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**Chairman: Mr. Piero VINCI (Italy).**

**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.1-4, L.426 and Add.1, L.427, L.428)**

1. Mr. RONAN (Ireland): Mr. Chairman, notwithstanding your modest suggestion that members of the Committee dispense with offering you their congratulations, I feel that I cannot let this opportunity pass without extending to you the felicitations of the delegation of Ireland on your unanimous election as the Chairman of this Committee.

2. We are well aware of your eminent qualities and wide experience which fit you so well for the important office you now hold. We are all the more gratified at your election in view of the strong historical and friendly ties which link your country and mine. We cordially wish you every success in your task of presiding over our debates and steering our work to a satisfactory conclusion.

3. I should also like to extend our congratulations to our Vice-Chairman and our Rapporteur. We wish them well in their tasks.

4. Speaking as the representative of a State which was not a member of the *Ad Hoc* Committee set up by the General Assembly in resolution 2340 (XXII), there are a number of observations which my delegation wishes to make on the question of reserving the sea-bed and the ocean floor, beyond the limits of national jurisdiction, for peaceful

purposes and the exploitation of that area in the interests of mankind.

5. Since our last session we have examined with great interest the issues arising from the brilliantly conceived and ably executed initiative of the delegation of Malta, so skilfully guided by Ambassador Pardo, relating to the nature of the sea-bed and the ocean floor, their vast resources and seemingly unlimited potentialities awaiting exploitation. Let us hope that the ultimate objective of Malta in regard to the sea-bed and the ocean floor will one day be translated into practice and that millions born and yet to be born will benefit from their vision.

6. At all events it is clear that the time has come for the international community to give serious consideration and to take practical steps for the establishment of suitable institutional arrangements to examine whether any changes are required in international law to regulate the exploitation of deep-sea resources, taking into account the common interest of the world community and the legitimate long-range interests of all States, land-locked as well as coastal, in a manner which will bring justice and opportunity to all.

7. My delegation has also studied with the greatest interest, in a preliminary way, the report which has become available recently of the *Ad Hoc* Committee established by the General Assembly last year [A/7230] to study the peaceful uses of the sea-bed and the ocean floor beyond the limits of national jurisdiction. We consider that, in the time available to it, the *Ad Hoc* Committee has performed extremely valuable work and has gone a long way towards identifying major scientific, technical, economic, legal and politico-military aspects of the question. Particularly useful features of the Committee's report are the comprehensive range of views recorded on many aspects of the question which were not always unanimous but which have to be faced, the brilliant summaries of the Chairman of the *Ad Hoc* Committee itself and those of the Chairmen of its two Working Groups and the lucid and concise reports prepared by the three Rapporteurs, all of which contributed greatly to the finished and memorable report of the *Ad Hoc* Committee.

8. A special word of thanks is due to the Secretary-General and to the members of the Secretariat for their arduous supporting work in preparing the many comprehensive working papers so necessary to enable the *Ad Hoc* Committee to carry out its task and for the interesting suggestions made by the Secretary-General for further action in document E/4487 and Corr.1-6. This material will be an indispensable source of reference for the further consideration of our subject.

9. I now propose to make some comments of a general nature on the sea-bed question and then a few specific comments on some points in the report of the *Ad Hoc* Committee and in the draft resolutions before us.

10. It is now clear that significant technological advances in undersea exploration of the sea-bed have been made and that exploitation on a commercial scale is feasible, and indeed has already begun, and that is likely to reach, in due course, even those parts of the ocean floor lying under great depths of water. These advances will of course open up immense opportunities for the enrichment of mankind. But they will at the same time open up new areas of potential conflict between nations. The possibilities presented by man's ever-increasing capacity to explore and exploit the deep sea and the ocean floor must be faced and so controlled that the many benefits offered by exploitation of the submarine lands of the earth may be reaped without the accompaniment of disastrous conflicts.

11. This situation calls for international action and for the internationalization in the long run, under the auspices of the United Nations, of the ocean floor beyond the limits of national jurisdiction in the interests of all mankind. We would envisage that royalties for the exploitation of this area should be paid to the controlling body for international community purposes, including the economic growth of the developing countries, and that all States should be treated equally and without discrimination in its exploration and exploitation.

12. The gravest danger posed by technological advances in the exploitation of the sea-bed and ocean floor would arise from its use for military and strategic purposes. It is quite clear that such a development, far from being merely in the realm of science fiction, is all too capable of realization within a relatively short time. It is not necessary for me to refer to the detailed treatment of these possibilities, given for instance in the working paper of the Secretariat [*A/AC.135/28*] and in the statements of a number of speakers here, including the representatives of Ceylon [*1588th meeting*], India [*1591st meeting*] and Malta [*1589th meeting*]. I should, however, like to stress that significant strategic advantages would be enjoyed by the emplacement of military equipment, including weapons of mass destruction, installations or bases on or under the sea floor.

13. The very availability of these advantages will, within a few years, exert such a compelling influence that the great Powers may well consider it necessary to seek to use the sea-bed and the ocean floor for military and strategic purposes unless realistic steps to prevent this development will have been taken in the meantime. Extension of military and strategic activities to the sea-bed and ocean floor would literally add a new dimension to the world arms race and set off new tensions which would greatly increase the danger of a global war. My Government, therefore, agrees that it is necessary to develop among nations without delay a commitment that the sea-bed and ocean floor will not be used for military purposes. We are glad to note that the Conference on the Eighteen-Nation Committee on Disarmament has seized itself of this question and that it is also included in the suggested terms of reference of the standing committee proposed in draft resolution A/C.1/L.425 and

Add.1-4. My delegation would agree with the suggestions made here that the Eighteen-Nation Committee on Disarmament should be requested to submit its proposals on this aspect to the General Assembly through the proposed standing committee whose views should also be given. We would suggest that both bodies should give priority to a study of this problem with a view to proposing measures for a solution, including the possibility of an international agreement confining the utilization of the sea-bed and ocean floor exclusively for peaceful purposes. In this connexion the Antarctic Treaty<sup>1</sup> of 1959 and the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies [*resolution 2222 (XXI), annex*] of 1966 provide useful guidelines.

14. Pollution of the sea is a problem which has been greatly accentuated in recent years by the growing need to dispose of industrial and other wastes which are accordingly frequently dumped into the sea. The problem will be further accentuated by increasing activities in relation to exploration and exploitation of the sea-bed and ocean floor and, on the other hand, prevention of pollution has become more important because of the increasing urgency to use the food resources of the sea to support the world's rapidly increasing population. While many conventions have provisions relating to pollution and a number of international organizations have an interest in preventing pollution, it is unlikely that this problem will be adequately controlled unless further steps are taken to that end. For instance, while the need to prevent damage to the waters of the oceans and their teeming life by excessive dumping of radioactive waste is widely recognized, there are no generally accepted rules relating to such dumping and widely differing views exist as to what should constitute the hazard assessment and what are the minimum safety requirements for the disposal of radioactive waste at sea.

