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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 First Committee

Rapporteur: Mr. Giovanni MIGLIUOLO (Italy)

1. The item entitled "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" was included by the Secretary-General in the provisional agenda of the twenty-sixth session of the General Assembly on the basis of Assembly resolution 2750 (XXV) of 17 December 1970.
2. At its 1939th meeting, on 25 September 1971, the General Assembly, on the recommendation of the General Committee (A/8500) decided to include this item in the agenda and to allocate it to the First Committee for consideration and report.
3. The First Committee considered the item at its 1843rd and 1844th meetings on 2 and 6 December, and at its 1849th to 1855th meetings from 10 to 16 December.

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4. At the 1843rd meeting, on 2 December, the Rapporteur of the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction introduced that Committee's report.^{1/} At the same meeting, the Chairman of the Committee made an introductory statement.

5. A draft resolution was submitted on 22 November 1971 by Algeria, Argentina, Brazil, Colombia, Ecuador, Iceland, Indonesia, Kenya, Malaysia, Mauritius, Peru, the Philippines, Thailand, Trinidad and Tobago, the United Republic of Tanzania, Venezuela and Yugoslavia (A/C.1/L.586) and was subsequently co-sponsored by Chile, Morocco and Uruguay. A revised text of this draft resolution (A/C.1/L.586/Rev.1), with the addition of Canada, Greece, Iran, Spain, and Tunisia as co-sponsors, was submitted on 7 December. The revised text was subsequently co-sponsored by Australia and Kuwait. The draft resolution was introduced at the 1851st meeting on 14 December by the representative of Brazil on behalf of the co-sponsors. It was indicated that the co-sponsors envisaged that each of the two sessions of the Committee would be of five weeks' duration. The text read as follows:

"The General Assembly,

"Recalling its resolutions 2340 (XXII) of 18 December 1967, 2467 (XXIII) of 21 December 1968, 2574 (XXIV) of 15 December 1969, and 2750 (XXV) of 17 December 1970,

"Having considered the report of the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction (A/8421),

"1. Notes with satisfaction the encouraging progress of the preparatory work of the Committee towards a comprehensive conference on the law of the sea, in conformity with its mandate, contained in resolution 2750 C (XXV), in particular, as regards elaboration of the international régime and machinery for the sea-bed and the ocean floor, and the subsoil thereof, beyond the limits of national jurisdiction;

"2. Notes as well the consideration by the Committee of the reports submitted by the Secretary-General pursuant to resolutions 2750 A and B (XXV) of 17 December 1970 and of the study on possible methods and criteria for the sharing of benefits derived from exploitation of the resources of the area undertaken in accordance with the request of the Committee of March 1970;

1/ Official Records of the General Assembly, Twenty-sixth Session, Supplement No. 21 (A/8421).

"3. Requests the Committee, in discharge of its mandate, in accordance with resolution 2750 C (XXV), to hold two sessions at Geneva during March and August 1972."

6. At the 1855th meeting, on 16 December, the representative of Brazil, on behalf of the co-sponsors, modified the last phrase of paragraph 3 to read "during March/April and July/August 1972."

7. In connexion with the above revised draft resolution, the Committee had before it a statement by the Secretary-General on the administrative and financial implications thereof, in accordance with rule 154 of the rules of procedure (A/C.1/L.598 and Add.1).

8. An amendment was submitted on 15 December by Sweden (A/C.1/L.599) to the revised draft resolution, by which a new paragraph 3 would be inserted to read as follows:

"3. Decides on the addition to the Committee of four members to be appointed by the Chairman of the First Committee in consultation with regional groups;"

9. The following sub-amendments to the above amendment were introduced:

(a) a sub-amendment submitted by Jamaica (A/C.1/L.601), by which the words "under-represented" would be inserted after the word "with";

(b) a sub-amendment submitted by Cameroon (A/C.1/L.602), by which the words "four members" would be replaced by the words "one member".

