

UNITED NATIONS

GENERAL ASSEMBLY



Distr.
GENERAL

A/AC.138/60
26 August 1971

Original: ENGLISH

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

Dual distribution

Report of Sub-Committee I

1. Sub-Committee I was one of the three Sub-Committees of the whole set up in accordance with an agreement reached on the organization of work of the Committee on the Peaceful Uses of the Sea-Bed and Ocean Floor beyond the Limits of National Jurisdiction during its March 1971 session.^{1/} Under the terms of the agreement read out by the Chairman of the Committee at its 45th meeting on 12 March, the following subjects and functions were allocated to Sub-Committee I:

"To prepare draft treaty articles embodying the international regime - including an international machinery - for the area and the resources of the sea-bed and the ocean floor, and the subsoil thereof, beyond the limits of national jurisdiction, taking into account the equitable sharing by all States in the benefits to be derived therefrom, bearing in mind the special interests and needs of developing countries, whether coastal or landlocked, on the basis of the Declaration of Principles Governing the Sea-Bed and the Ocean Floor and the Subsoil thereof beyond the Limits of National Jurisdiction, economic implications resulting from the exploitation of the resources of the area (resolution 2750 A), as well as the particular needs and problems of land-locked countries (resolution 2750 B)."

2. The agreement of 12 March also stated that:

"It is understood that the Sub-Committees, in connexion with the matters allocated to them, may consider the precise definition of the area of the sea-bed and the ocean floor and the subsoil thereof beyond the limits of national jurisdiction. It is clearly understood that the matter of recommendations concerning the precise definition of the area is to be regarded as a controversial issue on which the Committee would pronounce. The Committee shall also decide on the question of priority of particular subjects, including the international regime, the international machinery and the economic implications of exploitation of the resources of the sea-bed and the ocean floor and the subsoil thereof beyond the limits of national jurisdiction, proceeding from resolution 2750 (XXV) and the relevant explanations made on behalf of its co-sponsors."

3. Sub-Committee I held two series of meetings in Geneva, in March and in July/August 1971. It held four meetings during the first session in March 1971 and

^{1/} A/AC.138/SR.45

meetings during the second session in July/August 1971. The meetings were attended by the representatives of the States members of the Committee. Also present were observers from the following countries:

Barbados	Dominican Republic	Malawi
Burma	Fiji	Nicaragua
China	Finland	Portugal
Cuba	Ireland	Saudi Arabia
	Israel	South Africa

Representatives of the FAO, IAEA, IMCO, UNESCO and its IOC, WMO, and UNCTAD, also attended the meetings.

4. At the end of its March session, the Chairman of Sub-Committee I informed the Chairman of the Committee in a note (A/AC.138/SC.I/L.3) of the progress made in the work of Sub-Committee I. At the end of its meeting on August 1971, the Sub-Committee adopted its report to the Committee.

5. The bureau of Sub-Committee I was composed of the following members:

Chairman:	Dr. E.E. Seaton (United Republic of Tanzania)
Vice-Chairmen:	Mr. C.V. Ranganathan (India)
	Mr. M. Thompson-Flores (Brazil)
	Mr. G. Fekete (Hungary)
Rapporteur:	Mr. A. Prohaska (Austria)

6. In connexion with the task entrusted to the Sub-Committee, during 1971 a number of delegations presented drafts and working papers regarding proposals for an international sea-bed régime^{2/} or referred to working papers submitted during 1970. The Sub-Committee decided that its report should list the various written proposals which have been submitted so far and invited the sponsor or sponsors of these proposals to submit a summary of the philosophy or basic approach of the proposal concerned. Accordingly, the following sub-paragraphs give the name of the State or States which submitted the proposal, the title of the proposal, the date of its introduction, and a summary of the basic approach as provided by the sponsor or sponsors.

(a) United States. "Draft United Nations Convention on the International Sea-Bed Area" (1970 report of the Sea-Bed Committee, Annex V, Official Records of the General Assembly, Twenty-fifth Session, Supplement No. 21 (A/3021)). Introduced at the twenty-ninth meeting of the Committee, held on 3 August 1970.

^{2/} The drafts and working papers presented in 1971 are annexed to the report of the Committee to the Twenty-sixth Session of the General Assembly.

