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Chairman: Mr. Milko TARABANOV (Bulgaria).

AGENDA ITEM 98 (*concluded*)

Declaration of the Indian Ocean as a zone of peace  
(A/8492 and Add.1, A/C.1/L.590/Rev.2)

DISCUSSION OF DRAFT RESOLUTIONS  
(*concluded*)

1. The CHAIRMAN (*interpretation from French*): We shall now continue our consideration of draft resolution A/C.1/L.590/Rev.2.

2. Mr. ABDALLAH (Tunisia) (*interpretation from French*): First of all, I should like to associate my delegation with previous speakers by addressing our most sincere condolences, on the decease of Dr. Ralph Bunche, to the Secretary-General, the United States delegation, and to the family.

3. In its statement on the subject of disarmament [1837th meeting] my delegation indicated its satisfaction at the Ceylonese proposal to declare the Indian Ocean a zone of peace. We regard it as a constructive proposal which will create propitious conditions for the maintenance of peace and security in the region. The countries of the Indian Ocean wish to devote all their efforts to development and, as was stated in the letter to the Secretary-General from the Permanent Representative of Ceylon dated 1 October [A/8492 and Add.1], those countries need an atmosphere of tranquillity and peace in which to transform and modernize their economies and social structures. Tunisia wholeheartedly supports such a proposal. Indeed, my country, like others whose shores are washed by the Mediterranean, would like to see that cradle of civilizations restored to its role as a cross-roads of peoples and a reservoir of peace, understanding and co-operation.

4. We believe that while there may be competition, it should be such as to foster the economic and social development of the peoples of the region. Any other course would be contrary to the aspirations of those peoples and would only increase tension and the danger of conflict. We believe that by declaring the Indian Ocean a zone of peace, the General Assembly will bring us closer to the day when the Mediterranean too will become a zone of peace and co-operation.

5. Concerning draft resolution A/C.1/L.590/Rev.2, it is our opinion that it indicates measures which, out of a concern for effectiveness, should be the subject of the broadest possible prior consultation among the coastal countries. However, my delegation will vote in favour of the draft resolution as a whole.

6. Mr. ECKERBERG (Sweden): May I first associate myself and the delegation of Sweden with the expression of deep sorrow at the news of the death of Dr. Ralph Bunche. His name will long be remembered in my country for his unselfish efforts for peace.

7. The Swedish delegation has often expressed its support for regional approaches to disarmament. It is in accordance with this general policy that my delegation will vote for draft resolution A/C.1/L.590/Rev.2, which was presented originally on the initiative of the Government of Ceylon and sponsored by many other Governments in the region of the Indian Ocean. In doing so we take particular note of the statement made this morning by the Ambassador of Ceylon, according to which the Swedish delegation understands the complete aim of this draft resolution to be to call for consultations between the great Powers and the States in the region in order to try to work out conditions and measures for such a regional approach towards peace, and not in fact to try to predetermine the exact outcome of those consultations.

8. The Swedish delegation also takes particular note of the two changes introduced in the second revision of the draft resolution whereby, on the one hand, the earlier reference to other regions has been removed in the preamble and, on the other hand, a new reference to the norms and principles of international law has been included in the operative part. We note with much satisfaction that the item entitled "Declaration of the Indian Ocean as a zone of peace" is to be included in the agenda for the twenty-seventh session of the General Assembly. This will give the Swedish Government more time to study in depth the implications of the important and constructive initiative of the Government of Ceylon.

9. Mr. AMERASINGHE (Ceylon): I should like to reply very briefly to some of the statements that were made this

morning regarding the concept of declaring the Indian Ocean a zone of peace and the procedure that we should adopt.

10. First of all, I should like to refer to the statement made by my good friend the representative of Thailand, Ambassador Panyarachun, that the present draft resolution goes beyond what was implied in our statement, that, following the trends in the development of international law and practice, we were intending to treat areas not assimilated to national jurisdiction as an international domain subject to international regulation and control.

11. I do not think that statement is inconsistent with anything that we have stated in the declaration. If we have not used the words "beyond areas not assimilated to national jurisdiction", we have, in fact, provided the widest possible scope for the determination of the limits of this zone of peace when we imply clearly that the matter is open to international consultation and negotiation. We have with that very point in mind introduced in operative paragraph 3 (b) the concept that "the right to free and unimpeded use of the zone by the vessels of all nations" would be subject to the main purpose and to the norms and principles of international law. Those who, therefore, entertain any apprehensions that we seek to restrict these freedoms or to give them a different meaning and interpretation are, I think, mistaken, as they have not paid sufficient attention to the strict limits within which we intend this concept to be applied.

12. The representative of Thailand also asked what practical value this declaration would have in its present form. I would respectfully submit to the Committee that the practical value of this declaration will depend on the political will demonstrated by other nations in the course of the consultations and negotiations that we are contemplating; and that political will is not confined to the littoral States but applies much more to those which have it within their power to arrest and eliminate the arms race in the Indian Ocean area.

13. Further, it has been stated that it is unfortunate that while we are discussing this matter, trying to introduce this concept and secure its acceptance by the international community, war is going on in the Indo-Pakistan subcontinent and even naval action is proceeding. That is precisely the reason why it is most imperative that we introduce this concept and get it accepted. We cannot speculate on what would have happened if we had had such a declaration. That is, I submit, an attitude of defeatism. If we adopt that negative attitude, any pursuit of peace becomes meaningless and pointless.

14. We have been told that the idea is good but the manner in which we are proceeding is not quite correct. The attitude of those who maintain this position reminds me of what a wag remarked in regard to the Oder-Neisse Line. He said—and I am not indicating in any way that we agree with the political implications of this remark—"It has the odour of sanctity, but it would be nicer to change it". That seems to be what some of the critics of our proposal maintain.

15. Mr. RABETAFIKA (Madagascar) (*interpretation from French*): At the 1846th meeting, in a very friendly and respectful manner I asked the sponsors of draft resolution A/C.1/L.590/Rev.2 whether—because of the short time we have had to consider the question here and in our capitals—they could agree not to press for a vote on the draft resolution. I likewise indicated that this request could be interpreted as follows: that the Committee through you, Mr. Chairman, would recommend maintaining the item on the agenda of the twenty-seventh session, and in the meantime consultations would continue on the basis of the memorandum of Ceylon and Tanzania, which requested the inscription of the item on the agenda [A/8492 and Add.1], and equally on the basis of the statements made on the subject in the course of this session both in the General Assembly and in the First Committee, as well as on the basis of the draft resolution contained in document A/C.1/L.590/Rev.2. My delegation made that appeal to preserve unanimity in this Committee at least on this item, which everybody considers to be important, and to maintain the complete support of all the coastal States, without which, as I said at the time, the declaration might remain a dead letter. I do not know what has been the reaction of the sponsors to the appeal I made. It would appear, on the basis of the development of our debate, that the draft resolution is now to be put to the vote. I therefore once again make this appeal to the sponsors and propose, if my appeal is not favourably received, that the Committee formally pronounce itself on my motion.

16. Sir Laurence McINTYRE (Australia): I should like on behalf of my delegation to support the appeal the representative of Madagascar has just made that we postpone a vote, that we decide that this draft resolution not be put to a vote at this time. I think I made it plain in my intervention this morning that the feeling of my own delegation was that it would be better if we could postpone further consideration of this draft resolution until there could be more study and consultation—I think I am using the words of the representative of Malaysia here—among the littoral States themselves. I hope I am not giving the impression that my delegation or my Government has no sympathy with what I described this morning as the very imaginative proposal that the representative of Ceylon has introduced to the Assembly. On the contrary, as I believe I said this morning, I am sure we would all subscribe to the hope that the Indian Ocean will continue to be a zone of peace. However, for reasons that I think I explained in my earlier intervention, my delegation considers that the proposal of the representative of Ceylon raises many wide-ranging and very important considerations that have consequences for all of us, particularly for all the littoral States around the Indian Ocean. I think we need rather more time to consider those consequences among ourselves before we can subscribe to a declaration or resolution that raises many considerations affecting the national security of all of us and many other aspects of government policy. Therefore I say again that, while we have had from the beginning a great deal of sympathy for the proposal that Mr. Amerasinghe has put before us, we consider that at this stage in the proceedings of the Assembly, when we think that rather more study and consideration should be given to this proposal, it would be advisable to postpone a decision. We hope that the sponsors of this draft resolution will listen to the appeal that the representative of Madagascar has made.

