ad Hoc* Committee, where a relatively equitable representation was achieved, should be preserved in the new body.

46. The Czechoslovak delegation is ready to support in substance the draft resolution contained in document A/C.1/L.425 and Add.1-6, the final wording of which is being discussed. At the same time, however, the Czechoslovak delegation believes that it is necessary, at the earliest possible time, to deal with the question of determining the limits of the sea-bed and the ocean floor beyond national jurisdiction so that we may start to solve it at the conference of plenipotentiaries convened for the purpose of revising the 1958 Convention on the Continental Shelf.

47. The CHAIRMAN (*translated from Spanish*): I thank the representative of Czechoslovakia for his congratulations addressed to the Chairman of the Committee, Mr. Piero Vinci, and the other officers.

48. Mr. FAKHREDDINE (Sudan): Allow me to extend to Mr. Vinci of Italy my sincere congratulations on his election to the Chairmanship of the First Committee. He has indeed already demonstrated by his outstanding ability and good judgement that the confidence his colleagues placed in him was well merited.

49. My congratulations go also to you, Sir, as the Committee's Vice-Chairman, and to Mr. Zollner, the Committee's Rapporteur. Your election to your respective offices was a well-deserved tribute to you and to your countries.

50. It is almost a year since Mr. Pardo, in his scholarly statement to this Committee [1515th and 1516th meetings] while introducing the item that Malta had initiated,⁷ presented the United Nations with a challenge and great opportunity: the opportunity to declare the reservation exclusively for peaceful purposes of the sea-bed and the

⁷ See *Official Records of the General Assembly, Twenty-second Session, Annexes*, agenda item 92, document A/6695.

ocean floor and the subsoil thereof underlying the high seas beyond the limits of present national jurisdiction and the use of their resources to be in the interest of mankind as a whole.

51. There were doubts at the time whether it was not too fanciful for the United Nations to concern itself with an area which was largely unknown. Some thought it was too hasty for the United Nations to declare the resources of the sea-bed a special preserve, knowing that the technology for tapping those resources was not yet fully developed, and that when such technology was developed it would be so complex that its possession and use would be virtually confined to the highly industrialized countries.

52. However, there have been recent signs that it was not too early for the United Nations to show its concern when it did, and that Mr. Pardo's warning was indeed most timely.

53. Since the development of deep-sea resources depends on the ability to exploit them, there is nothing to prevent the more advanced nations from asserting claims over the sea-bed and its subsoil; and since there is no law now to regularize such exploitation, it is not difficult to find precedent in analogous situations to justify claims for exclusive rights in this area.

54. Moreover, the progress and sophistication of weapons technology seem to indicate that the marine environment would be ideally suited for concealment of missiles and other instruments of war. Thus, as a guardian of world peace and because of its commitment to social and economic development, it is proper and timely for the United Nations to have taken up the question of the reservation of the sea-bed exclusively for peaceful purposes and the use of its resources for the benefit of mankind.

55. The *Ad Hoc* Committee that was established for this purpose was entrusted with the task of surveying past and present activities of the United Nations and its agencies and affiliates in this field; studying the various scientific, technical, economic, legal and other aspects of the question; and consideration of practical means of promoting international co-operation in exploration, conservation and use of the sea-bed and ocean floor beyond the limits of national jurisdiction for the benefits of mankind. Within such terms of reference and during the short time available to it, the Committee has done admirable work indeed. May I take this opportunity, with your permission, Sir, to congratulate all those who participated in its work and, more especially its Chairman, Mr. Amerasinghe of Ceylon, its Rapporteur, Mr. Gauci of Malta and the Chairmen of its legal and economic and technical working groups, Mr. Benites of Ecuador and Mr. Denorme of Belgium. The assistance and full participation of the Secretariat of the United Nations and the specialized agencies in this regard is not less worthy of our commendation.

56. I should now like to comment briefly on some aspects of the report of the Committee as it appears in document A/7230. First, my delegation endorses the suggestion in paragraph 14 to broaden the basis of the Intergovernmental Oceanographic Commission in order to enable it to formulate and co-ordinate an expanded programme of inter-

national co-operation to assist in understanding the marine environment.

57. Second, with regard to paragraph 16, we acknowledge that an international decade of ocean exploration and research as proposed by the United States would be a useful element in a long-term programme of development to be undertaken under the aegis of the United Nations with the understanding of course that such research could not of itself create any rights of exploitation.

58. In this regard, it is perhaps legitimate to express the hope that this decade, if and when it is proclaimed, will fare better than the United Nations Development Decade which is now coming to an end.

59. The central theme of our deliberations here has been that the sea-bed and ocean floor beyond the limits of national jurisdiction should be used exclusively for peaceful purposes. The report of the *Ad Hoc* Committee tells us of the wide support received for the view that peaceful use of the sea-bed and ocean floor should not be confined to the areas beyond present national jurisdiction, but should extend beyond those limits, or rather, that non-peaceful uses should be confined to the territorial waters of the coastal States and sea-bed and ocean floor underneath the territorial waters.

60. While we consider this a welcome step, we should like to mention, without going too deeply into the discussion of the question, that such a prohibition, if it is forthcoming, should be more properly the subject of a treaty and not a declaration.

61. Indeed, we see certain difficulties in the mere declaration that the sea-bed and ocean floor beyond the limits of present national jurisdiction is to be reserved exclusively for peaceful purposes, although on our part we would not hesitate to undertake such a declaration.

