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Chairman: Mr. Piero VINCI (Italy).

In the absence of the Chairman, 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.1-5, L.426 and Add.1, L.427 and Corr.1, L.428, L.429)

1. Mr. KIKHIA (Libya): First of all, I would like to express my heartfelt condolences to our brothers from the delegation of Saudi Arabia for the loss inflicted on them in the death of the late Omar Azouni, Adviser to the Saudi Arabian Mission to the United Nations, Director of the World Moslem Congress and Deputy Director of the Palestine Arab delegation. He died at the age of fifty-six on Sunday, 3 November of a heart attack, at the New York University Hospital.

2. Last year Libya was happy and grateful to join with forty-four other Member States in the *Ad Hoc* Committee to Study the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction. In fact, my delegation was among the first delegations to welcome the creditable and laudable Maltese initiative and to express well-deserved congratulations to Mr. Pardo, for having proposed for the twenty-second session of the General Assembly the item relating to the question of the sea-bed.¹ In so doing, my country has confirmed its belief in the

immense possibilities offered by the exploration, use and exploitation of this new virgin or semi-virgin area of our planet, as well as in the advantages of international co-operation in the field of the exploitation of the considerable and promising resources underlying the high seas for the common benefit and in the interests of mankind as a whole.

3. Since the matter is, and must be, of common concern to the international community, Libya, a country with 2,000 km. of coast on the Mediterranean, cannot afford to view with an indifferent eye the prospects and possibilities offered by the new and revolutionary dramatic developments in the field of the exploration and exploitation of the marine resources. We are, also, fully aware of the complexities of the problems involved, as well as of the danger of allowing those resources to be exploited without an appropriate juridical framework to guarantee the legitimate interests of all countries and to build up, without further delay and in good faith, the institutional basis for the orderly management of the sea-bed and ocean floor beyond the limits of national jurisdiction.

4. It goes without saying that the creation of the *Ad Hoc* Committee on the sea-bed could be considered an eloquent example of the efficiency and capacity of international co-operation. This positive step, in our opinion, is also a harmonious and relevant approach to the new open and fascinating horizons made possible by scientific and technological progress.

5. The resources of this new area should be used to fight poverty, indigence and need in every corner of the earth. At the same time, an attempt should be made to correct the present inequitable international situation, in which the financial, technological and scientific potential and skills needed to utilize the submarine resources, are far from commensurate with the needs and capacities of the developing countries, that is to say, the majority of mankind.

6. In fact, these countries are unable to share in the profit from submarine resources because of their limited scientific and technological capacity and owing to their scarcity of financial resources. As a result, only a few privileged countries, namely, the highly developed countries, will be able to benefit in this new field.

7. Of course, the developing countries must know that they have to struggle in order to catch up with the advanced countries in the domains of science and technology. Such a task, however, is not easy to accomplish in a short time.

8. It is the responsibility of the United Nations, in our view, to study thoroughly the question of the orderly

¹ Official Records of the General Assembly, Twenty-second Session, Annexes, agenda item 92, document A/6695.

utilization of the submarine resources and the just distribution of their profit, and to lay sound foundations for an appropriate régime capable of co-ordinating the legitimate rights and interests of all, thus safeguarding the interest of the international community as a whole.

9. Many distinguished speakers paid a tribute to the *Ad Hoc* Committee for its success in accomplishing constructive and positive tasks, in spite of the extreme complexity of the subject relating to a new field of human activity. This success was possible not only because of the co-operation, spirit of compromise and zeal of its members, but also because it had the privilege to deliberate under the able and inspiring leadership of Mr. Amerasinghe of Ceylon. On behalf of the Libyan delegation, and in all sincerity, I wish to express my thanks, admiration and gratitude to him. My felicitations also go to the Vice-Chairman of the *Ad Hoc* Committee, the representatives of Poland, the United Republic of Tanzania, Chile and Norway. I would like to congratulate Mr. Gauci of Malta, the Rapporteur of the *Ad Hoc* Committee for his excellent work in preparing the report contained in document A/7230, which reflects with sound objectivity and clarity the deliberations of that body.

10. The appreciation of the delegation of Libya goes also to the Chairmen of the two Working Groups and to their respective Vice-Chairmen and Rapporteurs, for their sincere devotion and positive contribution.

11. The comprehensive documentation prepared by the Secretariat, in a very short time, on the various aspects of the sea-bed question, was of very great help to the *Ad Hoc* Committee. The sincere co-operation and devotion of Mr. Chai and his staff contributed largely to the success of the Committee. The Secretariat deserves, therefore, our unanimous appreciation and thanks. In this respect, I wish, also to pay a tribute to the helpful and effective participation of the specialized agencies and other inter-governmental bodies.

12. Availing myself of this occasion, I would like to reiterate the thanks and gratitude of the delegation of the Kingdom of Libya to the Government and to the delegation of Brazil for the wonderful opportunity given to us to meet in the beautiful and captivating city of Rio de Janeiro, on the occasion of the third session of the *Ad Hoc* Committee.

13. With regard to the scientific aspects, I wish to recall that we followed these very important aspects with the utmost interest. In our view the reason is that the scientific activities in the present stage of our work and in the present international situation offer the broadest scope for the possibility of international co-operation. We would express our belief that the basic principle which could be adopted in this respect is that freedom of scientific research and exploration be preserved and emphasized, and that the results of the activities connected with scientific research on the sea-bed should be equally accessible and freely available to all nations.

14. However, we strongly support the view that freedom of scientific research and exploration could not in itself create rights of use or exploitation of the submarine resources.

15. The first major area in this aspect of the scientific field is the understanding of the ocean and its floor and the acquisition of better knowledge of the marine environment. Attention must be given to the topographical studies of the ocean floor in order to prepare more accurate and detailed bathymetric charts of the sea-bed.

16. The second major field in our view is the improvement of the international data exchange system. In this respect it is important to standardize procedures and instruments used in data reporting.

17. Another priority is the promotion of international co-operation in order to prevent and control pollution resulting from activities on the sea-bed. Particular attention should be given to conservation of the living resources of the sea-bed, to preservation of the biological, chemical and physical balance of the ocean and to the control of pollution from radio-active materials, as well as from underwater pipelines and drilling.

18. In that regard, I wish to express my sincere appreciation to the delegation of Iceland for having proposed a draft resolution on this question [see A/7230, annex III]. My delegation supports that draft resolution and is happy to co-sponsor it. I should like to express also our appreciation to the delegation of the United States for having proposed the international decade of ocean exploration. My delegation will support the draft resolution circulated in document A/C.1/L.429 relating to the international decade, and my delegation is considering the possibility of co-sponsoring it.

19. Within the framework of international co-operation in the scientific field, I should like to draw the attention of the Committee to the kind of scientific activities which Libya follows with the utmost interest, namely, submarine archaeology which deals with sunken cities and wrecks at the bottom of the sea. The importance of those activities and the necessity for international co-operation in this respect are evident. Progress in that field will throw more light on the history and mystery of ancient human civilizations as well as on the history of our planet itself. Modern techniques used in the surveys of submerged cities can provide us with further information on sea-level changes some thousand years in the past, and that would help to close the gap between archaeological and geological evidence.

20. On this occasion I should like to mention that during the deliberations of the *Ad Hoc* Committee we were gratified by the participation of a member of the United Kingdom delegation, an eminent British oceanographer and archaeologist, Dr. Flemming, who is a well-known specialist in this field. Dr. Flemming led a British expedition some years ago in order to explore the sunken city of Appollonia on the Cyrenaican coast of Libya. He is now performing the same kind of work on submerged sites in Greece.

21. Despite the fact that this aspect did not arouse much interest at our previous deliberations, it is our hope that the archaeological aspect will find its due place in our present and future discussions and recommendations.

22. With regard to the economic and technical aspects, Libya, as a small and developing country, is in favour of the

promotion of international co-operation in this field to the fullest extent, in order to assess the substantial resources of the sea-bed and to fill the gap in present knowledge of the extent of these resources and their geographical distribution.

23. We need further and detailed studies concerning the possibilities, limits and development of technology in this field, as well as those studies related to the profitability and soundness of investments. A greater effort should be made to have more detailed information on the economic feasibility or the commercial viability of the operations in the area under discussion. Special stress must be laid on the possible economic implications of the exploitation of the marine resources on world markets and prices.

24. In this connexion, we have already some experience of the effects of off-shore production of oil on the price of petroleum from other sources on the international market. Further international arrangements in this connexion must be envisaged, especially to protect the interest of some developing countries whose economies are dependent on their exports of certain commodities and raw materials.

25. Our work is in fact a law-making task. It is a complex and difficult one as it involves some relatively new aspects in the field of international law. It relates to the involvement of fundamental political and juridical issues which are the very foundation of the existing law of nations, such as the notion of sovereignty, and the direct national, economic and political interests of sovereign States or groups of States, as well as their security.

26. In connexion with the legal status of the sea-bed beyond the limits of national jurisdiction, we are with those who believe that neither the concept of *res nullius* nor that of *res communis* is appropriate to the area in question. Perhaps it could be compared to the concept of *res universitatis* or *res publica* in Roman civil law. Here things belong to the community, the use and enjoyment of which, according to their proper use, is free to every member of the community, but cannot be appropriated to the exclusive use of any individual.

27. The definition of legal principles, and the establishment of an international legal régime, will require us to study and to try to find applicable elements among the existing legal systems and criteria, thus contributing to the promotion of progressive development of international law and its codification in the light of technological progress and taking into account the new economic and political realities of our time.

