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Examination of the question of the reservation exclusively for peaceful purposes of the seabed 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 First Committee

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President: Mr. Corneliu MANESCU (Romania).

In the absence of the President, Mr. Khatri (Nepal), Vice-President took the Chair.

AGENDA ITEM 92

Examination of the question of the reservation exclusively for peaceful purposes of the seabed 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 FIRST COMMITTEE (A/6964)

Mr. Orn (Sweden), Rapporteur of the First Committee, presented the report of that Committee and then spoke as follows:

1. Mr. ORN (Sweden), Rapporteur of the First Committee: On this item dealing with what has so aptly been called "the last frontier for natural resources on our planet", the First Committee adopted "almost unanimously", as the Chairman stated, a draft resolution [A/6964, para. 9], which it recommends for adoption by the General Assembly.

Pursuant to rule 68 of the rules of procedure, it was decided not to discuss the report of the First Committee.

2. Mr. GOLDBERG (United States of America): The draft resolution before us [A/6964, para. 9] marks the first major step by the United Nations in a realm of great significance to all Members of the Organization. I should like to take this opportunity to re-emphasize the position of my country on this very important matter.

3. First, we believe that the prospects of rich harvests and mineral wealth in the deep oceans and on the deep ocean floors must not be allowed to create a new form of competition among marine nations.

4. Secondly, my nation believes that the nations of the world should take steps to assure that there will

be no race among nations to grab and hold the lands under the high seas. The deep ocean floor should not be allowed to become a stage for competing claims of national sovereignty.

5. Thirdly, we must ensure that the oceans and the deep ocean bottoms remain as they are, the legacy of all human beings, and that the deep ocean floor will be open to exploration and use by all States without discrimination.

6. Fourthly, my nation stands ready to join with all other nations to achieve these objectives in peace and under law.

7. My country supports the draft resolution to establish ad hoc committee as a first step in this direction. We believe that the study which the committee is asked to prepare will constitute a most useful basis for future decisions of the General Assembly. We particularly hope that the twenty-third session of the General Assembly, as the result of the work this ad hoc committee, will be in a position to establish a committee on the oceans with a broad mandate to develop law and to promote international co-operation with respect to the ocean and ocean floor.

8. There is no question that there are many complex and difficult problems--political, legal, scientific and economic--which are involved in this matter. But I want to make it clear to the General Assembly that I believe and am confident that the Members of the United Nations, working together, can overcome these problems just as they have overcome equally complex problems in similar areas in the past.

9. When my country made our first proposal for a Committee on the Peaceful Uses of Outer Space in 1958,^{1/} there were also many complexities involved. But we now have an important Treaty in this area, the Outer Space Treaty,^{2/} which is the result of the work of the Outer Space Committee and the acts of this Assembly during the last session. And we have now before us, in this very Assembly, the report of that Committee [A/6804 and Add.1] recommending a second important agreement to this Assembly for approval--the draft Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space. This agreement is another major accomplishment, and a testimonial to what the Members of the United Nations can achieve, working together, on even the most difficult problems.

^{1/} Official Records of the General Assembly, Thirteenth Session, Annexes, agenda item 60, document A/3902.

^{2/} Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies (resolution 2222 (XXI), annex).

10. In reviewing the debate leading to the draft resolution calling for an ad hoc committee to study matters relating to the sea-bed and ocean floor, I should like to note several points which emerged from the extensive discussions of the matter in the First Committee.

11. There is a common appreciation of the complexity of this question and of the importance of the General Assembly proceeding with care in addressing the scientific, technical, legal, economic and arms control issues involved. There is also a general appreciation of the importance of advancing international co-operation in the exploration and use of the ocean and ocean-floor. These realizations should permit us to move ahead, carefully but with all deliberate speed—just as we moved ahead carefully but surely in our consideration of outer space.

12. Finally, because it marks the first step by the General Assembly in a highly complex field, and because the question of the future régime of the ocean floor is a matter of great concern to all nations, we believe it is generally agreed that the principle of consensus be established from the outset. I am sure all Members will recall that this was the procedure followed by the Committee on the Peaceful Uses of Outer Space, and that this procedure has not precluded steady progress, important agreement, and beneficial results.

