

Haiti, Hungary, India, Indonesia, Iran, Iraq, Ireland, Israel, Jordan, Kenya, Khmer Republic, Kuwait, Laos, Lesotho, Libyan Arab Republic, Madagascar, Malawi, Malaysia, Mali, Mauritania, Mexico, Mongolia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Paraguay, Philippines, Poland, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Thailand, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, United States of America, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire, Zambia.

*Against:* None.

*Abstaining:* Austria, Barbados, Canada, Congo, Dahomey, Denmark, Finland, France, Germany (Federal Republic of), Ghana, Italy, Ivory Coast, Japan, Morocco, Netherlands, New Zealand, Norway, Portugal, South Africa, Spain, Sweden, Togo, United Kingdom of Great Britain and Northern Ireland.

*Paragraph 2 was adopted by 91 votes to none, with 23 abstentions.*

*At the request of the representative of the Ivory Coast, a recorded vote was taken on paragraph 3.*

*In favour:* Afghanistan, Algeria, Argentina, Australia, Austria, Bahrain, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Chad, Chile, China, Colombia, Costa Rica, Czechoslovakia, Democratic Yemen, Dominican Republic, Ecuador, Egypt, Fiji, Gabon, German Democratic Republic, Ghana, Guatemala, Guinea, Guyana, Haiti, Hungary, India, Indonesia, Iran, Iraq, Ireland, Israel, Jamaica, Jordan, Kenya, Khmer Republic, Kuwait, Laos, Lesotho, Libyan Arab Republic, Madagascar, Malawi, Malaysia, Mali, Mauritania, Mexico, Mongolia, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Paraguay, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Thailand, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, United

States of America, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire, Zambia.

*Against:* None.

*Abstaining:* Barbados, Canada, Congo, Dahomey, Denmark, Ethiopia, Finland, France, Germany (Federal Republic of), Italy, Ivory Coast, Japan, Morocco, Netherlands, Pakistan, Sweden, Togo, United Kingdom of Great Britain and Northern Ireland.

*Paragraph 3 was adopted by 98 votes to none, with 18 abstentions.*

*At the request of the representative of Pakistan, a recorded vote was taken on the draft resolution as a whole.*

*In favour:* Afghanistan, Algeria, Argentina, Australia, Austria, Bahrain, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Chad, Chile, China, Colombia, Costa Rica, Czechoslovakia, Democratic Yemen, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, German Democratic Republic, Ghana, Guatemala, Guinea, Guyana, Haiti, Hungary, India, Indonesia, Iran, Iraq, Ireland, Israel, Jamaica, Japan, Jordan, Kenya, Khmer Republic, Kuwait, Laos, Lesotho, Libyan Arab Republic, Madagascar, Malawi, Malaysia, Mali, Mauritania, Mexico, Mongolia, Morocco, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Thailand, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, United States of America, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia, Zaire, Zambia.

*Against:* None.

*Abstaining:* Barbados, Canada, Congo, Dahomey, Denmark, Finland, France, Gabon, Germany (Federal Republic of), Italy, Ivory Coast, Netherlands, Pakistan, Sweden, Togo, United Kingdom of Great Britain and Northern Ireland.

*The draft resolution as a whole was adopted by 101 votes to none, with 16 abstentions.*

*The meeting rose at 7.40 p.m.*

## 1573rd meeting

Friday, 30 November 1973, at 10.45 a.m.

Chairman: Mr. Zewde GABRE-SELLASSIE (Ethiopia).

A/C.2/SR.1573

### AGENDA ITEM 12

Report of the Economic and Social Council [chapters II to IV, V (sections A, C and D), VI to XX, XXI (section B), XXV and XXVII to XXIX] (*continued*) (A/9003 and Corr.1, A/C.2/285)

### SPECIAL MEASURES RELATED TO THE PARTICULAR NEEDS OF THE LAND-LOCKED DEVELOPING COUNTRIES (*concluded*)

1. Mr. ARVESEN (Norway), explaining his vote on draft resolution A/C.2/L.1310/Rev.2, as orally revised

and amended, said that, as his delegation had noted in the discussion of UNCTAD resolution 63 (III), it was not convinced that the best way to assist the land-locked developing countries was to establish a special fund for their benefit. Accordingly, his delegation had abstained from voting on paragraph 2 of the draft resolution adopted at the preceding meeting.