17. The CHAIRMAN (*interpretation from French*): An appeal has been made to the sponsors of draft resolution in A/C.1/L.590/Rev.2. As I understand it, if the appeal is not favourably received there will be a formal motion. I should first like to clarify the situation with the sponsors of the draft resolution.

18. Mr. AMERASINGHE (Ceylon): In all my experience of the United Nations the practice has been that when appeals of this nature are made to the sponsors of a draft resolution to agree to deferment of a decision on it or agree to its not being pressed to a vote, once those sponsors express their wish the matter rests there. In other words, if we agree to the suggestion, then the draft resolution is not put to a vote, but, if we do not agree that a vote should be deferred, then it is put to a vote. This is the first time I have seen an attempt made to put a request of this nature to the vote itself. I deeply regret that this procedure is being suggested in regard to this proposal. Why are we scared out of our wits about a proposal for peace? I would respectfully request my friend from Madagascar, whom I have consulted from the very start, to withdraw his motion and not to embarrass us.

19. Mr. RABETAFIKA (Madagascar) (*interpretation from French*): I should like to assure my very dear friend from Ceylon, for whom I have the highest esteem, that it is certainly not in any way the intention of my delegation to embarrass the sponsors of the draft resolution, and far less the delegation of Ceylon. Since I made an appeal, I thought it to be my duty to recall it. But, if the delegation of Ceylon feels that putting to the vote the formal proposal I made would be an embarrassment for it, my delegation is quite prepared to withdraw the motion and not press for a vote on it. I simply wished to say that my delegation had made this appeal, in the hope that it could have been favourably received by the sponsors.

20. Mr. AMERASINGHE (Ceylon): I would just like to express my deep appreciation for the understanding shown by the representative of Madagascar in withdrawing his proposal.

21. The CHAIRMAN (*interpretation from French*): I shall now call on speakers who wish to explain their vote before the vote.

22. Mr. MARTIN (United States of America): I should like first to express my deep appreciation on behalf of the United States delegation to you, Mr. Chairman, and to the other representatives in the First Committee who have expressed regret at the passing of Dr. Ralph Bunche. The United States delegation will see to it that these sentiments are transmitted to Dr. Bunche's family.

23. The United States shares the desire which we believe motivates the sponsors of the draft resolutions before us, that is, to promote conditions of peace and tranquillity in the Indian Ocean area and, in that connexion, to seek to avoid a competitive expansion of military strength on the part of the major Powers. This motivation, of course, is heightened by the tragic events now taking place in the Indian subcontinent.

24. The United States believes, however, that there are a number of difficulties with this declaration. To begin with,

the declaration goes far beyond the usual practice of the General Assembly when considering a matter as complex as this for the first time. It actually places the General Assembly in the position of approving general language in an area which infringes upon disarmament and the law of the sea without the usual careful consideration associated with these subjects. All members are aware that for some time the United Nations has been actively preparing for a law of the sea conference in 1973. The United States is concerned that resolutions such as the Ceylonese proposal, purporting to establish special régimes for particular areas, will undercut this most important United Nations objective of achieving a world-wide law of the sea. This is particularly true where the language of the declaration raises questions regarding such basic principles as freedom of navigation on the high seas. We reject the view that a group of States in a certain region can establish a legal régime for the high seas in that region. This may affect the fundamental security interests not only of States compelled to maintain significant military preparedness in this all too imperfect world, but also of States that rely on the stability created by a political and military balance in order to pursue other important national goals and to avoid diverting too much of their attention and resources to matters of security.

25. A declaration such as we are now considering could be a dangerous precedent which could hinder the chances of a successful law of the sea conference. This in itself would be a shame, because I am sure there are many countries that see in this conference the opportunity to achieve results of significant interest to them.

26. For these reasons, my delegation will abstain from voting on this draft resolution.

27. Mr. IGNATIEFF (Canada): Despite our sympathy for the objectives of draft resolution A/C.1/L.590/Rev.2, the Canadian delegation will also abstain from voting on this draft. I should like to put on record an explanation of that abstention.

28. Our sympathy with the draft resolution stems from our belief that items (a) and (b) of operative paragraph 3 are in effect restatements of established principles of international law as reflected in the United Nations Charter and in the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations. Certain steps have already been taken towards achieving at least a partial implementation of these principles, such as the Treaty of Tlatelolco and the sea-bed arms control Treaty. The Ceylonese draft resolution represents an attempt to achieve the implementation of these fundamental principles and thus the sponsors should, in our view, continue their efforts to reach a consensus despite the difficulties associated with this initiative at the present time.

29. Although we are sympathetic, therefore, in principle to demilitarized and denuclearized zones, we believe that in the first instance the onus is on the States in the area and other Governments most directly concerned to try to reach an agreement on possible specific arrangements and provisions before the United Nations General Assembly is asked to endorse such a project. Because there is no evidence that

such a consensus exists, and certain statements already made in the Committee indicate the opposite, Canada will abstain from voting on the draft resolution if it is put to the vote.

30. Mr. GALINDO POHL (El Salvador) (*interpretation from Spanish*): Many countries are viewing with growing anxiety the competition in atomic weapons and in general the military and political confrontations between the great Powers and, quite reasonably, they try to avoid the consequences of this situation which are, for the time being, political, but which could in due course be far more serious.

31. The draft resolution under consideration, which is due to the initiative of the delegation of Ceylon and sponsored by 13 countries [A/C.1/L.590/Rev.2], would declare the Indian Ocean a zone of peace. I say "tends" to declare, because although the declaration uses categorical and very affirmative terms, General Assembly resolutions do not have, nor can they have, greater force than that given them under the Charter, that is to say, they constitute recommendations. Of course these instruments are completely valid for the work of the General Assembly and also for the Secretariat.

32. A zone of peace has to be the subject of a treaty so that there will be obligations which are clearly binding. Nevertheless, draft declarations such as this one do arouse public opinion, lead to a concerted political will, express the concurrent aspirations of the members of the international community, and are most important because by way of small and successive steps they lead to major achievements.

33. The draft declaration is a bold one. It is novel. If adopted, it will make it possible to explore another area for the reduction of tension and the strengthening of international security. For the first time it is proposed to withdraw a part of the ocean from competition among the military Powers and to suggest rules which are really peaceful and pacifist for the use of the high seas.

34. The provisions of the draft resolution have been formulated in sufficiently flexible terms to avoid prejudging any solutions. Indeed, study, negotiation and agreement regarding the possible future zone of peace of the Indian Ocean, including its scope, modalities and even its time-liness, must in the main be the work of those who are directly concerned. The affirmative vote of my delegation will endorse an idea, a beautiful purpose, not a clear-cut object, because the limits of the zone of peace have yet to be determined. But this is precisely one of the advantages of the draft resolution, in our opinion, since it leaves room for consultations and negotiations in order to determine the zone. The same is true of every modality which that zone of peace might have. What is more, one could think of different boundaries, depending on the different objectives.

35. As for denuclearization, we would like to see the waters of the Indian zone, from coast to coast, without any exception for territorial waters, completely free from the installation of nuclear artifacts. Other boundaries could be established for other types of prohibitions, which would be agreed to. The zones of peace and the neutralized zones,

the denuclearized and demilitarized zones, must have their boundaries in terms of their objectives, and taking into account in some cases the need to protect the marine environment, and of course, without doubt, considerations of a political order. These boundaries do not necessarily have to coincide with national and international jurisdiction, but if they did coincide, this would not mean either support for or undermining of such maritime jurisdictions.

36. We are not unaware of the doubts, reservations and difficulties which this draft resolution entails for some delegations, not only for the coastal States but also for the maritime Powers, and even for countries which seek protection of other kinds of interests. We hope that these obstacles can be overcome, because if this very splendid idea is to be viable, it has to be worked on intensely, carefully developed, and must have the support of the military Powers. Indeed, no disarmament measure of neutralization or of denuclearization can be effective without the assent of those countries which are most directly concerned—in this case, all the coastal States and the great maritime Powers.

