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

Statement by Mr. Philippe de Seynes, Under-Secretary-General  
for Economic and Social Affairs, to Sub-Committee I of the  
Committee on the Peaceful Uses of the Sea-bed and the Ocean  
Floor beyond the Limits of National Jurisdiction, at its  
forty-eighth meeting on 19 July 1972

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Mr. Chairman,

For some time we have been insistently reminding ourselves that we live in a finite world - the Earth - which we are industrializing and polluting, whose resources we are squandering, and which may soon be unable to feed its thousands of millions of inhabitants any longer. These currents of thought provide an additional reason for the interest we are displaying in ocean space, in the search for additional resources - biological resources most certainly, space resources in some cases, but above all mineral resources.

In response to requests made by your Committee, the Secretariat has prepared some additional notes on the possible economic implications of mineral production from the international sea-bed area (A/AC.138/73). I should like to take this opportunity of making a few more general remarks which, I hope, will fit into the general pattern of the considerations which guide your action.

The Sea-bed Committee is certainly one of the most important United Nations committees, since the work assigned to it will - if it is successful - lead to the establishment of new structures of international co-operation covering the greater part of our planet. You are not only called upon to modernize the traditional rules of the law of the sea; you are also on the way to establishing a new legal order for ocean space and its resources beyond the limits of national jurisdiction.

With regard to the international order governing the seas, the work which you have done in previous years has already led to the adoption of certain decisions which I can unhesitatingly describe as historic. I refer, in particular, to the Declaration of Principles adopted by the General Assembly at its twenty-fifth session. This Declaration recognizes the existence of a vast area of the sea beyond the limits of national jurisdiction, and affirms that this area shall not be subject to appropriation and that the exploitation of its resources shall be carried out for the benefit of mankind as a whole, taking into particular consideration the interests and needs of the developing countries. One corollary of these principles is the idea of the rational management of the common heritage of mankind - in other words, implicit acceptance by the international community of the need for a rational policy for biological and mineral resources alike, and of the concept of the preservation and conservation of what is recognized to be the common heritage of mankind.

The preliminary studies undertaken by the Secretariat on the problems involved in exploiting the mineral resources of the sea-bed give a clear idea of the extent of these resources, and indicate that it will be technically possible to exploit them in the near future.

Research on some of these resources - such as manganese nodules - is already far advanced, and metallurgical processes for extracting the metals contained in them have reached the operational stage. Proof of the interest which large industrial enterprises are showing in this new source of minerals is provided by the recent formation of a consortium consisting of some twenty companies which, already this summer, will be using a continuous line bucket system for the experimental recovery of nodules lying at a depth of some thousand metres in the South Pacific.

In the past, the existence and distribution of manganese nodules were estimated by photographic processes; but now the areas covered by nodules can be located more accurately by deep-water television techniques. These areas extend perhaps over an area amounting to 25 per cent of the sea-bed, but their distribution and mineral content varies from region to region. However, it has recently been estimated that there are about 600,000 million tons of manganese nodules in the sea-bed; and it must be remembered that they have the unique characteristic of continuing to form more quickly than they can be consumed.

Also, recent research shows that some undersea areas have metal-bearing muds and hot brines containing considerable amounts of heavy metals such as iron, manganese, zinc, lead, copper, silver and gold. These discoveries are particularly interesting in the light of the modern theories of continental drift and the mobility of ocean tables, which give grounds for thinking that large undersea areas, such as the mid-ocean ridge, are likely to have similar characteristics.

An unexpectedly wide-ranging debate on the consequences and purposes of economic growth has now begun. In this context, I should like to stress the fact that the unexplored and unexploited resources of ocean space are precisely one of the factors which have been ignored by most research workers. A rational and internationally-planned development of this source of supply should help to correct the negative approach which is all too often adopted.

The essential point, as we see it, is that the problem of the resources of ocean space should not be treated in isolation, but should be restored to the more general context of development. There can be no question of developing these resources in a way which would profit only certain countries of the Third World. The necessary contribution of the resources of the sea at the global level must be made in such a way that its first effect is to accelerate the development of the countries most in need

of it. In this way it will be possible to incorporate the results you achieve as an important element in the International Development Strategy adopted by the international community on the occasion of the twenty-fifth anniversary of our Organization.

We must, of course, not overlook the contradiction inherent in any development of new resources. Whereas in the short term the pressure on market prices exerted by a new source of supply cannot be excluded, there can be no doubt that in the long term every resource which may become available to mankind must be rationally exploited. It is this ambivalence that calls for a vision of the needs of the world economy, first for the next few years, but also for a long period to come.

