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Chairman: Mr. Ismail FAHMY
(United Arab Republic).

AGENDA ITEM 92

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 (*concluded*) (A/6695; A/C.1/952; A/C.1/L.410 and Add.1)

CONSIDERATION OF DRAFT RESOLUTION
A/C.1/L.410 AND ADD.1 (*concluded*)

1. The CHAIRMAN: The Committee will resume consideration of the draft resolution [A/C.1/L.410 and Add.1]. The names of Kenya, Italy, Bolivia and Peru are to be added to the list of co-sponsors of that draft resolution, so that the co-sponsors now number forty-three instead of thirty-nine.

2. Before we proceed any further, I should like to inform the members of the Committee, in connexion with the composition of the *ad hoc* committee referred to in operative paragraph 1 of the draft resolution, that I thought it might be opportune to inform members of the composition of that *ad hoc* committee as I see it, in accordance with the various factors which I took into consideration in trying to establish that membership. I felt this course would be more convenient to the members of the Committee, instead of waiting until the draft resolution was adopted and then giving the list of members of the *ad hoc* committee. I am sure that I shall not be able to satisfy everyone in this room, because it is usual for every member to wish to serve on every committee, even if it is not an important one; but this is a very important committee, and thus I feel that members of the Committee will all be justified if there is much criticism addressed to me. I am ready to accept that; I hope that members will appreciate the situation in which the Chair finds itself in dealing with such a difficult problem.

3. The composition of the *ad hoc* committee as I propose it is as follows: Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Canada, Ceylon, Chile, Ecuador, France, India, Italy, Japan, Kenya, Liberia, Libya, Malta, Norway, Pakistan, Peru, Poland, Romania, Senegal, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America and Yugoslavia.

4. If I hear no objection to this I shall take it that it is so decided.

It was so decided.

5. Mr. BURNS (Canada): Canada made clear its general views respecting this item when we first spoke on it in this Committee earlier in this session [1529th meeting]. I should like, however, to speak now briefly in regard to the draft resolution that we are shortly to vote upon. In doing so I should first of all like to join all those members of this Committee who have already expressed to yourself and to the other members of the small drafting group who laboured so hard and well on our behalf, our sincere thanks and our appreciation and admiration for what you were able to accomplish. Within your larger working group, when there were still a considerable number of working papers then before it, Canada outlined to that group the sort of considerations which we hoped it might be possible to embody in a draft resolution. At that time a working paper which had been tabled by Brazil was the one which we most favoured because it approximated most closely to what we ourselves would have preferred.

6. Because it was clear that the range of interests and viewpoints which would have to be reconciled within the working group was extremely broad, and thus that only a most carefully considered compromise draft would be likely to secure general support, it was, of course, not our expectation that the eventual draft that might be agreed upon would in fact be exactly the sort of resolution which Canada, any more than any other particular State, would have really preferred. The draft resolution which is now before us is, nevertheless, in our view, worthy both of our support and the support of this Committee. In our view it is not only a most successful compromise but also a genuinely useful resolution which will actively carry forward the consideration of this item in the United Nations context. It is for this reason that we are glad to be among its co-sponsors.

7. Certain matters relating to this item still remain to be clarified. The chief among them has just been clarified in your statement, Mr. Chairman. It is, of course, the question of the size and composition of the *ad hoc* committee called

for in the provisions of operative paragraph 1. The subject-matter with which that committee will have to deal is of such interest that the membership should be sufficiently broad-based to reflect the interests of both the various geographical and the various political groupings within the United Nations. It is clearly on those principles that you made the selection which you have just announced to the Committee.

8. We would observe that such activities as may be carried out on the sea-bed by Member States, whether exploratory or by way of exploitation, will necessarily reflect a very high degree of technological capability. Canada, as a nation which has one of the longest coastlines and largest continental shelves and which, in addition, already has a long-established interest in oceanography, is vitally interested, therefore, in the work which the *ad hoc* committee will perform. We are therefore very much gratified that you have seen fit to include Canada among the membership of that committee which you have just proposed.

9. Mr. PRAWIRODIRDJO (Indonesia): First of all, my delegation wishes to congratulate you, Mr. Chairman, and all the members of the working group which has been able, under your wise guidance, to produce a synthesis of the proposals and ideas put forward to it in the form of the draft resolution.

10. As one of the co-sponsors of the draft resolution on the peaceful uses of the sea-bed and ocean floor, my delegation wishes to set forth briefly some of the reasons for our vital interest in this question.

11. Indonesia is a vast archipelago—in fact, it is the largest country in the world whose entire land area is made up of islands. Our deep interest in the subject of this draft resolution should be obvious, therefore. However, the sea which physically separates the parts of our island nation also serves several other functions. It serves as the basis for the communication and transportation system linking the islands with one another and with the outside world. In addition, it is a source from which our people glean large quantities of vital products. For example, both tin and petroleum are extracted from our territorial waters. Sea life of all kinds is a significant source of food for our people.

12. The preservation from destructive use of this vital factor in our national life, then, is a subject of great concern to us. Just as important is the constructive utilization of the sea's resources for the benefit of all mankind. We listened with great interest and enlightenment to the statement made by the representative of Malta [1515th and 1516th meetings] in which he outlined the great benefits to be reaped from the sea-bed and ocean floor as well as the many hazards inherent in the uncontrolled exploration and utilization of that same vast area.