A complete list of the documents prepared by the Secretary-General or by specialized agencies for the July-August session of the Committee is contained in document A/AC.138/42. The principal studies by the Secretary-General referred to Sub-Committee I in accordance with its mandate were those dealing with the possible impact of sea-bed mineral production on world markets (A/AC.138/36), the special problems of land-locked countries (A/AC.138/37 and Corr.1 and 2), and possible methods and criteria for the sharing by the international community of proceeds and other benefits (A/AC.138/38 and Corr.1). Further reference is made to these studies below.

"The United States seabeds proposal seeks to achieve an equitable accommodation of different coastal, maritime, and international interests, with the least compromise of any single interest. To achieve this end, the international regime should apply to the broadest practicable area of the seabeds, and in particular should include benefits flowing from the development of hydrocarbon deposits of the continental slope and rise. A broad international area necessarily requires narrow limits of exclusive national jurisdiction over seabed resources. (We have proposed a distance of 12 miles or a depth of 200 meters, whichever is further from shore). Seaward of such limits there would be a fairly broad trusteeship or intermediate zone of mixed coastal and international rights. This would accommodate coastal interests in managing resources off the coast, developing country interests in achieving an equitable distribution of benefits, and international interests in maintaining order and protecting the marine environment. By strictly defining and limiting coastal State control over resources, and providing for international standards and dispute settlement, the trusteeship concept protects fundamental maritime interests in freedom of navigation; in contrast, exclusive coastal State control over resources tends to expand into assertions of control over other uses of the sea and seabeds. To maximize benefits that would accrue to all States, the regime should encourage investment and efficiency. We have proposed strong international machinery with: important regulatory powers; means to enhance the capability of developing countries to participate directly in seabed resource development; the power to issue licenses to States and enterprises sponsored by States for resource exploration and exploitation beyond the trusteeship zone; and procedures for compulsory settlement of disputes. The regime and machinery should be structured in a manner that realistically reflects the principal interests of different groups of States."

(b) United Kingdom. "International régime: working paper submitted by the United Kingdom" (1970 report of the Sea-Bed Committee, Annex VI, ibid.). Introduced at the thirtieth meeting of the Committee held on 3 August 1970.

"International sea-bed régime: United Kingdom proposals for elements of a convention" (A/AC.138/46). Introduced at the twelfth meeting of the Sub-Committee held on 3 August 1971.

"The United Kingdom proposals were based on the view that the most important way of giving practical expression to the principle that the area of the seabed beyond national jurisdiction is the common heritage of mankind was to ensure that all states parties to the Convention had fair and guaranteed access to the area for the exploitation of its resources. Accordingly the international régime would provide for the equitable allocation by the international authority to states of licences for the exploration and the exploitation of the resources of the area. To ensure that such a system was fair in practice as well as in theory, each state party would be entitled to a specified quota which would ensure that an appropriate proportion of the area to be made available from time to time would be reserved for it, so that the more technologically advanced states would not be able to obtain more than their fair share. States would be free to pool their quotas and combine together in making their

applications for licences and exploiting the resources of the area. States would not be faced with the burden of having to take up their full share of licences at once, since areas would only be made available gradually in a phased programme extending over a period of many years. This would give developing countries time to build up their own capability for managing the exploitation of the area or to join with others in building up such a capability. Under a system on these lines, all states parties to the Convention would be able to benefit not only by receiving a share of the revenues accruing to the international community as a whole, but also by participating directly and in their own right in exploiting the area. There would be no need for complex international machinery engaged directly in, or even monopolizing, the exploitation of the area, with all the considerable legal, administrative and financial difficulties which that would entail; the development of the area could go forward smoothly under a comparatively simple international régime with earlier prospects of revenues accruing to the international community for the benefit of all, particularly the developing countries."

(c) France. "Establishment of a régime for the Exploration and the Exploitation of the Sea-Bed" (1970 report of the Sea-Bed Committee, Annex VII, ibid.) introduced at the thirtieth meeting of the Committee held on 4 August 1970.

"The essential purpose of the working paper presented by France is to ensure the equitable and effective operation of the international régime. By 'equitable' it is understood that the régime should allow States to participate effectively and actively and bring about a fair balance between States in exercising the activities concerned with the development of the sea-bed and in the distribution of the earnings from these, with due regard to the special needs of the developing countries.

