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CONTENTS

Chairman: Mr. Radha Krishna RAMPHUL (Mauritius).

AGENDA ITEM 36 *(continued)*

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 use of their resources in the interests of mankind, and convening of a conference on the law of the sea: report of the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction (A/8721 and Corr.1, A/C.1/L.621, 622 and 632)

1. Mr. STRUČKA (Czechoslovakia) *(interpretation from Russian)*: Discussion of the problems of the peaceful use of the sea-bed and ocean floor has been the focal point of the attention of the international community each year, and this is quite natural bearing in mind the fact that it has become quite obvious in recent years that there are great natural resources on the sea-bed, resources which will become increasingly valuable as the resources on land are depleted, including those resources which cannot be replenished. With time and the development of world industry, and also as a result of the technical revolution, man will be obliged to resort to the resources of the sea-bed, which have not yet been exploited.

2. In view of its geographical situation and limited natural resources, Czechoslovakia, as a State which has a modern highly developed industry, is very interested in co-operating on an equitable basis in preparing a legal régime to govern the exploration and exploitation of the sea-bed and ocean floor and in acquiring, with other States, all the advantages which this medium can bring to mankind.

3. In order to ensure the full exploration and exploitation of the sea-bed we must see to it that the sea-bed is always used for peaceful purposes. Some success and progress have already been achieved in this area, and I am referring to 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, which was approved by the General Assembly in 1970 *[resolution 2660 (XXV), annex]*. That Treaty has already entered into force and is fulfilling the purpose for which it was intended. Czechoslovakia was one of the first States to sign and ratify that very important international legal document. However, we do not feel that our efforts and those of other States should end at this stage. We have always tried to ensure the complete demilitarization of the sea-bed: in other words, that all types of weapons whether nuclear or conventional, be prohibited on the sea bed.

4. Czechoslovakia has always been in favour of ensuring that the provisions of article V of the Treaty on the denuclearization of the sea-bed are fully implemented, and on the basis of that article the States parties have undertaken the obligation to continue to hold negotiations on further measures in the field of disarmament for the purpose of preventing an armaments race on the sea-bed.

5. The various questions related to the peaceful uses of that environment have been the subject of study by the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction, of which Czechoslovakia is a member.

6. Since its establishment, that Committee has expanded the scope of its activity, and its legal status and membership have been extended. That is proof of the fact that the items that relate to the sea-bed are extremely complex, particularly since the views existing among various countries regarding solutions to the different problems represent a very broad spectrum of positions.

7. This year the Committee, under the guidance of its Chairman, Mr. Amerasinghe, held two sessions, the results of which are contained in document A/8721 and Corr.1. In my delegation's view, the report gives a very objective picture of the work done by the Committee and reflects the viewpoints of individual countries.

8. In analysing the results achieved, we must state that despite the slow rate of work done by that body, at both sessions, and particularly during the session in Geneva, which was due to the scope and complexity of the various problems studied, certain progress was achieved.

9. During the negotiations on the sea-bed régime, the delegations went from a general debate to the consideration of specific problems. Despite the fact that we have yet to define the purposes and objectives of the discussion of

those individual problems we feel that the outline of future agreements can already be perceived. However, there remain a few problems in this area which are still in suspense and require very prompt solution.

10. In the view of my delegation, one of those problems concerns the need to clarify certain objective facts which must be ascertained and determined before any concrete legal conclusions can be drawn—conclusions which may affect the international régime of the sea-bed and the nature and functions of the international machinery and help in the evaluation of the economic significance and consequences of the various proposals on the limits of national jurisdiction. In view of this factor, 11 delegations from the group of land-locked countries, including Czechoslovakia, submitted at the Geneva meeting a proposal *[A/8721 and Corr.1, annex I, sect. 4]* containing a request to the Secretary-General to prepare a study on the economic implications for a zone which falls within the scope of the international machinery as a result of the various proposals concerning the confines of national jurisdiction.

11. As was noted in the explanatory note attached to that document, the question of the confines and limits of national jurisdiction is important not only for coastal States but also for the international régime, which will depend on the establishment of limits. Furthermore, the nature and functions of that organ of international machinery will have to depend on the scope and nature of the zone of the international régime, and must serve the interests of mankind as a whole. In view of the financial implications of the preparation of such a study, the authors of that draft stressed that it should be based on data, information and knowledge already available. On the basis of that document, a draft resolution (A/C.1/L.632), of which Czechoslovakia is a sponsor, was prepared. That draft has already been presented on behalf of the sponsors, and explanations have been given on it by the representative of Singapore. Thus there is no need for me to go into its details.

12. We are naturally concerned that all delegations present should pay due attention to and support this document.

13. The next question, which was not decided at the previous conferences on the law of the sea is that dealing with the establishment of the maximum limits to territorial waters. In Czechoslovakia's view, the breadth of territorial waters should not exceed 12 nautical miles, and that would fully meet the provisions of article 24 of the Convention on the Territorial Sea and the Contiguous Zone,[1] which has been ratified by a great many States.

14. The most important result of the negotiations in the sea-bed Committee this year is, in our view, the preparation of a list of subjects and items concerning the law of the sea, which was prepared in accordance with General Assembly resolution 2750 C (XXV).

15. It is important to note, however, that, as was pointed out in the explanatory note and stressed in the statements of a number of delegations at the last meeting of this Committee, including our own, that list does not prejudge the viewpoints of individual States and cannot preclude the presentation of still further drafts on the subject.

16. We take as a positive sign the fact that Sub-Committee III has already set up a Working Group for the preparation of draft principles to serve as a basis for the protection of the marine environment. That Sub-Committee has already proceeded to concrete work, as has Sub-Committee I.

17. Our delegation considers that despite the progress that was achieved in the Committee the preparation for the conference on the law of the sea has still not been completed. In making that observation, we proceed basically from the fact that until now no concrete draft articles have been prepared. There are still great differences of view among the various countries as regards the main aspect of the future régime and the machinery to be applied to the seas and oceans, although partial progress has been achieved. As regards other aspects of the law of the sea, such as the preservation of the marine environment and scientific research, we still have to begin basic work on these points, this for the purpose of preparing the appropriate draft treaty.

18. Although it is quite understandable that until the conference on the law of the sea is held, it will not be possible to overcome all the obstacles prevailing and to reconcile the various divergences of views and to prepare agreed unified draft articles, we cannot say that the basis for successful work by the conference has already been sufficiently prepared. We consider that to ensure the success of the conference, still further preparatory work will be required.

