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Chairman: Mr. Andrés AGUILAR M. (Venezuela).

AGENDA ITEM 25

- (a) 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: report of the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction (*continued*) (A/8021, A/C.1/L.536/Rev.1, 542, 543/Rev.1 and Corr.1, 544, 545/Rev.2, 551/Rev.1, 553-557 and 561-565);
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1. The CHAIRMAN (*interpretation from Spanish*): I shall now call on all those delegations who are on my list to

explain their votes after the vote on draft resolution A/C.1/L.544, which was adopted by the Committee at this morning's meeting.

2. Mr. JAMIESON (United Kingdom): My delegation voted this morning for draft resolution A/C.1/L.544 since we believe, as do many others, that there is great advantage in determining the principles on the basis of which an international régime for the sea-bed beyond the limits of national jurisdiction is to be established.

3. If, as we hope, we are in the near future to hold a conference on the law of the sea which will have as one of its tasks the negotiation of such a sea-bed régime then, clearly, it will be of material assistance to us in our preparatory work to have a basis on which to proceed. Many speakers in this debate have stressed that the draft declaration of principles is a compromise and has been accepted by them as such—that is to say, it does not fully represent the views of any delegation, and no delegation is committed to every single word in it. It is in this sense that we accept the judgement of the Chairman of the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction that the draft declaration of principles we adopted this morning represents the highest degree of agreement attainable at this time. The reservations of my delegation are in no way addressed to the fundamental heart of those principles, and we are reasonably satisfied that the delicate, fragile and—dare I add—brittle balance adequately preserves the interests of all delegations. My delegation wishes, however, to set forth its reservations and interpretations in some detail in order to avoid any misunderstanding over the position of the United Kingdom when we proceed to negotiate the sea-bed régime.

4. I should like to begin by expressing two general reservations. First, like any other resolution of the General Assembly, the draft declaration has in itself no binding force. Secondly and arising from this, it must be regarded as a whole and interpreted as a whole; as a whole it has no dispositive effect until we have agreement on an international régime and, as part of that agreement, we have a clear, precise and internationally accepted definition of the area to which the régime is to apply. My delegation entirely endorses the view expressed by other delegations that it is not the purpose of the draft declaration of principles to establish an interim régime for the sea-bed.

5. I turn now to certain specific matters on which I wish the interpretation of my delegation to be on record.

6. On the third preambular paragraph, my delegation has accepted this wording since it accepts the proposition that earlier international instruments did not adequately envis-

age the situation now opening up before us, in which advancing technology holds open the prospects of intensive exploitation of the resources of the sea-bed, and hence did not provide precise means for a detailed and equitable international regulation of this matter. But I must add that our acceptance of this wording does not in any way affect the views of the United Kingdom on the nature of the international law which currently governs activities in the area.

7. On the sixth preambular paragraph, my delegation's acceptance of it should not be taken as implying that we believe the international machinery to be established as part of the sea-bed régime should have any power to control prices or the level of production or, indeed, that it should have any powers which relate to the extraction and marketing of resources from other areas of the globe. Our own view is that if adverse economic effects should in fact develop from the exploitation of sea-bed resources, they would best be mitigated by suitable international commodity agreements where these are practicable and appropriate.

8. With regard to operative paragraph 1, my delegation does not fully understand the necessity for the specific mention of the resources of the area, as an element distinct from the area itself. In our view the declaration that the area itself is the common heritage of mankind, which is not of itself a phrase capable of precise legal definition, entails the consequences for the exploitation of its resources which are spelled out in the succeeding paragraphs and we do not interpret the explicit mention of the resources of the area as affecting the status of such resources once they have been extracted from the sea-bed in accordance with the régime to be established.

9. Operative paragraphs 2 and 3 seem to my delegation to express one of the fundamental corollaries to the declaration of the area as the common heritage of mankind, in that they seek to protect the international interest against any encroachment. They do not, however—indeed this almost goes without saying—prejudice the means that might be favoured in the negotiations on the international régime for assuring to the duly licensed entrepreneur the security of his title and the right to enjoyment of the fruits of his activities.

10. On operative paragraph 4, my delegation wishes it to be clear that we understand the phrase “other related activities” to be such other related activities as may be specifically agreed upon and included in the treaty or treaties establishing the international régime. In the view of my delegation, what the international community has called for is a régime for resource exploration and exploitation, and I support the wise words of the representative of Canada to this effect in the general debate [*1779th meeting*]. To say this is, of course, no more than to continue the thought expressed—by any interpretation of that phrase—in the third preambular paragraph.

11. Regarding operative paragraph 6, in response to requests that no amendments should be submitted my delegation has not persisted in a small drafting change it had suggested to the sponsors for the reference to the Declaration on Principles of International Law concerning

Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations adopted by the General Assembly on 24 October 1970 [*resolution 2625 (XXV)*]. As became evident, however, in the debates leading to the adoption of the Declaration on Friendly Relations and as is clear from the wording of its text, that Declaration, while of great importance and a substantial achievement of the United Nations, is not on a par with the Charter itself and our small change had been intended to reflect this.

12. On operative paragraph 8, I wish to record my delegation's interpretation that the international agreements referred to in the second subparagraph are those which may be concluded in the context of the disarmament negotiations referred to in the first part of paragraph 8, and accordingly that our acceptance of this wording does not imply any commitment to a view that the international régime itself should have a disarmament element or that the international machinery should have disarmament functions.

13. Concerning operative paragraph 9, I should merely like to mention my delegation's understanding of the phrase “international treaty of a universal character, generally agreed upon” as being yet another expression of the idea contained in the United Kingdom working paper on the régime [*A/8021, annex VI*], namely, that the régime should command the acceptance of the great majority in order to ensure its effectiveness.

14. As regards operative paragraph 10, my delegation notes that this paragraph on scientific research for peaceful purposes is confined to co-operation in this field. While my delegation will work for appropriate provisions in the régime to be elaborated to foster co-operation by measures such as those outlined in operative paragraph 10, our understanding of which we have explained in the Economic and Technical Sub-Committee of the sea-bed Committee, we also wish it to be clear that in our interpretation the régime, in accordance with operative paragraph 5 of the declaration of principles, must provide for freedom of scientific research for peaceful purposes whether by States or by academic institutions.

15. Concerning operative paragraph 12, the wording of the second sentence of this principle has given my delegation some difficulty. We would have preferred wording to bring out the thought that the essential is to avoid conflicts between the legitimate rights and interests of the parties concerned. We accept this wording, however, on the understanding that the rights and interests referred to in the second sentence are those referred to in the first sentence, in which the interests are characterized as legitimate and we regard them therefore as those deriving from international law and treaties.

16. As to operative paragraph 13, in the view of my delegation this principle does not itself confer any rights on coastal States which in consequence hold only those rights which have been or may be conferred upon them by international law and applicable treaties. Furthermore, as I have indicated in my general reservations, the manner in which the international régime is to deal with pollution remains a matter for negotiation; such negotiation will in

our view be based primarily on paragraph 11, which deals in a positive manner with the general problem of pollution arising from sea-bed exploitation.

17. Finally, on operative paragraph 14, the understanding of my delegation is that this paragraph does not impose upon the State an automatic liability for the acts and omissions of its nationals acting under its aegis, and that the final sentence in no way prejudices the negotiations on the standard of liability for various kinds of damage to be incorporated in the agreement establishing the international régime.

18. Mr. STEVENSON (United States of America): I am pleased to explain our affirmative vote on draft resolution A/C.1/L.544.

19. The text of the draft declaration before us clearly points the way towards an internationally agreed régime and will be a most useful basis for treaty negotiations. It is because we are confident that this session of the General Assembly will take appropriate decisive action for convening a new law of the sea conference to reach agreement, among other things, on a new sea-bed régime with precise limits that it is possible to approach the principles with the conviction that definitive agreement will soon be reached on the matters dealt with in the declaration. Accordingly, it is possible for delegations to compromise on certain aspects of the principles that may be somewhat vague or ambiguous, or imperfectly worded or punctuated, and hence might not be satisfactory if they were to be the final word. The United States is persuaded by the many delegations which have spoken so eloquently regarding the need to preserve this delicately balanced compromise, despite the fact that it is not entirely satisfactory, in order that we may move forward to a conference to establish an internationally agreed régime.

20. One of the most difficult aspects of reaching agreement on a declaration of principles was the need, recognized by all who participated in the work, to avoid prejudicing the positions of States regarding General Assembly resolution 2574 D (XXIV). A careful study of the declaration as a whole, particularly the third pre-ambular paragraph and operative paragraphs 3 through 6, shows that due to the goodwill and skill of all our colleagues this has been accomplished satisfactorily.

21. We are pleased that the principle of common heritage is so widely supported. As is well known, different delegations have expressed a variety of understandings as to its interpretation. Its meaning, in our view, is indicated by the principles which follow it and will be elaborated in the internationally agreed régime to be established.

22. The meaning of the second principle is self-evident. However, as we have already seen since the General Assembly adopted resolution 2574 (XXIV), State practice in accordance with this principle necessarily requires agreement on the precise limits of the area.

23. While it was not possible for States to agree on General Assembly resolution 2574 D (XXIV), it was possible in operative paragraph 3 to agree, as of now, that there shall be no rights with respect to the area and its resources

incompatible with the régime or the principles of this declaration. In this regard, our views on the problem of interim activities are clearly indicated in President Nixon's statement of 23 May last [A/AC.138/22].

24. The idea contained in paragraph 5 has been of fundamental importance since the sea-bed Committee first began consideration of this matter. It has recently been stated by other delegations that the declaration of principles must be read as a whole. This is particularly evident here: no other principle can be read without reference to paragraph 5, nor can this paragraph be read without reference to the others. Particular importance must be attached to the phrase "in accordance with the international régime to be established" in analysing the provision "without discrimination". The principle cannot in our view be read as compelling the negotiators of a régime to give every State the same right in every situation. If it were so interpreted, how could we, for example, take into particular consideration the interests and needs of the developing countries, land-locked countries, or coastal countries?

25. Paragraph 6 makes clear that States shall act in accordance with the applicable principles and rules of international law, thus precluding any State from maintaining that it can do as it pleases without regard to international law. The term "international law" should be read as referring to the entire body of international law, and not as referring specifically to, or excluding, any of its major branches.

26. Paragraph 7 assures that no State or group of States, be they land-locked or coastal, developed or developing, may receive all of the benefits from the area or any part of it. More than any other principle, it is this one which elevates the interests of the international community above all others.

27. We can all take great satisfaction in the fact that the Committee and the General Assembly, by commending the Treaty on the Prohibition of the Emplacement of Nuclear Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof [*resolution 2660 (XXV)*] have already taken significant action regarding the implementation of paragraph 8. Our interpretation of this principle has been made clear on a number of occasions. We are particularly pleased by the reference to "negotiations undertaken in the field of disarmament" and to "one or more international agreements". The wisdom of this approach has already been amply demonstrated by the actions taken at this session.

28. Paragraph 9 sets out our goal of negotiating an international régime on the basis of the principles in the declaration. By specifying that the new régime must be of a universal character, this principle makes clear that the régime cannot simply be an agreement among a few States in a region, or in one group or another. We also attach particular importance to the requirement that the régime must provide for the "safe development" of the area and its resources, and have already made clear our view that all activities in the area must be undertaken with strict and adequate safeguards for the protection of human life and safety and of the marine environment. The term "rational

management” raises a number of questions which can only be resolved in the negotiation of the régime. Similarly, the language of the sixth preambular paragraph, although indicating general concern over adverse economic effects caused by price fluctuation, does not itself imply the conclusion that any specific provisions, such as price or production controls, should be incorporated into the régime in order to deal with adverse economic effects.

29. Paragraph 10, on scientific research, represents a logical progression from the basic rules laid down in paragraphs 5 and 6. Thus while it is clear that the area is open to use, including scientific research, under paragraph 5, it is nevertheless necessary and desirable for States to promote international co-operation in scientific research. Implicit in this obligation to promote international co-operation in scientific research is an undertaking on the part of States not to interfere with scientific research conducted with a view to open publication for the benefit of all mankind.

30. Paragraph 11 reflects the high priority which we must all give to the protection of the marine environment. It stresses the need for international action, and accordingly makes clear that all measures must be in conformity with the international régime to be established.

31. The provisions of paragraph 13 are designed to point out what the principles do not affect. Clearly this paragraph cannot be read as changing the existing legal situation in any way. Thus, for example, subparagraph (a) cannot be read as applying beneath the territorial sea, nor can subparagraph (b) be read as establishing rights which do not exist or as prejudicing the negotiation of the régime.

32. There is one final aspect of the principles which, although largely procedural, deserves special note. We are all aware of the classic riddle, “Which came first, the chicken or the egg?” The same question presents itself with respect to the international régime and the limits of the area to which it applies. Some delegations may argue that it is easier to establish a régime once its limits are established. Others may argue that it is easier to establish limits once the régime is established. We do not accept either argument. In our view the nature of the régime and the limits of the area to which it applies must be negotiated and resolved together. We must all understand the arguments of those who cannot agree to limits without being assured of a satisfactory régime beyond those limits. Similarly, we must understand the arguments of those who cannot agree to a régime without limits. It should be clear from this dilemma that there can be no real progress on either issue if it is addressed in isolation. If the United Nations is to meet the justifiable expectations of mankind, it must deal decisively with the difficult issues, and not just with those where the community has already achieved a consensus.

33. Finally, let me express my delegation’s appreciation to Mr. Amerasinghe for the major contribution to progress he has made, as well as to the officers of the Legal Sub-Committee of the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction, Ambassador Galindo Pohl of El Salvador, Professor Yankov of Bulgaria and Mr. Badawi of the United Arab Republic, for bringing us to the point

where a final effort could succeed. Above all, let me express my delegation’s appreciation to the representatives of other Governments, some of whose preferences were different from our own in certain respects, for the spirit of co-operation, goodwill and compromise they have consistently displayed. If this spirit prevails, we are confident that most, if not all, of the difficulties can be resolved in the detailed elaboration of an international régime which not only will prove generally acceptable but will advance the interests of all.

34. Mr. VELLA (Malta): My delegation, at this morning’s meeting, voted in favour of the draft declaration of principles governing the sea-bed and the ocean floor, and the subsoil thereof, beyond the limits of national jurisdiction, which, as the Chairman of the Committee on the sea-bed said in his letter of transmittal to you, Mr. Chairman, is a compromise declaration. My delegation would like to take this opportunity of expressing its appreciation for the admirable work carried out by the Chairman of the Committee on the sea-bed, Mr. Amerasinghe, and members of his staff, particularly Mr. Pinto. In the view of my delegation we should all be grateful to him, and we are glad that his tireless efforts have been crowned with success. Our appreciation also goes to Mr. Galindo Pohl, Mr. Yankov and Mr. Badawi for their efforts in the Legal Sub-Committee. We believe that a milestone has been reached in the development of the sea-bed question, a development set in motion by my delegation three years ago.

35. My delegation has a number of reservations which we should like to put on record. First of all I should like to refer to two rather delicate points. First, the sea-bed area to which the principles are applicable is never defined in the declaration fully in accordance with the title of the item, that is, “the sea-bed and the ocean floor, and the subsoil thereof, underlying the high seas beyond the limits of present national jurisdiction”. Secondly, the question of limits of the international area is most gingerly mentioned. Nowhere in the declaration is it stated that the precise limits of the area must be determined by international agreement. We think that both points could have been taken care of by a reformulation of the second preambular paragraph, which would have run as follows:

“Affirming that there is an area of the sea-bed and the ocean floor and the subsoil thereof underlying the high seas beyond the limits of present national jurisdiction the precise limits of which must be determined by international agreement”.

