

UNITED NATIONS
GENERAL
ASSEMBLY



Distr.
GENERAL

A/AC.138/SC.2/9
28 August 1969
ENGLISH
ORIGINAL: FRENCH

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 LAST MEETING OF THE THIRD SESSION OF
THE ECONOMIC AND TECHNICAL SUB-COMMITTEE, HELD ON 28 AUGUST 1969

Before I declare this session of the Economic and Technical Sub-Committee closed, I hope you will allow me to take stock rapidly of the results achieved in two years, first by the Economic and Technical Working Group of the Ad Hoc Committee, and then by this Sub-Committee.

Our first task was, undoubtedly, a technical one: we were called upon to evaluate the present stage and foreseeable development of technology in the exploration and exploitation of the resources of the sea-bed and ocean floor. In that respect, we have benefited from the fact that several countries were represented by distinguished experts, who provided us with objective and accurate information. Last year, our work led us to prudent but confident conclusions. This year, we verified our forecasts and reached two conclusions: that the exploitation of hydrocarbons would probably be the first successful mining operation at great depths, and that the exploitation of other mineral deposits on the ocean floor might also prove to be technologically possible and economic in the future.

We were thus able to confirm the conclusions reached by the Working Group, perhaps with even greater optimism and fewer reservations.

At the Rio de Janeiro session, we also considered the prospects for international co-operation in the development and exploitation of the resources of the ocean floor. Our consideration centred on the long-term oceanographic

research programme which would be given its initial impetus by the International Decade of Ocean Exploration and be co-ordinated by the Intergovernmental Oceanographic Commission of UNESCO. This year, we were able to study the detailed draft outline of the long-term programme prepared by a special working group of IOC.

Whereas in 1968 only the scientific field appeared to offer genuine prospects for international co-operation, the Sub-Committee, at its March session, recognized that new forms of international co-operation should be considered to ensure the rational and equitable exploitation of the resources of the sea-bed. It expressed the view that it would be possible to draw up, in good time, an international regime for such operations (A/AC.138/SC.2/6, para. 49 (b), and (c)) and recognized in a general way that all countries should participate to the extent possible in the exploration and exploitation of the resources of the ocean floor and share equitably from their exploitation (ibid., para. 100 (e)).

Even in the days of the Ad Hoc Committee, we were aware that the role of its Economic and Technical Working Group could not be limited to the collection of information, no matter how important that information might be as a basis for our work, but must also establish the basis for political decisions. To an even greater degree than its predecessor, the Sub-Committee is a subsidiary body of a main committee which must draw conclusions and even make political recommendations. The latter must be based on legal studies (which fall within the purview of the Legal Sub-Committee) and on economic analyses and projections. Such tasks clearly exceed the narrow scope of the provision of information pure and simple and were bound to lead to fields where controversy could not be avoided.

Our first discussion, in the strict sense of the term, in the Working Group was devoted to the possibility of exploiting the mineral resources of the sea for the benefit of all mankind. The report prepared last year reflects not only certain doubts concerning the competence of the Working Group (A/7230, annex I, para. 54), but also the divergent points of view concerning the actual substance. I need only quote the following passages:

- (a) "The need for some internationally agreed upon arrangements which would govern operations for exploring and exploiting ocean floor minerals has been generally recognized" (ibid., para. 55);

- (b) "The opinion prevailed that it was a timely endeavour to consider the possible establishment of a régime to ensure an exploitation for the benefit of all mankind" (Ibid., para. 60);
- (c) "In the context of the discussion of a possible international machinery to supervise and govern 'exploitation for the benefit of mankind', attention was drawn to the possible disadvantages of large bureaucratic institutions" (Ibid., para. 59).

I wanted to read out these three sentences, which appear, somewhat timidly, in the report of the Working Group: they show that the Group had anticipated, if not formulated, the problems we are now seeking to solve and used several terms which have since won general acceptance.

Thus, at the current session, we have been able to consider the report of the Secretary-General on the question of establishing in due time appropriate machinery for the promotion of the exploration and exploitation of the resources of the sea-bed and the ocean floor in the interests of mankind. Admittedly this consideration has been merely preliminary in nature and has not yet led to definitive conclusions. I nevertheless wish to pay a tribute to the constructive spirit in which all delegations have approached this delicate question.

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Must we, at the present stage, speak of a programme for next year? If the General Assembly, as is expected, extends the mandate of the main Committee, and the latter once again calls upon the expertise of the members of this Sub-Committee, it will be for the next Chairman of the Sub-Committee to suggest a programme of work. Nevertheless, a few suggestions from the outgoing Chairman may be helpful:

Firstly, the Sub-Committee should not ignore certain technical aspects of operations on the sea-bed and ocean floor. Next year it will probably have to consider the study on marine pollution caused by the exploitation of submarine mineral resources. The Secretary-General has issued a note indicating the tenor of that report and the way in which it will be prepared (A/AC.138/13).

