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COMMITTEE ON THE PEACEFUL USES OF
THE SEA-BED AND THE OCEAN FLOOR
BEYOND THE LIMITS OF NATIONAL
JURISDICTION

LETTER DATED 25 MAY 1970 FROM THE REPRESENTATIVE OF THE UNITED STATES
OF AMERICA ADDRESSED TO THE CHAIRMAN OF THE COMMITTEE

I am pleased to transmit to you the text of the statement by President Nixon on 23 May announcing United States oceans policy.

It is clear that the proposals contained in this announcement relate intimately to the programme of work for the August session of the Sea-bed Committee as it was discussed in the closing meetings of the Committee last March. These proposals address such specific points on our agenda as international régime, international machinery, general legal principles and the need to protect the resources of the sea-bed area beyond national jurisdiction for the common benefit of mankind.

Having in mind the desire of the General Assembly that your Committee achieve agreement on certain specific recommendations in time for their consideration by the Assembly at its twenty-fifth session, and desiring to encourage any exchange of views which might facilitate the work of the Committee, I want you to know, Mr. Chairman, that I am available to meet with you and any other interested members of the Committee who wish to discuss or raise questions concerning these proposals.

I would appreciate it if you would have this letter and the attached statement circulated as a document of the Committee.

(Signed) Christopher H. PHILLIPS

Announcement by President Nixon on United States oceans
policy, Saturday, 23 May 1970

The nations of the world are now facing decisions of momentous importance to man's use of the oceans for decades ahead. At issue is whether the oceans will be used rationally and equitably and for the benefit of mankind or whether they will become an arena of unrestrained exploitation and conflicting jurisdictional claims in which even the most advantaged States will be losers.

The issue arises now - and with urgency - because nations have grown increasingly conscious of the wealth to be exploited from the sea-beds and throughout the waters above, and because they are also becoming apprehensive about the ecological hazards of unregulated use of the oceans and sea-beds. The stark fact is that the law of the sea is inadequate to meet the needs of modern technology and the concerns of the international community. If it is not modernized multilaterally, unilateral action and international conflict are inevitable.

This is the time, then, for all nations to set about resolving the basic issue of the future regime for the oceans - and to resolve it in a way that redounds to the general benefit in the era of intensive exploitation that lies ahead. The United States as a major maritime Power and a leader in ocean technology has a special responsibility to move this effort forward.

Therefore, I am today proposing that all nations adopt as soon as possible a treaty under which they would renounce all national claims over the natural resources of the sea-bed beyond the point where the high seas reach a depth of 200 metres (218.8 yards), and would agree to regard these resources as the common heritage of mankind.

The treaty should establish an international regime for the exploitation of sea-bed resources beyond this limit. The regime should provide for the collection of substantial mineral royalties to be used for international community purposes, particularly economic assistance to developing countries. It should also establish general rules to prevent unreasonable interference with other uses of the ocean, to protect the ocean from pollution, to assure the integrity of the investment necessary for such exploitation and to provide for peaceful and compulsory settlement of disputes.

I propose two types of machinery for authorizing exploitation of sea-bed resources beyond a depth of 200 metres.

First, I propose that coastal nations act as trustees for the international community in an international trusteeship zone consisting of the continental margins beyond a depth of 200 metres off their coasts. In return, each coastal State would receive a share of the international revenues from the zone in which it acts as trustee and could impose additional taxes if these were deemed desirable.

As a second step, agreed international machinery would authorize and regulate exploration and use of sea-bed resources beyond the continental margins.

The United States will introduce specific proposals at the next meeting of the United Nations Sea-Beds Committee to carry out these objectives.

Although I hope agreement on such steps can be reached quickly, negotiation of such a complex treaty may take some time. I do not, however, believe it is either necessary or desirable to try to halt exploration and exploitation of the sea-beds beyond a depth of 200 metres during the negotiating process.

Accordingly, I call on other nations to join the United States in an interim policy. I suggest that all permits for exploration and exploitation of the sea-beds beyond 200 metres be issued subject to the international regime to be agreed upon. The regime should accordingly include due protection for the integrity of investments made in the interim period. A substantial portion of the revenues derived by a State from exploitation beyond 200 metres during this interim period should be turned over to an appropriate international development agency for assistance to developing countries. I would plan to seek appropriate Congressional action to make such funds available as soon as a sufficient number of other States also indicate their willingness to join this interim policy.

I will propose necessary changes in the domestic import and tax laws and regulations of the United States to assure that our own laws and regulations do not discriminate against United States nationals operating in the trusteeship zone off our coast or under the authority of the international machinery to be established.

It is equally important to assure unfettered and harmonious use of the oceans as an avenue of commerce and transportation, and as a source of food. For this reason the United States is currently engaged with other States in an effort to

obtain a new treaty for these purposes. This treaty would establish a twelve-mile limit for territorial seas and provide for free transit through international straits. It would also accommodate the problems of developing countries and other nations regarding the conservation and use of the living resources of the high seas.

I believe that these proposals are essential to the interests of all nations, rich and poor, coastal and land-locked, regardless of their political systems. If they result in international agreements, we can save over two thirds of the earth's surface from national conflict and rivalry, protect it from pollution and put it to use for the benefit of all. This would be a fitting achievement for this twenty-fifth anniversary year of the United Nations.