13. Of particular consequence to a country such as ours, dependent as it is on the surrounding seas, is the threat posed by contamination of the waters of the ocean by radio-active and other wastes, which could jeopardize a main source of protein food at a time when expanding population is posing a serious threat to world food supplies. We have been hearing only recently of the benefits to mankind to be realized by greater utilization of nuclear

power for peaceful purposes. However, that gain brings with it the responsibility on the part of the world community as embodied in the United Nations for the safe disposal of the radio-active waste products which will accrue from a greater use of that source of energy.

14. The vast potential of the sea is also of great concern to us, as to all developing countries, as it relates to the problems of economic development. Surely the exploitation of the resources of the sea should not be the exclusive right of those already industrialized countries capable of the advanced technology required to exploit them. That would only widen further the gap between rich and poor.

15. We should like to appeal to the technically advanced countries to bear in mind their special responsibilities in furthering the cause of development by undertaking to make the fruits of any exploitation available to all. In addition, we hope that in the meantime there will be no exploitation which would be contrary to the spirit of this draft resolution or which might prejudice the work of the *ad hoc* committee that is to be set up.

16. Thus the final phrase in the title of the draft resolution referring to “the uses of their resources in the interests of mankind” is of special importance to the developing countries.

17. My delegation sincerely hopes, therefore, that this draft resolution will be adopted. Since this is the first session of the General Assembly at which this item has appeared on our agenda, we should be setting ourselves an excellent example of prompt action if we adopted it now.

18. Mr. YANGO (Philippines): The Philippines has entertained certain reservations about the original Maltese proposals concerning the sea-bed and ocean floor. Those reservations were inspired by the fear that a draft resolution embodying those proposals might have the effect of weakening our claim to sovereignty and jurisdiction over the internal and territorial waters of the Philippine Archipelago. That feeling of concern is not new. During the Geneva Conferences on the Law of the Sea in 1958 and 1960 our established rights over our territorial waters were strongly maintained and asserted by the Philippine delegation. That Philippine position became part of the over-all problem of the breadth of the territorial sea, which remained unsolved in those two Conferences.

19. That position is clearly stated in the note of 12 December 1955 issued by the Department of Foreign Affairs of the Philippines and reproduced on pages 39 and 40 of the United Nations Legislative Series, 1957, which reads as follows:

“The position of the Philippine Government on the matter is that all waters around, between and connecting the different islands belonging to the Philippine Archipelago irrespective of their widths or dimensions, are necessary appurtenances of its land territory, forming an integral part of the national or inland waters, subject to the exclusive sovereignty of the Philippines. All other water areas embraced in the imaginary lines described in the Treaty of Paris of December 10, 1898, the treaty concluded at Washington, D.C., between the United

States and Spain on November 7, 1900 and the Agreement of January 2, 1930 between the United States and the United Kingdom, and the Convention of July 6, 1932 between the United States and Great Britain, as reproduced in Section 6 of Act No. 4003 and Article I of the Philippine Constitution, are considered as maritime territorial waters of the Philippines for purposes of protection of our fishing rights, conservation of our fishing resources, enforcement of revenue and anti-smuggling laws, defense and security, etc.”

20. In voting, therefore, for the draft resolution, my delegation would wish it to be clearly understood that we take exactly the same position as the representative of El Salvador, who stated yesterday [1543rd meeting] that the limits of the territorial waters of El Salvador as proclaimed in its Constitution are not a proper subject for discussion here.

21. My delegation also associates itself with the views expressed by the representative of Thailand [1542nd meeting] who drew attention to the fact that national rights over the continental shelf are in no way disturbed under this resolution. The island shelves form part of a continuous submarine platform around the perimeter of the Philippine Archipelago and spread inward towards its centre. They are considered, both under the existing national legislation of the Philippines and under generally recognized rules and principles, to constitute part of the internal waters of the coastal State.

22. Likewise, we fully share the views expressed by the representative of Iceland yesterday, who said:

“We have, however, taken due note of the understanding agreed on in the Working Group and clearly expressed in the lucid and accurate introduction of the resolution made by the representative of Belgium this morning that this reference in the title of this item does not prejudice in any manner present or future territorial jurisdiction or claims of individual States, nor does it reflect any view on the part of the General Assembly regarding the same.” [1543rd meeting, para. 37.]

23. My delegation considers this to be a compromise resolution, procedural in nature, which commits none of us in advance to the results of the work of the *ad hoc* committee. The representative of Belgium, in introducing the draft resolution to the Committee yesterday, made it abundantly clear that the rights of sovereignty of Member States in so far as their claims of national jurisdiction to their territorial waters are concerned are not affected by this resolution.

24. In the light of all the foregoing, and as a member of the Working Group, we shall vote in favour of the draft resolution.

25. Mr. ARORA (India): I wish to associate my delegation with the other delegations which have paid tribute to you, Mr. Chairman, for your effective and fruitful guidance of the deliberations of the Working Group which has successfully elaborated the draft resolution, and which has now been completed with your announcement regarding the composition of the *ad hoc* committee. We are thankful to the representative of Belgium for so ably presenting the draft resolution to the Committee.

26. In our statement at the 1530th meeting on 16 November, we congratulated the delegation of Malta for bringing to the attention of the General Assembly a subject of far-reaching importance for all of us. The item under consideration places special emphasis on the reservation exclusively for peaceful purposes of the sea-bed and the ocean floor, and the subsoil thereof, and on the use of their resources in the interests of mankind. We expressed our ideas and made certain suggestions in our last intervention. We do not intend to repeat what we said then. But we would like to emphasize that it was our view then, and it remains our view now, that the most pertinent and relevant issue before us is that the sea-bed and the ocean floor should be used for peaceful purposes only, and further that States should desist from national appropriation of the sea-bed and the ocean floor. Moreover, an examination of the problem should, in our view, be conducted in the light of well-recognized, established and accepted principles and criteria.

