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Chairman: Mr. Piero VINCI (Italy).

AGENDA ITEM 26

Examination of the question of the reservation exclusively for peaceful purposes of the sea-bed and the ocean floor, and the subsoil thereof, underlying the high seas beyond the limits of present national jurisdiction, and the use of their resources in the interests of mankind: report of the *Ad Hoc* Committee to Study the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction (*continued*) (A/7230; A/AC.1/973; A/C.1/L.425/Rev.1 and Add.1, L.426/Rev.1, L.427 and Corr.1, L.429/Rev.2 and Add.1 and 2, L.430, L.431 and Add.1 to 3, L.432/Rev.1, L.433 and Corr.1, L.434/Rev.1, L.435, L.436, L.437 and Add.1)

1. Mr. MESTIRI (Tunisia) (*translated from French*): Mr. Chairman, I must first of all apologize most humbly to you and to the other Committee members who are not among the so-called group of seventy-seven for the delay we have caused in the Committee's work. However, I can assure you that this time has been employed in the best possible way, and that there is now a faint glimmering of hope that a solution satisfactory to all concerned may soon be reached.

2. This group appears to have reached agreement on one point, and I have been requested to inform you of it: this concerns the need to postpone the vote on all the draft resolutions before us until the next meeting of this Committee, in other words, until the meeting scheduled for next Monday afternoon. This interval will, we hope, enable us to reach a solution satisfactory to all.

3. I would therefore request, Mr. Chairman, on behalf of this group, to adjourn the meeting, and in that case I would then ask the members of the group to remain in the room so that we may then resume our meeting. Once again, Mr. Chairman, I extend to you my apologies.

4. Mr. DENORME (Belgium) (*translated from French*): We are indeed happy to learn that the meeting of the group

of seventy-seven has been able to bring a glimmer of hope, and I should like at once to associate myself with the representative of Tunisia by expressing my satisfaction in this connexion.

5. In addition, I should like to second his suggestion, made on behalf of the seventy-seven members of this group, to postpone the vote on the various proposals before us to a later meeting. However, with your permission, I should like to ask whether it is not possible to convene the sponsors of draft resolution A/C.1/L.425/Rev.1 and Add.1 on Monday morning, say at 10.30, since I understand that the First Committee will not be meeting at that time. I feel that the sponsors must be able to have a meeting, but obviously this meeting should not overlap with the meeting of the Group of Seventy-Seven or be held at the same time as that meeting.

6. Mr. WALDRON-RAMSEY (United Republic of Tanzania): I am aware that the Ambassador of Tunisia did suggest that the developing countries in this Committee might meet immediately after we adjourn this meeting. That is good and proper, but one suspects that we would not have enough time to solve the very difficult question before us. In that case we feel that the developing countries, indeed the entire Committee, would profit from a further meeting on Monday morning, perhaps in the Chamber of the Economic and Social Council, in order to solve these questions finally. I think that we are well on the way to a solution and a meeting on Monday morning may clinch a number of issues.

7. The CHAIRMAN: I believe all members are encouraged by these statements which assure us that consultations are continuing intensively and that no time will be lost in trying to come to a final solution. I need not repeat that we are behind schedule and that any time that is put to good use is to the advantage of the whole Committee. With that objective in mind, and since it seems that we are not in a position to proceed to the voting on any draft resolution, and in order to gain time, I shall request the representative of Mexico, who wants to introduce an amendment to the draft resolution contained in document A/C.1/L.429/Rev.2 and Add.1 and 2, to explain his amendment. It will be circulated as soon as possible, but perhaps not before the adjournment of this meeting.

8. Mr. GARCÍA ROBLES (Mexico) (*translated from Spanish*): The amendment which my country is co-sponsoring together with the delegations of Argentina, Cyprus, Ethiopia and Iran¹ is very simple. It consists of an addition to be made at the end of operative paragraph 1, following the words "under the aegis of the United Nations". The

Subsequently circulated as document A/C.1/L.439.

semi-colon would be replaced by a comma and the following phrase added:

“with the understanding that all activities carried out in maritime or submarine zones within the limits of national jurisdiction of a State shall be subject to the previous consent of such State;”.

9. Since I feel sure that this is what the sponsors of the draft resolution intended, I venture to hope that our amendment will be acceptable to them and that they will themselves incorporate it in the draft resolution, in which case my delegation would have great pleasure in co-sponsoring the draft.

10. Mr. PIÑERA (Chile) (*translated from Spanish*): My delegation endorses the amendment submitted by the representative of Mexico and supported by Argentina, Cyprus, Ethiopia and Iran, and would like to be included among the sponsors of the amendment.