62. However, we must note that the item as originally submitted by Malta for inclusion in the agenda of the twenty-second session of the General Assembly was entitled "Declaration and treaty concerning the reservation exclusively for peaceful purposes of the sea-bed and of the ocean floor, underlying the seas beyond the limits of present national jurisdiction, and the use of their resources in the interests of mankind".

63. It is arguable whether the operative factor in restraining any belligerent State from the use of any weapon in time of war has ever been adherence to any particular convention; but, be that as it may, we wholeheartedly support and advocate the declaration that the sea-bed and ocean floor beyond the limits of present national jurisdiction be reserved exclusively for peaceful purposes. This is evidenced by our co-sponsorship of the draft resolution now before this Committee in document A/C.1/L.425 and Add.1-6. Yet, we must not lose sight of our original purpose and ultimate aim, and that is the conclusion of a treaty to reserve the sea-bed and ocean floor for peaceful purposes. Nor, on the other hand, should we forget in our enthusiasm for ideal solutions the realities of our present world.

64. My delegation does not consider that a determination of the precise limits of the area of the sea-bed and ocean

floor is a necessary condition in the formulation of a body of rules which "would promote international co-operation in the exploration and use of the sea-bed and ocean floor and the subsoil thereof beyond the limits of national jurisdiction" although such delimitation would be necessary at some point in the future. We consider that the necessity for the formulation of these rules is imperative even now because of the mere fact of the existence of such an area and its susceptibility to exploration and exploitation.

65. In this regard, it seems, as many speakers have observed, that the traditional notions of international law, as devised and elaborated in the land environment, have not proved pertinent or applicable to the marine environment; and thus the need for the establishment of alternative legal principles becomes all the more apparent and pressing.

66. My delegation would welcome as a first step in this direction any generally acceptable declaration to the effect that the sea-bed and ocean floor are the common heritage of mankind.

67. There are, however, certain considerations which we should wish to be taken into account with regard to the exploitation of this area; namely, that the littoral or coastal States closest to the area of such exploration and exploitation should not suffer damage through negation or rejection without due consultation of any claim that they might have to a specific right or special interest in the area that is being explored or exploited.

68. I should like, if I may, to give a concrete example here. A few months ago a report was published in one of the New York papers. It ran as follows:

"Seven thousand feet below the surface of the Red Sea lies a highly concentrated deposit of gold, silver and copper worth at least \$1,500,000,000—'and we have the technology to go down there and mine it profitably right now', said an economic geologist today.

"Still, no company is rushing equipment to the Red Sea—and it may be years before anyone does.

" 'Why not go out there and get it?' asked John E. Crawford, president of Crawford Marine Specialists of San Francisco. 'Because the area is in international waters, almost exactly equidistant from the coast of Sudan and Saudi Arabia.'—That was the answer.—'There is no international law that covers the mineral rights to such an area, and any company that spends the money on an economic feasibility study could be poached upon even before it starts operations. Who's to stop it?' "

The report goes on:

"Last week, Crawford wrote to the U.N., asking for a lease on 38.5 square miles of the ocean floor beneath the Red Sea (in international waters).

"The U.N. Secretariat wrote back . . . saying that it had no authority 'at this time' to grant such a lease."

69. Now, we do not know with any certainty whether the events as related in that article did in fact take place as claimed by the writer. We do know, however, that had that particular firm proceeded with its investigation without consulting the Sudan Government, we would have challenged such a course of action as neglecting to take into

account the rights and legitimate interests of the Sudan. Our objections would have related not only to the primacy of any rights of exploitation as a coastal State nearest to the area but also to questions of security, navigation and customs revenues.

70. In this connexion it might be pertinent to mention that the Sudan Government has been issuing licences for exploration and exploitation of this area of the Red Sea for some time. The last licence was issued to "Sudanese Mineral Ltd." this year.

71. Let me before ending this statement express the hope of my delegation that the draft resolution now before the Committee [*A/C.1/L.425 and Add.1-6*], of which we are co-sponsors, will find favour with all members as it seeks to establish a peaceful régime for the sea-bed and the ocean floor and to promote international co-operation in its peaceful exploitation.

72. Finally, may I take this opportunity to express the appreciation of the delegation of the Sudan for the initiative of the delegation of Iceland, in its awareness that it would be ultimately in the common interest of all mankind if the exploration and exploitation of the resources of the sea-bed and the ocean floor were conducted in a manner that would avoid the infringement of established rights and interests of nations, specifically in relation to the threat of pollution which might result from such exploration and exploitation.

73. We support the suggestion that a study must be undertaken in order to co-ordinate the modalities of exploration and exploitation, to avoid pollution and to keep to a minimum mutual interference between the different means of harvesting the wealth of the ocean.

74. That is the challenge and the opportunity—the test of our will to co-operate for the benefit of all. Let us hope that in this test we shall not be found wanting.

75. The CHAIRMAN (*translated from Spanish*): I thank the representative of Sudan for his congratulations addressed to the Chairman of this Committee, Mr. Piero Vinci, and the other officers.

76. Mr. GARCÍA ROBLES (Mexico) (*translated from Spanish*): Mr. Chairman, I should like on behalf of my delegation to congratulate the distinguished officers of this Committee, your good self, the Vice-Chairman, and the Rapporteur. I do so in this brief manner so as to comply with Mr. Vinci's injunction, but all three of you may rest assured that the paucity of my words is counterbalanced by their sincerity.