27. It was in the light of these considerations that the Indian delegation, together with some like-minded delegations, placed before the Working Group our working paper which incorporated some of these ideas.

28. We know that some other delegations have different views on the subject. Therefore, in a spirit of compromise and with a view to initiating further consideration and examination of this matter, we—along with other delegations—have not insisted on the inclusion of many important elements in the draft resolution. We trust, however, that in future deliberations it will be possible to take into account the views that we have voiced here.

29. Before concluding, my delegation would like to express the hope that the draft resolution, which has our support and has been co-sponsored by us, will have the unanimous support of the membership of the Committee.

30. Mr. GREKOV (Byelorussian Soviet Socialist Republic) (*translated from Russian*): In connexion with the forthcoming vote on the draft resolution A/C.1/L.410 on the item under discussion, the delegation of the Byelorussian SSR would like to state its views briefly.

31. From time immemorial man has been drawn to the seas and the oceans and has tried to use them in his own interests. Over the years, with the development of science and technology, his interest in the wealth of the sea has increased. But to this day the ocean has remained a vast and almost untouched area, a rich store-house filled with valuable sources of food and various useful minerals. In some countries sea produce accounts for over 30 per cent of the people's food. The seas and oceans are convenient means of communication. In short, seas and oceans are tremendously important in the life of man. This is probably why the proposal of Malta has aroused interest among the delegations of many countries, whether with or without coastlines and has led to this debate in the First Committee.

32. The debate has shown that this item is a complex one, not only because of its title but also because of its substance. One could say that it is as wide and limitless as the ocean. Indeed, the problems of the sea-bed and the ocean floor raise many questions of international law of a

political nature, and also economic, scientific-technological and legal questions.

33. We do not wish, at this stage, to speak on the substance of this item. Indeed, it would be difficult to do so, since we think—as do many other delegations—that the question has not been sufficiently studied. The debates in this Committee and the consultations on the drafting of a resolution have shown that this question requires deep and comprehensive study. Therefore we should not be in a hurry to take a decision.

34. If we are to speak seriously of the exploitation of the sea-bed and the ocean floor and the subsoil thereof, we must bear in mind the international legal complexities of the problem and the scientific and technological difficulties. We do not wish to sound pessimistic about the prospects, but the Byelorussian delegation thinks it would be wrong to base one's position on illusory hopes.

35. We shall be able to solve this problem if we are equipped with scientific information and the conclusions of experts and organizations dealing with the problems raised during consideration of the Maltese proposal.

36. To go off sailing on the ocean, and more particularly to go down to the ocean floor, careful preparations have to be made. To take a decision on this question we too must make careful preparations. That is why we must have many facts and much documentation on this problem. At the moment they are not available. Statements by representatives, however eloquent, cannot fill this gap. This is why, without sufficient information and documentation, it is too early at present to decide on the substance of the matter, to create some kind of permanent committee and to formulate any principles.

37. At the present session, in view of the complexity of the matter, it would be better to agree on ways and means of studying the problem. Only after Governments of States Members of the United Nations have studied all aspects of the problems of the sea-bed and ocean floor, and after they have received exhaustive information for that purpose, will they be able to consider a practical discussion of the matter.

38. The Byelorussian delegation considers that at the present time it would be appropriate to entrust the Secretary-General with the preparation of a report on the activities of international organizations dealing with the sea-bed and ocean floor.

39. The delegation of the Byelorussian Soviet Socialist Republic will be guided by these considerations in its attitude towards draft resolution A/C.1/L.410. The resolution does not fully meet all our needs but, since many delegations have favoured the creation of an *ad hoc* committee to study the scope and the various aspects of this item and we wish to evince a spirit of co-operation, the delegation of the Byelorussian Soviet Socialist Republic intends to support this draft resolution.

40. Mr. SIPPONEN (Finland): Item 92 of the agenda, dealing with the control and use of the sea-bed and ocean floor, is a fascinating and challenging one. The distinguished

representative of Malta and the subsequent speakers have amply and adequately indicated what all-embracing economic, scientific, technological, military and legal problems are involved. They have also pointed out that organs of the United Nations and several specialized agencies and inter-governmental organizations are engaged in a study of the problems in question. I have no intention of reiterating them.

41. We are sincerely grateful that a many-sided decision-making process which will last for several years has been started. In general terms, the draft resolution before us fully satisfies my delegation. To give a full account of all the aspirations and realities of the contemporary world is difficult.

42. In a few cases the working group's awareness of the need for compromise has led it to adopt provisions that may not be considered entirely satisfactory by all Governments. In this respect my delegation would like to support the views represented by the representative of Sweden. We trust, however, that the principles, both legal and economic, to be applied in questions concerning the sea-bed and the ocean floor will emerge and materialize when the *ad hoc* committee and other organs and agencies enter into details.

43. The planning for the future occupies a pivotal place in the thoughts, aspirations and deeds of modern man. In some very rare cases the span of human imagination extends far enough to allow us to formulate legal rules for such events, of which we have very little or practically no experience. The question of the peaceful uses of outer space was debated for the first time in the United Nations in 1958. Nine years later the Treaty on Principles governing the Activities of States in the Exploration and Use of Outer Space [*General Assembly resolution 2222 (XXI), annex*] entered into force. The United Nations is continuously active in furthering by various means international co-operation in the peaceful use of outer space.