36. Furthermore, although the preamble speaks of the necessity for an international régime for the area and its resources, including international machinery, nowhere is it stated why there is such a necessity. My delegation believes that the preamble could have been improved by the addition of another paragraph explaining why in the first instance this declaration of principles was necessary.

37. In operative paragraph 1 we would have preferred the words “common heritage of mankind” to be followed by “and as such shall enjoy a special status”.

38. As regards operative paragraph 6, my delegation has always held the view that not all provisions of the Charter

of the United Nations are part of international law, and we would have preferred to see that clearly stated by inserting the words “the relevant provisions of” after the word “including”. We also consider that the Declaration of Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations emanates from the Charter of the United Nations, as its title unmistakably suggests, and therefore we would have liked that fact to be reflected in the formulation. As it is, both documents seem to be given the same status.

39. In paragraph 8 we would have preferred the replacement of the second sentence with a clearer formulation, as follows:

“Negotiations shall be conducted in good faith and with a sense of urgency for the exclusion of the sea-bed, the ocean floor and the subsoil thereof from the strategic arms race. One or more international agreements shall be concluded as soon as possible for the effective implementation of this goal.”

40. The formulation of paragraph 9 does not seem to us to convey strongly enough the idea of conflict avoidance, which must be the basic goal of any international régime for the sea-bed. Our suggestion was to substitute for the words “orderly and safe development” the words “peaceful and orderly development”.

41. My delegation would have been happier if the idea of non-discrimination had been expressed in paragraph 10, which deals with scientific research. We would also have preferred the word “effective” in subparagraph (b) of this paragraph to have qualified the word “dissemination” rather than the word “publication”, since we think that it is much more important to ensure effective dissemination of the results of research than to ensure the effective publication of programmes which could have little meaning. As the sentence now reads, however, my delegation understands that the word “effective” qualifies both “publication” and “dissemination”.

42. We consider paragraph 11 to be inadequate, and the reason why we consider it so is that it does not distinguish between three different problems, which we think essential in dealing effectively with pollution. First, there is the need for international co-operation in the scientific study, on a regular basis, of the possible pollutory effects of activities in the sea-bed, on the superjacent waters and in the marine environment; second, there is the need for the establishment of technical and regulatory measures for the prevention and control of different forms of pollution; and third, there is the problem of the protection and conservation of natural resources. As used in the declaration, the phrase “protection and conservation of the natural resources of the area” is not apt, since it covers mainly mineral resources which are expected to be exploited and which in many cases are unlikely to require specific measures of conservation. Our suggested reformulation of this paragraph runs as follows:

“Acting in conformity with the international régime to be established, States shall take all appropriate measures to prevent and control pollution in the marine environ-

ment that might be caused by their activities on and under the sea-bed. States shall co-operate *inter alia*:

“(a) In the scientific study, on a regular basis, of the state of the marine environment and of the effects of pollutants;

“(b) In the establishment of technical and regulatory measures for the prevention and control of different forms of pollution of the marine environment that might derive from human activities in the area;

“(c) In the adoption of technical and regulatory measures for the protection and conservation of the flora and fauna of the marine environment from the possible adverse effects of human activities in the area.”

43. In paragraph 12 my delegation would have preferred the elimination of the second sentence beginning with the words “Consultations shall be maintained . . .”.

44. Paragraph 13 (b) is generally formulated on an analogous paragraph contained in the International Convention relating to Intervention on the High Seas in Cases of Oil Pollution Casualties¹. My delegation would have preferred it to be formulated more closely to paraphrase the parent paragraph, as follows:

“Subject to the international régime to be established, nothing herein shall affect the right of coastal States to take such measures as may be necessary to prevent, mitigate or eliminate grave and imminent danger to their coastline or related interests from pollution or threat thereof or from other hazardous occurrences resulting from activities in the area, which may reasonably be expected to result in major harmful consequences.”

45. Nowhere in the draft declaration is there a reference as to how conflicts of use between different activities in the area are to be regulated. It has been explained that the words “rational management” in paragraph 9 can include that idea, but my delegation would have been happier if an explicit paragraph expressing the idea had been inserted. Our suggestion was:

“Conflicts of use between different activities in the area and between these and activities in the superjacent waters will be regulated in accordance with the international régime to be established.”

46. Finally, my delegation wishes to state that it considers those principles to be general guidelines for the establishment of an international régime for the sea-bed and ocean floor.

47. Mr. VINCI (Italy): The Italian delegation voted in favour of the draft declaration contained in document A/C.1/L.544 since, as I stated at the 1779th meeting of our Committee, we acknowledge and appreciate its positive elements, which represent a significant step forward towards the goals entrusted to the sea-bed Committee.

¹ See Inter-Governmental Maritime Consultative Organization publication, Sales No.: IMCO, 1970.3.

48. However, we maintain a number of reservations on that text which I feel obliged to make clear on behalf of the Italian delegation. These reservations reflect our positions throughout the work of the *Ad Hoc* Committee to study the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction and, later, that of the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction. The Italian delegation stands by those positions as shown in the records of those Committees, and hereby reaffirms them in connexion with the text of the draft declaration.

49. Apart from that general reservation we wish at this stage to make specific reference to certain paragraphs or words of the draft declaration that appear to be either unbalanced or insufficiently clear in the text.

50. First of all, as I stated at the 1779th meeting of this Committee, my delegation continues to believe that only through the determination of the limits of the area beyond national jurisdiction can the extent of the area under international control be established. Therefore, we interpret the second preambular paragraph of the draft declaration to imply that no determination through unilateral action would be admissible and, consequently, that international agreement is required in order to establish the limits of the area and at the same time ensure the necessary and trustworthy co-operation among States in this new province of human activity.

51. My delegation also interprets the sixth preambular paragraph to imply that any efforts towards a healthy development of the world economy must take into account the interests and needs of countries which, like Italy, are not fortunate enough to be endowed with natural resources and depend primarily upon international trade.

52. Concerning operative paragraph 3, in informal consultations we suggested a small change in drafting that would have reversed the order of the words “the international régime to be established and the principles of this Declaration”. That change would have been logical, we believe, since it would have been consistent with the order of the two subjects, principles and régime, the order followed in the preceding paragraphs. We feel it is rather unfortunate that even such a slight modification, which only represented greater respect for logic, could not be accepted.

53. We also have reservations on operative paragraph 4, which is quite obscure when it mentions “other related activities”. We shall not be in a position to accept, now or in the future, an interpretation of that expression that might unreasonably broaden the meaning of the paragraph or question some existing valid international obligations.

54. At the meeting of the First Committee I just mentioned I also stated that the present wording of paragraph 8 might in the future raise some controversy on the interpretation of article 2 of the Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof [*resolution 2660 (XXV), annex*]. Here also we suggested a slight modification of the text which was apparently not taken into account. We therefore

hereby reaffirm our reservation with the intent of avoiding in the future any controversy of the kind I have just mentioned.

55. Finally, on operative paragraph 9, we express reservations of the same nature as those I have stated in regard to the sixth preambular paragraph. When that paragraph speaks of “equitable sharing by States” it should be clear that the interests of all Member States—developed and developing alike, as also the interests of the international community as a whole—must be taken into account. That is because Italy—a country that has known, and knows, the pains of development and a country whose international policy, in the economic as well as the political field, is open to close collaboration on an equal footing, and which even advocates a global strategy for peace—does not believe in a world permanently divided into developing and developed, rich and poor. We firmly believe in the need for international co-operation to overcome and solve old as well as new problems.

56. Mr. KOSTOV (Bulgaria) (*interpretation from French*): My delegation, also, wishes to state its position now with regard to document A/C.1/L.544, on which it had to take a decision this morning, especially since we did not participate in the general debate on this item.

57. As is known, much of the effort of the sea-bed Committee has in the last three years been focused on preparing a declaration of principles governing activities in this area.

58. My delegation supported the idea of preparing such a declaration, which would be the basis for a future international régime for the sea-bed, and we participated actively in discussions on this item. I take this opportunity to thank all those who have mentioned Professor Yankov's contribution to the preparation of these principles. Unfortunately the efforts of the Geneva session this year were not successful. However, at this session unofficial consultations have been held in which the Chairman of the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction, Ambassador Amerasinghe, played a very active role. My delegation is very grateful to him. Those consultations led to the preparation of a document which, as we know, was brought before the First Committee even though it had not been thoroughly discussed in the Committee on the sea-bed. My delegation then expressed certain doubts with respect to the procedure envisaged for presenting this document, and we should like to repeat our reservations on that point. In my delegation's view, the presentation by this Committee of a document on which many delegations have serious reservations and objections, and which is not the result of a consensus, will neither facilitate our work nor contribute to the solution of the problem.

59. It is true that in United Nations practice, even at the present session, there have been cases of documents being submitted by special committees and approved by the General Assembly without amendments. However, in each case it was a mandatory condition for there to be a true consensus in the relevant committee or group, a consensus reflecting various tendencies in the United Nations. Unfortunately that is not the case with respect to this declara-

tion. We regret that a number of proposals and suggestions made by my delegation were not adopted; otherwise we would have been able to support the draft.

60. The position of my delegation with respect to the various aspects concerning the activities of States in matters of the exploration and exploitation of the sea-bed and ocean floor has been broadly expressed many times in the Committee on the sea-bed. That position has been duly recorded in the verbatim records of that Committee, which makes it unnecessary for me now to go into detail on the reservations that we have expressed on the declaration which has been adopted. I shall therefore confine myself to mentioning two points which, in our view, are of paramount importance. Without their inclusion in the text, the declaration will lose much of its value.

61. In the first place, there is the question of the prohibition of all military activity in the area of the sea-bed, because otherwise the principle of the use of the sea-bed and the ocean floor exclusively for peaceful purposes would risk becoming a dead letter. We agree with the view that this is a question which should be decided by the Committee on Disarmament through appropriate agreements. But it is difficult for us to understand why we cannot formulate a principle on this subject which, like all principles, should serve as a basis for the international community and would serve as a guide for and facilitate the taking of practical measures.

62. Secondly, the discussion within the Committee on the sea-bed proved, furthermore, that it was not possible to make serious progress in formulating an international juridical régime for the utilization of this area without clearly defining, at the same time, the particular area under discussion. It is obvious that the problem of defining the limits of national jurisdiction with respect to the sea-bed and the determination of that part of the sea-bed which is beyond these limits acquires ever more importance at the present time. We feel that a clear definition of the area is of interest to all those who insist on its use in the interests of mankind as a whole. It is known that this question was a stumbling block in the Committee on the sea-bed and that it was for that reason that the Committee found itself in a kind of vicious cycle on that point.

63. In these circumstances, we felt it indispensable that a clear and unequivocal provision setting forth a definition of the zone should appear in the operative part and not in the preamble of the declaration.

64. All these reasons, as well as the fact that the declaration contained certain vague formulations, impelled my delegation to abstain, to its great regret, in the vote on the document in question.

65. Mr. DEJAMMET (France) (*interpretation from French*): The French delegation was pleased to participate in the vote on the draft resolution contained in document A/C.1/L.544, which recommends to the General Assembly that it approve the declaration of principles concerning the régime of the sea-bed.

66. That declaration of principles is certainly not beyond all criticism. It contains certain evident lacunae. Indeed, for

our part, we could not be satisfied with such a vague reference as the one contained in the preamble of this declaration of principles with respect to the need to determine with more precision the limits of the international zone. However, we accept that reference as it stands, since it would seem that all misunderstandings on this problem of the determination of the limits will soon be removed when the body charged with preparing an international conference on the law of the sea will be given the specific task of preparing draft treaties concerning the fixing of limits of the international zone.

67. With respect to paragraph 9 of the declaration of principles, we should also like to state that the adjective "universal", which defines the character of the future international treaty with respect to the régime of the sea-bed, should, in our view, be construed with the usual reservations, in view of the existence of divided countries.

68. Finally, with respect to paragraph 14, I agree with the representative of Trinidad and Tobago that this text represents the result of laborious negotiations. It now represents an acceptable balance between the two concerns that we have had. We should like to see, on the one hand, the declaration of principles stipulate more precisely the obligation incumbent on all States to see to it that national activities should be undertaken in conformity with the international régime to be established. This concern is expressed in the first part of paragraph 14. On the other hand, we hope, and without prejudice to the results of the studies which will be made by the body charged with preparing the régime for the sea-bed, that the problem of responsibility for damages will be given thorough study. This explains our interest in the wording of the second part of paragraph 14, which states the general principle that all damage caused shall entail compensation.

69. Therefore, this text, in our view, constitutes a balanced work. Inasmuch as it represents a compromise, it deserves our support.

70. Mr. STEWARD (South Africa): My delegation voted in favour of the draft declaration of principles governing the sea-bed and the ocean floor, and the subsoil thereof, beyond the limits of national jurisdiction, on the grounds that, as stated by the Chairman of the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction when he presented it, the draft declaration reflects the highest degree of agreement attainable at the present time.

71. We nevertheless have reservations on a number of the paragraphs, and the purpose of this intervention is mainly to record this fact.

72. We would, however, also note that the declaration does not have binding force or legal consequences in international law and is without prejudice to existing international conventions.

73. The CHAIRMAN (*interpretation from Spanish*): We have completed the list of speakers who wished to explain their votes on draft resolution A/C.1/L.544 which was adopted this morning by the Committee. Before concluding this item, I should like to call on the representative of

Ceylon, Ambassador Amerasinghe, who, as Chairman of the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction, wishes to make a brief statement.

74. Mr. AMERASINGHE (Ceylon): Mr. Chairman, I am greatly obliged to you for the courtesy you have extended in allowing me to speak at this stage in my capacity as Chairman of the sea-bed Committee. The First Committee has, under your able and inspiring leadership, just taken a momentous decision which now goes to the General Assembly for confirmation.

75. We have adopted, in draft resolution A/C.1/L.544, a declaration of principles governing the sea-bed and the ocean floor, and the subsoil thereof, beyond the limits of national jurisdiction. This declaration will form the foundation and framework of a future régime for the orderly management of the area and the resources of the sea-bed and the ocean floor, and their subsoil, beyond the limits of national jurisdiction.

76. This is the climax and consummation of three years of discussion and of intensive and patient negotiation. All those who participated in and contributed to those discussions and negotiations share the credit for what will prove to be, I feel sure, an historic document, one that marks a fresh step towards a régime that will have jurisdiction over a greater part—approximately five sevenths—of the earth's surface.

77. While the adoption of the declaration should be a matter of deep gratification to this Committee, as representing one of the most positive and constructive achievements of the twenty-fifth session of the General Assembly, this sense of gratification is diminished and qualified by the fact that we have not been able to secure unanimity. This is, however, just the end of the first stage of our work. Much remains to be done and a period of strenuous negotiation lies ahead of us. We can only hope that such differences of opinion and divergencies of interest as have frustrated a consensus on this occasion will be gradually but decisively resolved and eliminated, and that the régime finally established by international agreement will be universally acceptable and promote the interests of the entire human family whose title deed to a priceless heritage we have just today drawn up.

78. It is a gigantic endeavour in the sphere of international relations that we have undertaken, and one that will test us to the limit. But—and here I shall be echoing the sentiments expressed today by the representative of the United States—if the spirit of compromise, co-operation and goodwill that has prevailed so far continues to animate us in the future, we can be confident of success.