19. For this reason, we feel that the terms of reference of the Committee should be approved and that the Committee should be directed to hold two further sessions in 1973. As regards the venue and the duration of the Committee's work next year, we feel that we should base ourselves on the experience of the past sessions of the Committee which were held in New York and in Geneva. In our view, the first session of the Committee could take place in New York in March and, thereafter, the second session could be held in Geneva in July or August.

20. Our delegation also would like to support the proposal that consideration of organizational matters relating to the convening of a third United Nations conference on the law of the sea, the adoption of an agenda for that conference and its rules of procedure, and the setting up of subsidiary bodies in such matters, should all be dealt with at a first session of the conference, which would be convened in New York in November and December 1973.

21. The work of the sea-bed Committee on the law of the sea next year, and the first organizational session of the conference, thus could lead to a very careful preparation of a new conference on the law of the sea. If desired, all necessary measures could be taken at the twenty-eighth session of the General Assembly. That session could consider progress achieved in preparing the conference, including the question of participation of States in it. However, at the present stage of our negotiations, a decision could be taken that a second session of the conference be convened in 1974 to do substantive work. As

[1] United Nations, *Treaty Series*, vol. 516, 1964, No. 7477.

regards the exact date for that session and its duration, as well as its venue, our delegation will support whatever proposal receives the widest support amongst those delegations present here.

22. Mr. SANI (Indonesia): I should like to express the sincere appreciation of my delegation to the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction for its work in 1972, in preparing the conference of the law of the sea in accordance with General Assembly resolution 2750 C (XXV) of 17 December 1970.

23. The task of the sea-bed Committee, as we all know, is not an easy one. The difficulties in reaching equitable and acceptable formulas for the many different issues relating to the sea, the delicate balance between the interest of the international community and national interest, the complexities of the issues itself and the reluctance of some members to recognize certain fundamental rights of coastal States emanating from their special geographical conditions, make the task of the sea-bed Committee a most difficult one.

24. Indeed, the complexities of the problems were again experienced by the sea-bed Committee in its March and July-August 1972 sessions. My delegation welcomes, therefore, the progress that has been achieved, making it possible for us to discuss the date and the venue of an eventual conference of the law of the sea. Exhaustive preparatory work is essential for the success of the conference, as envisaged by General Assembly resolution 2750 C (XXV). Any convention which neglects and denies the realities, which is drafted in a hasty fashior in pursuit of quick solutions, risks repeating the experience of the Conference on the Law of the Sea held in 1958 and 1960, particularly with respect to the problems of the territorial sea and the continental shelf.

25. With regard to the work of the sea-bed Committee during 1972, as recorded in its report *[A/8721 and Corr.1]*, the Indonesian delegation can indeed note some progress. I should like to mention the progress made in Sub-Committee I concerning the status, scope and basic provisions of the international régime. We are of course aware that these constitute an initial step towards the main objectives of Sub-Committee I, namely:

> "To prepare draft treaty articles embodying the international régime–including an international machinery–for the area and the resources of the sea-bed and the ocean floor, and the subsoil thereof, beyond the limits of national jurisdiction. . ."[2]

26. Allow me to repeat briefly the basic position of my Government on some issues under discussion in Sub-Committee I which we regard of vital importance to our national interest. From the very outset of our participation in the Committee in March 1971, the Indonesian delegation has expressed the view that the question of limits of the international sea-bed area and the precise demarcation with areas under national jurisdiction is very important because it has a direct bearing on the scope, function and powers of the international machinery. The question of limits should, in our view, be decided upon the basis of the existing provisions of the Convention on the Continental Shelf signed in 1958[3], taking into account State practice and agreements concluded between States on the subject.

27. On the work of Sub-Committee II, my delegation would like to express its satisfaction on the adoption of the list of subjects and issues, after lengthy and arduous debates since the March 1971 sessions. The spirit of goodwill and understanding which make this achievement possible should continue to be the basis for the Sub-Committee's future work when it comes to the drafting of treaty articles. My Government attaches particular importance to the work of Sub-Committee II. In this connexion I should like to touch again on one important issue: namely, the question of the territorial sea, even though our position has been made clear many times in the sea-bed Committee and before this Committee.

28. Since the promulgation of the Indonesian Government Declaration on Indonesian Waters of 13 December 1957, which was to become the basis for Law No. 4 of 1960 on Indonesian Waters, Indonesia has repeatedly proclaimed the limits of its territorial sea as defined by these laws and on the basis of the archipelago principle: that is, by drawing straight baselines from the outermost points of the outermost Indonesian islands. From the Geneva Conference on the Law of the Sea in 1958 and 1960, to the sea-bed Committee's sessions in 1971 and 1972, we have been trying to explain the vital importance of the archipelago principle to our nation's unity–political, economic and social–and to its well-being and future development.

29. It is our expectation that the international community will understand, respect and recognize the unique geographical conditions of archipelago countries and consequently their valid and just right to regard their land and the waters between and around their islands as one single unit, and to define their territorial sea accordingly. Indonesia shares that position with other archipelagic countries.

30. Indonesia is also concerned with the problem of the preservation and protection of the marine environment, which is being discussed in Sub-Committee III. We welcome the results of the United Nations Conference on the Human Environment held at Stockholm in June 1972 and also the parallel endeavours undertaken by other organizations. Indeed, the rapid progress of modern technology, which carries with it the increasing danger of pollution, presses us to formulate rules on the basis of which concerted and co-ordinated action can be undertaken to cope with the problem. My delegation sincerely hopes that the working group which was set up in Geneva in July 1972 in order to formulate the draft treaty articles on the preservation of the marine environment and the prevention of marine pollution, in co-ordination with other interested organizations, will be able to fulfil that urgent task.

31. I should like now to make some brief remarks on the preparation for the conference on the law of the sea. Like many others, the Indonesian delegation would like to

2 *Official Records of the General Assembly, Twenty-sixth Session, Supplement No. 21*, sect. I.

3 United Nations, *Treaty Series*, vol. 499 (1964) No. 7302.

approach the preparations in a pragmatic and realistic manner. Indonesia too would like to have the conference on the law of the sea as soon as possible; but we do not want a conference just for the sake of having it or because resolution 2750 C (XXV) says that we should have one in 1973. We want a conference after adequate preparations that give us sufficient reason to believe it will be successful in producing a convention on the various aspects of the law of the sea. That is why my delegation attaches great importance to the General Assembly's having the opportunity to decide at its twenty-eighth session, on the basis of its evaluation of the results of the work of the sea-bed Committee, whether the conference on the law of the sea can be held as scheduled or whether it should be postponed; and eventually to take such other action as it may deem appropriate to make the convening of a conference possible.