28. However, at this stage of our work, it seems to the Libyan delegation that we should be able to agree on some basic and general principles which are actually less controversial. Such a declaration of principles would provide the appropriate framework for the future work of the United Nations on the subject. In our opinion such a declaration should be the first legislative step taken by the General Assembly towards the establishment of the status of the sea-bed. We express our earnest hope that the declaration would include the following principles:

considered separately from the superjacent waters of the high seas, and that it should be preserved from any national or private appropriation.

(b) That the resources of the sea-bed should be exploited for the common benefit of mankind, in the interests of world peace and with a view to maximum efficiency, in order that all countries and peoples should be given an equitable opportunity to develop and use these resources.

(c) That the sea-bed and its resources should be administered and controlled by a competent and appropriate world machinery under the auspices of the United Nations.

(d) That the sea-bed should be used exclusively for peaceful purposes, and that these areas should not be available for military use by any State or group of States.

(e) That the exploration and use of the sea-bed and ocean floor should be carried out in accordance with international law, including the Charter of the United Nations.

(f) That the principles of the freedom to carry out scientific research and exploration involving the sea-bed should be unquestionably valid, and that the results of such scientific activities should be made available to all countries without discrimination.

(g) That all activities in connexion with the exploration and use of the sea-bed should be carried out in accordance with relevant rules and regulations concerning the prevention of marine pollution and the conservation of the living resources of the sea.

(h) That the exploration and use of the sea-bed should not affect the legal status of the superjacent waters as high seas or that of air space above those waters.

(i) That the exploration and use of the sea-bed should be effected with reasonable regard to the interests of all States in their exercise of freedom of the high seas, as recognized by provisions and practice of the law of the sea.

29. It is our hope that the General Assembly would approve a declaration of principle at this session, taking into account the sets of principles embodied in paragraph 88 of the report of the *Ad Hoc* Committee [A/7230].

30. It was mentioned that there was a manifest need to convene a third United Nations conference on the law of the sea, in order to consider and elaborate the basis of a generally acceptable legal régime governing the sea-bed and the ocean floor, and to proceed to a comprehensive review of the law of the sea. I should like to stress the support of the Libyan delegation for this suggestion.

31. With regard to the military aspect, I wish to state that Libya is convinced that the non-militarization of this virgin area of our planet is the condition *sine qua non* for rational scientific exploration and the orderly economic exploitation of the sea-bed, as well as the prerequisite for establishing any effective and serious international co-operation in this respect.

32. The General Assembly should assert this principle which entails the prohibition of the employment of

(a) That there exists an area of the bed of the sea outside the limits of national jurisdiction which should be con-

military installations and nuclear weapons and the testing of weapons on the sea-bed and ocean floor. Such a declaration will contribute to the realization of the international community's desire to achieve workable arms limitation measures, and will enhance the peace and security of all nations, thus bringing the world nearer to general and complete disarmament.

33. The delegation of Libya believes that it is irrelevant to transmit the military aspect of the question to the Committee on Disarmament; the military aspect should not be isolated from the other aspects. The question should be dealt with as a whole, without separating its different aspects.

34. The political aspects of the question are of paramount importance and provide, in fact, the background for all our work, since technological progress has created new international problems in the field of the use and exploitation of the ocean and its floor. These new problems do not find clear and proper solutions, nor are there sufficient relevant provisions dealing with them within the framework of the present law of nations and in existing international practice.

35. One issue of a political nature which the General Assembly will have is the definition of the continental shelf. Here we are faced with a political problem resulting from the elastic, ambiguous and incomplete definition of the continental shelf, adopted by the Convention on the Continental Shelf,² of Geneva, for which a precise clarification is needed. This, as we know, is a political issue rather than a purely legal one. The General Assembly should recommend that a clarification of the definition contained in the Convention on the Continental Shelf should be undertaken under United Nations auspices.

36. A second political issue is the suggestion of a possible moratorium or freeze on claims to exclusive rights to parts of the sea-bed and ocean floor, and extensions of the limits of the continental shelf. This is also, in our view, a highly political matter and must be dealt with as such.

37. Another political issue is the respective roles to be played by the technologically advanced Powers and by the smaller developing nations in the study, development and use of the sea-bed and its resources. We have to consider this issue in the political context and to stress these two points:

(a) The small and less-favoured nations should play their due role and should have an adequate share in the exploration and use of the sea-bed.

(b) The United Nations system must be given the full opportunity to play an essential role in the exploration, use and exploitation of the sea-bed.

38. During the discussion of this item since last year, a clear divergence of views emerged between the advanced and the developing countries—in other terms, between the “haves” and the “have nots”. This divergence stems from the fact, in our view, that the former are reluctant to accept restrictions on their freedom of action and on their present

or potential privileges, while the latter—the small and developing nations—are trying to preserve their interests and their future role through the establishment of adequate international machinery within the framework of an appropriate international legal régime under the direction of the United Nations.

39. Here, we feel again the impact of the strategic considerations emanating from the policies of military blocs, based on the belief that the delicate and fragile international equilibrium is founded on the so-called “balance of terror”.

40. In the view of my delegation, it is clear that the reluctance and hesitation of some countries are obviously due to the fact that negotiations between the great Powers and, especially the two super-Powers, have not yet reached the stage at which a joint effort can be made to establish a new legal régime and adequate world machinery, and to reconcile international endeavours with certain national interests of an economic, political and strategic nature.

41. Under these circumstances, it is hardly surprising that the small and developing countries, among them my country, Libya, express their legitimate anxiety and fears of possibly having to pay for any compromise between the great Powers by abdicating, *a priori*, the role which could be theirs, and by sacrificing their own future interests.

42. I would like to refer to a matter which has as yet received little attention, namely the human and social aspects of the question.

43. My delegation fully supports the suggestion in paragraph 54 of the report [*ibid.*], under which the International Labour Organisation and other appropriate international organizations should be requested to deal with the human aspects and to study the matter of conditions of work and of manpower training and protection in the regions of the sea-bed and of operations in this new environment, since it is a fact that hundreds, and maybe thousands, of human beings are actually involved in these underwater activities in various countries. In the foreseeable future, the submarine industry will gain in size and importance and will have thousands and thousands of persons engaged in it.

44. Finally, concerning the institutional aspect, the delegation of Libya has expressed its view that the sea-bed and its resources should be administered and controlled by a competent and appropriate world machinery under the auspices of the United Nations.

45. We are aware that such a body could only be established on the basis of detailed and expert studies of the legal, technical, economic, practical and political aspects of the problem. At this stage, we suggest that the General Assembly agree on the principle of the need to establish such an international authority in the future, leaving aside for the time being the details concerning powers, mandate, structure and competence of the proposed authority.

46. Pending the establishment of this permanent machinery, Member States should endeavour to promote

² United Nations, *Treaty Series*, vol. 499 (1964), No. 7302.

international co-operation in the use and exploitation of the sea-bed, in particular, by increasing the effectiveness of the international structure for managing the use of the oceans.

47. In this connexion, I would like to express the full support of my delegation to the proposals contained in the draft resolution presented with eloquence and clarity by the distinguished representative of Belgium, circulated in document A/C.1/L.425 and Add.1-5, which recommends that the General Assembly should establish a standing committee invested with a wider mandate and with broader terms of reference, and which is co-sponsored by the delegation of Libya, among others. It is our hope that this draft resolution will be unanimously adopted.

48. The CHAIRMAN (*translated from Spanish*): Before I call on the next speaker on my list, I would like to inform the members of the Committee that a revised text of draft resolution A/C.1/L.429 has just been distributed. The symbol of the new text is A/C.1/L.429/Rev.1.

49. Mr. TOMOROWICZ (Poland): Mr. Chairman, first of all, may I be permitted to express on behalf of the Polish delegation our deep satisfaction on your election to this highly responsible and demanding post. May I also congratulate all the members of the Bureau of our Committee. We are confident that under your, and Mr. Vinci's, wise and experienced guidance we shall be able to achieve desirable results in our complex and at times strenuous but so important work.

50. In our deliberations at this stage, we have arrived at what could be termed as the taking account of the initial phase of probing the problem of peaceful uses of the sea-bed and the ocean floor beyond the limits of national jurisdiction. We have before us the report of the *Ad Hoc* Committee [*ibid.*]. It is the result of ten months' work of that Committee under the extremely able guidance of its Chairman, Mr. Amerasinghe, and the highly efficient leadership of Mr. Benites and Mr. Denorme, acting as the Chairmen of the two Working Groups.

51. The terms of reference of the *Ad Hoc* Committee, as formulated in resolution 2340 (XXII), entrusted that body with an immense task, that of measuring up initially the whole problem, registering the present status in all its aspects and examining the views of Member States on the emerging needs of the future.

52. With the very efficient help of the Secretariat, which has procured the necessary materials, the work of the *Ad Hoc* Committee can easily be termed as highly successful in bringing about most of the intended results. Firstly, we have been given a clearer image of the present position with regard to the activities which are in progress today—of what we do know on the subject in all its aspects. Secondly, we have been made aware of how little we know about the existing resources, technology of output or even legal aspects connected with the exploitation and future exploration and exploitation of the sea-bed and the ocean floor.

53. In recognizing the high value of the work of the *Ad Hoc* Committee, we have to draw correct conclusions from its findings. I should probably be justified in stating that

the majority of the members of that Committee saw the necessity for further extensive work in gathering indispensable information and knowledge, without which any major decisions on the subject would be premature and thus contain a high degree of risk that they might prove erroneous. It is because of these considerations, among others, that the Polish delegation is in favour of the idea of establishing a standing committee, as contained in draft resolution A/C.1/L.425 and Add.1-5. Such a standing committee could also take up as one of its tasks the elaboration of a declaration of principles pertaining to the peaceful uses of the sea-bed and the ocean floor beyond the limits of national jurisdiction, so that its draft would be submitted to the twenty-fourth session of the General Assembly.