79. I acknowledge in all humility the words of appreciation so kindly and generously expressed in regard to my efforts. Like the conductor of an orchestra, I must draw the audience's attention to that talented and conscientious group, namely, the sea-bed Committee and the officials associated with it, whose harmonious rendering of a difficult and complicated score has given me an undue share of the credit.

80. Mr. Chairman, as my delegation will not be among those selected, in the accepted practice and procedure of geographical representation, to speak in the valedictory proceedings of this Committee, may I seek your indulgence to permit me to express my delegation's high appreciation of the admirable skill and competence you have shown as Chairman of the First Committee during a memorable session. For me personally, it has been an honour, a privilege and a pleasure to work under your captaincy.

81. The CHAIRMAN (*interpretation from Spanish*): I thank the representative of Ceylon, Ambassador Amerasinghe, for his statement and for the very kind words he addressed to the Chairman.

82. With this statement, we have completed consideration of draft resolution A/C.1/L.544. In accordance with the procedure that was agreed on by the Committee this morning, we shall now proceed to consider draft resolution A/C.1/L.543/Rev.1 and Corr.1. May I ask the Committee to add the delegation of Lebanon to the list of sponsors.

83. I now call on delegations who wish to explain their vote before the vote.

84. Mr. NAVA CARRILLO (Venezuela) (*interpretation from Spanish*): My delegation wishes to reiterate the great importance which Venezuela attaches to the idea expressed in the sixth preambular paragraph of the draft declaration which has just been adopted [A/C.1/L.544]; namely, that it should be understood that the development and use of the area and its resources shall be undertaken in such a manner as to foster healthy development of the world economy and balanced growth of international trade, and to minimize any adverse economic effects caused by fluctuation of prices of raw materials resulting from such activities.

85. In draft resolution A/C.1/L.543/Rev.1 and Corr.1 it is requested that studies be prepared and possibly also that measures be formulated in the light of economic, technological and scientific progress. Last year, the delegation of Venezuela stated [1678th meeting] that one of the other points which we wished to emphasize, whatever the régime decided on, was that the exploitation of these resources should not increase or widen the gap between the few developed countries and those which were still far from reaching such a degree of development. Thus, for example, to exploit resources which are now being produced on the surface or in the subsoil or in marine areas under national jurisdiction, so as to depress markets and put unacceptable pressure on producing countries, would have the effect of aggravating the present state of affairs and lead to a further deterioration of the terms of trade. And in the statement we made on the 8th of this month in this Committee [1788th meeting], we clearly stated that this item, because of its great importance, should be included in the operative part of the draft declaration of principles.

86. Having thus indicated the importance Venezuela attaches to this document, we are pleased to announce our support for the draft resolution.

87. The CHAIRMAN (*interpretation from Spanish*): Before calling on the next speaker, may I ask members of

the Committee to take note of the fact that Brazil and the Ivory Coast have been added to the list of sponsors of the draft resolution.

88. Mr. MEHDI (Pakistan): I should like to mention that the other day we declared our intention to become a sponsor of the draft resolution. We presume it was through inadvertency that the Secretariat did not take note of the fact.

89. The CHAIRMAN (*interpretation from Spanish*): The statement just made by the representative of Pakistan will appear in the records.

90. Mr. DEBERGH (Belgium) (*interpretation from French*): My delegation certainly will not oppose adoption of draft resolution A/C.1/L.543/Rev.1 and Corr.1. Still, we wonder whether the substance of the study requested of the Secretary-General is defined with all necessary detail. What actually is the extra-jurisdictional area from which minerals are to be extracted? Since, in the declaration of principles we adopted this morning we say that the limits of that area still remain to be determined, the Secretary-General may possibly have some difficulty in undertaking the study involved, just as he had difficulty in preparing the study requested of him by the Economic and Technical Sub-Committee last year concerning methods and criteria for the distribution of revenues and profits derived from exploitation of the extra-jurisdictional sea-bed.

91. It is thus obvious to my delegation that in adopting this draft resolution the General Assembly will merely be requesting the preparation of a study and not taking any decision either for or against the principle itself on which the question is based.

92. The CHAIRMAN (*interpretation from Spanish*): No other delegation wishes to speak to explain its vote before the vote. We will therefore proceed to the vote on draft resolution A/C.1/L.543/Rev.1 and Corr.1.

The draft resolution was adopted by 86 votes to none, with 18 abstentions.

93. The CHAIRMAN (*interpretation from Spanish*): I now call on those delegations wishing to explain their votes after the vote.

94. Mr. OGISO (Japan): My delegation abstained in the vote on the draft resolution for the following two reasons. First, in our view, the resolution does not take due regard of the position of States that are not rich in their natural resources and are therefore importers of mineral resources. I hope that representatives will recall the understanding of my Government concerning the sixth preambular paragraph of the draft declaration on the régime of the sea-bed [A/C.1/L.544] which was adopted earlier today. In explaining its affirmative vote on the declaration [1798th meeting], my delegation expressed the same reservation. The resolution envisaged the possibility that the sea-bed Committee may make recommendations to minimize any adverse economic effects caused by fluctuation of prices of raw materials, resulting from the treaty on the sea-bed. My delegation looks with concern on this part of the resolution because it feels that it may prejudice the

consideration within the sea-bed Committee of the preparatory work for the conference on the law of the sea.

95. Mr. ISSRAELYAN (Union of Soviet Socialist Republics) (*translated from Russian*): The Soviet delegation abstained in the vote on the draft resolution for the following reason. We consider that at the present time, when the limits of the area beyond national jurisdiction have not been defined and when the resources of the sea-bed beyond the limits of national jurisdiction are not being commercially exploited, there do not exist the necessary data for preparing any objective, useful study on this subject.

96. The CHAIRMAN (*interpretation from Spanish*): Since no other delegation wishes to explain its vote, we have now concluded our consideration of resolution A/C.1/L.543/Rev.1 and Corr.1.

97. The Committee will now proceed to consider draft resolution A/C.1/L.551/Rev.1.

98. Mr. GUEVARA ARZE (Bolivia) (*interpretation from Spanish*): I shall only be referring to an inaccuracy in paragraph 2. That paragraph was drafted on the basis of there being two committees: the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction and a preparatory committee for the conference on the law of the sea. Now, in draft resolution A/C.1/L.562 we see that there will be only one committee. Accordingly, a minor correction of paragraph 2 is needed so that it will read as follows:

“2. *Requests* the Secretary-General to submit the above-mentioned study to the”—and here we should add the word “enlarged”—“Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction, for consideration at one of its 1971 sessions . . .”.

deleting the words “and to the preparatory committee for the conference on the law of the sea”. That reference is no longer applicable. Then the sentence would go on as follows: “. . . so that appropriate measures may be evolved within the general framework of the law of the sea, to resolve the problems of land-locked countries”.

99. Paragraph 3 should be altered to read as follows:

“*Requests* the Committee to report on this question to the General Assembly at its twenty-sixth session.”

100. The CHAIRMAN (*interpretation from Spanish*): I should like to announce that the following delegations have been added to the list of sponsors of this draft resolution: Chad, Niger, and Swaziland.

101. I shall now call on those delegations that wish to explain their vote before the vote.

102. Mr. ENGO (Cameroon): My delegation wishes, first of all, to appeal to the friendly nations that have submitted draft resolution A/C.1/L.551/Rev.1 not to press it to a vote.

103. My delegation has always supported the principle that rational or realistic development on a global scale is a desirable thing. As we stated in the general debate [1784th meeting], we believe that only uniform development can remove the dangerous inequities which breed lewd ambitions among the so-called rich nations of the world to attempt to dominate the so-called poor nations of the world. We are convinced that the conditions which respond to peace, or to the needs of international peace, involve planning on a global scale which takes into consideration the various needs of the different sections of the international community. It is for this reason that we have supported in various documents the concept that the special needs and interests of developing countries, whether they be coastal or land-locked, should be taken into consideration at every stage of our work.

104. However, the document before us now represents an attempt once again to break down the class of nations which we describe as developing nations. The complexity of the problems of that group of nations is such that it requires careful study. We are not criticizing the proposal that the special problems of the land-locked countries should be examined, but we feel that it is undesirable at this stage to single out a group of nations which happens to be land-locked, as distinct from all nations in the developing world that have gone through the process of colonialism and under-development, over and above those which happen to occupy areas near the sea.

105. Any careful study of the countries that are referred to as coastal today—especially in my part of the world—would reveal very clearly the point that I am trying to make. From the Cameroon coast up to the Gambia one would see the length of the coastline, and a study of the maps that the scientists have produced of the resources in the area will also show the complexity of the problems when it comes to the exploitation and exploration of the sea-bed and ocean floor.

106. Now, to single out, as this document has done, the so-called special problems of the land-locked countries might give the impression that the coastal States have in fact fewer problems. I am sure that that is not what is intended by the sponsors of this document. It is for this reason, first of all, that I would urge them not to insist that their draft resolution be put to the vote, because other documents which will be coming before this Committee recognize that special problems exist among the developing countries.

107. We would have found comparatively fewer difficulties if, for instance, in the last preambular paragraph the words “including the particular needs and problems of those which are land-locked” had been deleted, merely adding the words “whether land-locked or coastal” after the words “developing countries”. That would have made it possible for the international community to know the full context of the sort of problems that exist in respect of all the developing countries. We would accordingly find ourselves unable to support that part of the draft resolution, unless that amendment were made.

108. When one looks at paragraph 1 the same problem arises, in which the existing study by the United Nations

Conference on Trade and Development is taken into account, when the appropriate work has been done. The draft resolution attempts once again to emphasize the problems of the land-locked countries, in a way that gives an illusion about the problems of the rest of the developing countries.

109. Now, if the sponsors are prepared to drop the words “and to supplement that document, in the light of the events which have occurred in the meantime, with a report on the special problems of land-locked countries relating to the exploration and exploitation of the resources of the sea-bed and the ocean floor, and the subsoil thereof, beyond the limits of national jurisdiction” and to accept the proposed amendment to the last preambular paragraph, we would be able to support the draft resolution. But if those portions are not deleted, I would formally propose that they be deleted—this is a formal amendment by my delegation—and we would ask for separate votes on those two paragraphs. I might indicate at this time that my delegation would be obliged, in the light of what we have said, in fact to vote against this provision, because it is discriminatory in an area of the world in which we cannot at this stage afford discrimination.

110. The CHAIRMAN (*interpretation from Spanish*): I call on the representative of Liberia on a point of order.

111. Mr. DOSUMU JOHNSON (Liberia): I thought, Mr. Chairman, that this afternoon you were supposed to have met all those representatives and to have worked out those amendments and to get delegations together so that we could reach some understanding. I now see amendments flying all around, and look at the time! It would almost appear that representatives are trying to take this question as a joke. It is not a joke; the sea-bed question is not a joke for us. Let those who want to vote for it, vote for it. Let those who do not want to vote for it leave it alone. We have seen the amendments. Must we keep on with unnecessary discussion on this amendment and that amendment? If representatives want the draft resolution as it has been presented, let them vote for it; if they do not want it, let them leave it alone. What is going on is simply a means of obstructing the calm progress of our work.

112. The CHAIRMAN (*interpretation from Spanish*): I understand the concern of the representative of Liberia; I not only understand it but I share his concern. Regrettably the powers of the Chairman and the officers of the Committee are limited and we can only make an appeal and ask for maximum co-operation. I certainly believe that there has at all times been co-operation on this item as well as on others and general willingness to compromise. Nevertheless, one cannot prevent delegations wishing to express their views on any draft resolution from doing so; this is proper and natural at a meeting of this kind where the intention is precisely to give everyone an unrestricted opportunity to state his views.

113. Now as regards the amendments, I would like to say that there is a procedural issue in regard to which I would like to be very clear. Last week the Committee adopted the decision that it would accept amendments to proposals already in circulation until 2 p.m. on Saturday. So that as I see it, unless the Committee changes its decision on this

matter, it is not possible for the Chairman to accept amendments to draft resolutions which had already been submitted by then. This is the first thing I want to clarify.

114. Nevertheless you will have seen that amendments have been submitted by certain delegations in connexion with a new draft resolution which was distributed this afternoon and I authorized distribution of these documents for the following reason. As I said this morning, as a result of prolonged consultations and negotiations I was informed that agreement had been reached on a joint text which would have at least majority support, if not the support of all the members of the Committee. On the understanding that this would facilitate the work of the Committee I did not object to the distribution of document A/C.1/L.562 which reflects that agreement. Since that document has just been distributed I could not refuse to accept amendments to that new text.

115. I wished to clarify this before calling on the next speaker to explain his vote, the representative of Kenya.

116. May I appeal to the representative of Liberia to bear with me.

117. Mr. DOSUMU JOHNSON (Liberia): If I formally move that you freeze all these amendments, shall I be out of order?

118. The CHAIRMAN (*interpretation from Spanish*): I am sorry, but I have no such discretionary powers, accordingly I cannot freeze any amendments. But I thank the representative of Liberia for his suggestion and his co-operation. Unfortunately, in a democratic organization such as this the powers of the Chairman are limited.

119. I call on the representative of Cameroon on what I assume is a point of order.

120. Mr. ENGO (Cameroon): I apologize for taking the floor again so soon after I have spoken, but I think the representative of our sister country, with whom we have the most friendly and cordial relations, has misunderstood what I had to say; I cannot say it is as a result of the interpretation in this case, since I think we speak the same language, but sometimes I have considerable difficulty with the English language.

121. I do not believe that my delegation could be included in any group that might attempt to obstruct the work of the Committee. I want to say that categorically. We are in fact directing our attention to a document which only reached my delegation today. We have had no opportunity to participate in any consultations whatever on this document as it stands. In fact, the last time I heard some mention of it I think it was agreed that a procedure should be adopted; with due respect, it has not, at the moment, been adopted. We are directing our attention to this document. If it is inconvenient for the Committee, I will propose another method of proceeding with my proposed amendments. We could take separate votes on those words which I have proposed should be deleted. If this would remove the "obstruction", then my delegation would ask for that to be done, but in the meantime our amendments stand.

122. The CHAIRMAN [*interpretation from Spanish*]: The representative of Cameroon, the distinguished Chairman of the Sixth Committee, is fully entitled, in accordance with the rules of procedure, to ask for separate votes on different paragraphs or phrases or words of the draft resolution, so I will now call on him to ask for a separate vote on these paragraphs. But I insist, unless the Committee decides otherwise, that no new amendments can be proposed at this time. At most, suggestions can be made to the sponsors that, if they wish, they revise their text. Should they not agree to this, the procedure proposed by the representative of Cameroon seems to me to be the most expeditious, to ask for a separate vote on the parts of the draft resolution to which there is objection, and then we shall vote on the draft resolution as a whole.

123. Before calling on the representative of Bolivia, I would like to say that I have on my list to explain votes before the vote the delegations of Nigeria, Singapore and Peru. I take it he will speak on this draft resolution—and I would be grateful to him, unless it is on a point of order, to speak after these delegations have spoken, so that he can refer to all of them jointly.

124. Mr. ADENIJI (Nigeria): My delegation appreciates the concern of the land-locked countries and their desire to be associated with all the matters relating to the law of the sea. We are happy that they have played such an active role in the sea-bed Committee, and my delegation is particularly gratified that, in the declaration of principles, we have taken adequate note of the interest of the land-locked countries in all matters relating to the sea-bed and ocean floor beyond the limits of national jurisdiction.