32. It is clear, therefore, that the work of the sea-bed Committee during the two meetings scheduled for next year will be decisive as regards the decision to be taken by the General Assembly. My delegation hopes that the sea-bed Committee will be able to meet the expectations of those delegations which would like to see the conference on the law of the sea convened for its preparatory work in November next year and for its substantive work in April 1974.

33. With regard to participation, it is the view of my delegation that all countries interested in participating in the work of the conference on the law of the sea should be able to do so, in accordance with the principle of universality.

34. As regards the venue of the conference, my delegation is prepared to go along with the desire of the majority of this Committee to accept the kind invitation of the Government of Chile to hold the conference in its beautiful capital city of Santiago.

35. Mr. BEESLEY (Canada): May I begin by saying, Mr. Chairman, what a great pleasure it is to serve in this Committee under the very able chairmanship of such a friend and colleague of so many years' standing as yourself.

36. As we meet here for the fifth successive year to take stock of the results of our collective efforts to develop the law of the sea along new and progressive lines, a feeling of regret and disappointment that we have not accomplished more can be detected, coupled, however, with a mood of caution and optimism concerning our future work. The time has come for us to decide whether, when and where the third conference on the law of the sea should commence. General Assembly resolution 2750 C (XXV) requires of us that we make this decision at this time. It is therefore important that we be quite clear as to the nature and extent of the work requiring completion before the conference on the law of the sea can commence with any reasonable assurance of a successful outcome.

37. As we ourselves pointed out in the concluding days of the last session of the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction in Geneva last August, it is obvious that its preparatory work for the conference has not been completed and that much still remains to be done. We do not, however, share the view expressed by some that it is premature to attempt to make decisions at this session of the General Assembly on the third conference on the law of the sea. As we made clear in Geneva, we share the widely held view that the preparatory work of the sea-bed Committee has progressed to the point at which sufficient further concrete progress from two more sessions of the sea-bed Committee to enable us to begin the Conference can be foreseen with some confidence.

38. A number of delegations have referred to the importance of the agreement we have reached on the list of issues. My own delegation attaches considerable significance to that achievement, since we recognize that the negotiations on that question triggered the process of substantive negotiations on many of the underlying issues. It is true that no single item on the list will attract the same degree of support from all delegations, but it is equally true that no delegation can any longer have justifiable fears that any issue of importance to it will not be considered at the conference on the law of the sea. We have therefore gone from a decision in principle two years ago in favour of a comprehensive approach to the future law of the sea to the specific application of that principle to a range of separate but closely interrelated issues. During the negotiating process we have all become much more keenly aware not only of the nature and extent of the problems facing us but also of the respective national interests of various States, as they see them, with respect to each of those issues and, I would suggest, the general interest of the international community as a whole in the resolution of those problems. Side by side with those negotiations there have been on-going negotiations on the broad outlines of solutions to a number of specific problems, to which I shall refer a little later. It is thus a truism that the conference on the law of the sea has in a sense already begun.

39. It is important to note also, as a number of delegations have reminded us, that we have embarked upon a major restructuring of the law of the sea, not a mere codification exercise as was the case in large part in 1958. As a consequence our task is more complex, the situation is more fluid, and it is less easy to determine the precise extent of the progress on any single issue. A further complicating factor is that much of the substantive negotiation goes on outside the sea-bed Committee. I refer, for example, to the results of the United Nations Conference on the Human Environment held in Stockholm, the Afro-Asian Legal Consultative Committee meeting, the Specialized Conference of the Caribbean Countries on Problems of the Sea, held in Santo Domingo, the African States' Regional Seminar on the law of the sea, held in Yaounde, the recently concluded Inter-Governmental Conference on the Dumping of Wastes at Sea, held in London, and the preparatory meetings for the Pollution Conference of the Inter-Governmental Maritime Consultative Organization (IMCO) as well as to the many proposals on specific issues advanced in many different forums, whether governmental or private.

40. Taking all those developments into account it is clear that, while we do not have existing draft articles on all the issues before us, or even generally agreed draft articles in any single problem area, we have clear evidence of

developing trends on particular issues which provide us with what a number of delegations have termed a blueprint for the future structure of the law of the sea.

41. What are those trends: In the view of the Canadian delegation, the general willingness of States to reconsider their rights and obligations as they are affected by both new and traditional uses of the seas is the major development in the field of international law in recent years. Only developments in the law of outer space and of the environment can come close to ranking in importance with this trend. The law of the sea has for centuries reflected the common interest in freedom of navigation. Only in the past two decades has it begun to reflect the common interest in the resources of the sea-bed. Only in the last decade has it begun to reflect the common interest in conserving the living resources of the sea. Only in the past few years has it begun to reflect the common interest in the preservation of the marine environment itself. Only in the past few years have we even begun to think of an international régime for the area of the sea-bed beyond national jurisdiction. The law is, however, beginning to change. It has already been altered by State practice and it will be transformed further by any successful conference on the law of the sea. No more radical or more constructive concept can be found in international law than the principle of the "common heritage of mankind". Only in the field of outer space law can we find an analogous example of a common commitment to the negation of sovereignty in the common interest. Only in the field of environmental law on such issues as the duty not to create environmental damage and the responsibility for such damage can we find examples of concepts having at once such serious and yet encouraging implications for the development of a world order based on the rule of law.

42. One of the most encouraging trends in the process of progressive development of international law is the increasing evidence that for the first time in 300 years large numbers of flag States, on the one hand, and coastal States, on the other, are prepared to accept limitations upon their pre-existing rights—and the acceptance of corresponding duties—coupled with the recognition of a need to work out accommodations between their respective interests and those of the international community as a whole. While there are those who lament the death of the traditional unrestricted freedoms of the high seas, there are many more who rejoice that the traditional concept of freedom of the high seas can no longer be interpreted as a freedom to over-fish, a licence to pollute, a legal pretext for the unilateral appropriation of sea-bed resources beyond national jurisdiction. No one has suggested an end to freedom of navigation on the high seas. No one has suggested an end to innocent passage through international straits. No one has suggested an end to flag-State jurisdiction. But no one can any longer seriously argue that these traditional rights can remain unrestricted by law and divorced from corresponding duties.