It is as much a challenge as an opportunity for the future of the international community. Your Committee has accepted this challenge and is at present engaged in a crucial phase of the elaboration of international rules. In this context, we believe that it is essential to bear in mind a number of concepts relevant to your deliberations.

1. In the first place I should like to stress the need to aim at a rational management of world resources in their entirety - that is to say, to try to devise methods which will lead to an optimum use of resources on a worldwide scale, involving a minimum of organization and planning.

In establishing rules for the resources of ocean space, it is important to remain aware of the interdependence of primary commodity markets, and not to lose sight of the possible interaction between the new resources of the sea-bed and the same resources traditionally produced on land. The observations in the report submitted to you attempt to illustrate this interdependence - especially the reference to the theoretical possibility of a nodule mining venture which would, within a few years and by itself alone, be capable of supplying about 7.9 per cent of the world demand for cobalt, 2 per cent of manganese, 1.3 per cent of nickel and 0.13 per cent of copper.

The direct corollary of this kind of hypothesis is that the interests of land producers of these primary commodities, especially the developing countries, must be taken into consideration.

The studies undertaken by the Secretariat also show that while an over-all benefit to the international community may be expected to accrue from the production of these new resources, the risks which uncontrolled production might entail for certain developing countries which produce these primary commodities, and whose economies largely depend on their exploitation and exportation, cannot be disregarded. I know that the desire to resolve these contradictions is basic to your discussions on the notion of international machinery to promote and regulate the development of the resources of the sea-bed.

2. Two approaches may be adopted to prevent the production of undersea minerals from having any adverse effect on the prosperity of the traditional producer countries. Firstly, preventive measures may be contemplated - for example, holding production of undersea minerals at a level at which it will not harm the traditional exporting countries; or, secondly, compensatory measures may be envisaged to compensate producer countries for any losses they may incur. Indeed, it is quite possible to think of a whole set of measures covering the various methods for prevention and compensation, some of which have been illustrated in the report. The only conclusion that can be drawn at the present stage from the few preliminary studies which have been undertaken by the United Nations Secretariat and the UNCTAD secretariat is that the topic calls for the continuation of these studies. This is all the more necessary in that most of the parameters which have hitherto been taken as a basis are likely to be modified by market changes, new discoveries and technological developments. At its recent session at Santiago, UNCTAD did, in fact, consider these problems. They appear in a different light depending on the context in which they are viewed, and for this reason very close co-operation is maintained between UNCTAD and my Department.

3. Another point on which we have been asked to reflect concerns the future sharing of the benefits which may be derived from the development of the resources of the sea-bed. Some purely hypothetical calculations were submitted to you last year; and in this area, too, it became quite clear that it was extremely difficult to hazard any forecasts about the extent of the benefits, material and immaterial, or about possible schemes for sharing them. Nevertheless, this problem will assume increasing importance as the development of the resources becomes a reality. It may be hoped that when the international régime and machinery are established, the funds collected may constitute a source of financing which will grow in size at a rate equal to progress made in exploiting the marine resource potential.

4. Lastly, there is one element which cannot be dissociated from rational policies concerning the development of the resources of ocean space. This is the notion of the conservation of these resources, and this applies essentially to biological resources and to the preservation of the marine environment as a whole. In the aftermath of the Stockholm Conference on the Environment, we cannot possibly fail to bear in mind the importance for the future of our planet of the conservation of the three-quarters of its surface which is covered by the seas and oceans. What is at stake is the very cycle of life on earth, and man can no longer permit himself to develop the resources of these areas without taking the environmental effects into consideration.

These various factors will be conclusive in determining the type of international régime and machinery to be established for the sea-bed and its resources. The drafts which have already been submitted by various Governments propose various kinds of machinery, ranging from an agency with limited powers to an agency with competence and powers approaching those of a world ocean organization. No matter what final form this agency may take, and regardless of the type of régime within which it will have to operate, the problems with which it will have to deal will remain the same. In this sphere, however, the international community is in a more advantageous position than it is in many others, since its task is to create out of nothing a legal order for an area and its resources which have not hitherto been subject to any order whatever. What it is required to do therefore is not to replace or change, but to create. The international community has an opportunity to devise a new system of international relations to promote a rational, multidisciplinary and planned development which should prove beneficial to the countries of the Third World and to mankind as a whole, and at the same time fulfil a basic mission of the United Nations.