44. We are entering the second space decade which will also inevitably be marked by progress in the exploration and exploitation of the sea-bed and ocean floor. It is very encouraging to see that this approach is made in the spirit of mutual agreement and international co-operation. The assiduous work in connexion with the Treaty on the exploration and use of outer space will no doubt give guidance for the solving of problems now under discussion.

45. The exploitation and utilization of natural resources is to be considered one of the important priority fields for the application of science and technology to development. Increased attention has been paid by the United Nations and its specialized agencies to the important question of integrated and balanced social, economic and technical development. The United Nations has also manifold tasks in the conservation of natural resources and in the amelioration of natural environments. Urban living in many parts of the world is unnecessarily difficult precisely at a moment when a general upgrading should be possible, both technically and economically. It is our sincere hope that we do not repeat our past mistakes in the marine environment but resolve to adopt a balanced approach, bearing in mind that technical inventions are in the end destined to promote the spiritual and economic development of mankind.

46. There is a continuing need for the United Nations and for the more advanced countries to assist developing countries. There is particularly an urgent need for more assistance to developing countries in order to establish or improve their national facilities for surveying and developing their natural resources. It seems reasonable to believe that when new natural resources are discovered and exploited, a greater share may be allotted to cover the needs of the developing nations than would be the case in regard to a mere re-allocation of the resources already in use. There seems to be no doubt that international bodies will be able to contribute work and scientific research to the exploration and exploitation of the sea-bed and the ocean floor. The action proposed to vest control of the deep sea bottom resources in an international body is timely and worthy of careful consideration.

47. The resolution in question will affect several of the most important sectors of the international community and individual States. This new field of international co-operation will require prolonged studies. We are sure that all the members of the international community, riparian as well as land-locked States, are willing to be closely associated with the planning and implementation of the principles concerning the control and use of the sea-bed and the ocean floor.

48. Wide and effective international co-operation is needed to accomplish the task before us. We are convinced that this joint effort is bound to serve the spirit and purpose of the United Nations. The delegation of Finland welcomes the draft resolution. We are happy to give our vote in favour of it.

49. Mr. CSATORDAY (Hungary): The Hungarian delegation has welcomed with satisfaction the proposal of the Maltese delegation to place the item under discussion on our agenda. We pay a tribute equally to the members of the Working Group who elaborated the present draft through very careful study and consideration, and with great effort, to accommodate the purposes to the real conditions and possibilities. We appreciate the constructive intentions expressed by this initiative even though we are of the opinion that some of the organizational measures Ambassador Pardo has put forward in his most illuminating exposé are at this initial stage more ambitious than feasible.

50. As is well known, Hungary is a land-locked country and we have relatively little experience regarding the complex problems of the sea. Nevertheless, as a member of the international community we also have a vested interest in the exploration as well as the utilization of the ocean floor outside national jurisdiction in accordance with the United Nations Charter, for the benefit of all mankind.

51. We believe also that the time has come to think over the possibilities offered by technical progress as well as the problems involved and, as the saying goes, to make haste slowly. It is the considered opinion of the Hungarian delegation that by taking premature institutional measures we will not be taking a short cut but will rather be impairing the future solution of many problems raised here in our Committee and also during the deliberations of the drafting group.

52. For this issue is a very complex one indeed. As many delegations have pointed out, the exploration and utili-

zation of the ocean floor has serious legal, political, military, technical, economic and financial implications.

53. We must be aware of the fact that there are no internationally recognized frontiers to national jurisdiction over the sea and what lies beneath. By creating and accentuating controversial issues at this time, we might over-complicate the problems politically, and will certainly not facilitate their ultimate solution. The military aspects of the question can best be studied within the framework of the Conference of the Eighteen-Nation Disarmament Committee. Furthermore, the utilization of the treasures of the ocean floor at the present level of human knowledge might necessitate more investment than it would yield, at least in the foreseeable future.

54. This is not to deny that man should have a vision, that man should build his future even at the cost of some sacrifice. But he should recognize the fact that it would be a luxury not to concentrate our available national and international resources and energies on the solution of the more immediate, burning issues of our time—the elimination of diseases, the campaign against hunger, the eradication of illiteracy, the closing of the gap between the developed and the developing nations, and especially making the best use of the resources within our grasp which are relatively easily accessible.

55. As Ambassador Pardo himself put it last year when speaking about development programmes, and I quote:

“In advancing those criticisms, the Maltese Government was not actuated by any destructive or selfish motives. . . . But it was a fact that the United Nations was becoming less and less effective in achieving its . . . economic objectives. That increasingly serious situation should be remedied, firstly, by taking realistic steps to relate its activities to present and prospective resources. Proper priorities should be established and programmes which were not vital should be ruthlessly eliminated . . . the major aims of the Organization must be defined in terms of specific and practical objectives. . . .”¹

56. It is also a fact that, with the possible exception of the Maltese delegation, we have not had sufficient time to study these matters properly and according to their merits. Actually, we do not even know what other United Nations organs and other international organizations have been doing in the field. The draft resolution before us recognizes the dangers of our ignorance and rightly seeks information outside the United Nations along these lines. Time should also be given for governments to formulate their position and consult with experts in many fields in view of the complexity of the issue.

57. On the basis of these considerations my delegation strongly feels that we would be putting the cart before the horse if we were to formulate principles at this stage governing the exploration and utilization of the ocean floor.

58. May I also recall in this connexion that only last year we asked the Secretary-General to prepare a report on this

¹ See *Official Records of the General Assembly, Twenty-first Session, Second Committee*, 1037th meeting, para. 62.

subject which would be submitted to us in 1968 [*General Assembly resolution 2172 (XXI)*]. My delegation would have certainly preferred to extend to the Secretary-General the courtesy of waiting for his recommendations, and to study those recommendations thoroughly before setting up a new United Nations body entrusted with the very same task.