77. I should also like to express my delegation's great appreciation to the representative of Ceylon, Mr. Amerasinghe, the representative of Ecuador, Mr. Benites, and the representative of Belgium, Mr. Denorme, who presided with such verve and effectiveness over the *Ad Hoc* Committee and its Legal and Economic and Technical Working Groups respectively.

78. Finally, this seems to me the appropriate moment to recall once again the debt of gratitude owed by the United

Nations to the representative of Malta, Mr. Pardo, for the proposal he made last year that we study the extremely important item now before us.

79. When at the twenty-second regular session of the General Assembly this Committee first took up the question of the reservation exclusively for peaceful purposes of the sea-bed and the ocean floor, and the subsoil thereof, underlying the high seas beyond the limits of present national jurisdiction, and the use of their resources in the interests of mankind, my delegation in a statement on 15 November 1967 [1528th meeting] put forward some ideas which it felt should be kept well in the foreground in the best interests of the effective preparatory work needed for the proper study of this complex subject. As we now examine the excellent reports of the *Ad Hoc* Committee and its two Working Groups [A/7230 and annexes I and II], we note with satisfaction that our judgement was not far wrong.

80. In the present instance, when like all the other members of the Committee we have before us, in addition to these reports, the copious documentation prepared both by the Secretary-General and by the inter-governmental bodies and organs mentioned in General Assembly resolution 2340 (XXII), and have heard so many sound statements by all the representatives who have already spoken in this debate, it is almost impossible to avoid repetition. For that reason and to avoid squandering the short time the Committee has for discussing this matter, I shall confine myself, first of all, to a few remarks on one of the aspects of the subject on which I feel that too much stress cannot ever be placed, and secondly, to a brief explanation of the purposes of the draft resolution submitted by Mexico [A/C.1/L.430], which I venture to hope provides a new and constructive contribution, modest though it be. This, we feel, could further the work of the standing committee by which it is proposed to replace the *Ad Hoc* Committee.

81. As we said last year, and as is confirmed by the report of the *Ad Hoc* Committee, it seems to us most urgent that certain measures be adopted immediately with a view to what is described in the report of the Legal Working Group [A/7230, annex II, para. 30] as "prohibiting certain specific types of weapons and military installations, for example, nuclear weapons and other arms of mass destruction, as well as construction of military bases and fortifications" on the sea-bed and ocean floor beyond the limits of present national jurisdiction.

82. What we might call the "military denuclearization" of the sea-bed and ocean floor is not merely a problem calling for urgent solution but a vital matter. To avert the danger of extending the arms race involving those terrible weapons of mass destruction to that zone, my delegation feels that until such time as the principles and norms that are to govern this question are embodied in a treaty or convention, an effective preliminary procedure would be the adoption by the General Assembly of an appropriate resolution. As the Committee will recall, that was the method followed in 1963, with the adoption of resolution 1884 (XVIII), in which the Assembly solemnly urged all States voluntarily to refrain from placing in orbit round the earth any objects carrying nuclear weapons or any other

categories of weapons of mass destruction, from installing such weapons on celestial bodies or in any other way stationing such weapons in outer space, and at the same time to refrain from promoting, encouraging or participating in any way in such activities.

83. The Mexican draft resolution has two distinct objectives, and I shall now refer briefly to these. The first is to be found in the opening paragraph of the preamble, in which the General Assembly is asked to agree that for the purposes of consideration by the United Nations of the item now before us, the area which for a whole year we have been designating "the sea-bed and the ocean floor, and the subsoil thereof, underlying the high seas beyond the limits of present national jurisdiction", should henceforth be described as "the international submarine zone".

84. The change of title would of course in no way imply a modification of the meaning and scope which not only from the geological and oceanographic points of view, but more particularly from the legal standpoint, have been and still are attached to this designation. Otherwise we would never have ventured to suggest the change, since I recall only too well the long-drawn out, arduous and difficult negotiations needed last year before an agreement was reached on the definition of the submarine zone, and I recall too that many representatives here present took part in those negotiations, particularly the representatives of Ecuador and Malta.

85. Furthermore, this identity of meaning and scope between the proposed new heading of the item and that used hitherto might if it were deemed necessary be referred to in all future basic documents, such as the agendas of sessions and the resolutions of the General Assembly, and the reports of the *Ad Hoc* Committee and its subsidiary bodies, by means of a footnote specifying that "the international submarine zone" shall be understood as meaning "the sea-bed and the ocean floor, and the subsoil thereof, beyond the limits of present national jurisdiction" in accordance with the decision taken by the General Assembly in the relevant resolution.

86. To designate the area in question by using a more concise and hence less cumbersome term, would not be in any way irregular. It would be in keeping with the normal practice in treaties, which are legal instruments *par excellence*. Suffice it to recall, in illustration of this, that a very recent treaty, the Treaty of Tlatelolco, states (article 7): "the Contracting Parties hereby establish an international organization to be known as the 'Agency for the Prohibition of Nuclear Weapons in Latin America', hereinafter referred to as 'the Agency'."⁸

87. Nor is there, in our opinion, in United Nations practice, any obstacle to deciding that, once the resolution I am speaking about has been adopted, the title of the item should be modified in accordance with whatever decision the General Assembly takes. I shall merely cite two examples to back up my assertion.

88. The heading of the item "Treatment of Indians in the Union of South Africa" included in the agenda of the

⁸ *Ibid.*, agenda item 91, document A/C.1/946.

General Assembly in 1946 was changed in 1949 to "Treatment of people of Indian Origin in the Union of South Africa"; and in 1961 the heading was again changed to "Treatment of People of Indian and Indo-Pakistan Origin in the Republic of South Africa".