15. Some useful work has been accomplished on this question by the European Nuclear Energy Agency (ENEA), a body set up within the framework of the Organisation for Economic Co-operation and Development and also by the International Atomic Energy Agency. The ENEA published in September 1968 a useful report on their radioactive waste disposal operation into the Atlantic Ocean in 1967 in which five members took part. Some 11,000 metric tons of solid radioactive waste and sludge in some 36,000 container drums, with a total activity of approximately 8,000 Curies beta/gamma and 300 Curies alpha were deposited at a depth of 16,000 feet in an area of the North East Atlantic Ocean.

16. Based on the hazard assessment, the ENEA Group of Experts considered that the following operational requirements should apply to the disposal area:

(a) There must be no chance of recovering the waste by processes such as trawling. The area should have a depth of at least 2,000 metres and be well clear of the continental shelf;

(b) The area must be free from known undersea cables;

<sup>1</sup> United Nations, *Treaty Series*, vol. 402 (1961), No. 5778.

(c) The area must be suitable for the convenient conduct of the actual dumping operation and must be chosen to avoid unreasonable financial penalties due to unnecessarily long steaming distances, likelihood of bad weather conditions or undue navigational difficulties, and

(d) The possibility of turbidity currents should be taken into account.

Although what was dumped in this operation was not waste from spent nuclear fuel but mildly contaminated bits and pieces that accumulate around laboratories, nevertheless disposing of radioactive waste in any form is liable to bring on an attack of the jitters and disposing of it in the sea raises visions of contaminating present and future resources of fish. It is highly important that the nearest coastal States to disposal sites chosen for dumping radioactive wastes at sea should be invited to participate in discussions on such disposal operations or should be consulted about them. For psychological reaction against fish caught off their coasts could have an adverse effect on their fishing industry and the fear of contamination of beaches, however unjustified, could discourage tourists from other countries.

17. Full information has been published on the disposal operation to which I have referred and it was undertaken under the auspices of an intergovernmental organization. But one wonders whether similar information is published on all other operations for the disposal of radioactive wastes in the oceans and whether the nearest coastal States are aware of such operations. Clearly this is a field in which there is wide scope for international action and my Government considers that the question of marine pollution needs careful study in all its aspects. It feels that consideration should be given to the desirability of preparing an international instrument establishing rules relating to the extent and mode of dumping waste matter into the sea, particularly radioactive waste.

18. In this connexion, my delegation would like to congratulate the delegation of Iceland on its initiative in proposing a draft resolution on the subject of pollution of the marine environment [see A/7230, annex III] which will have our support and co-sponsorship, but we would agree with the representative of Malta [1589th meeting, para. 28] that the draft ought to be strengthened to cover pollution of the seas from acts that are not related to either exploration or exploitation. As the disposal of radioactive waste at sea in container drums is directly relevant to problems concerning the sea-bed and the ocean floor and to their exploration and exploitation, we also consider that the terms of reference of the standing committee proposed in draft resolution A/C.1/L.425 and Add.1-4 should also be widened—specifically operative clause 2(e)—to cover marine pollution from the disposal of waste material at sea. In fact if the proposed standing committee is to consider the study called for in the draft resolution submitted by Iceland, its terms of reference should be such as to enable it to do so.

19. A further undesirable consequence of the development of techniques of exploration and exploitation of the sea-bed and ocean floor which has been adverted to is that it may be followed by occupation for commercial purposes. By this is meant the occupation by individual States of

tracts of the sea-bed and ocean floor having, for instance, rich mineral deposits, and claims of sovereignty over those areas by virtue of occupation, relying on the general principle of international law that a State may acquire territory, not already under the sovereignty of another State, merely by occupation with this intent. As the technological developments necessary to facilitate occupation of the sea-bed and ocean floor and the exploitation of mineral deposits on, under, or forming part of, its soil will be achieved in the first place by the larger and the more wealthy and powerful States, it is feared that these will succeed in appropriating to themselves all the vast wealth which will thus become available, and that smaller and poorer States, by reason of their inability to finance such a costly venture, will forfeit any benefit. It appears that further examination of this problem also, in all its aspects, and perhaps particularly in its legal aspects, is called for and it is hoped that the proposed standing committee will undertake this task.

20. In this respect the existing position under international law and the relevance and effect of certain provisions of the multilateral conventions must be mentioned. The four United Nations Conventions on the Law of the Sea,<sup>2</sup> done at Geneva on 29 April 1958, have been ratified or signed by many States and may now be regarded as stating many generally-accepted principles of international law, although not all States are parties to them. In fact many of their provisions are statements of rules already generally accepted before the Conventions were adopted. The Convention on the High Seas defines "high seas" as being all parts of the sea other than territorial seas and internal waters. It further provides that the high seas are free and open to all nations and that no State may subject any part of them to its sovereignty. Thus a State occupying part of the sea-bed is at least prohibited from interfering with the user of the superjacent waters, except to the extent that this is allowed by the Convention on the Continental Shelf, that is, to take reasonable measures for exploration and exploitation of the natural resources of the shelf, including the construction of installations and taking of necessary measures for their protection and avoiding interference with navigation, fishing, etc. Any claim to sovereignty over the high seas superjacent to a tract of ocean floor which had been occupied and exploited by a particular State would undoubtedly be a breach of international law in the eyes of the vast majority of States.

21. The most vital legal question, therefore, appears to be whether any part of the sea-bed is *res nullius* and thus open to acquisition by occupation. In this respect it is noticeable that neither the Truman Proclamation of 1945 nor the Convention on the Continental Shelf of 1958 regard occupation as a decisive factor in determining rights over the continental shelf. On the contrary both regarded the rights of the coastal State as existing regardless of occupation.

<sup>2</sup> Convention on the Territorial Sea and the Contiguous Zone, United Nations, *Treaty Series*, vol. 516 (1964), No. 7477.

Convention on the High Seas, *ibid.*, vol. 450 (1963), No. 6465.

Convention on Fishing and Conservation of the Living Resources of the High Seas, *ibid.*, vol. 559 (1966), No. 8164.

Convention on the Continental Shelf, *ibid.*, vol. 499 (1964), No. 7302.

22. The question then remains as to whether the continental shelf as defined in the 1958 Convention includes only areas with some degree of proximity to or connexion with the coastal State claiming rights over it; or, alternatively, whether it includes all exploitable submarine lands, and will continue to expand in pace with technological advances enabling exploration and exploitation of further areas, until the shelf comprises all the submarine lands in the world including the areas which are described as the sea floor or abyss. This latter interpretation appears to have been the more honoured in practice since 1958, and, generally, claims and agreements since that date relating to the shelf have had no regard for such matters as depth or the physical features of the sea-bed.

23. There is a variation on that interpretation to the effect that a coastal State, with a highly developed technology of underwater operations, may continue to extend the area over which it claims rights, without having regard to the claims of another State opposite it which has not yet acquired a similarly high level of technical capacity. That interpretation would, of course, lead to a technological race with at least two undesirable consequences; firstly, that the poorer and smaller countries would inevitably be the losers in such a race and, secondly, that there would be frequent conflicts of claims between advanced countries in disputed areas, constituting a dangerous threat to world peace.