59. The establishment of the *ad hoc* committee on the ocean floor does not, in the opinion of my delegation, solve any of the problems that have emerged during our deliberations; it actually duplicates the work that is already under way. We do not believe in the medicine of setting up new committees; we rather believe in the wisdom of Ambassador Pardo, who, speaking about development programmes in the economic and social fields, stated in 1965:

“... it would be well to consider whether the skills and financial resources available to the United Nations family were always used to the best possible advantage.

“... that relatively large sum... was largely absorbed by expenditure necessary to remunerate an ever increasing staff required to service on ever increasing number of organs and carry out the studies and research recommended by them, which, in its turn, required the publication of ever more abundant documentation. Such expenditure was rising more rapidly than the funds allocated...”²

60. We should not create a situation in which we are confronted with the problem of how to utilize a sea of documents submitted to us by an ever-growing number of various United Nations organs. However, within the terms of reference contained in the draft resolution before us, we should not object at this time to the establishment of the *ad hoc* committee. My delegation hopes that its activities will contribute to peaceful and closer co-operation among all nations, in the most efficient way.

61. Mr. VINCI (Italy): My delegation has already welcomed, in the general debate on this item [*1528th meeting*] the timely and commendable initiative taken by the Government of Malta, illustrated before the Committee by its distinguished representative, Ambassador Pardo. This seed has produced an interesting and useful exchange of views on this most important and rather new subject—namely, international co-operation for the benefit of all mankind in the exploration, conservation and use of the sea-bed, the ocean floor, and the subsoil thereof.

62. Moreover, the two Working Groups have accomplished a difficult task in reconciling the many views, sometimes divergent, which emerged in the course of the debate, introducing a text that, we hope, will command the unanimous approval of the Committee.

63. We owe it to your enlightened Chairmanship, Sir, to which I should like to pay a tribute, and to the two groups which have assisted you, that this document of which Italy was glad to become a co-sponsor, could be formulated and submitted in its present form.

64. May I also express my appreciation for the clear and lucid comprehensive foreword with which our Belgian colleague has introduced and commented on the draft itself.

65. Since the beginning of the debate on item 92, Italy has favoured the establishment of a committee with very wide terms of reference for the consideration of the Maltese proposal. We sensed that the wish for an organic and thorough body of information on the manifold problems involved is shared by the majority, if not by all delegations, including my own, and should form the basis and premise for all further action to be taken by the United Nations in this field.

66. We believe that this field is amply covered by the draft resolution before us, and that it provides for a complete and careful inventory of the studies made by the agencies and by various intergovernmental bodies with regard to the sea-bed and ocean floor, and opens the way to the collecting by the Committee of the views of Member States on the subject.

67. The results of such research—scientific and legal, as well as economic—are likely to give us a clearer knowledge of what can be done in the interests of mankind, of development, and of international co-operation.

68. May I add that, since the task of the *ad hoc* committee will be of the utmost difficulty and importance, my delegation shared the thoughtful suggestion made yesterday by the representative of Argentina [*1543rd meeting*] that the committee be carefully formed and that the States with particular interest and knowledge of the problems of the sea be asked to make their contribution.

69. I notice, Mr. Chairman, that, as usual, you have taken good care of this delicate and difficult task. My delegation sincerely appreciates the honour you bestowed on my country in selecting it. May I assure you that Italy will be glad to serve on the committee and to put at its disposal its time-honoured experience and knowledge in the field of scientific, legal and economic research in the domain of the seas.

70. The draft resolution that is now before us needs no further clarification, at least in our view. I am particularly glad that the text drafted by the Working Group embodies the views of all—or a substantial part of the views of the delegations here represented. I trust, therefore, that the Committee will be able to recommend it unanimously to the General Assembly.

71. A unanimous mandate will give the committee a well-deserved start in consideration of the importance that the United Nations, as shown by our debate, has clearly attached to the study of the peaceful use of the sea-bed and ocean floor. We are fully aware of the magnitude of the problem, and of the far-reaching implications of all kinds, which have been described by many delegations, even in this afternoon's meeting.

72. The objectives set forth for the committee will certainly involve a great deal of hard work, and may not be attained in a short time. In our assessment of the projects

² *Ibid.*, Twentieth Session, Second Committee, 966th meeting, paras. 4 and 6.

and activities of the *ad hoc* committee, however, we are guided by the recollection of the long, at times difficult, but altogether satisfactory process which led the Committee on the Peaceful Uses of Outer Space to prepare and submit to the United Nations and to the world at large the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space. We are confident, therefore, that the careful and thorough studies which the committee will carry out will give the twenty-third session of the General Assembly an opportunity to chart its further course with a much better knowledge of all the factors involved in this field of action.

73. The advance of technology is opening to human knowledge an increasing number of new fields of exploration. International co-operation within the United Nations is the best instrument for pooling the energies and efforts, as well as the capacities, of all Member States towards a common endeavour. In this spirit we welcome the draft resolution, and we have no doubt that the vote of the Committee today will mark a significant point in the history of international co-operation under the auspices of the United Nations.

74. Mr. ZANDFARD (Iran): I should like to make a very brief statement to indicate our position with regard to the draft resolution before us.

75. My delegation notes with satisfaction that the Working Group set up by the Committee to formulate an acceptable draft resolution under item 92 of our agenda was successful in its effort to submit to the Committee a draft resolution which enjoys a wide measure of support. This was no small achievement, when one takes into account the novelty of the question and the divergence of views which emerged in the course of our general debate.

