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AD HOC COMMITTEE TO STUDY THE PEACEFUL USES OF THE SEA-BED AND
THE OCEAN FLOOR BEYOND THE LIMITS OF NATIONAL JURISDICTION

Second Session

ECONOMIC AND TECHNICAL WORKING GROUP

SUMMARY RECORDS OF THE FIRST AND EIGHTH TO ELEVENTH MEETINGS*

Held at Headquarters, New York,
from 18 June to 3 July 1968

Chairman:

Mr. DENORME

Belgium

Rapporteur:

Mr. PROHASKA

Austria

The list of representatives attending the session is found in documents
A/AC.135/INF.1 and Add.1-5.

* No summary records were prepared for the 2nd to 6th meetings of the Working Group. The summary record of the 7th meeting (closed) was issued separately.

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SUMMARY RECORD OF THE FIRST (PUBLIC)* PART OF THE FIRST MEETING

Held on Tuesday, 18 June 1968, at 3.20 p.m.

Chairman:

Mr. DENORME

Belgium

* No summary record was prepared for the second (closed) part of the meeting.

OPENING OF THE SESSION: STATEMENT BY THE CHAIRMAN

The CHAIRMAN said that physical maps of the ocean floor had been considerably improved during recent years, but even now those maps were hardly more accurate than the maps of the earth's surface which had been published two centuries ago. Knowledge of the geological structure of the ocean floor and its subsoil was even more limited. The task of oceanography was as immense as the expanse and depth of the oceans themselves, and that in itself indicated the extent of the need for scientific research on a world-wide scale.

It was on the basis of that inevitably fragmentary knowledge that the Working Group would have to conduct its studies. There was no doubt that various countries and private enterprises were already becoming interested in the riches buried beneath the ocean, and in view of increasing demands for energy and minerals they were likely to become more and more interested. As technology developed more rapidly, it would be possible to exploit submarine mineral resources at progressively greater depths. Some conceded that the development of those resources would gradually be extended from the continental shelf to the continental slope and then to the subsoil of the ocean floor, but they added that, without detailed scientific knowledge of the extent and distribution of the resources of the sea, it would be a long time before those resources could be exploited. The optimists, on the other hand, pointed out that scientific programmes of oceanographic exploration were being undertaken on an increasingly large scale, and stressed the fact that industries which had hitherto confined themselves to working the subsoil of the continental shelf were becoming increasingly interested in potential reserves of minerals which might be extracted from the depths of the ocean. They noted that, with the improvement of technical processes, the prospects of exploiting those resources on a profitable basis were becoming less and less problematical, and that the volume of industrial investment in that sector was a clear indication that substantial progress might be expected within the very near future.

The terms of reference established for the Ad Hoc Committee in resolution 2340 (XXII) concerned the study of the sea-bed and the ocean floor "beyond the limits of national jurisdiction". That formula was intended to provide a tentative indication of the area concerned, without affecting the claims of certain States

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(The Chairman)

to sovereignty or jurisdiction, but it was not part of the Economic and Technical Working Group's task to define the geographical area covered by that expression. The working hypothesis on which the Working Group should base its discussions could be expressed in the following terms: whatever limits might be fixed for the continental shelf, there would always be an area which could be described as the "sea-bed and the ocean floor and the subsoil thereof", underlying the high seas and beyond the limits of the national jurisdiction of coastal States. That was the area which the Working Group should consider. With regard to the legal régime governing the ocean floor, the Working Group should not discuss the respective merits of the two conflicting theories - one that the ocean floor was res nullius like the superjacent waters, and the other that the ocean floor and the subsoil thereof should be considered as res omnium communis - but should consider the economic implications of those two alternatives and in particular the various possible kinds of administrative machinery for developing the mineral resources of the sea beyond the continental shelf.

Consequently, the Group's plan of work might cover five aspects of the question it had been asked to study. The first topic to be studied might be entitled "Evaluation of the extent of the mineral resources of the ocean floor and their geographical distribution". The conclusions would inevitably be provisional, but the chapter on those questions in the Secretary-General's report on the resources of the sea (E/4449/Add.1, pp. 5-37) would help the Group in its task. The second topic might be entitled "Present state and foreseeable development of technology in the field of the exploration, evaluation and exploitation of such resources"; on that topic, too, the three chapters of the Secretary-General's report dealing with those questions (E/4449/Add.1, pp. 38-86) would provide ample documentation which could serve as a basis for the discussions. The third topic might deal with the "Possibility of exploiting such resources from the standpoint of technological progress and the profitability and soundness of investments". Those problems had been dealt with in various reports, and, in particular, in pages 89-91 of document E/4449/Add.1. There was every reason to think that the exploitation of the mineral resources of the ocean would, before long, become not only technically feasible but also economically profitable. It would therefore be advisable to consider what its effects might be, and that particular study, which would be the fourth item in the plan of work, might be concentrated on three aspects: the "economic implications

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(The Chairman)

for the world market", a question which had been the subject of a preliminary note by the Secretariat (A/AC.135/14); the "possible repercussions on other uses of the sea" - in other words, the conflicts of interest that might arise between traditional maritime activities and new uses of the ocean floor (the Secretariat had prepared a note on that question as document A/AC.135/15; and "the possibility of exploiting such resources for the benefit of all mankind", in accordance with the terms of the preamble to General Assembly resolution 2340 (XXII) and with emphasis on the problems which, in the Secretary-General's opinion, required special attention (E/4449/Add.1, pp. 87-94).

In his statement on 27 March 1968, Mr. Amerisinghe, Chairman of the Ad Hoc Committee, had said that the working groups would be free in their reports on their respective spheres of work to include any indications regarding practical means of promoting international co-operation which might emerge during their consideration of their work. In his report on marine science and technology, the Secretary-General had reviewed the main fields in which international co-operation was necessary, and had made a number of specific proposals in that connexion (E/4487, pp. 76-85, and annexes XIII and XIV). It would be useful to go through those proposals and consider - that would be the fifth item in the plan of work - the "prospects for international co-operation in the development and exploitation of the resources of the ocean floor".

In conclusion, he expressed his appreciation for the work done by the Ad Hoc Group of Experts on Marine Science and Technology under the authority of the Under-Secretary-General for Economic and Social Affairs; he welcomed the representatives of the specialized agencies and other inter-governmental bodies, and expressed the conviction that all delegations would contribute to the success of the session.

ADOPTION OF THE AGENDA (A/AC.135/WG.2/R.1)

Mr. KORT (Union of Soviet Socialist Republics), after noting that the Chairman had very properly stressed the inadequacy of knowledge of the resources of the sea, pointed out that the agenda was not complete, since all the aspects of the problem must be listed. The five items proposed dealt only with technical and economic questions, and the scientific aspects were not mentioned. The members of the Group had received an excellent document from the Inter-governmental

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(Mr. Kort, USSR)

Oceanographic Commission which dealt with those scientific aspects and which could serve as a basis for discussion. He accordingly proposed that an item entitled "Principal scientific problems raised by the exploitation of the mineral resources of the ocean floor" should be added to the agenda.

The CHAIRMAN said that the five items to which the Soviet Union representative had just referred appeared in document A/AC.135/WG.2/R.2, which had been issued only as a suggestion, but that the provisional agenda proposed for adoption would be found in document A/AC.135/WG.2/R.1.

Mr. MUZIK (Czechoslovakia) proposed that item 3 of document A/AC.135/WG.2/R.1 should be amended to include a reference to the consideration of the scientific aspects, so as to take account of the Soviet representative's proposal.

The CHAIRMAN asked the representative of Czechoslovakia whether he was making a formal proposal. He recalled that on the previous day the Chairman of the Ad Hoc Committee had stated that the scientific aspects of the question would be studied by that Committee itself and not by the Working Group. If the representative of Czechoslovakia submitted a formal proposal, any decision on it would have to be taken at the level of the Ad Hoc Committee.

Mr. MUZIK (Czechoslovakia) said that if the Working Group limited itself to discussing the economic and technical aspects and left out the scientific aspects, it would be difficult for it to carry out its task in a reasonable way.

Mr. GAUCI (Malta) said that there were no strict lines of demarcation between the various areas to be studied by the Working Group, and it would be appropriate to learn the views of the Ad Hoc Committee on the proposed amendment.

Mr. ABDEL-HAMID (United Arab Republic) requested that the preliminary statement by the Chairman should be circulated separately, as the statements of the Chairman of the Legal Working Group and the Chairman of the Ad Hoc Committee had been. The scientific aspects, he thought, came within the province of the Ad Hoc Committee, but the members of the Working Group should be allowed to study them as well. A recommendation should therefore be submitted to the Ad Hoc Committee concerning the amendment proposed by the Soviet representative to amend the opening words of agenda item 3 to read: "Consideration of the scientific, technical and economic aspects...".

The CHAIRMAN asked the representatives to submit to him in writing any motions or amendments which they wished to propose. If there were no objections he would take it that the agenda was adopted.

It was so decided.

CONSIDERATION OF THE ECONOMIC AND TECHNICAL ASPECTS OF THE STUDY WHICH THE AD HOC COMMITTEE HAS BEEN REQUESTED TO PREPARE FOR THE GENERAL ASSEMBLY ACCORDING TO RESOLUTION 2340 (XXII)

The CHAIRMAN recalled that at the ninth meeting of the Ad Hoc Committee (A/AC.135/SR.9), the Chairman had made a statement to the following effect: "It was proposed that the Working Group should conduct their business in informal sessions, during which no record would be maintained; each Group would decide when it should meet in formal session and summary records of the formal proceedings would be provided". He himself now suggested that, for the purpose of considering the third agenda item, the Economic and Technical Working Group should meet in informal sessions and representatives should notify him in advance when they wished to make a statement in formal session.

It was so decided.

Mr. McKELVEY (United States of America) said that man's present knowledge of the mineral resources beneath the ocean had resulted largely from extrapolation of his knowledge of land resources and from the scientific discoveries of ocean scientists. The Economic and Technical Working Group should therefore not neglect the question of the scientific exploration of the sea-bed, for that would determine the pacing of sea-bed development.

The first four chapters of the report on the mineral resources of the sea beyond the continental shelf (E/4449/Add.1) gave a good general idea of the distribution of sea-bed minerals. That document could serve as an excellent basis for the report of the Working Group to the Ad Hoc Committee. The report submitted by the Intergovernmental Oceanographic Commission should also be of use to the Working Group. It was desirable, however, for the Working Group to avoid legal questions, for they were beyond its scope; it should, for example, confine its use of the term "continental shelf" to the geologic connotation.

Turning to the programme of work suggested by the Chairman (A/AC.135/WG.2/R.2), he said that so far as item 1 (Evaluation of the extent of the mineral resources of

(Mr. McKelvey, United States)

the ocean floor and their geographical distribution) was concerned, the Working Group should summarize the current extent of human knowledge of the distribution of sea-bed resources, both in the continental margins and in the deep ocean basins, but should not hesitate to point out how limited that knowledge was and to identify the need for expanding it.

On item 2 (Present state and foreseeable development of technology in the field of the exploration, evaluation and exploitation of such resources), the Working Group should discuss separately the different technologies related to production of minerals from drill holes, by dredging and from underground mining. With regard to scientific exploration, the situation seemed to be reasonably clear, but it would probably be difficult to project man's ability to evaluate mineral deposits, particularly solid minerals, even in shallow water. Exploitation had thus far been limited to depths of about 100 metres.

Regarding item 3 (Possibility of exploiting such resources from the standpoint of technological progress and the profitability and soundness of investments), it would probably not be possible to develop meaningful cost analyses on the basis of hypothetical projections of the supply of and demand for sea-bed minerals. The Working Group should nevertheless try to identify some of the economic factors which would have a bearing on sea-bed development.

On item 4 (Possible consequences of the exploitation of such resources), he stressed the importance of possible repercussions on other uses of the sea (sub-paragraph (b)), such as fishing, navigation and recreation. The note by the Secretariat (A/AC.135/15) should be helpful in that regard. The other aspects of the item would probably not require extensive deliberation. He questioned whether detailed consideration should be given now to determining how hypothetical exploitative activities might influence world prices. Similarly, he did not think it was entirely appropriate for the Working Group to discuss schemes for exploiting sea-bed resources for the benefit of all mankind. Its activities should be limited to assembling technical and economic data to provide a basis for the broader deliberations of the Ad Hoc Committee.

With regard to item 5 (Prospects for international co-operation in the development and exploitation of the resources of the ocean floor), he stated his belief that all nations could benefit from international collaboration. He

(Mr. McKelvey, United States)

welcomed the recent recommendations of the Intergovernmental Oceanographic Commission supporting an expanded programme of ocean exploration and expressing the Commission's readiness to serve as a focal point for such a programme. The Working Group should consider the possibility of organizing such international programmes and of building on those which already existed.

In conclusion, he proposed that the Working Group should proceed with the agenda suggested by the Chairman (A/AC.135/WG.2/R.2) and consider organizing its report along similar lines. The report should be brief and couched in language understandable by all. It should contain only the main conclusions relating to the tasks of the Ad Hoc Committee. The excellent documents prepared by the Secretariat would appear as annexes.

The meeting rose at 4.15 p.m.

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SUMMARY RECORD OF THE EIGHTH MEETING

Held on Friday, 28 June 1968, at 10.30 a.m.

Chairman:

Mr. DENORME

Belgium

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PROCEDURAL MATTERS

The CHAIRMAN noted that the Economic and Technical Working Group was meeting formally because two delegations had requested that it should discontinue closed meetings and that summary records should be resumed. For administrative reasons, it had not been possible to meet that dual requirement in any other way.

It should be recalled that the Economic and Technical Working Group, while adhering strictly to the terms of reference assigned to it by the General Assembly in its resolution 2340 (XXII), and bearing in mind that the Ad Hoc Committee had decided that it would itself deal with the scientific aspects of the exploitation of resources of the ocean floor, had felt that it was not always possible to separate technical problems from scientific matters and had decided that its members might refer to the scientific aspects of the items under consideration.

POSSIBLE CONSEQUENCES OF THE EXPLOITATION OF MINERAL RESOURCES OF THE OCEAN FLOOR (A/AC.135/WG.2/R.2):

(c) POSSIBILITY OF EXPLOITING SUCH RESOURCES FOR THE BENEFIT OF MANKIND AS A WHOLE (E/4449/Add.1)

Mr. ARORA (India) pointed out that, although the members of the Ad Hoc Committee had agreed that the ocean floor, beyond the continental shelf, harboured resources which could be exploited for the benefit of mankind as a whole, no one as yet knew exactly the magnitude of such resources, how they would be exploited or what authority would be responsible for organizing their exploitation. Those questions should therefore be studied in detail. With regard to administrative and legal problems, his delegation wished to repeat the proposal which it had made at the first session of the Ad Hoc Committee, namely, that the Secretariat should, as suggested by the Secretary-General (A/C.1/952, para. 9), undertake "a study of the legal framework which might be established for the deep sea resources, the administrative machinery which may be necessary for effective management and control, the possible system of licensing and various possible arrangements for redistributing and/or utilizing the funds which would be derived therefrom, including those earmarked for the benefit of the developing countries" Such a paper, suggesting various solutions to the problems involved, would facilitate the work of the Ad Hoc Committee and help it to formulate the necessary recommendations.

