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COMMITTEE ON THE PEACEFUL USES OF
THE SEA-BED AND THE OCEAN FLOOR
BEYOND THE LIMITS OF NATIONAL
JURISDICTION
Economic and Technical Sub-Committee

STATEMENT BY THE CHAIRMAN AT THE FIRST MEETING OF THE THIRD SESSION
OF THE ECONOMIC AND TECHNICAL SUB-COMMITTEE, HELD ON 12 AUGUST 1969

Opening of the session of the Economic and
Technical Sub-Committee

Distinguished delegates, ladies and gentlemen,

Almost five months have elapsed since the Sub-Committee concluded its March session with the adoption of its draft progress report.

After considering the progress achieved in the exploration and exploitation of the resources of the sea-bed and the techniques used for their development, the Sub-Committee ventured to undertake an initial analysis of ways and means of promoting the utilization of these resources for the benefit of mankind as a whole. In general, the representatives who spoke in the debate in the Main Committee considered that the progress report was a useful, if preliminary contribution to our activities.

It was not possible, at that time, to examine a number of practical suggestions which were put forward for submission by the Committee to the General Assembly as "recommendations".

On the other hand, you will recall that the Sub-Committee had already envisaged its provisional programme of work for this third session, which comprises two very important items.

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The first is the question of a comprehensive outline of the scope of the long-term programme of oceanographic research of which the International Decade of Ocean Exploration will be an important element.

Last year, the Ad Hoc Committee's Economic and Technical Working Group had occasion to consider the excellent report by the Secretary-General on the mineral resources of the sea, of which a revised version was published recently. It found that it is indispensable to have accurate and sufficiently detailed geological maps if these resources are to be explored rationally. At the present time, little is known of the geological features of the continental shelf; still less is known about the continental slope and the continental rise which constitute the transitional zone between the continent and the ocean basin. The four preliminary maps distributed yesterday by the United States delegation, showing the world distribution of possible sub-sea mineral resources, were made on the basis of the limited information at present available to scientists. I should like to congratulate Dr. Vincent McKelvey and Dr. Frank Wang for their remarkable work and would venture to quote these sentences, which I found particularly striking:

"Further exploration doubtless will substantially alter the projected and inferred distribution shown on these maps and in addition may reveal kinds of sub-sea mineral occurrences not now known or anticipated.

"In spite of its inadequacy, the mass of information on the sea-bed is large and is growing rapidly."

At the twenty-third session of the General Assembly, all delegations acknowledged the importance of a long-term programme of oceanographic research and unanimously adopted two resolutions on the subject. They all realized that progress in the utilization of these resources for the benefit of mankind is conditional upon achieving a greater knowledge and better understanding of the ocean environment.

Moreover, they all felt that in order to attain this objective, co-operation should be sought from the Intergovernmental Oceanographic Commission which, for almost ten years now, has been actively helping to promote international co-operation in oceanographic research by preparing maps, disseminating data, training oceanographers, standardizing research methods and, primarily, by organizing scientific expeditions.

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It would seem appropriate to recall briefly the methods adopted by the IOC for the performance of its task in accordance with its statutes: (a) The Secretariat collects from the member States of the Commission (and from various international organizations concerned) suggestions for international programmes of oceanographic investigation. It "prepares" these programmes for consideration by the Commission. (b) The Commission considers the programmes and adopts recommendations concerning them, as well as the necessary measures for their execution. (c) The programmes which the Commission recommends to its members for their concerted action are carried out with the aid of the resources of participating Member States, in accordance with the obligations that each State is willing to assume.

It should be noted that these programmes entail pure or applied scientific research and that the Commission is assisted in evaluating their content by a Joint Working Party consisting of members of the specialized commissions of the International Council of Scientific Unions (ICSU) and of two specialized agencies, the Food and Agriculture Organization of the United Nations and the World Meteorological Organization. This Working Party is referred to in United Nations documents as "Joint Working Party of SCOR, ACMRR and WMO (CA)". The "expanded programme", or the "long-term programme of oceanographic research", should be viewed as an effort to intensify the traditional programmes of the IOC.

The purpose of the programme has been defined as follows:

(1) To increase knowledge of the ocean, its contents and the contents of its subsoil, and its interfaces with the land, the atmosphere, and the ocean floor;

(2) To improve understanding of processes operating in or affecting the marine environment, with the goal of enhanced utilization of the ocean and its resources for the benefit of mankind.

The "International Decade of Ocean Exploration" will be an important element in that programme, constituting, so to speak, the initial acceleration phase.

In practice, the programmes are generally drawn up on the basis of suggestions from Governments. The IOC serves primarily as a co-ordinating and

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centralizing agency: it harmonizes these national projects and welds them in a single programme which it will later execute and implement.

However, at the request of the General Assembly, the IOC has now assumed a policy-making role for the purpose of elaborating the long-term programme. It has called upon the Joint Working Party which I mentioned earlier and which met at Ponza and Rome in April and May 1969 and has set up its own special working group, which met in Paris in June.