76. Speaking on this item a few weeks ago, my delegation emphasized the need for further study of the problem raised by the Maltese proposal before taking a decision on the substance of the matter. We are happy to note that this view has been vindicated in the draft resolution designed to establish an *ad hoc* committee of the General Assembly which would be limited to studying the various parts of this question and which would be required to report to the next Assembly session.

77. That no doubt represents a cautious approach, but one which gives us better understanding and insight into a new field which we have set out to explore collectively. I should like to underline here that our understanding of international co-operation in the peaceful uses of the resources of the sea-bed and ocean floor, as envisaged in the draft resolution before us, is confined to areas which lie exclusively outside the national jurisdictions of States. It follows that the sovereign right of States with respect to their continental shelves remains a matter of concern only to the riparian States; and it is with this understanding that my delegation will vote in favour of the draft resolution.

78. Mr. MENDELEVICH (Union of Soviet Socialist Republics) (*translated from Russian*): Today, after the general debate on the item, "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", and after complex multilateral and bilateral negotiations and consultations which have taken almost three weeks, the Committee has reached the concluding stage of its consideration of the item—the adoption of a draft resolution. We now have before us such a draft resolution, document A/C.1/L.410, tabled by a large group of States.

79. In our opinion, a study of the draft proposal confirms that the arguments put forward by various delegations, including the Soviet delegation, during the general debate on this matter, were justified. In particular, we said at the time that in considering this item on the agenda the General Assembly was confronted with a very complex and intricate problem—of which the United Nations has, politically speaking, little knowledge. However, various aspects of that problem were being usefully and actively studied by many specialized agencies, among them the Intergovernmental Oceanographic Commission of UNESCO and bodies within the United Nations itself. Thus, we and many other delegations thought it would be premature to put forward political and legal principles governing these activities of States which were concerned with the sea-bed and ocean floor, and that it would also be premature to create a new permanent organ of the United Nations.

80. As far as we understand it, that view is now the dominant view in this Committee, and we should like to express our satisfaction in that regard. Of course, when we stated that far-reaching decisions would be premature, we were in no way pre-judging the issue of what can be done in practice on the substance of the question, perhaps at the next session of the General Assembly. What we meant was that the main thing now is to understand properly the most appropriate, effective and reasonable way to move forward with this important question raised by the delegation of Malta.

81. From a study of the draft resolution before us, we reach the conclusion that the idea that the first step is to work out how best to proceed in the future is contained in the text. We consider that to be the positive side of the draft resolution. Naturally the question which arises—and it arose at the very outset of our consideration of this item—is what is the most effective, appropriate and reasonable way to proceed further with the problem, the best approach to a practical solution, and what means should be used in organizing the study of the various aspects of the problem.

82. The Soviet delegation has said, and it continues to adhere to the view, that this study should be carried out above all by the States themselves; nobody will do it for the States and nobody will decide how to proceed further except the Member States. We have always thought that in the work that has to be undertaken by all the States Members of the United Nations, the assistance of the Secretary-General and the Secretariat would be useful since they could furnish the various States with the necessary information. We think that the present draft resolution takes that aspect into consideration, and that too is a positive factor.

83. At the same time, the draft resolution introduces yet another element into the study of the question. It provides

for the creation of an *ad hoc* committee for that purpose. May I recall that the Soviet delegation, together with a number of others, saw no special need for the creation of such a committee. Further, we had definite doubts on the usefulness of a committee, since it could be considered that the creation of that committee would prejudice the issue in that the *ad hoc* committee, set up for a short time and for a specific purpose, would be transformed into a permanent body, and many delegations, including our own, are as yet not convinced that the creation of such a body is necessary.

84. In other words, there were definite reasons for assuming that the intention in setting up this *ad hoc* committee was that it should be the germ of a future permanent organ. We considered that approach to be wrong. Therefore, during all the consultations that were carried out under the able and efficient guidance of the Chairman of the First Committee—and we wish to thank him for this in the name of the Soviet delegation—the Soviet delegation endeavoured to help to reach a clear and accurate definition of the terms of reference of this *ad hoc* committee, so that it could discharge the task—on the need of which we all seem to be agreed—of helping States to decide on the best way to find the most appropriate and effective practical procedure for organizing international co-operation in the exploitation of the sea-bed and the ocean floor, a co-operation which would make matters progress rather than duplicate existing activities, and which would not hamper the effectiveness of such activities.

85. A study of the draft resolution gives us definite reason to believe that the relevant provisions are more or less clear. Reference is made to the task of the *ad hoc* committee which can and to some extent should be performed through various studies of the problem conducted by the States themselves, with the assistance of the Secretary-General, and by the *ad hoc* committee. In this connexion, we would draw the attention of the Committee to operative paragraph 1 of the draft resolution which provides for the establishment of an *ad hoc* committee to study the scope and various aspects of this item. We also draw special attention to operative paragraph 2, which provides for the General Assembly to entrust the *ad hoc* committee, in co-operation with the Secretary-General, the task of preparing for consideration by the General Assembly at its twenty-third session a study which would include:

“(1) a survey of the past and present activities of the United Nations, the specialized agencies, the International Atomic Energy Agency and other inter-governmental bodies with regard to the sea-bed and the ocean floor, and of existing international agreements concerning these areas.”

86. We consider that the preparation of such a survey could be useful.

87. Secondly, the *ad hoc* committee will have to prepare “an account of the scientific, technical, economic, legal and other aspects of this item”.