125. However, while my delegation has no reservation whatsoever in associating land-locked countries with the efforts to declare the area beyond national jurisdiction as being the common heritage, it finds it difficult to associate itself with any measure that would tend to discriminate against coastal States, particularly developing coastal States. We have had the opportunity to discuss this matter elsewhere in the group of developing countries, and it was then the understanding of my delegation that developing land-locked countries agreed that in actual fact it might be dangerous to start making categories of developing countries. This time it might be on the basis of those that are land-locked and those that are coastal; the next day it might be on the basis of those that are more developing than others.

126. My delegation fully shares the concern of land-locked countries concerning the question of access to the sea, and we would be prepared to support them in any measure which is designed to facilitate their access to the sea. In fact, my country, which has land-locked neighbours, has always thrown open its doors for the use of these land-locked countries.

127. We do not, therefore, think that, when it comes to the question of the sea-bed and ocean floor beyond the limits of national jurisdiction, land-locked countries have any special interests or that they have any special problems which are not common or general to all developing countries. That is why my delegation would suggest, for the consideration of the sponsors of this draft resolution, the

amendment suggested by the representative of Cameroon, on the one strong reason that the amendment would only bring the text in keeping with the declaration of principles, which we adopted just a few hours ago.

128. My delegation believes that it is too early, immediately after adopting this declaration of principles, to seek to stretch any of the provisions much further than has been written into the declaration. If this appeal is accepted—and the land-locked countries would not lose anything by accepting it—my delegation would have no difficulty in supporting this draft resolution. On the other hand, if the appeal is rejected, I am afraid my delegation will be in no position to support the draft resolution, particularly as its operative paragraph 1 requests the Secretary-General to study a problem which, in the view of my delegation, does not exist.

129. Mr. KOH (Singapore): In a few words, my delegation would like to explain why, although my country is a coastal State, we shall vote in favour of draft resolution A/C.1/L.551/Rev.1.

130. Two arguments have been mounted against this draft resolution. First, it has been argued that the draft resolution, in its present formulation, is discriminatory in that it singles out a certain category of Member States, i.e., the land-locked countries, for preferential treatment. Second, it has just been argued that it is dangerous—or it sets a dangerous precedent—to differentiate between and among the group of developing countries.

131. I should like to address myself in turn to those two arguments. The argument that this draft resolution is discriminatory stands or falls depending on whether it is justifiable to distinguish or to differentiate land-locked countries from others in discussing problems of the law of the sea and of the sea-bed. In the view of my delegation it is beyond argument that, in this respect, land-locked countries have a particular problem which is shared by all of them and which is different from that of coastal States. It is hardly necessary for me to remind the Committee that land-locked countries as a group share in common the following deficiencies: they do not have direct access to the sea; they do not have a contiguous zone of the territorial sea; they have no preferential claim to coastal fisheries; they have no continental shelf; they do not possess even a potential capacity to expropriate the sea-bed and the ocean floor beyond the continental shelf.

132. Therefore, for all those reasons this draft resolution, in the view of my delegation, is not discriminatory because it justifiably differentiates two categories of countries which are different. The principle must be to treat equals equally and to treat unequals unequally.

133. On the second argument, that it is a dangerous precedent to differentiate between and among developing countries, it seems to me that the correct reply to that is that we shall differentiate between and among them when it is justifiable to do so and we shall resist any attempt to divide them when it is unjustifiable to do so.

134. Mr. ARIAS SCHREIBER (Peru) (*interpretation from Spanish*): I do not wish to take up the short time avail-

able to us to give you an exposition on the subject, but I do wish it to be placed on record that my delegation views with special sympathy an initiative such as this to deal with the special situation of the land-locked countries.

135. I believe it is an obvious fact which no one can deny that the problems of the land-locked countries have very special features which should be taken into account and resolved whenever possible, since their status is not equal to that of other States and due to this they encounter certain difficulties.

136. When the draft resolution speaks of particular needs and interests, no balance is upset. It is simply a reaffirmation of a reality. If there is any imbalance or discrimination, it is the result of the situation in which those countries find themselves for the reasons so well stated by the representative of Bolivia and just now repeated by the representative of Singapore.

137. Therefore, I wish to announce the support of my delegation for draft resolution A/C.1/L.551/Rev.1., submitted by some land-locked countries quite legitimately, under which the Secretary-General, in co-operation with UNCTAD, would study their special problems and the preparatory committee on the conference on the law of the sea would give them consideration as well.

138. Mr. DEBERGH (Belgium) (*interpretation from French*): My delegation fully approves draft resolution A/C.1/L.551/Rev.1. This draft requests the Secretary-General to prepare a special study on the problems of the land-locked countries in connexion with the exploitation of the sea-bed in the extra-jurisdictional area. At the 1788th meeting I expressed the view that the balance of certain texts which we are to adopt leans too much in favour of the coastal States.

139. The study to be undertaken by the Secretary-General will be one means of striking a more satisfactory balance. Furthermore, I should like to add that what applies to the developing land-locked countries applies also *mutatis mutandis* to the so-called shelf-locked countries. With respect to our full participation in the future extra-jurisdictional régime, narrow access to the sea would not suffice if the continental shelf were limited by the continental shelf of other countries.

140. Furthermore, as I understand from the interesting statement made by the representative of Haiti this morning, the very same problem or equivalent problems face certain small island States. We have noted, through this statement, that they are not merely “land-locked” States and “shelf-locked” States, but they are also “sea-locked” States.

141. Mr. ZEGERS (Chile) (*interpretation from Spanish*): The delegation of Chile will vote in favour of draft resolution A/C.1/L.551/Rev.1 submitted by Afghanistan, Austria, Bolivia and others. We believe that it would be of the greatest interest for the Secretariat to supplement the study prepared in 1958 regarding free access of land-locked countries to the sea,² and to bring it up to date in the light

² United Nations Conference on the Law of the Sea, *Official Records, vol. I: Preparatory Documents* (United Nations publication, Sales No.: 58.V.4, vol. I), document A/CONF.13/29 and Add.1.

of the new circumstances which will be created by the future exploitation of the sea-bed beyond the limits of national jurisdiction. In accordance with the draft declaration of principles which we have adopted, the extra-jurisdictional area will be open to all States, whether land-locked or coastal, subject to the international régime to be established. Accordingly, it is clear that a study on free transit for the land-locked countries must include matters pertaining to the exploitation of the resources of the sea-bed when the international régime has been established to govern the area and its resources.

142. The problems of the land-locked countries, that is to say, free transit which will ensure their free access to the sea, thus placing them on the same footing as the coastal countries, are also mentioned in the text, as is the idea which is already included in resolution 2574 A (XXIV) and in the reports of the Committee on the sea-bed, that the régime must take into account the interests of all States and in particular those of the developing countries whether land-locked or coastal.

143. The delegation of Chile agrees completely that there should be no differentiation between coastal and land-locked countries or among the developing countries, and we believe that all of them should share in the benefits to be derived from the extra-jurisdictional area of the sea-bed which is the common heritage of mankind.

144. As for the suggestions to improve the wording of the text, my delegation believes that these would further clarify the idea already contained in the text, that there must be no discrimination among the developing countries.

145. Mr. SARAIVA GUERREIRO (Brazil) (*interpretation from Spanish*): The delegation of Brazil will vote in favour of the draft resolution submitted by Bolivia and other countries [A/C.1/L.551/Rev.1], because we believe that the delegation of Bolivia had no intention whatsoever of seeking a privileged status for land-locked countries but rather to seek to have a study which would specifically concern itself with the characteristics of the land-locked countries.

146. Mr. ANTOINE (Haiti) (*interpretation from French*): In the explanation of its vote which it gave at our last meeting, my delegation stated formally that it would vote in favour of draft resolution A/C.1/L.551/Rev.1. We must be just towards the land-locked countries, since the general declaration has dealt with the situation of the shelf-locked States. Since the land-locked countries are the patrimony of mankind, their situation is the focal point of the attention of the First Committee. For this reason I formally stated in my statement this morning that I would vote in favour of this draft resolution.

147. The CHAIRMAN (*interpretation from Spanish*): Since in the statement made by the representative of Cameroon he made an appeal to the sponsors of draft resolution A/C.1/L.551/Rev.1 not to press for a vote on the draft resolution, I think that it is my duty in all fairness to call on the representative of Bolivia to explain his position and possibly also that of the other sponsors with regard to the appeal made.

148. Mr. GUEVARA ARZE (Bolivia) (*interpretation from Spanish*): I shall start by saying that I obviously have not had an opportunity to consult the other sponsors of this draft resolution and, accordingly, it would be very difficult for me to speak on their behalf. But I can give some explanations which appear to be necessary, especially in view of what the representative of Cameroon has said.

149. I shall start by saying that I was surprised by what the representative of Cameroon said, especially since this draft resolution was distributed last week, and although the wording was not identical with that contained in the revised version, the ideas contained in draft resolution A/C.1/L.551 were only altered slightly, in the manner which the representative of Cameroon wished, namely, not to establish any preference for the land-locked countries.

150. I really regret very much that the representative of Cameroon has not had an opportunity to see this draft resolution which was distributed last week and that he has only just taken cognizance of it. I take it that his remarks are based on that circumstance: that he has only just taken cognizance of that draft.

151. Before referring very briefly to what the representatives of Cameroon and Nigeria have said and to their basic arguments, I wish on behalf of my delegation to thank the representatives of Singapore, Peru and Belgium for having expressed their support for this draft resolution, and then I would like to say a few words to dispel what I believe is a misunderstanding which might become general as a result of the statement of the representative of the Cameroon.

152. First of all, this draft resolution does not establish any preference or anything else basically. This draft resolution merely requests the Secretary-General to prepare a study on the special situation of the land-locked countries, whether they are developed or developing, in regard to the sea. This is something very specific: the special situation of the land-locked countries in regard to the sea. This is a study to be submitted to the Committee for consideration, and the Committee in turn will send its comments to the General Assembly at its next session.

153. So that nothing has been defined, no preferences stated, no basic measure is requested and no special view of the Assembly is indicated in favour of or against the land-locked countries. Why do we ask the Secretary-General to prepare a study of the land-locked countries in relation to the sea? For two reasons: one of them I have already explained here in some detail. In connexion with the sea, the general tendency is to forget the land-locked countries for whom the sea does not exist, however much it may be recognized that the sea is the common heritage of mankind. When we speak of this common heritage of mankind, the inhabitants of the land-locked countries are excluded from mankind. They are easily forgotten because they are not near the sea.

154. I have proved with quotations, which I shall not repeat, how in basic documents relating to the sea, as far back as the studies of the International Law Commission and as recent as the draft resolutions which we have been examining in these meetings of the Committee, the amount of concern, the number of words devoted to the considera-

tion of the special position of the land-locked countries in relation to the sea is so small, that really by simple arithmetic it can be proved that the land-locked countries have been all but forgotten. This draft resolution is intended to make up for that oversight, to make up for the fact that we have been forgotten, by requesting a special study.

155. The second reason goes beyond mere arithmetic. The fact is that in the world there are a number of land-locked countries which, because they are land-locked, have common features which are not shared by the coastal States. That is an obvious fact. In the United Nations, certain realities have been recognized, such as the difference between developed and developing countries. It took some time for that reality to be recognized, but it has been recognized and in various United Nations documents. This reality of the land-locked country is therefore unavoidable—geographically, historically and economically. To say that this reality is to be studied in connexion with the sea is something quite obvious, as it would be to say that one should study the realities of the developing countries. Therefore, a draft resolution which says nothing more than that, that that reality which exists be studied, and it has not been sufficiently studied, is not really asking very much of the Assembly, nor is it asking a great deal of this Committee.

156. Therefore, we cannot agree to the request of the representative of Cameroon that we amend this draft resolution, since the amendment he requested of us would make the draft resolution completely meaningless. What we want is precisely to indicate that this is a situation which requires special study, and the representative of Cameroon wishes to delete the words which refer to that reality. In fact, what he would do is to have the entire draft resolution disappear, and we simply cannot accept such a request.

157. Furthermore, as you, Mr. Chairman, have pointed out, amendments are no longer admissible. But, of course, a separate vote is admissible—and this is I believe a procedure with which we agree. A separate vote would indicate the position of countries, and I would say, more than the position of countries, the understanding of the nations of the world in regard to a problem which should be studied, or which perhaps need not be studied.

158. The CHAIRMAN (*interpretation from Spanish*): I shall call on the representative of Cameroon and appeal to him, in order to facilitate our work at this late hour, to maintain his intention to ask for a separate vote on the part of the draft resolution which his delegation objects to so that we can proceed to the vote.

159. Mr. ENGO (Cameroon): The Cameroon delegation will always harken to your appeal, Mr. Chairman, but I think that the comments that have been made have thrown into the wrong perspective the suggestions that my delegation had made.

160. First of all, I would not like to enter into a long debate on the first part of the remarks of our colleague from Bolivia. What I was directing my mind to was the question of the technicality of the submission of a document. In spite of all that he said and with all the

respect that he deserves—and I feel sure that he, as Chairman, also deserves—there is a document on which we are going to vote: that document is A/C.1/L.551/Rev.1 and it has on it the date of 14 December 1970. There is a technical point and I wanted to raise that to ensure that there is no mistake about it.

161. I think that it would be misconstruing my statement to say that we, in fact, want to exclude the land-locked countries. This is far from the truth. My delegation wants to protect all the rights and all the participation of the land-locked countries. What we are saying is that the problems, needs and interests of the developing countries as a whole are so complex that it will be undesirable to single out one aspect and leave the other. If some such language were used as, for instance, the expression in French, “*notamment*”, instead of speaking of “particular needs”, then the discriminatory aspects of this would be removed.

162. I have listened with interest to the representative of Singapore. Again with due respect, I believe some of the problems he enumerated cannot be solved physically. Access to the sea has been studied, and that can be solved, but the fact that there is no continental shelf is not the problem, because we cannot attach a continental shelf to a land-locked country. We are asking merely that if the study is going to be done it should be as comprehensive as possible. It should cover all the developing countries. That is what my delegation is insisting upon.

163. I could go on endlessly, but I only wanted to clear away this misunderstanding with regard to our attitude to the land-locked countries. My statement here last Friday clearly demonstrated that we adopt the much higher philosophy of even development throughout the world and we encourage the land-locked countries to continue to play the vital role they have so far played. However, I appeal to them to ensure that in the process of trying to protect those interests nothing will be suggested that might turn out to be discriminatory against developing countries like mine, which also have particular needs and particular problems in regard to the exploration and exploitation of the sea-bed.

164. The CHAIRMAN (*interpretation from Spanish*): I should like to ask the representative of Cameroon for a clarification. If he is asking for a separate vote, on what part of the draft resolution does he request a separate vote?

165. Mr. ENGO (Cameroon) I should like to make it clear that my original suggestion was that we should delete the words “including the particular needs and problems of those which are land-locked” in the last preambular paragraph. If the sponsors would accept the omission of the word “particular” and the adoption of the English equivalent of the word “*notamment*”—my country is bilingual, and sometimes we tend to think in two languages, and the English language is in some cases not quite adequate—that might solve the problem. That is the first of my suggestions.

166. The second relates to operative paragraph 1. My delegation’s problem relates to this part of that paragraph from the fourth line to the end: “and to supplement that document, in the light of the events which have occurred in

the meantime, with a report on the special problems of land-locked countries relating to the exploration and exploitation of the resources of the sea-bed and the ocean floor, and the subsoil thereof, beyond the limits of national jurisdiction". Here we also feel that the special problems of all developing countries should be included, of course noting that when the study is carried out the particular problems of the different types of countries in the developing world will be examined.

167. The CHAIRMAN (*interpretation from Spanish*): I take it that the representative of Cameroon is requesting a separate vote and not proposing amendments.