2. Concrete measures should be taken to deal with the special problems of those countries. Accordingly, the fact that a developing country was land-locked should be included by the Governing Council of UNDP among the supplementary criteria to govern the redistribution of UNDP resources during the next development cycle. That would respond to the claim of those countries for special treatment, particularly the five land-locked countries which were not classified as being among the least developed countries. In the light of those considerations, his delegation had voted in favour of the draft resolution as a whole.

3. Mr. PETRONE (Italy) said that his delegation had been obliged to abstain from voting on the draft resolution for the same reason that it had abstained on Economic and Social Council resolution 1755 (LIV), namely, because it could not endorse any initiative for the establishment of special funds such as that mentioned in paragraph 2. His delegation fully sympathized with the land-locked countries and was prepared to give the most favourable consideration to their situation, which could be dealt with in more appropriate ways than through the establishment of a special fund.

4. Mr. SMIRNOV (Union of Soviet Socialist Republics) said that his delegation had been prepared at the preceding meeting to adopt the draft resolution without a vote. It had voted in favour of the draft resolution in the belief that it related essentially to the question of the preparation of a study on the establishment of a fund in favour of land-locked countries. His delegation regretted that in practice the Committee had discussed a different, juridical matter which more appropriately should be discussed in other bodies, such as the International Law Commission and the Sixth Committee. His delegation would agree to the establishment of a special fund in favour of land-locked countries, on the clear understanding that it would be financed exclusively on a voluntary basis.

*Mr. Arvesen (Norway) took the Chair.*

5. Mr. MÜEZZİNOĞLU (Turkey) said that his delegation had voted in favour of the draft resolution. In view of the need for the co-ordination and most effective utilization of the resources available within the United Nations system for development assistance, the establishment of special funds was not the appropriate means to increase those resources or to obtain optimum benefit from them. However, special consideration should be given to the needs of the least developed among the developing countries. Since the land-locked countries were among those requiring the special attention of the international community, his delegation had supported the preparation of a study on the feasibility of establishing a special fund, reserving its final position pending the outcome of that study. The provisions of the draft resolution should not prejudice the deliberations at the Conference on the Law of the Sea on the right of access to and from the sea.

6. Mr. MOUSKY (United States of America) said that his delegation continued to be sympathetic to the needs of the land-locked developing countries, as was indicated by its affirmative vote on the draft resolution, and to the adoption of special measures to provide technical and/or financial assistance related to their particular needs. In view of the need for more information on those problems as a basis for determining the most feasible means of best dealing with them, his delegation had supported Economic and Social Council resolution 1755 (LIV), which recalled the terms of General Assembly resolution 2971 (XXVII), inviting the Council to study the desirability and feasibility of a special fund to subsidize the additional transport costs of land-locked developing countries and requested the Secretary-General to undertake a study to bring forth all possible alternatives that might result from his consultations. In supporting that resolution, his delegation had expressed its concern for the land-locked countries as well as its continuing opposition to the creation of additional special funds. The same reasoning had prompted its affirmative vote on draft resolution A/C.2/L.1310/Rev.2.

7. His delegation would have been unable to support the fourth preambular paragraph if a separate vote had been taken on it, since it had not participated in the Conference of Heads of State or Government of Non-Aligned Countries, held at Algiers (5-9 September 1973).

8. Miss COURSON (France) said that, although the international community should endeavour to assist land-locked countries, the establishment of a special fund was not the way to do so. For that reason her delegation had been unable to support paragraph 2 of the draft resolution, which prejudged the matter without providing for the preliminary studies that were necessary in order to determine precisely what were the difficulties faced by those countries and the most appropriate means to remedy them.

9. The land-locked countries should explore ways to solve their problems with the assistance of the regional economic commissions and should consult and co-ordinate policies with neighbouring transit States for their mutual benefit.

10. In the light of those considerations her delegation had abstained from voting on Economic and Social Council resolution 1755 (LIV) and on draft resolution A/C.2/L.1310/Rev.2.

11. Mr. HACHANI (Tunisia) said he regretted that it had not been possible to arrive at a text acceptable to land-locked countries and transit countries alike. Co-operation, freely agreed upon, between the two groups of countries was the best way to ensure freedom of access to the sea for the former while guaranteeing the sovereignty of the latter. The lack of agreement was also regrettable because African countries were involved, and on many issues, including the one in question, they had often been able to solve regional problems themselves.