Mr. BACESCU (Romania) commended the Chairman on the impartiality and skill which he had shown and the Secretariat on providing the Working Group with documentation of high quality.

The resources of the ocean floor should be internationalized and exploited for the benefit of all. Scientific research must be continued and the existing technology in that field must be improved. Thought should be given to exploiting not only the wealth on the ocean floor, but also the resources contained in its subsoil, such as thermal energy. For the time being, attention should be concentrated entirely on determining the exact location of known resources and undertaking further exploration. In that respect, the Ad Hoc Committee should draw the attention of States to the importance of oceanographic research, in which the International Oceanographic Decade proposed by the United States delegation might play an important role. Since there were sufficient natural resources on land to meet the needs of mankind for another fifty years, and since an increase in the supply of certain primary products might be to the detriment of the economies of many developing countries, it was desirable to postpone the actual exploitation of the resources of the ocean floor until a later date. For the present, regulations should be drawn up prohibiting pollution of the waters of the sea, over-exploitation of fish resources, and any military utilization of the ocean floor. His Government was ready to co-operate in scientific research and in formulating a satisfactory administrative and legal régime.

Mr. LIVERMORE (Australia) noted that the great majority of delegations were agreed on the following points. Firstly, the ocean floor harboured mineral resources of significance, on which only fragmentary information was available. Secondly, while exploration techniques utilizable at great depths had been devised, corresponding production techniques were not yet available. Thirdly, exploration techniques must be improved and a study must be made of the resources and characteristics of the ocean floor, preferably through international co-operation. Fourthly, there were grounds for cautious optimism that, with further work and the progress of science and technology, new resources would be discovered. Fifthly, for technical and economic reasons, the resources of the ocean floor might not be exploited for ten or twenty years, but it was realistic to expect that they would

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(Mr. Livermore, Australia)

be exploited. Finally, against that background, it was timely that consideration should be given to arrangements for utilizing the resources in question in a manner compatible with General Assembly resolution 2340 (XXII).

In the view of his delegation, the international co-operation sought by the Assembly in that resolution meant the need for internationally agreed arrangements concerning, firstly, the exploration and exploitation of the mineral resources of the ocean floor, and, secondly, the boundary between the ocean floor and the areas subject to national jurisdiction. The Working Group should therefore draw the attention of the Ad Hoc Committee, and through it the General Assembly, to the need for continued study of those two points. As the United Kingdom representative had observed, the lack of such agreements, and consequently of safeguards, would be extremely prejudicial to any commercial activity. For the present, therefore, attention should be given to exploring the ground, and all possibilities should be kept in mind, including the establishment of an international régime under United Nations auspices.

Mr. FLEMMING (United Kingdom) observed that, whereas specialists, engineers and technicians displayed extreme caution in discussing the exploration and exploitation of the mineral resources of the sea, the rapid progress made in that sphere gave rise to statements containing such terms as "urgent", "spectacular" and "revolutionary". The impression thus given was that unless immediate action was taken it would be too late. What should in fact be borne in mind most of all was that such progress, however spectacular it might be, was measurable.

Certain political and legal questions seemed to fall within the area of competence of the Legal Working Group, and it would be a waste of time for the Economic and Technical Working Group to neglect essentially economic and technical questions in order to tackle problems which should in fact be considered by the Legal Working Group and the plenary Committee.

The importance of freedom to undertake scientific research must be emphasized, and the Economic and Technical Working Group had an obligation to specify what measures were needed to ensure that freedom. Among them might be mentioned freedom of navigation, notification of voyages by survey vessels, the carrying of foreign specialists on board such vessels, the publication of results, the training of

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(Mr. Flemming, United Kingdom)

oceanographers, and so forth. Commercial surveys should also be conducted; there could be no objection to discoveries which were valuable both to those making them and to other countries. It should be remembered that the exploration of resources preceded their exploitation by several years, and it was not, therefore, a source of income until later. There should be provision in the future for the registration of areas which were being explored and, to some degree, guarantees against any interference therein. However, he did not see how that problem could be settled at the present stage. The creation of extensive administrative machinery would doubtless lead to prolonged delays between the exploration of resources and their exploitation. There was a considerable risk that delays, even at the exploration stage, would be costly. Delay and uncertainty, and consequent discouragement, must also be avoided at the exploitation stage. Some means must be found for settling any disputes, registering concessions, setting rates of royalties and taxes, preventing pollution, and so forth.

It was essential that the report of the Economic and Technical Working Group should state precisely what requirements were needed of a régime which might regulate the exploitation of the resources of the sea-bed in the interests of mankind.

Mr. McKELVEY (United States of America) agreed with the comments made by the representatives of Australia and the United Kingdom. He suggested that the two issues raised by the Australian delegation should be included among the principles to be adopted by the Ad Hoc Committee. He agreed with the representatives of the United Kingdom, Romania and India that there should be an international agreement concerning the arrangements governing the exploitation and exploration of the mineral resources of the sea. The Economic and Technical Working Group should give in future detailed consideration to every suggestion made in that connexion. The requirements that any such arrangements must meet that were mentioned by the United Kingdom representative were relevant and his own delegation agreed with them, but it had a few additional requirements of its own. In the first place, the need to ensure the protection, security and conservation of the marine environment must be borne in mind; secondly, means must be available to prevent the economic and social dislocations which could result from the exploration and exploitation of the mineral

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(Mr. McKelvey, United States)

resources of the sea; thirdly, the necessity for providing various services (aids to navigation, charts, geological surveys, weather forecasts, etc.), in order to encourage the exploration and exploitation of those resources, must be foreseen.

He believed that other delegations would have suggestions to add regarding the requirements to be met by an international régime, whatever its character might be. The suggestions already made should, however, be examined forthwith by the Economic and Technical Working Group.

Mr. PANYARACHUN (Thailand) expressed satisfaction with the excellent documentation prepared by the Secretariat and other bodies. The Secretary-General's report (E/4449/Add.1) confirmed the existence of large quantities of minerals on the sea-bed and the ocean floor and in the subsoil thereof. While only the exploration stage had as yet been reached, a means should be found, before it was too late, to ensure the systematic and orderly exploitation of the mineral resources of the sea. In that connexion, it was urgently necessary to establish criteria whereby such exploitation would be carried out in the interests of the world community and of all mankind. His delegation agreed with the representative of Ceylon that an international régime to govern the exploration and exploitation of the resources of the sea-bed beyond the limits of national jurisdiction must be established under United Nations auspices. It was ready to join the other members of the Ad Hoc Committee in considering the possibility of establishing an international régime which would benefit all peoples and enable the mineral resources of the sea to be exploited in an orderly manner. The United Nations was the body apparently best suited to constitute the framework for such an international régime.

Some delegations feared that the Economic and Technical Working Group might be exceeding its terms of reference if it considered what must be done to establish the proposed international legal régime. In his delegation's view, however, the Working Group was fully entitled to express its ideas on the subject, which could later be considered by the Legal Working Group.

As the representatives of Malta and Ceylon had pointed out, the orderly exploitation of the resources of the ocean floor in the interests of all mankind should be approached at the international level, and the administrative machinery

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(Mr. Panyarachun, Thailand)

which was necessary for that purpose might be provided through the establishment of an international body under United Nations auspices, as suggested by the Ceylonese delegation. In that connexion, it was noteworthy that the report prepared by the Secretariat (E/4449 and Add.1) envisaged the establishment of such administrative machinery, the need for which should be acknowledged by the international community as soon as possible.

The CHAIRMAN, summing up the discussion, said that, firstly, there were various possibilities for exploiting the mineral resources of the sea-bed and the ocean floor. The international régime under the auspices of the United Nations which was recommended by some delegations was one of those possibilities. Secondly, any such régime should be established in the interests of mankind as a whole. The Working Group seemed to be unanimous on that point. Thirdly, the advantages and disadvantages of the various systems which might be proposed would have to be studied carefully. Fourthly, some delegations had stressed the possible disadvantages of a bureaucratic superstructure which might cause considerable delays in the development of the resources in question. Lastly, one delegation had suggested that the Working Group should recommend to the Secretary-General to undertake a detailed study of the international machinery which might be established for the purpose of exploiting those resources.

Mr. KORT (Union of Soviet Socialist Republics) pointed out that the suggestion for such a study had been made by one delegation and not by the Working Group as a whole. He questioned whether such a recommendation would be timely. The Working Group had been instructed to study the economic consequences of the proposed jurisdictional régime and not to work out the machinery for it, which would be the task of the Legal Working Group.

The CHAIRMAN concurred with the Soviet representative and asked whether the delegation which had made the suggestion wished to submit a formal proposal to that effect.

Mr. BACESCU (Romania) thought that a fifth point, dealing with the protection of animal and mineral resources against water pollution, should perhaps be added to the Chairman's summary.

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The CHAIRMAN said that note had been taken of that comment, and that it would be reflected in the report. His summary had dealt only with item 4 (c), which the Working Group had just been considering.

Mr. McKELVEY (United States of America) proposed that a sixth point should be added, in order to take into account the suggestions of a number of representatives, to the effect that the Working Group recognized and was able to specify the economic and technical requirements which would have to be met under any acceptable international arrangement.

Mr. ARORA (India) said that the objection raised by the Soviet representative was valid but he did not see the problem in the same way. In his opinion, the task of the Working Group should not be too circumscribed. The proposed report should be drawn up; it would in no way exceed the Working Group's terms of reference. The Ad Hoc Committee might itself submit a request to that effect, but he would not press the point. He also endorsed the Chairman's summary.

Mr. FLEMMING (United Kingdom) questioned the practical value of the two points which it had been proposed should be added to those enumerated by the Chairman. The second point, in particular, was largely academic.

Mr. LIVERMORE (Australia) recalled that his delegation had suggested that the Working Group draw the attention of the Ad Hoc Committee to the need to define the areas in which the proposed activities would be carried out. He considered that that suggestion had the support of the Working Group. It was impossible in that regard to separate legal considerations entirely from economic activities. In any event, a decision should be taken on the matter at an early date and the Working Group should stress the point.

The CHAIRMAN noted that it had been agreed to consider the draft report as a matter of priority on the following Monday; he therefore suggested that consideration of item 5 should be postponed until a later date, if possible during the coming week. Alternatively, the Working Group might submit an interim report and, subject to the approval of the Ad Hoc Committee, consider item 5 at the third session at Rio de Janeiro.

It was so decided.

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Mr. SELLI (Italy) said that he had to leave New York that afternoon and asked the Chairman to allow him to make a statement on the question of the organization of scientific activities. Recalling that the sea-bed and subsoil of open seas and oceans undoubtedly contained abundant mineral resources, he considered that at the present stage of science and technology, the exploitation of such resources was still a very risky undertaking. The main problem now was to acquire a far more extensive scientific knowledge of the ocean and its resources, and it was necessary for that purpose to establish active international co-operation. It was to be hoped that such an effort, which would require considerable financial resources, would make possible the acquisition and exchange of experimental data and findings through voluntary co-operation. Other problems of even greater immediacy arose in connexion with the delimitation of the continental shelf, the continental slope and national jurisdiction. Those questions should be considered realistically. Since the oceans did not constitute a single entity and had very definite and different characteristics depending on the locality, it was very difficult to find a single definition to cover all cases. From an over-all viewpoint, two distinct parts of the seas and oceans as a whole might be considered: the oceans proper, with the continental shelf and the continental slope, and inland and marginal seas. There were also geological, oceanographical, biological and practical grounds for such a distinction. The evolution of the structure of inland seas had been the same as that of the adjacent land, whereas the history and evolution of the oceans had been completely different. From the oceanographic viewpoint, the physio-chemical characteristics (salinity, temperature, etc.) of the water of inland seas were very different from those of oceans. With regard to pollution, petroleum derivatives and radio-active waste could attain a higher degree of concentration in inland seas than in oceans. Moreover, the exploration and exploitation of the resources of the floor and subsoil of those seas presented the same problems for all riparian countries, as was shown by the many bilateral and multilateral treaties concerning the demarcation of the intermediate zones of inland seas. In order to facilitate the study of the peaceful uses of the sea-bed and ocean floor, his delegation proposed that the problems relating to inland seas should be studied separately from those relating to oceans. In the study of inland seas, it should be possible to obtain the active co-operation of the riparian countries.

Mr. HAQUE (Pakistan) said that the developing countries were unable to participate to the extent that they would like in the exploration of the resources of the ocean floor because they had insufficient financial, scientific and technical resources. His delegation considered that the exploitation of such resources for the benefit of mankind, which was the title of agenda item 4 (c), should be carried out with the assistance of the more developed countries and under such conditions as to benefit all nations. The task of the Working Group was to co-ordinate activities to that end, and it had a very important role to play in that regard because it had to ensure that the exploitation of the resources of the sea-bed and ocean floor was carried out in an equitable manner.

The meeting rose at 12.50 p.m.

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SUMMARY RECORD OF THE NINTH MEETING

Held on Monday, 1 July 1968, at 3.20 p.m.

Chairman:

Mr. DENORME

Belgium

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1 ADOPTION OF THE REPORT OF THE WORKING GROUP TO THE AD HOC COMMITTEE
(A/AC.135/WG.2/R.4 and Add.1)

Mr. PROHASKA (Austria), Rapporteur, introducing the draft report of the Working Group, said that the sections on items 1, 2, 3 and 4 (a) of the programme of work were drafted on the same lines as the provisional papers which had been circulated earlier in the session except that representatives' comments on those papers had been taken into account.

No provisional papers had been circulated on items 4 (b) and (c) but, comments by delegations on the sections of the draft report dealing with those items would be taken into account in the final text of the report.

The CHAIRMAN said that, in accordance with the procedure agreed upon at the seventh meeting, he would invite delegations first to make general statements on each item in the programme of work in order to supplement the statements which they had made earlier in the session; secondly, to submit - if possible in writing - specific amendments which the Working Group would consider when it came to deal with the draft report paragraph by paragraph; and, thirdly, to make general observations on the report as a whole.

Paragraphs 1-3

Mr. DEJAMMET (France) said that as the information contained in the report by the Secretary-General on mineral resources of the sea (E/4449/Add.1) was extremely valuable but not exhaustive, individual countries might be invited to submit supplementary information on the techniques they were using for sea-bed research. His own country had submitted a report on its sea-bed research activities to the Seventh World Petroleum Congress in Mexico in 1967 and would be glad to make available to the Working Group the information contained in that report.

Mr. AEDEL-HAMID (United Arab Republic) proposed that a new sentence, worded as follows, should be added at the end of paragraph 1:

"Some of these meetings were informal, and accordingly no summary records of them were prepared."

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Mr. PARDO (Malta) proposed that the final sentence in the existing text of paragraph 1 should be reworded as follows:

"The Working Group held... meetings during the period 18 June to ... July 1968."

Further, paragraph 3 should contain a sentence stating that the Working Group had assessed the existing state of scientific exploration and technical knowledge of the sea-bed.

Mr. ROMAGNOLI (Italy), after referring to a statement made by his delegation at one of the Working Group's formal meetings, proposed that a sentence should be inserted in the introductory section of the draft report to the effect that the problems concerning the peaceful uses of the sea-bed and ocean floor should be examined in a separate context for the oceans, on the one hand, and for the internal and/or marginal seas, on the other hand, in view of their objective differences and diversity in geology, geography, oceanography and other aspects.