The report of the special working group of the IOC is now available to us. I would have liked Admiral Langeraar, the Chairman of the IOC, to introduce this report in person, as he had intended. Unfortunately his engagements did not permit this, but I still hope that we shall see him in New York before long. I also regret that the report was issued in only one working language, thereby complicating our task considerably. I wish to assure members that, as Chairman of the Sub-Committee, I have drawn the attention of those responsible to the difficult situation which has arisen as a result. Nevertheless, I would suggest that we should adhere to the established order of priorities in our programme of work, while allowing delegations to speak on this question again when they have been provided with the necessary documentation.

Our approach to this document will be determined by the over-all mandate which the General Assembly has given to the Main Committee and by the special task which that Committee has assigned to this Sub-Committee.

It is unlikely that our Sub-Committee will be able to pronounce on the scientific merits of the proposals, as it is not competent to deal with the scientific aspects. However, it could give an opinion on the economic value of the programme, particularly for the developing countries. By assigning a scale of priority for the proposals we would reflect the opinions which are expressed here. Furthermore, the second part, dealing with the practical problems of implementation, contains a number of recommendations which relate, inter alia, to training requirements, data collection and assistance to the developing countries, and which deserve our special attention.

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The second item on our provisional programme of work concerns the study of the possible régimes for the exploitation of the resources of the sea-bed and the ocean floor beyond the limits of national jurisdiction. General Assembly resolution 2467 C called upon our Committee to submit to the Assembly at its twenty-fourth session a report on the study by the Secretary-General of the question of establishing appropriate international machinery. The Main Committee will consider the study as a whole, devoting special attention to the political aspects of the question, while the Legal Sub-Committee will study the general principles and specific norms which should be followed in defining the régime for the sea-bed.

It should not be forgotten, however, that economic considerations will also have a decisive influence on the choice of appropriate international machinery. The report of the Economic and Technical Working Group of the Ad Hoc Committee concluded that "to regulate the exploitation of mineral resources of the sea-bed and ocean floor beyond the limits of national jurisdiction various régimes can be conceived" and that "it will be necessary to study carefully the economic merits and demerits of these systems".

It will also be recalled that paragraph 38 of our interim report refers specifically to the study which the Secretary-General had yet to prepare and notes that, "pending the opportunity to study this paper the Sub-Committee reserved its position on the nature and form of any arrangements for a régime which might eventually be agreed upon". The Secretary-General's report is now available and, even if the Sub-Committee cannot yet take a position on the nature and form of such a régime, the report should at least enable it to make progress in its study of the question.

Since the functions assigned to any future international machinery will determine the type of international régime to be established, it might be useful to consider the possible systems for the exploitation of the resources of the sea-bed in the light of chapter II of the Secretary-General's report, although the Secretary-General emphasizes that the study he is presenting does not attempt "to enter into detailed economic and technical questions" and is not concerned "to argue the merits and demerits of particular proposals".

It would, in particular, be useful to consider the advantages and disadvantages of the three types of systems described in the report: the international registration system, the general licensing system and the international executing agency, that is, the agency responsible for operations.

As a subsidiary measure it would be advisable to study in detail the criteria applicable to registration and licensing; those criteria are mainly of an economic and technical nature (paras. 46-50 and 62-63).

The regulatory functions to be exercised by machinery under an international régime should also be considered (paras. 56 and 68), while another useful topic for study would be the operational activities that the machinery would be empowered to carry out (paras. 70-74).

Lastly, if time permits, consideration could also be given to certain modalities, such as the establishment of buffer or intermediate zones (paras. 57-69); joint exploitation (para. 57) within the framework of national jurisdiction and of the international régime, and certain interim measures pending the establishment of the régime.

Distinguished delegates, ladies and gentlemen,

The work plan that I have just outlined might, at first sight, appear somewhat disparate. However, yesterday I was re-reading this passage by Lautréamont: "Vieil océan, il n'y aurait rien d'impossible à ce que tu caches dans ton sein de futures utilités pour l'homme." ("Old ocean, it is surely not impossible that you conceal within your depths future benefits for man.") And it occurred to me that it expressed the essence of the two questions which we are proposing to consider. The "future benefits" concealed within the depths of the ocean must surely be the variety of resources buried beneath the sea and its bed, of which a better knowledge is one of the objectives of the oceanographic decade. And is not the régime which we are seeking to define more specifically intended to make these resources accessible to man, that is, to mankind as a whole?

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I know that I can count, as in the past, on the dedicated and efficient co-operation of the team chosen to assist our Sub-Committee, and particularly on my fellow officers Mr. Ramesh Arora and Mr. Anton Prohaska, as well as on our devoted Secretary, Mr. Jean Pierre Levy, and his staff.

One absent friend who will be particularly missed is Father de Breuvery. We all know how much importance he attached to the purpose of our discussions and appreciate the value of his informed co-operation. He is unable, for reasons of health, to attend this session of our Sub-Committee. I am sure that I speak for all of you in saying that we deeply regret his absence and offer him our most sincere wishes for a speedy recovery.

I should like to appeal to all delegations, among which I see many old friends, for the same constructive and effective co-operation that they have given in the past. I should like to assure those representatives who are here as observers that their contribution to our discussions will be greatly appreciated. I should also like to say how pleased I am to see among us several representatives of specialized agencies and non-governmental organizations.

Distinguished delegates, ladies and gentlemen,

I now declare open the August session of the Economic and Technical Sub-Committee.