24. It is, accordingly, of the greatest importance that the proposed standing committee's deliberations should take particular cognizance of this question and endeavour to have the existing position under international law clarified before it is too late. To be taken into account are the facts that many States, parties or signatories to the 1958 Convention on the Continental Shelf, have legislated in good faith for the exploration of their continental shelves and have negotiated or are negotiating bilateral agreements on the delimitation by median line of the continental shelf which lies between them and other States.

25. There are a few other matters arising from the report of the *Ad Hoc* Committee on which my delegation would wish to comment. We are in agreement with the proposal that a permanent or standing committee be set up to prepare studies on the most important aspects of the whole subject. It matters little whether this body is called an *ad hoc* or a standing committee. As the question will be before the United Nations for a very long time to come, the case for a standing committee is more realistic. What is more important is its terms of reference. On the whole my delegation is satisfied with the mandate proposed for the committee in draft resolution A/C.1/L.425 and Add.1-4 except that we feel that operative paragraph 2 (*e*) should be expanded, as I have suggested, to include consideration of the question of marine pollution from the disposal of waste material at sea.

26. Also we feel some concern about the possibility of duplication and overlapping of activities by the many agencies now active in the whole field under discussion. The proposed standing committee must clearly try to avoid duplication with the work, research and studies being carried out by other competent authorities in these matters. At the same time maximum co-operation is essential with those authorities, both national and international, and

especially with the specialized agencies of the United Nations, including the IOC of UNESCO, IMCO, IAEA and FAO. To avoid any danger of duplication my delegation suggests that it would be useful for the proposed standing committee to request the Secretariat to set down succinctly on paper what are the terms of reference of all the intergovernmental bodies dealing with any aspect of the sea-bed and the ocean floor and to prepare an organizational chart or critical path for the future orderly, progressive and integrated study of the whole subject in all its aspects by all the agencies concerned. In this way each agency will understand the role of the others in this field and how its own activities relate to theirs. This might help to avoid duplication and give all a clearer idea of how the whole question is progressing. The groundwork for such an organizational chart is to be found in document E/4487 and Corr.1-6, annex XI.

27. Another proposal which is welcomed by my delegation is the project of the United States Government [see A/7230, annex III] that the 1970s be declared an international decade of ocean exploration and that a long-term programme of research and exploration be undertaken in that connexion under the general aegis of the United Nations. This concept should greatly promote international co-operation in the scientific field. It should also benefit all nations interested in the investigation of sea-bed resources and in the exploration and use of those resources. However, for the time being my delegation wishes to reserve its position on the financing aspects. We can support the United States draft resolution in annex III of the report of the *Ad Hoc* Committee if it is clear that operative paragraph 4 (*a*) thereof will not involve overlapping with the work of the standing committee proposed in draft resolution A/C.1/L.425 and Add.1-4.

28. As regards the draft declaration of general principles and the draft statement of agreed principles in paragraph 88 of the report of the *Ad Hoc* Committee and suggestions on principles made by a number of speakers, my delegation is sympathetically disposed to the adoption of a set of principles on our subject at some stage but we feel that more consideration should be given to this aspect. Some of the general principles and some of the agreed principles are acceptable to us but we feel that a better and more satisfactory result would be achieved if the proposed standing committee devoted attention to elaborating a separate set of principles which would command unanimous support if possible. This would in our view be more satisfactory than the adoption of a few principles now and perhaps some more later on.

29. Apart from that I would suggest that Governments—at least some of those, including my own, which were not members of the *Ad Hoc* Committee—would need more time to digest the consequences of the principles which have been suggested for adoption. It has already been pointed out that some of the terms used in even the simplest of these require further discussion and understanding as to their precise meaning. In our view some further study and discussion of this matter over the coming year would result in better progress for the long-term consideration of this item rather than hasty action now.

30. Consideration would need to be given too as to whether the procedure adopted with respect to outer space

should not be followed by formulating a declaration of general principles first to be followed by a treaty, regulating in a more detailed and binding manner, activities of States on the sea-bed and ocean floor beyond the limits of national jurisdiction.

31. In conclusion, my Government desires to express its conviction that the sea-bed and the ocean floor, like outer space, should be used exclusively for peaceful purposes in accordance with the principles set out in the Charter of the United Nations; that the ocean floor beyond the limits of national jurisdiction should be internationalized in the long run under the auspices of the United Nations in the interests of all mankind; that the rules of international law should be sufficiently precise in relation to rights over the sea-bed and ocean floor to prevent *de facto* occupation of areas of the sea-bed by States having the technological and financial capacity to do so, with a view to claiming sovereignty over those areas by virtue of occupation; that the dumping of waste, and in particular radioactive waste, in the sea should be strictly controlled so as to ensure that the resources of the sea and the sea-bed and ocean floor are not affected by pollution. Furthermore, my Government considers it essential that the relevant rules of international law must take into account the legitimate interests of coastal States. Finally, it expresses its willingness to co-operate with other States in exploration and exploitation of the sea-bed and the ocean floor. The work of the proposed standing committee can contribute to the realization of these aims, and as the problems become daily more urgent in view of the rapid advances in the scientific field, it must be hoped that the proposed committee's deliberations will lay the foundations for systematic progress on this important subject which is of vital interest to all mankind and to the cause of international peace and co-operation which are basic purposes of the United Nations.

32. The CHAIRMAN: I thank the representative of Ireland for the tribute paid to my country and for the congratulations which he extended to the Chairman and all the members of the Bureau.

33. Before calling on the next speaker on my list, I wish to inform the Committee that a new draft resolution sponsored by Australia and nine other delegations has been circulated in document A/C.1/L.429.

34. Mr. ESCHAUZIER (Netherlands): On behalf of the Netherlands delegation I wish to pay tribute to the *Ad Hoc* Committee for the excellent report [A/7230] we now have before us for consideration. It is an outstanding achievement for the *Ad Hoc* Committee to have been able to prepare a study of such a high calibre in the relatively short time at its disposal. This impressive result bears witness to the dedicated efforts and the acute sense of responsibility of the members of the *Ad Hoc* Committee and to the able and energetic leadership of the Committee's Chairman, Mr. Amerasinghe.

35. I also recognize the important contribution made by the Secretariat of the United Nations, the competent specialized agencies, the International Atomic Energy Agency and other bodies, which have provided a mass of indispensable information as well as expert advice to the Committee.

36. The report, together with the reports of the two Working Groups [*ibid.*, *annexes I and II*] and the attached documents, is both comprehensive in scope and concise in wording. This is a rare and felicitous combination, and the more so because of the novelty of the subject and the wealth of information which had to be examined, discussed and sorted out by the *Ad Hoc* Committee.

