

# ACHIEVEMENTS

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**O**n the seventeenth of August, 1987, in the city of New York, a historic decision was taken by the Preparatory Commission of the International Seabed Authority (PRE-PCOM) to allocate to India EXCLUSIVE RIGHTS for the exploration of polymetallic nodules in an area of about one hundred and fifty thousand square kilometers in the Central Indian Ocean Basin. The relevant document is reproduced below.

1. Pursuant to resolution II of the Third United Nations Conference on the Law of the Sea and the statement on the implementation of resolution II of the Preparatory Commission of 5 September 1986 (LOS/PCN/L.41/Rev.1, annex) and the statement of understanding on the implementation of resolution II of 10 April 1987 (LOS/PCN/L.43/Rev.1), the General Committee, in accordance with Rule 14, paragraph 3, of the rules of procedure of the Preparatory Commission, has considered the application of the Government of the Republic of India for registration as a pioneer investor under resolution II. The General Committee had before it a report of the Group of Technical Experts (LOS/PCN/BUR/R.1) established by the Preparatory Commission to examine the application. In addition the applicant had released for the consideration of the General Committee the formal part of its application (LOS/PCN/BUR/INF/R.1).

2. The General Committee noted that in accordance with paragraph 4 of the statement of understanding of 5 September 1986 (LOS/PCN/L.41/Rev.1, annex), the Group of Technical Experts had determined that the application of India was in conformity with resolution II in particular with the principle of equal estimated commercial value, subject to the guidelines and procedures set forth in the above-mentioned statements of understanding.

3. The General Committee has also noted that in its application India has made the following declarations :

"India signed the United Nations Convention on the Law of the Sea 10 December 1982".

"The Application Area is a part of the International Seabed area in the Central Indian Ocean and is

beyond the limits of national jurisdiction of any State."

"The Applicant assures the Preparatory Commission that the application area is free from overlapping claims."

"The Applicant agrees to make the payment of \$US 250,000 to the Preparatory Commission as fee for registration as pioneer investor and for the allocation of a pioneer area as soon as the Applicant is advised by the Preparatory Commission."

"The Applicant has not made any other application for allocation of a pioneer area either in the Indian Ocean or in any other ocean. The Applicant undertakes to comply with the provisions of paragraph 12 of the resolution governing preparatory investment in pioneer activities relating to polymetallic nodules. It will also conduct its activities in accordance with the relevant provisions of resolution II and the Rules and Regulations adopted by the Preparatory Commission for the International Seabed Authority including those relating to the preservation of the marine environment."

"The Government of India shall ensure that the pioneer activities are conducted in a manner compatible with the United Nations Convention on the Law of the Sea, 1982." (LOS/PCN/BUR/INF/R.1, sect.5)

4. The General Committee having considered the application of India, taking into account the report submitted by the Group of Technical Experts, has noted with appreciation the conclusions reached by the Group of Technical Experts :

(a) That the application of India has been submitted in accordance with resolution II and the statements of understanding contained in documents LOS/PCN/L.41/Rev.1 and LOS/PCN/L.43 Rev.1;

(b) That Areas A and B in the application of India, as adjusted and identified in figure 2 of the Report of the Group of Technical Experts, are of equal estimated commercial value;

## FROM THE FIRST NODULE TO THE FIRST MINE SITE

- (c) That Area B, as adjusted should be designated as the reserved area; and
- (d) That Area A, as adjusted which includes an area of 52.3 thousand square kilometres identified by the Applicant, should be designated as the pioneer area to be allocated to the Applicant.

5. It further notes that the list of co-ordinates of Areas A and B as adjusted, is deposited with the Secretary-General and form annex 2 of the report of the Group of Technical Experts.