54. We are today on the threshold of conquering the element which so far bars access to the riches of the sea-bed that covers three quarters of the total area of our globe. We know by now that the process of development of the technology and techniques of production will neither be easy nor speedy. It seems to be the considered opinion of experts that it will be at least ten or twenty years or more before it is possible to start exploitation on a truly industrial scale. Yet, in spite of highly insufficient data, it is obvious already today that, once reached, the sea-bed will offer immense economic possibilities.

55. With problems of such volume and importance, the possession of as much knowledge as possible on the existing resources becomes essential, which points to the fact that stress should be laid today on exploration. Those problems present by themselves an immense and complex task which can be tackled only with the full use of international co-operation and co-ordination of work.

56. Recognizing this necessity, the Polish delegation gives its full support to the long-term co-ordinated programme of oceanographic research and exploration, with the Intergovernmental Oceanographic Commission of UNESCO acting as the co-ordinating centre. We also welcome the initiative to launch, as part of this long-term programme, an international decade of ocean exploration.

57. Bearing in mind all the complexity and interdependence of the problems connected with the peaceful uses of the sea-bed, may I be permitted, Mr. Chairman, to comment on some of the aspects which the Polish delegation considers of special importance?

58. First, there seems to be no difference of opinion among the members of this Committee on the necessity to adhere to the principle that the sea-bed and the ocean floor must not be used for other than exclusively peaceful purposes. We believe that it is of the utmost importance that we overcome the existing differences of opinion as to the limits beyond which the prohibition of military uses of the sea-bed and ocean floor should extend. It is also our firm conviction that, in the interest of mankind, these limits must encompass as large an area as possible, the continental shelf included to the limits of territorial waters. This principle has been introduced already into practice by the signing on 23 October 1968 by the Governments of the German Democratic Republic, the Polish People's Republic and the Soviet Union of the declaration concerning the continental shelf of the Baltic Sea.

59. There exist also some divergencies of opinion as to the type of military activities that should be prohibited. It is our view that the sea-bed should be kept free of all military activities. It can be readily seen that these matters and numerous technical problems of disarmament will have to be negotiated; the sooner the better. The Conference of the Eighteen-Nation Committee on Disarmament is obviously the body best suited for this task. Therefore, it can be considered only as gratifying that the problem of barring military activities from the sea-bed and ocean floor already has been inscribed on its agenda.³

60. Second, I should like to deal briefly with some aspects of the economic and technological sides of the problem. With the development of large-scale exploration and exploitation of the resources of the sea-bed and ocean floor and the subsoil thereof, it is imperative that appropriate safeguards should be adopted which would counteract the dangers of pollution and any other effects resulting from these operations which might be harmful to the living resources of the sea-bed and ocean floor and their superjacent waters. My delegation has consistently in the past underlined the urgency and importance of that problem. We welcome the relevant Icelandic initiative [see A/7230, annex III] and co-sponsor the draft resolution.⁴ Failure to introduce adequate and effective safeguards in time may bring disastrous and irrevocable effects.

61. When thinking in terms of future exploitation of the resources of the sea-bed, we should not lose sight of the possible effects such a large-scale exploitation of natural resources can have on the economy of the developing countries, which, in many instances, are today the main producers of similar commodities. We know, for instance, how seriously the exploitation of natural gas resources affected the coal industry even in highly developed countries.

62. The task which confronts us today is to mould the forms and principles which will determine to a great extent the path which our efforts will follow in conquering vast and rich regions of the sea-bed and ocean floor. If we are to see to it that the benefits of the treasures of the sea-bed are to be shared in the future by the whole of humanity and are to serve it, we must not give way to the existing pressures of today; we must not base the decisions which are to mould our future upon the patterns of the past. I have in mind here the proposals of establishing for the sea-bed a legal régime accepting the concept of the legal status of the sea-bed as *res communis* or an altogether undefined concept of the so-called "common heritage of mankind". Such a régime would envisage the establishing of a supranational body vested with the rights to administer the sea-bed. Suggestions were made which went as far as to propose that licences for the exploitation of the sea-bed should be sold on the principle of open bidding. Should we go along this path, we would depart very drastically from the principle of concentrating all our efforts with the view of fostering the benefit of all mankind. We would be guilty of letting the gap between developing and highly developed countries widen.

³ See *Official Records of the Disarmament Commission, Supplement for 1967 and 1968*, document DC/231, para. 17, item 3.

⁴ Subsequently circulated as document A/C.1/L.431.

63. One must be aware of the fact that endeavours are being made, and will be made, to push us into the position of guaranteeing the interests of mammoth national or pseudo-international concerns, rather than opening truly free and constructive prospects for international cooperation in that domain of gigantic challenge to all of us.

64. All these considerations have to be evaluated against the omnipotent time factor. We are being rushed, but we all know that we can afford some more time, and we must use it to full advantage, so that the legal, economic and indeed political aspects of the problem, which are to guide us to the future conquest of the sea-bed, will be befitting to the lofty ideals of the Charter and correspond fully to the needs and aspirations of the humanity of today and of the times to come.

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

66. Mr. BEEBY (New Zealand): My delegation could hardly fail to have an exceptional interest in the question now before us—the reservation exclusively for peaceful purposes of the sea-bed and ocean floor beyond the limits of present national jurisdiction and the use of their resources in the interests of mankind. New Zealand has a relatively small land area, yet there are no more than seven or eight countries that have a longer coastline. No part of New Zealand is far from the sea; New Zealand is many hundreds of miles from the nearest land mass. In short, we live in an ocean environment *par excellence*. For this reason we have, perhaps, as large a stake as any country in the development of a régime for the ocean depths.

67. The task that is now being undertaken is, we believe, a large and challenging one. I am sure that my delegation was not the only one to have had initial misgivings about the involvement of the Assembly's main political committee in a subject bristling with legal, economic and scientific problems, most of them the preserve of some more specialized international body. A successful outcome to our task here will require careful and constant attention to the work of those other bodies. It will also involve finding an accommodation among a wide range of varying national interests, some of which are in competition or conflict. Progress will not be easy and it will probably not be rapid. Yet, thanks to the far-sightedness of the delegation of Malta, we now find ourselves in the unaccustomed position of taking up an issue some time before it has been complicated by competing national activities. As yet the deep sea-bed, although there is promise of great wealth there, is relatively unexplored and scarcely exploited at all. Rapid advances in technology are taking place, it is true, but we are at least still some distance from the point where the area could become the subject of significant economic or military competition. The prospects of ensuring the peaceful and orderly development of the area and of avoiding an uncontrolled grab for its riches, and the extension to it of the nuclear arms race, are surely much better because the problem has been tackled before this sort of competition begins.

68. A parallel is often drawn between the work of the United Nations on outer space and the present item relating

to the sea-bed and ocean floor beyond the limits of national jurisdiction. This parallel is in many respects not a complete one, but at the very least it can hardly be denied that the outer space precedent has proved beyond doubt the advantages that accrue to the international community when it takes up the regulation of the use of a new environment at an early stage.

69. A good beginning has been made by the *Ad Hoc* Committee and my delegation joins with others in commending that body on its work. The *Ad Hoc* Committee has not, of course, written us a charter for the development of the deep sea-bed. That was not to be expected and, indeed, that was not its task. What it has done, with valuable assistance from the Secretariat and a number of inter-governmental bodies, is to give us a survey of all the aspects of the exploration and exploitation of the area under study. The Economic and Technical Working Group has produced a careful evaluation of the nature of the resources of the deep sea-bed and of present and future prospects for their exploitation. The Legal Working Group has given us an account of the complex legal issues requiring further study. As a result of the *Ad Hoc* Committee's work as a whole the main political, legal, economic and scientific problems have been more clearly identified. The groundwork for future international action has been well laid.

70. In the *Ad Hoc* Committee itself there was a strong body of opinion in favour of the view that the next step should be the creation of a standing body that would build on what had already been accomplished. The present debate has suggested that that view is now very generally accepted. It is certainly shared by my delegation and we have been glad to join as one of the co-sponsors of the draft resolution contained in document A/C.1/L.425 and Add.1-5.

71. The new body will not take the place of the various expert and technical bodies concerned with a number of aspects of the problem. Nor should it duplicate their activities. What it can most usefully do, in our view, is to give meaning and direction to the work of those bodies by providing a context which has the broadest possible international support.

72. It is, in our view, a particular merit of the draft resolution that would establish the new body that it does not seek to paper over the differences of interest and of outlook that certainly exist, but rather to submit them without bias to constructive examination. What the outcome of that examination will be it is at this stage difficult to predict and I do not intend to attempt to do so. I should like, however, to draw attention to one element in the co-operative effort in which the new Committee and the General Assembly will be engaged, an element which my delegation believes to be of fundamental importance. If that effort is to succeed, it would be as well, we believe, to recognize plainly that there are two sides to the coin we are now handling.

73. The present focus of the Assembly's attention, as in its work on outer space, is an area beyond national jurisdiction, on which activities by States have as yet had a limited impact. It is a large step in the right direction that the

existence of such an area, not subject to national appropriation, is now recognized and recognized by all. The need for an active and co-operative international policy in relation to this area is also very widely accepted. Indeed, in order to protect certain common interests—the reservation of the area exclusively for peaceful purposes, the development of techniques for exploiting its resources, conservation of the area and of the resources of the waters above it—such a policy is no less than imperative.

74. Yet the possibility of progress must also depend on a proper recognition of the legitimate interests of States in the development of their own natural environment. This, too, is a field for international co-operation. Much can be and has already been accomplished by partnerships between coastal States and States having capital and technical skills to invest. Technological advances and the attention paid by the United Nations to such matters as the concept of sovereignty over natural resources have helped to make possible developments of this kind. As we see it, the new emphasis on the régime of the sea-bed beyond national jurisdiction should complement, but not cramp, development within areas of national jurisdiction. A balance should be held between the protection of the common interest and reasonable freedom for States to reap the benefit of their own natural environments.

