

1967

PRESS RELEASE

Summary of statement made by Dr. A. Pardo, Malta's Permanent Representative to the United Nations, in the First Committee of the General Assembly on November 1st on the question of the sea-bed and the ocean floor

The sea-bed and the ocean floor constitute nearly three quarters of the land area of the earth.

Current international law encourages the appropriation of this vast area by those who have the technical competence to exploit it.

The known resources of the sea-bed and of the ocean floor are far greater than the resources known to exist on dry land. The sea-bed and the ocean floor are also of vital and increasing strategic importance. Present and clearly foreseeable technology permits their effective exploitation for military or economic purposes. Some countries may therefore be tempted to use their technical competence to achieve near unbeatable world dominance through predominant control over the sea-bed and ocean floor.

This even more than the search for wealth, will impel countries with the requisite technical competence competitively to extend their jurisdiction over selected areas of the ocean floor. The process has already started and will lead to a competitive scramble for sovereign rights over the land underlying the world's seas and oceans, surpassing in magnitude and in its implications last century's colonial scramble for territory in Asia and Africa. The consequences will be very grave: at the very least a dramatic escalation of the arms race and sharply increasing world tensions, caused also by the intolerable injustice that would reserve the plurality of the world's resources for the exclusive benefit of less than a handful of nations. The strong would get stronger, the rich richer and among the rich themselves there would arise an increasing and insuperable differentiation between two or three and the remainder. Between the very few dominant powers, suspicions and tensions would reach unprecedented levels. Traditional activities on the high seas would be curtailed and at the same time, the world face the growing danger of permanent damage to the marine environment through radioactive and other pollution: this is a virtually inevitable consequence of the present situation.

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These are the projects that the world faces, not in a remote future, but as an immediate consequence of forces and pressures already at work.

Can these pressures be restrained through the continuation-and normal expansion of the work already being undertaken within the United Nations system and by related inter-governmental bodies?

Nearly all United Nations agencies are directly or indirectly, actively or potentially, concerned with the seas: IAEA has done useful research on the question of radioactive waste disposal, ILO is concerned with the conditions of work of seafarers, FAO is interested in fisheries, IMCO and UNCTAD in shipping, WHO has a potential interest in the health of aquanauts, there are also WMO, UNESCO, etc.

The United Nations itself has been somewhat slow in entering the field.

It is not surprising that increasing concern has been expressed in unofficial quarters over the apparent lack of awareness in the international community of the implications of recent developments in technology in the context of the 1958 Geneva Convention on the Continental shelf. Increasingly numerous voices have been raised stressing the urgency of considering the vital political questions involved and urging that clear legal provision be made for an international regime, administered by an efficient international authority, over the sea-beds and the ocean floor beyond a variously defined continental shelf.

Among the supporters of an international regime for the sea-beds and the ocean floor there are two main currents of opinion. One favours the creation of a new agency responsible for all oceanographic activities, including those concerning mineral resources of the sea. The other prefers to entrust all responsibility to the United Nations.

I do not believe that there can be any doubt that an effective international regime over the sea-bed and the ocean floor beyond a clearly defined national jurisdiction is the only alternative by which we can hope to avoid the escalating tensions that will be inevitable if the present situation

is allowed/....

to continue; it is the only alternative by which we can hope to escape the immense hazards of a permanent impairment of the marine environment; it is finally the only alternative that gives assurance that the immense resources on and under the ocean floor will be exploited with harm to none and benefit to all. Finally a properly established international regime contains all the necessary elements which should make it acceptable to all of us here - rich and poor countries, strong and weak, coastal and land-locked States: through an international regime all can receive assurance that at least the deep sea floor will be used exclusively for peaceful purposes and that there will be orderly exploitation of its resources.

All proposals put forward up to now for an international regime, however, have avoided facing the defence aspects of the question before us. These aspects are crucial for an enduring international solution of the problem.

Appropriation for national purposes of the sea bed and ocean floor beyond the geophysical continental shelf has already started; my government believes that the international community has no alternative in the circumstances but to aim consciously and with a sense of urgency towards the creation of an international regime for the deep seas and the ocean floor, beyond, I repeat again, reasonably defined national jurisdiction. In creating such a regime we must face squarely the vital issues of legitimate national security together with the economic, scientific and other implications. Our objective must be to create conditions in the marine environment that will be of benefit to all.

We do not believe that it would be wise to make the United Nations itself responsible for administering an international regime. We say this not because we have any objections of principle, but for practical reasons. I would only observe that is hardly likely that those countries which have already developed a technical capability to exploit the ocean floor would agree to an international regime if it were administered by a body where small countries, such as mine, had the same Voting power as the United

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States or the Soviet Union. Hence our long term objective is the creation of a special agency with adequate powers to administer in the interests of mankind the oceans and the ocean floor beyond national jurisdiction.

We envisage the agency as assuming jurisdiction, not as a sovereign, but as a trustee for all countries, over the oceans and the ocean floor beyond the limits of national jurisdiction. The agency should be endowed with wide powers to regulate, supervise and control all activities on or under the oceans and ocean floor.

We would envisage exploration rights and leases being granted in respect of mineral, petroleum and other resources lying in the area within its jurisdiction. We have made some hasty calculations on the amount of revenue which the Agency could be expected to receive from such activities. On the assumption that an Agency would be created in the year 1970, that technology will continue to advance, that exploitation will be commensurate with presently known resources of the ocean floor and that exploration rights and leases will be granted at rates comparable to those existing under national jurisdiction, we believe that by 1975 gross annual income of the Agency will reach a level conservatively estimated at \$ 6 billion. After deducting administration expenses and all other legitimate expenses including support to oceanographic research, the Agency would in our view still be left with at least \$ 5 billion to be used to further either directly or through the UNDP the development of poor countries. The international aid picture would be completely transformed.

We also envisage the Agency as the body with over-all responsibility for keeping the problem of ocean pollution under control.

We hope, however, that the General Assembly will at its present session adopt a resolution embodying the following concepts:

1. the sea-bed and ocean floor are a common heritage of mankind and should be used and exploited for peaceful purposes and for the exclusive benefit of mankind as a whole. The needs of poor countries representing that part

of mankind which is most in need of assistance, should receive preferential consideration in the event of financial benefits being derived from the exploitation of the sea bed and ocean floor for commercial purposes;

2. claims to sovereignty over the sea-bed and ocean floor beyond present national jurisdiction should be frozen until a clear definition of the continental shelf is formulated;

3. a widely representative but not too numerous body should be established (a) to consider the security, economic and other implications of the establishment of an international regime over the deep seas and ocean floor beyond the limits of present national jurisdiction, (b) to draft a comprehensive treaty to safeguard the international character of the sea-bed and ocean floor beyond present national jurisdiction and (c) to provide for the establishment of an international agency which will ensure that national activities undertaken in the deep seas and on the ocean floor will conform to the principles and provisions incorporated in the proposed treaty.

We have prepared a draft resolution embodying the points which I have mentioned. We are reluctant, however, to submit it officially. The question of the sea-bed and ocean floor beyond present national jurisdiction is of vital importance to all of us; it is also a matter in which the concurrence of all is essential. We are not anxious, therefore to engage publicly in the usual controversy which often precedes the adoption of a resolution. We do not wish to divide this Committee. We propose instead to appeal to moral concepts, to reason and to well understood national interest. I would accordingly formally request the appointment of a small but widely representative group to consult together and to elaborate a draft resolution which, hopefully may be acceptable to all or, at least, to the great majority of Member States.