37. It would appear to me that this applies in particular to the report of the Economic and Technical Working Group [*ibid.*, *annex I*], which deals, *inter alia*, with a wide range of technical and economic aspects of the exploration, evaluation and exploitation of the mineral resources of the ocean floor. The Chairman, Mr. Denorme, and the members of the Working Group deserve to be commended for their detailed and conscientious analysis of the prospects of technological advances in developing marine resources and of the economic soundness and profitability of exploiting those resources. It must be appreciated that the conclusions of the Economic and Technical Working Group, far from being over-optimistic, remain on the conservative side. Its cautious optimism gains credibility because it is properly balanced against the factors that may influence negatively an early exploitation of ocean-floor resources. However, this should in no way be taken as an excuse to relax and avoid taking action. I agree whole-heartedly with the representative of Malta, Mr. Pardo, that technological advances may well overtake us if we do not proceed diligently to create an appropriate framework for the exploration and exploitation of ocean-floor resources as a common heritage of mankind [1589th meeting, para. 31].

38. I wish also to express my appreciation for the very clear exposition by the Legal Working Group, under its Chairman, Mr. Benites, of the main legal problems involved in the question under discussion.

39. The report of the *Ad Hoc* Committee, viewed as a whole, constitutes a most welcome and valuable guide which will not fail to direct our attention to the central issues and will facilitate purposeful deliberations in our Committee. It was a fitting tribute to the delegation of Malta, which took the initiative in placing the item on our agenda, that the Committee's report was introduced by its able Rapporteur, Mr. Gauci [1588th meeting].

40. When the present item was first discussed during the previous session of the General Assembly my delegation was among those which favoured the setting up of a standing committee. Now that a large majority of the *Ad Hoc* Committee, joined by other members of our Committee, is of the opinion that the time is ripe for such a step, it stands to reason that my delegation agrees in principle with the basic recommendation contained in draft resolution A/C.1/L.425 and Add.1-4—namely, to establish a committee on the peaceful uses of the sea-bed and the ocean floor beyond the limits of national jurisdiction.

41. My delegation listened with great attention to the detailed and lucid comments of the representative of Belgium, Mr. Denorme, on the mandate which is to be given to the proposed committee pursuant to operative paragraph 2 of the relevant draft resolution.

42. Our main concern is that the committee shall confine itself to a co-ordinating and, where appropriate, an acti-



vating role—for instance, in the form of recommendations to the General Assembly—without in any way duplicating or overlapping the work of existing competent bodies.

43. I should like to place on record, therefore, the fact that my delegation attaches great importance to the explicit and authoritative assurances given by Mr. Denorme on behalf of the original co-sponsors of the draft resolution that the proposed committee will work in close co-operation with the specialized agencies of the United Nations, the IAEA and the intergovernmental bodies dealing with the problem referred to in the draft resolution so as to avoid any duplication or overlapping of activities. Mr. Denorme went on to say:

“This holds true for the Disarmament Committee, for the Eighteen-Nation Disarmament Conference, for the Intergovernmental Oceanographic Commission, the Inter-Governmental Maritime Consultative Organization, the International Atomic Energy Agency, the Food and Agriculture Organization and all other bodies, institutions or agencies dealing with this question in whatever capacity.

“Any conflict of competence between these bodies would be detrimental to co-operation, not help it. However, the example of harmonious and trustful co-operation established at the outset between the IOC and the *Ad Hoc* Committee should serve as a gauge for the future” [*ibid.*, paras. 81 and 82].

In view of this unequivocal interpretation of paragraph 2 (f) of the draft resolution, my delegation is prepared to refrain from making certain suggestions for textual changes designed to define more clearly this particular aspect of the committee's mandate. We are gratified that the IOC was singled out as a typical example of good co-ordination since we are of the opinion that this intergovernmental organization is indeed the body competent to advise the proposed committee with respect to scientific and science-oriented organizational problems.

44. With regard to paragraph 2 (c) of draft resolution A/C.1/L.425 and Add.1-4, I wish to make it clear that in our view the Conference of the Eighteen-Nation Committee on Disarmament in Geneva is the appropriate and competent body to deal with the military aspects of the item under discussion. We are satisfied that the question is already on its agenda. We would urge that it initiate without delay a study of possible procedures and agreements to prevent the spread of the armaments race to the sea-bed and the ocean floor beyond the limits of national jurisdiction. I venture to go even one step further. I suggest that a resolution along these lines might usefully be adopted by the General Assembly and brought to the attention of the Conference of the Eighteen-Nation Disarmament Committee in Geneva.

45. In my intervention on 10 November 1967 [1525th meeting, paras. 51-54] I suggested that a committee, to be established by the General Assembly, might undertake a study of military problems in a preliminary fashion but that further discussion of arms control and disarmament measures ought to be referred to the Conference of the Eighteen-Nation Committee on Disarmament in Geneva.

46. The *Ad Hoc* Committee in fact had an exchange of views on military problems and considered certain pro-

posals which were put forward. That discussion may have been useful inasmuch as it put the problems involved in a clearer perspective.

47. In this connexion, I venture to submit that paragraph 2 (c) of draft resolution A/C.1/L.425 and Add.1-4 may convey the impression that a primary role is assigned to the proposed committee in matters of disarmament. My delegation has therefore taken due note of the declaration made on behalf of the co-sponsors of the draft resolution—again by Mr. Denorme [1588th meeting, para. 78]—that the role of the committee in matters of disarmament will certainly be subsidiary, that it is not intended to become a substitute for the United Nations Disarmament Commission, that the Conference of the Eighteen-Nation Committee on Disarmament will deal with these problems primarily and that the proposed committee cannot replace it. Incidentally, I should like to suggest that, instead of the present wording of paragraph 2 (c), it would be preferable to use the expression “in the field of arms control and disarmament”; in other words, to add the words “arms control”. I feel that the prevention of an armament race on the sea-bed and the ocean floor might well turn out to be a question of non-armament and arms control rather than disarmament.

48. I now turn to the question of the economic exploitation of the sea-bed and ocean floor. The Technical and Economic Working Group of the *Ad Hoc* Committee has devoted a section of its report to this very question under the heading: “Ensuring the benefit of mankind by means of an international régime”. [See A/7230, annex I, para. 61.]

49. In response to a request by the Secretary-General, pursuant to paragraph 3 (a) of resolution 2340 (XXII), of the last session of the General Assembly, the Netherlands Government submitted some tentative observations on a possible model of an international régime on 4 March 1968. These views are contained in document A/AC.135/1 and Corr.1 of 11 March 1968, with the proviso that they might be further defined or reconsidered in the light of further developments.

50. The basic premise of the Netherlands proposal is that exploitation under the sovereign rights of either the nearest coastal State or the State which first undertakes the exploitation will put those countries which are unfavourably situated or technologically less-developed at a disadvantage. In the report of the Economic and Technical Working Group it is pointed out that the great majority of countries, in particular developing and land-locked countries, are, for technical, financial and other reasons, not in a position to participate actively in the exploitation of those resources [*ibid.*, sub-para. (e)].

51. Under the envisaged model presented by the Netherlands Government, the United Nations itself would not engage in the exploitation, but would grant “concessions” to States which would act as “administering authority” in respect of any exploitation concession they might in turn grant to enterprises; a “government take” would be levied by the United Nations from the concessionary State for the benefit of developing countries [see A/AC.135/1 and Corr.1]. In this way, appropriate provisions would be made for the transfer to the developing areas of the world of a

reasonable share of the revenues accruing from the exploitation of the ocean floor.