Mr. GOBAF (Argentina) proposed that the Working Group should incorporate at some point in the report a statement to the effect that his and other delegations, while expressing their general approval of the report by the Secretary-General on the mineral resources of the sea (E/4449/Add.1), had criticized some of the comments made in the report on the ground that they went beyond the scope of a report of that kind. In addition, he wished to reserve his delegation's position on document A/AC.135/WG.2/R.4.

Mr. BUSTANI (Brazil) said that he too would have to reserve his Government's position on the many technical points raised in the Working Group's draft report.

Mr. KORT (Union of Soviet Socialist Republics) said he did not think that the draft report placed sufficient emphasis on the basic ideas by which the Working Group ought to be guided in arriving at correct and effective recommendations. In his delegation's view, the main conclusions emerging from the documents prepared by the Secretariat, and from the Working Group's discussions, could be summarized in the following manner. First, considerable reserves of mineral resources in the form of ferro-manganese nodules, phosphorite deposits

(Mr. Kort, USSR)

and other materials did exist on the ocean floor, but as present knowledge of deep-water mineral resources was quite inadequate for planning any operations to exploit them, an extensive programme of oceanographic research should be organized on an international basis. Secondly, minerals such as petroleum, gas and certain rare dispersed elements did exist on the continental shelf and were already being exploited to some extent, but, as General Assembly resolution 2340 (XXII) was not applicable to the continental shelf, the exploration and exploitation of the mineral resources of that part of the sea-bed should be conducted on a national basis or on the basis of bilateral or multilateral agreements between States. Thirdly, with the aid of present-day equipment for research on the marine environment and its resources, it was quite possible to study the ocean floor at the very greatest depths, but work of that kind would take a great deal of time and require a large number of surface and submarine vessels and oceanographic buoys. It would, for example, take a hundred vessels about 200-250 years to produce a geological survey of the floor of the Pacific Ocean alone. Fourthly, present-day technical equipment for exploiting the mineral resources of the sea could be used only to depths of 100-150 metres, but, with the technical advances already achieved or anticipated, it was hoped that equipment for exploiting deep-water mineral resources could be developed within the coming decade. On the other hand, no methods had as yet been developed for extracting pure metals from minerals found on the sea-bed and ocean floor.

Accordingly, if deep-water mineral resources were to be exploited on a sound technical and economic basis, the first requirement was to promote extensive international co-operation in research on the marine environment and its mineral resources and in the development of processes and equipment for exploiting those resources. A comprehensive programme of oceanographic research designed to facilitate the exploitation of deep-water mineral resources should include research not only on the composition and geographical location of existing reserves, but also on the formation - and rate of formation - of marine mineral resources, the sources from which they were formed (such as the run-off of terrigenous materials from the continents into the ocean), the composition and volume of organic and chemical materials dissolved and suspended in sea water, etc.

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(Mr. Kort, USSR)

It should also include research on the environmental conditions - such as sea currents, waves and swells, the physical and chemical characteristics of sea water, biological accretions and corrosion of metal and concrete - in which mineral resources would in future be exploited, and on the possibility of forecasting weather conditions and climatic changes.

In order to study all those factors, and to investigate the location of deep-water resources, oceanographic research would have to be undertaken over large areas of the ocean floor and, indeed, over the entire world.

A comprehensive programme of oceanographic research could not be launched without extensive international co-operation. The UNESCO Intergovernmental Oceanographic Commission, in collaboration with all the United Nations specialized agencies concerned, was successfully developing co-operation of that kind, and the United States proposal for a Decade of Ocean Exploration would serve as a further stimulus for international co-operation.

He wished to draw the Working Group's attention to the important contributions to international co-operation in scientific research which were being made by Soviet scientists. Approximately 100 Soviet ships of various sizes were involved in oceanographic research in different areas of the ocean, and about 1,500 oceanographers were at work collating the data accumulated during the various expeditions. Much of the information collected by Soviet scientists was available to other scientists throughout the world through scientific centres, and the results of their work appeared in numerous Soviet publications which were available to oceanographers in all countries. Young specialists from the developing countries were receiving experience aboard Soviet research vessels and at oceanographic institutes in the USSR. It was the intention of the Soviet Government to implement a programme of broad international co-operation in the field of oceanography.

Programmes of international co-operation should be organized not only to carry out an expanded programme of oceanographic research but also to develop new technological methods for the exploitation of under-sea mineral resources and for the utilization of the oceanic environment as a whole. As current knowledge of deep-water mineral resources and the technical methods available for the extraction of pure metals did not yet make it possible to begin research on the economic feasibility of exploiting those resources, much additional research would be required along those lines.

(Mr. Kort, USSR)

On the basis of the documents prepared by the Secretariat and the discussions which had taken place, certain conclusions and recommendations could be made with regard to the organizational aspects of the matter. The appropriate specialized agencies should be requested to initiate intensive work, under the guidance of the Intergovernmental Oceanographic Commission, on the co-ordination of international efforts in oceanographic research. It would be useful to set up a non-governmental scientific body in which experts would be able to work objectively towards the solution of technical, engineering and economic problems related to the exploitation of submarine resources.

Legal problems, as reflected in the documentation, were of such complexity that, in the view of his delegation, it would be premature to establish special organizations or co-operative arrangements to deal with them at that stage. Although definitive solutions would be required when the economic exploitation of sea-bed resources actually began, they would have to await further research. Unfortunately, the legal situation had not been adequately reflected in the conclusions of the report; that was a problem which would have to be dealt with at subsequent meetings.

The CHAIRMAN, agreeing that gaps still remained in the report, noted that item 5 of the work programme had not yet been covered.

Mr. BENITES (Ecuador) said that the statements by the USSR representative concerning legal questions might have been made more appropriately in the Legal Working Group.

He wished to make it clear that while his delegation was prepared to support the draft report, it did not necessarily support all the ideas contained in it. Although approving the report as a reflection of the debate, his delegation could support its contents only with reservations.

Mr. FIGUEROA (Chile) said that his delegation, like that of Ecuador, considered the report to be a factual reflection of what had taken place in the Working Group, but that his delegation's approval of it was not to be taken to mean that it necessarily supported the ideas and judgements contained in the report. Its contents would have to be communicated to Governments before delegations could give their final opinion on it.

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Mr. de SOTO (Peru) said that he agreed with the statements made by the representatives of Ecuador and Chile. Although the report contained much useful scientific and technical information, his delegation reserved the right to withhold its opinion on it until a later date.

Mr. CASTELLANOS ARRIETA (El Salvador) said that while his delegation supported the report in principle, it reserved the right to make comments on specific points at a later stage.

The CHAIRMAN said that the suggestions made by the representative of France had been noted. The statement by the USSR representative, which was of importance in connexion with item 5, would be reflected in the meeting record, as would the reservations which a number of delegations had expressed. He suggested that the Working Group should proceed to consider the next part of the report.

Paragraphs 4-10

Mr. COX (Canada) proposed that in the second line of paragraph 5, sub-paragraph (a), the word "sharp" should be deleted. The last sentence of the same sub-paragraph should be redrafted as follows:

"Since there is seldom a sharp change in the slope, the point of maximum rate of change of slope is considered to be the edge of the shelf."

Mr. PARDO (Malta) said he did not agree that the word "sharp" should be deleted from paragraph 5 (a); the change, though not always sharp, was usually so. Perhaps "usually" or "often" could be inserted, but the word "sharp" should be retained. Similarly, in connexion with the amendment to the last sentence, "often" would be more appropriate than "seldom".

Since sea-mounts and guyots were included in the list of definitions, it would be appropriate to include an accepted definition for under-sea mountain chains and ridges, which were among the most impressive features of the ocean floor.

Paragraph 8 should be strengthened in order to emphasize further the importance of fostering research, and mention should be made of the important United States proposal to declare a Decade of Ocean Exploration.

In addition, more should be said about the resources of the marine subsoil.

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The CHAIRMAN suggested that the representatives of Malta and Canada should consult with each other in order to arrive at a compromise solution, which they could then submit to the Rapporteur.

The word "definition" did not appear in paragraph 5, since it might give rise to confusion and might have unforeseen legal consequences. The terms "description" and "working concept" had therefore been used to avoid such problems. If delegations agreed, the suggestion regarding mountain chains could be incorporated with advantage into paragraph 5.

Mr. PECORA (United States of America) said that the draft report reflected the debates of the Working Group and, with minor changes, would constitute a good representation of the economic and technical aspects of the problem. The terms "working concept" and "description" were well chosen and reflected the discussions which had taken place.

His delegation had previously referred to the distinction between the oceanic bloc and the continental bloc, of which the continental margin constituted the submerged portion, and he would like that distinction to be reflected in the report. The features of the ocean floor would then be divided between the continental margin and the ocean basin; the continental shelf, slope, terrace and rise could all be dealt with under the heading of the continental margin. Paragraph 5 (c) should refer only to the continental terrace, since the use of the word "margin" in that context would lead to confusion. The features pertaining to the ocean basin included mountain chains, small and deep basins, the abyssal plain, oceanic ridges, sea-mounts, guyots and abyssal trenches.

In paragraph 6 (c), the words "or on land" should be inserted after the words "in shallower water". The end of the first sentence of paragraph 7 should be amended to read: "only for a very small portion of the continental shelf". Finally, the end of the first sentence of paragraph 9 should read: "some exploration is already taking place".

Mr. HOLDER (Liberia) suggested that the use of the word "marked" in place of "sharp" in paragraph 5 (a) might help to achieve a compromise.

Mr. ANDPASSY (Yugoslavia) said that he, like the United States representative, considered the report to be of excellent quality.

He supported the Liberian suggestion concerning paragraph 5 (a), since it found support in oceanographic literature. Since the terms "sea-bed" and "ocean floor" were used in the report, it might be useful to explain them in paragraph 5. In connexion with paragraph 5 (f), it would be helpful to indicate that sea-mounts and guyots which rose to depths of less than 200 metres were described as shoals when they constituted a hindrance to navigation and as banks when they did not. He proposed that a sentence should be added at the end of that paragraph to read:

"In this connexion, it should be noted that these elevations are fairly numerous throughout the oceans and that a number of them are found at moderate depths from a few metres to 200 metres so that it is now possible, with the methods and techniques presently utilized, to exploit the natural wealth which may be found in them."

Mr. FLEMMING (United Kingdom) said he considered that the report had been well prepared. However, the comments made by the representatives of Canada, Malta and the United States were perhaps related to the fact that less emphasis had been given to sub-surface geology in the report than in discussions of the Working Group. If excessive consideration was given to the surface geometry of the ocean floor at the expense of geological considerations, problems were bound to result. He intended to submit amendments in writing which he hoped would correct that situation.

Mr. de BREUVERY (Representative of the Secretary-General) thought that it might be useful to include in paragraph 6 (c) a reference to minerals in solution, as occurred, for example, in the Red Sea deeps.

Mr. PROHASKA (Austria), Rapporteur, replied that such a reference could be inserted, although the subject was covered in paragraph 20 (c) (A/AC.135/WG.2/R.4/Add.1).

Mr. WALDRON-RAMSEY (United Republic of Tanzania) said the draft report reflected the debate that had taken place in the Working Group. Noting the desire of some delegations to make changes in terminology, he pointed out that the sense,

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(Mr. Waldron-Ramsey, Tanzania)

tone and balance of the draft report might be altered as a result. Although that would not be unusual, it would be dangerous to allow each delegation to submit changes to the Rapporteur in the hope that he would include them. Amendments required the approval of the Working Group as a whole and should reflect what had been said at the previous meetings.

The CHAIRMAN said that the purpose of submitting written amendments to the Rapporteur was to allow him to draw up a list and then circulate it among delegations in order to facilitate consideration of the draft report paragraph by paragraph. There was no question of such amendments being included automatically in the draft report.

Paragraphs 11-17

Mr. PARDO (Malta) thought that a distinction should be made in paragraph 12 between exploration for purely scientific purposes and the exploration of mineral deposits for economic purposes. Furthermore, paragraph 13 (a) dealt with exploration of mineral fuels and paragraph 13 (b) referred to preliminary evaluations, but no mention was made of exploitation. He felt that a logical presentation required paragraphs 15 and 16 to be reversed. Furthermore, the Chairman had stated that the time required for evaluation and exploitation of deep-sea mineral deposits would be influenced by future incentives, and while that point was referred to in paragraph 15, it had been omitted in paragraph 17.

Mr. PROHASKA (Austria), Rapporteur, replied that drilling for scientific purposes was mentioned in paragraph 16 (a). Paragraph 13 covered only exploration and evaluation; exploitation was dealt with in paragraph 14. He agreed, on the other hand, that it might be better to reverse the order of paragraphs 15 and 16.

The CHAIRMAN agreed that economic and scientific exploration were quite different in nature but pointed out that the introductory sentence of paragraph 12 clearly referred to "the economic process in the field of development of marine mineral resources".

Mr. ABDEL-HAMID (United Arab Republic) suggested that it might be worth while to replace the word "terms" in paragraph 12 by the words "working concepts".

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Mr. LIVERMORE (Australia) felt that there were certain inconsistencies in the draft report. For example, the matter of exploration, paragraph 13 (a) quoted a depth of less than 600 metres, whereas paragraph 16 (c) mentioned depth of 182 metres.

Mr. PROHASKA (Austria), Rapporteur, said he was aware of the differences but observed that paragraph 13 (a) referred to identification of specific deposits of hydrocarbons, while paragraph 16 (c) dealt with wildcatting, which he believed to be a much more difficult operation.

Mr. WALDRON-RAMSEY (United Republic of Tanzania) said that he agreed entirely with the Rapporteur, since wildcatting and identification were two very different matters.

Mr. PARDO (Malta) said that, after further consideration, he felt that the phrase "since major breakthroughs cannot be excluded" in paragraph 16 should be deleted, since it was too vague. It should be replaced by a list of the many factors which now made a major breakthrough much more probable than ten years ago.

Mr. PROHASKA (Austria), Rapporteur, pointed out that mention was made of incentives for an economic breakthrough in paragraphs 29-37.

Mr. KORT (Union of Soviet Socialist Republics) said that some of the confusion over paragraphs 16 (a) and (b) was due to the fact that the figure of 3,600 metres quoted in paragraph 16 (a) for experimental drilling for scientific purposes related to water depth.

Mr. PECORA (United States of America) emphasized that there was a difference between exploratory drilling and oil well completion. Drilling was being carried out successfully at great depths in order to determine the nature of the sediments penetrated by the drill. However, production of oil at the drill head came under a different category. Wildcatting meant a successful conversion to the exploitation process, and he therefore felt that paragraph 16 (c) would be clearer if the word "exploratory" was deleted.

Mr. FLEMMING (United Kingdom) suggested that the words "water depth" should be inserted where relevant in order to clarify the whole section of the draft report.

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The CHAIRMAN asked all delegations to submit any proposed amendments to the Rapporteur in writing by 10 a.m. on the following day.