12. A solution could be sought through bilateral, regional or subregional agreements, or through an international agreement the provisions of which should be discussed at the Conference on the Law of the Sea in 1974. His delegation had voted in favour of the Ivory Coast amendment because, while the latter did not

exclude the possibility of such agreements, it would have allowed land-locked countries access to the sea. His delegation had voted in favour of the draft resolution as a whole and had abstained in the separate votes on the operative paragraphs as an indication of its support for the principle that land-locked countries should be given all possible assistance, including the establishment of a special fund to meet additional transport costs.

13. It was unfortunate that certain paragraphs of the draft resolution went beyond the position taken on the question by the Algiers Conference. His delegation had abstained from voting on paragraph 1 because it considered that bilateral, subregional and regional arrangements should remain the basis for co-operation on the matter. The paragraph in no way prejudged the outcome of the Conference on the Law of the Sea. Lastly, his delegation had abstained on the amendments submitted by Dahomey because it had not had time to give them the consideration which their importance necessitated.

14. Mr. SPITERI (Malta) said that his delegation had been absent during the voting. If it had been present it would have voted in favour of the draft resolution, since it was in agreement with the general principles embodied in the text.

15. Mr. CURTIN (Australia) said that his delegation had supported paragraph 1 in so far as the reference to freedom of access related to principle I of the 1965 Convention on Transit Trade of Land-Locked States, and on the understanding that the various principles elaborated in that Convention were interrelated.

16. His delegation's affirmative vote on paragraph 2 in no way prejudged its attitude in the future on the results of the study on the desirability and feasibility of establishing a special fund for land-locked developing countries. Australia was prepared to consider any study with an open mind but was not convinced of the need for a special fund.

17. His delegation had supported the draft resolution as a whole as a reflection of Australia's general sympathy for the problems facing land-locked countries.

18. Mr. WRIGSTAD (Sweden) said that his delegation would have voted in favour of the draft resolution had there been general agreement on the text. However, since views differed on paragraph 1, it had abstained from voting on that paragraph. It had also abstained on paragraph 2, because of its reservations regarding the establishment of special funds, and on the draft resolution as a whole.

19. Mr. GATES (New Zealand) said that his delegation had voted in favour of the draft resolution because it agreed with its general purpose. However, it had difficulties with paragraph 2 and associated itself with the Australian representative's remarks in that connexion.

20. Mr. EKBLOM (Finland) said that he appreciated the efforts of the sponsors to make paragraph 2 more acceptable. His delegation had been prepared to vote in favour of the draft resolution as a whole after abstaining on paragraph 2. However, the prolonged debate on that paragraph had shown that the question was not ripe for decision. In view of the clear divergence of views among the developing countries, his delegation had

abstained in all the separate votes and in the vote on the draft resolution as a whole.

21. Mr. HAQ (Pakistan) said that his delegation would have been gratified had a consensus been reached. International law did not recognize the right of land-locked countries to freedom of access to the sea through transit countries. Such access was arranged through multilateral and bilateral consultations. A full study of all aspects of the question was needed before new principles could be elaborated. The Conference on the Law of the Sea was the appropriate forum for a discussion of the proposals of the land-locked countries. Accordingly, his delegation had abstained from voting on paragraph 1 and on the draft resolution as a whole. It had voted in favour of paragraph 2, since it favoured the preparation of the study in question.

22. Mr. CHITSAMBA (Malawi) said that, since his delegation represented a land-locked country, it had voted in favour of the draft resolution, which called on the international community to strengthen further the bilateral arrangements on the subject. He welcomed the improvements in the final version and was pleased that the inclusion of the Mauritanian amendment had permitted a majority of members to vote in favour of the resolution.

23. Mr. SCHWARTZ (Spain) said that his delegation had voted in favour of the draft resolution as a whole because it acknowledged the moral obligation to assist the land-locked developing countries. Its affirmative vote on paragraph 1 did not prejudge the codification of international law on the subject in other forums. It had abstained on paragraph 2, in keeping with its well-known position regarding the establishment of special-purpose funds.

24. Mr. SHEMIRANI (Iran) said that his delegation had voted in favour of the draft resolution as a whole and for paragraphs 2 and 3 because it had long recognized the special problems of land-locked developing countries and had consistently agreed that there was an urgent need for measures in their favour within a bilateral, regional and international framework. Iran maintained excellent relations with its land-locked neighbour, Afghanistan, in matters relating to transit.

25. His delegation had abstained from voting on paragraph 1 because of the juridical implications of the paragraph and because it believed that the concept of the right of access to and from the sea needed to be properly defined. The work of the Conference on the Law of the Sea should not be prejudged in that respect.