37. As we see it, the reference to the major guidelines for the consultations to be held in due course among those concerned is important and necessary, because this gives guidance to these consultations. If consultations were requested in a general way and without any specific idea as to their objectives, as some delegations have suggested in the course of the debate, the outcome might be work of little significance or going beyond the desirable goals. Of course, the suggestion of guidelines in the operative part of the draft resolution does not mean that this is a rigid framework for consultation; it simply discharges the necessary and indispensable function of guiding them.

38. We would have preferred some changes in the wording of the draft, because a few expressions are somewhat vague, not to say obscure, in the preambular part. Nevertheless, since we have come to the time of voting, we shall not sacrifice the substance for reasons of wording, because we are not signing a convention; we are adopting a resolution that is a recommendation and proposing to start a process of consultations and study.

39. My country is in favour of any effort which tends to broaden the zones that are removed from the jealousy and rivalries of the great Powers, and we view with a particular feeling of solidarity the proposal that is now being studied. Of course, by voting in favour we do not intend to substitute for the will of those directly concerned. We merely express our sympathy for the ideas contained therein, knowing that this is a particularly difficult but most imaginative draft which, because it has a sense of the future and of opening up new issues, deserves the applause of countries such as mine, which are guided in this case only by a feeling of solidarity—since geographically we are certainly very distant from the zone—and by the concern which we all have to see to it that the international community develops and makes use of every opportunity to go deeper into and carry forward the major objectives of the Charter of the United Nations.

40. Mr. ARIAS SCHREIBER (Peru) (*interpretation from Spanish*): My delegation completely shares the legitimate

and very warranted purposes which inspire this draft resolution to exclude any military activities from the zone of the Indian Ocean.

41. We believe that the position which we have been maintaining is well known. We are in favour of every initiative intended to put a halt to great Power rivalries which have caused so much harm to other countries. That is why last year we regretted that the draft treaty to prohibit the installation of nuclear weapons on the ocean floor and its subsoil was not extended to the entire ocean space, as is required in the interest of mankind.

42. However, while we agree with the substance of the draft resolution, we find some procedural difficulties which prevent us from supporting it at this time. The first difficulty derives from the implications of this initiative in the new legal régime for the sea which is now being considered by the enlarged Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction. Thus it would seem to us desirable to have this initiative considered in that Committee, in accord with the view which we have maintained in regard to the need for dealing with all the problems in connexion with the law of the sea jointly and as a unit. The second difficulty in regard to this proposal is that in order for it to be effectively implemented it would require the support of all States of the region, and on the basis of the statements we have heard, unfortunately that is not the case.

43. We sincerely hope that an initiative of such excellent inspiration will gain ground among the measures which have been scheduled to make sure that the new international régime of the seas will contribute to peaceful coexistence among all the States in the world.

44. In this connexion I should like to recall a Latin American initiative concerning the draft list of items to be considered at the Conference on the law of the sea which appears in a working paper submitted by 15 countries and reproduced as an annex to the Committee's report. Included in that list was an item concerning the establishment of zones of peace and security, precisely bearing in mind proposals such as that of Ceylon.

45. We therefore regret that while we agree with the intent and the purposes which have inspired this draft resolution, we find it necessary to abstain, for the reasons I have just stated.

46. Mr. GRAY (New Zealand): My delegation has very great sympathy with the concern shown by Ceylon and other sponsors of draft resolution A/C.1/L.590/Rev.2 that the Indian Ocean should not become a scene of great-Power rivalry, or the scene of a naval arms race. Many States which, like New Zealand, are outside the littoral or hinterland areas of the Indian Ocean share that concern and feel that one step in assuring conditions of peace, tranquillity and stability in the area would be to prevent the intensification of great-Power rivalry.

47. Accordingly my delegation would have expected to see a draft resolution which, in calling on the great Powers concerned to take measures to avoid further expansion of their military presence in the area, was phrased in such a

way as to obtain their support. That is not the case with this draft resolution. Indeed, it is obvious from the statements made so far in this Committee that the draft resolution before us does not have the support of the great Powers concerned and, in addition, does not have the support of all the littoral States. My delegation is therefore reluctantly obliged to conclude that this draft resolution in its present form is neither realistic nor likely to be effective.

48. A number of other factors must also be borne in mind. The first of these concerns the wisdom of declaring a zone of peace in the Indian Ocean when at this moment there is a war raging in the area, a war which by all accounts has involved some naval actions. We should not be surprised if world opinion finds such a declaration at this time to be rather incongruous.

49. The second factor involves the question of verification. The draft resolution attempts to declare a zone of peace in a vast ocean area. In past years this Committee has been unwilling to accept any proposal for the denuclearization or disarmament of any large area without making adequate provision for verification that any such agreement is being faithfully carried out. As constituted at present, the declaration proposed in the draft resolution will be very difficult to verify, and there is a distinct possibility that because of this it could easily become a dead letter, even if it was acceptable to the great Powers.

50. My delegation also has to reserve its position on a number of questions of principle raised by this draft. We do not accept the principle that General Assembly resolutions are in themselves capable of establishing or altering international law, particularly when they are not supported by some of the States concerned. In addition we must formally reserve our position on any aspect of the draft resolution which affects the discussions on the law of the sea in the sea-bed Committee or elsewhere. We should point out that we do not consider that this draft resolution limits in any way the right to individual or collective self-defence expressed in Article 51 of the United Nations Charter.

51. As I have already indicated, my delegation is sympathetic to the concern shown by the Indian Ocean States regarding the possibility of a naval arms build-up by the great Powers in the Indian Ocean area. However, we feel that the solution put forward in the draft resolution has little chance of being effective, particularly in the present circumstances. We are therefore unable to support this draft resolution and we shall abstain when the vote is taken.

52. Mr. THEODOROPOULOS (Greece): During the general debate on the disarmament items I indicated that, as a matter of principle, my Government is favourably inclined towards any initiative aimed at creating conditions of peace in any area of the world, including, of course, the Indian Ocean. I further expressed the main concern of Greece, as a major maritime user of the Indian Ocean, that nothing in this declaration should prejudice the existing rules of the law of the sea as far as peaceful navigation is concerned.

53. We now have a text before us which, I am sorry to say, does little to allay our fears. As a matter of fact, operative paragraph 3 invites major maritime users to consult with

the permanent members of the Security Council and with the littoral and hinterland countries in order to ensure—what exactly? Not the dismantling of their non-existent naval bases or the withdrawal of their non-existent naval vessels but, under subparagraph (b), the “free and unimpeded use” of the sea lanes in the Indian Ocean. Now I am certain that it was not in the minds of the sponsors of the draft resolution to introduce any new concepts related to the law of the sea into a text concerned mainly with the elimination of the causes of armed conflict in the area.

54. Nevertheless the drafting of the text is sufficiently imprecise as to justify scepticism and reservations on the part of maritime users, and for that reason, much to our regret, we shall be obliged to abstain from the voting on this draft resolution and at the same time to declare that our delegation does not consider a draft resolution of this type to be the proper vehicle to produce, directly or indirectly, new concepts concerning the law of the sea.

55. Mr. CHEN Chu (China) (*translation from Chinese*): The draft resolution on the declaration of the Indian Ocean as a zone of peace reflects the urgent desire of many Afro-Asian countries to safeguard their national independence and State sovereignty and reflects their just demand to oppose the super-Powers' contention for hegemony and division of spheres of influence in the Indian Ocean. In this sense, the Chinese delegation supports this draft resolution in principle.

56. At the same time, however, we must point out the following. First, at the present time peace in the Indian Ocean region is being seriously undermined. With the abetment and support of the Soviet Union, India has launched large-scale armed aggression against Pakistan with the aim of serving the Soviet Union in its contention with another super-Power for hegemony over the Indian Ocean and the Indo-Pakistan subcontinent. Such flagrant acts of aggression must be severely condemned. Firm support must be given to the Pakistani people's heroic resistance. Aggression must be repulsed; peace must be restored. Otherwise there can be no talk at all about the establishment of the Indian Ocean as a zone of peace.

57. Secondly, while launching and expanding its war of aggression, India is hypocritically making peace-loving gestures and declares itself one of the sponsors of the draft resolution on the declaration of the Indian Ocean as a peace zone. This is sheer sinister double-dealing in which India is trying to deceive the world under the camouflage of an international agreement, thus gravely undermining the seriousness . . .

58. The CHAIRMAN (*interpretation from French*): I call on the representative of India on a point of order.

59. Mr. BANERJEE (India): I beg to submit that the statement now being made by the Chinese delegation is of no relevance to the present agenda item.