168. Before we proceed to vote on this draft resolution, I would draw the Committee's attention to one point. Paragraph 2 of the draft resolution, as revised orally by the representative of Bolivia on behalf of the sponsors, requests the Secretary-General to submit the above-mentioned study to the enlarged Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction. As all representatives are aware, the First Committee has not yet taken a decision on the enlargement of the Committee. This is the subject of a different draft resolution, and even though there seems to be a consensus that there should be only one Committee and that it should have that name we must bear in mind that fact before we proceed to the vote. Before I call on the representative of Bolivia, I should like to indicate possible solutions open to us. If there is no objection, we could proceed to a vote on this draft resolution, it being understood that this would constitute a decision on the enlargement and the name of the Committee or simply could defer the vote until we have voted on the draft resolution which would enlarge the present Committee on the sea-bed. These are the two alternatives open to us.

169. Mr. GUEVARA ARZE (Bolivia) (*interpretation from Spanish*): Mr. Chairman, I should like to add a third alternative to the two you have mentioned. The sponsors would have no difficulty if the word "enlarged" of paragraph 2 were deleted. There would then be no problem and it would enable us to proceed to the vote.

170. The CHAIRMAN (*interpretation from Spanish*): With all due respect, I think it would be simpler if we proceeded to the vote, if the Committee has no objection, on the understanding that the name of the Committee will be changed if necessary, depending on the decision to be taken later. It will be corrected before it is submitted to the plenary meeting. This is simply a recommendation, and it will have to be in accordance with the later decision. If there is no objection, we shall now proceed to take a vote on the draft resolution.

171. Since a separate vote has been requested by the delegation of Cameroon, we shall vote first separately on the words at the end of the last preambular paragraph: "including the particular needs and problems of those which are land-locked".

The words were retained by 74 votes to 2, with 27 abstentions.

172. The Committee will now proceed to a separate vote on the last part of paragraph 1 which reads as follows: "and

to supplement that document, in the light of the events which have occurred in the meantime, with a report on the special problems of land-locked countries relating to the exploration and exploitation of the resources of the sea-bed and the ocean floor, and the subsoil thereof, beyond the limits of national jurisdiction".

The phrase was retained by 77 votes to 2, with 27 abstentions.

173. We shall now, in accordance with the rules of procedure, vote on the draft resolution as a whole [A/C.1/L.551/Rev.1] on the understanding that paragraph 2, which refers to the "enlarged" committee, will be brought into line with the Committee's final decision.

The draft resolution was adopted by 89 votes to none, with 16 abstentions.

174. I shall now call on representatives who wish to explain their votes after the vote.

175. Sir Laurence McINTYRE (Australia): My delegation voted in favour of the draft resolution. We have no objection to the study the Secretary-General is requested to prepare, on the understanding it will not have the effect of unduly diverting the resources of the Secretariat from what we are bound to regard as the more important work of preparing for the conference on the law of the sea and the sea-bed. I might say that in our view the same considerations apply to draft resolution A/C.1/L.543/Rev.1 and Corr.1, for which my delegation also voted.

176. Mr. HULINSKY (Czechoslovakia): On behalf of the Hungarian, Mongolian and Czechoslovak delegations I should like to state that our votes in favour of draft resolution A/C.1/L.551/Rev.1 do not mean we have changed our positions so far as the programme mentioned in the fourth preambular paragraph is concerned. At the same time, I should like to stress how much we appreciated the approach of Ambassador Guevara Arze during consultations on the draft resolution on which we have just voted.

177. Mr. MAHJOUBI (Morocco) (*interpretation from French*): My delegation voted for draft resolution A/C.1/L.551/Rev.1 as a whole because we have no objection to a report being prepared by the Secretary-General. However, we abstained in the vote on the passages in the last preambular and first operative paragraphs for reasons explained at length by the representatives of Cameroon and Nigeria.

178. Mr. RANGANATHAN (India): My delegation wishes to make a brief statement in explanation of its affirmative vote on the draft resolution sponsored by nine land-locked countries. According to the declaration the Committee adopted without opposition this morning [A/C.1/L.544], the exploration and exploitation of the resources of the area of the sea-bed and the ocean floor beyond the limits of national jurisdiction shall be for the benefit of mankind irrespective of the geographic location of States. The international régime, including the appropriate international machinery, to give effect to its provision shall ensure the equitable sharing by States in the benefits derived, taking into particular consideration the interests

and needs of developing countries, whether land-locked or coastal.

179. In accordance with those principles, the Indian delegation is confident that in the work of the enlarged sea-bed Committee, with its expanded mandate, the interests of land-locked States will be safeguarded in the elaboration of the international régime for the sea-bed and in other related questions pertaining to the law of the sea.

180. My delegation notes with satisfaction that the last preambular paragraph of A/C.1/L.551 was revised in the second version. That revision removes to some degree an attempt in the earlier draft to put the land-locked countries in a separate category among the developing countries. While noting that the mandate contained in the operative paragraph of A/C.1/L.551/Rev.1 is modest in terms of asking for various reports from the Secretary-General, my delegation wonders whether the already hard-worked Secretariat is not being further hard-pressed, taking into account the extra subjects that will be dealt with by the sea-bed Committee. My delegation also feels we should not divert attention from the very important task of establishing appropriate terms of reference for the enlarged sea-bed Committee, which is in the common interests of all States, especially the developing countries, whether land-locked or coastal. While in full sympathy with the needs and interests of all developing countries, my delegation feels the appropriate time for pursuing the proposals contained in the draft resolution will be during the course of the work of the enlarged sea-bed Committee, whenever that may be, and when substantive issues concerning the ocean space are taken up.

181. The CHAIRMAN (*interpretation from Spanish*): I have no more speakers on my list to explain their votes after the vote. The Committee has thus concluded its consideration of draft resolution A/C.1/L.551/Rev.1.

182. I should now like to explain to members the present position as regards work. The following draft resolutions that have been formally submitted to the Committee are still before it: first, draft resolution A/C.1/L.536/Rev.1, submitted by the United States of America, to which amendments have been submitted by the United Kingdom in document A/C.1/L.561; secondly, draft resolution A/C.1/L.539, submitted by Brazil and Trinidad and Tobago; and thirdly, draft resolution A/C.1/L.545/Rev.2, submitted by Ecuador and other countries. We also still have before us the following amendments: A/C.1/L.553, submitted by Norway; A/C.1/L.554, submitted by Australia and others; A/C.1/L.555, submitted by Malta; A/C.1/L.556, submitted by Canada; and A/C.1/L.557, submitted by Ghana.

183. In addition, we have before us draft resolution A/C.1/L.562, to which the following amendments have been submitted: A/C.1/L.563, submitted by the United Kingdom and the Netherlands; A/C.1/L.564, submitted by Malta and Turkey; and A/C.1/L.565, submitted by Japan.

184. I have eight speakers on my list who wish to speak on these draft resolutions and amendments.

185. The time has come, therefore, when we must decide on the best way to proceed. As members are aware, a

meeting has been scheduled for 8.30 tonight. On the other hand, we could have a meeting tomorrow morning. I know that some delegations feel that the time has come to proceed to a vote without further delay on the draft resolutions, since every possible effort has been made to arrive at agreement. Nevertheless, other delegations have approached me and said they feel that since draft resolution A/C.1/L.562 and the amendments to it in documents A/C.1/L.563, 564 and 565 have either just been circulated this afternoon or have not been circulated as yet, it would be premature to take a decision now and they have accordingly requested me to postpone consideration of the draft resolutions and amendments until our meeting tomorrow.

186. I do not wish to take sides on this matter and I should like to put the matter to the Committee. Should we have a night meeting as scheduled or should we postpone consideration of this last part of our work until a meeting tomorrow morning?

187. Mr. DE PINIES (Spain) (*interpretation from Spanish*): I should like to inform members of the Committee that in the consultations which we had this afternoon among the chairmen of the regional groups, we tried to agree on the number that had originally been considered for enlarging the Committee on the sea-bed. That question is the subject of consultations among the various regional groups. At the meeting of the chairmen of the regional groups, made up of Western Europe and other States, Africa, Asia, Eastern Europe and Latin America, in the spirit of conciliation which has characterized these meetings, we decided to meet tomorrow at noon to ascertain the feelings of the various regional groups in connexion with some difficulties which have arisen in accommodating all those who would like to be on that Committee. We realize that it is not an easy matter and that the situation is delicate, difficult and complex. But we do believe that it is a good sign for the United Nations that the question of enlarging such a Committee should arouse so much interest.

188. I do not wish to dwell at length on other matters, since everything is the subject of consultations. Accordingly, I would be grateful if the drafts were not put to the vote until tomorrow so as to enable us to hear the views of the regional groups, which have scheduled a meeting for tomorrow noon. After that meeting we should be in a position to present a final solution, whatever it might be, and to proceed to the vote.

189. Accordingly, I put to the Committee our request that we should not proceed this evening to a vote on draft resolution A/C.1/L.562 or the amendments to it, and that we vote on them tomorrow.

190. If some representatives feel that we should have a night meeting to deal with other matters, my delegation would have no objection to that. We would prefer, however, not to have a night meeting in order to allow consultations to take place tomorrow before our next meeting.

191. Mr. ARIAS SCHREIBER (Peru) (*interpretation from Spanish*): With all due respect for the view of any representative, I should like to put a question to the

representative of Spain. When he said that he had consulted all delegations, did he include those of the Latin American group? As far as I know that group has not been consulted.

192. Mr. DE PINIES (Spain) (*interpretation from Spanish*): I am terribly sorry for having failed to mention the presence of the Latin American group which, of course, was represented. Ambassador de Araujo Castro was with us to represent the Latin American group. My oversight was due to having to quote from memory the names of the various groups, and, I assure you, the omission was entirely unintentional. As the Committee knows, I enjoy friendly and cordial relations with all these countries, and I am therefore particularly sorry for my oversight.

193. Mr. ARIAS SCHREIBER (Peru) (*interpretation from Spanish*): Could I ask the representative of Spain whether he would have any objection if the number, which seems to be causing the difficulty, could remain between brackets, and we could take a decision this evening or tomorrow morning? But at least let us take a decision on the substance of the draft resolutions which I think have been debated sufficiently. We all know what the respective positions are, and we are aware of the efforts which have been made by countries which originally submitted the draft resolution contained in document A/C.1/L.545 and its revisions by way of a compromise.

194. It therefore seems to me that to postpone the voting until tomorrow would not help matters now as we are on the eve of the closure of the session.

195. For these reasons could we not proceed with the vote and leave the number of delegations in square brackets?

196. Mr. DE PINIES (Spain) (*interpretation from Spanish*): I would not wish to be considered as representing anyone's views as expressed in the meetings we have had. As far as my delegation is concerned, we would have no objection to having a vote, leaving the number between brackets. But I do not know whether that is the proper procedure, whether it is correct or acceptable.

197. So far as my own delegation is concerned, I am glad to accede to the request of the representative of Peru. I wish to add that I am speaking only on behalf of my delegation.

198. The CHAIRMAN (*interpretation from Spanish*): We still have the same choices open to us. I would like to hear the views of the Committee. In the light of the suggestions now made by delegations, it seems to me that we might, if the Committee were to consider it acceptable, use the meeting tonight to hear statements by delegations which have submitted draft amendments to document A/C.1/L.562, and delegations which have worked on the preparation of the text itself.

199. As an alternative, we might continue until 7.30 this evening, so as not to make this meeting excessively tiring. But we might hear one representative of the sponsors of draft resolution A/C.1/L.562, and one representative of the sponsors of the amendments. Then we could hear the remaining delegations at tomorrow's meeting.

200. Finally, I would merely wish to insist that, come what may, the Committee should terminate its work tomorrow morning. I see no reason why we should delay proceedings further.

201. Lastly, before calling on speakers, I should like to draw the Committee's attention to a purely procedural matter. As I understand it, with the introduction of draft resolution A/C.1/L.562 and the amendments thereto, the sponsors of the draft resolutions I mentioned earlier would not press for a vote on their draft resolutions or would withdraw them formally.

202. Mr. BEESLEY (Canada): I think it is the desire, certainly of the sponsors of draft resolution A/C.1/L.562, and probably of the majority of the Committee, to settle this question as quickly as possible. On the other hand, I do not think any delegation wishes to force these issues to a vote if any other delegation is in genuine difficulty concerning the series of proposals which have been put forth. For this reason, I would think that we would not wish to do anything that would suggest that we want to impose our will upon the Committee.

203. It is, however, the thinking of my delegation that we would really be abdicating our responsibility if we did not at least introduce the draft resolution and the amendments, and then perhaps decide what next to do, because otherwise we are leaving delegations with pieces of paper without explanation. And if there are difficulties for delegations, it may be that explanations could help clear these up. It may be that they would not help clear up these difficulties. In any event, if there is going to be a postponement, it should occur after the introduction of the draft resolution and any amendment.

204. On the other very important question raised by the representative of Spain, once again, obviously, the sponsors did not wish to create difficulties. They have been consulting together in the hopes of obviating and solving difficulties. I would draw to the attention of the Committee that the approach to this problem is two-fold. It does enlarge the Committee by a specified number, but then it passes on to the Chairman of the First Committee, in consultation with regional groups and taking into account geographical representation thereon, the task of trying to select the number.

205. I do not know to what extent the difficulties already encountered in consultation relate to the precise issue of number and to what extent it is a matter of trying to determine how the number is made up. If it is the number itself that is giving difficulty, once again it would be unwise for us to press anything to a vote, although for my part, our delegation, and probably the other sponsors, could accept the suggestion of voting with brackets around the number.

206. If, however, the difficulty is not with the number itself, but with the composition, then there is nothing to prevent us from going ahead and even voting this evening. I should like to hear the views of other delegations, but this is our approach.

207. The CHAIRMAN (*interpretation from Spanish*): I have on my list the delegations of Sweden and the United

Arab Republic. Could I ask representatives who have requested to speak to confine themselves to the organization of our work, so that we may quickly take a decision.

208. Mr. RYDBECK (Sweden): I am all for speeding up our work and I think that we should proceed tonight with declarations, explanations and introductions. But I would say that I think that the vote on the draft resolution should not be taken with the figure in brackets. I think the vote should be taken after the continued consultations, with the figure in the text. As a matter of fact, this is of some importance for our delegation since it was a point we made even in joining the group of sponsors.

209. Mr. BADAWI (United Arab Republic): My delegation is also in favour of expediting our work and I was just wondering whether it would not be easier, in order to expedite it, to continue this meeting, in the same way as we did yesterday with regard to the question of international security, and proceed with the voting, and that would spare us the night meeting. In the view of my delegation, if we are going to have an interruption of our work there is absolutely no difference in having a night meeting or a morning meeting tomorrow. I would very strongly suggest that we continue this meeting.

210. The CHAIRMAN (*interpretation from Spanish*): Would members of the Committee agree to continue this meeting in order to hear statements from delegations which are on the list to introduce draft resolutions and amendments? Of course, this would be done with an appeal for brevity, since the item has been discussed at length in the general debate and in the debate on the draft resolutions. We would then not have a night meeting. We would have a meeting tomorrow in order to vote. Would this be satisfactory to members of the Committee?

211. I hear no objections. Accordingly, we shall proceed to hear delegations which are on the list. May I make an appeal that no further delegations add their names to the list of speakers. I have on my list the following delegations: Canada, Chile, United States of America, United Kingdom, Japan, Brazil, Trinidad and Tobago, Jamaica, France, Belgium and Peru. That makes 11.

212. Mr. LIANG (China): Mr. Chairman, I would like to speak in due course on the amendments to draft resolution A/C.1/L.562.