11. Mr. ROSSIDES (Cyprus): In my statement in the general debate [*1599th meeting*] I referred to the amendments of Kuwait, Saudi Arabia and Venezuela contained in document A/C.1/L.426/Rev.1 and I pointed out that if the amendment to add a new subparagraph (c) was going to be considered, there would be a rather confused situation in that the special consideration given to developing countries would be extended to land-locked countries. Now, those are two separate categories. We do want the land-locked countries to have equal rights with others although they have no coast. But the idea is that the developing countries should have special consideration. In this amendment, the land-locked countries are given the same special consideration as the developing countries.

12. In my statement I pointed that out and I asked the sponsors whether they would be willing to revise their amendment accordingly. It was clearly stated that they were going to revise it and therefore I did not submit a subamendment.

13. But I was rather astonished to see today that although the sponsors had revised their amendment that revision did not include what I considered necessary because it related to the substance. Therefore I drafted a subamendment that would differentiate between the land-locked countries and the developing countries. I asked that it be withheld, in the hope that the amendment would be withdrawn, since there was so much concern that that should occur. But as the amendment was not withdrawn, I asked that my subamendment should be circulated.

14. My subamendment² to the proposed new subparagraph (c) [*A/C.1/L.426/Rev.1*] would make that subparagraph read as follows:

“To examine the advisability of establishing in due time an appropriate international machinery for the exploration and exploitation of the resources of this area, in accordance with the principles mentioned in the previous two subparagraphs, and the use of these resources in the interest of mankind, including the land-locked countries and with special consideration to the needs and interests of the developing countries;”.

² Subsequently circulated as document A/C.1/L.438.

15. Thus, we give equal rights to the land-locked countries and the coastal countries and we give special consideration to the developing countries. As the amendment now stands it gives equal consideration to the developing countries and the land-locked countries. As the amendment is still before us and there is no indication that it will be withdrawn we consider it necessary to make it clear, before it is too late, that we insist on our subamendment. I believe that this is a concept which is agreed to by all in the Committee, particularly by the sponsors of the amendment themselves. They said that they found this proper. I therefore hope that they will find it advisable to revise their amendment accordingly.

16. Mr. KIKHIA (Libya): At one of our previous meetings the representative of Cyprus suggested [*1602nd meeting*] that we should establish a drafting group to consider the draft resolutions on the principles and declarations, namely, draft resolutions A/C.1/L.430, L.432/Rev.1, L.433 and Corr.1, L.434/Rev.1 and L.437 and Add.1. I wonder if we could consider that matter now?

17. Mr. MENDELEVICH (Union of Soviet Socialist Republics) (*translated from Russian*): Mr. Chairman, as everyone has been asking you questions, the USSR delegation would also like to put a question to you.

18. My delegation realizes that the draft resolution on the sea-bed and the ocean floor which we are now discussing is concerned with a very serious matter and will have important consequences. It also views with sympathy the fact that in this connexion the First Committee will deal with certain elements of the Second Committee's work, in the form of meetings of the Group of Seventy-Seven. This is an unusual practice, but we are ready to accept it. However, we cannot fail to note—and you, Mr. Chairman, have already drawn attention to the fact—that all this will take time. But there are questions of great moment on the First Committee's agenda, above all, the question of disarmament, then a group of questions relating to Korea, and lastly, the question of outer space.

19. Delegations are now preparing themselves for the consideration of the question of disarmament. I thought we were supposed to begin such consideration either on Friday, i.e. today—which we have failed to do—or on Monday. It now appears that on Monday we shall continue our work concerning the sea-bed and the ocean floor. To repeat, I understand the reasons for this. But the question I wish to put, which no doubt is of interest to other members of the Committee as well, is: when do you, Mr. Chairman, now think that the Committee should begin its consideration of questions relating to disarmament?

20. The CHAIRMAN: With regard to the question raised by the representative of the Soviet Union, I think I am in a somewhat difficult position, but I would say, first of all, that from the silence of other delegations I take it that it is the view that we should take up one thing at a time.

21. Speaking now about the draft resolutions on the sea-bed and the ocean floor, if I understand correctly an effort is being made to try to settle pending questions, which would enable the Committee to proceed to the vote on at least three of the basic draft resolutions. That, in my

understanding, would allow the Committee to start work on the next item [*item 27 of the agenda of the General Assembly*], which is the question of disarmament. In the event that we shall be able to proceed on those lines, I think we should be in a position to start discussing the next item, relating to disarmament, on Tuesday morning.

