

made to bring the Law of the Sea Treaty into force with enough financial backing to launch these two institutions with a sensibly-sized budget.

Protecting the "Pioneers"

One large obstacle the Prep Comm had to clear away was a set of overlapping claims in seabed mining sites by the "pioneer investors." To make it more complicated, there were two groups of "pioneer investors" recognized in the treaty documents as having prior rights in staking out the ocean floor because they had already by December 1982 each spent US\$30 million in exploration. Their pioneer work also included developing methods of dredging up the main treasure — manganese nodules which contain copper, nickel and cobalt in rich quantities.

One group consisted of state enterprises in India, France, Japan and the Soviet Union. As well, private companies in eight Western countries came together in four mining consortia; Noranda joined a consortium headed by Kennecott Copper, while the other Canada-based company, Inco, became an equal partner with West German, Japanese and American firms.

It turned out that seven of these eight enterprises were all interested in the same section of the ocean floor: the Clarion-Clipperton Zone lying about halfway between Hawaii and Mexico. India was the exception, wanting to explore an area of the Indian Ocean, and in August the Prep Comm gave it exclusive rights over an area there of some 75,000 square kilometers.

The others were attracted to the Clarion-Clipperton zone because the potato-sized manganese nodules there are free of sediment and they both lie closer to the surface (at about 4,500 meters) and have a higher ore-grade than nodules in the Atlantic.

US goes it alone

In its drive to undermine the UN treaty by establishing a "mini-treaty" among industrial states, the United States pressed the four consortia to sort out any overlaps in their claims and then issued its own exploration licenses to them — and published a map in 1984. It had stolen a march on the Prep Comm, which was still struggling to reconcile the overlapping claims of the three state enterprises and the four consortia.

The Prep Comm president, Joseph Warioba of Tanzania, clinched part of this in September 1985, when Soviet, Japanese and French officials met in Arusha to sign an understanding. The final task remained of persuading all three state enterprises and the four private consortia to reconcile overlaps in proposed mining sites which can, under the treaty rules, be as large as 150,000 square kilometers.

Pragmatism has triumphed over ideology. On August 14, in a midnight huddle like free trade negotiators, the two sides agreed on adjusting boundaries for the seven sites. Officials from Canada, Belgium, Italy and The Netherlands (all of whom have signed the Convention) signed on behalf of their governments an agreement with the Soviet government. This opens the way for the consortia to apply to the Prep Comm (or, later, the Seabed Authority) to explore sites under the international system. Meanwhile the Soviet Union, France and Japan are expected soon to take the final step of registering their claims with the Prep Comm.

There is plenty of work for the Prep Comm, and its four commissions, still to do. In 1988 one commission will be drafting the agreement setting up the headquarters of the International Seabed Tribunal. Intriguingly, it is headed by an East German, while the headquarters is to be sited