10. On 16 December, Sweden revised its amendment which was subsequently co-sponsored by Zambia (A/C.1/L.599/Rev.1), so that the proposed new paragraph 3 would read as follows:

"3. Decides on the addition to the Committee of China and three other members to be appointed by the Chairman of the First Committee in consultation with regional groups;"

11. On the same date, the sub-amendment of Cameroon (A/C.1/L.602) was revised (A/C.1/L.602/Rev.1) to apply to the revised amendment of Sweden and Zambia (A/C.1/L.599/Rev.1), that is, the words "China and three other members" would be replaced by the words "one member".

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12. The following two amendments to the revised draft resolution (A/C.1/L.586/Rev.1) were also introduced on 15 December:

(1) An amendment submitted by Afghanistan, Bolivia, Liberia, Nepal, Paraguay, Singapore and the Ukrainian Soviet Socialist Republic (A/C.1/L.600), to replace, in paragraph 3, the word "Geneva" by the words "New York";

(2) Amendments submitted by Japan (A/C.1/L.603), by which, in operative paragraph 3, the words "New York and at" would be inserted before the word "Geneva", and the word "respectively" would be added at the end of the paragraph.

13. At its 1855th meeting, on 16 December, the Committee proceeded to vote on the revised draft resolution and the amendments and sub-amendments before it.

14. The revised sub-amendment of Cameroon (A/C.1/L.602/Rev.1) to the revised amendment of Sweden and Zambia (A/C.1/L.599/Rev.1) was rejected by a roll-call vote of 34 to 29, with 33 abstentions. The voting was as follows:

In favour: Argentina, Barbados, Brazil, Cameroon, Canada, Chile, Colombia, Costa Rica, Cuba, Ecuador, Ghana, Indonesia, Ivory Coast, Jamaica, Japan, Kuwait, Malaysia, Morocco, Nicaragua, Nigeria, Paraguay, Peru, Philippines, Spain, Thailand, Trinidad and Tobago, Tunisia, Uruguay, Venezuela.

Against: Afghanistan, Algeria, Australia, Austria, Belgium, Bolivia, Burundi, Denmark, Ethiopia, France, Greece, Guyana, Ireland, Italy, Laos, Lebanon, Liberia, Libyan Arab Republic, Malta, Mauritania, Nepal, Netherlands, New Zealand, Norway, Romania, Sudan, Sweden, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Yemen, Zambia.

Abstaining: Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Congo, Cyprus, Czechoslovakia, Egypt, Fiji, Finland, Guatemala, Haiti, Honduras, Hungary, Iceland, India, Iran, Iraq, Israel, Kenya, Khmer Republic, Madagascar, Mexico, Mongolia, Poland, Portugal, Rwanda, Senegal, Singapore, Somalia, South Africa, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Yugoslavia.

15. The sub-amendment submitted by Jamaica (A/C.1/L.601) to the revised amendment of Sweden and Zambia (A/C.1/L.599/Rev.1) was adopted by a roll-call vote of 27 to 26, with 43 abstentions. The voting was as follows:

In favour: Barbados, Brazil, Cameroon, Colombia, Costa Rica, Ecuador, Fiji, Guatemala, India, Indonesia, Jamaica, Kuwait, Laos, Lebanon, Libyan Arab Republic, Madagascar, Malaysia, Mexico, Nicaragua, Nigeria, Paraguay, Peru, Philippines, Thailand, Trinidad and Tobago, Tunisia, Yemen.

Against: Australia, Belgium, Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, Denmark, Finland, France, Greece, Hungary, Iceland, Ireland, Italy, Netherlands, New Zealand, Poland, Rwanda, Senegal, Spain, Sweden, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela.

Abstaining: Afghanistan, Algeria, Argentina, Austria, Bolivia, Burma, Burundi, Canada, Ceylon, Chile, Congo, Cuba, Cyprus, Dominican Republic, Egypt, Ethiopia, Ghana, Haiti, Honduras, Iran, Iraq, Israel, Ivory Coast, Japan, Kenya, Khmer Republic, Liberia, Malta, Mauritania, Mongolia, Morocco, Nepal, Norway, Portugal, Romania, Somalia, South Africa, Sudan, Turkey, Uganda, United Republic of Tanzania, Yugoslavia, Zambia.

16. The revised amendment submitted by Sweden and Zambia (A/C.1/L.599/Rev.1), as amended by the Jamaican sub-amendment (A/C.1/L.601), was adopted by 87 votes to none, with 5 abstentions.