52. Under the proposed system, allowance could also be made for the position and legitimate interests of the nearest coastal States. There may have to be some provisions for certain priorities—for instance, a right of option—for privileges or for special rights or titles of the nearest coastal State or States.

53. The ideas I have briefly outlined are primarily intended to provoke further thinking on this subject and to stimulate a study of a possible international régime which would ensure that the resources of the ocean floor would be exploited in the interest of humanity as a whole. This is a pressing problem indeed, since continuation of exploitation by right of occupation can result only in an undesirable and fateful situation to which many previous speakers have already alluded.

54. It will also be necessary, in our view, to define an international exploitation line which could, for instance, be determined by both a maximum depth and a maximum distance. In this context, it may be advisable to consider the need for additional protocols to, or a revision of, the Geneva Conventions on the Territorial Sea and the Contiguous Zone and on the Continental Shelf<sup>3</sup> for the sole purpose of determining a clearly defined geographical limitation.

55. As a first step towards an international régime for the economic exploitation of the ocean floor, a system of international registration might be envisaged, as outlined in the study by the Secretariat in document A/AC.135/19/Add.2, paragraphs 14 to 17.

56. My delegation has examined with interest the two sets of general principles contained in para. 88 of the report of the *Ad Hoc* Committee. Moreover, it has noted that three basic principles are also embodied in the fifth, sixth and seventh preambular paragraphs of draft resolution A/C.1/L.425 and Add.1-4. I sincerely hope that it will prove possible during the current session to reconcile the existing differences and to agree on a limited number of principles which may form the basis for future internationally binding agreements. If this is indeed the intention of the authors of the draft declaration I entirely agree with the remarks of the representative of Malta. Mr. Pardo recommended [1589th meeting, para. 42] that such principles should be carefully studied and that they should conform to certain basic criteria including consistency and a realistic appreciation of present and future activities with regard to the undefined area with which we are concerned.

57. In conclusion, I wish to comment briefly on a subject that goes beyond the terms of reference of the *Ad Hoc* Committee. My delegation has carefully examined the original United States draft resolution on an international decade of ocean exploration [see A/7230, annex III]. We also heard with interest the explanatory remarks made by the representative of the United States, Mr. Wiggins, in this Committee on 29 October [1590th meeting, para. 26]. My delegation now welcomes the presentation of the draft

resolution which has just been distributed and which my delegation has the privilege of co-sponsoring [A/C.1/L.429], a resolution commending to Member States the concept of an international decade of ocean exploration beginning in 1970, in the framework of a long-term programme of research and exploration under the general aegis of the United Nations.

58. One further remark; with regard to the economic aspects of the matter, my delegation would like to stress the importance of a proper co-ordination of activities. To this end, we suggest that the framework of future discussions of the various aspects of the decade should be sufficiently flexible, so as not to preclude a discussion in the Economic and Social Council and in the Second Committee of matters falling within their competence.

59. Mr. KABANDA (Rwanda) (*translated from French*): Mr. Chairman, it gives me great pleasure to extend to you my delegation's congratulations on your unanimous election to preside over the work of the Political Committee. My pleasure at conveying my compliments to you is all the greater because you represent the generous country of Italy, a country with which Rwanda enjoys excellent diplomatic and co-operative relations.

60. I would be remiss were I to neglect telling Mr. Galindo Pohl and Mr. Maxime Zollner that my delegation has very special feelings towards them, both for their personal merit and for the wealth of experience they have acquired in the course of this Committee's work.

61. You all have my delegation's esteem.

62. I should now like, on behalf of my country, to make a few remarks on the subject before us.

63. First of all, I should like to extend our most sincere congratulations to the delegation of Malta which drew our attention at our last session to this question, a question which is of such importance to the future of international co-operation and to world peace and security.

64. Although it is a landlocked country, Rwanda cannot help but be interested in the problem of the sea-bed and the ocean floor and the subsoil thereof, just as it is interested in questions related to outer space. The reason is a simple one: the intense activities taking place in these two areas have a dual nature—they can bring about well-being or, on the contrary, awful disasters for the human race, depending on whether those engaged in them are guided by the concern for rendering a service to mankind or by a concern for founding new empires on the sea-bed and ocean floor or in outer space.

65. Therefore, when questions arise which affect development and world peace, Rwanda feels concern, as every country should.

66. With regard to the question of the sea-bed and ocean floor lying beyond the limits of national jurisdiction, the General Assembly should at its current session affirm certain basic principles which will encourage all those who can and who wish to do so to undertake studies, research and exploitation, and which will also guarantee inter-

<sup>3</sup> See foot-note 2.

national security and ensure that the resources buried beneath the sea do not enrich only the few countries which have the technology and the know-how.

67. These oft-mentioned principles are so basic that it is fitting to recall at least some of them:

(a) It must be clearly established that the sea-bed and ocean floor and the subsoil thereof, and the resources contained therein, belong to all mankind, and that consequently no one can claim either ownership or exclusive rights over them.

(b) The exploration, exploitation and use of the sea-bed and ocean floor and the subsoil thereof must be undertaken exclusively for peaceful purposes and in the interests of all mankind.

(c) The exploration, exploitation and use of the sea-bed and ocean floor and the subsoil thereof must respect the integrity of the areas of the continental shelf which are under the jurisdiction of the coastal States. Their sovereignty must be protected at all times. The development of the developing countries, including landlocked countries, must be promoted.

(d) The exploration and exploitation of the sea-bed and ocean floor and the subsoil thereof must respect ocean or marine flora and fauna.

(e) Finally, and this is important, the General Assembly should guarantee the freedom of activities which are traditional on the high seas, such as fishing, navigation, and the installation of communications or aid stations. All military activities should be banned, or a recommendation should at least be made to maintain military activities on the high seas at their present level and, if possible, to reduce them progressively.

68. My delegation does not believe that some military activities defined as peaceful by some delegations should be permitted. In this connexion, I should like to quote from paragraph 47 of the *Ad Hoc* Committee's report:

"Two views were expressed on the military aspects of this item and on the concept of the exclusive reservation of the area for peaceful purposes. One was that peaceful use completely excluded all military use. The other was that a positive approach recognized the affirmation and acceptance of the principle that the area be used exclusively for peaceful purposes and that military activities in pursuit of peaceful aims or in fulfilment of peaceful intents, consistent with the United Nations Charter and the obligations of international law, should not be banned. The general aim should be to stop the spread of the armaments race to the sea-bed and ocean floor."

69. My delegation is unable to conceive the existence of military activities the short- or long-term objective of which would not be military operations. Whether these were offensive or defensive, they would inevitably carry with them the threat of death.

70. We believe, moreover, that the problem of the sea-bed and ocean floor is an integral whole, and that if we were to

break it down into several items to be entrusted to different committees for study, we would run the risk of arriving at partial and fragmentary accommodations, whereas we need over-all solutions.