60. Mr. CHEN Chu (China) (*translation from Chinese*) . . . of the draft resolution. Therefore we deem it essential to tear away India's mask before this draft resolution is voted upon. India is not at all qualified to sponsor this draft unless it ceases its acts of aggression.

61. Thirdly, the Chinese Government's statement that at no time and under no circumstances will China be the first to use nuclear weapons and its consistent stand in favour of the complete prohibition and thorough destruction of nuclear weapons and the prevention of nuclear war are clear to all. This morning I stated that China has not stationed a single soldier abroad; it has no military bases on foreign soil and has done nothing harmful to other countries. China will never be a super-Power that carries out aggression, subversion, control, intervention or the bullying of other countries—neither today nor ever in the future. The obligations China has undertaken far exceed what the draft resolution calls upon the countries concerned to do. The question now is that the Soviet Union, the United States, Britain and India, which have close relations with the Indian Ocean, must undertake obligations. Otherwise the root cause of aggression and the threat to the Indian Ocean and the Indo-Pakistan subcontinent will still remain, and peace and security in that area will have no guarantee at all. This draft resolution has failed to point that out explicitly, and that is a serious defect.

62. Fourthly, the Chinese delegation hopes that the report the Secretary-General will submit to the twenty-seventh session of the General Assembly will conform with the basic requirements laid down in the declaration of the Indian Ocean as a zone of peace.

63. While making the foregoing statement and reservation, the Chinese delegation will vote in favour of the draft resolution.

64. Mr. von HIRSCHBERG (South Africa): May I at the outset say that the South African delegation wishes to be associated with the tributes that have been paid to the memory of the late Dr. Ralph Bunche by you, Mr. Chairman, and members of the Committee yesterday and today. We extend our sincere sympathy to his family, to the Secretary-General and to the United States mission.

65. The draft resolution on the declaration of the Indian Ocean as a zone of peace merits serious consideration. Any attempt to further peace and to strengthen international security is commendable. We are all agreed on that.

66. Unfortunately, we live in a world of varying international interests, and sometimes conflicting interests, and because this proposal infringes upon those interests so profoundly we for our part would wish, before adopting an attitude on it, to study it more closely and thoroughly than we have been able to do since it was first presented to us.

67. We are still uncertain as to what the proposal involves and as to its implications and consequences. We are still uncertain as to how it would be interpreted by other States, or how it would be implemented by them. There are questions still unanswered.

68. These are important issues from the point of view of the States directly concerned, and we for our part would wish to have absolute clarity on them before deciding what our attitude towards the proposal should be.

69. In short, we are not ready to take a position on it at this stage. Further examination and study, including consul-



tations, are required so far as we are concerned. Therefore, if the draft resolution is put to the vote today we shall not be able to support it.

70. Mr. SCALABRE (France) (*interpretation from French*): My delegation has already explained, in the course of the general debate on disarmament in this Committee [1838th meeting], the reasons for our reservations about the draft declaration of the Indian Ocean as a zone of peace before that draft declaration became the subject of a draft resolution. I should like to state that neither the text now before us, nor the amendments to it submitted by the sponsors on 2 and 8 December, contain anything likely to change our attitude. Our delegation will therefore abstain in the vote on draft resolution A/C.1/L.590/Rev.2 if it is put to the vote.

71. Mr. ONKELINX (Belgium) (*interpretation from French*): The proposal introduced to our Committee by the representative of Ceylon that the General Assembly should declare the Indian Ocean a zone of peace was a matter of indifference to none of our Governments; for any attempt to bring about regional disarmament, any attempt to organize security on a peaceful basis, could only be welcome to an Assembly like ours, and could only receive warm and careful consideration.

72. The draft resolution which was so convincingly and eloquently introduced by Ambassador Amerasinghe, tackles a field whose legal nature is essentially different from that of the proposals for regional denuclearization submitted in the past to this Committee. Debates on the denuclearization of Latin America and also of Africa have always been confined to the zone falling under the sovereignty of the States of the region. One need only look at articles 1 and 3 of the Treaty of Tlatelolco,<sup>1</sup> which perfectly delineates the scope of the prescribed prohibitions. The terms of draft resolution A/C.1/L.590/Rev.2, submitted by the delegation of Ceylon, are entirely different in nature, we believe. By their very scope they raise problems of international law, concerning, among other things, the law of the sea and the application of the conventions adopted on this subject at Geneva in 1958—problems which are far from being cleared up.

73. Before the Assembly can take up proposals of such scope, there is need for more consultation. First of all, the countries of the region concerned should continue consultations among themselves, since any attempt at regional disarmament naturally means reaching a common view among the States directly concerned, and we were struck by hearing in the debate reservations expressed by the delegations of countries that belong to the Indian Ocean zone itself.

74. Next, the legal implications of the Ceylonese proposal should, after agreement among the parties concerned, be submitted for consideration to the competent bodies of the United Nations; we are thinking here particularly of the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction.

75. Therefore, we cannot see how the General Assembly can unanimously support the formal declaration proposed

to it before such consultations and such consideration by the competent bodies are successfully completed. Such a declaration can in any case only be the culmination of those consultations, not a prelude to them.

76. Furthermore, at a time when our Organization is experiencing such difficulties in discharging its peace-keeping role in the frontier region between India and Pakistan, international opinion would find it difficult to understand how the Assembly could—and here I am repeating the language of the first paragraph of the Ceylonese proposal—solemnly declare “that the Indian Ocean . . . is hereby designated for all time as a zone of peace”.

77. For all these reasons, my delegation would have preferred the Assembly not to be asked to pass judgement so soon on a draft of this scope. The representative of Ceylon, as is his right, said that he was unable to accede to the appeal addressed to him by the delegation of Madagascar. In the circumstances, Belgium, despite the sympathy it feels for the generous remarks of the representative of Ceylon, will be obliged to abstain in the vote on draft resolution A/C.1/L.590/Rev.2.

78. Mr. GUERREIRO (Brazil): The Brazilian delegation views with the greatest sympathy the general motivation and purpose of the proposal put forward in document A/C.1/L.590/Rev.2, and I think we should praise the initiative of Ceylon and the intent and the aim that is being pursued by that initiative. It promotes the very constructive idea of oceans of peace where activities would be regulated for the common benefit of peace and security.

79. We consider, however, that riparian States should take preliminary and fundamental responsibility for establishing a particular and permanent status for the sea they confront. In view of the reservations and difficulties expressed here by several of the States from the region, however, my delegation will abstain today, while at the same time entertaining the firm hope that the General Assembly will be able in the future to welcome progress made in negotiations among the States of the region.

80. Mr. ROUAMBA (Upper Volta) (*interpretation from French*): My delegation understands and appreciates the praiseworthy efforts of the sponsors to establish a further landmark on the road to peace. However, this concept of a zone of peace particularly as applied to an ocean, is a new one to us, and prompts certain caution in our minds. Moreover, my delegation has not had time to give thorough consideration—not to the draft resolution, but to the broader implications of the subject. Not belonging to the group of non-aligned countries, and being far from the Indian Ocean, my delegation understands the limited nature of the consultations which resulted in this text. It seems to me, therefore, that there has been some haste in drafting this text; for a document of this kind should have been the subject of broader consultations to give it more weight and more vigour. It seems that certain stages were omitted, for reasons which we do not know.

81. In addition, my delegation thinks that the text as presented is both too ambitious and premature, especially in its objectives. The reservations expressed here by those

<sup>1</sup> Treaty for the Prohibition of Nuclear Weapons in Latin America (United Nations, *Treaty Series*, vol. 634 (1968), No. 9068).

most closely concerned seem indicative in this regard. Moreover the convictions expressed as to the practical possibility of implementing the text seem to us too uncertain. Then there are various complex details which seem to us premature when complex problems concerning the law of the sea are still under discussion in the sea-bed Committee. It is over-ambitious and also premature in its implications. Various problems seem poorly defined and we do not see practical reasons why these definitions have been skimmed. For example, there is as yet no solution to the thorny problem of the limits of the Indian Ocean zone, to which this draft resolution refers. Neither has it been possible so far to arrive at an exact definition of the limits of the territorial waters. Nor has it been possible for us to be told how the control and verification is to be effected when it concerns both air space and subjacent waters in a world criss-crossed by high altitude satellites, or hard-to-detect submarines. Nor could we be told specifically why this draft resolution mentions no earlier resolutions except that of Lusaka. This reference seems to us inappropriate because we cannot see the reasons for it. Lastly, the text seems to us over-ambitious and premature in its practical scope, and its practical value seems to us, therefore, limited. Our conviction is based on present developments in the international situation as we see them.