26. Mr. BRITO (Brazil) said that his delegation had voted in favour of the draft resolution and each of its operative paragraphs. It had voted in favour of the retention of the words "the exercise of their right of freedom of access" in paragraph 1 because it believed that such a right did exist within the framework of appropriate agreements. Accordingly, it would have voted in favour of the paragraph even if it had not been revised by the sponsors. His delegation had abstained from voting on the additional paragraph proposed by the Dahomean delegation, not because it did not share that delegation's concern for transit States, but because it believed that the subject had not been adequately considered by the Committee. It had voted against the insertion of a reference to transit countries in

paragraph 2 because such an addition would have changed the nature of the fund in question.

27. Mr. PAGUAGA (Nicaragua) said that his delegation shared the views of the Mauritanian and Mongolian delegations concerning the amendment proposed by Dahomey. Although it appreciated the difficulties faced by transit States, it felt that the phrase "within the framework of appropriate agreements" safeguarded their sovereign rights and therefore respected the spirit of the Dahomean amendment. The subject of that amendment should be dealt with in a separate draft resolution.

28. Mr. FRANCK (Belgium) said that his delegation had abstained from voting on the draft resolution, as it had on Economic and Social Council resolution 1755 (LIV). Special attention should be paid to the particular problems of developing land-locked countries in the context of the study of the problems of the least developed among the developing countries which was called for in Economic and Social Council resolution 1753 (LIV).

29. Mr. KONISHI (Japan) said that his delegation had voted in favour of the draft resolution as a whole. Although it fully understood the views of land-locked developing countries concerning their particular difficulties and needs, it seriously doubted whether real advantages would be gained by the establishment of a special fund for their benefit. The question should be dealt with in the context of over-all development assistance. Accordingly, his delegation had abstained from voting on paragraph 2.

30. Mr. HAIDAR (Lebanon) said that if his delegation had been present during the voting it would have voted in favour of the draft resolution, particularly since paragraph 1 reflected the proposal it had made at the beginning of the discussion at the preceding meeting. It was his delegation's understanding that the insertion of the words "within the framework of appropriate agreements" would not prejudice the work of the Conference on the Law of the Sea.

31. Mr. RASAPUTRAM (Sri Lanka) said that his delegation had voted in favour of the draft resolution as a whole as well as for paragraphs 2 and 3. It had abstained on paragraph 1 because it felt that the Committee should not prejudice the principles involved, which would be discussed at the Conference on the Law of the Sea. It had endorsed the draft resolution as a whole because it supported the basic principles in the text.

32. Mr. KUMI (Ghana) said that his delegation had voted in favour of the draft resolution as a whole in recognition of the special problems of land-locked countries. Paragraph 1 properly fell within the purview of the Conference on the Law of the Sea; his delegation's affirmative vote on the draft resolution should in no way be interpreted as prejudging the results of that Conference.

33. Mr. GARCIA BELAUNDE (Peru) said that his delegation had voted in favour of the draft resolution and had abstained on various amendments because it believed that transit States had the moral obligation to guarantee land-locked countries free access to and from the sea. It welcomed the inclusion of the Mauritanian amendment, for it was only through appropriate agreements that the interests of land-locked countries could

be assured. Peru had entered into a number of such agreements.

34. Although his delegation had abstained on the Dahomean amendment, it felt that the international community should consider ways to assist developing transit countries.

35. Mr. RATSIMBAZAFY (Madagascar) said his delegation had reluctantly abstained from voting on the important amendments submitted by the delegations of the Ivory Coast and Dahomey, because of the short time available for study of them. His delegation's vote for the draft resolution as a whole was an indication of its appreciation of the value of the text, particularly with the Mauritanian amendment, which it saw as a praiseworthy effort to achieve a consensus. His delegation was aware of the need to pay special attention to the situation and to the development of the land-locked countries, without neglecting the legitimate requirements of countries of transit, and regretted that it had not been possible to reach a consensus on the draft resolution as a whole; with more time for reflection, that might have proved possible. The two basic principles, of sovereignty over their national territory and free access to and from the sea, which the resolution recognized in respect of land-locked countries could best be reflected in agreements concluded between the countries concerned on a basis of mutual understanding and co-operation. His delegation hoped that it might prove possible at the forthcoming Conference on the Law of the Sea to improve on the provisions of the draft resolution.