71. I should like to share with the Committee my delegation's concern as to the effects that exploitation and use of the natural and mineral resources of the sea-bed and ocean floor could have on the world raw materials market, particularly that of mineral products.

72. You are aware that Rwanda is a country which is dependent upon an insufficiently diversified economy and which derives its monetary resources from the export of agricultural and mineral products. There is no need for me to say that we deplore any disturbance in the price system practised on the world market.

73. With regard to the dangerous or disturbing results which the exploitation of marine mineral resources could have on world prices and markets, the report of the Economic and Technical Working Group states:

"(a) Until recovery processes are developed and production begins, such consequences are entirely speculative;

"(b) By the time the relevant marine mineral resources are quantitatively important on the market, it may be hoped that the economies of the developing countries will be more diversified and consequently less dependent on raw material exports;

"(c) Moreover, world demand for these resources may be expected to grow with general industrial and economic development. None the less, the consequences of possible over-supply should be kept in mind" [*see A/7230, annex I, para. 36*].

74. Two important things are implied in this passage: first, once underwater mineral resources become plentiful on the market, the economies of the developing countries will be more diversified and consequently less dependent on raw materials exports. This would be true to the extent that these countries, including landlocked countries such as Rwanda, enjoy sufficient technical and human resources or, failing that, sizable financial means enabling them to have direct access to the sea-bed and ocean floor or to acquire underwater mineral products on the market of the technologically equipped countries. However it would above all depend upon whether the industrialization of the developing countries were seriously under way, which is unfortunately not the case.

75. Second, the report also states, implicitly, of course, that land mineral products would be affected by the abundance of underwater mineral products, and that their prices would decline. It might therefore be useful to think about agreements designed to protect the mineral products of land-locked countries.

76. There will undoubtedly be some who will attempt to allay our misgivings by telling us that the exploitation and use of under-sea natural and mineral resources will be for the benefit of all mankind. Of course, that is desirable and encouraging. However, we must clearly state that until such time as the principles governing methods for the sharing of such resources by all countries, including land-locked



countries, are drawn up and agreed upon by a competent United Nations body and accepted, more particularly by countries with maritime technology and other industrialized countries, and until such time as appropriate decisions are taken to protect mainland mineral products through appropriate agreements, we are bound to continue to have misgivings.

77. At the present juncture, we should be attempting to arrive at a definition of principles designed to prevent any threat to world peace and security and capable of promoting international co-operation on the economic, technical and scientific levels.

78. My delegation feels that it is necessary to review the existing system of maritime law in the light of the new situation and to re-examine the principles which govern the zones under national jurisdiction, including the continental shelf.

79. The delegation of Rwanda welcomes the proposal for an international decade of ocean exploration submitted by the United States [*ibid.*, *annex III*], it being understood, however, that the greatest possible number of countries and scientists should take part in study and research work, special attention being given to coastal countries and to scientists from those countries.

80. This co-operation should extend beyond the area of the seas, oceans and riparian countries to include those countries which, while not situated near these "vast areas", nevertheless have inland lakes or seas which often contain important natural and mineral resources.

81. My delegation is grateful to the Belgian delegation for having suggested a realistic approach for solving this problem. We believe that the creation of a standing committee with sufficiently broad terms of reference would help in implementing a number of principles designed to promote international co-operation in this new area of human activity. My delegation is happy to be among the sponsors of draft resolution A/C.1/L.425 and Add.1-4, about which we reserve the right to speak at a later date.

82. I should like to avail myself of this opportunity to say that my country welcomed with pleasure the decision taken by the United States Government to halt the bombing of North Viet-Nam. We hope that this decision truly represents a first step in the search for a true and lasting peace in this region which has borne so much suffering.

83. The CHAIRMAN (*translated from French*): I thank the representative of Rwanda for the tribute he paid my country, as well as for his friendly words to me and to the other officers of this Committee.

84. Before calling on the next speaker, I should like to inform the Committee that Colombia has joined the list of sponsors of draft resolution A/C.1/L.425, bringing the number of countries sponsoring this text to 51.

85. Mr. PILAVACHI (Greece): In expressing the interest of my Government in the subject under discussion I wish at the outset to extend to you, Mr. Chairman, the congratulations of the Greek delegation on your election to your

high office. At the same time I offer our warm appreciation to the Vice-Chairman and Rapporteur of the Committee who, like you, Sir, have received the unanimous approval of your fellow members of the Committee. I should like also to stress that the Greek delegation is particularly gratified that the Chairman of the First Committee should belong to a country which is linked with our own by historical, cultural and neighbourly ties dating from the beginnings of civilization. Another element uniting our two countries is the sea, an element which is foremost in our thoughts and preoccupations at the present moment.

86. The intervention of my delegation in this debate is motivated by the long and extensive association of Greece, a maritime nation, with the sea. My countrymen have familiarized themselves with the oceans, and Greek mariners have since time immemorial explored the seas, on the surface and in depth. Generations of divers have explored the sea-bed far from our coasts and islands, reaching as far as the coast of Florida.

87. For the second consecutive year our Committee is examining the question of the sea-bed and the ocean floor. For that we are indebted to the delegation of Malta, which last year requested the inclusion of this item in the agenda of the General Assembly<sup>4</sup> and thus brought to the attention of the international community a problem which is of the greatest interest for mankind. It was a praiseworthy initiative, and not the least of its advantages is that our Organization has been seized in time of this complex item and should, therefore, be in a position to consider carefully all its aspects and to regulate further developments in this field, for the benefit of all.

88. The importance of the sea-bed has often been stressed and the potentialities of its exploitation have been dealt with at length in the various documents prepared by the Secretariat. We all know that incalculable wealth lying under the seas beyond the limits of national jurisdiction is being made accessible by modern technology, and that from the unfathomable ocean depths the prospect has now appeared of solving the grave problem of the discrepancy between the wealthier and the poorer nations, or at least of rendering it less acute.

89. We also know, however, that together with this new hope for the future of mankind a new danger has made itself felt, namely, that of using this recent conquest of man over nature for purposes of destruction and not solely for the promotion of the welfare of all nations.

90. It has also become evident that competition and tension might arise between nations regarding the sea-bed, so that, depending on the attitude and policies of Governments, the treasures of our planet's oceans could lead humanity either to a better future or to disaster.

91. Mr. Pardo's proposal of last year was indeed timely and opportune. We owe it to ourselves and to the whole world to grasp the opportunity granted to us of examining with the utmost care all aspects of this complex question and of regulating this new field of international co-operation in the most adequate manner.

<sup>4</sup> See *Official Records of the General Assembly, Twenty-second Session, Annexes*, agenda item 92, document A/6695.

92. The difficulties lying ahead should not be underestimated. It has already become apparent that differences of opinion exist among delegations on both practical and theoretical points. These will have to be thrashed out progressively. Let us hope that the present debate will allow us to achieve positive results in this direction.

93. A great step forward has already been made by the *Ad Hoc* Committee to Study the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction during the year that has elapsed. We have carefully studied its report [A/7230] and should like, on this occasion, to express our sincere appreciation to the Rapporteur of the *Ad Hoc* Committee and the other officials for the excellent work done. Our delegation last year wholeheartedly supported the establishment of the *Ad Hoc* Committee and we are gratified to see that the mandate given to it by the General Assembly was successfully carried out.