75. This leads me directly to the law-making aspects of the present undertaking. Clearly there is a need at some stage to develop the present rules of international law—reflected in the 1958 Geneva Convention on the Continental Shelf⁵—to the point of setting definite limits to the areas of national and international jurisdiction. There can be little doubt that this task is one that should be undertaken by a treaty-making conference, but there is a great deal that the new standing committee and the Assembly can do to provide a favourable climate for such a conference. This can be done, in particular, by the development of a substantive law regulating the exploration and exploitation of the international area. We are aware, of course, that some delegations would tend to reverse this order of priorities. As Mr. Amerasinghe of Ceylon pointed out last week:

“The objection may well be raised that unless we know the area in which we are attempting to regulate international activity, any set of principles would be of purely academic interest and value; that we are putting the cart before the horse.” [1588th meeting, para. 146.]

Mr. Hambro of Norway put the point another way when he said:

“If we should not be able in the foreseeable future to reach an agreement on more precise boundaries than we have today, we could end up by having a complete set of rules relating to an area which did not exist any longer.” [1593rd meeting, para. 12.]

76. My delegation certainly agrees that the settlement of the question of the precise limits of the area we are seeking to regulate cannot be deferred indefinitely. At the same time, we would urge that the Assembly should not lose sight of the opportunity it has to prepare the way for such a settlement through the development of the law bearing on the use of this area. The special value we see in concen-

⁵ See foot-note 2.

trating on this element in the law-making process lies in the fact that when States are asked to set definite limits to the areas of their own national jurisdiction they need to know that they are fencing off, not an underseas jungle in which all comers can claim squatters rights, but a preserve that will be administered in the common interest.

77. My delegation would, therefore, welcome the adoption of a statement of principles relating to the peaceful uses of the deep sea-bed and ocean floor as soon as general agreement on such a statement can be reached. We have studied the various proposals made to the *Ad Hoc* Committee including the draft declaration of general principles and the draft statement of agreed principles contained in paragraph 88 of the *Ad Hoc* Committee's report [A/7230]. Other delegations have rightly said that the last two sets of principles have much in common and that an effort should be made to extract the common element. This task will, we believe, be facilitated if what is assayed is not a detailed exposition but a succinct statement of essentials. On this basis—and also because of its comprehensive scope—the second and shorter set of principles in paragraph 88 of the *Ad Hoc* Committee's report has much to commend it as a starting point.

78. I have already referred to certain common interests in the deep sea-bed which depend for their protection upon international co-operation. One such common interest—that the area shall be reserved exclusively for peaceful purposes—is plainly of outstanding importance. In the working paper, A/AC.135/28, prepared by the Secretariat and considered by the *Ad Hoc* Committee, we find a survey of possible military uses of the deep sea-bed. Some of the possibilities listed may never be found attractive by military planners, but the picture drawn in that document is still far from comforting. In the view of my delegation the concept of the reservation of the deep sea-bed exclusively for peaceful purposes need not be taken to imply a blanket prohibition on all military activity without regard to the object of that activity. The main danger appears to lie in the possibility that an area which has such exciting potential for human betterment may be transformed into an arena for conflict through the introduction into it of weapons of mass destruction.

79. It is, of course, the intention of the sponsors of the draft resolution establishing a standing committee [A/C.1/L.425 and Add.1-5] that the unity of the item as originally conceived should be preserved. Accordingly, in operative paragraph 2 (c), the new body is to be given a responsibility in relation to the reservation of the area exclusively for peaceful purposes. Mr. Denorme of Belgium, in introducing the draft resolution on behalf of the original sponsors, has, however, stated that the Committee's role here will be a subsidiary one. As a delegation that became a co-sponsor at a later stage, we fully subscribe to that statement. The Conference of the Eighteen-Nation Committee on Disarmament which can draw on very considerable expertise and experience, must remain the body best placed to tackle detailed negotiations on measures of arms control relating to the sea-bed. That Conference in fact has on its agenda the question of the prevention of an arms race on the sea-bed.⁶ My delegation looks forward to seeing significant progress in this area of its work.

⁶ See *Official Records of the Disarmament Commission, Supplement for 1967 and 1968*, document DC/231, para. 17, item 3.

80. Hardly less compelling is the need for co-operative international action to preserve an environment that fosters the resources of the sea. Mankind's food resources, it is now recognized, depend to a very considerable extent upon marine conservation and the avoidance of irreversible damage to stocks. Perhaps the most direct and obvious threat to conservation—a threat that will certainly not diminish with the development of technology permitting the exploitation of the deep sea-bed—is presented by marine pollution. There is more than one agency that is concerned with the prevention and control of pollution from various sources, but there is certainly scope for intensification and greater co-ordination of this activity. We therefore attach importance to the inclusion, within the new Committee's terms of reference, of the question of the prevention of marine pollution which may result from the exploration and exploitation of the resources of the deep sea-bed and ocean floor. We also see merit in the broader proposal submitted to the *Ad Hoc* Committee by the delegation of Iceland [see A/7230, annex III].

81. I conclude by referring to the question of scientific research and exploration. Here too, a strengthening of international co-operation can undoubtedly yield fruitful results. My delegation favours the proposal for an international decade of ocean exploration, a proposal originally advanced by the United States [*ibid.*] and now presented to us by thirteen delegations in draft resolution A/C.1/L.429, just revised this afternoon [A/C.1/L.429/Rev.1]. The international decade and the co-ordinated long-term programme of oceanographic research of which it will form a part can reasonably be expected to increase our knowledge of the ocean environment, including the deep sea-bed, and to produce tangible practical benefits. It is, of course, true that scientific research will not by itself solve the complex of problems concerning the deep sea-bed to which we are now addressing ourselves. Indeed, as was so forcefully argued at the beginning of this debate by Mr. Pardo of Malta, while a fuller knowledge of the deep sea-bed will be of benefit, one of its effects may be to intensify the pressures for the sort of competitive scramble that we all wish to avoid [*1589th meeting*]. What the international community should endeavour to ensure, we believe, is that scientific research and the development of an orderly and peaceful régime for the sea-bed and ocean floor beyond national jurisdiction go forward together. Here, as elsewhere, there is a need to maintain a balance and a broad perspective so that the true significance of developments in each of the specialized fields may be recognized and those developments used to the best possible advantage.

82. Mr. CACERES (Peru) (*translated from Spanish*): I would like to ask you, Mr. Chairman, to transmit to Mr. Vinci, the Chairman of our Committee, my delegation's desire to be associated with the many congratulations deservedly offered by previous speakers. I would also ask you and Mr. Zollner to accept our sincere congratulations on your election as Vice-Chairman and Rapporteur, respectively, of our Committee.

83. Thanks to the initiative of the delegation of Malta, since the last session of the Assembly the United Nations has had on its agenda an item fascinating in its short and long-range outlook and its very varied facets relating to the

exploration, exploitation and use of the sea-bed and ocean floor beyond national jurisdiction.

84. General Assembly resolution 2340 (XXII), the outcome of lengthy and thorough discussions, was the first step taken by the Assembly in examining the item. The *Ad Hoc* Committee set up under that resolution was faced with a task which Secretary-General U Thant in his opening statement described as a "heavy and challenging" one [see *A/AC.135/SR.1*]. The Secretary-General was not exaggerating. The work has been hard and we have done no more than make a start, but it would be remiss of me not to say that the work was made easier through the distinguished guidance of the *Ad Hoc* Committee's Chairman, Mr. Amerasinghe of Ceylon, and the able steering of the work of the Legal and Economic and Technical Sub-Committees, under the Chairmanship of Mr. Benites and Mr. Denorme, and their Vice-Chairman and Rapporteur colleagues.

85. Today we have to examine the report of the *Ad Hoc* Committee, and once again I must refer to the delegation of Malta to express our thanks for its outstanding contribution. We owe it to the dedicated, patient and intelligent work of Mr. Gauci, the Rapporteur of the *Ad Hoc* Committee, that document A/7230 was produced.

86. Peru had the honour to be a member of the *Ad Hoc* Committee and is now a sponsor of draft resolution A/C.1/L.425 and Add.1-5 proposing to set up a standing committee, to which we would also like to belong.

87. In my delegation's view, the work of the *Ad Hoc* Committee has been most helpful and necessary towards defining, at this initial stage, what the item actually covers. In this preliminary approach to the subject we feel that the assistance given by the Secretariat and the specialized agencies in the preparation of documents was extremely valuable. The information regarding the resources of the sea-bed, the legal, military and economic studies, deserved to be weighed carefully in the light of their usefulness, which is evident from the fact that many of the documents are now out of print. For the developing countries, and even for most industrialized countries, knowledge based on actual experience of the exploration of the wealth lying on the sea-bed is still a very distant goal.

88. From the very beginning of the discussion of this item [1529th meeting] Peru made its position clear in regard to the delimitation of the area referred to in the title of the item, and I would like to repeat it here and now. We said that in our opinion the Geneva Conventions had not solved the fundamental problem of the law of the sea, namely, the width of territorial waters, especially for the purposes of the conservation, protection and exploitation of fisheries for the benefit of the coastal States. The width of the zone over which Peru exercises maritime rights is not based on the continental shelf, which in our case is narrow and in the case of certain other coastlines practically non-existent, so that it cannot serve as a physical or legal basis for rights affecting maritime jurisdiction. The basis of these rights lies in the geo-biological man-nature complex of resources, as set forth in the Declaration of Santiago⁷ signed by

Ecuador, Chile and Peru, and in similar declarations by other countries of the continent which have endorsed this concept of the scope of maritime rights as a contribution to contemporary law of the sea.