89. In the Security Council, an organ decidedly more conservative than the General Assembly with respect to procedure, the item included in the agenda of the meeting held on 16 January 1948 with the title of "The Jammu and Kashmir Question" was later, on 22 January, re-named the "India-Pakistan Question".

90. If, as is clear from what I have said, there is no apparent obstacle to a prompt, general agreement on a purely formal modification such as I venture to suggest, the advantages of making such a change are, I think, obvious and indeed self-evident. We are convinced that such a change would be welcomed all round. The representatives and the interpreters in particular would, we believe, have a real sense of relief if they no longer had to take a deep breath before reeling off in all its length the imposing title: "Examination of the question of the reservation exclusively for peaceful purposes of the sea-bed and the ocean floor, and the subsoil thereof, underlying the high seas beyond the limits of present national jurisdiction, and the use of their resources in the interests of mankind."

91. We are therefore convinced that the Committee would earn the gratitude of all those either closely or remotely concerned with the item under discussion if it took the initiative in making a change—a formal change, I again stress—in the title of the item which would make it considerably easier to handle, both orally and in writing. The change I have ventured to suggest would make the title, though certainly not a model of conciseness, at least of tolerable length, if it could read: "Examination of the question of the reservation exclusively for peaceful purposes of the international submarine zone and the use of its resources in the interests of mankind."

92. Apart from the practical purpose I have just explained, the draft resolution submitted by Mexico has, as I said earlier, another purpose, a substantive one this time, namely to help the General Assembly to formulate and adopt at the present session at least three principles which everyone will surely agree are basic to the issue we have been debating since last year. Fortunately, there appears already to be a consensus on this issue in the light of the reports submitted by the *Ad Hoc* Committee and its Working Groups and the many statements we have heard in this debate.

93. We claim no credit for the formulation of these principles crystallized in the three operative paragraphs of the draft resolution, for in drafting them we have merely reproduced faithfully the essence of the pertinent provisions of the various drafts included in the conclusions of the *Ad Hoc* Committee's report and its annexes. Since the text of these three paragraphs is self-explanatory, I shall merely read them out, adding a few general observations on each of them.

94. In the first paragraph the General Assembly would declare that

"The international submarine zone belongs to all mankind and consequently, no State may lay claim to or exercise sovereignty over any part of it, nor shall it be subject to national appropriation in any form."

95. Obviously this is a basic and indispensable principle. Any doubt cast on it would make nonsense of the work done by the United Nations on the subject over the past year. It is implicit in the very title of the item and in the contents of both General Assembly resolution 2340 (XXII) and draft resolution A/C.1/L.425 and Add.1-6, sponsored by more than fifty delegations, including Mexico.

96. We have found nothing either in the reports of the *Ad Hoc* Committee and its Working Groups or in the many statements made in the current debate that would in any way run counter to this principle as I have just stated it. On the contrary, there has been plenty of support for it, with a spate of sound and persuasive arguments. Even in the rare cases where doubt has been cast on the desirability of trying to deduce from the principle certain formulas for joint administration—a matter which we have been very careful that our text should not prejudice in any way—stress has been laid on the fact that this had nothing to do with the unchallengeability of the principle itself and its essential legal character.

97. An opinion similar to that I have just stated in respect of the first principle can be given with regard to that contained in paragraph 2, which reads:

"The exploration, use and exploitation of the international submarine zone shall be carried out exclusively for peaceful purposes."

98. This principle too has very deep roots and a sound basis of support in the title of the item; in Assembly resolution 2340 (XXII) adopted on 18 December 1967; in the report of the *Ad Hoc* Committee and its annexes; in draft resolution A/C.1/L.425 and Add.1-6; and in the repeated statements made in this Committee by all the representatives who have spoken before me.

99. In accordance with the third principle, the General Assembly would confirm expressly that:

"The exploration, use and exploitation of the international submarine zone shall be carried out for the benefit of all mankind, taking into account the special needs and interests of the developing countries."

100. Here again, all that I have said about the first principle is equally applicable.

101. We are well aware that there are aspects of the three principles about the scope of which different interpretations are held. This is true, to cite only one example, of the meaning to be given to the expression "exclusively for peaceful purposes" in the second principle. For that very reason we have confined ourselves to a very general statement, which for the time being seems to us to be the only one possible, leaving it to the committee proposed under draft resolution A/C.1/L.425 and Add.1-6 to try to find acceptable solutions which will make it possible later on to define the contents of the principles in greater detail.

102. We are also aware that the three principles laid down in our draft by no means exhaust the list of all the

principles that might be relevant to the vast and complex subject we are discussing. The draft declarations set forth in the report of the *Ad Hoc* Committee and its annexes spell out many other principles and norms which their sponsors consider entirely applicable.

103. My delegation subscribes to nearly all those principles and norms, and with one or two exceptions would have no difficulty in endorsing them at once. We felt however that the three principles we have included in our draft resolution are perhaps the highest common factor attainable at present. We would of course not object—quite the contrary—to an extension of the list if we are mistaken and there is a consensus on other principles regarded as equally important. But we are convinced that it would be somewhat difficult for public opinion in our countries to understand why we should not be able here and now to adopt at least these three principles. They are undoubtedly the most significant of all those mentioned, and their adoption is clearly urgent and important for the development of the future work of the United Nations on the subject.