94. My delegation does not intend at this point to enter into details with regard to the many questions raised in the report. I should like merely to make a few observations on some of them.

95. First of all, in connexion with the question of possible interference of sea-bed exploration with other activities, which was discussed at some length by the *Ad Hoc* Committee, I should like to stress the importance that my delegation attaches to the view put forward in paragraph 63 of the report, namely, that there should be respect for the traditional freedoms of the high seas, such as navigation, fishing, the laying of cables and pipelines and any other freedoms recognized by the law and practice of the sea, and that measures for the conservation of marine resources should be intensified.

96. Greece has already made known its position in a communication of the views of the Greek Ministry of Merchant Marine transmitted to the Secretary-General for submission to the *Ad Hoc* Committee, which stated:

“... any arrangements regarding exploration should not affect the existing status of the freedom of navigation in the high seas” [see A/AC.135/1/Add. 7].

It is therefore with satisfaction that we note that paragraph (7) of the draft statement of agreed principles, referred to in the report, includes the following principle:

“Activities in this area shall not infringe upon the freedoms of the high seas” [see A/7230, para. 88, draft statement (b), (7)].

97. Another question which seems to us to be of particular importance is the danger of harming the conservation of living resources of the sea and the need to apply safeguards in order to minimize pollution resulting from exploration processes. We feel that great care should be exercised in avoiding harm to marine flora or fauna; otherwise the enterprise of sea-bed exploration and exploitation might cause certain nations more damage than good. In this spirit, we welcome the draft resolution submitted by Iceland to the *Ad Hoc* Committee [see A/7230, annex III], suggesting that a study be made of satisfactory measures of preventing and controlling pollution, and of allaying the damage which might be caused to the marine environment,

and in particular to the living marine resources which constitute one of mankind's most valuable food resources.

98. We note in paragraph 34 of the report of the Legal Working Group [*ibid.*, annex II] that a suggestion was made to the effect that the special rights and interests of the coastal States regarding the conservation and exploration of the resources of the sea-bed and ocean floor should be taken into account. In this respect I should like only to remind the Committee that a suggestion of the same order has also been made by the Greek Government in the aforementioned communication.

99. Before concluding these brief remarks I should like to make one more observation. It is apparent from the report, as well as from our debate here, that no small degree of confusion prevails regarding legal definitions and legal concepts that are connected with the issue under discussion. This is, of course, natural, since we are in the process of breaking new ground. I am sure, however, that this state of affairs causes as much distress to you, Mr. Chairman, as to us, since it is in the tradition of both Roman and Greek jurisprudence to insist on clarity of legal terms and precision of legal thought. Furthermore, the practical possibilities of exploiting the resources of the sea are in need of further study and intensive research. In other words, we believe that the work of the *Ad Hoc* Committee in both the legal and the scientific fields should be pursued and developed in a more thorough and systematic way.

100. It is well known that other matters, which are in fact matters of extreme importance, still remain unsolved and may require lengthy exchanges of views between all interested parties. It is with these considerations in mind that my delegation intends, when the time comes, to support the draft resolution on this item introduced by Belgium [A/C.1/L.425 and Add.1-4] on the first day of our debate [1588th meeting], providing for the establishment of a committee on the sea-bed and ocean floor. We believe that such a committee is necessary if we are to do serious and constructive work in the time ahead of us.

101. Finally, may I be allowed to inform this committee that, in view of the interest generated in Greece in the exploration of the ocean floor, my Government intends to establish a co-ordinating body with a two-fold task. Firstly, it will endeavour to co-ordinate national research and undertakings related to the exploration of the sea-bed. Second, it will examine, within the limits of its possibilities, means of co-operation with international efforts in this field, offering facilities and lending technicians, scientists, etc.

102. I believe that I interpret also the feelings of other small countries in expressing the view that, despite the tremendous difficulties and risks involved, there appear to be greater possibilities for all concerned to participate in international efforts in exploration of the depths of the sea than in outer space.

103. It is in this spirit that my country welcomes the United States proposal of an international decade of ocean exploration [A/C.1/L.429].

104. The CHAIRMAN: I thank the representative of Greece for the kind words of congratulation which he extended to me and to all my colleagues in the Bureau.

105. Mr. THACHER (United States of America): My delegation is unable formally to speak to the draft resolution which is now before the Committee in document A/C.1/L.429. With your permission, Mr. Chairman, we should like to do so on Monday of next week.

106. On behalf of the co-sponsors, however, I may say that we circulated this draft resolution at this time in order to bring it to the attention of all members of this Committee without delay. It is the intention of the co-sponsors to welcome additional co-sponsorship and, towards this end, as well as in the hope of gaining broad support for this proposal, the co-sponsors will be receptive to suggestions for changes in the text.

107. Mr. GHAS (Afghanistan): Mr. Chairman, in spite of your appeal to the members of the Committee to dispense with congratulations to the chair, it would be difficult for a representative of Afghanistan to take the floor and not to convey to you, Sir, as the representative of Italy, his heartfelt congratulations. Therefore, I should like at the beginning of this brief intervention to present to you, Mr. Chairman, our congratulations on your elevation to the high office of Chairman of this important Committee.

108. The cordial relations happily existing between our countries gives my delegation immense pleasure in seeing you preside over our deliberations. The exemplary manner in which you have conducted the work of the Committee so far has proven the wisdom of the Committee in electing you to this high office and confirms us in our belief that under your able guidance the work of the Committee will bear fruitful results.

109. Our sincere felicitations go equally to our Vice-Chairman and our Rapporteur on their respective elections.

110. The delegation of Afghanistan is grateful to the *Ad Hoc* Committee to Study the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction, appointed last year by the General Assembly, for having presented to us an excellent report in document A/7230.

111. The *Ad Hoc* Committee has admirably succeeded in defining and delineating the various aspects of this complex problem and has further clarified the positions of different Governments.

112. It is a matter of satisfaction to note that the Committee was able to incorporate in its report a set of draft general principles which could usefully serve as the basis for the elaboration of legal norms and regulations governing the peaceful uses of the sea-bed and the ocean floor underlying the high seas.

113. We believe that some of these principles which command general acceptance could even as of this session be elaborated upon and endorsed by the General Assembly.

114. Now that man is beginning to explore and exploit underwater resources extensively, it is essential that the efforts of the United Nations in this regard be given new emphasis.

115. We believe that it is generally agreed that, firstly,

“The sea-bed and ocean floor and the subsoil thereof beyond the national jurisdiction of the States are the common heritage of mankind and that no State may claim or exercise sovereignty over any part of the area,”  
[see A/7230, para. 88, draft declaration (a), (1)]

and, secondly,

“The exploration, use and exploitation of the sea-bed and ocean floor and the subsoil thereof shall be carried on exclusively for peaceful purposes” /*ibid.*, (2)].

116. The logical consequence of the implementation of these principles creates an obligation for the international community to find ways and means of safeguarding this common heritage for the benefit of mankind.