43. The Canadian delegation has suggested the concepts of "custodianship" by coastal States and of "delegation of powers" by maritime States as the possible basis of the new régime for the law of the sea. Whether or not these particular terms find their way into the emerging doctrines of international law, the conceptual approach which they reflect is, in our view, already embodied in such proposals as the "economic zone" and the "patrimonial sea". These proposals illustrate clearly that ocean space will no longer be divided in an arbitrary fashion between two distinct zones, one under national sovereignty, the other belonging to no one. No longer will the law of the sea be based solely on conflicting rights. No longer will the high seas be subject only to the roving jurisdiction of flag States. The concept of management of ocean space reflected in the decisions at Stockholm, in the proposals in the sea-bed Committee and in the convention drafted at the Inter-Governmental Conference on the Dumping of Wastes at Sea, held in London, is a clear indication of the direction of the future law of the sea.

44. It is worth noting that the Stockholm Conference was in itself in large part a preparatory conference for the proposed IMCO pollution conference, the London ocean dumping Conference just concluded and the proposed third conference on the law of the sea. The London ocean dumping Conference and the IMCO pollution conference will, in turn, each have further contributed to the preparation for the conference on the law of the sea. A classic example of the way the law is being developed can be seen in the interrelationship between these various conferences.

45. The Conference on the Human Environment affirmed the principle, for example, that no State has the right to damage the environment of other States or the area beyond national jurisdiction. The London ocean dumping Conference translated this principle into binding treaty law, particularly in articles 1, 2 and 5.

46. The London Conference even translated into treaty form the controversial principle on the duty to consult, on which it had proved impossible to reach agreement at the Stockholm Conference, and in article 5 of the London Convention it is made clear that States wishing to avail themselves of the right to dump noxious wastes into the ocean in an emergency situation must consult both with the proposed organization and with States likely to be affected by such action.

47. Similarly, the Stockholm principle on the duty of States to develop procedures for the determination of liability and compensation for such damage is translated into binding treaty form in the London Convention.

48. The Canadian delegation hopes, and indeed expects, that the proposed IMCO pollution conference, which will be considering both the control of intentional discharge of noxious waste from ships and the rights of coastal States to intervene on the high seas in certain emergency situations, will carry the Stockholm principles another step forward in translating legal principles into binding treaty obligations.

49. Thus we see here the phenomenon of a number of separate but interrelated conferences all leading towards the conference on the law of the sea and at the same time the recurrent theme in all these conferences of recognition of the need to preserve the marine environment not merely through new rights of States but through the imposition of new duties upon States. I can think of no more encouraging development for the future law of the sea. It is obvious that the third conference on the law of the sea can draw upon

and build upon these precedents. It is equally obvious that all these developments must be harmonized in one great global settlement.

50. In applying these new trends and emerging concepts to other basic issues requiring resolution at the conference on the law of the sea, it seems evident to my delegation that the embryo of an over-all accommodation lies in agreement upon a very narrow band of coastal seas subject to complete sovereignty and a wider band of specialized jurisdictions, extending as far as necessary to meet particular objectives, which in principle could have varied limits but in practice might well together comprise a single "economic zone" or "patrimonial sea". This concept illustrates better than any single example the functional approach that has been stressed by Canada for many years The narrow band of sovereignty or territorial sea could be established as extending only to 12 miles, as so many States, including my own, have already accepted. But no one should regard even the figure 12, which is, after all, only a simple multiple of three, as sacrosanct, and it may be that an even narrower, generally accepted limit might, if coupled with the "economic zone" concept, facilitate the resolution of this and other related difficulties, such as, for instance, passage through international straits.

51. To put it simply, we consider that the concept of "economic zone" or "patrimonial sea" is the keystone to any over-all accommodation on the law of the sea. Differences of views may exist concerning the precise nature and extent of jurisdiction to be asserted, but it is evident that there is no solution which is not based on the "economic zone-patrimonial sea" approach. This presupposes a willingness on the part of major maritime Powers to acquiesce in new forms of jurisdiction by coastal States embodying both rights and obligations, elaborated in treaty form, and subject, we would hope, to third-party adjudication concerning the application of these rights and obligations. With respect to coastal States, such an accommodation would presuppose, as a minimum, a willingness to recognize the interests of the international community as a whole, and particularly the major maritime States, in freedom of navigation through such zones. Undoubtedly such an economic zone would have to include jurisdiction over the living resources of the sea, which, if not exclusive in some areas, would at least include coastal State preferential rights, plus pollution control jurisdiction and sovereign rights over the resources of the sea-bed of the economic zone. It may be that the continental shelf would extend in some areas beyond the economic zone. In return for acquiescence by other States in these forms of jurisdiction by coastal States, the latter would accept certain duties and obligations spelled out in treaty form, and a narrower territorial sea.

52. A further developing trend, not so readily perceived as the others just mentioned, perhaps, but none the less apparent for those who care to look for it, is the growing recognition of the need to seek accommodations which will reconcile not only conflicting interests but conflicting uses of the sea. The London Conference on ocean dumping provides an interesting precedent also on this issue as well as various others. A number of major maritime Powers, which are also major industrialized States and thus major dumpers, joined together with a large number of coastal States and land-locked States and voluntarily agreed to accept self-denying treaty obligations prohibiting their rights to dump certain noxious substances into the oceans of the world and seriously curtailing their rights to dump other such substances. That they did so reflects great credit upon them. The implications, however, go well beyond the particular example, in terms of the future development of environmental law and the law of the sea. Of equal importance is the willingness of the major maritime Powers at that Conference to join with these coastal States in sharing the enforcement of this Convention. Of no less significance was the willingness on the part of coastal States at that Conference to work out such accommodations with the major maritime Powers particularly on the delicate jurisdictional issue of coastal States' rights to enforce the Convention. The solution adopted of shared or universal jurisdiction–that is to say, enforcement by all parties to the Convention, with substantive jurisdictional issues left aside for the law of the sea conference–augurs well, in our view, for the success of the law of the sea conference. Such a solution does no violence to the interests of any State. Such a solution is quite clearly based upon the common interest of all States in the preservation of the marine environment.