89. This is Peru's approach to the work of the *Ad Hoc* Committee, with the understanding that its terms of reference do not affect the maritime rights based on current Peruvian jurisdiction with regard to our sea area.

90. Peru is closely linked with the sea, and that is why we participated in the work of the *Ad Hoc* Committee and are anxious to participate also in the standing committee.

91. The recognition of a zone of the sea-bed that is beyond national jurisdiction is a firm basis for the confirmation by the international community of the existence of areas of jurisdiction that include not only the sea-bed and the subsoil, but the superjacent waters as well. This concept of the scope of maritime jurisdiction must be borne in mind because of the importance it has for the economic life of the countries which uphold it, developing countries whose inhabitants depend entirely for their well-being on the resources of the sea which provide their food or their industrial activities. What concerns us in the discussion of the item is the benefit to mankind. Let us recall that the populations are the constituent elements of these countries and that they have preferential rights in respect of the sea. They have to exercise these rights over a reasonable area, which must therefore be respected.

92. My delegation believes that at the present time, for lack of time and in the absence of further studies, the First Committee cannot embark on the consideration of a precise delimitation of the area mentioned in the title of the item. In any event it is the standing committee that will be called upon, in its meetings in due course, to examine the question of delimitation of the area in the light of all the ideas put forward. At the moment, all we can talk about is the existence of such an area and the need for further research before adopting a final decision.

93. Exploration and exploitation of the sea-bed and ocean floor beyond the limits of national jurisdiction must be governed by principles, and it is here that we must consider the balance between general principles affecting mankind as a whole and those principles which more concretely relate to the steadily increasing needs of the developing countries and land-locked nations. Hence it is appropriate at once to point out that in adopting principles governing activities in this area, we must bear in mind not only the factors palpable today but also the future effects of technological progress, especially in the economic and scientific field.

94. Peru's position with regard to a declaration of principles—the position also taken by the other Latin American States members of the *Ad Hoc* Committee—is to be found in annex III of the report of the *Ad Hoc* Committee, in a draft declaration which they submitted together with the Afro-Asian countries at the Rio de Janeiro meeting.

95. In the *Ad Hoc* Committee my delegation expressed its satisfaction at the efforts made by the Intergovernmental Oceanographic Commission of UNESCO, and consequentially supported the Secretary-General's idea of an

⁷ See *Revista Peruana de Derecho Internacional*, vol. XIV, No. 45, 1954, p. 104.

expanded programme of international co-operation with a view to acquiring a better understanding of the marine environment through science [E/4487 and Corr.1-3, 5 and 6, para. 256]. He also stated that we viewed with interest the International Decade of Ocean Exploration proposed by the United States [A/7230, annex III] and regarded it as a practical means and a useful device for use in the expanded programme mentioned earlier. We were quite explicit in stating—and I would like to reiterate it now—that scientific research cannot create exploitation rights over the sea-bed and ocean floor and the subsoil thereof beyond the limits of national jurisdiction.

96. Just recently the Government of Peru, exercising its rights in the maritime area over which it wields sovereignty, at the request of the Soviet Union and Japan granted permission for expeditions to carry out scientific studies calculated to improve the knowledge we possess of the Pacific Ocean which washes our shores. We gave the permission to scientific expeditions because we favour the acquisition of greater knowledge of the marine environment and because we believe that the dissemination of this knowledge is of the utmost urgency.

97. The role played by the United Nations in the exploration and exploitation of the mineral resources of the sea-bed and ocean floor must be centred on technical assistance for the jurisdictional zones and scientific research in the areas beyond national jurisdiction, and the findings of this research should be adequately disseminated.

98. The Peruvian delegation is fully aware of the importance of all that was discussed in the Economic and Technical Working Group, which explains why, along with the other Latin American countries on the *Ad Hoc* Committee, we subscribed to the provision in the last paragraph of the report to the effect that we reserve our position generally with respect to the report of the Working Group in view of the highly technical nature of the matter dealt with. We also pointed out that the conclusions reached by the Working Group in no way prejudice the legal aspects of the question.

99. With regard to the prevention of pollution of the marine environment, my delegation welcomes the draft resolution submitted by Iceland⁸ and is now on the list of its sponsors. We consider that the concern shown by Iceland is well justified and timely, and we share that concern. Activities connected with the exploration and exploitation of the sea-bed and ocean floor beyond the limits of national jurisdiction must be careful to pay due heed to the rights and interests of nations in regard to the use of the high seas, and must defend and protect their living resources.

100. Finally, I must refer to the future of the question of the basis for a standing committee. At the outset my delegation believed that a prolongation of the terms of reference of the *Ad Hoc* Committee was highly advisable, but in the light of the Belgian proposal [A/7230, annex III] agreeing to the modifications we called for, we share the view that favours a standing committee, and Peru is in fact now a sponsor of the draft resolution proposing to set it up

[A/C.1/L.425 and Add.1-5]. Not all the countries which were members of the *Ad Hoc* Committee are co-sponsoring this draft resolution, but it is to be hoped they will support it and that it will be adopted unanimously. We regard it as particularly important that the standing committee should study all aspects of the subject and we hope that, instead of advocating a fragmentation which would prove awkward, even the sea-bed aspect of the item on the agenda of the Second Committee will from next year on be dealt with by the standing committee, thus avoiding duplication and overlapping, which places a heavy burden on delegations with a limited staff and also on the Secretariat, causing it to bear heavy and unnecessary responsibilities.

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

102. Mr. VAZ PINTO (Portugal) (*translated from French*): Mr. Chairman, I should like to take the opportunity now that I am speaking for the first time in this Committee to extend to you very briefly my congratulations on your election to the post you now hold, as well as to the other Officers of the Committee, Mr. Galindo Pohl of El Salvador and Mr. Zollner of Dahomey. My delegation would like to assure you of its support and co-operation in carrying out our work.

103. We listened with great interest to the presentation which the representatives of Malta, Mr. Pardo, made at the twenty-second session of the General Assembly of the item 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" [1515th and 1516th meetings].

104. We followed with the keenest interest the two sessions of the *Ad Hoc* Committee which was established pursuant to resolution 2340 (XXII) of 18 December 1967, which were held in New York, the first from 18 to 27 March and the second from 17 June to 9 July, as well as the session which was held at Rio de Janeiro from 19 to 30 August at the invitation of the Brazilian Government.

105. A delegation from Portugal was present at this session as an observer.

106. I should like to take this opportunity to congratulate the Brazilian Government for its excellent organization of the meeting and for its co-operation with the *Ad Hoc* Committee during its final session.

107. My country's interest in the exploitation of the sea-bed and ocean floor and the subsoil thereof is not surprising. The history of Portugal, like that of few other countries, is bound up with the sea and with everything having to do with the sea. My country has a solid and traditional background of knowledge in the fields of meteorology, cartography, navigation, fishing, etc. Furthermore, its coastline of over four thousand miles possesses a continental shelf and submarine areas which are of the greatest interest in the systematic study of the marine

⁸ Subsequently circulated as document A/C.1/L.431.

environment and of the mineral resources of the sea-bed and the ocean floor and the subsoil thereof. My country also has many ports—I need mention only those in the Azores and Madeira—which can serve as support bases for the aforementioned study.

108. Portugal's current contribution towards advancing knowledge of the oceans is widely recognized. My country has four hydrographic vessels which have for many years been engaged in the Atlantic and Indian Oceans on the work required for the preparation of numerous sea, lithological and bathymetric charts of the Atlantic and Indian Oceans. The most recent of these charts, as was brought out in a survey prepared by the Secretariat of the Inter-governmental Oceanographic Commission [A/AC.135/17], are indispensable for the exploration and exploitation of the mineral resources of the sea-bed and the ocean floor and the subsoil thereof. I should like, if I may, to recall the fact that one of the greatest sponsors of such oceanographic studies in Europe was King Carlos I of Portugal who, at the end of the nineteenth century, personally engaged in oceanographic work on board his yacht, the *Doña Amelia*. This he did at a time when few countries had even glimpsed the possibilities that lay in this field of scientific research. I should also like to mention that in a recent UNESCO report on oceanography, Portugal is named as one of the only countries taking part with its own ship in oceanographic studies being made in the Indian Ocean.

109. For those reasons, and for others which I need not mention, my country is in a position to make a really useful contribution to the study of the problems related to the exploitation of the sea-bed and ocean floor and the riches thereof. For that reason, we are continuing to follow the study of these problems with the greatest interest, wherever it may be carried out, and especially within the United Nations and in other international bodies.

110. The First Committee has before it the report [A/7230] of the *Ad Hoc* Committee set up in accordance with resolution 2340 (XXII) of 18 December 1967, a report which was presented most ably and concisely on 28 October last by the *Ad Hoc* Committee's Rapporteur, Mr. Victor Gauci of Malta [1588th meeting]. This document includes as annexes the reports of the Economic and Technical Working Group and of the Legal Working Group, under the Chairmanship of Mr. Roger Denorme of Belgium and Mr. Benites of Ecuador respectively. My delegation would like to congratulate them, as well as Mr. Amersinghe of Ceylon, the Chairman of the *Ad Hoc* Committee, on their excellent work.

111. As we have reached an advanced stage in the general debate and it must be concluded in the allotted time, my delegation will not comment in detail on the various elements in the report of the *Ad Hoc* Committee, even though they deserve the closest attention. Nor will it dwell on what may be regarded as its conclusions and recommendations. However, before concluding, the Portuguese delegation feels bound to stress, as have other speakers, paragraph 86 of the report:

“As was implied in the terms of resolution 2340 (XXII) the *Ad Hoc* Committee recognized the existence of an area of the sea-bed and the ocean floor underlying the high seas beyond the limits of national jurisdiction.”