117. It is clear therefore that the search for meaningful endeavours regarding 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 must be accelerated and that the work initiated by the *Ad Hoc* Committee must be continued.

118. To this end we agree with the proposal to establish within the United Nations system a standing committee which would co-ordinate international activities in this field and strive to elaborate measures of international co-operation.

119. We are happy to note that the establishment of such a committee has been proposed in document A/C.1/L.425 and Add.1-4, which was eloquently introduced a few days ago by the representative of Belgium.

120. The delegation of Afghanistan congratulates the sponsors for having presented the Committee with a valuable document. However, the delegation of Afghanistan believes that in this draft resolution no adequate mention has been made of the interests of the countries without sea coasts.

121. We hope that we are all agreed that all States, including the land-locked countries, have the right to share equally the resources of the area of the sea-bed and ocean floor reserved for mankind.

122. This basic fact has been enunciated in draft principle 4 of draft declaration (a) contained in the conclusions in paragraph 88 of the report of the *Ad Hoc* Committee.

123. The representative of Afghanistan, while speaking on the item proposed by the representative of Malta last year, stated:

“It is imperative that the resources beneath the oceans of the world be used for the benefit of all mankind; as the high seas are open to all nations, the resources underlying the high seas beyond the limits of present national jurisdiction should be accessible to all States and should be considered the common heritage of all the countries of the world, including those countries which have no sea coast. In this connexion the delegation of Afghanistan

wishes to state that in all future studies and arrangements—legal, economic and political—regarding the régime of the sea-bed, the ocean floor, their subsoil and the exploitation of their resources, the special situation of the land-locked countries should be taken into account. These countries should enjoy, on an equal footing with all other States, the use of resources released by the sea-bed and the ocean floor underlying the high seas. They should have, on equal terms with coastal States, free access to the resources of the deep sea. Furthermore, it should be open to them, as to any other State, to participate in any international endeavour, be it bilateral or multilateral, to explore and exploit the waters and the land beneath the high seas for the benefit of mankind” [1528th meeting, para. 144].

124. It was because of these considerations that we felt that in these early stages of the work of the United Nations regarding the matter at present under discussion adequate mention should be made in the draft resolution of the equal interests of the land-locked countries in the resources of the area. This preoccupation led us to present the amendment standing in our name in document A/C.1/L.427. In this connexion I wish to draw the attention of the Committee to a slight error in the amendment which in its present form reads as follows:

“including the equal interests of the land-locked countries in the resources of the sea”.

The last part of that phrase should be deleted and, for the sake of brevity, the amendment standing in the name of my delegation should read as follows:

“including the equal interests of the land-locked countries.”

This amendment [A/C.1/L.427/Corr.1] to document A/C.1/L.427 relates to the form of the draft resolution [A/C.1/L.425 and Add.1-4] rather than to its substance.

125. The underprivileged situation of the land-locked countries in matters of trade, development and access to the sea has long been recognized by the international community and reflected in relevant international documents. It should also be said that this special situation has been kept under review by various international organizations, notably the United Nations Conference on Trade and Development (UNCTAD).

126. The developing land-locked countries are faced with tremendous problems of development which are further complicated by their hampered access to the sea. It is highly desirable that their underprivileged situation should in all fairness be singled out in this draft as in all other instruments related to the access to the sea and the exploitation of its resources. Furthermore, our formula would have the merit of drawing attention not only to the special situation of the developing land-locked countries but to the situation of the developed land-locked countries as well. It should be understood that whatever the degree of the development of the developed land-locked countries and the extent and scope of the arrangements into which those countries might have entered with the coastal States, they will remain handicapped by their geographically disinherited position.

127. We agree with the sponsors and in fact with the majority of the members of this Committee that the

exploitation of the waters and the subsoil of the high seas should be carried out for the benefit of mankind as a whole, which in our view means all countries with or without a sea coast. In stressing the equal rights of the land-locked countries in this regard we have merely stated this fact and clarified further the purpose of the seventh paragraph of the preamble.

128. We hope that the sponsors of the draft resolution will find it possible to accept this simple and factual amendment.

129. If these amendments are not accepted by the co-sponsors, we request you, Sir, to put them to a roll-call vote.

130. We have also submitted document A/C.1/L.428, a sub-amendment to document A/C.1/L.426 and Add.1, the amendment by Kuwait, Venezuela and Saudi Arabia to document A/C.1/L.425 and Add.1-4. This is a minor change, which would render the text comprehensive in such a way as to cover all land-locked countries, developing and developed alike.

131. We will appreciate it very much if this slight change could be accepted by the co-sponsors of the amendment.

132. The CHAIRMAN: I thank the representative of Afghanistan for the tribute he paid to the long-standing friendship existing between his country and my own. I thank him also for the complimentary words he addressed to me and to all my colleagues in the Bureau.

133. Mr. KHANACHET (Kuwait) (*translated from French*): Mr. Chairman, you will forgive me if I go against your wishes and take the liberty of extending my delegation's congratulations to you and to the other officers of the Committee. Your unanimous election is the tribute this Committee has paid your outstanding qualifications and to those of your collaborators.

134. The representative of Afghanistan has submitted a slight change—or sub-amendment—to the amendment to document A/C.1/L.426 and Add.1 submitted by Kuwait, Venezuela and Saudi Arabia. The sub-amendment submitted by the delegation of Afghanistan appears in document A/C.1/L.428. I am authorized by the delegations of Saudi Arabia and Venezuela to agree on their behalf to the sub-amendment just proposed by the representative of Afghanistan.

135. We are happy that he called our attention to this point which, thanks to his sub-amendment, will be more effectively put before the Committee.

136. Despite the clarification made yesterday by the representative of Venezuela when he submitted our amendment, we gained the impression that there is still some confusion and doubt in the minds of several delegations with regard to the meaning of our first amendment. Yesterday, the representative of Venezuela stated [1593rd meeting]: “In our amendment, the first paragraph states: ‘In sub-paragraph (b) delete the words . . .’ In reality, it is not a deletion, since the words appear further on, in paragraph 2.”

137. Despite this clarification, as I have just said, many delegations still have some doubts and are confused about the meaning of this amendment. In the opinion of the sponsors, there is no question of deleting these words; we intend to retain them in the sub-paragraph we propose to add to the draft resolution.

138. I hope that this clarification will dispel any doubts and confusion as to our intentions, since all three delegations fully agree that this idea should be retained, in one way or another, whether in our own wording or in some other form. I repeat, however, that the idea itself should be retained in the draft resolution and in the amendment.

139. The CHAIRMAN: I thank the representative of Kuwait for the congratulations he extended to the Chairman and to the other members of the Bureau.

140. Before adjourning I should like to give the Committee some good news. It is that there will be no meeting tomorrow, 2 November, as, in principle, was planned. Instead, we shall have two meetings on Monday, 4 November. If we are not meeting tomorrow it is because we are proceeding according to schedule, and for this I should like to express the sincere appreciation of all the members of the Bureau to thank members for their co-operation.

*The meeting rose at 6 p.m.*