6. Accordingly, the General Committee taking into account the readiness of India to comply with the obligations of pioneer investors under resolution II and the above-mentioned statements of understanding,

### DECIDES

- (a) To designate Area B, referred to above, as the part of the application area which is to be reserved for the conduct of activities by the Authority in the Area through the Enterprise or in association with developing States;
  - (b) To allocate Area A, as referred to above, as a pioneer area to the applicant, the Government of India;
  - (c) To annex the co-ordinates of Areas A and B hereto;
  - (d) That a certificate of registration shall be issued to the applicant.
7. The certificate of registration of the application of the Government of the Republic of India shall record :
- (a) The identity of the applicant and of the certifying state;
  - (b) The date of signature of the Convention by the certifying State;
  - (c) The date of receipt of the application and any revisions thereto;
  - (d) The date of the decision for registration as a pioneer investor;
  - (e) The date of registration as a pioneer investor;
  - (f) The precise geographical co-ordinates of the area allocated to the applicant as a pioneer area;
  - (g) The exclusive right of the pioneer investor to carry out pioneer activities in the pioneer area allocated to it under resolution II of the Third United Nations Conference on the Law of the Sea;
  - (h) The requirements of compliance by the pioneer investor with its obligations under resolutions II and the above-mentioned statements of understanding;
  - (i) The requirements of compliance by the certifying State with its commitments under resolution II.

### 8. The General Committee

REQUESTS the Secretary-General of the United Nations :

- (a) To inform all the participants of the Preparatory Commission of this decision;
- (b) To give due publicity to the co-ordinates of Areas A and B;
- (c) To maintain a register for the purpose of registering the pioneer investor and to record the reserved area;
- (d) To advise the applicant of the administrative arrangements necessary for the payment of fee and to prepare and issue to the applicant a certificate of registration.

Meeting of the General Committee  
17 August 1987

I HEREBY CERTIFY THAT THE ABOVE  
DECISION WAS TAKEN BY THE  
GENERAL COMMITTEE ON 17  
AUGUST 1987.

Jose Luis Jesus  
Chairman of the Preparatory Commission  
for the International Sea-Bed Authority  
and for the International Tribunal for  
the Law of the Sea

A six year long challenging effort in exploration by a group of scientists and technicians was finally acclaimed by scientists, technocrats and policy makers of many countries. To the world of oceanographers it was source of amazement to realise that a developing country like India has become the first nation to secure registration of a claim in the international waters. This achievement was applauded by our Honourable Prime Minister Mr. Rajiv Gandhi on 26th of August, 1987. Everyone in the Parliament joined him in lauding the scientists and engineers who made this task successful. To put in his own words :

"The registration of our claim for a deep seabed mine site indeed provides a concrete indication of indigenous scientific capabilities and achievements". "I am sure this house will agree to place on record our appreciation for excellent work done by our scientists and engineers who have taken up the challenging task for exploring new horizons of science to unravel the mysteries of ocean".

It appears appropriate in the context of the Prime Minister's appreciative words to mention about the quality of the data produced. The quality of the data presented to the PREPCOM was such that at no stage was it challenged by any member of the PREPCOM,

throughout the procedure of processing our claim. This indicates, as rightly mentioned by the Prime Minister "an excellent work". The scientists and engineers in turn provided consistent and sustained commitment to this task in order to make it a milestone in the world's oceanographic history. The history of development and the history made by the polymetallic nodule project is a chronicle of matchless endeavour, efficiency and challenge and a landmark contribution towards self reliance.

The registration of India as a Pioneer Investor looked a distant dream during the early days, but the dedication and the capabilities of the Indian scientists and engineers brought it to fruition in a remarkably short time. The scientific data like abundance, grade and distribution of polymetallic nodules, the seafloor sediments, bathymetry, magnetics and daily weather

data collected during the various expeditions, today forms the largest data base available in the world on any basin of the Indian Ocean. Apart from the applied nature of work in the project, spin-offs are the many research papers and articles published by the project scientists in national and international journals. Detailed research programme as a part of this project is underway in various aspects of nodule chemistry, its nature and distribution, genesis, isotopes signatures and palaeoenvironment reconstruction.

Today the project scientists and engineers can handle the planning of research vessel programmes, chalk out the strategies for future work, process the data from sophisticated equipment, forecast the budget estimates for the projects, evaluate the resources. Thus a multidisciplinary co-ordination and managerial expertise is available within the country.