82. Despite our sympathy for this draft resolution, therefore, our delegation, for the reasons indicated, will be obliged, if the text is put to a vote, to abstain.

83. The CHAIRMAN (*interpretation from French*): Since there are no other representatives who wish to explain their vote before the vote, we shall proceed to the vote on draft resolution A/C.1/L.590/Rev.2.

84. A roll-call vote has been requested for the draft resolution as a whole. A separate vote has been requested on operative paragraph 1, and also on operative paragraphs 2 and 3, taken together. If I hear no objections to the separate vote on operative paragraph 1, we shall vote on that paragraph.

85. I call on the representative of Thailand, on a point of order in connexion with the voting.

86. Mr. PANYARACHUN (Thailand): Mr. Chairman, I should just like some clarification in regard to the voting. You announced that one delegation had asked for a separate vote on operative paragraph 1. My question is whether it is to be a separate vote on the whole of that paragraph or only on a certain clause. I thought it was to be a separate vote just for the clause "together with the air space above and the ocean floor subjacent thereto".

87. The CHAIRMAN (*interpretation from French*): The delegation of the Philippines has requested a separate vote on operative paragraph 1 as a whole. I therefore put to the vote operative paragraph 1 of the draft resolution.

*The paragraph was adopted by 47 votes to none, with 46 abstentions.*

88. At the request of the delegation of Madagascar, we now proceed to a separate vote on operative paragraphs 2

and 3, taken together. A roll-call vote has been requested for these two operative paragraphs.

*A vote was taken by roll-call.*

*Zambia, having been drawn by lot by the Chairman, was called upon to vote first.*

*In favour:* Zambia, Afghanistan, Algeria, Bhutan, Burma, Burundi, Ceylon, China, Colombia, Congo, Cyprus, Egypt, El Salvador, Ethiopia, Ghana, Guinea, Guyana, Iceland, India, Iran, Iraq, Kenya, Kuwait, Lebanon, Libyan Arab Republic, Malta, Mexico, Nepal, Nicaragua, Nigeria, Pakistan, Qatar, Romania, Somalia, Sudan, Swaziland, Sweden, Trinidad and Tobago, Uganda, United Arab Emirates, United Republic of Tanzania, Yemen, Yugoslavia.

*Against:* None.

*Abstaining:* Zaire, Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, Chile, Cuba, Czechoslovakia, Denmark, Fiji, Finland, France, Greece, Honduras, Hungary, Indonesia, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Khmer Republic, Liberia, Madagascar, Malawi, Malaysia, Mongolia, Netherlands, New Zealand, Norway, Peru, Philippines, Poland, Portugal, Rwanda, Senegal, Singapore, South Africa, Spain, Thailand, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Venezuela.

*Operative paragraphs 2 and 3 were adopted by 43 votes to none, with 55 abstentions.*

89. We shall now vote on the draft resolution as a whole.

*A vote was taken by roll-call.*

*Rwanda, having been drawn by lot by the Chairman, was called upon to vote first.*

*In favour:* Somalia, Sudan, Swaziland, Sweden, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Yemen, Yugoslavia, Zambia, Afghanistan, Algeria, Bhutan, Burma, Burundi, Cameroon, Ceylon, China, Colombia, Congo, Cyprus, Egypt, El Salvador, Ethiopia, Ghana, Guinea, Guyana, Iceland, India, Indonesia, Iran, Iraq, Japan, Kenya, Khmer Republic, Kuwait, Lebanon, Libyan Arab Republic, Malaysia, Malta, Mexico, Morocco, Nepal, Nicaragua, Nigeria, Pakistan, Qatar, Romania.

*Against:* None.

*Abstaining:* Rwanda, Senegal, Singapore, South Africa, Spain, Thailand, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Venezuela, Zaire, Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Canada, Central African Republic, Chile, Cuba, Czechoslovakia, Denmark, Fiji, Finland, France, Greece, Honduras, Hungary, Ireland, Israel, Italy, Ivory



Coast, Jamaica, Liberia, Madagascar, Malawi, Mongolia, Netherlands, New Zealand, Norway, Peru, Philippines, Poland, Portugal.

*The draft resolution as a whole was adopted by 50 votes to none, with 49 abstentions.*

90. The Committee will now hear explanations of vote after the vote.

91. Mr. TANAKA (Japan): The Japanese delegation voted in favour of draft resolution A/C.1/L.590/Rev.2, which has just been adopted by this Committee. Our attitude in the voting was motivated by our sympathy with the aspirations of the States in the region to maintain and strengthen peace there. As I pointed out in my statement on the subject made at the 1841st meeting, however, the present declaration will definitely need further elaboration and careful pondering when efforts are made to translate it into concrete form through considerations to be effected among the countries concerned.

92. Mr. JAYAKUMAR (Singapore): Since the delegation of Singapore did not participate in the debate on this item, my delegation would like to take this opportunity of making a brief statement in explanation of our abstention on the draft resolution.

93. My delegation wishes to make it clear that our abstention does not mean that my delegation does not support the concept of the zone of peace with respect to the Indian Ocean. We have indeed given our whole-hearted support to the principle that the Indian Ocean should be free from great-Power rivalry and it should be an area from which great-Power competition would be excluded. In this spirit we were among the many non-aligned countries which subscribed to resolution 12, adopted in 1970 at the Conference of Heads of State or Government of Non-Aligned Countries held at Lusaka, which reiterated this principle. Accordingly, we appreciate the initiative of the delegation of Ceylon in bringing this matter to the United Nations in order to give concrete manifestation to this important objective.

94. The sponsors of the draft resolution should also be applauded for their efforts in arranging extensive informal consultations during which my delegation, amongst others, had an opportunity to present its views. My delegation, however, is of the view that any United Nations resolution or declaration on this matter at this stage should leave the details and specific elaborations of the concept of the zone of peace to be determined by consultations amongst the States concerned, especially the States in or near the region.

95. In this connexion, we note that the draft resolution not only calls for consultations among the various States, including the littoral and hinterland States of the Indian Ocean, but also seeks to enumerate various specific matters. In the opinion of my delegation, it is important that the States engaged in the consultations should themselves decide the matters which require clarification and elaboration, including the priorities among such matters. In a sense, therefore, the draft resolution gives the impression of prejudging the outcome of the consultations which are envisaged. My delegation is of the view that at this session

the General Assembly should have been called upon only to adopt a declaration which would have been short, which would have recognized the concept of the zone of peace and which would have left all further amplifications for subsequent consultations.

96. My delegation also notes that the area of the Indian Ocean to be designated as a zone of peace is undetermined. On such an important matter it is imperative that no doubt should be left whether the concept is applicable to areas within the national jurisdiction of States in the region.

97. Further, even with regard to the details and to the specific matters enumerated, the draft resolution does not take due account of the legitimate defence and security interests and arrangements of States in the region, such as the five-Power defence arrangements between Malaysia, Singapore, the United Kingdom, Australia and New Zealand, which were not conceived in the context of great-Power rivalries and which are not offensive in character.

98. In other words, the delegation of Singapore is not in disagreement with the principles of the Indian Ocean as a zone of peace. We have reservations, however, with respect to the approach reflected in the draft resolution. In view of these considerations, my delegation abstained from voting.

99. Mr. YANGO (Philippines): My delegation shares the sentiments expressed by speakers yesterday and today concerning the Under-Secretary-General of the United Nations, Dr. Ralph Bunche, whose demise is an irreparable loss to the international community as a whole. The Permanent Representative of the Philippines to the United Nations has communicated his condolences and sympathy to the family of Dr. Bunche and to Secretary-General U Thant.

100. My delegation commends the initiative of Ceylon in proposing that the Indian Ocean be declared by the General Assembly as a zone of peace. We welcome that proposal in principle as one that derives from the same inspiration which prompted the action taken by the Association of South-East Asian nations, of which the Philippines is a member, in declaring South-East Asia a zone of peace, freedom and neutrality. We therefore support the declaration of the Indian Ocean as a zone of peace.

