Agenda item 92: Examination of the question of the reservation exclusively for peaceful purposes of the sea-bed and the ocean floor, and the subsoil thereof, underlying the high seas beyond the limits of present national jurisdiction, and the use of their resources in the interests of mankind

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Action taken by the General Assembly

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*For the discussion of this item, see Official Records of the General Assembly, Twenty-second Session, First Committee, 1515th, 1516th, 1524th to 1530th and 1542nd to 1544th meetings; ibid., Fifth Committee, 1224th meeting; and ibid., Plenary Meetings, 1639th meeting.

**DOCUMENT A/6695**

Malta: request for the inclusion of a supplementary item in the agenda of the twenty-second session

[Original text: English] [18 August 1967]

Note verbale dated 17 August 1967 from the Permanent Mission of Malta to the United Nations addressed to the Secretary-General.

The Permanent Mission of Malta to the United Nations presents its compliments to the Secretary-General and has the honour to propose under rule 14 of the rules of procedure of the General Assembly the inclusion of the following item in the agenda of the twenty-second session of the General Assembly: "Declaration and treaty concerning the reservation exclusively for peaceful purposes of the sea-bed and of the ocean floor, underlying the seas beyond the limits of present national jurisdiction, and the use of their resources in the interests of mankind".

An explanatory memorandum is attached in accordance with rule 20 of the rules of procedure.

MEMORANDUM

1. The sea-bed and the ocean floor are estimated to constitute approximately five-sevenths of the world's area. The sea-bed and ocean floor, underlying the seas outside present territorial waters and/or the continental shelves, are the only areas of our planet which have not yet been appropriated for national use, because they have been relatively inaccessible and their use for defence purposes or the economic exploitation of their resources has not been technologically feasible.

2. In view of rapid progress in the development of new techniques by technologically advanced countries, it is feared that the situation will change and that the sea-bed and the ocean floor, underlying the seas beyond present national jurisdiction, will become progressively and competitively subject to national appropriation and use. This is likely to result in the militarization of the accessible ocean floor through the establishment of fixed military installations and in the exploitation and depletion of resources of immense potential benefit to the world, for the national advantage of technologically developed countries.

3. It is, therefore, considered that the time has come to declare the sea-bed and the ocean floor a common heritage of mankind and that immediate steps should be taken to draft a treaty embodying, inter alia, the following principles:

(a) The sea-bed and the ocean floor, underlying the seas beyond the limits of present national jurisdiction, are not subject to national appropriation in any manner whatsoever;

(b) The exploration of the sea-bed and of the ocean floor, underlying the seas beyond the limits of present national jurisdiction, shall be undertaken in a manner...
consistent with the Principles and Purposes of the
Charter of the United Nations;

c The use of the sea-bed and of the ocean floor,
derying the seas beyond the limits of present national
jurisdiction, and their economic exploitation shall be
undertaken with the aim of safeguarding the interests
of mankind. The net financial benefits derived from the
use and exploitation of the sea-bed and of the ocean
floor shall be used primarily to promote the develop-
ment of poor countries;

d The sea-bed and the ocean floor, underlying the
seas beyond the limits of present national jurisdiction,
shall be reserved exclusively for peaceful purposes in
perpetuity.

4. It is believed that the proposed treaty should en-
visage the creation of an international agency (a) to
assume jurisdiction, as a trustee for all countries, over
the sea-bed and the ocean floor, underlying the seas
beyond the limits of present national jurisdiction; (b)
to regulate, supervise and control all activities thereon;
and (c) to ensure that the activities undertaken conform
to the principles and provisions of the proposed treaty.

DOCUMENT A/6964

Report of the First Committee

[A/C.1/L.410/Add.1. The draft resolution read as
follows:

"The General Assembly,

"Having considered the item entitled “Examination
on the question of the reservation exclusively for
peaceful purposes of the sea-bed and the ocean floor,
and the subsoil thereof, underlying the high seas
beyond the limits of present national jurisdiction,
and the uses of their resources in the interests of
mankind”;

"Noting that developing technology is making the
sea-bed and the ocean floor, and the subsoil thereof,
accessible and exploitable for scientific, economic,
military and other purposes,

"Recognizing the common interest of mankind in
the sea-bed and the ocean floor, which constitute the
major portion of the area of this planet,

"Recognizing further that the exploration and use of
the sea-bed and the ocean floor, and the subsoil
thereof, as contemplated in the title of the item, should
be conducted in accordance with the purposes and
principles of the Charter of the United Nations,
in the interest of maintaining international peace and
security and for the benefit of all mankind,

"Mindful of the provisions and practice of the law
of the sea relating to this question,

"Mindful also of the importance of preserving the
sea-bed and the ocean floor, and the subsoil thereof,
as contemplated in the title of the item, from actions
and uses which might be detrimental to the common
interests of mankind,

"Desiring to foster greater international co-operation
and co-ordination in the further peaceful explora-
tion and use of the sea-bed and the ocean floor, and
the subsoil thereof, as contemplated in the title of the
item,

"Recalling the past and continuing valuable work
on questions relating to this matter carried out by the
competent organs of the United Nations, the special-
ized agencies, the International Atomic Energy
Agency and other intergovernmental organizations,

"Recalling further that surveys are being prepared
by the Secretary-General in response to General As-
sembly resolution 2172 (XXI) of 6 December 1966]