22. In the meantime I feel that in the consultations directed towards solving the pending questions it would be useful if the co-sponsors of the different draft resolutions would keep in mind also the question of how we are to dispose of the other draft resolutions.

23. Two suggestions were made in that connexion. One was to set up a restricted drafting group or working group in order to see if it might be possible to merge or "marry" the different draft resolutions regarding the guidelines or principles concerning the limits of the sea-bed and the ocean floor. The second suggestion was to defer a decision on those draft resolutions and to transmit them to the standing committee once it has been set up.

24. I think that is the conclusion I would draw from the exchange of views and the discussions which have taken place in this room.

25. Mr. SOLOMON (Trinidad and Tobago): My delegation strongly supports the proposal that we should proceed towards a reconciliation of the various declaratory draft resolutions by setting up a drafting committee. We would suggest that the drafting committee should comprise all the co-sponsors of all the relevant draft resolutions and that it should be exhorted to proceed to its business with some dispatch.

26. Mr. HILDYARD (United Kingdom): You, Sir, suggested, when referring to the proposal for the establishment of a drafting committee, that the work of the drafting committee would be to merge or "marry" the various draft resolutions on general principles which have been put forward, and the representative of Trinidad and Tobago has suggested that the drafting committee should comprise those delegations which have sponsored draft resolutions presented to the Committee. Would I be right in assuming—and if I am not, may I propose this—that any drafting committee, and my delegation would be happy to see a drafting committee set up at this stage, should not confine itself to considering the draft resolutions on general principles which have been put forward in this Committee but should also consider all sets of principles, or single principles, put forward in the *Ad Hoc* Committee during the course of its work. There are various sets of principles in the report of the *Ad Hoc* Committee. I have in mind one in particular, which is list (b) in paragraph 88 of that report [*A/7230*]. List (a) has been submitted to this Committee; list (b) has not; and there are other sets of principles in the *Ad Hoc* Committee's report. I would ask, Mr. Chairman, whether I would be right in assuming that any drafting committee should, first of all, consider all the principles which have been put forward to this Committee or to the *Ad Hoc* Committee, and, secondly, be as representative as possible and should not be confined to those delegations which have submitted draft resolutions but should include anybody who has taken an interest in the subject. If that was not the idea, I should like to make that proposal.

27. Mr. RUDA (Argentina) (*translated from Spanish*): I apologize for delaying the adjournment of the meeting, but I would like to clarify one or two points.

28. First of all, I believe that in the event of a decision being taken to set up a body of some sort it will have to be a working group rather than a drafting committee, for the simple reason that as a rule drafting committees are set up when there are certain common bases of agreement and the purpose is merely to put the finishing touches to the drafting of a document. In the present case there are very wide differences of principle in the drafts submitted. I think it would be premature to set up a drafting committee, implying that there is agreement when my delegation at any rate sees little sign of any in the Committee as yet.

29. Secondly, there appear to be a group of proposals actually dealing with principles, presumably draft resolutions A/C.1/L.437 and Add.1, L.434/Rev.1, A/C.1/L.433 and Corr.1 and A/C.1/L.430. Draft resolution A/C.1/L.432/Rev.1, submitted by Cyprus and Uruguay, does not, in our opinion, deal with a matter of principle but rather with the question of the priority to be given by States to the clarification of the definition of the continental shelf in article 1 of the 1958 Geneva Convention.³ In other words, these are two different matters: one is the establishment of principles and the other an attempt to solve a problem.

30. Thus, in a word, we feel that what we have to do is to set up not a drafting committee but a working group, and to make a sharp differentiation between principles and problems to be tackled.

31. My delegation, as a sponsor of a draft resolution containing a series of principles [*A/C.1/L.437 and Add.1*], is ready to take part in any type of working group or subsequently in any drafting committee which may be set up.

32. Mr. TARABANOV (Bulgaria) (*translated from French*): I have not asked to speak in order to request the adjournment of this meeting, but I believe that what I am about to say may make it easier for it to do so.

33. A proposal has been made to set up a drafting committee or a working group. Let me say first that the Committee is master of its procedure. However, the delegation of the People's Republic of Bulgaria feels that no drafting committee should be set up unless it is the body provided for in draft resolution A/C.1/L.425/Rev.1 and Add.1. Any other drafting committee would be unable to solve the problem with which we are faced. Or we could have a drafting committee which the various parties concerned would set up amongst themselves, which they could do.

34. But we wonder how the Committee is now going to set up a drafting committee officially? How long is this committee to work? How will it hold discussions? How will it present matters?