101. However, my delegation doubts the efficacy of the procedure of consultations as embodied in operative paragraphs 2 and 3 of the draft resolution. In this respect, the view of my delegation coincides with that presented by Indonesia and Madagascar before this Committee in the general debate. This morning we heard views in a similar vein from the representatives of Australia, the United Kingdom, Malaysia and Thailand. My delegation is definitely in favour of such consultations, but it believes that their nature, scope and content should not be prejudged at this stage. We would prefer a simple declaration in general terms, because we believe that countries concerned, and even Member States not quite as close to the Indian Ocean, will need time to study and consider the implications of the declaration.

102. In the light of those considerations, my delegation abstained from voting on operative paragraphs 2 and 3 of

the draft resolution and therefore had to abstain also from voting on the resolution as a whole.

103. Mr. TURMEN (Turkey): At this critical moment of history when the territorial integrity of one of the States in the Indian Ocean is endangered, no other region of the world is in as urgent need of peace as the Indian Ocean. It is with this view that we support in principle the statement in operative paragraph 1 of the draft resolution that the Indian Ocean should be designated a zone of peace. On the other hand, we appreciate fully the efforts made by the delegation of Ceylon and other sponsors of the draft resolution to narrow the differences among the Indian Ocean States as well as among other Members of this Assembly.

104. However, my delegation is of the opinion that the proposal contained in the draft resolution primarily involves the interests of the littoral and hinterland States of the Indian Ocean, and that without a consensus among those States the proposal would lack the necessary basis for further consultations for the implementation of the provisions of the draft resolution. The debate on this agenda item and the votes cast indicate that the Indian Ocean States have divergent views on the modalities of the proposal as well as on its principle. This leads my delegation to believe that further consultations are necessary among the Indian Ocean States to reach a common understanding on every aspect of this proposal.

105. We further believe that on such a delicate question the Member States of the United Nations that are outside the Indian Ocean area should not bear the responsibility of imposing on the Indian Ocean States what should be done to maintain peace and security in that region, a matter which is so closely intertwined with their own national security, but rather that the General Assembly should endorse a prior agreement reached by the Indian Ocean States.

106. It is with those views in mind that my delegation abstained from voting on operative paragraphs 2 and 3 of the draft resolution and on the draft resolution as a whole.

107. Mr. SILVA (Portugal): The representative of Portugal, in his capacity as Chairman of the group of Western European and other States for this month, expressed his sincere sympathy in the General Assembly yesterday concerning the death of the late Dr. Ralph Bunche. I should like to pay my tribute to an outstanding citizen of the United States of America for his work in the United Nations and to convey my deep sympathy to the family of the deceased and to the delegation of the United States.

108. My delegation abstained from voting on the draft resolution because some provisions contained in that draft, concerning the declaration of the Indian Ocean as a zone of peace, cannot be accepted by my delegation. My country is directly interested in that proposed zone of peace, as Mozambique lies in the littoral of the Indian Ocean. It seems to my delegation that the proposal of Ceylon and other countries on this very important issue deserved more careful study before a firm step was taken on the matter.

109. The CHAIRMAN (*interpretation from French*): I call on the representative of India to speak in exercise of his right of reply.

110. Mr. BANERJEE (India): My delegation was a sponsor of the draft resolution which has just been adopted by the Committee. I should like to extend my hearty thanks to the Chinese delegation for voting in favour of the draft resolution. My delegation will look forward to holding consultations and negotiations as mentioned in operative paragraph 3, with the various parties, including China, to achieve the objectives that would eventually result in the Indian Ocean being constituted into a zone of peace.

111. As for the statement made that the present situation in the Indian subcontinent has a bearing on the adoption of this resolution, my delegation cannot share that view or argument. Action by the international community on a matter such as this cannot await the solution of all the immediate problems in the area. It would not be a good precedent if international action on such an important subject as this—and all the delegations agree—were shelved on the ground that political solutions had not been found to encourage and to integrate inter-State relations in this area.

112. During its explanation of vote, the Chinese delegation made false and baseless allegations that India had committed aggression against Pakistan. If this reference is to the military action now taking place in Bangladesh, the current position and the true picture are that the Indian army, at the invitation of the Government of the People's Republic of Bangladesh, is engaged in action jointly with the liberation force of Bangladesh against the Pakistan army.

113. As for the action on the western border, the fact is that the Pakistan air force attacked several cities deep in Indian territory, far away from the border. India had to take a positive defensive posture and take appropriate action to protect its territory and its people. I therefore reject the slanderous and malicious Chinese charges against my country. The insidious attempt to raise the present problem of our subcontinent before the First Committee, under the present resolution, was irregular and irrelevant. I pointed out to you, Mr. Chairman, on a point of order, that it should have been so declared.

114. Before I end my statement, may I express my regret, and perhaps bewilderment, in regard to the attitude of our Chinese colleagues. It was India which was the first country to canvas and plead for China taking its rightful place in the United Nations; it has been doing so since 1950. China certainly is a country of very old history and civilization, but present Chinese friends happen to have very short memories.

115. When China took its place here a few weeks ago, the Indian delegation welcomed it warmly in the United Nations, in every Committee of the United Nations, including the First Committee. But our Chinese friends continue to attack and slander India on every occasion. Their perverted pleasure in doing so is not going to cow India or deter India from the path of co-operation. I hope that the Chinese delegation, in due course, will grow in international decorum and maturity.

116. Mr. ROSCHIN (Union of Soviet Socialist Republics) (*translation from Russian*): In his statement, the representa-

tive of the People's Republic of China referred to a question which the First Committee is not considering at present: the conflict between India and Pakistan. We do not consider it necessary to deal with that question in detail here. The position of the Soviet Union on that problem was set out at a plenary meeting of the General Assembly. We shall limit ourselves in this statement today to quoting an extract from the speech made on 7 December 1971 by the General Secretary of the Central Committee of the Communist Party of the Soviet Union, Comrade L. I. Brezhnev, at the Sixth Congress of the Polish United Workers' Party, where the same question was raised:

"Like all supporters of peace and freedom for all peoples, we learnt with great sorrow of the military conflict which arose recently between two neighbouring States in Asia, and of the events which gave rise to the conflict—the bloody suppression of the basic rights and the clearly expressed will of the population of East Pakistan and the tragedy of 10 million refugees. The Soviet Union firmly advocates an end to the bloodshed, a peaceful political settlement of the most important problems, taking into account the lawful rights of the peoples, without any interference by external forces, and the establishment of conditions of stable and just peace in that area."

117. The action by the delegation of the People's Republic of China in raising the question of the India-Pakistan conflict here in the First Committee today is basically designed to obstruct constructive and serious consideration of the concrete questions which are being examined by the Committee at the moment. This move by the delegation of the People's Republic of China bears no relation to the task which faces the Assembly, and which has been entrusted to the First Committee—the important and urgent task of putting an end to the arms race and achieving disarmament and thus strengthening universal peace and security.

118. The First Committee was considering urgent and important questions to which States and peoples attach great importance—and, of course, that consideration will come to an end today. Those questions include the prohibition of chemical, bacteriological and other weapons of mass destruction, the prohibition of underground tests, general and complete disarmament, and so on.

119. As is well known, consideration of those questions both within and outside the United Nations has led in recent years to the conclusion of important and highly necessary agreements, which show that with good will it is possible to obtain practical results in this complicated and important area of international activity. The position of the Soviet Union on the questions now being considered in the First Committee is well known. As the result of active participation in negotiations and of efforts by the Soviet Union and other socialist countries, an understanding has been reached and agreements have been concluded on a number of questions involving the banning of nuclear tests in the atmosphere, in outer space and under water, the non-proliferation of nuclear weapons, the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor, and so on. Finally, at this session the First Committee has unanimously approved a draft convention on the prohibition of bacteriological and toxin weapons.

120. The Soviet Union has also introduced highly important proposals on other questions related to disarmament, including prohibition of the use of nuclear weapons, prohibition of the establishment of military bases on foreign territory, prohibition of flights by bomber aircraft carrying nuclear weapons, limitation of the operational zones for missile-carrying submarines and, finally, general and complete disarmament. The Soviet Union has fought and is continuing to fight for the implementation of these measures.