"The word 'effective' implies a régime that has no complex structure producing expenditure and delays but manages its resources rationally through the administrators' impartiality and competence.

"To this end, the paper regards States or groups of States as the necessary links between the international machinery and the enterprises exploring and exploiting the sea-bed.

"Thus, under the terms laid down by the treaty and implemented by the organs of the international agency, States or groups of States are allocated areas within which they may issue the necessary licences for operations.

"Allowing States to form groups enables them to strengthen their economic and financial capacities and facilitates an equitable allocation of areas.

"In order that States may assume their responsibilities in full sovereignty, the working paper provides that enterprises operating in an area allocated to a given State must take that State's nationality."

(d) United Republic of Tanzania. "Draft statute for an international sea-bed authority" (A/AC.138/33). Introduced at the fifth meeting of the Sub-Committee held on 20 July 1971.

"The Draft Statute submitted by the United Republic of Tanzania envisages the establishment of a centralized, democratically structured régime in which all Member States will be entitled to participate in the exploration and exploitation of the sea-bed beyond national jurisdiction and to share in the benefits to be derived therefrom. It is intended that the international machinery to govern the exploration and exploitation of the sea-bed beyond national jurisdiction will have comprehensive powers, which will be exercised in respect of the widest possible area. Among the essential functions of the international machinery will be the regulation of prices and distribution of raw materials so as to avoid or reduce adverse effects to the economies of countries producing land minerals, particularly those of developing countries."

(e) Union of Soviet Socialist Republics. "Provisional draft articles of a treaty on the use of the sea-bed for peaceful purposes" (A/AC.138/43). Introduced at the eighth meeting of the Sub-Committee held on 27 July 1971^{3/}.

"This document contains a set of basic provisions designed to regulate and co-ordinate the activities of States relating to the industrial exploration and exploitation of the mineral resources of the sea-bed, and provides for the creation of just and optimum conditions for the effective development of the sea-bed area for peaceful purposes and in the interests of the peoples of all countries."

(f) Poland "Working paper concerning an international organization to be established to deal with the problems of the exploration and exploitation of the mineral resources of the international area of the sea-bed and the ocean floor, and the sub-soil thereof, the limits of which are to be determined" (A/AC.138/44). Introduced at the twelfth meeting of the Sub-Committee held on 3 August 1971.

"The working paper submitted by Poland is concerned with the establishment of an international organization to deal with the problems of exploration and exploitation of the mineral resources of the international sea-bed area."

One of the main ideas in the working paper is the concept of a developing organization whose structure, functions and powers should be adapted to real needs. Accordingly the international machinery should be set up in two stages. In the first stage the Organization's subsidiary bodies should be limited in

^{3/} An explanatory note has been added, at the request of the USSR delegation, regarding the articles which have not yet been formulated in the USSR draft treaty, in the version of the USSR draft treaty annexed to the report of the Main Committee.

number and its Secretariat should be small. The transition to the next stage would be linked with the attainment of the commercial exploitation of the mineral resources of the area permitting the organization to be financially self-supporting.

One of the main aims of the organization should be to ensure the observance of the provisions of the Treaty to be concluded on the peaceful uses of the international sea-bed area.

The organization should be based on the principle of universality and consequently should be open to all States."

(g) Chile, Colombia, Ecuador, El Salvador, Guatemala, Guyana, Jamaica, Mexico, Panama, Peru, Trinidad and Tobago, Uruguay and Venezuela. "Working paper on the régime for the sea-bed and ocean floor and its sub-soil beyond the limits of national jurisdiction" (A/AC.138/49). Introduced by the delegate of Trinidad and Tobago at the eighteenth meeting of the Sub-Committee held on 10 August 1971.