Mr. KORT (Union of Soviet Socialist Republics) said that it would be very difficult for his delegation to comply with the Chairman's wishes in view of the fact that the documents had not been circulated in Russian; he reserved the right to make any appropriate comments at a later stage.

The meeting rose at 5.35 p.m.

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SUMMARY RECORD OF THE TENTH MEETING

Held on Tuesday, 2 July 1968, at 3.25 p.m.

Chairman:

Mr. DENORME

Belgium

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ADOPTION OF THE REPORT OF THE WORKING GROUP TO THE AD HOC COMMITTEE
(A/AC.135/WG.2/R.4 and R.4/Add.1)Paragraphs 18-28 (A/AC.135/WG.2/R.4/Add.1)

Mr. PARDO (Malta) proposed that in paragraph 20 (a) the word "perhaps" should be deleted and the words "many years" should be replaced by the words "some years"; that at the end of paragraph 20 (b) the words "many years" should be replaced by the words "some time"; and that, after paragraph 20 (c), a new sub-paragraph should be inserted reading as follows: "Sulphur is exploited on the continental shelf. Its development beyond the continental shelf is in process of investigation." In paragraph 21, first sentence, the words "all costs" should be replaced by the words "many of the costs". Believing that entrepreneurs should be assured of security of tenure, he proposed that paragraph 22, last sentence, should read as follows: "Moreover, any entrepreneur must be assured of security of tenure over an area containing marine mineral deposits larger than that normally necessary on land if he is to undertake their development." He queried the final sentence of paragraph 27, which he thought would lead to some confusion, for the possibility already existed of exploitation at a depth of 6,000 metres far beyond the limits of national jurisdiction, also, the statement made by the representative of Yugoslavia on banks should be taken into account. Being uncertain about the meaning of the words "in times of relative emergency" in paragraph 28 (e), he proposed that they should be replaced by the words "if circumstances so required".

Mr. PROHASKA (Austria), Rapporteur, pointed out that the delegation of Yugoslavia had submitted a written amendment covering the question of banks and that he himself had proposed an amendment to paragraph 27.

Mr. ANDRASSY (Yugoslavia) said that he wished to support the representative of Malta regarding the insertion of a sub-paragraph on sulphur, which was recovered in considerable quantities off the coast of Louisiana.

Mr. KORT (Union of Soviet Socialist Republics) expressed some doubt about the Maltese proposal to replace the words "many years" in paragraph 20; that wording was more realistic, for previous discussions had shown that a minimum of

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(Mr. Kort, USSR)

ten years would be required. He felt that the phrase "Governments or private enterprises" in paragraph 28 (f) should be replaced by the word "States", since the matter was being discussed on an inter-state level. Furthermore, if such a phrase as "and their security" was placed at the end of paragraph 28 (g), the whole of paragraph 28 (h) would become superfluous.

Mr. PECORA (United States of America) said that a written amendment to paragraph 31 had been submitted by his delegation. He suggested that in paragraph 24, second sentence, the word "primarily" should be inserted after the word "due". He proposed the following new text for paragraph 30:

"Some experience is already available with reference to the effects of present off-shore production of petroleum, in both the world market at large and in some local markets. In the two decades since off-shore production began, it has come to make up about 16 per cent of total world production and 6 per cent of the world's natural gas production. The new off-shore reserves and production have helped maintain a ceiling on prices which so far have generally been relatively stable. There has been a slight but rather steady downward trend in prices over the years. Considerable excess production capacity has developed, but its possible disruptive effects have been mitigated if not altogether prevented by artificial controls and other measures. Production from deeper parts of the sea-bed is not likely for a decade or two and perhaps longer. Because costs will increase with increasing depth, new production will be limited to that which can enter the market at existing prices. If the deep-sea sources prove large, however, they may help maintain a ceiling on prices of petroleum from other sources."

Mr. de BREUVERY (Representative of the Secretary-General) felt that it was important, in paragraph 23, for evaluation to be included in view of the fact that the contracts issued for exploration, evaluation and exploitation were of different types.

Mr. TILAKARATNA (Ceylon), supported by Mr. ARORA (India), said that it was essential in paragraph 28 (h) to retain the idea of international arrangements, which would be lost if the USSR amendment to paragraphs 28 (g) and (h) was adopted.

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Paragraphs 29-37

Mr. PECORA (United States of America) said that his delegation felt some concern about the reference to regulation of world markets and prices in paragraph 36 and therefore proposed that the second sentence of that paragraph should read: "The interest of the world community would, however, suggest the need for arrangements for exploitation of the mineral resources of the sea that would avoid...". Similarly, in paragraph 37 (d), the words "a future regulation" should be replaced by the words "future international arrangements", and the final part of that paragraph, beginning with the phrase "it has been suggested", should be deleted.

Mr. PARDO (Malta) said that as it was already cheaper to mine phosphate off-shore, the words "for the foreseeable future" in paragraph 32 did not correspond to the facts and should be deleted. Furthermore, as the statement in paragraph 35 (b), namely "it may be hoped that the developing countries will be less dependent on raw materials exports", represented but a faint hope, he recommended that that paragraph should be amended. He supported the United States amendment to paragraph 36, but expressed reservations concerning paragraph 37 (d).

Mr. FLEMMING (United Kingdom) said he agreed with the statement by the representative of Malta concerning paragraph 32 and thought it advisable, in that paragraph, to insert the word "large-scale" after the word "Likewise".

Paragraphs 38-47

Mr. PECORA (United States of America), noting that it was important to encourage publication of the results of research, suggested that in paragraph 39 the words "and scientific research activities" should be inserted after the word "fishing".

Mr. PARDO (Malta) said that he agreed with that suggestion. Expressing concern that pollution of the sea was not adequately dealt with, he suggested the insertion of the following sentence at the end of paragraph 43: "It was emphasized that these efforts should result in the drafting and eventual adoption of internationally binding provisions".

Mr. BUSH (Inter-Governmental Maritime Consultative Organization) pointed out that the conciliation of divergent interests was a task of the present as well as of the future. He suggested that paragraph 40 be reworded to make it clear

(Mr. Busha, IMCO)

that the task was already under study in the international organizations and must command increasing attention. He also proposed that the summing-up should include some mention of the safety aspect covered by paragraph 41. The words "and the means of exploitation must themselves be safe" might be added to paragraph 47 (a). Finally, since it was imperative that effective means of preventing pollution of all kinds should be sought, he suggested the insertion of the words "all forms of" before the word "pollution" in sub-paragraph (b), second sentence, of that paragraph.

Mr. WALDRON-RAMSEY (United Republic of Tanzania) said that although conflicting interests were mentioned in paragraph 47 (c), something must be said in paragraph 46 about a harmonizing of competing activities carried out in the interests of all mankind on the high seas and on the sea-bed and the ocean floor, a new field of endeavour which had to be reconciled with the traditional interests of navigation and fishing. It was necessary for a new régime to be established for new circumstances.

Mr. BACESCU (Romania), commenting on paragraph 39, said that the laying of submarine cables only occasionally led to interference. Furthermore, dredging techniques, as referred to in paragraph 44, did not necessarily cause pollution, and the damage to the sea-bed from explosions was due to the turbulence which they caused. As, moreover, submarine cable routes were well-known, the last part of paragraph 45 should be amended to read: "... more acute if the location of these cables is not exactly known".

Mr. PROHASKA (Austria), Rapporteur, said it was the general opinion that the location of submarine cables was not adequately known and that ITT was attempting to discover their location.

Mr. ARORA (India) endorsed the Romanian representative's comment on paragraph 39.

Mr. PARDO (Malta), referring to paragraph 54, said he thought there were some serious omissions in the list of basic requirements for internationally agreed upon arrangements governing operations for exploring and exploiting ocean floor minerals. In the first place, such arrangements should be feasible and should be acceptable to the international community; secondly, they should be efficient; and, thirdly, they should include the concept of international responsibility for any damage to the interests of individual States that might arise from exploitation of sea-bed resources.

(Mr. Pardo, Malta)

As the existing text of paragraphs 56 and 57 did not contain any reflection of his own delegation's view on possible régimes to regulate the exploitation of ocean-floor mineral resources, he proposed that the phrase "- or in relationship with -" should be inserted after the words "under the auspices of" in the second sentence of paragraph 56 and in paragraph 61 (g).

Mr. PANYARACHUN (Thailand) felt that there was some imbalance between the wording of paragraphs 52 and 53, on the one hand, and paragraph 59 on the other. While paragraphs 52 and 53 referred in tentative terms to consequences which might possibly arise from failure to reach agreement on some principles to govern the exploration and exploitation of marine resources, paragraph 59 referred in much more categorical terms to disadvantages which would inevitably arise from the establishment of international machinery. To eliminate that imbalance in the wording of the three paragraphs, he proposed that the word "might" in the sixth and seventh lines of paragraph 52, and in the second and sixth lines of paragraph 53, should be replaced by the word "would". The word "possibly" in the last line of paragraph 53 should be deleted. In paragraph 59, the word "possible" should be inserted before the word "disadvantages" in the third line, and the beginning of the second sentence should be redrafted to read as follows: "Such a machinery, if allowed to cause lengthy delays at all stages of its activities, ...".

In paragraph 61 (g) the word "think" should be replaced by the word "believe". In paragraph 61 (h) the word "may" should be replaced by the word "would". In paragraph 61 (j) the word "would" should be replaced by the word "might". In paragraph 61 (k) the word "may" should be deleted. In paragraph 61 (l) the words "one delegation" should be replaced by the words "some delegations".

The CHAIRMAN said that paragraph 61 (l) had been inserted at the request of the Indian delegation alone. If the Thai delegation supported the suggestion contained in that paragraph, the words "one delegation" might be replaced by the words "two delegations".

Mr. TILAKARATNA (Ceylon) said that his delegation associated itself with the suggestion referred to in paragraph 61 (l) and supported the Thai representative's proposal for replacing the words "one delegation" by the words

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(Mr. Tilakaratna, Ceylon)

"some delegations". He also supported the Thai representative's efforts to eliminate the imbalance in the wording of paragraphs 52, 53 and 59.

Mr. KORT (Union of Soviet Socialist Republics) proposed that the fourth sentence of paragraph 52 should begin with the words "Some delegations stated that ...", and that the fourth and fifth sentences should be combined into a single sentence.

In paragraph 54, sub-paragraphs (a), (b) and (c) were too detailed and should be combined into a single sub-paragraph as follows: "Means to ensure reasonable exploration and exploitation of the mineral resources of the sea-bed and ocean floor and to protect the rights of States engaged in these activities". Paragraph 54 should refer specifically to sea-bed research activities by States, and not by private companies.

Lastly, the following sentence should be added at the end of paragraph 59: "It was also pointed out that such machinery would to some extent hamper the establishment of co-operation between States in the exploration of the mineral resources of the world's oceans."

Mr. PECORA (United States of America) said his delegation believed that references to the private sector in the existing text of the report should be retained. He proposed that the words "reserve capability" in paragraph 54 (g) should be accompanied by some explanatory phrase or, possibly, be deleted. He supported the Maltese representative's amendment to paragraph 56. In paragraph 58, he proposed that the words "of various possible régimes," should be inserted after the words "the organizational aspects" in the first sentence, and that the words "this subject" later in the sentence should be replaced by the words "these subjects".

Paragraph 61 (b) should be redrafted to read as follows:

"There is also unanimous agreement that, in the interest of mankind as a whole, there should be international co-operation in the exploitation of the resources of the sea-bed and the ocean floor beyond the limits of national jurisdiction."

Paragraph 61 (c) should be redrafted to read as follows:

"In this connexion, the need was felt for an internationally agreed boundary delineating the area which should be subject to a régime for international co-operation."

(Mr. Pecora, United States)

Paragraph 61 (k) should be redrafted to read as follows:

"They further emphasized that, in view of population growth and general industrial needs, the interests of all mankind would benefit by an increase in the world's mineral resource base, no matter where these minerals might be found."

Mr. PARDO (Malta) suggested that the words "one delegation" in paragraph 61 (1) should be replaced by the words "a number of delegations".

Mr. ARORA (India) said that he supported the Thai representative's amendments. In the first sentence of paragraph 58, the word "understood" should be replaced by the words "stated by some delegations".

Mr. WALDRON-RAMSEY (United Republic of Tanzania) said that he supported the Indian representative's amendment to the first sentence of paragraph 58. The second sentence of the same paragraph should begin with the words "These delegations felt that...".

Mr. ARORA (India) agreed with the representative of the United Republic of Tanzania that both sentences of paragraph 58 should be amended.

Mr. YANKOV (Bulgaria) said that his delegation still adhered to its view that the Economic and Technical Working Group was not entitled under its terms of reference to discuss legal problems relating to the structure and functions of international machinery to regulate the exploitation of marine mineral resources, and that other United Nations bodies were more competent to deal with problems of that kind.

Mr. BACESCU (Romania) proposed that the beginning of paragraph 55 should be amended to read: "Agreeing that a vast area...". Referring to the last sentence of that paragraph, he said that as there was some question about how the further detailed examination was to be undertaken, and by whom, it might be advisable to delete that sentence. Since, moreover, the question of the Committee's competence to direct the work of other organizations arose in that connexion, perhaps item 4 (c), which had created a number of difficulties, should be considered by the Committee at its next session along with item 5.

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The CHAIRMAN said that the last sentence of paragraph 55 merely reflected suggestions which had been made by delegations. The Legal Working Group, the Ad Hoc Committee and other bodies would be in a position to engage in further examination of the question.

Mr. KORT (Union of Soviet Socialist Republics) pointed out that the Economic and Technical Working Group was exceeding its terms of reference in discussing legal and organizational problems. He supported and endorsed the statement made by the representative of Bulgaria and felt that it would be helpful to try to redraft the last part of the report in more general terms. The inclusion of additional comments in that section might offer possibilities for a solution.

Mr. WALDRON-RAMSEY (United Republic of Tanzania) said it was clear that there was a "great divide" between the developed and the developing countries and that certain developed countries would prefer the Committee's work to proceed very slowly in order to frustrate the interests of the developing countries. The Committee had been divided into two working groups merely for convenience, but it had uniform terms of reference and a unified work programme. The relationship between the various items of that work programme merely served to illustrate that the programme was unified. It was therefore quite proper to deal with all aspects of the problem as they arose. He recalled that the General Assembly had said nothing of any division of the Committee's terms of reference, and his delegation could not accept the political arguments that had been advanced by certain delegations and would tend to defeat the Committee's work. If the Economic and Technical Working Group was entitled to discuss the competence of the Economic and Social Council, it was likewise entitled to discuss international arrangements for co-operation. Such problems could not adequately be dealt with in the Legal Working Group because its work was being retarded by the preoccupations of the developed countries.

The debates which had been held in the Economic and Technical Working Group should be properly reflected in the report, and he therefore supported the Indian amendment to paragraph 58.

The CHAIRMAN said he was grateful to the representative of Tanzania for the compliments he had paid to the Economic and Technical Working Group, but he was not certain whether the criticism of the Legal Working Group was pertinent.

Mr. YANKOV (Bulgaria) said he hoped that the representative of Tanzania had not meant to include the Bulgarian delegation among those which desired to hinder the Committee's work. His delegation had taken an active part in preparing the draft of General Assembly resolution 2340 (XXII), and it was not the policy of his country to favour any division among States, especially as between the developed and the developing world. His country enjoyed the best of economic, cultural and political relations with the countries of Africa and Asia.