13. In mentioning the achievements of that Committee, I would not wish to imply that the problems and opportunities of the oceans and of outer space are perfectly analogous. Obviously, they are not. The oceans are close at hand; outer space extends beyond us to infinity. Man has travelled and fished on the surface of the oceans since the earliest days of history; outer space, until recently, has remained totally unexplored. And the oceans, which are already being used commercially by man, with rich prospects of food and mineral wealth awaiting further exploration and development, are far more valuable economically than outer space, in so far as we presently know.

14. Yet both outer space and the sea, through science and technology, promise much to mankind; and both require, for the fulfilment of that promise, that we the nations of this world, through this Organization, address ourselves to our tasks in peaceful co-operation and not in conflict or competition.

15. For this reason, my delegation strongly supports the resolution to establish this ad hoc committee, as the first major step by the United Nations—a step of historical importance—to help mankind develop and make full use of the great benefits which lie in and under the great oceans of the earth.

16. In closing, my delegation would like to pay tribute to the Government of Malta and to its distinguished representative, Ambassador Pardo, whose initiative brought this important matter to the attention of the Assembly. This is a profound illustration that it is not the size of the country but the dedication and skill and ability that it and its representatives bring to our tasks that illuminate the work of this Organization.

17. Mr. SOLANO LOPEZ (Paraguay) (translated from Spanish): Before explaining my vote on the draft

resolution concerning item 92 of the agenda [A/6964, paragraph 9], I should like to say how sincerely my delegation sympathizes with Australia in its tragic loss.

18. My delegation voted for the draft resolution which the First Committee is now recommending for adoption by the Assembly. 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, is an aim of which the importance is recognized throughout the world. It is therefore of equal importance to the Members of our Organization one and all.

19. The expression "the Member States one and all" of course includes many countries which, like mine—or indeed yours, Mr. President—have no sea coast but which have nonetheless a lawful interest in the subject and rights over those resources. In this respect the high seas and the resources of the ocean floor and the subsoil thereof beyond the limits of present national jurisdiction belong to us as well as to the countries which have a sea coast.

20. The Assembly is going to instruct an ad hoc committee composed of 35 Member States to make a study and prepare a report covering the scientific, technical, economic, legal and other aspects of the question, for examination by the General Assembly at its twenty-third session. We are sure that it will succeed in its task, for we have complete confidence in all the members who have already been elected to it: their credentials and competence leave us no doubt of the value of their contribution. Nevertheless we cannot help regretting that the landlocked developing countries of Africa, Asia and Latin America, whose contribution might well have been equally valuable and fruitful, are not represented on this important and relatively large committee.

21. With this explanation and this reservation, I repeat that my delegation will vote for the draft resolution.

22. Mr. DEVENDRA (Nepal): My delegation fully shares the views expressed by the representative of Paraguay that the ad hoc committee should have included one or more of the developing countries having no sea coast. My delegation believes, and rightly so, that the developing countries having no sea coast have equal rights in the peaceful uses 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.

23. With this observation, my delegation will vote in favour of the draft resolution [A/6964, para. 9].

24. Mr. PARDO (Malta): Before speaking on the item before us, I should like to express the deep sense of loss that the people of Malta have felt in hearing the news of the tragic and untimely death of Mr. Holt, the late Prime Minister of Australia, a country with which we share the closest ties of friendship.

25. I should like to express my appreciation for the spirit of co-operation with which the First Committee has considered the proposals submitted by my delega-

tion concerning the sea-bed and the ocean floor. Under the wide chairmanship of Mr. Fahmy, the First Committee was able to adopt a resolution of consensus [A/6964, para. 9] which demonstrates the concern of the international community for the future of three-quarters of the world which technology is opening to man.

26. The draft resolution upon which we are about to vote is an expression of the collective sense of responsibility of all States for the vast expanse of the ocean beds. It is a sound beginning, an indispensable first step towards effective international co-operation in the exploration, exploitation and use of the sea-bed and the ocean floor.