36. Mr. JAIN (India) said his delegation had voted for the draft resolution in recognition of the need to extend every possible assistance to land-locked developing countries. However, it had abstained from voting on paragraph 1, since, even with the incorporation of the Mauritanian amendment, it still did not fully reflect his delegation's view on the respective roles of land-locked and transit countries; more emphasis should have been placed on suitable arrangements, and less on the "right of freedom of access". He wished to reiterate his Government's policy, which had been repeatedly stated in international forums, of doing everything possible to meet the needs of the land-locked countries under appropriate bilateral arrangements which reconciled the interests of the parties and avoided legal quibbles over the definition of the word "right".

37. Mr. DIALLO (Upper Volta) said that, as a sponsor of the draft resolution, he wished to explain his delegation's vote on the Dahomean amendment. His delegation believed that the provisions of UNCTAD resolution 63 (III), relating to assistance both to land-locked developing countries and to their neighbour countries of transit, remained valid. His delegation's position at the third session of UNCTAD and in the debates in the Trade and Development Board on reports of the Committees on Shipping and on Invisibles and Financing relating to Trade had been reflected in its support of the provisions of the International Development Strategy dealing with financial and technical assistance and training which would enable developing countries to expand their merchant marines and to develop and improve their port facilities. It was simply the context in which the Dahomean amendment had been submitted that had led his delegation to vote against it, in the belief that it diverted attention from the

main thrust of the draft resolution. If a separate resolution referring to aid to coastal States had been introduced, his delegation would have supported it, and might even have become a sponsor.

*Mr. Gabre-Sellassie (Ethiopia) resumed the Chair.*

38. Mr. MUTOMBO (Zaire) said his delegation had voted for the draft resolution because Zaire, as a semi-land-locked country, considered it a duty to support the interests of the land-locked countries. His delegation particularly welcomed the fact that the sponsors had accepted the Mauritanian amendment referring to appropriate agreements. It regretted that it had not proved possible to associate other delegations, especially those representing countries of transit, with the draft resolution; that was perhaps the main reason why its adoption had proved so difficult.

39. Mr. DELIVANIS (Greece) said that if his delegation had been present during the voting, it would have voted for the draft resolution.

40. Mr. FASLA (Algeria) said his delegation felt that it was the duty of the international community to assist the land-locked developing countries in obtaining the right of access to the sea. The Government of Algeria was participating in the construction of a trans-Saharan major road which would have that effect. His delegation had voted for the draft resolution, and particularly welcomed the inclusion of the Mauritanian amendment, which had the effect of ensuring that the draft resolution did not prejudice the discussions at the forthcoming Conference on the Law of the Sea. In his delegation's view, it was only through bilateral or regional arrangements that land-locked countries could be given the right of free access to the sea.

41. Mr. MOHAMMED (Nigeria) said his delegation had voted for the draft resolution as a whole, on the understanding that the debates in the Committee would in no way prejudice the outcome of the Conference on the Law of the Sea. The various views expressed with regard to paragraph 1 would no doubt assist the Conference in reaching reasonable conclusions. His delegation had abstained from voting on the Dahomean amendment, and would have welcomed more time to consider it.

42. Mr. MVOGO (Cameroon) said his delegation had voted for paragraph 1, since the incorporation of the Mauritanian amendment reflected his own Government's attitude towards assisting neighbouring countries with no access to the sea. It had always acted in such a way as to reduce their difficulties and it was, in their interests, expanding the largest port in Cameroon. The inclusion of the amendment also prevented the draft resolution from prejudging the results of the forthcoming Conference on the Law of the Sea. For both those reasons, his delegation had been able to vote for the draft resolution as a whole.

43. Mr. GEBRU (Ethiopia) said that three major considerations had prompted his delegation to vote for the retention of the full phrase "right of freedom of access to and from the sea" and for the draft resolution as a whole. First, his delegation upheld the principle that disadvantaged countries should be assisted; secondly, most of the land-locked developing countries were in the African region, which needed external assistance; thirdly, his delegation interpreted the term "land-locked countries" as including countries which

were partly land-locked through historical circumstances and which had transit interests.

44. Mr. DIAW (Mali) said his delegation, as a sponsor of the draft resolution, had naturally voted for it. Nevertheless, it particularly welcomed the inclusion of the Mauritanian amendment in paragraph 1, since it believed that the true interests of land-locked developing countries could be met only through close co-operation between them and neighbouring countries of transit. It had opposed the amendment submitted by the delegation of Dahomey, which it felt changed the substance of the draft resolution. If that amendment had been submitted in the form of a separate draft resolution, his delegation would have been able to vote for it, and it was sure that the Conference on the Law of the Sea would take into account the important matter with which it dealt.