"In keeping with the principle of the common heritage, the co-sponsors of the Working Paper contained in document A/AC.138/49 envisage the establishment of a system in which mankind, in the capacity of owner, would participate directly in the administration and management of the area and the exploitation of its resources. Although in its initial stages it may not be possible under the system for mankind by itself to undertake activities in the area, it may nonetheless enter into arrangements with third parties for the attainment of its objectives. Such arrangements, however, must in no way derogate from the basic and fundamental principle of the common heritage with its element of non-appropriation which is integral to it. To give effect to this, a body should be created which would itself, as the agent of mankind undertake direct scientific investigation of its resources on behalf of all mankind. It would be therefore more in consonance with the principle of the common heritage for such a body in the early stages to enter into joint ventures, production-sharing and profit-sharing arrangements with other entities, public or private, national or international rather than to grant or issue licences to such entities. The concept of a licensing or concession system is in our view inconsistent with the principle of the common heritage. The co-sponsors of document A/AC.138/49 therefore reject it. In the partnership system envisaged, ownership of the area and its resources remains vested in mankind, on whose behalf the international body exercises exclusive jurisdiction over the area and its resources. It is with this philosophical but pragmatic approach that the co-sponsors of document A/AC.138/49 have examined the question of the elaboration of an international régime (including international machinery) for the sea-bed and ocean floor and its resources beyond the limits of national jurisdiction."

(h) Afghanistan, Austria, Belgium, Hungary, Nepal, Netherlands and Singapore.

"Preliminary working paper submitted by Afghanistan, Austria, Belgium, Hungary, Nepal, Netherlands and Singapore" (A/AC.138/55). Introduced by the delegate of Afghanistan at the twenty-fourth meeting of the Sub-Committee held on 20 August 1971.

"This working paper contains suggestions relating to some specific points to be covered, inter alia, in an international convention, namely: limits and status of the international area, representation, powers of the international authority, facilities for land-locked countries, and special interests of developing countries. The main idea underlying this working paper is to emphasize the concept of common heritage of mankind by the insertion in the international convention to be concluded, of special provisions for the benefit of such States as - owing to their geographical position and/or stage of development - could not otherwise in fact share equitably in this common heritage."

(i) Canada. "Working Paper on International Sea-Bed Régime and Machinery"

(A/AC.138/59). Introduced at the twenty-sixth meeting of the Sub-Committee held on 24 August 1971.

"The Canadian working paper examines the manner in which the Declaration of Principles adopted by the General Assembly on 17 December 1970 might be reflected in the future treaty establishing an international sea-bed régime. Founded upon the principle of the common heritage of mankind, the paper outlines the institutional arrangements required for the safeguarding, management and exploitation of that common heritage. If the fundamental aim is the location of valuable deposits and their production in the context of world supply and marketing conditions, for the benefit of humanity as a whole, particularly the developing countries, the single most important factor in promoting development in the area beyond national jurisdiction will be the establishment of a system of resource management designed to encourage and maintain such development on a continuing and orderly basis. Equally important is the criterion of equity, as regards contributions to the international community, the sharing of benefits for the international community, and the participation in the exploitation and management of the common heritage, taking into account the special requirements of developing countries. The resource management system must be stable - the large amounts of investment capital needed will not be forthcoming without assurance of an impartial and objective regulatory and administrative climate within which to operate. The system must, however, have enough flexibility to take into account new scientific and technological advances and problems arising therefrom, such as marine pollution. The machinery must be effective, and thus have the necessary powers to deal with the States and other powerful entities engaged in exploitation. This entire field is one as yet only in its formative stages. It would therefore appear desirable to design machinery that would reflect these developments, with transitional skeletal machinery to begin with that could evolve along with the progress of development. These then are the concepts which underlie the philosophy of the Canadian working paper - development, equity, stability, flexibility, and effectiveness."

7. In the course of the Sub-Committee's discussions in 1971, delegates referred to these drafts and working papers and the ideas they contained. Substantive comments were made both by delegates that had sponsored these proposals, and by delegates who wished to indicate their views, either as regards the basic approach taken or as regards particular aspects which they considered of special importance. The Sub-Committee also

had before it the English version of the "Draft Ocean Space Treaty" (A/AC.138/53) introduced by the delegation of Malta at the 63rd meeting of the Main Committee held on 5 August 1971, to which several speakers referred.

8. The Secretariat was asked to prepare a comparative table in which the different written proposals referred to in paragraphs 6 and 7 above, and any additional written proposals relating to the international sea-bed régime which may be submitted by Member States as a document of the Sea-Bed Committee by 31 October 1971, would be tabulated.