It was particularly important to his delegation that the matters before the Working Group should receive all the attention they deserved. It attached great value to United Nations efforts in that new field of activity and held that all suggestions should be properly considered without discrimination among States. His delegation rejected any allegation of discriminatory practices which might be applied to his country, particularly with reference to the question of the sea-bed. In his delegation's view, questions relating to the international régime to be established were within the Economic and Technical Working Group's terms of reference; those questions must, however, be discussed in an orderly manner, and legal problems should be referred to the Legal Working Group.

Mr. TILAKARATNA (Ceylon) said that his delegation had participated in discussions concerning international arrangements in both Working Groups. The feeling in the Economic and Technical Working Group was that the matter should be referred to the Legal Working Group, but the latter Group did not regard it as coming within its jurisdiction. The Chairman of the Legal Working Group had said in his statement (A/AC.135/WG.1/R.3) that the working groups were free to discuss matters which had a bearing on their work. He therefore appealed to the members to accept the Indian proposal.

Mr. PANYARACHUN (Thailand) said that, in principle, he supported the statements made by the representatives of Tanzania and Ceylon, without that, however, implying any reflection on the work of the Legal Working Group. The representative of Bulgaria had, on the other hand, also made a number of valid points, but since the work of the two working groups was bound to some extent to overlap, a certain degree of flexibility must be maintained. He recalled that it had not been decided whether the question of prohibiting the use of the sea-bed for military purposes was within the competence of the Legal Working Group or of the Ad Hoc Committee itself.

Mr. PARDO (Malta) said that although appreciating the objections raised by the Bulgarian representative, he had to agree with much of what had been said by the representative of Tanzania. The report should reflect the discussions which had taken place but should also have the widest possible support.

He proposed that the last sentence of paragraph 54 should be amended to read as follows:

"The Economic and Technical Working Group discussed the question, and a large number of representatives indicated in this connexion that internationally agreed upon arrangements should satisfy certain requirements including the following:"

A sub-paragraph (a) should be added, reading: "Any such arrangements should be feasible and acceptable to the international community". The following sub-paragraphs should be renumbered accordingly.

The following sentence should be inserted at the end of paragraph 58:

"Such a point of view was, however, strongly controverted by other representatives".

Mr. KORT (Union of Soviet Socialist Republics) said that the question of the Committee's terms of reference was not a purely formal matter, as the General Assembly was expecting a series of expert conclusions on the situation. It was important to find constructive ways of proceeding, and the Maltese suggestions would offer possibilities for a solution.

Mr. ARORA (India) said he generally agreed with the views of the representatives of Tanzania, Ceylon and Thailand and saw considerable merit in the Maltese proposal concerning paragraph 58.

Mr. FLEMING (United Kingdom) said he supported the statement made by the USSR representative; the report was intended to contain the statements of technical experts. In view of the progress which had been made, it would be unfortunate for the debate to be delayed by lengthy discussions of the Committee's terms of reference.

Mr. WALDRON-RAMSEY (United Republic of Tanzania) said that paragraph 58 should be made more precise. He proposed sub-amendments to the amendments submitted by India and Malta whereby the paragraph would begin with the words: "It was stated by representatives of some developed countries that the discussion...". The last

(Mr. Waldron-Ramsey, Tanzania)

sentence proposed by Malta would be amended to read: "Such a point of view was, however, strongly controverted by representatives of the developing countries."

Mr. KORT (Union of Soviet Socialist Republics) said that the Tanzanian sub-amendments would put his delegation in an awkward position. They went beyond even the legal aspects of the question to fundamentally political considerations; they tended to divide the delegations into different camps; and they were not really relevant to the Committee's work. The original Maltese amendment would be quite acceptable to his delegation, and he hoped it would not be necessary to go any further.

The CHAIRMAN said that a fruitful exchange of views had taken place on paragraph 53. While he was aware of the motives of the Tanzanian delegation in proposing its sub-amendments, he pointed out that time was running short. He inquired whether the Tanzanian representative intended to press his sub-amendment.

Mr. WALDRON-RAMSEY (United Republic of Tanzania) said he felt it necessary to reply to the statements made by the representatives of the USSR and the United Kingdom. The Committee was not a seminar for geologists, economists or nuclear scientists, but rather a body meeting in a political context to discuss political questions. He would withdraw his formulation if it was factually incorrect, but if it truly reflected the positions taken by delegations, he would maintain it.

Mr. BUSH (International Maritime Consultative Organization) suggested that it might be useful to specify what type of activities were referred to at the end of paragraph 54 (d); perhaps the word "maritime" could be inserted.

Mr. FIGUEROA (Chile) noted that paragraph 61 (c) had not been included in the Chairman's summary. He would prefer to see it deleted, but if it was retained, it should be made clear that it was not accepted by all delegations.

Mr. de SOTO (Peru), supporting the view of the representative of Chile, said that he did not recall any mention of that question in the debate. In any case, it was incorrect to include such a sentence under the heading "Generally accepted concepts".

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The CHAIRMAN said that the sentence had been added at the request of the Australian delegation after the original summary had been prepared and that no delegation had objected at that time. All reservations would, however, be recorded.

He explained that paragraph 62 had been included to indicate that the document was an interim report and that work still remained to be done.

Since the Working Group had concluded its consideration of the report on the first reading, he invited the members to begin consideration of the report paragraph by paragraph.

Paragraphs 1-3

Mr. PARDO (Malta), supported by Mr. FLEMMING (United Kingdom), proposed that the last sentence of paragraph 1 should be amended to read "The Working Group held twelve meetings during the period of 13 June to... July 1968."

The amendment was adopted.

Mr. NADA (United Arab Republic) proposed that the following sentence should be added at the end of paragraph 1: "Some of these meetings were held informally, and no record was kept."

The amendment was adopted.

Mr. PROHASKA (Austria), Rapporteur, proposed that a further sentence should be added at the end of paragraph 1, to read: "The meetings were attended by the representatives of thirty-five member countries of the Ad Hoc Committee as well as by representatives of UNESCO-IOC and IMCO."

Paragraph 1, as amended, was adopted.

Mr. GOWLAND (Argentina) proposed that a foot-note to paragraph 2 (a) should be included, to read: "In regard to the reference to the report on the resources of the sea (E/4449/Add.1), the delegation of Argentina noted that that document, which had not yet been considered by the competent body, proceeded to analyse the standards of the Geneva Convention of 1958 on the Continental Shelf in a manner which exceeded its terms of reference."

Paragraphs 3 and 4

Paragraphs 3 and 4 were adopted.

Paragraph 5

Mr. DEJAMMET (France) proposed that in the first sentence "the words "the following working concepts were considered useful" should be replaced by the words "the following working hypotheses were proposed".

The CHAIRMAN considered that the French representative's proposal to replace the word "concepts" by the word "hypotheses" was a drafting rather than a substantial amendment. The proposal to replace the words "were considered useful" by the words "were proposed" might, perhaps, be given further consideration after the Working Group had reached a decision on the amendments proposed to the various sub-paragraphs of paragraph 5.

It was so decided.

Mr. FLEMMING (United Kingdom) proposed that in the second sentence the word "geomorphologic" should be replaced by the words "geological and topographical", the word "geomorphologic" having a very specific meaning which was inappropriate in the present context. Furthermore, the subsequent part of paragraph 5 contained terms such as "sialic block", which were geological and not geomorphological terms.

Mr. PECORA (United States of America) proposed that the second sentence of paragraph 5 should be redrafted to read as follows: "They are related to both the geologic and topographic description of the sea floor and in no way prejudice any legal connotation which some of them may have in some other contexts".

Mr. PARDO (Malta) considered that the first and second sentences of the paragraph should be adopted without amendment.

Mr. ARORA (India), Mr. BACESCU (Romania) and Mr. ROMAGNOLI (Italy) supported the United Kingdom amendment to the second sentence.

Mr. PECORA (United States of America) said that, as his delegation's amendment to the second sentence differed from the United Kingdom amendment more in drafting than in substance, he too would be prepared to accept the United Kingdom amendment.

The United Kingdom amendment to the second sentence was adopted.

Sub-paragraph (a)

Mr. CROSBY (Canada) proposed that the existing text of sub-paragraph (a) should be replaced by the following:

"Continental margin: The submerged continuation of a continent under the sea. It is underlain by types of rocks similar to those underlying the remainder of the continent, and it is commonly sub-divided where possible into the continental shelf and the continental slope. A continental rise may be present overlapping the continental margin."

Mr. FLEMMING (United Kingdom) proposed that the existing text of sub-paragraph (a) should be replaced by the following:

"Continental margin: That region of the earth's crust where the continental sialic rocks are covered by the sea."

Mr. PECORA (United States of America) proposed that the existing text of sub-paragraph (a) should be replaced by the following:

"Continental margin: The part of the continental or sialic block of the earth's crust that is submerged beneath the sea, and conventionally includes major topographic features such as the continental shelf, continental slope, and locally a part of the continental rise."

Mr. PARDO (Malta) proposed that the existing text of sub-paragraph (a) should be retained. The continental margin, to which reference was made in the three amendments proposed, was often irregular or gradational and could not be defined with sufficient accuracy. If the existing text of sub-paragraph (a) was retained, the words "or terrace" should be deleted from the title of sub-paragraph (c).

Mr. PANYARACHUN (Thailand) supported the Maltese representative's proposal.

Mr. FLEMMING (United Kingdom) pointed out that there was some similarity between the Canadian, the United States and the United Kingdom amendments, all of which reflected the views of the geological community. The continental shelf, to which reference was made in the existing text of sub-paragraph (a), was not itself a geological feature but the result of the erosion of geological features over the past million years.

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Mr. ARORA (India) thought that the existing text of the sub-paragraph was preferable to any of the alternative texts proposed.

Mr. PECORA (United States of America) and Mr. CROSBY (Canada) thought that sub-paragraph (a) should contain a technical description of a specific geological feature.

Mr. KORT (Union of Soviet Socialist Republics) said that he agreed. He supported the text proposed by the United Kingdom, which was brief and unambiguous.

Mr. BACESCU (Romania) supported the text proposed by the United States.

Mr. PARDO (Malta) said that he would have no objection to the United Kingdom text if it was inserted in sub-paragraph (c) and qualified by a sentence saying that "This region of the earth's crust can seldom be determined with precision".

Mr. HOLDER (Liberia) said that he would be prepared to accept the United Kingdom amendment with the qualifying sentence proposed by the delegation of Malta.

Mr. FLEMMING (United Kingdom) said that if the Working Group referred to the difficulties of measuring the continental margin, it should logically refer to the difficulties of measuring all the other geological features mentioned in paragraph 5.

The CHAIRMAN suggested that the delegations of the United Kingdom, the United States and Canada might be requested to hold informal consultations before the Working Group's next meeting in the hope of reaching agreement on a generally acceptable text for sub-paragraph (a).

It was so agreed.

The meeting rose at 7.5 p.m.

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SUMMARY RECORD OF THE ELEVENTH MEETING

Held on Wednesday, 3 July 1968, at 3.25 p.m.

Chairman:

Mr. DENORME

Belgium

/...

ADOPTION OF THE REPORT OF THE WORKING GROUP TO THE AD HOC COMMITTEE
(A/AC.135/WG.2/R.4 and Add.1) (continued)

The CHAIRMAN recalled that the Working Group was not expected to adopt a complete report, its report to the Ad Hoc Committee being in the nature of an interim report. He suggested that the Working Group should continue its consideration of the report paragraph by paragraph.

Paragraph 5

Mr. FLEMMING (United Kingdom) said that his delegation, in consultation with those of the United States and Canada, had arrived at a compromise text for sub-paragraph (a), whereby a period would be inserted after the words "continental slope" in the first sentence, and the remainder of that sentence would become a new sentence reading as follows: "It occurs at various depths usually between 130 and 200 metres but exceptionally as shallow as 50 metres or as deep as 500 metres."

The text of a new sub-paragraph to be designated sub-paragraph (b) had also been agreed upon and would read as follows:

"Oceanic basin: that region of the earth's crust covered by water where the sialic rocks are thin or completely absent and underlain by simatic rocks."
In sub-paragraph (c) the words "margin or" should be deleted.

Mr. PARDO (Malta) said that he supported the new text for sub-paragraph (a) but felt that it should be placed after sub-paragraph (b).

He proposed that the following new sentence should be inserted at the end of paragraph 5: "The Working Group notes that it is often difficult to distinguish the exact areas covered by each term".

It was so decided.

Mr. CROSBY (Canada) proposed that the word "sharp" should be deleted from the first sentence of sub-paragraph (a).

Mr. PARDO (Malta) supported the proposal.

It was so decided.

Mr. PROHASKA (Austria), Rapporteur, said that sub-paragraph (f) should be replaced by the following text:

/...

(Mr. Prohaska, Austria)

"Sea-mounts: Isolated elevations of the deep sea floor, varying from relatively small peaks to massive structure; sea-mounts deeper than 200 metres, the top of which is a comparatively small platform, are called guyots."

Mr. KORT (Union of Soviet Socialist Republics) said that the new description proposed by the Rapporteur was more correct and would improve the report.

Mr. ANDRASSY (Yugoslavia) proposed that a new sub-paragraph, to be designated sub-paragraph (g), should be inserted reading as follows:

"Banks: Elevations of either the shelf or the deep sea to depths of less than 200 metres; conventionally, banks taken as 11 metres or less at mean low-water spring tides are called shoals. They are rather numerous and sometimes cover considerable surface."

It was so decided.

Mr. FLEMING (United Kingdom) proposed that a new sub-paragraph (h) should be added to read:

"Mid-ocean ridges: Broad mountain chains rising from the abyssal plains and extending for many thousands of miles."

Mr. KORT (Union of Soviet Socialist Republics) said that he supported the proposed description but proposed that a further sentence should be added to read: "The origin of the mid-ocean ridges is still unclear".

It was so decided.

Mr. PROHASKA (Austria), Rapporteur, said that the heading of the original sub-paragraph (g) should be amended to read: "Abyssal or Hadal depths:"

Mr. GOBBI (Argentina) said his delegation wished to record a reservation in the form of a foot-note to paragraph 5 reading:

"With respect to the basic concepts relating to the geomorphological description of the ocean floor, the delegation of Argentina reserved its opinion because it considered that the Working Group lacked sufficient technical evidence to formulate definitive evaluations."

It was so decided.

/...

Mr. KORT (Union of Soviet Socialist Republics) said that the continental rise referred to in sub-paragraph (d) was considered by Soviet oceanographers to be an oceanic rather than a continental formation and was called the sloping oceanic plain in Soviet usage. He proposed that a foot-note should be included to take account of those views.

It was so decided.

Paragraph 5, as amended, was adopted.

Paragraph 6

Mr. ROMIGNOLI (Italy) proposed that a new paragraph, to be numbered paragraph 6, should be inserted with the following wording:

"It was also stated that the problems concerning the peaceful uses of the sea-bed and the ocean floor should be examined in the future work of the Ad Hoc Committee separately for the oceans on the one hand and the internal and/or marginal seas on the other hand, in view of their objective differences and diversity in geology, geography, oceanography and other aspects".