35. For this reason, I suggest that this question should be set aside and that, if a drafting committee is needed, the various parties concerned should take up this question and

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

decide it. Otherwise, if the Committee decides to create a drafting committee to study all the principles, we already have a proposal to this effect which appears in draft resolution A/C.1/L.425/Rev.1 and Add.1. This is the draft on which we must vote and allow the proposed committee to deal with the principles and submit them to us at the appropriate time.

36. This is how I believe we should proceed. If a drafting committee is needed, the various parties concerned will agree amongst themselves to set one up, and they can then report on the most suitable proposals with regard to the final text of the draft resolutions.

37. Mr PIÑERA (Chile) (*translated from Spanish*): I regret to have to speak again, but I would like if possible, at this late hour, to introduce an element of conciliation.

38. We are faced with two problems. One is that the next topic on the agenda, disarmament, which embraces five items, is one that it is of importance to all of us to have ample time to consider in an adequate number of meetings. To judge from the provisional time-table, we are already slightly behind schedule. The Chairman has made a suggestion, which seems to me very sound, namely, that by Tuesday 12 November at the latest we should make a start with the disarmament question. We all know—and the representative of the Soviet Union explained this lucidly—that we still have to discuss the Korean question and that of outer space, and I think we must face the timing and the political reality simultaneously. Hence, I would like to make not so much a formal proposal as a suggestion that we agree to take up the question of disarmament on 12 November.

39. Secondly, with regard to the problems of the sea-bed and ocean floor before us at this moment, I would make two distinct points: certainly, as far as what have been called statements of principles are concerned, there are four draft resolutions [A/C.1/L.430, L.433 and Corr.1, L.434/Rev.1 and L.437 and Add.1], I believe, and I support the Bulgarian representative's proposal that if there is agreement among the sponsors (Chile is a sponsor of one of the draft resolutions) we should see if we can exchange views within a reasonable time. If so, so much the better, provided this does not hamstring the work of the First Committee, which has other responsibilities to face as well.

40. I can therefore make no formal proposal on this point; all I can do is suggest that those who submitted the four draft resolutions in question should meet informally, if they see fit to do so. Actually, I find it difficult to make these informal comments in a formal meeting, but I am anxious that they should retain their informal character.

41. There is another proposal on which I think that with a little goodwill and just a little time we might reach agreement, namely draft resolution A/C.1/L.425/Rev.1 and Add.1, plus one or two amendments. To study this, a group of countries, African, Asian and Latin American in the main, have been meeting since noon today, thus delaying the current meeting—and I apologize for this on behalf of my delegation—in an attempt to reach agreement.

42. Finally, and I ask pardon if I have omitted any, we have draft resolution A/C.1/L.429/Rev.2 and Add.1 and 2,

and A/C.1/L.431 and Add.1-3, on which it should be easy for us to reach agreement on the afternoon of 11 November.

43. Thus in principle my proposal would be a mere suggestion that at one afternoon meeting, on 11 November, we make every effort to vote on the draft resolutions A/C.1/L.429/Rev.2 and Add.1 and 2 and A/C.1/L.431 and Add.1-3, and the amendments thereto; that an effort be made, informally at the outset, to reach agreement among the delegations that have sponsored the draft resolutions mentioned [A/C.1/L.430, L.433 and Corr.1, L.434/Rev.1, and L.437 and Add.1] and that as quickly as possible we meet again, whether there is agreement or not.

44. I venture to make this suggestion taking into account, lastly, draft resolution A/C.1/L.425/Rev.1 and Add.1—I emphasize this—with the amendment thereto, on which it may be possible to reach agreement on Monday.

45. My statement has, perhaps, not been as precise as it might have been, but I think the intention is clear: to reconcile the need to take up the disarmament items on 12 November with the good office of the sponsors of the draft resolutions embodying principles, as we have called them. It is possible that an agreement may be reached, even before the afternoon of 11 November, on the other proposals before the Committee.

46. Mr. ROSSIDES (Cyprus): I should like to clarify one point. I heard mention of a drafting committee, of a drafting group, of a working group. My proposal yesterday was not for a drafting committee. It was that since there were five draft resolutions—specifically, those submitted by Mexico [A/C.1/L.430], by Cyprus and Uruguay [A/C.1/L.432/Rev.1], by Malta and others [A/C.1/L.433 and Corr.1], by Liberia [A/C.1/L.434/Rev.1], and by Argentina and other delegations [A/C.1/L.437 and Add.1]—possibly these could be discussed between the co-sponsors and amalgamated into one or two, which would facilitate the work of the Committee in dealing with them. That was the object of my proposal. It was not to establish general principles but to deal with specific draft resolutions before the Committee.