However the *Ad Hoc* Committee has not determined the limits of such an area, though such determination, in the opinion of my delegation, is basic to any consideration of the item.

112. In this connexion, we consider the study prepared by the Secretariat on valid international agreements dealing with the sea-bed and ocean floor, and the subsoil thereof, underlying the high seas beyond the limits of national jurisdiction [A/AC.135/10 and Rev.1] to be of the greatest interest.

113. Among the multilateral treaties mentioned in this Secretariat document is the Convention on the Continental Shelf signed at Geneva on 29 April 1958.⁹ As the representatives of Australia [1589th meeting], and Uruguay [1593rd meeting], among others, did in recent statements, we feel it appropriate to recall that there does exist an international law derived from this treaty which should serve as a basis for the work on the body of legal problems created by the sea-bed and the ocean floor. In its statement, the delegation of Australia stressed the importance of the Convention on the Continental Shelf, a multilateral treaty drawn up at the initiative of the United Nations and adhered to at present by thirty-seven States, some of which are landlocked, though most are the coastal States which have the longest coastlines.

114. Another element in the *Ad Hoc* Committee's report which my delegation would also like to mention concerns operative sub-paragraph 2 (c) of resolution 2340 (XXII).

115. According to paragraph 57 of the report, in considering practical means of fostering international co-operation in the field of exploration, conservation and use, the *Ad Hoc* Committee discussed two sets of proposals it had before it. The first proposals, as put forward by the Secretary-General in his report on marine science and technology [E/4487 and Corr.1-3, 5 and 6], deal with the promotion of international co-operation in order to achieve a better understanding of the marine environment through science. The second proposals submitted by the United States [see A/7230, annex III], concern an international decade of ocean exploration. The report notes that these proposals were welcomed and met with wide support.

116. In this connexion, I should like to state that my country is vitally interested in all aspects of the subject we are considering, as I have emphasized before, and that we are of course in favour of international co-operation in the study and use of the resources of the sea-bed and ocean floor and the subsoil thereof. However, it is our intention to pursue such co-operation in accordance with the obligations assumed by us under the treaties and conventions in force which we have signed and ratified.

117. My delegation considers that if this co-operation is to be truly effective, it must be planned on a world-wide scale, but be applied on a regional basis with the full participation of the coastal States in each region. It is in this light that my delegation will examine with the greatest care all the proposals already before this Committee.

118. As you know, fishing is a vital activity for the Portuguese and represents one of the pillars of the

⁹ United Nations, *Treaty Series*, vol. 499 (1964), No. 7302.

Portuguese economy. Thus, my country will warmly welcome all measures designed to minimize the pollution of the marine environment. We therefore fully support the initiative taken by the delegation of Iceland in submitting a draft resolution [*ibid.*] on a study of measures to minimize the danger of pollution of the marine environment. The same holds true for any future amendments designed to ensure a more complete and rapid implementation of the measures which have just been proposed.

119. I should like to say a few more words about draft resolution A/C.1/L.425 and Add.1-5, which already has more than fifty sponsors. My delegation agrees that highly productive work has been accomplished since Mr. Pardo submitted the item we are now considering¹⁰ for inclusion on the agenda of the twenty-second session of the General Assembly, both in the General Assembly and in the *Ad Hoc* Committee and in the intergovernmental and international bodies which have lent decisive support to the work of that Committee and of the United Nations Secretariat. However, much remains to be done before the General Assembly makes a definitive statement on this problem. For that reason, my delegation is of the opinion that the best method for proceeding is the one submitted to this Committee in draft resolution A/C.1/L.425.

120. We are therefore prepared to support this draft. However, with regard to the first operative paragraph of this draft resolution, we feel that the study of all the legal problems concerning the sea-bed and ocean floor beyond the limits of national jurisdiction cannot be carried out without the active co-operation of the States Parties to the Convention on the Continental Shelf.

121. My delegation is therefore of the opinion that it would be highly desirable for all the States which have signed and ratified this Convention to be included, if they so desire, in the standing committee to be established pursuant to this draft resolution.

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

123. Mr. VAKIL (Iran): In accordance with Mr. Vinci's admonition, I shall refrain from congratulating him on his election to this high office, but I will nevertheless express the satisfaction of my delegation that it is under his Chairmanship that we shall work in this Committee.

124. The item before us concerns the extension to a newly opened dimension of human activity of the principles of peace to which this Organization is dedicated and for which it exists. Our quest is for effective and assured ways of dedicating the use of the sea-bed and ocean floor underlying the high seas beyond the limits of present national jurisdiction and the resources to be found there to the interest of mankind. Much activity is already under way in this new environment. We are not granted a great space of time in which to agree on the principles and the arrangements by which that activity may be regulated and

governed, to the end that the common interest may be served first of all.

125. As in connexion with previous invasions by man of a new environment—and I am referring to atomic energy and outer space—much of the impetus to the activity of men in these domains is military. For this reason, if for no other, we must come quickly—more quickly than we did in the previous cases I have mentioned—to grips with the dangers which threaten the safety of the world from this new addition to the environments exploitable and exploited by man.

126. In this context I see the task of this Committee as one of formulating and recommending to the General Assembly principles of peace to be communicated by it to the Conference of the Eighteen-Nation Committee on Disarmament as imperatives, nothing less, to guide the negotiations in that forum concerning how to meet the new threats to peace which arise from the ocean depths.

127. This Committee itself cannot very well negotiate the details of a scheme for disarming the seas and oceans of the world. Its duty is to provide unmistakable evidence of what the entire world wishes and expects shall be done, wishes which must be fully respected and the fulfilment of which must be made a matter of urgent priority in the business of the Eighteen-Nation Committee on Disarmament.

128. We are aware of the differences that exist in the Eighteen-Nation Committee on Disarmament on the demilitarization of the sea-bed and ocean floor. We are entitled to expect, however, that, in working out their differences, both sides will be animated by deference to the principles of the Charter as interpreted by us in what I trust will be a unanimous statement of our view, speaking for all the peoples of the world, that the new environment, which this further revolution in technology is opening to us, will serve peaceful purposes only.

129. I turn now to the question of the peaceful uses to be made of the resources of the sea-bed and ocean floor in the interests of mankind. At this stage, it is appropriate to speak only on matters of principle, not to refine the details of our positions or to elaborate sophisticated formulas. What we must seek is agreement on broad principles and guidelines which shall govern activity in this new area of human endeavour. I would remind this Committee that this is the third time in the life of this Organization that we have had to face the challenge of defining and defending the common interest in the consequences of technological revolution. On each of the previous occasions, we proclaimed the principle that man's new potentiality should be used exclusively for peaceful purposes and for the benefit of mankind as a whole.

130. Our experience in the development and furthering of that common interest in man's manipulation of the atom and of outer space has not been without positive results, but these have not been so great as to predispose us to over-optimism concerning what will come of his impending conquest of what lies beneath the earth's waters.

131. We have made abundant professions of goodwill; we have often asserted our dedication to the idea of inter-

¹⁰ See *Official Records of the General Assembly, Twenty-second Session, Annexes*, agenda item 92, document A/6695.

national co-operation; now we are being asked to proclaim that the sea-bed and ocean floor ought to be dedicated to the common good and to purposes of peace, and their resources be treated as the common heritage of mankind.

132. Time has shown that this kind of benevolent rhetoric is not enough. In the case of atomic energy and outer space, two Powers and two Powers alone commanded the scientific and financial resources to exploit the new discoveries. The rest of the world was dependent for the advantages to be derived from them on their benevolence and that of their few favoured partners.

133. It is a very different matter with the seas and the oceans. To them from time immemorial men have been almost as native as the fish which inhabit them. Men have always drawn sustenance from the seas; have traversed them creating vast networks of communication. They have fought hard to achieve the acceptance and embodiment in law of the principle that the use of the seas must be free to all.

134. The question which now arises is whether this ancient common resource is to be further developed for the common good or whether that good is to be imperiled as a result of the new possibilities which science has opened up.

135. Man now has it in his power to pollute the seas. He has already exhibited considerable activity along that line. It used to be supposed that the increase of knowledge begot humility, because each accretion to the lore of science made it clear how much remained to be learned. But the exploitation of scientific knowledge, which we call technology, has latterly exhibited little of this humility, and much of it appears to be carried out with diminishing regard for consequences, especially consequences affecting others.

136. We do not yet know what adverse environmental effects our exploitation of the atom and of outer space may have had and may yet have. What is clear, however, is that there has been little disposition to defer in these matters to the general opinion of mankind, and to allay the fears, perhaps unjustified in some cases, which have been often felt.

137. This self-willed approach as it concerns the utilization of the seas must be curbed from the outset. Man has exploited the resources of the seas and ocean floor for thousands of years in a kind of natural co-operation. Its uses touch the future of the population of the planet too closely to make anarchic approaches at all tolerable. As on earlier occasions there may well be a resolution expressing large, benevolent principles, but as the representative of Ceylon has already pointed out, the central question is how we are to make sure that as the technological invasion of the seas and the oceans and what lies beneath them progresses, these principles will be respected, and the common interests and the interest of each of us will be safeguarded rather than injured.

138. We may agree that the sea-bed and ocean floor must serve exclusively peaceful purposes, that there must be no appropriation of them beyond the limits of national jurisdiction, that all mankind must be the beneficiaries of

the riches to be won from them, that research and investigation must be free. We may even say that the developing areas of the world should be particularly favoured. But these declarations will remain mere rhetoric until we face the hard question of organizing a system of obligatory deference to the common judgement concerning what uses are compatible with and serve these principles.