53. It is worth noting also that the working group on the sea-bed régime has done much valuable work based on the clear precedent of the Declaration of Principles Governing the Sea-Bed and the Ocean Floor, and the Subsoil Thereof, beyond the Limits of National Jurisdiction *[resolution 2749 (XXV)]*. Although one might have hoped for more progress, one may wonder also how much further concrete progress can be achieved on that issue short of the highly intensive negotiating atmosphere which will prevail only at the conference on the law of the sea. Understandably, States may be reluctant to make the crucial trade-offs on these questions until they are in the final and definitive negotiations. Similarly, a working group on marine pollution has been established which, although it has as yet produced little concrete results, has the preparatory work of the Stockholm Conference to draw upon, including, in particular the 23 principles on marine pollution endorsed by the Stockholm Conference,[4] and also the three coastal State jurisdiction principles referred to the conference on the law of the sea[5] by the Stockholm Conference for appropriate action, and it has also now the Convention on the Prevention of Marine Pollution by the Dumping of Wastes and other Matters. Incidentally, I might point out that my understanding of the comments of the representative of Czechoslovakia a few moments ago was that the mandate of this working group was confined to the pollution of the sea-bed. But I would like to remind the representative of Czechoslovakia–and, of course, I may have misunderstood him–that the working group and, of course, its parent Sub-Committee, Sub-Committee III of the sea-bed Committee, have made a very clear-cut decision that its mandate extend to the whole of the marine environment. It may reasonably be assumed that the comments from States requested by that working group will be extremely useful in translating the Stockholm principles on prevention of marine pollution into binding treaty form. The Canadian delega-

4 See *Report of the United Nations Conference on the Human Environment* (United Nations publication, Sales No. E.73.II.A.14), annex III.

5 *Ibid.*, chap. II.

tion, in any event, intends to table at an early date a comprehensive draft treaty on marine pollution which we hope will further contribute to the process of developing agreed rules of law on the preservation of the marine environment.

54. There are a number of proposals on fisheries which, while divergent on a number of issues, have in common one fundamental principle, namely, the need to begin to manage and conserve the living resources of ocean space. On this issue, as with the sea-bed régime, final conclusions will almost certainly have to await the negotiating situation which will exist only in the law of the sea conference. It is important to note, however, that a further encouraging trend for the future can be detected from recent decisions of the International Commission for the Northwest Atlantic Fisheries establishing quotas over several species of fish in the North Atlantic region, including recently even ground fish.

55. In examining the state of preparations for the conference on the law of the sea, it is important to note also the many constructive contributions consisting of working papers on a variety of subjects. These working papers illustrate very clearly that preparations need not take the form only of draft treaty articles. The Canadian delegation, for example, has itself proceeded over the last five years from a series of conceptual statements on various problem areas to a series of position statements on specific issues, to the tabling of four concrete working papers, one on the sea-bed régime[6], one on fisheries conservation *[A/8721 and Corr.1 annex III, sect. 6]*, one on scientific research principles *[ibid., annex XIV, sect. 2]* and one on preservation of the marine environment *[ibid., sect. 7]*. Many other delegations have also submitted working papers on a variety of questions.

56. One is of course bound to note the lack of tangible progress on certain issues such as international straits and indeed the troublesome problem of limits. But even here there has been progress of a sort during the negotiations on the list of issues. Moreover, as I have previously suggested, imaginative approaches to the problem of coastal jurisdiction, such as the combination of rather narrow territorial seas and more extensive economic zones or patrimonial seas, may well produce solutions here where more traditional attitudes have failed.

57. I have referred to a number of encouraging trends, but in so doing we accept that much remains to be done. A trend is not a draft convention. The way has been paved, however, in our view, for an attempt to draft concrete conventions. My delegation therefore shares the view expressed by so many others that there is no need to postpone the commencement of the conference until we have completed draft articles on all the many issues requiring resolution.

58. To sum up, the Canadian delegation is neither discouraged about the state of our present preparedness for the third conference on the law of the sea nor pessimistic about its prospects. In these circumstances, we are fully prepared to support the holding of two further sessions of the sea-bed Committee in the spring and summer of 1973, the convening of the organizational session of the conference on the law of the sea in the fall of 1973 and the commencement of the substantive work of the conference early in 1974. We are pleased also to express our appreciation to the Governments of Chile and Austria for their offers to host the conference, and we fully endorse the convening of the first session of the conference in Chile, to be followed, if necessary, by a further session either in Chile or in Austria.

59. Finally, I would express also our warmest congratulations to the Chairman of the sea-bed Committee and to the respective Chairmen of the three Sub-Committees and the two working groups, all of whom have laboured hard to make our work a success. We, for our part, will continue to co-operate to the utmost in seeking new solutions to problems, both old and new, concerning the future law of the sea.

60. Before I conclude I should like to draw attention to an invitation we are circulating to those representatives who were unable to be present for a screening of a film produced by the Canadian Broadcasting Corporation on "Who Owns the Sea", which we will be showing again at 1.15 p.m. in the Dag Hammarskjöld Auditorium next Monday. I think those who have already seen the film understand the interrelationship between the theme of that film, namely, "We haven't much time" and the statements I have just made.

61. Mr. TUBMAN (Liberia): The business we are about–a decision to convene the third conference on the law of the sea–is momentous by any standards. It is a time for faith and an exercise of our sense of responsibility, since the march of progress and the growth of international intercourse in this second half of the twentieth century have converged to make of us, whether or not we are aware of it, the potential creators of a new era in the history of the world.

62. For centuries the mysterious depths and wide expanse of ocean space have been the source whence many blessings, material and spiritual, have flowed to sustain and enrich the life of man who himself had earlier emerged from the sea. Vast treasures have been derived from the seas and beyond its apparently limitless reaches new worlds in time were found widening man's habitat, and in dark hours of setback new victories were scored for liberty and for the survival of civilization. During all those years, and now, the sea has served as the great highway of nations, unifying peoples even when they wanted to be divided, making of all lands one nation long before institutions such as this Organization were established for the purpose of strengthening man's essential oneness, which the oceans have never ceased to proclaim.

63. If therefore my words imply that we who are here today are present, as it were, at the creation, it is because the conference we are being called upon to convene is no mere codification conference. It is rather an historic endeavour to create a new and more equitable legal régime to govern the seas which technological progress and the pronouncement two years ago of the far-reaching declaration of the common heritage of mankind make inesca-

6 *Official Records of the General Assembly, Twenty-sixth Session, Supplement No. 21*, annex I, sect. 17.

pable[7]. The international community is called upon to approach in the most rational manner of which it is capable the task of drawing up just and workable rules to govern the use of an asset of enormous potential which is indeed the common heritage of all mankind. In the performance of this task the rules to govern the use of the seas which emerged over the years must be our guide. Those rules, in spite of their deficiencies, represent the best that the international community has produced. They have served, and still serve, as perhaps the most concrete manifestation of the existence of an international community. Perched upon such venerable accumulations we can approach the next conference on the law of the sea not as men groping in the dark but, rather, guided by those rules of law—the cystallized dictates of experience—we may dare to venture into the future.