9. During its March session, the Sub-Committee adopted the agenda for its 1971 session (A/AC.138/SC.I/L.1) and approved a note by the Chairman (A/AC.138/SC.I/L.2) regarding the organization of the Sub-Committee's programme of work. In accordance with the suggestions made, during its March session Sub-Committee I began a general exchange of views on the matters falling within its terms of reference.

10. At the beginning of its second session the Chairman, in a note, provided the Sub-Committee with additional guidelines and suggestions regarding the discharge of the mandate entrusted to the Sub-Committee (A/AC.138/SC.I/L.4). Following a discussion of the note, three broad stages in the Sub-Committee's work were distinguished: a first stage during which the general debate, started at the previous session, should be continued. This general debate would aim at the identification and clarification of precise issues and problems. When this point had been reached, a second stage in the work of the Sub-Committee would consist in the more intensive discussion of particular issues which had been distinguished, either by holding meetings devoted to the separate discussion of such issues or possibly through the establishment of appropriate working groups. As a last stage, the Sub-Committee would proceed to the formulation of draft treaty articles and recommendations.

11. In summary of its work in 1971, it may be said that Sub-Committee I completed the first stage of its work, as outlined above, without prejudice to the right of delegations to address the Plenary of the Sub-Committee at any time, on the whole range of issues within its mandate. The general debate which took place, and in which 68 members of the Sub-Committee participated, thus served to enable States to indicate, in many cases in depth, their position, and to identify the major topics around which attention was centred. Accordingly, the following brief summary of the Sub-Committee's discussions has been arranged under sub-headings, designed to indicate

the nature of those major topics or issues, without attempting to suggest that the sub-headings are exhaustive or comprise all topics and issues into which the Sub-Committee's mandate may be divided or that the short indication of the views expressed is comprehensive of all the opinions advanced. It was felt, however, that a brief description of this nature would enable the General Assembly, and States Members of the United Nations not members of the Committee, to understand the general pattern of the Sub-Committee's debates; without, on the other hand, entering into undue detail or attempting to reflect the view of each delegation, as expressed during a series of lengthy meetings.

12 (A) The International Régime, and the Declaration of Principles

It was generally accepted that the establishment of an international sea-bed régime should be based on the "Declaration of Principles governing the Sea-bed and the Ocean Floor beyond the Limits of National Jurisdiction" (resolution 2749 (XXV)). But the various draft proposals and opinions expressed reflected different interpretations as to the nature of this relationship. Particular issues which were referred to included the following:

(a) Scope and nature of the international régime

As regards the scope of the international régime, the issues raised during the debate included the question of the range of activities to be regulated by the international régime: whether the scope of the régime should include all uses of the sea-bed beyond national jurisdiction or regulate activities only in respect of exploration and exploitation. Another crucial issue raised during the debate was the question of the degree of control by the international régime and machinery over the range of activities pertaining to the uses of the sea-bed beyond national jurisdiction. A number of delegations favoured a strong central control over all activities in the area while others favoured more limited control over some or all activities. Some delegations stressed the importance of the sea-bed resource management system in the attainment of the objectives of the régime.

(b) The instrument by which the régime should be established

It was generally accepted that the international régime should be established by an international treaty of a universal character, generally agreed upon.

(c) The question of the precise definition of the area

In discussing a precise definition of the area beyond the limits of national jurisdiction there was general agreement that the definition should take into account the interests of coastal State and their rights under existing international law and the interests of the international community as a whole. Many delegations proposed a distance criterion. Others considered that there should be a combination of depth and distance. Others preferred the geomorphological criteria of the continental margin alone or in combination with distance criterion, or all the criteria used by customary and conventional international law. As regards the figures proposed, a significant number of delegations from different regions submitted that 200 miles was reasonable and appropriate; a significant number of other delegations, also from different regions, favoured substantially narrower limits generally varying between 40 and 100 miles as equally reasonable and appropriate; of those who spoke of depth criterion many referred to the 200 meters' isobath while others referred to depths down to 2,500 meters. Regional arrangements were also suggested.

Reference was made to proposals for the creation of intermediate or trusteeship zones adjacent to areas of exclusive coastal jurisdiction, including different suggestions regarding the limits of such a zone, and the rights and duties which the coastal states would exercise within the zone, and the rights of the international community within it. A number of delegations, however, could not support the concept of the intermediate-trusteeship zone.