139. To my delegation that appears to be the question to which we must address ourselves if we really mean it when we say that this Organization is to be the international community's instrument in the defence and promotion of the common benefit. Such declarations of principle as we adopt must not be taken by the major Powers, which in this context means those with the greatest technological and financial capabilities, as a licence to make free with what belongs to all of us. The sharing of benefits from the exploitation of this new environment is not compatible with the all too common idea that sheer capability of exploitation confers a right to proceed without close regard and respect for the legitimate interests of others.

140. As technological possibilities grow, unilateral activities in this new area will increase and the risks of conflict will grow with them. It is urgently necessary to endow the Organization with the power and the instruments to reduce and eliminate these risks. The pace of technological development is too swift to allow us longer to rely on the lagging procedures of customary international law. Treaty law also lags too far behind as a mechanism for setting standards of conduct. Contemporary needs press on us in urgent ways that permit no escape. I submit that this is the reason why the General Assembly has increasingly turned to the method of declarations of principles. The principles we adopt must be treated as legal rules rather than as mere political exhortations. They must serve as the foundation for a process of authoritative decision. Moreover, principles unconnected with procedures for their specification and implementation are not enough. We need procedures for elaborating specific rules and for determining what conduct is consistent with declared principles.

141. The time has perhaps come when some beginning in turning over such activities to the United Nations should be made as a means of transcending the competitive principle which has bedevilled our efforts to reconcile the national interest with the interest of mankind as a whole and thus to avert conflict.

142. In closing, I must add a word of caution on another important point. It has been emphasized repeatedly in this debate and in the *Ad Hoc* Committee that the question of the utilization of the sea-bed and the ocean floor impinges on the still-vexed question of the limits of national jurisdiction over territorial waters and the continental shelf. Various suggestions have been made on how the difficulties that arise can be met. That will be a long task. Progress on the matter before us cannot await its completion. In the present stage of technological development, the returns from the resources of the territorial sea and the continental shelf are much greater and more immediate than what is likely to accrue any time in the near future from areas lying beyond the limits of national jurisdiction.

143. Accordingly, no declaration we adopt or principle we proclaim here can be taken as constituting acknowledge-

ment of a diminution of the limits of national jurisdiction in respect of the sea world. In some cases the difficulties that arise in this connexion can perhaps be solved through application of principles of regional co-operation, developed under the sponsorship of ECAFE, and referred to in paragraphs 75 and 76 of annex I of the *Ad Hoc* Committee's report.

144. I should be failing in respect for the delegation of Malta and its brilliant representative, Mr. Pardo, and in appreciation of the services of the *Ad Hoc* Committee, its Chairman, Mr. Amerasinghe, its Rapporteur, and the Secretariat, if I did not say how much we owe to them for bringing this matter before us for early consideration and for working out its complexities with such care and urgency. If I have not indicated at great length my agreement with much of what they have put before us, it is because I believe the cause we all seek to serve can only prosper if we can find it in our hearts to move from words to action.

145. Mr. YANGO (Philippines): Mr. Chairman, it is obvious from preceding statements that it is very difficult to deviate from the traditional practice of expressing congratulations and felicitations to the officers of the Bureau when one takes the floor for the first time. Much as I would like to heed the appeal of Mr. Vinci to dispense with extending congratulations to him, I could not overcome the temptation of ignoring it in the same manner that almost all the speakers before me have done. I add my voice to the many expressions of appreciation for his patience, his understanding, and the wisdom and tact he displayed in reconciling various viewpoints which led to a satisfactory agreement on the organization of our work. I take this opportunity also, Mr. Chairman, to extend my congratulations to you as Vice-Chairman of the First Committee, and to the Rapporteur, Mr. Zollner. The personal qualifications and experience of both of you, I have no doubt, will be of great assistance to Mr. Vinci in bringing to a successful conclusion the task that has been assigned to our Committee at this session.

146. After reading the report of the *Ad Hoc* Committee to Study the Peaceful Uses of the Sea-Bed and Ocean Floor Beyond the Limits of National Jurisdiction, contained in document A/7230, one gets the impression that progress has been achieved in the consideration of the item introduced by Malta at the twenty-second session of the General Assembly,¹¹ concerning the 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. My delegation is indebted to the *Ad Hoc* Committee for the contents of and the manner of its presentation in the report. It is a record of a job well done by the *Ad Hoc* Committee, whose mandate under resolution 2340 (XXII) was indeed a complex and difficult one.

147. The fact that the Committee was able to accomplish so much within the limited time at its disposal should be attributed mainly to the qualities of leadership of the

Chairman of the *Ad Hoc* Committee, Mr. Amerasinghe of Ceylon, of the Chairman of the Economic and Technical Working Group, Mr. Denorme of Belgium, of the Chairman of the Legal Working Group, Mr. Benites of Ecuador, and to the spirit of co-operation of all the members of the Committee.

148. With this report, the General Assembly is now confronted with the question of what steps to take next. In the words of the Rapporteur of the *Ad Hoc* Committee, Mr. Gauci of Malta, when he spoke in our Committee:

"It is now for this Assembly to provide the answers, to take the decisions and to promote the measures that will chart the course of future events." [1588th meeting, para. 35.]

149. In this context, I now turn to certain matters taken up in the report which are of compelling interest to my delegation. From this report it appears to us that the knowledge and information concerning the marine environment and the possibilities of its use and exploitation are still insufficient and that there is an obvious need to expand and enlarge such knowledge. Although valuable information has already been brought to light in the documents provided by the Secretariat to the *Ad Hoc* Committee, such information is just a beginning. It is merely the point of departure in the search for more vital and essential information which would be a help and a guide in the consideration of the item before us. My delegation, therefore, welcomes the initiative of the United States in proposing an international decade of ocean exploration in the 1970s [A/C.1/L.429/Rev.1], as well as the suggestion of the Secretary-General for international co-operation in the pursuit and development of scientific information on the marine environment [see E/4487 and Corr.1-6, chap. III, paras. 246-285].

150. The basis of the proposal of the United States being one of international co-operation, it is hoped that this would result in the exchange and dissemination of information resulting from the joint explorations and scientific projects that may be undertaken. The resulting accumulations of knowledge and information under these initiatives cannot but widen our horizons and our perspectives, thereby helping us to harmonize ideas and reconcile divergencies of viewpoints. The Philippine National Committee on Marine Sciences has invited its member agencies to submit recommendations or preparations of project proposals for inclusion in the said decade of ocean exploration. My delegation will therefore vote in favour of the resolution in document A/C.1/L.429/Rev.1.

151. The report of the *Ad Hoc* Committee also listed two sets of principles—(a) and (b)—[see A/7230, para. 88] for consideration by the Assembly in the creation of an international régime that will govern the sea-bed and the ocean floor underlying the high seas beyond the limits of present national jurisdiction. My delegation, after due consideration of these two sets of principles, can only say that it favours their reconciliation and integration. The widest, if not unanimous, support by Member States is necessary. If this can be achieved during this session it will indeed be a monumental step in our task. But we should pay attention to the admonition not to make haste in the formulation of these principles, which require thorough,

¹¹ *Ibid.*

deliberate and mature consideration in view of their far-reaching importance.

152. Specifically, however, my delegation is partial to the concept of considering the area of the sea-bed and ocean floor under discussion as a common heritage of all mankind or, as the representative of Rwanda has put it, as “belonging to all mankind” [1595th meeting, para. 67 (a)]. This concept of common heritage has already received the endorsement of Afghanistan, Ceylon, Ghana, Malta, the Netherlands, Norway, Turkey and Yugoslavia.

153. My delegation agrees that with the acceptance of the concept of common heritage we can proceed further and agree that this area of the sea-bed and ocean floor should be reserved exclusively for peaceful purposes, and that the use and exploitation of its resources should be in the interest of all mankind.

154. In favouring this concept and principles, we do not, however, wish to negate the traditional freedoms of the high seas, including freedom of navigation, fishing, scientific research and investigation, as well as existing agreements concerning the laying of communication cables and pipelines. With respect to the military aspects of the environment in question, my delegation would favour its non-militarization. We believe that the arms race should not be extended to the sea-bed and ocean floor. Certain military uses, however, should perhaps be allowed in order to advance scientific research and investigation. Certainly, my delegation would favour the prohibition of the emplacement of weapons of mass destruction in the sea-bed and ocean floor. It is to be noted that the question of disarmament, as it should apply to the sea-bed and ocean floor, is now on the agenda of the Conference of the Eighteen-Nation Committee on Disarmament.¹²

155. The Philippines, as an archipelago of more than 7,000 islands, depends to a degree upon its surrounding marine environment as a source of food. It is, therefore, to its interest that the living resources of the sea, both flora and fauna, should be conserved and that any exploration and use of this environment should not be detrimental to its ecology nor to the chemical and other processes affecting the living and non-living organisms present therein. We would, therefore, support the proposal of the delegation of Iceland on the subject of pollution and the conservation of marine resources [see A/7230, annex III].

156. At the morning session of our Committee on 28 October last [1588th meeting], we heard a detailed and very clear explanatory introduction by the representative of Belgium, Mr. Denorme, of the draft resolution contained in document A/C.1/L.425 and Add.1-5, now co-sponsored by fifty-two Member States of which the Philippines is one. We were happy to co-sponsor this draft resolution in the belief that there is a real need for a standing committee to continue the work so auspiciously begun by the *Ad Hoc* Committee established under General Assembly resolution 2340 (XXII). The fact that the idea of a standing committee, which was originally proposed by Belgium in the *Ad Hoc* Committee, received wide support and continues to receive similar wide support in the First Committee, attests

to an emerging consensus for the need of such a standing committee. I will not attempt to add to the explanation and the justification made by the representative of Belgium for this resolution, but I must say that my delegation completely agrees with the views expressed by him. I wish to point out, however, that in his introduction of this resolution, the representative of Belgium said the following:

“Having presented this analysis, I should like to make a general comment. It concerns the expression ‘the area’ which occurs in several places in the text of the draft resolution. This wording, which is used only for the sake of convenience, replaces the complete formula ‘the sea-bed and the ocean floor and the subsoil thereof, underlying the high seas beyond the limits of national jurisdiction’, and should always be understood in this sense.