It was so decided.

Mr. FLEMING (United Kingdom) proposed that, at the beginning of paragraph 6, the words "on and" should be inserted after the word "exist".

It was so decided.

Mr. FLEMING (United Kingdom) proposed that the first sentence of sub-paragraph (c) should read: "There are extensive but uneven deposits of manganese nodules on the deep ocean floor..."

Mr. PARLO (Malta) felt that there should be some qualification, since such deposits could be uneven both in quality and in quantity.

Mr. PROCHASKA (Austria), Rapporteur, suggested that the sentence should be worded: "There are extensive deposits of manganese nodules on the ocean floor uneven in distribution..."

Mr. KORT (Union of Soviet Socialist Republics) considered that it would be useful to add that the concentration of nodules varied within extraordinarily wide limits.

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Mr. PARDO (Malta) proposed that the matter should be left to the Rapporteur.

It was so decided.

Mr. LIVERMORE (Australia) proposed the insertion of a sub-paragraph (e) which would read: "Deposits in solution such as those in 'hot brines' discovered in the Red Sea with very high mineral constituents as well as geothermal energy may be resources for the future".

It was so decided.

Mr. BACESCU (Romania) proposed that in sub-paragraph (e), second sentence, the words "at the mouth of large rivers, where they are carried by heavy currents of turbidity," should be inserted after the word "localized,".

The CHAIRMAN pointed out that sub-paragraph (a) had already been dealt with and proposed that the matter should be left to the Rapporteur.

It was so decided.

Paragraph 6, as amended, was adopted.

Paragraph 7

Mr. FLEMMING (United Kingdom) suggested that the words "only for" in the first sentence should be replaced by the words "for a small part of".

Mr. PECORA (United States of America) said he had intended to propose that the same words should be amended to read: "only for a small portion of". In view, however, of the amendment proposed by the United Kingdom, he suggested that the final decision should be left to the Rapporteur.

It was so decided.

Paragraph 7, as amended, was adopted.

Paragraphs 8 and 9

Mr. LIVERMORE (Australia) proposed that the order of the paragraphs should be reversed and that the phrase "beyond the continental shelf" in paragraph 9, first sentence, should be transferred from its present position after the word "exist" and be inserted after the words "mineral resources".

It was so decided.

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Mr. PECORA (United States of America), supported by Mr. LIVERMORE (Australis), proposed that the word "exploitation" in the first sentence of paragraph 9 should be deleted and replaced by "exploration".

Mr. PARDO (Malta) supported by Mr. HAJUE (Pakistan), thought it advisable to mention that there was also some exploitation.

Mr. FLEMING (United Kingdom), supported by Mr. PECORA (United States of America) and Mr. YANKOV (Bulgaria), pointed out that there was no exploitation at depths of more than 200 metres and that it would therefore be incorrect to state that exploitation was being carried out beyond the continental shelf.

Mr. PARDO (Malta) said he had no objection to the deletion of the word "exploitation" but would like the words "that some exploration is taking place and that leases have been issued for the exploitation of such resources" to be inserted after the words "valuable resources exist".

The United States and Australian amendment, with the Maltese sub-amendment, was adopted.

Paragraphs 8 and 9, as amended, were adopted.

Paragraph 10

Mr. LIVERMORE (Australis), supported by Mr. ARORA (India), proposed the insertion of the phrase "with which the Working Group agrees" after the word "points".

Mr. PRCHASKA (Austria), Rapporteur, proposed that the same phrase should be inserted in all other sections of the draft report referring to the summing up of the debate by the Chairman.

Mr. DE SOTO (Peru) said he had no comment to make on the Australian amendment in that instance but, in connexion with the Rapporteur's proposal, reserved the right to object to the summing-up of other parts of the debate by the Chairman.

Mr. FLEMING (United Kingdom) proposed that the word "existing" in sub-paragraph (c) should be replaced by the word "extensive".

It was so decided.

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Mr. KORT (Union of Soviet Socialist Republics) thought that the only way to eliminate the existing inconsistency between sub-paragraphs (a) and (b) would be to insert the word "possibly" or "probably" before the word "exist" in sub-paragraph (a).

Mr. PECORA (United States of America) thought that it would be better to redraft sub-paragraph (a) as follows:

"It appears that substantial resources may exist beyond the continental shelf".

Mr. KORT (Union of Soviet Socialist Republics) said he was prepared to accept the text proposed by the United States representative.

Mr. TILAKARATNA (Ceylon) and Mr. YANKOV (Bulgaria) appealed to the Australian delegation to withdraw its amendment to paragraph 10. At an earlier meeting the Working Group had expressed its general approval of the Chairman's summary of the debate on item 1 of the programme of work, and the insertion of the words "with which the Working Group agrees" at the present stage would only hamper the adoption of the rest of the paragraph.

The CHAIRMAN proposed that further consideration of paragraph 10 should be deferred until a later stage.

It was so agreed.

Paragraph 11

Paragraph 11 was adopted.

Paragraph 12

Mr. ABDEL-HAMID (United Arab Republic) proposed that the word "terms" in the first line should be replaced by the words "working concepts".

It was so decided.

Paragraph 12, as amended, was adopted.

Paragraph 13

Mr. LIVERMORE (Australia) proposed that the latter part of sub-paragraph (a) should be replaced by the following text: "; the necessary

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(Mr. Livermore, Australia)

combination of capabilities required to discover specific deposits of hydrocarbons, however, is more limited. As at June 1968 the deepest water in which exploratory wells were being drilled was approximately 200 metres. New equipment is expected to advance this capability to 400 metres by the end of 1968 and 500 metres in 1969. It should be noted that the technology necessary to complete and bring a well into production is more complex and not as far advanced as for exploratory drilling".

It was so decided.

Paragraph 13, as amended, was adopted.

Paragraphs 14 and 15

Paragraphs 14 and 15 were adopted.

Paragraph 16

Mr. FLEMING (United Kingdom) proposed that the words "water depths without hole re-entry" should be added at the end of sub-paragraph (a).

Mr. LIVERMORE (Australia) proposed that sub-paragraph (a) should be redrafted to read as follows: "Experimental shallow drilling for scientific purposes (and without re-entry capability) had reached 3,600 metres in 1961 and is now being carried out in water depths of 6,000 metres".

Mr. PARDO (Malta) believed that it would be more correct to say that experimental shallow drilling for scientific purposes "had been" - rather than "is now being" - carried out in water depths of 6,000 metres.

Mr. FLEMING (United Kingdom) said that an extensive programme of drilling in water depths of 6,000 metres was at present in progress.

With regard to the Australian amendment, he said that the use of the word "shallow" in a sentence referring to drilling at water depths of 6,000 metres might be confusing to persons who were not familiar with petroleum terminology.

Mr. PECORA (United States of America) proposed that in the Australian amendment the word "shallow" should be replaced by the words "shallow-penetration".

Mr. LIVERMORE (Australia) accepted the United States representative's proposal.

The Australian amendment, with the United States sub-amendment, was adopted.

Mr. FLEMMING (United Kingdom) proposed that the words "water depth with hole re-entry" should be added at the end of sub-paragraph (b).

It was so decided.

Mr. PECORA (United States of America) proposed that the words "Exploratory drilling (wildcatting)" at the beginning of sub-paragraph (c) should be replaced by the words "Serious evaluation drilling".

Mr. PARDO (Malta) proposed that the word "(wildcatting)" should be retained after the words "Serious evaluation drilling".

Mr. PECORA (United States of America) accepted the Maltese representative's proposal.

The United States amendment, with the Maltese sub-amendment, was adopted.

Mr. FLEMMING (United Kingdom) proposed that the words "water depth" should be added at the end of sub-paragraph (c).

Mr. LIVERMORE (Australia) proposed that the words "as much as 182 metres" at the end of sub-paragraph (c) should be replaced by the words "approximately 200 metres".

Mr. PARDO (Malta) proposed that the words "water depth" should be added at the end of the Australian amendment.

Mr. LIVERMORE (Australia) accepted the Maltese representative's proposal.
The Australian amendment, with the Maltese sub-amendment, was adopted.

Mr. FLEMMING (United Kingdom) proposed that the words "water depth" should be inserted after the words "120 metres" in sub-paragraph (d).

It was so decided.

Mr. PECORA (United States of America) did not believe that there was as yet any production dredging for lead. He proposed that the word "lead" in the first line of sub-paragraph (e) should be replaced by the word "gold".

It was so decided.

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Mr. LIVERMORE (Australia) proposed that the following phrase should be added at the end of the third sentence in sub-paragraph (e):

"... particularly under the stimulus of the discovery of some very high grade deposits or of minerals in short supply".

The fourth and fifth sentences of the sub-paragraph should be deleted.

It was so decided.

Paragraph 16, as amended, was adopted.

Paragraphs 17-19

Paragraphs 17-19 were adopted.

Paragraph 20

Mr. PARDO (Malta) proposed that the words "many years" in sub-paragraph (a) should be replaced by "some years" and that the word "perhaps" should be deleted. He further proposed that the words "many years" in sub-paragraph (b) should be replaced by "some time".

It was so decided.

Mr. PECORA (United States of America) proposed that in sub-paragraph (b), third sentence, the words "on land and lower grade" should be replaced by "on land, lower grade" and that a comma should be inserted after the words "reasonable cost".

It was so decided.

Mr. PARDO (Malta) proposed the insertion after sub-paragraph (c) of a new sub-paragraph reading as follows: "Sulphur is exploited on the continental shelf. Its development beyond the continental shelf is in process of investigation".

It was so decided.

Mr. PECORA (United States of America) proposed that in the first sentence of sub-paragraph (d) the words "of 500 to 1,000 metres" should be replaced by "greater than 500 metres".

Mr. PARDO (Malta) thought that it would be preferable to say "greater than approximately 500 metres".

The United States amendment, with the Maltese sub-amendment, was adopted.

Paragraph 20, as amended, was adopted.

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Paragraph 21

Mr. PARDO (Malta) considered that, since the costs of marine mineral development might be drastically cut through the elimination of surface support, it would be better in the first sentence to replace the words "all costs involved" by "many of the costs involved".

It was so decided.

Mr. FLEMING (United Kingdom) proposed that the words "a dry hole" in the third sentence should be replaced by "a hole on land".

It was so decided.

Paragraph 21, as amended, was adopted.

Paragraph 22

Mr. PARDO (Malta) proposed that the final sentence should be amended to read: "Moreover, any entrepreneur must be assured of security of tenure over an area containing marine mineral deposits larger than that normally necessary on land if he is to undertake their development".

Mr. FLEMING (United Kingdom) said that the two concepts of security of tenure and a larger area were not necessarily linked. It was conceivable that smaller areas might possibly be more productive.

Mr. PARDO (Malta) agreed that the concepts were not necessarily connected but said that he would like both of them to be mentioned; he suggested that the final wording should be decided by the Rapporteur.

It was so decided.

Mr. KORT (Union of Soviet Socialist Republics) suggested the insertion of the words "Some delegations considered that" at the beginning of the paragraph.

The CHAIRMAN replied that note would be taken of that suggestion.

Paragraph 22, as amended, was adopted.

Paragraph 23

Mr. PRCHASKA (Austria), Rapporteur, proposed that the word "evaluation" should be inserted after the word "exploration".

It was so decided.

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Mr. LIVERMORE (Australia), supported by Mr. PARDO (Malta) proposed that the words "and security of title" should be inserted after the words "orderly progress".

It was so decided.

Paragraph 23, as amended, was adopted.

Paragraph 24

Mr. PECCRA (United States of America), supported by Mr. PARDO (Malta), proposed that in the second sentence the word "primarily" should be inserted after the word "due".

It was so decided.

Paragraph 24, as amended, was adopted.

Paragraphs 25 and 26

Paragraphs 25 and 26 were adopted.

New paragraph to be inserted after paragraph 26

Mr. ANDRASSY (Yugoslavia) proposed that the following new paragraph should be inserted after paragraph 26:

"It should be noted that the natural resources of banks and shoals at shallow depths ranging from a few metres to 200 metres can already be exploited with existing equipment and techniques."

Mr. PARDO (Malta) thought that the proposed new paragraph should contain a reference to the summits of the great oceanic mountain ridges as well as to banks and shoals.

Mr. FLEMING (United Kingdom) pointed out that most of the summits of the mid-oceanic mountain ridges were at depths greater than 1,000 metres.

Mr. BACESCU (Romania) and Mr. YANKOV (Bulgaria) thought that the Working Group should adopt the Yugoslav proposal without amendment. The purpose of the proposed new paragraph was not to list all geological features at shallow depths, but merely to indicate that present-day techniques and equipment were adequate for exploiting marine mineral resources down to a depth of 200 metres.

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Mr. PECORA (United States of America) thought that the point made by the Maltese representative could be met by incorporating in the proposed new paragraph a reference to "accessible portions of mid-oceanic ridges".

Mr. ANDRASSY (Yugoslavia) accepted the United States representative's proposal.

The new paragraph proposed by the Yugoslav delegation, as amended by the United States delegation, was adopted.

Paragraph 27

Mr. PRCHASKA (Austria), Rapporteur, said that the second sentence of the paragraph should be amended to read as follows:

"Indeed, the potential harnessing of thermal energy and recovery of elements contained in the magma or molten rocks through drilling into the Mohorovicic discontinuity could well add a new dimension to the exploitation presently discussed".

Paragraph 27 was adopted.

Paragraph 28

Mr. BACESCU (Romania) proposed that the following sentence should be added at the end of sub-paragraph (a): "The International Decade for Ocean Exploration, with the co-operation of such international organizations concerned with oceanography as IOC, ICSIMS, IAEA and IMCO might act as a stimulus for increased efforts".

The CHAIRMAN considered it inappropriate for the proposed new sentence to be included, since it referred to item 5 of the programme of work, which the Working Group had not yet considered in detail.

Mr. BACESCU (Romania) withdrew his proposal.

Mr. PARDO (Malta) proposed that in sub-paragraph (e) the words "in times of relative emergency" should be replaced by the words "if circumstances so require".

It was so decided.

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Mr. KCRT (Union of Soviet Socialist Republics) proposed that in sub-paragraph (f) the words "Governments or private enterprises" should be replaced by the word "States".

Mr. PARDO (Malta) said that he had no objection to the inclusion of the word "States", but that, in many parts of the world, private enterprises were as keenly interested as Governments in the exploration and exploitation of marine mineral resources.

Mr. KCRT (Union of Soviet Socialist Republics) said that any private company wishing to exploit the resources of the sea-bed would have to operate through its Government. The term "States" covered both Governments and private entrepreneurs.

Mr. PECORA (United States of America) proposed that the words "Governments or private enterprises" should be replaced by the words "States or their nationals".

It was so decided.

Mr. KCRT (Union of Soviet Socialist Republics) proposed that the words "and their security through adequate international arrangements" should be added at the end of sub-paragraph (g), and that sub-paragraph (h) should be deleted.

It was so decided.

The meeting was suspended at 6.30 p.m. and resumed at 6.50 p.m.

Paragraph 29

Paragraph 29 was adopted.