104. In preparing draft resolution A/C.1/L.430 on which I have just commented, we studied carefully the report of the *Ad Hoc* Committee and its various annexes, including the reports of the two Working Groups, and the verbatim records of the meetings of the First Committee from the time when this item was first considered to last Friday's meeting. On the other hand, pressure of time prevented us from consulting the members of the Committee personally, as we would have wished to do if we had had the time. I trust therefore that this presentation of our draft resolution will be regarded as a collective consultation, it being understood that my delegation will be happy to receive any suggestions which other delegations may wish to make, either publicly or privately. I can assure all delegations here and now that we will welcome these suggestions so long as they strengthen and do not weaken the general consensus we seek for our draft.

105. Mexico, with about 10,000 km. of coastline on the two great oceans, and a continental shelf, estimated at about half a million Km², on which there are already extensive installations for the exploitation of oil deposits, is naturally interested in a very special way in the subjects we are now considering; and we believe that the equitable exploitation of the resources of the sea can be an asset of incalculable benefit to the developing countries.

106. For this reason my country gave decided support to the First United Nations Conference on the Law of the Sea held at Geneva in 1958 when, as you know, four important conventions were adopted on the territorial sea and the contiguous zone, the high seas, fishing and the conservation of the living resources of the high seas, and the continental shelf respectively; and also to the Second Conference, when a successful bid was made to avoid fixing the width of the territorial sea at six nautical miles.

107. For the same reason, ever since the United Nations a year ago took up the study of the peaceful uses of what we are proposing should be called in future the international submarine zone, the Mexican delegation has done and will continue to do everything in its power to ensure that the

prodigious task we have undertaken will be crowned with success.

108. The CHAIRMAN (*translated from Spanish*): I thank the representative of Mexico for his friendly words addressed to the Chairman of this Committee, Mr. Piero Vinci, and the other officers.

109. Before I call on the next speaker on my list, I should like to inform the Committee that the Ivory Coast has decided to become a sponsor of draft resolution A/C.1/L.429/Rev.1. Thus the number of sponsors is now fourteen.

110. Mr. KHANACHET (Kuwait): I should like first to pay a tribute to the Chairman of the *Ad Hoc* Committee and to its Rapporteur for their outstanding contribution to the topic which is now under discussion. May I also express my appreciation for the manner in which the Chairmen of the Technical Working Group and the Legal Working Group have discharged the difficult tasks entrusted to them.

111. My country is not a member of the *Ad Hoc* Committee. We therefore welcome the opportunity afforded to us for expressing our views on this important item which had been broached for the first time last year by the representative of Malta,⁹ to whom we express our thanks and appreciation.

112. My delegation has followed very closely the work of the *Ad Hoc* Committee and would like to note with much satisfaction the great merits of the report presented to us in document A/7230. This is indeed an admirable work which provides us with rich material. The main issues have been clearly defined. The ground covered so far augurs well for the future. With the new fund of knowledge now at our disposal we can move forward to more comprehensive studies that will prepare the ground for the legal and institutional framework for the exploration, conservation and exploitation of the resources of the sea-bed.

113. Even a cursory reading of the report will show that there is wide agreement on the general principles relating to the exploration, exploitation and use of the sea-bed and ocean floor, and the subsoil thereof, underlying the high seas beyond the limits of national jurisdiction, for exclusively peaceful purposes and for the benefit of mankind.

114. Studies and exploration cannot be conducted in the abstract. They should be carried out within a sound legal framework. The immediate need is to formulate the legal norms which should govern the exploration, the exploitation and use of the resources of the sea-bed located beyond the limits of national jurisdiction—I repeat, beyond the limits of national jurisdiction. The question of the international legal régime which is to govern this area is closely linked to that of the international machinery which is to be established for using those resources in the interest of mankind, especially in the interest of the developing countries. Naturally, the body to be entrusted with the task of formulating the legal norms would have to examine the question of establishing the appropriate international machinery to fulfil the lofty aims which we all have in mind. We believe that the standing committee proposed in

⁹ *Ibid.*, item 92, document A/6695.

document A/C.1/L.425 and Add.1-6 should be able to study in depth both of these questions. We agree that the projected standing committee should have wider terms of reference commensurate with the advanced stage of its work and that it should serve as a focal point for all activities relating to the sea-bed and the ocean floor.

115. We believe that great care should be taken to avoid harming the rightful interests of the littoral States which are close to the areas in which exploration and, in due course, exploitation are to take place. In fact, the good-will and co-operation of the littoral States concerned is always of vital importance. We should therefore, from the very outset, enlist the support of the littoral States concerned by conducting the projected studies in the field of exploration and research with the effective participation, as appropriate, of the littoral States.

116. We are conscious of the legal, political and technical difficulties implicit in the forthcoming formative stage. The task of the projected standing committee will not be an easy one. We, however, believe that most of those difficulties can be overcome if there is good-will and real appreciation of the magnitude of the task before us and of the dangers implicit in failure to organize effective international co-operation on this vital issue.

117. My delegation believes that it will be possible to create an international legal régime governing the exploration and exploitation of the resources of the areas beyond national jurisdiction without encroaching upon the sovereign rights of littoral States with respect to their continental shelves. Such a legal régime should pay due regard to existing treaties and other international instruments. In view of the rapid strides made by modern science and technology, the outer boundary of the continental shelf should be wide enough to safeguard the sovereign rights of the littoral States in the areas subject to their national jurisdiction.