64. But if the convening of the third conference on the law of the sea is important, the need adequately to prepare for it is even more important and my delegation is therefore happy that the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction, at its session in Geneva during the summer of this year, was able to make considerable progress in its preparatory work. It is to be admitted that there are many good reasons why some delegations think that not enough preparatory work has been done to warrant a decision at this time to convene the conference but on a subject of such great complexity, vastness and unceasing development as is the law of the sea, it is very necessary to entertain only the most realistic interpretation of what adequate preparedness would connote.

65. Were we simply aiming at a codification conference, as was primarily the case in 1958, preparedness would be nothing less than having ready a series of draft articles which could be submitted to the conference to form the basis for settling down to negotiations. But to aim at such a starting point in the position we are now is not only difficult, it is well nigh impossible. If a small group of highly qualified lawyers on the International Law Commission acting in their personal capacity and not as the representatives of States took some ten years to prepare drafts of conventions which were of a codifying character, it is no exaggeration to say that the political representatives of over 90 sovereign States with widely diverging interests and views would require a period of indefinite length to prepare draft conventions which sought not only to codify existing laws but also to develop new rules to deal with new situations. For such a task even a period of indefinite duration might not be enough. In our present situation, therefore, preparedness must mean less than that crystallization of draft articles which was the starting point in 1958; realistically it should mean nothing that more than the clearly manifested interest of States to proceed to a conference on the law of the sea and the crystallization by those States of the subjects and issues which they hope to resolve at that conference.

66. The meetings of the sea-bed Committee over the past several years, the expansion of that Committee's membership so that it now comprises 91 Members of our Organization, and the fact that outside the United Nations system Governments and numerous institutions have devoted considerable time and interest to questions pertaining to the law of the sea clearly evinces a willingness on the part of States that the conference be held and that it be held as a matter of urgency.

67. But if such a general indication of a willingness to proceed to a conference were the full extent of the preparedness for the conference, to press for the convening of the conference in such circumstances would be to press for certain failure. Happily, the agreement reached by the sea-bed Committee at its session last summer in Geneva on the list of subjects and issues to form the basis of the conference *[see A/8721 and Corr.1, para. 23]* is concrete indication that States are ready to negotiate and that the topics they wish to negotiate on have been identified. In many situations the achievement of this amount of preparation would be sufficient basis for the commencement of substantive negotiations, but in this particular instance, in order more effectively to ensure the success of the negotiations when they take place, my delegation supports the idea of holding two additional preparatory sessions of the sea-bed Committee in 1973. If those sessions set up more working groups and make greater use of contact groups they should make possible a reduction of the degree of divergence among States and might even result in the evolving of draft conventions, or at least widely supported formulations, before the convening of the conference.

68. I am aware that some delegations feel that the two sessions of the sea-bed Committee in 1973 may not achieve sufficient progress, and for that reason they advocate that the General Assembly should in effect postpone taking the decision to convene the conference until its twenty-eighth session. My delegation does not share that view, therefore we cannot support the escape-clause approach, as it has been called. In our view an escape mechanism is already built into the arrangement by which two preparatory sessions are being called for in 1973 prior to the formal inauguration of the conference in November or December of the same year. If those two sessions yield no concrete achievement, or if they reveal so great a divergence of views among States as to make the holding of the conference a waste of time, that fact will be apparent to all, and the General Assembly will need no escape clause to enable it to draw the necessary conclusions. Thus an escape from convening the conference—or, at best, from convening the conference in a state of unpreparedness—would exist without the planting of an escape clause.

69. My delegation cannot believe that any State here wishes to escape from or avoid convening the conference. The present state of uncertainty, impreciseness and near anarchy existing in many aspects of the law of the sea is not in the interest of any State, and certainly not in the interest of the international community as a whole. The persistence of so many ambiguities in vital areas of clashing interests of States merely adds to international tensions and disrupts harmonious relations among States. The sooner those dangers can be erased, the better it will be for all States. Certainly, small developing countries such as my own do not stand to gain from a situation of anarchy in the law of the sea. Therefore we would rather see an earnest effort to

[7] Declaration of Principles Governing the Sea-Bed and the Ocean Floor, and the Subsoil Thereof, beyond the Limits of National Jurisdiction (resolution 2749 (XXV)).

evolve a new comprehensive law of the sea which resulted in only partial success, than see the present situation of ambiguity and imprecision in the law continue. A definite decision now to convene the conference would serve to bring about the attainment of that goal by giving the sea-bed Committee greater incentives to intensify and move more rapidly ahead with its preparatory work in the coming year.

70. But the preparedness of States to commence negotiations must not be judged by efforts under the United Nations aegis alone. One of the most interesting and encouraging developments during the year occurred when African and Latin American countries, meeting separately in Yaoundé and Santo Domingo respectively, arrived at conclusions regarding the law of the sea which bear many important common characteristics *[ibid., annex I, sect. 2 and 3]*. I am here referring to what the Africans have called the exclusive economic zone and what the Latin Americans have called the patrimonial sea. This arrival spontaneously, as it were, at almost identical views on a broad number of crucial issues at a time when even the list of subjects and issues to be considered at the conference had not been agreed upon shows the extent to which the views of many States have already converged, and augurs well for the future.

71. Steps of this kind aimed at a wide consolidation of views on important issues which will concern the conference is proceeding apace in other forums. The Organization of African Unity at its summit conference in Rabat last June passed a resolution calling for the taking of steps—which incidentally, have already commenced—aimed at evolving a common African position on important law of the sea issues. The effort by a group of Latin American States in Santo Domingo has already been mentioned. Mention should also be made of the efforts of the Afro-Asian Legal Consultative Committee, which have already done much to point the way to the identification of positions which many African and Asian governments could support at the conference when it is held. There are other similar examples, such as the Moscow declaration by several socialist countries of Eastern Europe *[ibid., sect. 5]* which I could mention, but it is not necessary to labour a point which is already clear: namely, that the issues to come before the conference on the law of the sea have already sufficiently crystallized for large groups of States and that the time will be ripe after two more sessions of the sea-bed Committee for the third conference on the law of the sea to begin. To postpone the conference much longer will result in situations which are bound to amplify the differences between States on crucial issues and drive their positions further apart, as in the view of my delegation, nearly occurred at the recent Intergovernmental Conference on the Dumping of Wastes at Sea, held in London, when in those laudable efforts to curtail ocean dumping many countries sought to prejudge the vital questions of jurisdiction and limits which only the conference on the law of the sea can appropriately tackle.