47. The draft resolution by Cyprus and Uruguay has already been amalgamated with the Liberian draft resolution, and that makes one. There is a strong likelihood that draft resolution A/C.1/L.433 and Corr.1 will be amalgamated into one with the other two. So already we are on the way to having the three draft resolutions made into one. Therefore, we wanted a little time to present the Committee with one or two draft resolutions instead of so many. Then, of course, a decision will be taken as to what will be done with those draft resolutions. That was the point—not to discuss general principles in the abstract and, therefore, take into account other principles in the *Ad Hoc* Committee, and so on. The idea was to take these specific draft resolutions, which in many respects overlap, and to join them so as to present them in a more orderly form.

48. Mr. MENDELEVICH (Union of Soviet Socialist Republics) (*translated from Russian*): It seems to me that we are proceeding, although perhaps not very rapidly, towards a rational arrangement of our work. Speakers who

have preceded me have, I believe, exhausted the question of setting up a drafting group or drafting committee. Certainly we cannot set up any drafting committee or working group other than the one which is to work out principles and rules of law relating to the sea-bed and the ocean floor; it would be illogical to do so.

49. I have no objection to allowing an opportunity for sponsors of resolutions to hold consultations, as that is very reasonable, but it seems to me that it would be no less reasonable to take into account another aspect. As many delegations, including my own, have said during the general debate and the discussion of draft resolutions, adoption by the General Assembly of principles, statements of principle or declarations of principles will not be meaningful unless it is unanimous. We should propose and consider principles not with a view to splitting the General Assembly or sowing dissension between States which recognize and States which do not recognize principles governing State activity on the sea-bed and the ocean floor, since that would jeopardize the entire undertaking and make the principles inapplicable in fact, but with a view to working out a common system of principles governing the activities of States on the sea-bed and the ocean floor on which there would be a consensus.

50. That being so, my delegation would urge that when authors of resolutions consult among themselves with regard to merging their texts or making them more unlike, consultations should also be held with groups of States which have not co-sponsored these draft resolutions, in order to ascertain in advance whether it would be wise to press for a vote in the General Assembly even if the sponsors of the draft resolutions come to some sort of general agreement. Unless there is agreement among all the members of the Committee, any draft resolution on principles which is resubmitted or revised will give rise to a lengthy debate and could hardly be adopted in the time left to us.

51. I therefore urge that the authors of the draft resolutions and declarations on principles should hold thorough consultations in order to ascertain whether their texts can be adopted at this session or should be referred to the standing committee on the sea-bed and the ocean floor which is apparently to be set up. That is my first comment.

52. My second comment deals with the order of our work. I was glad to hear the Chairman state clearly that the five disarmament items can be taken up on Tuesday. This is later than originally planned, but at least we again have a definite date.

53. My delegation feels that, in order for the Committee to be able to proceed as stated, it must finish on Monday whatever it can do with regard to the sea-bed and the ocean floor. I have in mind the draft resolutions setting up a standing committee, draft resolution A/C.1/L.425/Rev.I and Add.1, and a number of other draft resolutions which do not seem to be controversial.

54. For this work to be completed at Monday's afternoon meeting, delegations must, I think, receive the final proposals to be worked out by the Group of Seventy-Seven not later than Monday morning, in order to be able to consider these matters with the seriousness they deserve. If

we receive these proposals only at the afternoon meeting, we shall not finish our work on Monday and we shall probably on Tuesday and even on Wednesday have to postpone our consideration of the question of disarmament. I therefore urge that an effort be made to organize matters so that on Monday morning all delegations should have before them the proposals of the Group of Seventy-Seven.

55. Mr. DENORME (Belgium) (*translated from French*): I share to a great extent the views just expressed by the representative of the Soviet Union. I too feel that it would be difficult for this Committee to take a decision on a text if it were not submitted at a time suitable to the sponsors. That is why, Mr. Chairman, I asked whether the sponsors might meet before noon next Monday. One of the speakers—I believe it was the representative of Chile—appealed to the goodwill of the sponsors. I think this goodwill was amply demonstrated during the discussion and throughout the months of consultations which preceded it and I am sure that this goodwill will be evidenced in the future as it has been in the past. However, I am not sure that in the present circumstances we can succeed in submitting to you at the appropriate time a text upon which we have reached agreement. For that reason, I feel we should put the question of disarmament on Tuesday's agenda in any case—or even Monday's—in order not to delay our work unduly.