88. Such an account of the various aspects of the problem should also help States to determine their position.

89. Finally, the committee would provide:

“An indication regarding practical means to promote international co-operation in the exploration, conserva-

tion and use of the sea-bed and the ocean floor, and the sub-soil thereof, as contemplated in the title of the item, and of their resources, having regard to the views expressed and suggestions put forward by Member States during the consideration of this item at the twenty-second session of the General Assembly.”

90. Such an indication would probably also be helpful to States since it would list all the proposals made or to be made by States on this subject.

91. We take it that upon fulfilment of this task, the *ad hoc* committee will be done with its work and will present a report to the twenty-third session of the General Assembly. Thus, the *ad hoc* committee as such will cease to exist. The General Assembly at its twenty-third session will have to decide on future action.

92. We do not oppose the creation of the *ad hoc* committee on those terms, although, I repeat, from the very beginning we felt that there was no real need to set up such a body and we agree to its creation only on condition that it perform its functions as clearly expressed in the draft resolution.

93. We should like to add to this that we also understand that this *ad hoc* committee—as many other similar bodies of the General Assembly created for the study of various problems—will adopt its decisions by agreement among its members.

94. We understand the Chairman has done considerable work in preparing a list of the members of this Committee. Of course, when he read it out, we were unfortunately not able to grasp fully all the details of the list or to give it all the thought it requires. We do not even know exactly how many members he proposed. Was it twenty-eight, twenty-nine or thirty members? The various lists we have differ. But we would also like to say that we assume that the composition of the *ad hoc* committee, which will cease to exist once it has presented its report to the twenty-third session of the General Assembly, in no way pre-determines the composition of the body which may—if Member States deem it necessary—be set up to work on the substance of the problem in the future.

95. Having said all this, the Soviet delegation would like to tell the Committee that it considers it possible to support the draft resolution and vote in its favour.

96. The CHAIRMAN: I shall now give the floor to Mr. Vellodi, the Secretary of the Committee, to make a statement on the financial implications of the draft resolution which is before the Committee.

97. Mr. VELLODI (Secretary of the Committee): In compliance with rule 154 of the rules of procedure, I should like on behalf of the Secretary-General to make a statement on the financial implications which would arise if the draft resolution is adopted.

98. Inasmuch as the *ad hoc* committee to be established under operative paragraph 1 of the draft resolution would be composed of representatives of Member States; no additional expenditure for travel or subsistence of members

would be involved under the terms of General Assembly resolution 1798 (XVII). However, the session which the *ad hoc* committee would need to hold in 1968 so as to be in a position to report to the General Assembly at its twenty-third session, as requested in the operative paragraphs of the draft resolution, would have a number of administrative and financial implications.

99. In view of the already full calendar of meetings for 1968, the date of the session of the *ad hoc* committee would have to be determined in such a manner as to fit within the existing programme with the agreement of the Committee on Conferences. If this condition is met, the Office of Conference Services could provide interpreters and précis-writers in New York at no additional cost.

100. However, the production and translation of the documentation including pre-session, in-session and post-session documentation would involve costs of translation and typing on a contractual basis. These costs on the basis of information available are estimated at about \$32,000.

101. The costs of reproducing the documentation by mimeograph or offset from stencils are conservatively estimated at \$20,000. Although the actual magnitude of the work programme would not be known until the beginning of the work of the *ad hoc* committee, it is tentatively estimated that the substantive preparation of the reports that might be requested from the Secretary-General might require the services of consultants with some extra clerical assistance for a total of \$20,000.

102. It would not appear at this stage that operative paragraphs 3 and 4 of the draft resolution would entail substantial additional expenditure for the Organization.

103. The Secretary-General would, therefore, advise the First Committee that, should it approve the draft resolution, an additional provision of approximately \$72,000 would need to be made in the 1968 budget.

104. Mr. TSURUOKA (Japan) (*translated from French*): Mr. Chairman, forgive me for interrupting you at this stage of the discussion, but the representative of the Soviet Union said a few moments ago that he was not quite sure of the composition of the *ad hoc* committee, and unfortunately Japan is in the same boat. I would therefore be very grateful if you would be good enough to confirm at any rate whether Japan was among the countries you selected for membership in the *ad hoc* committee.

105. The CHAIRMAN: I thank the representative of Japan for his point of order. I hope that he understands very well that I cannot confirm whether Japan is a member of the *ad hoc* committee or not to his delegation alone, or even to all the members of the *ad hoc* committee individually. In fact I said that before we started voting I was going to make the position as clear as possible, not only to the delegation of Japan or the delegation of the Soviet Union, but to all the members of this Committee, so that they knew exactly what they were voting on. If he allows me I should like to continue with what I was going to say. I was about to say that in my statement at the opening of this afternoon's meeting I proposed thirty countries, neither twenty-eight nor twenty-nine nor twenty-seven nor

twenty. In the hope that there will no longer be any doubt whatsoever about what I said, I am going to repeat it: exactly thirty names.

106. In my statement I said that I would be ready to accept any criticism about the composition which I have proposed, and I am indeed grateful that in fact I have not received any criticism. On the other hand I have been informed by various delegations from different areas of the world that they would like to serve on the *ad hoc* committee, for various obvious and valid reasons. But the situation as it is now is that I proposed thirty names and the Committee accepted that proposal. So it is final so far as these names are concerned; it cannot be changed or reversed unless a representative takes the floor and proposes a formal motion to that effect and his motion is accepted by the Committee.

107. What was the decision which was approved by the Committee? It was that the *ad hoc* committee should be composed of the following thirty Member States. I hope that everyone will have a pencil and paper to write when I repeat exactly what I have said before: Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Canada, Ceylon, Chile, Ecuador, France, India, Italy, Japan, Kenya, Liberia, Libya, Malta, Norway, Pakistan, Peru, Poland, Romania, Senegal, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America and Yugoslavia.