213. The CHAIRMAN (*interpretation from Spanish*): I now have two more names on the list of speakers, El Salvador and China.

214. If speakers will limit themselves to what is strictly essential, I think we can, in a comparatively short time, conclude these statements and tomorrow we will proceed immediately to the vote on the draft resolutions and amendments.

215. Mr. BEESLEY (Canada): My delegation is pleased and honoured to have the privilege of introducing draft resolution A/C.1/L.562 on behalf of the following group of sponsors: China, Chile, Ecuador, El Salvador, Guyana, Haiti, Iceland, Indonesia, Jamaica, Kenya, Nigeria, Norway, Peru, Senegal, Sierra Leone, Sweden, Trinidad and Tobago,

Tunisia and the United States of America. The list of sponsors, as the Chairman has pointed out, embraces a wide group drawn from the sponsors of draft resolutions A/C.1/L.536/Rev.1, 539 and 545/Rev.2, but it also comprises a number of other delegations, and in so doing it indicates, better than any explanation we could provide, the extent to which the draft resolution reflects a bridging of differences between positions of delegations and groups of delegations supporting differing approaches to this important question of the desirability of convening at an early date a conference on the law of the sea.

216. In deference to your plea, Mr. Chairman, I shall abbreviate considerably what I intended to say about the preamble, but I would like to stress that the sponsors of these three resolutions and the other delegations mentioned met together over a very lengthy period yesterday lasting until midnight, and again this morning, in an attempt to produce an agreed text.

217. I really would like to take this opportunity, which I consider a duty, to stress to all delegations here the genuine spirit of conciliation shown by the sponsors. There was a real willingness to join together, even with those representing differing or opposing points of view, in a common effort to reach an accommodation that was intended to reflect the general interest.

218. I will not turn to the preamble at this stage, except perhaps to point out—because of the importance attached to another resolution we have finished voting on today—one particular preambular paragraph, the fifth which reads:

“Noting that the political and economic realities, scientific development and rapid technological advances of the last decade have accentuated the need for early and progressive development of the law of the sea”.

This paragraph, as is the case with several other preambular paragraphs, was drawn from texts contained in documents A/C.1/L.536, 539 and 545/Rev.2. It is intended to stress the impact of scientific development and rapid technological advances upon the law of the sea, and also to stress the need for urgent action in beginning the task of the progressive development of the law of the sea. Incidentally, it replaces the previous preambular paragraph in draft resolution A/C.1/L.536, which also recognizes the importance of scientific development and the need for broad action.

219. I think that the only other point I would draw attention to in connexion with the preamble—subject to the views of other sponsors when they speak—is the inclusion in the final preambular paragraph of the reference to the 1972 United Nations Conference on the Human Environment. It was intended by that paragraph to provide a balanced approach to the preparatory work of the Conference by adding this reference to the Stockholm Conference, which originated in document A/C.1/L.545/Rev.2.

220. I think I should also mention in passing that the eighth preambular paragraph, touching on the interests of land-locked States, represents a very serious attempt by the sponsors to take into account the particular interests of

land-locked States, both developed and developing. We should like to draw attention to its language:

“*Affirming* that such agreements on these questions should seek to accommodate the interests and needs of all States, whether land-locked or coastal, taking into account the special interests and needs of the developing countries, whether land-locked or coastal”.

221. Turning now to the operative paragraphs, it will be noted that operative paragraph 2 contains much of the language of A/C.1/L.545/Rev.2, which itself builds upon A/C.1/L.539, while also incorporating elements in the approach to the same question taken in A/C.1/L.536. This is undoubtedly the single most important paragraph in the draft resolution. In brief, it decides on a conference on the law of the sea to be held in 1973; it decides that that conference should be convened in accordance with the provisions of the succeeding paragraph, to which I shall refer in a moment; and it sets out a range of questions to be dealt with at the proposed conference. Two points in particular should be noted. First, the draft resolution proposes a conference which is broad in scope, and it also draws attention to particular issues requiring consideration, some of which, we are aware, may give difficulty to some delegations, but which have been included in order to accommodate the majority view. It was the view of the sponsors on this key issue that those questions to which significant numbers of delegations attach importance should be included on the agenda, and that a more restrictive approach to the agenda could give rise to serious difficulties for many delegations. Second, the paragraph attempts to take a balanced approach to the questions set out for consideration at the conference, giving a certain priority to the establishment of an equitable international régime but adopting a neutral formulation on the relationship of the various issues. I would like to stress that it is intended as a neutral formulation on the relationship of the various issues without attempting to prejudge the relationship between issues. While the question of priority is touched upon and dealt with also in a later paragraph, the draft resolution does not attempt to predetermine, for example, which issues should be considered together at the conference and in the preparatory committee. This formulation was the result of long and extensive negotiations and it reflects a genuine compromise on the part of the supporters of all the three draft resolutions in question. It is our earnest hope that those delegations which find difficulty with the scope of the proposed conference, as reflected in this draft resolution, will not consider it essential to press amendments to the vote, bearing in mind particularly the provision, to which I shall refer later, contained in operative paragraph 3, which leaves it to future sessions of the General Assembly to determine the precise agenda of the conference.

222. Turning to operative paragraph 3, this paragraph is also particularly important, in two respects: firstly, it provides for a review at the twenty-sixth and twenty-seventh sessions of the General Assembly of the reports of the preparatory committee “with a view to determining the precise agenda of the conference, its definitive date, location and duration, and related arrangements”.

223. This formulation was drafted with the particular view, not only of incorporating the positions of a number

of delegations on the importance of the preparatory committee and of the review of its work by the General Assembly, but also to accept and adopt suggestions made by the sponsors of certain amendments to the draft resolutions. The second and particularly important aspect of this paragraph is its provision that the twenty-seventh session of the General Assembly may, if it determines the progress of the preparatory work of the Committee to be insufficient, decide to postpone the conference. This provision, taken together with operative paragraph 2, deciding to convene the conference in 1973 in accordance with the provisions of operative paragraph 3, reflects the essence of the compromise on the key issue of the date of the conference which the sponsors of the three draft resolutions were able to work out.

224. On this question, perhaps more than on any other, the solution reached represents the spirit of conciliation, to which I have referred. I trust that no delegation will seek to disturb this delicate compromise, which has the virtue, if I may say so, of also being based on a common sense approach to the problem.

225. Turning now to operative paragraph 4, it should be noted that the technical change proposed by some delegations which had put forth amendments has been adopted in order to make clear that the mandate of the sea-bed Committee will be “supplemented by the present resolution”. It will be observed that the mandate of the sea-bed Committee will be expanded so as to enable it to act as a preparatory committee for the conference as a whole, and not merely as the sea-bed Committee. Thus the one-committee approach has been adopted as one of the elements in the compromise package.

226. Operative paragraph 5 is also especially significant, in deciding to enlarge the committee; and we have already had a discussion of the problem of numbers. We are all aware of the difficulties presented by this problem, and although the one-committee approach has been adopted, we are aware that it may still present some difficulties, particularly since the sea-bed Committee would now be very large and its size may also give pause to some groups. It was the view of the sponsors, however, that in spite of the dangers of the Committee becoming unwieldy because of its size, only by this means of enlarging it could the difficult problems of membership be solved.

227. We are aware that the particular solution in question may present difficulties again, and we would appeal to delegations to accept this solution in the same spirit of compromise which motivated those who negotiated the draft resolution, subject always, of course, to the discussions which have just been brought to our attention by the representative of Spain.

228. Turning to operative paragraph 6, this paragraph is also of significance, particularly on the issue of priority for the international régime. It will be noted that this paragraph, taken together with the language of operative paragraph 2 and the preamble referring to the need to elaborate an equitable international régime, establishes a clear priority for the régime. At the same time, once again it adopts a neutral formulation in its references to other issues, with the result that it reflects, in the view of the

sponsors, a balanced approach to the conference agenda and the preparatory work of the conference. We hope that this operative paragraph as redrafted will attract general support.

229. One issue I have not dealt with is the question of the time and date for the two conferences. I understand that there may be differences of view on this question, but on the basis of the consultations undertaken by the sponsors it seems likely that the approach which will carry with it the widest support is to hold the first meeting of the preparatory committee in March, for a period of four weeks, with the second in July and August, lasting six weeks.

230. I should also like, before concluding, to explain that the sponsors have discussed the position they should take concerning any possible amendments to the compromise draft resolution, and have agreed that, given the long and difficult negotiations on the text and the efforts made by all concerned to achieve a genuine compromise, they were obliged to oppose all proposed amendments. We recognize, of course, the right of every delegation to propose amendments to any draft resolution, including this one, but we hope that they will understand why we must together take the position—consistent on all draft amendments—of opposing them.

231. I should like to conclude by expressing the hope that the delicate compromise embodied in draft resolution A/C.1/L.562 will not be upset and that it will command widespread support.

232. Mr. ZEGERS (Chile) (*interpretation from Spanish*): The very comprehensive statement just made by the representative of Canada makes it unnecessary for me to make very many comments on the draft resolution he has just submitted to us. I should like to say, however, that it represents a tremendous effort at conciliation after the difficult negotiations among the sponsors of the three drafts before this Committee. Efforts have been made to prepare a draft that would be generally accepted in keeping with the draft declaration of principles we have just adopted. Actually, no delegation could be completely satisfied with the results, but no delegation could say that it was entirely dissatisfied either. I should like to stress that the general acceptance of this draft would promote the success of the future conference which, by its very nature, requires the broad support of Member States.

233. The draft resolution includes matters that became the subject of a consensus during our discussion—for example, the idea of a single committee to deal with the sea-bed and to prepare the conference which was first suggested by the representative of Norway. This compromise text is due in large part to the efforts of that delegation.

234. Secondly, in line with the resolution that conference would have a broad composition; it should be a general forum where there are no taboos and where all matters of interest, some of which have been specified, could be discussed.

235. Thirdly, as was pointed out by the representative of Canada, there is a certain relative priority given to the problems of the régime of the sea-bed.

236. The problem of the date has been solved, thanks to a general willingness to compromise. All these issues have emerged not only from our debate.

237. They were also mentioned in earlier General Assembly resolutions, in replies to the Secretary-General and have been covered in important multilateral political agreements. For this reason it is a well-balanced text, as was stated by the representative of Canada and therefore should not be modified. Before studying the amendments which have been submitted, the sponsors agreed to reject any amendment that might be submitted so that the balance of the draft resolution would be maintained. We should like to reiterate this appeal.

238. I believe that we should be very pleased with the results obtained. We are very pleased with the co-operation shown by the group of 77 developing countries, which has submitted one of the drafts, and also with the constructive attitude of the United States delegation which made a major effort to produce this compromise resolution. There was, too, great co-operation on the part of the delegations of Brazil and Trinidad and Tobago which also submitted a draft.

239. Finally, I should like to stress the important role played by the delegations of Norway and Canada which submitted a draft resolution, and by a number of others.

240. Mr. STEVENSON (United States of America): It is a pleasure to join with the sponsors of this resolution and other delegations in a compromise which we believe incorporates many of the essential elements of the various draft resolutions before us. We particularly wish to express our gratitude for the spirit of co-operation and goodwill with which the other delegations approached this effort, not only in the final stage of negotiation, but also during the earlier process when the different drafts, including our own, were progressively revised so as to narrow the area of difference.

241. As one of the sponsors of the draft resolution, the United States recognizes that the text before us is not perfect and could well be improved. But given the time remaining we feel it is imperative to defend this text against change since otherwise, by making the best the enemy of the good, we risk creating a situation in which changes could lead to the adoption of no resolution at all.

242. The United States has worked for a resolution which could be broadly supported at this session of the General Assembly. We shall therefore resist any changes to the draft resolution. Perhaps the most important aspect of this compromise draft is that it does not try to do too much or too little. It provides that the conference be convened in 1973, thus giving our work the necessary sense of direction and purpose. At the same time it recognizes that precise details need not be decided at this time. Similarly, the draft resolution gives focus to our substantive discussions by pinpointing certain issues of importance to delegations, including not only the international régime for the sea-bed

but also the breadth of the territorial sea and related issues of straits and fisheries.

243. In this connexion we should all bear in mind that the conference agenda has yet to be determined and, moreover, that a statement of issues to be considered prejudices neither the organizational arrangements for their consideration in the committee and the conference nor the substantive results reached. Thus the draft resolution does not compel any particular breadth of the territorial sea nor any particular arrangement regarding straits, nor particular modalities concerning fisheries. That work has yet to be done. At the same time the draft resolution in no way prejudices the consideration of other specific problems and thus includes references to the broad range of law of the sea problems and régimes. The preparatory committee will have the opportunity to select from it specific issues for inclusion in the agenda for which treaty articles can be drafted.

244. Finally, the draft resolution does not establish any particular order of work. The régime was listed first because it clearly poses certain new and complex problems which will require a great deal of work. It seems that some of the problems encountered in reaching a compromise resolution really concern the future organization of our work. I think we realized this and it was fairly easy to agree that the draft resolution should be drafted in a way which did not prejudice this organizational question, which should clearly be taken up very early in the preparatory committee.

245. While I do not wish to make any formal proposal at this time, there has been some discussion among the sponsors and among other delegations regarding the possibility of early consultations concerning the organization of the Committee's work in advance of its first meeting this spring. The United States shares the anticipation and mutual dedication of the world community to proceed with our work in resolving these important issues. The measure of our success will depend in no small part on the preparations we all make on these complex and frequently technical questions. We would hope, therefore, that all participating States will include on their delegations at this first session their best available experts on the issues that will be discussed.

246. In conclusion, let me stress my delegation's view that we approach the difficult task of preparing for the conference in a spirit of unity and optimism. We believe a good start has been made and that we must all do our utmost to preserve this spirit as we proceed with our work. Accordingly, we invite all delegations, whatever their particular problems or points of view, to join in supporting this compromise draft resolution.

247. Mr. JAMIESON (United Kingdom): On behalf of my own delegation and that of the Netherlands I would like very briefly to introduce the amendments which we have circulated in document A/C.1/L.563. I should perhaps explain to members of the Committee that my delegation participated in the discussions in the group from which draft resolution A/C.1/L.562, the new text, arrived. But I think it is fair to say, as indeed the representative of Chile said today, that it represents a compromise between the authors of the three original resolutions rather than

between them and the sponsors of any amendment to those resolutions.

248. In the view of my delegation the new text, unfortunately, does not come near to meeting the point of view of my delegation, which was certainly shared by many other delegations from all parts of the world which participated in the informal group which met last week.

249. Speaking for my own delegation I find this is so in three respects, if I may briefly summarize again what I said at the 1795th meeting: if we want a successful conference and if we want a sea-bed régime there are three things I believe we should bear in mind.

250. Firstly, sea-bed limits are tied up with the sea-bed régime, and the sea-bed régime is tied up with the sea-bed limits; it works both ways; in our view there can be no question of priorities between them at any stage, either in the preparatory work or at the conference.

251. Secondly, we believe that the question of the maximum breadth of the territorial sea and certain other very closely related issues is so inextricably tied up with the question of sea-bed limits that again there should be no question of priority as between the territorial sea and one or two kindred subjects, on the one hand, and the sea-bed régime and sea-bed limits, on the other.

252. Dealing with those two points, first of all we find that paragraph 2, and more especially operative paragraph 6, lacks what to our mind should be the right degree of precision. As regards paragraph 2, the questions relating to the breadth of the territorial sea and the closely related questions are, so to speak, submerged in a great number of other matters. I do not think that in paragraph 2 they are given anything like the same degree of priority as the régime and its limits.