118. Economic considerations are also of outstanding importance. Our knowledge of the extent, location and concentration of mineral resources of the sea-bed should improve. The decisive factor is, naturally, the ratio of the cost of exploration and exploitation to the depth of the sea. A preliminary study should be made to estimate the possible adverse or disruptive economic effects on world markets or world prices engendered by the development of marine mineral resources, especially the impact this would have on the mineral exports of the developing countries.

119. My delegation is dedicated to the cause of general and complete disarmament. Hence, we support the proposal of the Soviet Union [see A/7230, annex III] that the Conference of the Eighteen-Nation Committee on Disarmament should consider, as an urgent matter, the question of prohibiting the use for military purposes of the sea-bed and the ocean floor beyond the limits of the territorial waters of coastal States.

120. We also commend the draft resolution proposed by Iceland [A/C.1/L.431] on a study of means for minimizing the danger of pollution of the marine environment which might arise from the exploration and exploitation of the sea-bed and ocean floor and the subsoil thereof.

121. Before I conclude, I should like to take this opportunity to thank the Belgian delegation for their initiative, together with the co-sponsors of draft resolution A/C.1/L.425 and Add.1-6, which we support and to which we have proposed, jointly with the delegations of Venezuela and Saudi Arabia, a few amendments [A/C.1/L.426 and Add.1] which elaborate and lay greater emphasis on some of its broad implications.

122. Mr. TARABANOV (Bulgaria) (*translated from French*): When the question of the reservation exclusively for peaceful purposes of the sea-bed and ocean floor, and the subsoil thereof, underlying the high seas beyond the limits of national jurisdiction, and the use of their resources in the interests of mankind was raised last year, the members of the First Committee were nearly unanimous in their opinion that that question was one of the most important ever to have been brought before the Committee. They also agreed that it was one of the most difficult they had had to deal with.

123. In addition to the fact that the subject is a little known one, and that the study of the sea-bed and the ocean floor, and the subsoil thereof, underlying the high seas beyond the limits of national jurisdiction, and even within those limits, involved many unknown factors, there were also difficult problems to be solved, such as that of useful and effective co-operation in the future exploitation of the area. International co-operation took on an added importance in view of the interest shown in the peaceful use of the resources of the sea-bed and ocean floor. Furthermore, every possible effort had to be made without delay to protect the use of those resources in the interests of all mankind. All these factors led to the establishment of the *Ad Hoc* Committee to Study the Peaceful Uses of the Sea-Bed and the Ocean Floor and the subsoil thereof.

124. This year, we have before us the report of the *Ad Hoc* Committee. This report is the result of the genuine and serious efforts made by the delegations that took part and more particularly by those which guided the work and the discussions. It is a well-ordered survey of all the data obtained so far, a review of the past and present activities of the United Nations and the specialized agencies, and an examination of the scientific, technological, economic and legal aspects of the question. It also provides guidance on the most appropriate practical means of fostering international co-operation in the field of exploration, conservation and use of the sea-bed and ocean floor and the subsoil thereof. The report is a document which will be of great importance in United Nations efforts to achieve international co-operation in this area.

125. We must congratulate the *Ad Hoc* Committee for the serious and exhaustive work it has accomplished in so short a time. We would especially like to express our gratitude to its Chairman, Mr. Amerasinghe, of Ceylon, who did everything in his power and all that was required to further the Committee's work. We extend our congratulations to the Chairman of the Working Group entrusted with the study of the economic and technological aspects of the peaceful use of the ocean's resources, Mr. Denorme of Belgium, and to the Chairman of the Working Group responsible for the study of the legal aspects of the question, Mr. Benites, the representative of Ecuador.

126. The results of the studies undertaken by the *Ad Hoc* Committee and the Working Groups, as contained in this report, along with the studies made by various Secretariat bodies into this question, now make us realize even more clearly how complex are the problems before the First Committee.

127. The seas and oceans and their subsoil form one of the least-known areas of our globe. This is especially brought out in the Secretary-General's report of 24 April 1968, which points out the lack of up-to-date knowledge in this area. This document states that "Our maps of the ocean floor are at about the stage of land surface maps published 250 years ago" [*E/4487 and Corr.1 to 3, 5 and 6, para. 14*].

128. The report also emphasizes that we have barely begun to tap the mineral resources of the ocean depths at the present time. The lack of sufficient knowledge of the resources of the seas and oceans and their subsoil, which is brought out in the above-mentioned studies, is no doubt the main reason for the absence of any legal and structural preparation with regard to the organization of the exploration and use of maritime resources. Difficulties arise not only from the fact that man knows very little of these vast areas of our globe, but also and above all from the complex nature of the legal and organizational questions raised by this problem.

129. Some aspects of these difficulties, especially those regarding the continental shelf, which represents only an infinitesimal area in comparison to the vast reaches of the high sea, were clearly and ably brought out in the statement made by the representative of Ecuador, Mr. Benites [*1594th meeting*].

130. The account of the difficulties raised for States by the solution of this problem—and in the relatively limited area of the continental shelf—gives some idea of the type of problems which will confront those who are entrusted with this task.

131. Every previous study has given us only a glimpse of the vast potential resources of the sea-bed and ocean floor which are still untapped only because of the lack of scientific and technological development.

132. Of course, we can easily understand the legitimate desire to use these resources for the welfare and benefit of mankind. For the time being, however, it would not be realistic to expect immediate exploitation of these resources, in view of the current state of science and technology and of the enormous investments required to explore them adequately and to exploit them.