56. As for the consultations on the various proposals concerning the principles which should govern the exploitation of the ocean depths, I should like first to give strong support to the view just expressed by the representative of the United Kingdom. A number of delegations submitted drafts or working papers to the *Ad Hoc* Committee. All of these documents appear in the annexes to the *Ad Hoc* Committee's report. Furthermore, at the last meeting of the *Ad Hoc* Committee, various delegations expressed their support for certain documents which also appear in the report. I believe that if consultations are held and if we decide to set up a working group, this group should be an informal one and that it should be open not only to sponsors of the various documents before us, but also to all other delegations that might wish to take part in it. However, should an agreement be reached in this working group, nothing should prevent it from then appointing a limited drafting committee entrusted with establishing a text which would accurately set forth the agreement that had been reached.

57. The CHAIRMAN: Before giving the floor to the next speaker on my list, I would respectfully request all members to abstain from inscribing their names so that the Chairman may be able to draw a conclusion from the exchange of views which has taken place and affords the different members the possibility of beginning their consultations without further delay.

58. Mr. ARORA (India): We shall be brief. I propose to address myself to the suggestion made by the representative of Libya at this meeting this afternoon when he referred to the revised proposal made yesterday by the representative of Cyprus [*1602nd meeting*], regarding the question of setting up a working group to take up the five draft resolutions which relate to the question of principles. The

representative of Cyprus has already explained his proposal at this meeting. I should like to add that, when it came up yesterday, it was mentioned that if we do not now have consultations, either informally or through a working group, we face the possibility of coming to a vote on these draft resolutions.

59. The idea is that we should not now vote on these draft resolutions and that, therefore, we should try through a working group to reach a compromise draft resolution, or come back to the First Committee, after perhaps an exercise of three to four weeks, and tell the First Committee that we have been unable to do so. At that stage the First Committee could take a decision whether the draft resolutions should be voted upon or whether some other procedure should be adopted regarding them.

60. Therefore, I do not agree with what was suggested earlier in this meeting, perhaps by the representative of Bulgaria, that we are trying to take over the work of the proposed standing committee. We do not at all contemplate doing any such thing. What has been suggested is that those draft resolutions which have now been moved here should be considered, together with the draft resolutions and proposals and suggestions which were made in the *Ad Hoc* Committee, as was suggested by the representative of the United Kingdom and as explained by the representative of Belgium. All those proposals should be considered in a working group which we hope you will be able to suggest, Mr. Chairman, so that the First Committee could take a decision on the draft resolutions regarding principles in a satisfactory manner.

61. Before concluding, I would just say that we are quite satisfied with the date you have suggested, Mr. Chairman, for the consideration of the question of disarmament—namely that we start on Tuesday, 12 November. We very much hope that we will be able to vote on the three draft resolutions, namely, the resolutions regarding the standing committee [A/C.1/L.425/Rev.1 and Add.1], the decade of international exploration [A/C.1/L.429/Rev.2 and Add.1 and 2], and the question of pollution [A/C.1/L.431 and Add.1-3], and then we can start on the question of disarmament on Tuesday.

62. The working group, if it should be established, could continue to meet and have its deliberations while the First Committee discussed the question of disarmament. It could then come back and report to the First Committee at an appropriate time, which could be set aside for this purpose by you, Mr. Chairman.

63. Mr. PARDO (Malta): I shall be very brief. I would support the concept that informal consultations take place between the sponsors of one or more draft resolutions, and such other delegations as may be interested, in order to make an attempt to consolidate as many of these draft resolutions as possible, without of course in any way interfering with the work of this Committee.

64. Mr. ESCHAUZIER (Netherlands): After the intervention of the representative of Malta, I can be fairly brief. I just wanted to say that I am very much in agreement with two points raised by the representative of the United Kingdom, namely, that the work of a working group or

drafting group, if it is established, should not be restricted to the four draft resolutions now before us, and that the composition of such a group should not be limited to the original co-sponsors of those draft resolutions.

65. In the course of our general debate many delegations have made reference to documents contained in the report of the *Ad Hoc* Committee and in particular to the two sets of principles contained in its conclusions. By way of example, I should like to remind the Committee that I myself referred to the two sets [1595th meeting, para. 56], and expressed the hope and the confidence that it would be possible to reconcile them and to come to a positive result before the end of this session of the Assembly.

66. I wish to state most emphatically, as my delegation is greatly interested in this subject, that it would have been easy for us—or for any other delegation—to add another draft resolution to the number already before us. We have refrained from doing so in order not to burden the Committee with more papers. But we did so on the assumption that, as has been the rule and the custom in the past, any working committee—and I want to be very explicit—would be open-ended so as to permit any delegation which has a special interest, which can contribute constructively, or which has any ideas of its own on this matter, to participate fully in the work of such a committee.