The relationship between the nature of the international regime and the definition of the international area of the sea-bed and ocean floor on the one hand and of the possible economic significance of such a regime on the other was stressed by several delegations. Some thought that the fundamental objective is an international regime applying to the area and its resources with comprehensive powers entrusted to an international agency which will form an integral part of such a regime. Others stressed the rights of coastal states to avail themselves of the resources of a reasonable area of the sea-bed adjacent to their coasts for their economic development. Others stressed that the maximum international area should be preserved in order to assure that the regime would apply over an area which would offer reasonable economic prospects. The need to attain an adequate balance between these interests and those of coastal states was acknowledged. Some other delegations related the powers of the regime to the definition of the area.

(d) Orderly development of the marine environment

A number of delegations supported the idea of establishing reserve areas within the international sea-bed area in order to promote the orderly development and preservation of the marine environment.

(e) Relationship between the international regime and the rights of coastal States

The importance of the rights of coastal States, which should be preserved and emphasized in connexion with the establishment of the international regime, was stressed by many delegations. Appropriate provisions would, in their view, have to be included in the international regime in order to take account of the various interests of coastal States which were involved, and to afford prior consultation with and notification of the coastal State concerning activities carried out adjacent to the areas under their maritime jurisdiction.

(f) The international régime and the question of the freedom of the high seas and the traditional uses of the sea

These issues, including scientific research, were referred to in connexion with the establishment of the international regime. It was generally agreed that conflict of uses should be avoided and that any disputes which might arise should be settled by peaceful means. Different opinions were expressed, however, as regards the means by which these objectives might be reached and the nature of the arrangements which might need to be made in this connexion.

13. (a)

(b)

(c)

(d) Relationship of the international machinery to the United Nations system

Reference was made to the question of whether the international machinery should form part of the United Nations system (whether as an organ of the United Nations or as a specialized agency), or whether it should have little or no connexion with the United Nations system.

(e) The international machinery and regional arrangements

A number of speakers stressed the need that the international machinery should take account of the requirements of particular regions of sub-regions. It was also urged that regional differences of a geographical and economic nature should be recognized in the preparation of the regime which should include institutional arrangements that would reflect regional considerations.

(f) Transitional Arrangements

Some delegations suggested definition of the non-contention area of the sea-bed beyond the limits of national jurisdiction as soon as possible. Some delegations could not support this idea. One delegation suggested the simultaneous establishment of transitional skeletal international machinery, and that immediate revenues for such machinery be provided through voluntary contributions from coastal States based upon a fixed percentage of the revenues derived from mineral resource exploitation within their limits of national jurisdiction.

14. (C) Sharing by all States in the Benefits to be Derived from the Development of the Resources of the Area

It was generally agreed, in accordance with the principle of common heritage, that all States should share in the financial and all other benefits to be derived from the development of the area, with particular regard being given to the special problems and needs of developing countries. The suggestion was made in this context that particular consideration should be given to the least developed amongst such countries. The need to provide training facilities for nationals of developing countries was also stressed. The importance of direct participation by

all countries in sea-bed exploration and exploitation as a means which would enable developing countries to share to the maximum extent possible in the full range of benefits which sea-bed exploitation might provide was equally emphasized. On the other hand it was also emphasized that such participation would be ensured through joint ventures with the international machinery. Delegates noted with appreciation the study prepared by the Secretary-General "Possible methods and criteria for the sharing by the international community of proceeds and other benefits derived from the exploitation of the resources of the area beyond the limits of national jurisdiction" (A/AC.138/38 and Corr.1).

15. (D) Economic Implications resulting from the Exploitation of the Resources of the International Sea-Bed Area

In accordance with the request made in resolution 2750 A (XXV), the Secretary-General prepared a report entitled "Possible impact of sea-bed mineral production in the area beyond national jurisdiction on world markets, with special reference to the problems of developing countries: a preliminary assessment" (A/AC.138/36). Speakers expressed their appreciation of the Secretary-General's report, from which an initial overall picture of the possible economic consequences of the exploitation of the sea-bed minerals could be obtained.^{4/} Some delegations suggested that the report was too favourable and had underestimated the possible effects of the production of sea-bed minerals on the interests of the developing countries producing the same minerals from dry land. Others agreed with the Secretary-General's preliminary assessment. It was agreed that, due to the preliminary nature of the report, the wide range of issues involved and the rapid development of knowledge and technology in this field, the subject would have to be kept under continuing review. Consideration would have to be given to the question in greater depth, and its study pursued with due regard being paid to studies undertaken in other organs of the United Nations. A number of delegations stressed UNCTAD's role because of its particular competence and suitability in this field.