Paragraph 30

Mr. PECORA (United States of America) proposed that paragraph 30 should be replaced by the following text:

"Some experience is already available with reference to the effects of present off-shore production of petroleum, in both the world market at large and in some local markets. In the two decades since off-shore production began, it has come to make up about 16 per cent of total world production and 6 per cent of the world's natural gas production. The new off-shore reserves

(Mr. Pecora, United States)

and production have helped maintain a ceiling on prices which so far have generally been relatively stable. There has been a slight but rather steady downward trend in prices over the years. Considerable excess production capacity has developed, but its possible disruptive effects have been mitigated if not altogether prevented by artificial controls and other measures. Production from deeper parts of the sea-bed is not likely for a decade or two and perhaps longer. Because costs will increase with increasing depth, new production will be limited to that which can enter the market at existing prices. If the deep sea sources prove large, however, they may help maintain a ceiling on prices of petroleum from other sources".

Mr. PARDO (Malta) thought that the new text proposed by the United States representative gave an incomplete picture of recent developments in the off-shore production of petroleum. Though it was true that off-shore production had come to make up about 16 per cent of total world production, recent projections indicated that it would amount to about 40 per cent of total world production in the near future. Furthermore, production from the continental shelf was likely in less than a decade.

He proposed that, in the last sentence of the United States text, the words "the deep sea sources" should be replaced by the words "the sources beyond the continental shelf".

Mr. ARORA (India) associated himself with the Maltese representative's comments.

Mr. YANKOV (Bulgaria) and Mr. KORT (Union of Soviet Socialist Republics) said that their delegations had no information to confirm the forecasts made by the Maltese representative. Accordingly, if those forecasts were included in paragraph 30, the paragraph should begin with the words "Some delegations stated that..."

Mr. PARDO (Malta) said he understood that, according to official Soviet estimates, off-shore production of petroleum by the Soviet Union was likely to equal continental production by the end of the next decade.

Mr. KORT (Union of Soviet Socialist Republics) said that Soviet experts had indeed forecast a considerable increase in petroleum production on the continental shelf. However, the text proposed by the United States for paragraph 30 referred also to the prospects of production beyond the continental shelf, for which no reliable forecasts could as yet be made.

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The CHAIRMAN suggested that the Working Group should invite the delegations of the United States and Malta to submit, for consideration later in the meeting, a joint text for paragraph 30, bearing in mind the observations made by the delegations of Bulgaria and the Soviet Union.

It was so decided.

Paragraph 31

Mr. PECORA (United States of America) proposed that the word "land" should be inserted before the word "sources" at the end of the first sentence. In the third sentence, the words "but when it will become feasible" should be amended to read "but when it becomes feasible".

It was so decided.

Paragraph 31, as amended, was adopted.

Paragraphs 32-34

Paragraphs 32-34 were adopted.

Paragraph 35

Mr. PARDO (Malta) proposed that in the first line the word "excessively" should be inserted between the words "to be" and the word "concerned".

Mr. LIVERMORE (Australia) said that the word "unduly" would be more appropriate at that point.

Mr. PARDO (Malta) suggested that the matter should be left to the Rapporteur.

It was so decided.

Mr. PARDO (Malta) proposed that the final words of paragraph 35 (b) should be amended to read: "it is hoped that the developing countries will be less dependent on raw material exports".

Mr. ARORA (India) supported that proposal.

It was so decided.

Mr. PROHASKA (Austria), Rapporteur, said that a sub-paragraph (c) should be inserted to read as follows: "Moreover, world demand for these resources

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(Mr. Prohaska, Austria)

may be expected to grow with general industrial and economic development." In addition, the following sentence should be added at the end of the paragraph: "None the less the consequences of possible over-supply should be kept in mind."

Paragraph 35, as amended, was adopted.

Paragraph 36

Mr. PECORA (United States of America) proposed that the words "to consider a regulation of world markets and prices, in order to avoid" should be replaced by the words "the need for arrangements for the exploitation of mineral resources beyond the continental shelf that will avoid".

It was so decided.

Paragraph 36, as amended, was adopted.

Paragraph 37

Mr. PECORA (United States of America) proposed that the beginning of sub-paragraph (d) should be amended to read: "Thus, future international arrangements concerning...".

It was so decided.

Paragraph 37, as amended, was adopted.

Paragraph 38

Paragraph 38 was adopted.

Paragraph 39

Mr. YANKOV (Bulgaria) proposed that the beginning of the paragraph should be amended to read: "Exploration and exploitation of marine mineral resources are likely to lead to some...".

It was so decided.

Mr. PECORA (United States of America) proposed that the phrase "freedom of navigation and fishing" should be amended to read: "freedom of navigation, fishing and scientific research activities".

It was so decided.

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Mr. PROHASKA (Austria), Rapporteur, said that the beginning of the paragraph should read: "Exploration, evaluation and exploitation...".

Paragraph 39, as amended, was adopted.

Paragraph 40

Mr. PROHASKA (Austria), Rapporteur, proposed that the paragraph should be amended to read:

"Generally, it has been possible to conciliate divergent interests of the various conventional uses of the sea. The task of reconciling marine mineral development with the existing rights of navigation, fishing, research and others is already under study in the interested international organizations and will command increasing attention."

Mr. PARDO (Malta) said that he would prefer the last part of the second sentence to read "must command increasing attention".

The Rapporteur's amendment, with the Maltese sub-amendment, was adopted.

Paragraph 40, as amended, was adopted.

Paragraph 41

Mr. PROHASKA (Austria), Rapporteur, proposed the following wording for the paragraph:

"If the use of drilling rigs, production platforms and other devices for the development of marine mineral resources is not brought into harmony with existing regulatory régimes applied on the seas and oceans, they may constitute a hazard to navigation. In this context, the importance was also noted of ensuring the safe operation of craft used for marine mineral development and the safety of persons working on them."

Mr. ANDRASSY (Yugoslavia) felt that reference to the seas was sufficient and that it was superfluous to mention "and oceans".

The Rapporteur's amendment, with the Yugoslav sub-amendment, was adopted.

Paragraph 41, as amended, was adopted.

Paragraph 42

Mr. PROHASKA (Austria), Rapporteur, proposed that the paragraph should be amended to read:

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(Mr. Prohaska, Austria)

"Pollution caused by oil and chemical wastes represents a great hazard for the marine environment. The International Convention for the Prevention of Pollution of the Sea by Oil, formulated in 1954 and amended in 1962, is under constant review by IMCO which has also extended its studies to other agents of pollution."

Paragraph 42, as amended, was adopted.

Paragraph 43

Mr. PARDO (Malta) proposed the insertion of the following sentence at the end of the paragraph: "It was emphasized that these efforts should result in the drafting and eventual adoption of internationally binding provisions."

It was so decided.

Paragraph 43, as amended, was adopted.

Paragraph 44

Mr. BACESCU (Romania) proposed that the paragraph should begin with the words: "The burial of benthonic fauna through the turbidity resulting from intensive exploitation of marine sediments and dredging, and the use of explosives, ...".

It was so decided.

Paragraph 44, as amended, was adopted.

Paragraph 45

Mr. BACESCU (Romania) suggested that the words "if their location is not known" should be inserted at the end of the first sentence and that the second sentence should be deleted.

It was so decided.

Paragraph 45, as amended, was adopted.

Paragraph 46

Paragraph 46 was adopted.

Paragraph 47

Mr. BUSHA (Inter-Governmental Maritime Consultative Organization), supported by Mr. PARDO (Malta), proposed the insertion of the following words at the end of sub-paragraph (a): "nor should the safety of the devices of exploitation be overlooked".

It was so decided.

Mr. PROHASKA (Austria), Rapporteur, proposed that the final sentence of sub-paragraph (b) should read: "In particular, effective means of preventing all forms of pollution should be assured."

Mr. BACESCU (Romania) proposed that in the same sub-paragraph the words "the burial of benthonic fauna, leakages of petroleum from the deposits being worked, etc." should be inserted after the word "pollution".

It was so decided.

The Rapporteur's amendment, with the Romanian sub-amendment, was adopted.

Mr. PROHASKA (Austria), Rapporteur, proposed that in sub-paragraph (c) the words "in the framework of reglementation" should be replaced by the words "in the regulatory framework".

It was so decided.

Paragraph 47, as amended, was adopted.

Paragraphs 48 to 51

Paragraphs 48 to 51 were adopted.

Paragraph 52

Mr. PANYARACHUN (Thailand) proposed that in the sixth line the words "might accentuate" should be replaced by the words "would accentuate" and that in the seventh line the words "It might also" should be replaced by the words "It would also".

The two amendments proposed by the Thai delegation were adopted.

Mr. KORT (Union of Soviet Socialist Republics) proposed that the last sentence should be replaced by the following text: "Some delegates suggested that this might accentuate the economic imbalance existing between developed and developing countries, and it might also be an incentive for the former to grab and hold the areas which are most promising."

The CHAIRMAN said that the amendment proposed by the USSR representative did not take into account the amendments which had been made to the paragraph by the Thai delegation.

Mr. YANKOV (Bulgaria) said there should be no difficulty in adopting the Soviet Union amendment because the paragraph was clearly concerned with the economic and social disequilibrium between the developed countries and the others.

Mr. HAGUE (Pakistan) felt that the amendments proposed by Thailand could be made to the text suggested by the Soviet Union delegation.

Mr. PARDO (Malta), supported by Mr. ARORA (India) and Mr. PANYARACHUN (Thailand), proposed that the text proposed by the Soviet Union should be amended as follows: "Many delegates suggested that this would accentuate the economic imbalance existing between developed countries and the others, and would also be an incentive for the former to grab and hold areas which are the most promising".

Paragraph 52, as amended, was adopted.

Paragraph 53

Mr. PANYARACHUN (Thailand) proposed that in the sixth line the word "would" should be substituted for the word "might" and that in the last line the word "possible" should be deleted.

Mr. PARDO (Malta), supported by Mr. WALDRON-RAMSEY (United Republic of Tanzania), proposed that the conclusion of the paragraph should be worded as follows: "thus creating international tensions resulting in conflicts."

Paragraph 53, as amended, was adopted.

Paragraph 54

Mr. PARDO (Malta) proposed that the last sentence should be amended as follows: "The Economic and Technical Working Group discussed the question and a large number of representatives indicated in this connexion that internationally agreed upon arrangements should satisfy certain requirements, including the following:"

The amendment proposed by the representative of Malta was adopted.

Mr. PARDO (Malta) also proposed that a new sub-paragraph (a) should be added, reading as follows: "(a) Any such arrangement should be feasible and acceptable to the international community".

Mr. YANKOV (Bulgaria) said that internationally agreed upon arrangements should automatically be recognized by the international community.

Mr. PARDO (Malta) felt that it was useful to repeat that concept.
The amendment proposed by the representative of Malta was adopted.

Mr. KORT (Union of Soviet Socialist Republics) proposed that paragraph 54 (a), (b) and (c) should be replaced by the following: "(a) Means to ensure orderly exploration and exploitation of the resources in accordance with the existing rules of international law of the sea and the protection of the rights of all States".

Mr. PARDO (Malta) felt that proposal was useful and was ready to withdraw his amendment if the representative of the USSR was willing to insert before the words "means" the words "efficient and equitable".

Mr. WALDRON-RAMSEY (United Republic of Tanzania) said he had difficulty in accepting the Soviet Union amendment, even taking into account the suggestion made by the representative of Malta. He would like to know what were the existing rules of international law mentioned by the Soviet Union representative and who had elaborated them. Were they satisfactory and equitable and did they represent the interests of all States? For his part, he felt that the creation of a new system should be accompanied by new rules.

Mr. KORT (Union of Soviet Socialist Republics) accepted the proposal made by the representative of Malta. In reply to the comment made by the delegation of Tanzania, he pointed out that the formula he had proposed was general. Certainly, the existing rules of international law gave rise to problems which had, moreover, been considered within the Working Group. There existed, however, certain conventions embodying rules of international law such as freedom of navigation, the right of pursuit, etc. There was also the possibility of making provision for the elaboration of new rules.

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Mr. YANKOV (Bulgaria) proposed that the Working Group should accept the Maltese proposal and in the Soviet Union text should replace the words "existing rules of international law" by the words "rules of international law". The conventions on international law had often been drawn up in the absence of many members of the international community and international law in that field was going through a phase of transition and evolution.

Mr. HOLDER (Liberia) endorsed the comments made by the representatives of Tanzania and Bulgaria. The existing rules of international law were not satisfactory and the adoption of the Soviet Union proposal would tend to confirm them.

Mr. ARORA (India) supported the proposal made by the representative of Malta with regard to new sub-paragraph (a). The Working Group should also adopt the proposal made by Bulgaria concerning the Soviet Union amendment.

Mr. DEJAMMET (France) supported by Mr. BACESCU (Romania), thought that the Bulgarian proposal was a good compromise and that the Working Group should accept the Soviet Union amendment as further amended by Malta and Bulgaria.

Mr. PROHASKA (Austria), Rapporteur, proposed that in the first sentence of paragraph 54 the word "evaluating" should be inserted after the word "exploring".

Mr. PARDO (Malta) proposed that the word "conserving" should also be added after the word "exploring".

Mr. KORT (Union of Soviet Socialist Republics) accepted that proposal.

The amendment proposed by the Soviet Union representative, as amended, was adopted.

Mr. PROHASKA (Austria), Rapporteur, proposed the insertion at the end of paragraph 54 (d) of the words "marine and maritime" between the word "other" and the word "activities".

Mr. YANKOV (Bulgaria) said he preferred the original wording which was more general and applied to all legally protected activities.

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Mr. LIVERMORE (Australia) proposed that in sub-paragraph (g) the words "reserve capability" should be replaced by the words "safety capability".

The amendment proposed by the representative of Australia was adopted.

Paragraph 54, as amended, was adopted.

Paragraph 57

Mr. KORT (Union of Soviet Socialist Republics) proposed the addition of the following sentence at the end of the paragraph: "Some delegations opposed the creation of any agency with administrative functions and pointed out the necessity at that stage to develop research and exploration of the mineral resources of the sea-bed and the ocean floor on the basis of international co-operation through the co-ordination of the Intergovernmental Oceanographic Commission (IOC)."

Mr. ANDRASSY (Yugoslavia) proposed the addition of the words "and the subsoil thereof" after the words "of the sea-bed and the ocean floor".

Mr. BACESCU (Romania) said that he supported the proposals of the Soviet Union and Yugoslavia. He would have preferred, however, that the new sentence should begin with the words: "Several delegations ...".

Mr. PARDO (Malta) endorsed the proposals of the Soviet Union and Yugoslavia but said that he had some difficulty in accepting the suggestion by the representative of Romania.

In reply to a question put by Mr. ARORA (India) and Mr. WALDRON-RAMSEY (United Republic of Tanzania), the CHAIRMAN said that the Soviet representative had submitted the text of his amendment in English in order to expedite the proceedings and that the Rapporteur would take care of the final drafting of the text after its adoption.

The amendment proposed by Union of Soviet Socialist Republics, as amended, was adopted.

Mr. PARDO (Malta) proposed that the words "or in some relationship with it" should be added at the end of the first sentence of paragraph 57.

The amendment proposed by the representative of Malta was adopted.