108. Since that decision was taken—and, as I have said, it is final unless it is reversed—I have received some requests to increase that number by one or two countries. I feel that I am not in a position to satisfy one country or another, but that I must make the following proposal to you. After careful examination of the question of what additional action you might like to take, I came to the conclusion that it would be neither feasible nor even advisable to add only one or two countries, because I believe that it is not the task of the Committee to satisfy only one or two countries. Therefore I propose that, if the Committee agrees, we increase the number of countries from thirty to thirty-five—that is, add five more countries.

109. Mr. PARDO (Malta): I was just wondering whether thirty-five was not slightly excessive. I put this forward for your consideration.

110. The CHAIRMAN: The statement of the representative of Malta will appear in the record.

111. Mr. ESCHAUZIER (Netherlands): I hesitate to speak and I have no wish to render your task in any way more difficult, Mr. Chairman. My delegation does not lack respect for your judgement and authority and we do not underestimate the complexity of your task in trying to accommodate and satisfy everyone, but it has not failed to come to our attention that during the past forty-eight hours, if I am correct, the membership of the *ad hoc* committee has been increasing rapidly. You have now put before us a proposal to increase it by another five members. I wish merely to say that my delegation is still conducting consultations and, in view of the fact that the proposed committee still seems to be open-ended, I wish to reserve

the right here and now to revert to the question of the final composition of the *ad hoc* committee in due course.

112. The CHAIRMAN: I should like to correct what the representative of the Netherlands said about the *ad hoc* committee being open-ended. I have made it very clear that the Committee has already taken a decision on the composition of the *ad hoc* committee as I proposed it and as I read the list again a few moments ago, and the number is thirty. That is a final decision. I was trying to get the advice of the Committee as to whether it is ready to increase that number. It is not an open-ended committee, but there is a new proposal to increase the membership that has been agreed by five countries.

113. If I hear no objection, I shall take it that the Committee agrees that we increase the number of members of the *ad hoc* committee from thirty to thirty-five, without affecting the names I have already read out, and that the following five Member States be added: Iceland, Somalia, Czechoslovakia, Thailand and El Salvador.

It was so decided.

114. Mr. MENDELEVICH (Union of Soviet Socialist Republics) (*translated from Russian*): I want to say just one thing concerning the procedure. As I understand it, this procedure is to some extent conditional. The Committee has not decided as yet to create an *ad hoc* committee; it has not voted as yet on the draft resolution. Our present efforts, under your wise guidance, to determine the composition of the committee are to a certain extent anticipatory. The final decision of this Committee will be taken when it votes on the resolution. Thus we seem to agree that the names of the States read out by you should be included in the draft resolution, and that the draft, with the names mentioned by you, which becomes an integral part of the draft resolution, will then be put to the vote.

115. The CHAIRMAN: We shall now vote on the draft resolution contained in document A/C.1/L.410 and Add.1, with the thirty-five names the Committee has just approved inserted in operative paragraph 1.

The draft resolution was adopted by 93 votes to none, with 1 abstention.

116. The CHAIRMAN: I now call upon the representative of Czechoslovakia, who wishes to explain his vote.

117. Mr. SMEJKAL (Czechoslovakia) (*translated from French*): The delegation of Czechoslovakia voted in favour of draft resolution A/C.1/L.410, primarily because of the interest that Czechoslovakia attaches to the question. As a land-locked country, Czechoslovakia has a legitimate

interest, shared by other land-locked countries, in ensuring that the traditional activities connected with the sea should not be reduced but should rather be developed as fully as possible for the benefit of the international community, and exclusively for peaceful purposes. It is obvious that the rapid development of technology will make it possible to explore, occupy and exploit the sea-bed everywhere in the world, and most of the ocean floor. After Mr. Pardo's lucid account of the subject, which might be judged worthy of Jules Verne, no one can still have any doubts about the vital importance of the question. Mr. Pardo's analysis had the virtue not only of stressing the importance of the subject and the outlook for it, but also—and this must not be underestimated—of bringing home to us the complexity of the whole question with its momentous political, economic, scientific, legal and other problems.

118. The tremendous significance of the problem was brought out still more clearly in the course of the discussions in this Committee.

119. Since the present occasion is the first time we have been confronted with this complex of problems, it is inevitably extremely difficult, not to say impossible, to adopt an attitude likely to produce terms of reference broader than those contained in the draft resolution just adopted. It seems to us essential to examine this question from all angles, to contact national institutions and to avoid taking a premature stand which would endanger the results envisaged or wreck the entire scheme. We regard the question as too important to be willing to make mistakes that might prove irreparable.

120. We voted in favour of draft resolution A/C.1/L.410 because it is balanced, because it meets the requirements of land-locked countries, and because it constitutes a foundation for subsequent work. Hence we feel it to be quite definitely in the interest of all that the implementation of the resolution should be based on realism, as being the only way in which the *ad hoc* committee can achieve the desired goal. The work that remains to be done is no doubt complicated; above all it calls for understanding in all quarters. Czechoslovakia is ready to contribute as effectively as possible to the work of the *ad hoc* committee set up in virtue of operative paragraph 1 of draft resolution A/C.1/L.410.

121. The CHAIRMAN: Before we adjourn, I urge the members of the Committee to bear in mind that next week is the last week and we have many items to discuss. We shall have two meetings every day and, if necessary, three. I hope that we can complete the work on all our items by next Friday.

The meeting rose at 6.5 p.m.