121. One cannot but note that the delegation of the People's Republic of China is not displaying any readiness to co-operate in implementing the steps on which agreement has already been reached among a large number of States. In the First Committee, the delegation of the People's Republic of China shows no readiness to adopt a constructive approach and co-operate in the consideration of problems which are of concern to the peoples of the world and to world public opinion as a whole. It cannot but be noted that the delegation of the People's Republic of China voted against the resolutions and proposals which were directed towards putting an end to all nuclear tests, and took no part in the consideration of other disarmament problems. At the same time, that delegation is introducing in the Committee questions which are not being considered by the Committee.

122. That position can be interpreted only as a lack of interest in solving disarmament problems and as an attempt to hinder the solution of problems being considered in the Committee at the moment.

123. Our position on the question which has just been put to a vote in the form of the draft resolution declaring the Indian Ocean a zone of peace was set out in our statement at the 1841st meeting. I should merely like to state a few basic considerations once again. The Soviet Union views the idea of establishing a zone of peace in the Indian Ocean with great understanding. We should like that idea to be realized in such a form as to relate as closely as possible to the task of strengthening peace and security generally and in the Indian Ocean area. The Soviet delegation expressed sympathy towards the idea of declaring the Indian Ocean a zone of peace and at the same time noted, as did a number of other States, that the establishment of such a zone should include provision for genuine steps to limit the arms race in that area of the world and should be effected in full accordance with generally accepted norms of international law.

124. The Soviet delegation has stated that it considers that the proposal made by Ceylon to declare the Indian Ocean a zone of peace should be thoroughly studied, and should be agreed upon by the various interested parties, before the General Assembly takes a decision on the matter.

125. The CHAIRMAN (*interpretation from French*): I call on the representative of China in exercise of the right of reply.

126. Mr. AN (China) (*translation from Chinese*): I should like to ask the representatives of the Soviet Union and India a few questions, in exercise of my right of reply.

127. First, I should like to say that we are discussing today the proposal of the declaration of the Indian Ocean as a zone of peace. In our discussion of this proposal we cannot disregard the situations in the Indo-Pakistan sub-continent and the Indian Ocean. The situation in the Indo-Pakistan subcontinent, as is known to all, is that India is launching large-scale armed aggression against Pakistan. My delegation has pointed out the seriousness of this question during the general debate on this question. It is very pertinent to the question under discussion, because if we do not see the situation before us then we will be irresponsible towards the people of the Indian Ocean and towards the people of the world. That is why we drew your attention to this question today, because it is entirely relevant to the subject under discussion. That is my first point.

128. My second point is this. The present situation on the Indo-Pakistan subcontinent is well known to all. A few days ago we discussed this in the Security Council and also in the General Assembly, and 104 countries voted for the resolution in the General Assembly. Many representatives in the Security Council as well as in the General Assembly solemnly pointed out the aggression of India against Pakistan. They all demanded the cessation of such acts of aggression and the withdrawal of aggressive forces. These are the voices heard by all recently in the debates in the United Nations. This is known by all. This is irrefutable. A country sends its troops into another country to commit aggression. What else could it be but aggression? A country engages in secessionist movement, disrupts and interferes in the internal affairs of another country. Is this not the most flagrant act of aggression and violation of the Charter of the United Nations? Such action should be condemned by the people of the whole world. This is undeniable. This is my second point.

129. My third point: with regard to China's position on nuclear weapons and disarmament, the Chairman of my delegation has made it amply clear more than once before the plenary Assembly and we have also stated our position here in this Committee. That is, we are in favour of the complete prohibition and thorough destruction of all nuclear weapons. We in China have made numerous solemn declarations that in no circumstances and at no time would we be the first to use nuclear weapons. Our purpose in possessing nuclear weapons is for self-defence and to oppose control, manipulation and nuclear blackmail by the nuclear super-Powers.

130. We are of the opinion that the Soviet Union and the United States—the two super-Powers—should first announce before the whole world that they too would undertake the same obligation. This is our most important task at present in the field of disarmament as well as in the prohibition of nuclear weapons. The Chinese delegation takes an active part in the work of the First Committee, but our position and our views cannot be changed. Any smear or slander against China in this respect will be futile.

131. Such is also the case with regard to the question of nuclear tests. I made our position quite clear in our last statement. The irrational accusations against us by the representatives of the Soviet Union and India today are entirely groundless. I totally reject such accusations.

132. The CHAIRMAN (*interpretation from French*): I call on the representative of Pakistan in exercise of the right of reply.

133. Mr. HYDER (Pakistan): Permit me to begin by expressing, on behalf of the Government and the delegation of Pakistan, our deepest condolences on the sad occasion of the death of Dr. Bunche, whose dedication and contribution, in the service of the United Nations, to the cause of peace are acknowledged by all.

134. I should also like to say that we regret our inability to attend the morning meeting. We should like the record to indicate our support for the draft resolutions in documents A/C.1/L.594, 587 and 593.

135. The delegation of Pakistan voted in favour of the draft resolution on the declaration of the Indian Ocean as a zone of peace because we believe in the principal aim of this draft as expressed in its first preambular paragraph and given positive force in the operative paragraph 3.

136. During the debate the question has been raised of the relevance of mentioning the present situation on the subcontinent and, indeed, in the Indian Ocean. My delegation feels that the importance of that situation to this particular item lies in the interpretation given here by one of the sponsors—the Government of India—to the aims and objectives of this draft resolution.

137. My delegation cannot be accused of having a very short memory. Within the last few days a spokesman of the Defence Department of the Government of India has announced that the Indian navy is bombarding 470 miles of the Pakistani coastline—an indiscriminate bombardment. A number of ships of countries other than our own have been attacked. Crew members have died; others have been injured. A blockade is being applied to the coast of Pakistan. Surely this is not the interpretation given by all the sponsors to paragraph 3 (b), which calls for the "unimpeded use of the zone by the vessels of all nations"; nor, indeed, does it tally with paragraph 3 (a), which calls for action necessary to ensure that:

"Warships and military aircraft may not use the Indian Ocean for any threat or use of force against the sovereignty, territorial integrity and independence of any littoral or hinterland State of the Indian Ocean in contravention of the purposes and principles of the Charter of the United Nations".

138. I will not, however, go into the fact of aggression—a fact that has been so well proved—a fact admitted by the Government of India and reflected in the recent overwhelming vote in the General Assembly.

139. The representative of the Soviet Union has, indeed, also touched on this situation. I would remind him that, as the leader of my delegation has stated in another forum currently seized with all the implications of the situation, the so-called treaty of friendship—in effect, military alliance—recently concluded between the USSR and India has indeed been one of the causative factors in this extremely unfortunate current situation of aggression on the sub-continent.

140. Mr. JAIN (India): I shall be very brief, Mr. Chairman, because I know that under your leadership the Committee has achieved a great deal of work today, and it is now almost 6 o'clock.

141. I should like first to tell my Chinese colleague that we are accustomed to hearing this pitch for peace from China, and we look forward to a little practising of that profession. I reject all the allegations he made against my country—the distortion of facts—and I would assure him that my delegation will reply in detail whenever the Chinese delegation raises this bogey.

142. As far as my Pakistani colleague is concerned, it is nice to have heard him say that this resolution should be brought to the attention of the Government of India. The Government of India is one of its sponsors. The Government of India has shared in its spirit not just today but in many forums. He mentioned that India attacked Pakistan, that the Indian navy blockaded and entered the Indian Ocean, particularly the East Pakistan area. But who sent 10 million people across our border? Do they exist, or do they not? Who started infiltration and subversion in our territory? Are they facts or not? One cannot close one's eyes and run away from facts.

143. I do not want to waste this Committee's time because the subject has been discussed in many forums and, as I have said, it is not the issue before us and this is not the relevant forum.

144. I reserve my delegation's right to speak again if there is further distortion, allegation or malicious propaganda against India or my delegation.

145. Mr. HYDER (Pakistan): I regret having to speak again on this occasion. I would bring to the attention of the representative of India the fact that I am indeed aware of the Indian delegation's sponsorship of the draft resolution before us. Indeed, I find it somewhat incongruous, though not at all surprising. I am also aware that the delegation of India indeed played a very distinguished role in the Committee which formulated the Declaration of Principles of International Law concerning Friendly Relations Among States in accordance with the Charter of the United Nations. I may also remind the representative of India that according to the first preambular paragraph the sponsors are determined to resolve their political, economic and social problems under conditions of peace and tranquillity. I would have thought that was a sufficient answer on the question of the refugees. Responsibility for those refugees and their right to return has always been acknowledged by my Government, and indeed we maintain that position.