Paragraph 57, as amended, was adopted.

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Paragraph 58

Mr. KORT (Union of Soviet Socialist Republics) proposed the deletion of that part of the second sentence reading as follows: "and that existing bodies, e.g. the Economic and Social Council, were already in a position to tackle this problem".

The amendment proposed by the representative of the Soviet Union was adopted.

Mr. PROHASKA (Austria), Rapporteur, said that the representatives of Malta and India had, in a working paper, proposed as a replacement for paragraph 58 the following text, to which sub-amendments (which appeared in the text in brackets) had been proposed by the representative of the United Republic of Tanzania: "It was stated by some delegations (in particular of some of the developed countries) that the discussion of the organizational aspects and possible recommendations on this subject does not fall under the purview of this Working Group. It was also felt by these delegations that such considerations were premature at this stage.... Such a point of view was, however, strongly controverted by other representatives (in particular of the developing countries)."

Mr. YANKOV (Bulgaria) proposed that the Working Group should consider the amendments proposed by the Maltese and Indian delegations, and he appealed to the representative of the United Republic of Tanzania to reconsider his amendments. It was not a question of establishing a line of demarcation between the developed countries and other countries, for in the matter with which the Working Group was concerned, many countries, including Bulgaria, could be classified as developing countries. For his own part, he supported the proposals made by the delegations of Malta and India.

Mr. HOLDEN (Liberia) said he wondered whether paragraph 58 might not be deleted in its entirety.

Mr. YANKOV (Bulgaria) said that it would be very difficult to eliminate paragraph 58 from the report because statements had been made regarding that paragraph.

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The CHAIRMAN pointed out that the Working Group's discussions appeared in any case in the summary records.

Mr. EVENSEN (Norway) considered it preferable to retain paragraph 58, without, however, including in it the amendments proposed by the representative of the United Republic of Tanzania.

Mr. KORT (Union of Soviet Socialist Republics) considered that paragraph 58 followed logically on paragraph 57, which had already been adopted, and that it rounded off the examination of the question. There would therefore be no justification for omitting the second part of the examination of that question by deleting paragraph 58. It would, however, be possible to combine paragraph 58 with paragraph 57.

Mr. WALDRON-RAMSEY (United Republic of Tanzania) said that he regarded the Liberian proposal as reasonable. With regard to his own sub-amendments, he would agree to withdraw them if it could be proved that they did not correspond to the true situation.

Mr. PANYARACHUN (Thailand) said that he agreed to the amendments proposed by the delegations of Malta, India and the United Republic of Tanzania, but he would, for his part, prefer that paragraph 58 in its entirety should be deleted.

Mr. ARORA (India) said that he would not press his amendment, and he endorsed the proposal by Liberia for the deletion of the paragraph.

Mr. GOBBI (Argentina) said that he supported the Liberian proposal. If, however, the paragraph was not deleted, he would support the sub-amendments proposed by the representative of the United Republic of Tanzania.

Mr. NADA (United Arab Republic) and Mr. PARDO (Malta) said that they supported the Liberian representative's proposal.

Mr. KORT (Union of Soviet Socialist Republics) said that if the members of the Working Group considered that paragraph 58 could be deleted, then paragraph 57 would also have to be deleted because the two paragraphs constituted two aspects of the same question.

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Mr. YANKOV (Bulgaria) said that paragraph 58 should be retained because the Working Group's report must reflect all viewpoints without exception.

Mr. PARDO (Malta) pointed out that the revised version of paragraph 58 could be combined with paragraph 59.

Mr. WALDRON-RAMSEY (United Republic of Tanzania) asked whether the Working Group might not be able to put the question to the vote.

Mr. GOBBI (Argentina) proposed that the paragraph-by-paragraph consideration of the report should be continued and that paragraph 58 be dealt with at the end of the meeting.

Mr. LIVERMORE (Australia) said that the Working Group could perhaps consider the possibility of amending paragraph 56 by adding to the second sentence of that paragraph the amendment proposed by Malta, after which paragraph 57 would be deleted. Paragraph 58 would then state that "certain delegations understood...", etc.

Mr. ARORA (India) said that the decision taken on paragraphs which had already been adopted, such as paragraphs 56 and 57, could not be reconsidered. It would be possible, however, for the Working Group to contemplate combining paragraph 58 with paragraph 59, since the latter paragraph had not yet been adopted.

The CHAIRMAN, taking up the suggestion made by the representative of Argentina, proposed that the consideration of paragraph 58 should be deferred to the end of the meeting.

It was so decided.

Paragraph 59

Mr. PANYARACHUN (Thailand) proposed that the words "attention was drawn to the disadvantages" in the first sentence should be replaced by the words: "attention was drawn to the possible disadvantages". He also proposed that the beginning of the second sentence, now reading "Such a machinery causing...", should be amended to read: "Such a machinery if allowed to cause...".

The two amendments proposed by the representative of Thailand were adopted.

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Mr. KORT (Union of Soviet Socialist Republics) proposed that the following sentence should be added at the end of the paragraph: "Some delegations pointed out that such machinery would hinder the development of co-operation among States in research and exploration of the mineral resources of the sea-bed and the ocean floor."

Mr. PARDO (Malta) said he had no objection to that amendment but proposed that the following sentence should be added to it: "This point of view was strongly controverted by many delegations."

Mr. WALDRON-RAMSEY (United Republic of Tanzania) and Mr. NADA (United Arab Republic) endorsed the Maltese representative's proposal.

The amendments proposed by the representatives of the Union of Soviet Socialist Republics and of Malta were adopted.

Paragraph 61

Sub-paragraph (b)

Mr. PECORA (United States of America) proposed that the text of sub-paragraph (b) should be amended to read as follows: "There is also unanimous agreement that international co-operation should be established for the exploitation of the resources of the sea-bed and ocean floor beyond the limits of national jurisdiction for the benefit of mankind as a whole".

Mr. PARDO (Malta, supported by Mr. PANYARACHUN (Thailand), Mr. ARORA (India), Mr. WALDRON-RAMSEY (United Republic of Tanzania) and Mr. NADA (United Arab Republic) said that they would like the present text of sub-paragraph (b) to be retained.

Mr. PECORA (United States of America), after stressing the importance of establishing international co-operation, withdrew his draft amendment.

Mr. NADA (United Arab Republic) proposed that the words "exploration, evaluation and" should be inserted before the word "exploitation".

Mr. HOLDER (Liberia) proposed that the words "and the subsoil thereof" should be inserted after the words "sea-bed and ocean floor".

It was so decided.

Sub-paragraph (b), as amended, was adopted.

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Sub-paragraph (c)

Mr. PROHASKA (Austria), Rapporteur, proposed that the words "the need was felt" should be replaced by the words "many delegations felt the need".

It was so decided.

Mr. PECORA (United States of America) proposed that the text of sub-paragraph (c) should be amended to read as follows: "In this connexion, the need was felt for an internationally agreed boundary delineating the area which should be the subject of international co-operation".

Mr. FIGUEROA (Chile), supported by Mr. GOBBI (Argentina), Mr. SOUZA E SILVA (Brazil), Mr. de SOTO (Peru), Mr. CASTELLANOS ARRIETA (El Salvador) and Mr. SCHRAM (Iceland), said that he objected to the draft amendment proposed by the United States delegation. He proposed that sub-paragraph (c) should be deleted.

Mr. PANYARACHUN (Thailand) said that he would like the present text of sub-paragraph (c) to be retained.

Mr. ARORA (India), supported by Mr. LIVERMORE (Australia), proposed that the words "and should be exploited for the benefit of all mankind" should be added at the end of the amendment proposed by the representative of the United States.

Mr. WALDRON-RAMSEY (United Republic of Tanzania) suggested that the end of the United States amendment should be reworded as follows: "... that the widest possible international co-operation be established for the exploitation...".

Mr. PECORA (United States of America), stressing that it was essential to consider certain legal aspects of the scientific and technical questions discussed, said that he was prepared to accept the sub-amendments submitted by India and Tanzania.

Mr. CASTELLANOS ARRIETA (El Salvador), supported by Mr. GOBBI (Argentina) and Mr. FIGUEROA (Chile), pointed out that delimitation was basically a legal question and was therefore outside the competence of the Economic and Technical Working Group.

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Mr. PARDO (Malta), supported by Mr. ANDRASSY (Yugoslavia), challenged that opinion and emphasized that the discussions held in the Working Group should be reflected in its report.

Mr. EVENSEN (Norway) suggested that the following sentence should be added to the text proposed by the delegations of the United States, the Republic of Tanzania and India: "Other delegations felt that those considerations were of a legal nature and that the Working Group was not competent to discuss them".

Mr. PARDO (Malta) proposed that sub-paragraph (c) should be redrafted as follows:

"After discussing the economic and technical aspects of the problems relating to the sea-bed and ocean floor and the subsoil thereof beyond the limits of national jurisdiction, many delegations concluded that there was a need for an internationally agreed boundary delineating the area which should be brought under a régime ensuring the widest possible international co-operation and should be exploited for the benefit of all mankind. Other delegations felt that those considerations were of a legal nature and that the Working Group was not competent to discuss them."

It was so decided.

Sub-paragraph (c), as amended, was adopted.

Sub-paragraph (f)

Mr. PARDO (Malta) proposed that the words "some delegations" in the first line should be replaced by "many delegations".

It was so decided.

Sub-paragraph (g)

Mr. PANYARACHUN (Thailand) proposed that the word "think" in the first line of the English text should be replaced by "believe".

It was so decided.

Mr. PARDO (Malta) proposed that the words "or in relationship with it" should be added after "United Nations".

It was so decided.

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Sub-paragraph (h)

Mr. PANYARACHUN (Thailand) proposed that the words "may occur" should be replaced by "would occur" in the second line.

It was so decided.

Sub-paragraph (i)

Mr. PANYARACHUN (Thailand) proposed that the words "would result" in the first line should be replaced by "might result".

It was so decided.

Sub-paragraph (k)

Mr. PANYARACHUN (Thailand) proposed that the word "may" in the first line should be deleted.

It was so decided.

Sub-paragraph (l)

Mr. ARORA (India) proposed that the text of the sub-paragraph should be redrafted as follows:

"Finally, many delegations believed that the Secretary-General should be requested to undertake a detailed comparative study of mechanisms that could be established for this purpose. This would facilitate the discussion of this question."

Mr. PECORA (United States of America) pointed out that such a study would raise many difficult problems.

Mr. KORT (Union of Soviet Socialist Republics) proposed that the phrase "many delegations" should be replaced by "several delegations" and the words "Secretary-General" by "Member States".

Mr. ARORA (India) did not agree to the Soviet sub-amendment because he did not believe that the Member States were capable of undertaking such a study.

Mr. KORT (Union of Soviet Socialist Republics) proposed that the following sentence should be added at the end of the Indian amendment: "Some delegations felt that for the time being, that request might be made to Member States."

It was so decided.

Mr. PACESCU (Romania), supported by Mr. FLEMMING (United Kingdom), Mr. PARDO (Malta) and Mr. DEJAMMET (France), proposed that the words "many delegations" in the first line of the Indian amendment should be replaced by "a number of delegations".

It was so decided.

Sub-paragraph (1), as amended, was adopted.

Mr. PROHASKA (Austria), Rapporteur, proposed that a new paragraph 63 should be inserted after paragraph 62. It would read as follows:

"The present report is being transmitted to the Ad Hoc Committee, with the following reservations made by the representatives of Argentina, Brazil, Chile, Ecuador, El Salvador and Peru: in view of the highly technical nature of the subject dealt with by the Economic and Technical Working Group, the delegations of Argentina, Brazil, Chile, Ecuador, El Salvador and Peru reserve their position on the Working Group's report in general. In particular, they consider that the conclusions of the Working Group are wholly without prejudice to the legal aspects of the question."

Paragraph 63 was adopted.

Mr. FLEMMING (United Kingdom) pointed out that the United Kingdom delegation reserved the right to comment at a later stage on the summaries made by the Chairman at the end of each meeting. While they were very useful, they represented only the consensus of opinion in the Working Group.

The CHAIRMAN suggested that the Group resume consideration of paragraph 30.

Paragraph 30

Mr. PECORA (United States of America), supported by Mr. ARCRA (India), proposed that paragraph 30 should be redrafted as follows:

/...

(Mr. Pecora, United States)

"Some experience is already available with reference to the effects of present off-shore production of petroleum in both the world market at large and in some local markets. In the two decades since off-shore production began, it has come to make up about 16 per cent of total world production and 6 per cent of the world's natural gas production and is expected to account for substantially larger proportions as time goes on. The new off-shore reserves and production have helped maintain a ceiling on prices, which so far have generally been relatively stable. There has been a slight but steady downward trend in prices over the years. Considerable excess production capacity has developed, but its possible disruptive effects have been mitigated if not altogether prevented by artificial controls and other measures. Production from beyond the continental shelf is likely to begin in a decade or so, but it will probably not begin below the 500-metre isobath for a long time to come. Because costs will increase with increasing depth, new production will be limited to that which can enter the market at existing prices. If the deep sea sources prove large, however, they may help maintain a ceiling on prices of petroleum from other sources."

Paragraph 30, as amended, was adopted.

Paragraph 35 (b)

The CHAIRMAN suggested that the Group resume consideration of paragraph 35 (b).

Mr. ARORA (India) proposed that the end of sub-paragraph (b) should be reworded as follows: "... it may be hoped that the economies of the developing countries will be more diversified and consequently less dependent on raw materials exports".

Paragraph 35 (b), as amended, was adopted.

The CHAIRMAN invited reconsideration of paragraph 58. He recalled that the Liberian delegation, supported by several others, had proposed that the paragraph should be deleted.

/...

Paragraph 58

Mr. KORT (Union of Soviet Socialist Republics) said that in a spirit of conciliation he was prepared to agree to the deletion proposed by Liberia.

Mr. YANKOV (Bulgaria) reluctantly agreed to the Liberian proposal and pointed out first, that the report should reflect all aspects of the discussions which had taken place and secondly, that his delegation did not believe that the Working Group was competent to discuss legal or institutional questions.

Mr. WALDRON-RAMSEY (United Republic of Tanzania) said that he wanted it clear that he disagreed entirely with the view expressed by the Soviet and Bulgarian delegations on that point.

The CHAIRMAN suggested the deletion of paragraph 58.

It was so decided.

The CHAIRMAN said that he was gratified that the Working Group had been able to complete its work as a result of the teamwork of prominent experts in many disciplines. He noted, however, that item 5 of the agenda could not be discussed for lack of time and should be included in the agenda for the third session.

In his personal capacity, he reviewed the Working Group's accomplishments. First, the Group had shown cautious optimism with respect to the technological advances which might make it possible to exploit the resources of the ocean floor. Secondly, it had emphasized the economic aspects of such exploitation. Thirdly, it had discussed the possible effects of such exploitation on other uses of the seas and on the world raw materials market. Fourthly, all delegations had favoured international co-operation in the exploration and exploitation of the resources of the sea-bed and ocean floor for the benefit of all mankind.

After the usual exchange of courtesies, he wished the Working Group success in its work at the third session of the Ad Hoc Committee.

The meeting rose at 10.45 p.m.