“In this connexion, I feel it is imperative to recall what I said here on 7 December 1967 when, on behalf of the sponsors, I presented resolution 2340 (XXII). I stated that the references to the wording of the item

“do not affect any claims to sovereignty or jurisdiction on the part of particular States; in fact their only purpose is to preserve intact, until further study has been made, a formula on the interpretation and legal status of which the First Committee cannot and must not pass judgement at the present time’ [1542nd meeting, para. 23].

“This statement still applies today.”

157. Last year, when my delegation voted for the resolution creating the *Ad Hoc* Committee, we understood clearly that the Committee as created, and in the pursuit of its mandate, was not to be concerned with the claims and the limits of present national jurisdiction and must not disturb in any way, nor prejudice in any manner, present or future territorial jurisdiction or claims of individual States.

158. From the words which I have just quoted of the statement made by the representative of Belgium, it is again clear that, as in the creating of the *Ad Hoc* Committee, the standing committee now to be established under the draft resolution similarly will not concern itself with the sovereignty and the jurisdictional claims of Member States so far as their territorial waters and continental shelves are concerned.

159. The representatives of Argentina and Ecuador have the same views, if I understood them correctly. In other words, such claims are preserved until such time as international arrangements or agreements have been decided or agreed upon by the States concerned.

160. Having said this, my delegation associates itself with the views expressed by the representative of Iceland in our Committee when he said:

“In the meantime my Government holds the view that every State has the right to claim sovereignty for exploration and exploitation of the resources of the continental shelf adjacent to its coast, out to a distance such as that stipulated by the Convention on the Continental Shelf of Geneva, 1958 and confirmed by States in principle.” [1589th meeting, para. 64.]

¹² See *Official Records of the Disarmament Commission, Supplement for 1967 and 1968*, document DC/231, para. 17, item 3.

161. Although the Philippines is not a party signatory to the 1958 Geneva Convention on the Continental Shelf, my Government, by executive proclamation, has adhered to the principle established by international practice and sanctioned by the law of nations that a coastal State is vested with jurisdiction and control over the mineral and other resources in its sea-bed and in the subsoil of the continental shelf adjacent to its coasts but outside the area of the territorial sea to where the depth of the superjacent waters admits of the exploitation of such resources.

162. We need not repeat here the present limits of the national jurisdiction of the Philippines. We have placed these in the records of the United Nations on several occasions. They include the recent amendments to the law defining the baselines of the territorial sea of the Philippines, as well as a map which is available for the perusal of interested delegations in the Office of Legal Affairs of the United Nations Secretariat. This map graphically portrays the maximum limits of Philippine territorial waters, indicating distances from the baselines established by law.

163. Island archipelagos completely surrounded by the sea have special problems in the consideration of the item before us. It is in this light that the Philippines would happily welcome the opportunity to serve in the standing committee to be established under the draft resolution contained in document A/C.1/L.425 and Add.1-5.

164. In our view, the membership of the Committee should reflect the widest spectrum of interests in the marine environment, as well as diverse geographical situations such as those of coastal States, land-locked countries and archipelagos, both developed and developing.

165. The CHAIRMAN (*translated from Spanish*): I thank the representative of the Philippines for his kind tribute to the Chairman of the First Committee and the other officers.

166. Mr. CAWEN (Finland): It has long been common knowledge that substantial mineral resources exist on the ocean floor. Our knowledge of the extent of these resources and our possibilities of utilizing them is limited and incomplete. But the tremendous advances in technology during the past decade have brought us to the point where the evaluation and exploitation of these resources is becoming a practical possibility. Against this background it seems indispensable that an international régime should quickly be established in order to lay down rules governing the legal status of the sea-bed and its utilization. Unless we can establish a legal framework for the use of the sea-bed, it may soon become the subject of competitive exploitation and possibly military use by those countries which have the resources to engage in the race for the riches of the oceans.

167. My delegation warmly welcomed the initiative taken by the representative of Malta, Mr. Pardo, in this Committee during last year's Assembly [1515th meeting], and we fully subscribe to his view that the sea-bed is the common heritage of all mankind and that it should be reserved exclusively for peaceful purposes. The initiative of the delegation of Malta led to the setting up of an *Ad Hoc* Committee consisting of thirty-five members representing developing and industrial countries, coastal and land-locked

States. The composition of the Committee is a clear indication of our common interest in the future use of the sea-bed and the ocean floor.

168. The *Ad Hoc* Committee has, in a short period of time, been able to produce a remarkably balanced and well-documented report [A/7230], which contains a number of highly interesting guidelines for the future. I would like to take this opportunity to pay a tribute to its Chairman, Ambassador Amerasinghe, its Rapporteur, Mr. Gauci, and the Chairmen of the two Working Groups, Ambassador Benites and Mr. Denorme.

169. The report of the *Ad Hoc* Committee raises many complex legal, economic and technical questions some of which have been dealt with in the draft resolution before us. I should now like to comment on some of these questions.

170. First of all, I would like to say that the Finnish Government fully adheres to the generally accepted principle according to which there is an area of the sea-bed and ocean floor, which lies beyond the limits of national jurisdiction and where no State may claim or exercise sovereign rights of any kind. My Government cannot accept the coastal State theory which would divide the deep ocean floor between the coastal States in accordance with their geographical location. Neither can we accept the theory of *res nullius*, which inevitably sooner or later would lead to a race for permanent occupation of the ocean floor and its subsoil. The only fair solution would, in our opinion, be to use the sea-bed and the ocean floor outside national jurisdiction for the benefit of all mankind, taking also into account the special needs of the developing countries.

171. The question of establishing a precise boundary for this area raises complex legal problems. In the absence of a precise definition—article 1 of the 1958 Convention on the Continental Shelf¹³ of 1958 does not establish a definite boundary—it would be important to start as soon as possible efforts aimed at arriving at a clear boundary line between the sea-bed and the areas under national jurisdiction.

172. Even if the item before us mainly relates to the ocean floor, some attention should, in the opinion of my delegation, also be paid to regional problems. I am referring to the so-called "enclosed seas" which pose specific problems. The Baltic Sea is an example of an enclosed sea, where the utilization of the continental shelf is under the jurisdiction of the coastal States. While it is clear that any future regulation in regard to the sea-bed and ocean floor must not directly concern an enclosed sea of this kind, it might be advisable to explore whether some of the future rules in regard to the sea-bed could be applied to an enclosed sea. I am thinking of problems such as that of pollution and the possible establishment of military installations.

173. Speaking of the problem of preventing pollution, I would like to say that my delegation welcomes the draft resolution submitted by Iceland,¹⁴ of which my delegation

¹³ United Nations, *Treaty Series*, vol. 499 (1964), No. 7302.

¹⁴ Subsequently circulated as document A/C.1/L.431.

is a co-sponsor. We consider it important that any future exploitation of the sea-bed and ocean floor should not be allowed to endanger the animal and plant life in the marine environment. In this connexion, I might mention that Finland is one of the few States which has enacted legislation concerning the prevention of pollution of the sea. The draft resolution presented by Iceland proposes that a study should be made with a view to clarifying all aspects of protection of the living and other resources of the sea-bed and ocean floor. My delegation considers it important that this study should embrace the question of pollution as a whole, and that the body to be set up should work in close co-operation with other international organs in the field of marine pollution control.

174. My delegation is happy to note that the *Ad Hoc* Committee unanimously agreed that the sea-bed beyond the limits of national jurisdiction should be used exclusively for peaceful purposes. The Finnish Government considers that arms control measures dealing with the sea-bed would be of vital importance. It would be advisable to ask the Conference of the Eighteen-Nation Committee on Disarmament to consider the question in co-operation with the standing committee which is to be set up. The extension of the arms race to the area of the sea-bed and ocean floor must be prevented.

175. It is obvious that we should continue and increase our efforts to study the problem of the sea-bed in all its aspects. The draft resolution before us recommends the setting up of a permanent body. While supporting this recommendation, I would like to emphasize the valuable work carried out by the Intergovernmental Oceanographic Commission, of which Finland has been a member since its establishment, and other international agencies working in this field. The new committee should be a co-ordinating organ working in close co-operation with the specialized

agencies, the International Atomic Energy Agency and intergovernmental bodies dealing with these problems. The need to avoid duplication has been taken into account in the *Ad Hoc* Committee's report, which stresses the importance of close co-operation with existing international bodies.

176. My delegation places great emphasis on the question of the continuously increasing need for research, without which we cannot begin the systematic exploitation of the submarine riches for the benefit of all mankind. In this sense, we strongly support the Secretary-General's proposal for an expanded programme of international co-operation under the Intergovernmental Oceanographic Commission [*E/4487 and Corr.1-6, paras. 253-267*]. We also welcome the proposal for an international decade of ocean exploration suggested in draft resolution A/C.1/L.429/Rev.1.

177. The question of the sea-bed will obviously remain as an item before the General Assembly for a long time to come. But it has already, in a short time, become apparent that the development and exploitation of the resources of the sea require close international co-operation. We all have a common interest in the peaceful utilization of the sea-bed, which covers three quarters of the globe. It is the hope of my delegation that this international undertaking will in due time produce a set of principles regulating the use of the sea-bed and the ocean floor for peaceful purposes, which would be to the benefit of all mankind. In the meantime, we consider it essential that nothing is done to impair or prejudice the present status of the area beyond the limits of national jurisdiction, and that all States should refrain from claims in regard to the sea-bed and the ocean floor.

The meeting rose at 5.50 p.m.