^{4/} The summary of the Secretary-General's report contained in that report is reproduced as an annex to the present report.

16. Reference was made to paragraph 3 of resolution 2750 A (XXV), which requests the Secretary-General, in co-operation with UNCTAD and other bodies, to submit supplementary information annually, or whenever it is necessary, and to recommend additional measures in the light of economic, scientific and technological developments. The request was made that further studies by the Secretary-General in accordance with this provision should be submitted to the Committee during one of its sessions in 1972.

17. Following the suggestions made by a number of delegates, a representative of UNCTAD was invited to make a statement on the subject. In his statement (subsequently issued as document A/AC.138/SC.I/L.5),^{5/} the representative of UNCTAD referred to the interest UNCTAD takes in the implication of sea-bed mineral production for the world mineral economy and particularly the mineral production and exports of developing countries. He also reflected suggestions regarding the future role of UNCTAD in this field and emphasized the need for close and fruitful co-operation between UNCTAD and the Committee, the ground work for which has already been laid.

18. The Sub-Committee considered that it would not be appropriate at the present stage of its work to formulate specific recommendations on this subject since it was felt that the problems concerned would have to be studied further by the Sub-Committee, which, in so doing, would have to take account of the elaboration of the international régime for the area of the sea-bed and ocean floor beyond the limits of national jurisdiction.

19. (E) Special Problems of Land-Locked Countries

In accordance with resolution 2750 B (XXV), the Secretary-General prepared a report entitled "Study of the question of free access to the sea of land-locked countries and of the special problems of land-locked countries relating to the exploration and exploitation of the resources of the sea-bed and the ocean floor beyond the limits of national jurisdiction" (A/AC.138/37 and Corr.1 and 2),^{6/} which formed the basis of the Sub-Committee's discussions of the particular problems faced by land-locked countries in this respect. While delegates of land-locked countries gave special attention to the issues involved, other delegates also emphasized the need that the future régime take appropriate account of the needs and problems of land-locked countries.

The representatives of "shelf-locked" countries pointed out that the interests of their countries were similar to those of land-locked states.^{7/}

^{5/} The statement is reproduced as an annex to the present report.

^{6/} A summary of the Secretary-General's Report is annexed to the present report.

^{7/} The meaning to be attached to the term "shelf-locked" has still to be defined.

In this connection it was emphasized by some delegations that the most feasible method of solving the problem of the land-locked countries would be through accommodation within regional arrangements.

Other delegations also stressed the importance of arrangements on an international basis.

20. Having regard both to the general nature of its debate and the broad terms of the request made by the General Assembly in resolution 2750 B (XXV) that appropriate measures be evolved, within the framework of the law of the sea, to resolve the problems of land-locked countries, the Sub-Committee considered that it would not be desirable to attempt to formulate specific proposals at the present stage with respect to exploration and exploitation of sea-bed resources beyond the limits of national jurisdiction. The Sub-Committee was however of the opinion that the matters referred to in the Secretary-General's report should remain under constant consideration, so that appropriate measures might be prepared in due course, as the future régime, including machinery, is elaborated.

21. General Summary

During its sessions in 1971, Sub-Committee I has undertaken and concluded a general comprehensive debate on the matters referred to it, without prejudice to the rights of delegations to address the Plenary of the Sub-Committee at any time on the whole range of issues within its mandate. In the course of this debate and as a result of it a number of specific proposals regarding a treaty establishing an international régime - including an international machinery - for the area and the resources of the sea-bed and ocean floor beyond the limits of national jurisdiction, were made, both orally and in the form of drafts and working papers. The formulations and proposals submitted will be further examined at the session of the Sub-Committee to be held in 1972, as the Sub-Committee proceeds to the next stages of its work. It was considered that during its sessions in 1971 the Sub-Committee has made progress towards the preparation of draft treaty articles embodying the international régime - including an international machinery - for the area and its resources, as requested from the Committee by resolution 2750 C (XXV).

22.