17. On the proposal of the representative of Japan, the Committee agreed without objection to vote first on the Japanese amendment (A/C.1/L.603) to the revised draft resolution (A/C.1/L.586/Rev.1) before voting on the seven-Power amendment (A/C.1/L.600) thereto.

18. The amendment submitted by Japan (A/C.1/L.603) to the revised draft resolution (A/C.1/L.586/Rev.1) was adopted by a roll-call vote of 37 to 27, with 32 abstentions.

The voting was as follows:

In favour: Afghanistan, Austria, Belgium, Bolivia, Bulgaria, Byelorussian Soviet Socialist Republic, Congo, Cyprus, Czechoslovakia, Finland, Haiti, Honduras, Hungary, India, Iraq, Ivory Coast, Japan, Laos, Lebanon, Malta, Mexico, Mongolia, Nepal, New Zealand, Nicaragua, Norway, Paraguay, Poland, Portugal, Singapore, South Africa, Thailand, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United States of America, Venezuela.

Against: Australia, Brazil, Chile, Cuba, Ecuador, Ethiopia, France, Guyana, Iceland, Jamaica, Kenya, Libyan Arab Republic, Madagascar, Mauritania, Morocco, Netherlands, Nigeria, Peru, Rwanda, Senegal, Spain, Sudan, Sweden, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Yemen.

Abstaining: Algeria, Argentina, Burma, Burundi, Canada, Ceylon, China, Colombia, Costa Rica, Denmark, Dominican Republic, Egypt, Ghana, Greece, Guatemala, Indonesia, Iran, Ireland, Israel, Italy, Khmer Republic, Kuwait, Liberia, Malaysia, Philippines, Romania, Somalia, Trinidad and Tobago, Tunisia, Uganda, Yugoslavia, Zambia.

19. In view of the adoption of the Japanese amendment (A/C.1/L.603), the seven-Power amendment (A/C.1/L.600) was not put to the vote.

20. Paragraph 4, as amended, of the revised draft resolution (A/C.1/L.586/Rev.1) was adopted by 77 votes to 1, with 12 abstentions.

21. The revised draft resolution, as amended, was adopted by a roll-call vote of 97 to none. The voting was as follows:

In favour: Afghanistan, Algeria, Argentina, Australia, Austria, Barbados, Bolivia, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Ceylon, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Finland, France, Ghana, Greece, Guatemala, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Kenya, Khmer Republic, Kuwait, Laos, Lebanon, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mali, Mauritania, Mexico, Mongolia, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Paraguay, Peru, Philippines, Poland, Portugal, Romania, Rwanda, Senegal, Singapore, Somalia, South Africa, Spain, Sudan, Sweden, Thailand, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia, Zambia.

Against: None.

RECOMMENDATION OF THE FIRST COMMITTEE

22. The First Committee recommends to the General Assembly the adoption of the following draft resolution:

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

The General Assembly,

Recalling its resolutions 2340 (XXII) of 18 December 1967, 2467 (XXIII) of 21 December 1968, 2574 (XXIV) of 15 December 1969 and 2750 (XXV) of 17 December 1970,

Having considered the report of the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction,^{2/}

1. Notes with satisfaction the encouraging progress of the preparatory work of the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction towards a comprehensive conference on the law of the sea, in conformity with its mandate contained in General Assembly resolution 2750 C (XXV), in particular with regard to the elaboration of the international régime and machinery for the sea-bed and the ocean floor, and the subsoil thereof, beyond the limits of national jurisdiction;

2. Notes also the consideration by the Committee of the reports submitted by the Secretary-General pursuant to resolutions 2750 A and B (XXV) and of the study of possible methods and criteria for the sharing of benefits derived from the exploitation of the resources of the area, undertaken in accordance with the Committee's request of March 1970;

3. Decides to add to the membership of the Committee China and three other members to be appointed by the Chairman of the First Committee in consultation with under-represented regional groups;

4. Requests the Committee, in the discharge of its mandate in accordance with resolution 2750 C (XXV), to hold two sessions, one in New York during March-April and one in Geneva during July-August 1972.

^{2/} Official Records of the General Assembly, Twenty-sixth Session, Supplement No. 21 (A/8421).