253. In paragraph 6, I believe that that is even more so. Indeed, both the representatives of Canada and Chile have said that, in their interpretation of this paragraph, there would be priority for the sea-bed régime. I am not sure I would agree with that interpretation, but it is what I mean by the lack of precision in this paragraph.

254. The third point is that if we want an early and successful conference we should not, we feel, adopt wording which might be interpreted as implying a commitment here and now to a very wide-ranging agenda, although we would of course consider whether further specific matters should be included in the agenda, without any prejudice to the priority that they should enjoy.

255. It is for those reasons that we have submitted these amendments to paragraphs 2 and 6, which are not new to this Committee—they are basically the same amendments that we had suggested to the corresponding paragraphs in document A/C.1/L.545/Rev.1.

256. Those are—if I may say so—thoughts which never appeared in any of the three previous draft resolutions and do not appear in the draft resolution in document A/C.1/L.562. It is for that reason that we think it is right that those thoughts—those amendments—should be put to

the vote and that the Committee should be given the opportunity of expressing a view on them.

257. Mr. PARDO (Malta): My delegation much appreciates the effort made by the sponsors of draft resolution A/C.1/L.545/Rev.2 in producing, in consultation with the delegations of the United States, Canada and Norway, a revised version of this draft resolution contained in document A/C.1/L.562.

258. That new draft resolution is certainly an improvement from the point of view of my delegation. Nevertheless, there can be little doubt that further improvements are necessary. My delegation and the delegation of Turkey do not—we wish to assure members—seek the ideal but we do wish to have some assurance that the Committee will be able to prepare the conference on the law of the sea effectively and expeditiously and that the necessary work of further developing international law will take place in a framework of international co-operation.

259. The delegation of Turkey and my delegation have therefore limited their suggested changes to draft resolution A/C.1/L.562 to the minimum which we believe compatible with these aims. Therefore, in a sincere spirit of compromise, we are presenting only a few modest amendments [A/C.1/L.564] to the draft resolution.

260. The first amendment we suggest is the addition of the words “in the framework of close international co-operation” to the fifth preambular paragraph. We attribute particular importance to these words. They are intended to make clear that the development of international law, which we believe is both urgent and necessary, should take place, not unilaterally or regionally, but in a framework of international co-operation. That is a most essential point. The very fact that we are now deciding on a conference on the law of the sea means that this concept of international co-operation is widely acceptable and recognized. Therefore, I believe that the omission of these words can only be an oversight—an oversight, however, that it is most important to remedy. Otherwise, there might be most undesirable implications in the preambular part of the draft resolution.

261. The second amendment suggested by the delegations of Turkey and Malta is the deletion of the last sentence in paragraph 3. We believe that this sentence is unnecessary. It is obvious that, if the preparatory work of the Committee is insufficient, the General Assembly will postpone the conference. But we must absolutely have a definite target date and therefore we suggest that that sentence be deleted as unnecessary.

262. In paragraph 6 we propose two small amendments, that is to say, the addition of the words “and the delimitation of the area to which it applies” after the words “international régime”. We are suggesting this because we believe that work on a régime should proceed simultaneously with the progressive delimitation of the area to which the régime will apply. The reason for our concern is obvious. Much of the nature of the régime will depend on the area of application. The resource aspect, for instance, of an international régime will vary greatly according to whether the delimitation is made close to the coast or far from the coast. We note, in this connexion, that the

preparatory committee is not entitled to discuss the régime. We are reaffirming the mandate of the Committee on the Peaceful Uses of the Sea-Bed and Ocean Floor beyond the Limits of National Jurisdiction, where the interventions of my delegation on the question of the delimitation were objected to, and we are reaffirming this mandate, except as supplemented by the present draft resolution. The present draft resolution does not mention the limitation of the régime as a supplementary item in the mandate of the Committee on the peaceful uses of the sea-bed, so that the limitation of the area will still be out of order in the enlarged committee and we shall not be able to discuss the delimitation of the area until we arrive at the conference in 1973.

263. Paragraph 2, dealing with the conference, states that the General Assembly “Decides to convene in 1973 . . . a conference on the law of the sea which would deal with the establishment of an equitable international régime . . . a precise definition of the area . . .” and so on. But it does not say that it will adopt an international agreement on this. We shall be able to discuss the matter of the equitable international régime and of the area but we shall still, presumably, not be able to conclude any agreement on this matter because during the informal negotiations the word “agreement” was objected to.

264. Thus the situation is as follows. If the draft resolution is adopted without the amendments suggested by Turkey and my delegation, the enlarged Committee will be discussing a régime but it will not discuss the area to which the régime will apply, and after two years of discussion of the régime, we shall have a conference. If the General Assembly determines that the progress of the work is sufficient we shall have this conference, and we shall be able to discuss the régime at the conference but we shall still not be able to conclude any international agreement. This, we believe, really is a rather futile method of working.

265. Then at the end of operative paragraph 6 we also suggest a small amendment to improve the efficiency of the work of the preparatory committee. In other words, the delegation of Turkey and my own delegation suggest that there is no need for a reference to “a comprehensive list of subjects” and that the only need is a reference to “draft treaty articles on other subjects mentioned in operative paragraph 2 which should be dealt with by the conference”. I would draw your attention to the words “on other subjects” and not “on the other subjects” in this connexion; in other words, we leave to the Committee the choice of the subjects on which it wishes to draft treaty articles.

266. I understand that the sponsors of the draft resolution will not accept any amendments, however meritorious. That is a great pity, and I hope that some reconsideration can be given to this position since the contents of the amendments submitted by the delegation of Turkey and my own have been strongly supported by several of the present sponsors of the draft resolution.

267. We should like to add one little point. In operative paragraph 5 we would wish to have brackets around the number “39” in view of the continuing negotiations with regard to membership in the Committee and we would wish

this to be a further amendment submitted by Turkey and my own delegation.

268. Finally, we would wish to have a roll-call vote on all of these amendments except the last one.

269. Mr. OGISO (Japan): The amendment proposed by my delegation as contained in document A/C.1/L.565 reads as follows:

“In operative paragraph 2, delete the two bracketed parts and after ‘territorial sea’ insert the words ‘international straits’.”

There will be no change in the first part of the paragraph. I shall read the end of paragraph 2.

“... a precise definition of the area and a broad range of related issues including those concerning the régimes of the high seas, the continental shelf, the territorial sea, international straits and contiguous zone, fishing and conservation of the living resources of the high seas, the preservation of the marine environment, including *inter alia* the prevention of pollution, and scientific research.”

The part which I have read is substantially the same as the original text of the draft resolution submitted by the same sponsors in document A/C.1/L.545.

270. In explaining the meaning of this amendment, I wish to make the following two points.

271. The first point I should like to put to the sponsors of document A/C.1/L.562 is the following. In paragraph 2, after the expression “the territorial sea”, we find in brackets the words “including its breadth and the question of international straits”. My delegation wishes to know why those words in brackets were felt to be indispensable by the sponsors. As my delegation sees it, what we are talking about here is “issues concerning the territorial sea”. In the view of my delegation it is self-evident that the “issues concerning the territorial sea” should include the question concerning the breadth of the territorial sea. That is one basic, outstanding question which has to be solved urgently. My delegation fails to understand why this point had to be specifically included in its present form. If the English words “issues concerning the territorial sea” may not be interpreted as including the breadth of the territorial sea, I am afraid that we might have to use at all times in the future the lengthy expression “issues concerning the territorial sea, including the breadth of the territorial waters”. As the representative of a country in which English is not the mother tongue I wish to avoid a possible situation in the future where the concept of the breadth of the territorial sea is excluded simply because the phraseology “question concerning the territorial sea” was used without the addition of the words “including the breadth of the territorial waters”.

272. I think that if we use such words here this might be used for an entirely different purpose in the future. I think that since there is no logical need to add the words “including its breadth”, the first bracketed part could be deleted and only the words “international straits” should be entered after the words “territorial sea”.

273. I wish to raise a second point about the second bracketed language in the same operative paragraph. I must first of all draw the attention of the Committee to the fact that this is entirely new language which has not been used in any other draft resolutions or amendments with which we have been dealing.

274. My delegation would like to know why those words “including the preferential rights of all coastal States” had to be included in the present text and, in particular, suddenly at the last stage of informal consultation? It is the understanding of my delegation that in none of the four Geneva Conventions of 1958 on the Law of the Sea has the term “preferential rights” been used. It is at best a concept which has not established itself in the field of the international law of the sea. It is not a concept which is well defined and therefore the precise implication of that language is not generally agreed upon. To employ language of such a character on this particular point may well prejudice the whole question on this point. My delegation regrets that more well-established and generally acceptable language such as “rights and interests of the coastal States” is not used in the new draft resolution.

275. If this draft resolution is primarily a procedural one, as my delegation is given to understand that it is, then the proper way to approach it would have been to keep the formulation of the draft resolution in a neutral form and not to introduce elements of substance which should only be discussed in the preparatory body itself. We have been told that the bracketed parts were put in as a package deal. If that is so, my delegation proposes that the deletion of both of them should be accepted, since if both bracketed parts are excluded it will not destroy the balance.

276. My delegation certainly understands the special circumstances in which the negotiations were conducted. With the very limited time available it is possible that the particular formulation in question crept in and was accepted by the delegations concerned without major reflection on their part. If that is the case, there is every good reason for giving much more careful thought to this point. I wish to express the hope of my delegation that the time still available to us will be used for that purpose.

277. Mr. SARAIVA GUERREIRO (Brazil): I understand that today was fixed as the last day of this session of the General Assembly. My delegation, as you know, Sir, is not one of those that has a fanatic love for rigid and absolute dead-lines. Even so, I shall try to help this Committee attain its final stage of work approximately on the date that was fixed, by being as brief as possible.

278. I shall not enter into the discussion of the substance of any of the proposals. I shall only state for the record that the draft resolution which was introduced by Brazil and Trinidad and Tobago [A/C.1/L.539], and which we thought was the embodiment of common sense—and still think it was—as the better way of dealing with the matter before us, will be withdrawn in favour of the text that appears in draft resolution A/C.1/L.562. This is the result of the overstretching of our position to the extreme point of compromise possible for us. But we understand the meaning of the draft resolution, which was explained very well by the representatives of Canada and Chile, and we are ready to support it.

279. As a consequence, the Brazilian delegation will vote against each and every amendment that is submitted to this text and if any of these amendments are accepted or approved, we will then have to review our position as to the amended text.

280. Mr. SOLOMON (Trinidad and Tobago): When we intervened at an earlier stage of the debate on this item [1794th meeting], I think I indicated that while we had put forward, in conjunction with Brazil, a draft resolution of our own, we would be prepared, if necessary, to withdraw it if some sort of acceptable consensus were arrived at on the basis of draft resolution A/C.1/L.545/Rev.2.

281. As has just been indicated by the representative of Brazil, a compromise has been arrived at by stretching our own views to the limit, as he has said. It was not arrived at in one hour or one day. There have been long and arduous meetings in which my delegation participated. We have given a great deal and we have taken something in return. We find that this document, imperfect though it is, is the best that can be achieved at this stage. Unless we want to go on for another six months or a year, there is no point at all in reopening the discussion on this document or on the issue. If I may say so, I have studied in the short time at my disposal all the amendments that have been submitted by Japan, Malta and the United Kingdom. In my view, those amendments are more semantic than substantial. There is nothing that is asked for by the United Kingdom, Malta or Japan [A/C.1/L.563, 564 and 565] that cannot be achieved within the framework of A/C.1/L.562. It is just a question of where one would place the emphasis.

282. There are three things essential in this issue, and we emphasized them the last time we spoke. The first is that the conference should not be put into a strait jacket. We were against fixing of definite dates. We have compromised in that while the year 1973 is now fixed for the conference, there has been agreement that the exact date of the conference will depend on the work of the preparatory committee. That is eminently fair and eminently reasonable.

283. Secondly, we agreed that the subjects are one and indivisible. It is impossible to expect a proper solution to any one of those problems without proper reference to all the others. Therefore, the text outlines all the issues involved, as far as we can see them. As to where the priorities will go, that must be left to the preparatory committee and in turn to the conference itself: which one will be taken first, which one will be taken last, how they will be interlocked one with the other—those are not matters on which we can decide here. They must be done by the preparatory committee first and ultimately by the conference.

284. Finally, we decided that the committee must be large enough to accommodate all those Member States that were interested in serving on such an important committee. The exact number has not been fixed, but the expansion that has been proposed is, we believe, large enough to take care of that matter, and if there is talk about a further expansion we have no objection. There is nothing in this text that is objectionable. It is imperfect, admittedly, as are

all the documents that come before this Assembly and as are all works of man. If we seek perfection, we shall obtain nothing. We have proceeded on the basis that, after three years of hard labour, it is time to arrive at a conclusion, to arrive at a decision and move on to the next stage.

285. Yesterday we made a significant step forward when we adopted the draft declaration of principles [A/C.1/L.544]. This is the next stage: to accept this draft resolution and to proceed from there to arrange for our conference in 1973, to do all the preparatory work and lay the groundwork faithfully and securely.

286. On that basis, I have agreed and my Brazilian colleague has agreed that we shall withdraw the draft resolution in the names of Brazil and Trinidad and Tobago and we shall give full support to this compromise draft, on the clear understanding that if any substantial amendments are accepted, we shall have to review our own position. This is taking a long time and has meant long and arduous work. We have given a great deal. We have compromised. If others are not prepared to compromise, there is no reason why we should adhere to that position.

287. Mr. BONNICK (Jamaica): My delegation wishes to pay tribute to those delegations that worked so tirelessly in achieving the compromise draft resolution in document A/C.1/L.562, just presented to the Committee by the representative of Canada. In particular, Mr. Chairman, I should like to commend you for bringing us together, and the representative of Canada, Mr. Beesley, for trying to keep us together.

288. I think it was the late President Kennedy of the United States who said: "Let us not negotiate from fear, but let us never fear to negotiate." This was the spirit in which Mr. Stevenson of the United States and his own team negotiated this draft resolution. That is why we are able today to present to the Committee the delicately balanced compromise contained in draft resolution A/C.1/L.562.

289. The sponsors of draft resolution A/C.1/L.545 and its revisions, in a continuing spirit of compromise, have met almost continuously since last Friday, not only with a view to facilitating the work of the First Committee but in order to ensure that the work of the preparatory committee, which is scheduled to meet in Geneva next March, may move forward.

290. When I presented draft resolution A/C.1/L.545/Rev.1 at the 1794th meeting, I said that the accommodation we seek must be based on a forward movement and not on a mere manipulation of the *status quo*. Our purpose in entering into negotiations then was to reach as wide a consensus as was possible on our draft resolution. We recognized that there were delegations whose views were irreconcilable with those of the majority of members present. However, we expected a reasonable degree of understanding and compromise from those delegations, since it was not our purpose to press draft resolution A/C.1/L.545/Rev.1 to a vote, although assured of victory. This lack of understanding and compromise would force the Committee to vote not only on what we hoped would be a consensus text, that contained in document A/C.1/L.562, but also on three additional amendments. This

unfortunate development, in the view of my delegation, is not only divisive in nature but will serve to harden points of view and to frustrate negotiations in Geneva at a time when accommodation is so necessary, not only in the interest of mankind as a whole but also in the very interest of the developing countries which are trying to divide us.

291. The draft resolution is more than a delicately balanced compromise and represents major concessions on the part of the developing countries. This balance and compromise, once disturbed, will never again be achieved. For these reasons, my delegation will join the other sponsors in voting against all three amendments contained in documents A/C.1/L.563, 564 and 565, if they are pressed to a vote.