133. Research, especially scientific research in the technological field, seems called for in the very near future. This will of course entail considerable effort. It will require the investment of vast sums which are not presently available and which are beyond the capacity of many countries to provide, especially the developing countries. In these circumstances, we might rightfully wonder whether it would not be more advantageous—particularly for developing countries—first to undertake the exploitation of the enormous natural resources to be found on their territory,

especially underground resources, rather than to attempt at the present time to promote the development—the immediate development—of the resources of the sea-bed and ocean floor. In this connexion, the *Ad Hoc* Committee's report mentions that current knowledge of these matters is insufficient to enable us to arrive at any correct estimate of the potential effects the introduction of marine minerals might have on the world market and on world prices. The report also emphasizes that various conjectures have been made as to the possible market losses the developing countries might sustain, dependent as they are for a large part of their income on the exploitation of minerals—especially manganese—and other underground resources.

134. We must bear these considerations in mind when we set out to find, and above all, to study, a solution to this problem, which will undoubtedly have wide repercussions on the entire development of the world of today. In these circumstances we may well ask ourselves whether it might not at the present time be better to direct the primary attention and efforts of the international community towards building up the economy of the developing countries. If the peoples of these countries are to enjoy the fruits of modern civilization, they must obviously be allowed to develop their natural resources. They must also be allowed to build the infrastructure they need for the development of those resources. Furthermore, we must not forget that without this, there can be no social improvement whatever in these countries.

135. In the light of the foregoing, and especially of the fact that we are still not able to foresee with any certainty the possible consequences of undertaking the immediate exploitation of marine resources, or the influence this exploitation might have on the economy of the developing countries, it might perhaps be more worthwhile for us to aim at a more limited goal, but a goal which would leave all future possibilities open to us. We believe that if we are to preserve these resources for the benefit of all peoples—which my delegation feels is, at least for the moment, the principal goal of United Nations efforts—we must begin now to take the measures necessary to prevent any appropriation and pillaging of the sea-bed and ocean floor and the subsoil thereof. These must be conserved for what we hope is a near future when those who at present have neither the opportunity nor the wherewithal to do so can share on an equal footing in this exploitation of under-sea resources, once the danger of their being pillaged has been eliminated. This would enable us to consider wise solutions in an atmosphere of comparative calm. Thus, we must eschew any impatience in our search for a solution; we must refrain from hasty solutions, especially with regard to the words we use to define the questions to be studied, so that we are not diverted from the right course and thereby place obstacles in the way of possible and advantageous solutions in the future.

136. The fact that it has now been proposed to form a standing committee [*A/C.1/L.425 and Add.1 to 6*] to replace the *Ad Hoc* Committee which was entrusted with this question last year affords us a good opportunity to examine the question with the requisite attention; instead of hurriedly and immediately setting forth the many duties and problems we want the projected committee to take up,

we can define only those which are most pressing. Of course, we must emphasize those clear points on which we all agree. On the other hand, positions which are insufficiently clear and on which we have some difficulties in reaching agreement should be deferred until later, particularly since the committee will be submitting a report to the First Committee next year, since further resolutions will be adopted, and since, consequently, the committee will be assigned more definite duties in the future to enable it to forge ahead with a study of the use of the resources of the sea-bed and ocean floor for the well-being of mankind.

137. To insist on examining forthwith the question of setting up administrative bodies to govern the ocean floor beyond the limits of national jurisdiction, as some speakers have suggested, would be to prejudice the studies which the standing committee will be proposing to us and undertaking in the future. To direct those studies at the outset towards the need to set up international machinery for the exploitation of the sea and ocean resources would be premature to say the least. It could only harm the work to be done and create right from the start fresh difficulties before the committee had been able to carry out preliminary studies.

138. The delegation of the People's Republic of Bulgaria has always feared that the creation of such bodies might produce the same defects as certain existing bodies already possess. Indeed, we are but too well aware that in many of the international bodies closely related to the United Nations, the work is done and solutions and decisions are prepared by officials nominated and put forward by countries paying the highest dues or at the least by a combination of States members of a certain alliance. If we were also to be forced to proceed in the same way in the future—and the haste being urged on us now would surely lead to such a situation—as would be the case, for example, were we to begin straightaway with studying the formation of such a body, we are very much afraid that history would repeat itself.

139. We therefore feel that at this point in our discussion we ought not to go into the study of setting up new bodies or new administrative machinery to deal with the exploration and exploitation of the sea-bed and ocean floor and their resources, since there are already in existence a sufficient number of bodies of that kind. We should simply attempt to give a more appropriate impetus to their work in this area, and above all to the work of the Intergovernmental Oceanographic Commission of UNESCO, which has been in existence for many years.

140. Nevertheless, preservation of the resources of the sea-bed and the ocean floor for the benefit of all mankind will call for an exhaustive and appropriate study by the proposed standing committee. At the present time, this is the most important and urgent task. We might perhaps do well to entrust this committee with a study of principles which would serve as the basis for working out arrangements and agreements on the subject. Of course, these studies could not be accomplished by the standing committee alone, even with expert assistance. Such a study might be entrusted to the International Law Commission or to the Sixth Committee, which deals with legal questions, or it might be undertaken in conjunction with them. In

order to help in the task of drawing up these principles which should prevent the sea-bed and ocean floor from being appropriated by certain organizations or States, the First Committee ought to come to an agreement on the aspects of the question to be entrusted for study to the standing committee. Agreement on that committee's duties is even more necessary because the arrangements and agreements which will be put forward as a result of these studies will of necessity require the consent of all States. Any other way of dealing with such an important question would be ineffective. We must not lose sight of the fact that the United Nations—and consequently, we here—cannot and must not fail in helping to bring about agreement on this question. We cannot conceive of any solution being reached without the participation of all States, and even less if there was opposition to the opinions of certain States Members of the United Nations.