146. The representative of India also mentioned the question of infiltration. I had not, in fact, mentioned this question, but I am aware, as indeed the international community is aware, of the infiltration that India has been committing—of subversion leading to aggression—for the last nine months.

#### AGENDA ITEM 35 (*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/8421, A/C.1/L.586/Rev.1 and 598)**

#### GENERAL DEBATE (*continued*)

147. Mr. ANDERSEN (Iceland): I should like to make a few comments on the progress report on the United Nations conference on the law of the sea, which is now before us in 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].

148. The Chairman of the Committee, Ambassador Amerasinghe, and the Rapporteur, Mr. Vella, have already summarized the report and given a fair interpretation of it [1843rd meeting]. I should like to take this opportunity to thank them on behalf of my delegation for their extremely valuable work, for which we are indebted to them.

149. In his statement, Ambassador Amerasinghe expressed the wish that in view of the limited time available it would be most important to hear the views of those Member States which were not represented on the sea-bed Committee, rather than to renew the Geneva debate here. My delegation is in full agreement with that view. It would indeed be very helpful to the work of the Committee if we could have the views of the countries that are not members of the Committee, and my delegation hopes that they will take this opportunity to indicate their substantive views on the most important issues. This would greatly facilitate progress in next year's work. Keeping this in mind my delegation will gladly comply with the wish of Ambassador Amerasinghe and exercise a certain degree of self-restraint.

150. Let me in that spirit make a few general observations. At the same time, I wish to recall that the Foreign Minister of Iceland, during the general debate at the 1945th plenary meeting outlined the views of the Government of Iceland in this field, and our views are also on record in the documents of the sea-bed Committee for the meeting in March and July to August in Geneva.

151. As we all know, the United Nations conference on the law of the sea is scheduled for 1973. Of the two years envisaged for the preparatory work, one has already passed. It is therefore of the utmost importance that next year be used to speed up the work of the Committee so that it will be able to report sufficient progress to the next General Assembly for the convening of the conference in 1973. The progress for this year may seem to indicate that so much is left to be done that it would be a hopeless task to complete it, since, as I said, half of the preparatory period has already been used up.

\* Resumed from the 1844th meeting.

152. My delegation does not feel that way. We feel that it was only natural that it should have taken considerable time to get the Committee started on its preparatory work, and we also feel very strongly that much progress has already been made in substance, in addition to the fact that the Committee has available to it a wealth of material that has been accumulated in many different ways. All this will help to shape the forces that go into making the progressive development of international law.

153. In the Committee great work has in effect already been done in all three fields of the Sub-Committees' work.

154. In Sub-Committee I we are building on many years of work dealing with the international régime of the sea-bed area and the necessary machinery.

155. In Sub-Committee II it should now be possible to establish a list of subjects—which is bound to be more or less tentative, anyway, until the conference itself is convened. Also much substantive progress has been made towards the recognition of coastal fisheries as forming a part of the natural resources of the coastal State up to a reasonable distance in view of the relevant local considerations. That, in our opinion, is a tremendous achievement and an essential factor in the modernization of the international law of the sea.

156. Indeed the task of the forthcoming conference on the law of the sea is the progressive development of international law, not the codification of obsolete theories or petrified postulates from the more or less distant past. What is now called for is a fresh look at all the problems involved, on a realistic, pragmatic basis and taking into account the emergence of a great number of States with legitimate interests and policies that were not taken into account in the past. This matter of coastal jurisdiction over fisheries is vitally important to many coastal nations, and the Committee will have to face that fact and deal with it in realistic terms. It will, of course, take a lot of time and patience to solve this matter, but above all it will take a spirit of co-operation and understanding on the part of those States which still cling to their claims to exploit the natural resources of other nations.

157. In Sub-Committee III, also, some progress has been made in matters concerning pollution and scientific research. My delegation would in this connexion draw attention to the valuable progress that has taken place in the pollution field after the meetings in Geneva, namely the Conference in Oslo in October and the meeting of the Intergovernmental Working Group on Marine Pollution in Ottawa in November of this year. In our opinion, the reports of those two meetings should be circulated by the secretariat of the sea-bed Committee as soon as possible.

158. One question to which that Committee might wish to give some attention early next year is the question of approach to the problems of ocean space and of the methods that would be most conducive to facilitating progress on all fronts. In resolution 2750 C (XXV), the General Assembly expressed its consciousness that the problems of ocean space were closely interrelated and needed to be considered as a whole. Ambassador Amerasinghe, in his address to this Committee, referred to this

unity and interrelationship between the problems of ocean space as a fundamental principle which was accepted by the majority of the sea-bed Committee. Yet the Committee itself has not so far decided on an approach which would take into consideration this unity and interrelationship. It is felt that this unity and interrelationship could be significantly enhanced if the Committee were to decide on a comprehensive approach to the problems before it.

159. Having made these brief comments, I want to say that my delegation is confident that with hard work in 1972 the Committee will be able to submit a report to the next General Assembly which will enable the Assembly to convene the conference on the law of the sea in 1973, as scheduled. In our opinion, the mandate of that Committee should remain unchanged, but provision should be made for the participation of the People's Republic of China in its work.

160. For the successful completion of its task the Committee must have adequate facilities and sufficient time for its work in 1972. My delegation considers that an absolute minimum of two sessions of five weeks each is required and, in our opinion, the Committee should meet in Geneva on both occasions, as is envisaged in the draft resolution which my delegation has the honour of sponsoring [*A/C.1/L.536/Rev.1*].

161. Mr. ROTKIRCH (Finland): It is remarkable how the political, economic and technical realities of today have made not only the exploration and exploitation of the sea-bed but also the established régimes of the sea and the marine environment as a whole subject to growing interest and concern by all States, whether coastal or land-locked. This concern is being expressed by the United Nations in several ways. The 1970s has been declared an International Decade of Ocean Exploration. The United Nations Conference on the Human Environment, to be held at Stockholm next summer, is being actively prepared. Questions regarding the marine environment will play an important role at that Conference. And, finally, the United Nations has undertaken the ambitious task of preparing a conference on the law of the sea, to be convened in 1973.

162. The Government of Finland has followed the deliberations in the sea-bed Committee with keen interest and has attended its sessions since 1969 as an observer. Finland has also followed closely the progress made in the field of international oceanography, as indicated mainly by the work of UNESCO's Inter-Governmental Oceanographic Commission.

163. 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)*], unanimously adopted by the General Assembly last year, laid down guidelines for the solution of the complex problems relating to the exploration and exploitation of the sea-bed. A most remarkable achievement was the unanimous introduction of a new and indeed unique principle into international law—the principle of the equitable sharing by all States of the benefits to be derived from the sea-bed, the ocean floor, and the subsoil thereof, or in other words, the principle that the area in question is the common heritage of mankind.



164. The enlarged sea-bed Committee has now—after some difficulties in organizing its work—made a good start. The last session in July-August at Geneva clarified the outstanding issues, and the various viewpoints on different questions are now on record. However, when the Committee at its next session gets down to discussing the specific issues in detail, a lot of goodwill, ingenuity and hard work will be needed if real progress is to be made. This last session demonstrated how complex the problems are, as well as how many different viewpoints exist on the various issues. If it turns out that compromise solutions are not possible, then the Committee ought to present alternative articles.

165. In resolution 2750 C (XXV) the General Assembly decided to review at its twenty-sixth and twenty-seventh sessions the reports of the sea-bed Committee with a view to determining the precise agenda of the conference on the law of the sea, its definitive date, location and duration and related arrangements. It is obviously too early to discuss these questions at the present session of the General

Assembly, since the agenda for the conference is still being prepared in the sea-bed Committee.

166. The need to convene a conference is urgent. The unresolved political and economic problems affect the whole of mankind; but it is equally important that the conference should be well prepared. If the outcome of the conference is not widely accepted by the international community, the present situation might deteriorate even further.

167. The Government of Finland will continue to follow closely the preparations for the conference on the law of the sea and take part in the work of the sea-bed Committee. It is to be hoped that the Committee will make rapid progress in its work so that a well-prepared law of the sea conference may be held in 1973.

*The meeting rose at 5.55 p.m.*