Furthermore, the Inter-governmental Maritime Consultative Organization (IMCO) has circulated a note (A/AC.138/15) outlining the action taken to prepare the studies mentioned in General Assembly resolution 2467 B (XXIII).

Secondly, the Sub-Committee should continue to advise the main Committee on economic problems. Several suggestions have been made, one of which, submitted by

the Indian delegation, would take advantage of the experience acquired by various countries in the regulation of the mineral and fossil resources of the continental shelf. On the basis of a document to be prepared by the Secretariat, the Sub-Committee will be called upon to determine certain points of common agreement in those regulations which would provide a useful basis for a system for the administration of the resources of the sea-bed and ocean floor beyond the limits of national jurisdiction.

Thirdly, the Australian delegation has submitted a suggestion which seems to me to complete the Indian proposal in that it visualizes the drafting, at the next session, of a code relating to conditions governing claims and systems of operation and supervision.

Lastly, the delegation of Kuwait has suggested that a supplement should be prepared to the Secretary-General's study on the establishment in due time of international machinery. If the supplement deals in particular with the economic and technical aspects of the question, as the representative of Kuwait seems to wish, it will clearly require careful consideration by the Sub-Committee.

In its deliberations, the Sub-Committee would be well advised to consider only economic and technical matters, which can and should be considered without waiting for the expression of the political will that would make it possible to settle outstanding questions, and without prejudice to the legal work which will eventually make it possible to embody the decisions taken in international instruments.

One danger threatens the Sub-Committee: it must avoid becoming a forum for the constant repetition of more or less identical general statements incorporating preliminary observations which lead to no conclusions owing to the lack of unanimous agreement, and it must avoid postponing more detailed consideration of all aspects of the question.

The idea of utilizing the sea-bed and the ocean floor for the benefit of all mankind should not become an academic ideal in which no one really believes any more, although everyone continues to repeat the same worn-out clichés from one session to the next.

In that connexion, I should like to draw your attention to the example of general and complete disarmament, an ideal which is certainly dear to all but

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but which, as speech follows speech, seems to be becoming an increasingly academic, not to say utopian idea.

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I should now like to pay a tribute to the competence and foresight of the delegations which have taken part in our work, all of which have adopted a particularly constructive attitude, reflected primarily in the care they have taken to avoid sterile procedural debates and to ensure that the limited time available has been put to the best advantage. This has enabled the Sub-Committee to complete at each session its discussion of all the items on its agenda. All the members of the Sub-Committee are entitled to be proud of this achievement and I thank them warmly for their co-operation.

The Vice-Chairman, my colleague and friend Mr. Ramesh Arora, has not taken the Chair very often, but his merit is all the greater for that: many difficulties which might have proved difficult to overcome have been easily avoided, as a result of his valuable advice.

The Rapporteur, my colleague and friend Mr. Anton Prohaska, had the most arduous and unrewarding task to perform. As on every previous occasion, he acquitted himself with his usual expertise and I wish to congratulate him warmly.

On this occasion, the Secretary of our Sub-Committee deserves a special tribute. Without the experienced guidance of Father de Breuvery, Mr. Jean-Pierre Levy has distinguished himself by his enthusiastic devotion to our work and by his evident sense of organization. I thank him warmly, sure, as I am, that his outstanding qualities will receive the recognition they deserve.

I know I am speaking for all the members of the Sub-Committee when I express to the Secretariat, particularly Mr. David Hall and his staff, my appreciation for the very useful documentation they have prepared during the year, especially the report on international machinery.

I should like to mention some other services, too: the documents service, which saw to it that one week-end the draft report was translated into three languages, reproduced and circulated in good time to all delegations; the Office of Conference Services, particularly the Assistant Secretary-General, Mr. Jiri Nosek, and Miss Lorraine Shea and her staff; the précis-writers, who

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summarized our discussions admirably and provided us today with the summary record of our twenty-fourth meeting, the only night meeting that I have ever convened at the United Nations and, lastly, the interpreters, who, hidden behind their thick glass windows, rendered our statements into the various working languages. During this session, the Translation Services and the Office of Public Information have been subjected to some criticism. I, for my part, wish to assure them that I continue to have full confidence in them.

Lastly, I should like to thank the observers of the various delegations which are interested in our work and the representatives of the specialized agencies and intergovernmental organizations.