Sub-Committee I

INDEX OF SUMMARY RECORDS

(A/AC.138/SC.1/SR.1 - 23)

Meetings held from 12 to 26 March 1971

1st Meeting:

Election of Officers

2nd Meeting:

1. Adoption of the agenda
2. Programme of work for 1971: General Debate
Statements by the Chairman, Democratic Republic of the Congo,
Guyana, Chile, Peru, Algeria, Kuwait

3rd Meeting:

Programme of work for 1971: General Debate (continued)
Statements by Ceylon, Brazil, India

4th Meeting:

1. Programme of work for 1971: General Debate (concluded)
Statements by United Kingdom, United States of America, Kuwait,
Cyprus, Union of Soviet Socialist Republics, Trinidad and Tobago,
Rapporteur
2. Exercise of right of reply
United Kingdom

Meetings held from 19 July to 27 August 1971

5th Meeting:

1. Organization of work
Statements by the Chairman, Chile, Union of Soviet Socialist Republics,
Brazil, Peru, Italy, France
2. General Debate
United Republic of Tanzania

6th Meeting:

1. General Debate (continued)
United States of America, Jamaica

7th Meeting:

General Debate (continued)
United Kingdom, Peru, Bolivia, Iraq

8th Meeting:

1. General Debate (continued)
Union of Soviet Socialist Republics, Madagascar, Kenya
2. Question of Procedure
Statements by the Chairman, Brazil, Turkey, France,
United Republic of Tanzania, Guyana, Peru, Kenya, Italy,
United States of America, Japan, Jamaica, India, Bulgaria,
United Arab Republic, Chile
3. Preparation of the report
Statement by the Rapporteur

9th Meeting:

- General Debate (continued)
Austria, Japan, Turkey, France, Australia

10th Meeting:

1. General Debate (continued)
Byelorussian SSR, Canada, Sweden, Italy, Libyan Arab Republic,
Nigeria, Canada
2. Question of Procedure
Statements by the Chairman, Trinidad and Tobago, Jamaica, Guyana,
United Republic of Tanzania, Peru, Australia, the Philippines,
France, Kuwait

11th Meeting:

1. General Debate (continued)
Chile, Gabon, Ceylon, Sweden

12th Meeting:

- General Debate (continued)
Cameroon, Nepal, Czechoslovakia, Kuwait, Poland, United Kingdom,
Liberia, Canada

13th Meeting:

- General Debate (continued)
Uruguay, Singapore, United States of America, Netherlands

14th Meeting:

- General Debate (continued)
Afghanistan, Romania, Spain

15th Meeting:

1. General Debate (continued)
Belgium, Thailand, the Philippines
2. Statement by Mr. Baum (Secretariat)

16th Meeting:

General Debate (continued)

Indonesia, United States of America, Ivory Coast, Greece, Somalia

17th Meeting:

General Debate (continued)

Bulgaria, Lebanon, Netherlands, Sudan

18th Meeting:

1. General Debate (continued)

Trinidad and Tobago, Iran, Mauritania, United Republic of Tanzania

2. Point of clarification

United States of America

19th Meeting:

General Debate (continued)

Panama, Democratic Republic of the Congo, Ukrainian Soviet Socialist Republic, United Kingdom

20th Meeting:

1. General Debate (continued)

Ecuador, India, United Arab Republic, Hungary

2. The representative of the Secretary-General of UNCTAD

made a statement. Comments on that statement were made by Peru, Chile, Canada, Bolivia, United States of America, Ukrainian SSR, Guyana, Spain, Yugoslavia, Nigeria, USSR, Colombia, the Secretariat.

21st Meeting:

1. General Debate (continued)

Australia

2. Organization of work

Statement by the Chairman

22nd Meeting:

1. General Debate (continued)

Ghana, Colombia, Poland, Mexico

2. Note on the Organization of Work (A/AC.138/SC.1/L.6)

Statement by Chairman, United States of America, India, Union of Soviet Socialist Republics

23rd Meeting:

1. General Debate (continued)

Mauritius, France, Tunisia, Brazil, United States of America, Yugoslavia, Venezuela, Denmark, Ceylon

2. Note on the Organization of Work (A/AC.138/SC.1/L.6)

Statements by Chairman, Jamaica, Guyana, India, Brazil