67. Mr. GARCÍA ROBLES (Mexico) (*translated from Spanish*): All I wanted to say is that I am almost entirely in agreement with what has been said here by several representatives who have spoken before me. I mention specifically the representatives of the United Kingdom, Chile, Cyprus, the Soviet Union and the Netherlands.

68. But I should like to recapitulate very briefly how I view the situation. The representative of Cyprus yesterday made a suggestion, which was supported by the representative of India, and I intimated that my delegation, as a sponsor of one of the draft resolutions, had no objection to proceeding accordingly, that is to say as I had understood it. My understanding had been that the sponsors of draft resolutions on principles would hold informal conversations among themselves, without the need to set up a working group or a sub-committee, to see whether a common text could be arrived at. I said I agreed with the United Kingdom and Soviet Union delegations, because from the outset my delegation had felt that in this matter of principles an effort should be made to achieve unanimity. That is why, when I submitted draft resolution A/C.1/L.430 [1598th meeting] I described it as representing the highest common factor. It explains why the draft is so unpretentious.

69. But my idea was, I repeat, that in addition to these informal talks between the sponsors, the greatest possible number of delegations should be consulted, and certainly the two I have mentioned—those of the United Kingdom and the Soviet Union.

70. Well then, if it is felt preferable that this task should be handled not by an informal group—the sponsors—but by a working group of the Committee, whether formal or informal, and whatever its membership, e.g. even if it

consists of all members of the Committee wishing to take part, my delegation has not the slightest objection, and it gives its consent here and now to any procedure the Chair may suggest in this matter.

71. I believe—and here I fully agree with the Chilean representative—that on 11 November we shall be in a position to vote on draft resolutions A/C.1/L.429/Rev.2 and Add.1 and 2 and A/C.1/L.431 and Add.1-3. I am not so sure about draft resolution A/C.1/L.425/Rev.1 and Add.1, because there it is not merely a matter of drafting or amendment of the text. As we all know, there are deeper questions involved which I need not go into.

72. That being so, I would be inclined to suggest that if by 11 November no unanimously approved solution is forthcoming in regard to draft resolution A/C.1/L.425/Rev.1 and Add.1, we should hold it in abeyance along with the amendment submitted by Kuwait, Saudi Arabia and Venezuela [A/C.1/L.426/Rev.1]. The Chair would arrange an interruption of business similar to that on the Korean question, and once the solution was ripe, I am sure that in an hour or two we could dispose of all the questions outstanding.

73. Mr. DAVIS (Australia): I want to address myself solely to the question of the five draft resolutions on principles [A/C.1/L.430, A/C.1/L.432/Rev.1, A/C.1/L.433 and Corr.1, A/C.1/L.434/Rev.1, A/C.1/L.437 and Add.1], and I want to agree, in the main, with what has been said by the representatives of the United Kingdom, the Netherlands and Belgium, among others. As I see it at the moment, we have five draft resolutions in relation to principles on which we are not at present in a position to come to a vote.

74. We seem therefore to have two alternatives. The first is that the sponsors of those resolutions may, if they so wish, independently of the Committee get together and consult and see whether they can merge their resolutions. But in this context it seems clear to me that as some of these draft resolutions have only recently been submitted and have not been debated, and as what comes out of such a compromise may be something somewhat new, we would have to debate in full the whole new draft resolution again, and this may take a very considerable time.

75. The other alternative seems to be to have a working group, which is set up by this Committee and which should be, as the representative of the Netherlands has said, open-ended so far as membership goes, with every member entitled to participate if he so desires, which would have to take into account not only the principles which have been put forward in these draft resolutions but all the very substantial work that was put in by the *Ad Hoc* Committee in Rio and elsewhere on the consideration of principles. I do not think—and I agree with the Soviet delegation in this respect—that it is right and proper for this Committee to attempt to establish a set of principles which has not been thoroughly considered and which does not have general agreement.

76. Mr. THACHER (United States of America): I speak only to the limited point of an amendment to the draft resolution in document A/C.1/L.429/Rev.2 and Add.1

and 2. My delegation had the honour to introduce the original of that draft resolution which relates to the international decade of ocean exploration. At the outset of this meeting, the representative of Mexico introduced a draft amendment to this draft resolution which I am sure the twenty-six delegations co-sponsoring it would wish to consider as soon as possible. Given the number of what appear to be conflicting meetings scheduled for Monday, I know it would expedite our work and greatly facilitate the consideration by the co-sponsors of resolution A/C.1/L.429/Rev.2 and Add.1 and 2 if we could obtain one clarification from the representative of Mexico. I should like to ask if, in presenting this amendment, he means that all activities which under international law are subject to the coastal States's jurisdiction shall be subject to prior consent by the coastal State.