72. Apart from the several factors already mentioned which require that we proceed at a prudent pace towards the conference, as the representative of a small country, short of money and manpower, I would be failing in my duty if I did not point out that any extension of the preparatory sessions of the sea-bed Committee beyond 1973 would entail unacceptable financial sacrifices for my government, as I am sure it would for many other governments represented on that Committee.

73. Before ending my remarks, permit me to express my delegation's thanks to the Governments of Chile and Austria for the warm invitations which they have extended for sessions of the conference to be held in their respective capitals. The fact that the Government of Chile has also offered office space and supporting staff facilities to countries which do not have diplomatic or consular missions in Santiago is an act of generosity which my delegation most warmly welcomes and for which we are deeply grateful.

74. I end now by repeating that we are here engaged in a momentous task. The law of the sea covers areas where the interests of States are real and vital and where the stakes are high. It also covers vast uncharted areas where no great national interests have as yet hardened and where, therefore, the possibility of evolving new forms of co-operation for promoting the general welfare of all members of the human family clearly is present. This unique combination provides a background against which a spirit of compromise and accommodation is more likely to emerge than in many other areas. Such happy circumstances will not always prevail. There are already visible signs that they are slowly slipping away. If therefore, we now rise to the situation, the new and, we hope, more just order which we shall create for the oceans will surely light man's path to a better future.

75. Mr. ZEGERS (Chile) *(interpretation from Spanish)*: I have asked to speak to make a comment and also to submit a suggestion.

76. My delegation has listened with great attention to the debate that has taken place around draft resolution A/C.1/L.632, which requests the Secretary-General to carry out a study on the economic implications of various limits on the sea-bed.

77. I listened very carefully to the presentation made by the representative of Singapore *[1904th meeting]* and the comments that followed. In the course of the debate we have noted, on the one hand, that a considerable number of States are asking for information on the sea-bed which they do not possess. That is a praiseworthy intention and an attempt should be made to meet their wish. Other States see the inevitable problems that would be raised by such a study, and feel that the task being entrusted to the Secretary-General is almost impossible to fulfil. With a desire to achieve a consensus, which I believe should prevail in all our deliberations at this present session where we are laying the groundwork for an extremely important conference, I should first of all like to make a preliminary analysis of the advantages and drawbacks of the draft resolution, and I should like to end with a suggestion.

78. The draft resolution asks for greater knowledge concerning the economic implications of the international area of the sea-bed, as is stated in the last paragraph of the preamble and reiterated in operative paragraph 1. The representative of Singapore, in introducing the draft resolu-

tion, said that one of the basic elements in the preparatory process of the sea-bed conference should be availability of data and information regarding the complicated question of ocean space. His concern is based on the need to have more data regarding the resources and the potentials of the sea-bed, where those resources lie, how important they are, what resources they may turn out to be, so that at least we would have background material for any political decisions that may be taken by the States that have proposed this draft.

79. But the difficulties raised by this draft resolution, as submitted, are, I would say, mainly of a legal, economic, practical and political nature. Legal, because the subject that we are discussing here today is the "reservation exclusively for peaceful purposes of the sea-bed and ocean floor . . . beyond the limits of present national jurisdiction. . .", and the sea-bed Committee is operating in an area which is beyond national jurisdiction. Therefore, it is somewhat difficult for the Secretary-General to be able to study the appropriateness or inappropriateness of existing national jurisdiction. National jurisdiction, is, as we know, a fundamental act of the State, an act of authority, as has been recognized by the International Court of Justice. The Secretary-General would be facing an impossible task if he had to pass judgement on those acts of authority or of sovereignty; any intervention on his part might be deemed an act of interference in the domestic affairs of States. These, then, are the legal difficulties.

80. But there are practical and economic difficulties as well. The representative of the Secretary-General at the sea-bed Committee in Geneva outlined a few of them. Such a study would inevitably have to cover both the areas under the national jurisdiction and those outside national jurisdiction, measurements would have to be taken, studies would have to be carried out at great cost. While the duration of these studies cannot be predicted, the end result probably would not be accurate, if, for example, it is a question of measuring the edge of the continental shelf or determining the effects of certain limits on suggested measures.

81. Finally, there are political difficulties too. It is obvious that this draft resolution is causing a radical division among the members of the First Committee; it is also going to create a confrontation of positions which certainly is not going to be conducive to the best atmosphere for the preparation of a conference of the sea as important as the one we are dealing with. The sea-bed Committee provides ample opportunity for a most extensive debate on all sorts of items. In the very few days that we have before us now, it might be desirable to try to agree on consensus resolutions that would facilitate the preparation of the conference. It would be desirable that the resolution on the conference itself be adopted by a consensus of the Committee. If we consider the fundamental objective of this draft resolution, that it is the obtaining of information regarding the economic importance of the international area, and if, on the other hand, we analyse the difficulties that are being raised because of the impossible attempt to combine the assessment of the economic implications of those resources with the arbitrary limits of the area which are set for the Secretary-General, then my delegation feels that a possible consensus would be to ask the Secretary-General to assess the totality of the existing resources of the sea-bed, what I would call a geological and economic assessment of the entire resources from coast to coast. It is true that here we would be entering into the field of national jurisdiction, but were we all to agree not to raise obstacles to such a study, I think it could be carried out.

82. This assessment of the totality of the resources of the marine regions could include, in the view of my delegation, five basic headings. First of all, what are the resources, what resources lie on the sea-bed and ocean floor; secondly, where do they lie, in what zone and in what region of the sea-bed and ocean floor—and here we would have to refer to geology, distances, etc. Thirdly, what degree of exploration and exploitation has been achieved thus far regarding those resources? Fourthly, what degree of potential exploitability exists? Fifthly, what other possible resources, as yet insufficiently explored, might lie on the sea-bed?

83. That study could be accompanied by a series of maps and charts of the sea-bed, of the resources of the ocean floor which are extremely necessary for our debate. That type of documentation would be of extraordinary value to the debate in the sea-bed Committee and would be extremely helpful for all delegations taking part in the debate. The delegations that submitted this draft resolution would then be able to judge what information was needed in order to give reasons for their positions. Such a document might serve as background material to defend the definitions which they might decide upon. At the same time, it would allow the Committee to discuss with as much information as can be obtained not only the question of the delimitation of the different zones, but also the question of the régime which, in time, would have to precede it.