27. While the draft resolution is a sound beginning, we are only at the initial stage of our task. Principles must be formulated, a treaty must be negotiated. Whatever we may do on land, we must avoid at all costs a ruinous arms race on the ocean floor and ensure that it is reserved exclusively for peaceful purposes. Whatever national rivalries exist for the exploitation of the natural resources of the land areas of the world for the benefit of the rich, these rivalries must be excluded from the ocean floor. All countries, rich and poor, land-locked and maritime, must benefit from the virtually inexhaustible resources lying on and under the ocean floor. Whatever wasteful methods of exploitation we use on land, destructive of our soil, poisoning our atmosphere or dissipating blindly the priceless heritage of nature, at least on the ocean floor we must not betray our sacred trust, and we must hand on this area, the very well-spring of life on this small planet of ours, unimpaired to our children and our children's children.

28. We do not underestimate the difficulties and the complexities which we shall face before we can achieve our goal. We are at the beginning of an arduous journey. I do not know how long it will be before we reach our destination, but we begin our journey with hope and, above all, with faith that the long-term interests of mankind eventually will triumph.

29. The PRESIDENT: The Assembly will now proceed to vote on the recommendation of the First Committee [A/6964, para. 9]. I draw the attention of the Assembly to the report of the Fifth Committee on the financial implications which would result from the adoption of this draft resolution [A/6982].

The draft resolution was adopted by 99 votes to none. [resolution 2340 (XXII)].

30. Lord CARADON (United Kingdom): Having participated tonight in this remarkable, indeed, this unique vote, I wish to seize this opportunity to convey sincere congratulations to the Ambassador of Malta on the imaginative initiative of his country and the striking success achieved tonight. We were glad to hear the eloquence of his appeal again tonight. The enterprise dealing with a matter of world consequence was brilliantly conceived and ably carried through. Indeed, I cannot remember in my own experience at the United Nations a better conducted campaign in a better cause.

31. We shall never forget how Malta won the admiration of the world in times of war. It is good to see the leadership of Malta so effective in the pursuit of peace. The vote today was not only of great importance in itself, but it also represents a success for the United Nations. To the Government of Malta, we extend our gratitude, and for his skill, patience and perseverance, we very warmly congratulate Ambassador Pardo.

32. Mr. SCHUURMANS (Belgium) (translated from French): First of all I should like to assure our colleague the Australian representative that my country and my compatriots share the grief of the Australian nation at the tragic loss it has sustained. We ask him to accept our deep and sincere sympathy in this time of sorrow.

33. The Belgian delegation had the honour of submitting to the First Committee, on behalf of a widely representative group of forty-three sponsors, the draft resolution which the General Assembly has just adopted unanimously.

34. In view of the interest my delegation has shown in this matter from the first, I should like to express its deep satisfaction at the final adoption of the text and to point out briefly the significance of this vote.

35. It was thanks to the timely initiative of the delegation of Malta [A/6695] that the General Assembly had a new item placed before it this year, entitled "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".

36. It had indeed become clear that the spectacular progress of technology had opened up the possibility for man to go beyond the stage of mere exploration of the "silent world"; we are approaching the stage of utilization and exploitation. Hence there are a good many important and urgent problems facing the world community if it wishes to preserve the resources of the sea-bed for the generations to come and to organize their exploitation in the interests of mankind. It will be for the ad hoc committee, which the General Assembly has just decided to establish, to look for a solution to these problems.

37. When it has made a preliminary examination of the manifold aspects of this question and indicated the main lines for international co-operation in this matter, the ad hoc committee will have to report to the General Assembly at its twenty-third session. My delegation is confident that the ad hoc committee will be able to carry out its terms of reference, and is ready to give it active support.

38. I should like to use this opportunity to pay a tribute to the remarkable way in which the Chairman of the First Committee conducted the proceedings that have led up to today's vote. It is also my pleasant duty to thank the many representatives who, in the course of the discussion, mentioned the work done by my delegation.

39. The PRESIDENT: That concludes our consideration of agenda item 92.

The meeting rose at 10.25 p.m.