141. It goes without saying that the use exclusively for peaceful purposes of the sea-bed and ocean floor beyond the limits of present national jurisdiction implies that the arms race should not be extended to that area, and more particularly that weapons of mass destruction should not be installed there.

142. In this connexion, two draft resolutions have been submitted to the *Ad Hoc* Committee [see A/7230, annex III]. One of them, submitted by the United States, deals with the question of "arms limitation on the sea-bed and ocean floor". This implies that some weapons are already installed there and that we must confine ourselves to accepting them, but according to information available to this Committee, that is not the case. International public opinion has not yet been informed that weapons have been installed on the sea-bed and the ocean floor.

143. If this is indeed the case, and we presume it is, then we must recognize that those speaking of limitation, and I stress the word "limitation", want the installation of certain weapons on the sea-bed and ocean floor to be allowed. This is contrary to the unanimous wishes of world public opinion, if not to the wishes of the Governments of certain States Members of the United Nations.

144. On the other hand, the Soviet draft resolution solemnly calls upon all States to refrain from installing any weapons on the sea-bed and the ocean floor beyond the limits of the territorial waters of coastal States, and to use this area exclusively for peaceful purposes. Such an appeal is in keeping with the unanimous wishes and interests of all the peoples of the world. The delegation of the People's Republic of Bulgaria therefore supports the solemn appeal contained in the Soviet draft resolution.

145. Furthermore, as this draft resolution suggests, it is logical to request the Eighteen-Nation Committee on Disarmament to consider the question of the total prohibition of the use for military purposes of the sea-bed and ocean floor as an urgent matter, and to report thereon to the First Committee and the General Assembly. Such a request to the Eighteen-Nation Committee on Disarmament is in keeping with the duties entrusted to it by the United Nations, with which it has been dealing for a long time.

146. In the course of our discussions, some delegations have suggested that this task—the study of the question of

prohibiting the use for military purposes of the sea-bed and ocean floor beyond the limits of the territorial waters of coastal States—should, as an urgent matter, be entrusted to the standing committee called for in draft resolution A/C.1/L.425 and Add.1 to 6. The idea is to enable us to concentrate in this committee all the problems that treat with the sea-bed and ocean floor. Such a procedure would be acceptable only if this committee's duties were worded in such a way as to supplement the work entrusted to the Eighteen-Nation Committee on Disarmament, which is instructed to examine this problem in all its aspects.

147. It has been asserted that the Eighteen-Nation Disarmament Committee should deal not with preventing the installation of weapons in certain areas such as that of the sea-bed and ocean floor, but merely with disarmament. However, we must not lose sight of the fact that the Eighteen-Nation Committee is concerned with the question of halting the arms race so that weapons are not installed in areas where there have been none so far. This therefore implies that it may also prevent an armaments race in certain areas and regions. We should not forget that before it was concluded the nuclear test-ban treaty was also discussed for a very long time and that the way was more or less paved for it as a result of discussions held in the Eighteen-Nation Committee.

148. Some aspects of the question of the use of the sea-bed and the ocean floor will be examined by other United Nations bodies, and this is an additional argument for having the Eighteen-Nation Committee continue to deal with measures designed to prevent any future installation of weapons on the sea-bed and ocean floor, at the same time as it deals with the prohibition of weapons. The Second Committee, for its part, will deal with the question of using marine resources, as will the Economic and Social Council. We cannot, therefore, expect the proposed standing committee to deal with every question, unless it is to be one of the largest and most cumbersome of United Nations bodies. Thus, we feel that the Eighteen-Nation Committee on Disarmament should confine itself more particularly to dealing with the question of the prohibition of the use of

the sea-bed and ocean floor for military purposes and with the corresponding agreements to that end which should be negotiated and concluded among States.

149. There is one other problem we should deal with forthwith, in view of its importance and urgency, namely the study of means of reducing as much as possible the danger of pollution of the marine environment which might arise from exploration and especially from exploitation of the sea-bed and ocean floor and the subsoil thereof. This is why the Bulgarian delegation welcomed with great interest the proposal put forward by the representative of Iceland. It has decided to co-sponsor this draft resolution [A/C.1/L.431], more particularly because this proposal concerns one of the aspects of the problem which should also be examined by the proposed standing committee, namely, the study of means to be adopted to prevent exploration and, especially, exploitation of the resources of the sea-bed and ocean floor from destroying or damaging animal life in the high seas. This could have disastrous consequences for the economy and the very life of vast populations which depend on marine products for their livelihood. I would like to think that the sponsors of draft resolution A/C.1/L.425 and Add.1 to 6 concerning the creation of a committee for the peaceful uses of the ocean depths will bear in mind the fears and doubts my delegation has expressed with regard to some aspects of the initiative being undertaken. This would, I hope, enable my delegation to lend much stronger and more effective support to the proposed draft resolution.

150. I should like to assure the Committee that the delegation of the People's Republic of Bulgaria will do all it can to contribute in so far as its modest capabilities permit, as it has by participating in the *Ad Hoc* Committee, towards furthering the organizational work being undertaken for the study, exploration and, ultimately, the exploitation of the resources of the sea-bed and ocean floor, and their use exclusively for peaceful purposes. My country takes special interest in this matter.

The meeting rose at 1.30 p.m.