84. We must also recall that both in the work of the sea-bed Committee and in resolution 2750 C (XXV), which sets out the framework for our entire work, a priority has been set up for the study of the sea-bed, particularly with respect to delimitation. That, however, was not a whimsical priority and the consensus was not arrived at by chance. It was a logical priority that was decided upon. We weighed the advantages and the disadvantages of the extension of the ocean space, which must be very closely linked to the régime of the sea-bed. Theoretically, with the agreement of all States we might just suppress national jurisdiction. But if we did not have an adequate régime, perhaps no resources would then be added to the assets of the heritage of mankind. That is perfectly obvious. For example, with respect to manganese nodules, there are zones in the very heart of the Pacific Ocean which are extremely rich in those pellets, where in an area of 50 square kilometres, according to the latest information, 50 different kinds of exploitation equipment could be set up. The régime would be the only thing that could govern those 50 different types.

85. The suggestions that I am making could serve as a basis for the work of the sea-bed Committee, both the study of the régime itself and the study of the delimitation of the international ocean space with relation, naturally, to national jurisdiction.

86. I am making these suggestions with the idea in mind of asking the Secretary-General for something which he can feasibly do without confronting insurmountable practical, economic, legal and political difficulties, so that the sea-bed

Committee can obtain a document that would be useful for all. Bearing in mind primarily the need to avoid an unnecessary political confrontation, I make these suggestions, which are designed to try to achieve a consensus in the First Committee.

87. The CHAIRMAN: I should like to announce that Upper Volta has become a sponsor of draft resolution A/C.1/L.632.

Organization of work

88. The CHAIRMAN: Before adjourning the meeting I should like to ask the Committee for a decision regarding our programme of work for the remainder of the items with which we have to deal.

89. I propose that we should have two meetings tomorrow, one meeting on Monday, two meetings on Tuesday and, if necessary, an evening meeting on Tuesday so that we may conclude the item on the sea-bed. We have still 33 speakers, so we should be making full use of those meetings to continue the debate and conclude our work on the sea-bed item.

90. On Wednesday we would start the consideration of the item on the Indian Ocean. We would have two meetings on Wednesday and, if necessary, an evening meeting. But we must conclude our work on the item on the Indian Ocean on Wednesday.

91. On Thursday we would resume our consideration of the item on international security. We have 22 speakers on that item. We would have two meetings on Thursday and two meetings on Friday and, if necessary, one evening meeting so that we may conclude our consideration of that item on Friday, 8 December.

92. I have been at the disposal of members, I have consulted some, and I have not been advised of any objection. May I take it that the Committee agrees to this proposed programme of work?

93. Mr. PANYARACHUN (Thailand): Mr. Chairman, you did consult me on one or two points, but there is an additional point that I forgot to mention to you. I should like to make a special plea and ask whether it would be possible not to take up the question of the sea-bed on Tuesday. I know I am being selfish, but I have some official engagements out of town on that day. It is possible that my presence may not be required during the conclusion of the discussion of the sea-bed item, but since I am personally involved in a draft resolution which we hope may be submitted tonight I thought I should make this known to the members of the Committee. I am wondering if perhaps we might ask the representative of Sri Lanka whether, instead of our taking up the sea-bed item on Tuesday, the item on the Indian Ocean could be considered then instead of on Wednesday. In that way we could devote Wednesday to the sea-bed item. Or perhaps we might even take up the strengthening of international security on Tuesday.

94. As I say, I know that I am being selfish. This is strictly a personal obligation that I have to discharge and I am not making a formal proposal, but I wanted to consult with you on the matter, Mr. Chairman.

95. The CHAIRMAN: May I ask the representative of Sri Lanka whether he has observations to make?

96. Mr. AMERASINGHE (Sri Lanka): I have not the least objection to acceding to the request made by my friend the Ambassador of Thailand. I am quite willing to co-operate with him and, above all, with you Mr. Chairman. But I should like to remind you, if you will permit me to do so, of one very important formality that must be considered before the draft resolution on the declaration of the Indian Ocean as a zone of peace can be put to the vote—and that is to determine the composition of the proposed *ad hoc* committee of 15. I would suggest that the consultations with the various groups be initiated by you without any further delay. And if I may be so presumptuous as to make a further suggestion, I would propose that you consult the permanent members of the Security Council in the first instance to ascertain how many of them, if any, will be prepared to serve on the committee. As I said when presenting the draft resolution, membership of the committee does not in the least imply any commitment to any aspect of the proposal we have submitted but will be only a gesture of readiness to co-operate in carrying out a study of the implications of the proposal to determine whether or not it is feasible or whether or not we should consider it after the next General Assembly session.

97. I would also suggest, Mr. Chairman, that you ask members of the Committee who wish to be members of the *ad hoc* committee to indicate their wish to you.

98. The CHAIRMAN: I thank the representative of Sri Lanka. I should like to assure him that the Chairman is not in any way delaying further consultations regarding the *ad hoc* committee. I had asked for the guidance of the delegation of Sri Lanka at the very beginning of this afternoon's meeting, and I have just this moment received its proposal. Without that, I could not do anything.

99. May I take it that the representative of Sri Lanka is willing that consideration of the Indian Ocean item be moved to Tuesday?

100. Mr. AMERASINGHE (Sri Lanka): The answer is "Yes", Mr. Chairman.

101. The CHAIRMAN: I thank the representative of Sri Lanka for his co-operation. I would, then, suggest to the Committee that we take up the Indian Ocean item on Tuesday, when there will be two meetings. We shall discuss the declaration of the Indian Ocean as a zone of peace and, if necessary, we shall have an evening meeting, since we must conclude the item on that day. We shall resume discussion of the sea-bed item at the two meetings on Wednesday.

102. Mr. BEESLEY (Canada): Mr. Chairman, the proposition you have just put to the Committee has already answered one of the questions I wanted to raise. I have only one other. When it is suggested that we have only one meeting on Monday, is that because it is impossible to have

two, or is it, for example, because we do not have a long list of speakers? This is purely a factual inquiry, because if it were possible to have two meetings on Monday we might even begin the discussion of the Indian Ocean item on Monday.

103. The CHAIRMAN: I thank the representative of Canada. It is true that on Monday we have only one meeting, and that is due to the fact that there will be a lack of services for the First Committee because of other meetings that will be being held. There will be a meeting of the plenary Assembly, and so on. Are there any further comments?

104. Mr. PARDO (Malta): Just one question. Will the meeting you contemplate for Monday be in the morning or the afternoon?

105. The CHAIRMAN: In the afternoon. If there are not further comments, I shall take it that the Committee decides to accept the proposal I have made regarding the programme of work.

It was so decided.

The meeting rose at 5.15 p.m.

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