77. I might point out that this was the intent of the remark made by the representative of my delegation in his statement to this Committee two days ago [*1601st meeting, para. 138*], on 6 November. If the answer is affirmative, it would seem to my delegation to indicate that this amendment does not seek to establish a new legal principle or norm, and I would assume that the delegations co-sponsoring resolution A/C.1/L.429/Rev.2 and Add.1 and 2 would find it easier to give their urgent consideration to this proposal.

78. Mr. GARCÍA ROBLES (Mexico) (*translated from Spanish*): I shall be happy to try to answer the question asked by the United States representative. In doing so I am, of course, speaking only on behalf of the Mexican delegation, since obviously I have not had time to consult the other four delegations co-sponsoring the amendment. But they are all here in the room, and if they wish to do so they too can give whatever answer they think fit.

79. As you will recall, the amendment would add the following phrase at the end of operative paragraph 1 of draft resolution A/C.1/L.429/Rev.2 and Add.1 and 2:

“... on the understanding that all activities carried out in maritime or submarine zones within the limits of national jurisdiction of a State shall be subject to the previous consent of such State;”.

80. The question asked by the United States representative, if I understood it correctly, was whether the term maritime or submarine zones within the limits of national jurisdiction of a State is to be understood as meaning maritime or submarine zones which under international law are within the limits of national jurisdiction of a State. The answer is yes as far as the Mexican delegation is concerned. The Mexican Constitution itself embodies a clear-cut indication of the international law governing the delimitation of those areas. Hence the amendment could not possibly be designed to establish a new legal principle or norm, as referred to in the question put by the United States representative. It has no such purpose. It passes no judgement whatever regarding what international law may or may not have to say on the subject. It leaves that aspect of the question entirely open.

81. I repeat that as far as the Mexican delegation is concerned the amendment refers purely and simply to maritime or submarine zones which under international law

are within the limits of national jurisdiction of a State, and so on.

82. I trust I have clarified the point raised by the United States representative.

83. Mr. ROSSIDES (Cyprus): We discussed the matter of the extent of jurisdiction with the representative of Mexico and it was agreed that there was no new legal principle involved and that what was meant was that area which by international law is within the national jurisdiction of a State. Therefore, my answer is also in the affirmative, that that was the meaning. Therefore no problem arises. Our intention was merely to include in the draft resolution what was stated by the representative of the United States—in a sense it was indeed stated. We wanted to include that in the draft resolution, without the introduction of any new concept.

84. The CHAIRMAN: In trying to sum up the statements that were made before the last three interventions, I should like to say that I was glad to note that the views which were expressed concurred substantially with the suggestion I had made, that is to say, that we should proceed to the vote on draft resolutions A/C.1/L.425/Rev.1 and Add.1, A/C.1/L.429/Rev.2 and Add.1 and 2, and A/C.1/L.431/Rev.1 on Monday afternoon, 11 November.

85. I would respectfully draw the attention of the representative of Mexico to the fact that one of the three draft resolutions, A/C.1/L.431/Rev.1, cannot be put to the vote unless we have voted upon and adopted draft resolution A/C.1/L.425/Rev.1 and Add.1. Therefore the

Committee would be in a very difficult position if we were to be able to vote only on one draft resolution on Monday afternoon.

86. Secondly, having disposed of those three draft resolutions we should then proceed with our work, starting discussion on the item concerning disarmament on Tuesday morning, 12 November.

87. With regard to the other draft resolutions concerning general principles about the exploitation and use of the sea-bed and ocean floor, it was my understanding that that should be left to the consultations which are already taking place and that in the light of the exchange of views which has just taken place, if some of those draft resolutions are amalgamated and a new text is presented the Committee will be able to consider it on Monday afternoon. At that time the Committee will consider again how to deal with the other draft resolutions which are left out of the amalgamation, the merging—or whatever it is decided—and which course to follow.

88. I remind the Committee that there are still two suggestions before it: the first is to refer the draft resolutions which have not been disposed of to the standing committee once it is set up; the second is to proceed in a different way. I think that can be left to the consultations, and in the light of the results of the consultations which will take place between now and Monday afternoon we shall be able to decide upon the course of our work on these draft resolutions.

The meeting rose at 6.20 p.m.