292. Finally, the sponsors of draft resolution A/C.1/L.545 and its revisions, in a continuing spirit of compromise and accommodation, now formally withdraw that draft resolution and give support to the compromise text contained in draft resolution A/C.1/L.562.

293. Mr. DEJAMMET (France) (*interpretation from French*): Thank you for giving me the floor even though France is not a sponsor of any draft resolution or amendment.

294. I merely wish to seek certain clarifications for which I would be grateful to the sponsors of this draft resolution. It may be said that this is simply a matter of semantics. But when these questions of semantics later give rise to difficulties in drawing up the agendas of the preparatory committees, I think it is not altogether inappropriate to deal with such questions, if only briefly.

295. On reading paragraph 6 of draft resolution A/C.1/L.562 I see that the Committee is asked to prepare draft treaty articles on the international régime, and a comprehensive list of the subjects and issues relating to the law of the sea referred to in paragraph 2, and draft articles on these subjects and issues. On reading paragraph 2 of this draft resolution, I note that mention is made there of "a broad range of related issues" but I do not see any mention of the word "subjects". However, in paragraph 2, before the words "a broad range of related issues", mention is made of a particular problem, namely, a precise definition of the area. I presume this means the international zone to which the international régime will apply.

296. As I interpret this text, the precise definition of the area constitutes the "subject"—and I emphasize the word—mentioned in the last line of paragraph 6, together with the issues relating to the law of the sea. But I should like to be told whether my interpretation is correct. If I were to receive an affirmative answer to this question it would help me better to understand the last lines of paragraph 6 and it would give me a clearer idea of the mandate of the enlarged Committee.

297. At present there is a certain ambiguity here. One might believe that the Committee would endeavour to prepare draft articles only on subjects and issues which would be part of a comprehensive list. It might then be feared that we shall have to await the preparation of that

comprehensive list before beginning study of those subjects and issues.

298. On the other hand, it is understood that the subjects and issues to which specific reference is made and on which the Committee could prepare draft articles are those already mentioned in paragraph 2. They naturally include under the heading "Subjects", a precise definition of the international area; my understanding would then be that the enlarged Committee could immediately proceed to discuss the draft articles on the precise subject mentioned in paragraph 2, namely "a precise definition of the [international] area".

299. This ambiguity would indeed be dispelled if, through you, Sir, the sponsors could be prevailed upon to reply to the question I have ventured to put to them.

300. Of course, there were various possibilities open. I could have consulted some of the sponsors privately, for example, the United States delegation. But I believe such private consultations might have been discourteous, so I preferred to avail myself of the opportunity you have kindly given the French delegation of taking the floor. One obviously easy way to answer my question would be for the sponsors to accept the amendment submitted by Malta concerning paragraph 6. I took note of the hopeful words of the representative of Malta when he said that some of the sponsors appeared to welcome his amendments. But I also took note of what seemed to be the somewhat negative replies of other sponsors. However, I still think that this ambiguity would unquestionably be cleared up if the amendments submitted by Malta and Turkey were to be accepted, or if the sponsors would be kind enough to provide a reply confirming my interpretation.

301. Mr. DEBERGH (Belgium) (*interpretation from French*): Since Thanksgiving has passed I need not go over the background to the dialogue that took place between the various groups which sponsored these draft resolutions and amendments.

302. For the moment we have before us draft resolution A/C.1/L.562 and, although this new version includes certain minor modifications which represent a small step towards the position maintained by my delegation and by a group of about 25 friendly delegations belonging to all geographical groups, we cannot say that the text as a whole gives us complete satisfaction.

303. I must say first that my delegation greatly regrets that the solution proposed as to the final choice for the date of the conference is accompanied by a conditional clause which, as we see it, can only represent an invitation to procrastinate at a time when everyone recognizes that, in view of technological progress and in view of the elastic nature of the definition of the continental shelf, everything should be done to arrive at a definition of the régime and the limits of the extra-jurisdictional sea-bed as soon as possible.

304. I admit that the present wording of paragraph 2 has become more or less neutral in the sense that with respect to the terms of reference of the conference it no longer gives absolute priority to one of the questions included therein.

305. All the same, what was said a few minutes ago by the representative of Chile gives us food for thought on this point. We wonder whether this approach is in fact maintained with due consistency throughout the rest of the draft, as I shall explain later, in reference to paragraph 6.

306. Something else that bothers my delegation in paragraph 2 as presently worded is that with respect to the substance of the terms of reference, despite everything it maintains an approach which aims at nothing more nor less than total revision of the traditional law of the sea. I explained my views on this subject at great length at our last meeting, so I shall refrain from going into the details. Our considerations remain valid, we feel, and we accordingly give our full support to the amendments proposed on this point by the United Kingdom and the Netherlands in document A/C.1/L.563.

307. Coming now to the present paragraph 6, which replaces former paragraph 5 of draft resolution A/C.1/L.545/Rev.2, I note that for the preparatory phase it not only maintains the priority approach for one particular subject, but it no longer mentions the question of delimitation, and this after paragraph 4 reaffirming the mandate of the Committee on the sea-bed, of whose ambiguities we are all aware.

308. We note in paragraph 6 that whereas, for the preparation of the international régime, the sponsors do plan to incorporate therein the question of international machinery, they have remained silent on the subject of delimitation. Yet if the machinery is an integral part of the régime, the same is true of the question of the limit.

309. I must say quite clearly that the idea my country has of the régime and above all of the machinery varies considerably depending on what hypothesis is applied to the question of the definition of the international public domain. More precisely, if the limit were set, say, at 50 miles we might easily see the need for institutional machinery having broad powers. However, such powers would certainly be far less necessary if the limits were established at, say, 300 miles.

310. Nevertheless, paragraph 6 advocates that the régime should be established on the basis of the declaration of principles we adopted this morning [A/C.1/L.544] and that declaration of principles specifically states:

“Affirming that there is an area of the sea-bed and the ocean floor, and the subsoil thereof, beyond the limits of national jurisdiction, the precise limits of which are yet to be determined”.

311. I should like now to relate this point to the fact that paragraph 2 leaves it more or less open to the conference to take a decision on the question of definition. I conclude that the sponsors have, to a certain extent, recognized that a solution must be found to this problem. But they have not gone to the logical limit, and this measure is therefore a very limited one, given the method of preparation envisaged in paragraph 6. I am all the more convinced of this by the wording of paragraph 4 of draft resolution A/C.1/L.562, which now *“Reaffirms the mandate of the Committee . . . as supplemented by the present resolution”*. I can accept

the word *“supplemented”*, because it corresponds to reality, but I nevertheless wonder whether it is sufficient.

312. In my statement yesterday, I explained at length my delegation's doubts about the word *“reaffirms”*. Perhaps I should repeat what I said: that to reaffirm the mandate is tantamount to passing over in silence the fact that the Committee on the sea-bed was unable to discharge its mandate to the full for the simple reason that that mandate was ambiguous, was equivocal. And it was equivocal because one group of countries interpreted it as precluding discussion of the question of the definition of the extra jurisdictional area.

313. Merely to *“reaffirm”* and *“supplement”* the mandate of the Committee on the sea-bed, I repeat, means passing this ambiguity on to the enlarged Committee. The new members of the enlarged Committee on the sea-bed would do well to reflect on the consequences of maintaining that ambiguity. It is clear from a whole impressive series of statements that a no less impressive series of countries are interested in consideration being given to the question of delimitation in the light of the future régime, and vice versa. And I am thinking here of the so-called *“land-locked”*, as well as the *“shelf-locked”*, countries and we have learned this morning, as I have already said, that even the small island states, the *“sea-locked”* countries, have an equal interest in this subject.

314. I therefore appeal to the members of the Committee to reflect carefully on this problem.

315. After all, it seems illogical to ask for a complete revision of the 1958 Conventions and the traditional branches of the law of the sea, and to refuse to discuss one question, only the question of definition.

316. In these conditions, my delegation feels that the balance could be restored by the adoption of either the United Kingdom-Netherlands amendment [A/C.1/L.563] or the Maltese amendment [A/C.1/L.564], both of which retain the explicit idea of the competence of the preparatory committee to deal with the question of delimitation. I must say that the attitude of my delegation with respect to the whole of the draft resolution contained in document A/C.1/L.562 will depend essentially on what happens to these amendments.

317. In the same spirit, we maintain our objections to the priority method advocated in paragraph 6, because it makes consideration of the so-called subjects and issues of the traditional law of the sea contingent on the establishment of a comprehensive list of those subjects and those issues. What is a comprehensive list? We all know, from our experience in the Committee on the sea-bed, that it is extremely difficult and even impossible to come to agreement on such lists.

318. For these reasons, we support the United Kingdom-Netherlands amendment, which would delete mention of the list.

319. Mr. ARIAS SCHREIBER (Peru) (*interpretation from Spanish*): I shall not refer here to the substance of this draft resolution, because it has been sufficiently debated and

because I intend to make a statement in the plenary meeting of the General Assembly. For the time being I wish only to make a few remarks.

320. The words in brackets in paragraph 2 could just as well be placed in quotation marks instead, if there is any doubt about the meaning of the brackets. However, the brackets do not mean that the matter is left pending in the resolution; the text was simply submitted in that way when it was processed, but there is no doubt that the words are included.

321. With respect to the question by the representative of France, I would like to confirm that in fact the limits of the international area of the sea-bed are included in paragraph 6, because that speaks of the preparation of the draft articles of a treaty. Naturally the draft treaty is no longer merely the study of the régime. A draft treaty would necessarily include all the provisions of the treaty, including the outer limits. That is why it was not mentioned again. It is already included in paragraph 6, in case any doubt remains; "... a comprehensive list of subjects and issues relating to the law of the sea referred to in operative paragraph 2 above". Everything which is included in paragraph 2 is also included in paragraph 6.

322. Finally, referring to the statement of the representative of Belgium in which he discussed paragraph 4, I believe that a reference to the mandate "as supplemented" should dispel any doubt. What we are saying is that the mandate is supplemented by the inclusion of the limits of the area. It does not mean supplemented with regard to the number of members, because then it would not have said mandate, but composition. I think there can be no doubt on this, nor would either we, the delegations that originally prepared this text, or delegations such as the delegation of the United States, which accepted it, have wished to exclude the delimitation of the area, inasmuch as that is precisely one of those items which must of necessity be settled by the conference in accordance with the work to be done by the preparatory committee.

323. On the other hand, I feel bound to say with all due respect that the amendments submitted by various delegations try to tilt the balance in favour of their views which were already eliminated in the course of the debate. My delegation understands and respects the right of every delegation to submit amendments to any document. In this particular case we consider that since this is a compromise draft resolution on which it has been very difficult to reach agreement, it would be very constructive not to disturb the balance by introducing new amendments. As in the case of a draft declaration of principles of the international area of the sea-bed, we all recognize that the document is not a perfect one nor does it give complete satisfaction to any specific State.

324. At the informal meetings of the group of sponsors, my delegation placed expressly on record its objections and reservations in regard to various formulations in this draft resolution and we agreed to the changes proposed only because we were moved by a desire to compromise in the interests of reaching agreement on a neutral text. It is no secret to anyone that, having the support of the so-called group of 77, the developing countries could have secured

the adoption of draft resolution A/C.1/L.545, but in order to promote an agreement with other nations we accepted the first revision, then a second revision and, finally, the agreed text contained in document A/C.1/L.562. To ask us to agree to further amendments is, to say the least, going too far.

325. We have reached the stage where it is essential that a willingness to compromise be shown by all delegations. We are not settling the problems of the law of the sea. All we are doing here is proposing instruments so that the preparatory Committee first and the international conference later may make recommendations and take the final decisions concerning the sea-bed. To break the armistice we have agreed to in document A/C.1/L.562 would mean reopening fire on both sides, thus precipitating a battle which will come in due course if we have but a little patience. I believe that on the eve of the closure of this session of the Assembly this is hardly what is most advisable. Therefore, I urgently and cordially appeal to delegations which have introduced new amendments to consider the desirability of refraining from such a procedure. If they do not so refrain, then all I can hope for is a speedy vote on the amendments in the certainty that they will be rejected by the vast majority of delegations which support the draft compromise. But should any of these amendments be adopted, my delegation would have to reconsider its position too. We would have to return to our original position as expressed in document A/C.1/L.545/Rev.2.

326. The CHAIRMAN (*interpretation from Spanish*): I still have on my list of speakers the delegations of El Salvador, China, Ecuador and the United States, but I really believe that the time has come when we should put an end to our labours for the day because the interpreters have been with us since 3 o'clock this afternoon, that is five and a half hours. I do not know whether their statements will be brief or long but I think we are reaching the limit.

327. Mr. GALINDO POHL (El Salvador) (*interpretation from Spanish*): Could I have 10 minutes, Mr. Chairman—not more, perhaps less?

328. The CHAIRMAN (*interpretation from Spanish*): What I fear is that after a statement of 10 to 15 minutes perhaps then the representative of China will ask for 10 or 15 minutes and Ecuador might do the same.

329. As it is so late would it not be better to leave these statements for the beginning of the meeting tomorrow? I greatly apologize and would appeal to the representative of El Salvador who is, furthermore, the Chairman of the Sub-Committee on the sea-bed and therefore a special authority in such matters, but I am really not doing it because I am tired but merely because of the interpreters—and the Committee is very familiar with the difficulties of that profession and the nervous tension it demands. May I appeal to the representative of El Salvador, therefore, if he has no objections, of course.

330. Mr. GALINDO POHL (El Salvador) (*interpretation from Spanish*): Of course.

331. The CHAIRMAN (*interpretation from Spanish*): Thank you very much. I shall give one minute to the

representative of the United States for an announcement in regard to draft resolution A/C.1/L.536/Rev.1.

332. Mr. STEVENSON (United States of America): On behalf of the United States I wish to withdraw the draft resolution contained in document A/C.1/L.536/Rev.1, which the United States previously introduced, in favour of the compromise text contained in draft resolution A/C.1/L.562. If I could also take 30 seconds to say that I appreciated very much and agree with the interpretation by the representative of Peru regarding the preparatory work of the Committee as including the definition of the area.

333. The CHAIRMAN (*interpretation from Spanish*): I thank all members of the Committee and, of course, at this time as on other occasions I thank the interpreters and the Secretariat for the co-operation they have given us at these meetings which have gone on far beyond the normal length.

334. Tomorrow morning we shall start by calling on the representatives of El Salvador, China, and Ecuador who are on the list and who were unable to speak at this time. After hearing those statements I believe that we should close the general debate on draft resolution A/C.1/L.562 and its amendments and begin the voting procedure with explanations of vote before the vote. Then we will vote on the

draft resolutions and the draft amendments and, finally, hear explanations of vote after the vote.

335. May I say that there is still a definite possibility and hope that the General Assembly will end tomorrow. If we could conclude our work at a reasonable hour in the morning the Rapporteur could then complete the report on this last item on our agenda and the item could be submitted to the plenary Assembly tomorrow afternoon.

336. Since we are about to conclude our deliberations I take it that all delegations have had an opportunity to state their views on the subject. There has been a lengthy debate on agenda item 25 and on the draft resolutions. There have been many opportunities for talks and negotiations. Everything possible has been done and I really believe that tomorrow morning we must definitely take decisions.

337. That, therefore, is the programme and I appeal to you all for the utmost co-operation in avoiding, in so far as is possible, any procedural incidents which might delay us and prevent us from successfully completing our work at the meeting tomorrow morning.

The meeting rose at 8.30 p.m.