#### PERMANENT SOVEREIGNTY OVER NATURAL RESOURCES (A/C.2/L.1328 AND CORR.1)

45. Mr. INGVARSSON (Iceland), introducing draft resolution A/C.2/L.1328 on behalf of the sponsors, recalled that his delegation had taken an active interest in the question of permanent sovereignty over natural resources at the twenty-seventh session of the General Assembly, when a long debate in the Second Committee had resulted in the adoption of resolution 3016 (XXVII). Although Iceland had extremely limited natural resources on land, the ocean around it was rich in living marine resources that had through the ages been the very basis of the Icelandic economy. Sovereignty over the marine resources around Iceland was therefore a vital question for the Icelandic nation. Iceland must be able to utilize the marine resources in its coastal waters, as the whole economy was dependent upon them. Furthermore, its rights of sovereignty were important in that respect, to enable it to prescribe precautionary measures preventing the depletion of those resources. Developments in the fisheries of the North Atlantic region in the past few years had been such that urgent conservation measures had been called for.

46. The adoption of General Assembly resolution 3016 (XXVII) by more than 100 votes to none had been an important milestone in the quest by nations for full sovereignty over their natural resources. Both the permanent sovereignty of States over their sea-bed resources, which was now accepted as a principle of international law, and the sovereignty of States over the superjacent waters of the sea-bed area were reaffirmed in that resolution. Jurisdictional rights in that area were, of course, still disputed, and the declaration of more than 100 nations on that point had therefore been a very important affirmation of the powers of coastal States in that respect. As it had emphasized at the twenty-seventh session, his delegation understood that not all nations were willing to accept the legality of such rights in that area, and a final regulation of the problem would be made by the forthcoming Conference on the Law of the Sea.

47. During 1973, the question of permanent sovereignty over natural resources had been discussed in other United Nations bodies such as the Committee on Natural Resources and the Economic and Social Council, both of which had adopted resolutions on that issue. The will of the United Nations was unmistakably



ble; States had inalienable rights to natural resources found in their territory, in their coastal areas and in the sea-bed and superjacent waters. There should exist no doubt about that, since the economies of the developing and newly independent countries were based primarily on resources found within their boundaries. That was why it was so important to emphasize that all actions by States aimed at coercing other States and preventing them from exercising their sovereign rights over their natural resources, both on land and in the coastal waters, were in violation of the Charter of the United Nations. That cardinal principle was again reaffirmed in the draft resolution, which also deplored acts of States which used force and aggression or any other illegal or improper means in resolving disputes concerning the exercise of sovereign rights of nations over their natural resources.

48. In paragraph 1 of the draft resolution, the words "within their national jurisdiction" should be removed from their present position and placed after the words "in the subsoil thereof", as indicated in the corrigendum (A/C.2/L.1328/Corr.1).

49. He expressed the hope that the Committee would adopt the draft resolution by a substantial majority.

50. Mr. HEMANS (United Kingdom) said that his delegation had certain difficulties with the draft resolution, and hoped that the sponsors would be willing to negotiate a compromise solution.

51. Mr. INGVARSSON (Iceland) said that his delegation would have no difficulty in meeting the United Kingdom representative's request.

52. The CHAIRMAN suggested that the Committee should defer its decision on draft resolution A/C.2/L.1328 until interested delegations had been able to discuss the matter among themselves.

*It was so decided.*

#### AGENDA ITEM 51

**United Nations Conference on Trade and Development**  
(continued)\* (A/9903/Add.1 (part I), A/9015, A/9142, A/9213, A/C.2/L.1304, A/C.2/L.1324, A/C.2/L.1327):

##### (a) Report of the Trade and Development Board

53. Mr. GONZALEZ ARIAS (Paraguay), introducing the draft resolution on multilateral trade negotiations (A/C.2/L.1324), said it had been prepared as a result of intensive informal consultations between members of different groups, in which many delegations had played an active part. That effort had been made in recognition of the need to take note of the important Tokyo Declaration adopted at the GATT Ministerial Meeting on 14 September 1973, initiating the broad series of multinational trade negotiations which was expected to continue until 1975. While the General Assembly must, of course, express its views on that extremely significant event, the delegations which had participated in the consultations recognized that it was not possible or appropriate for it to attempt to undo or change the delicate compromise reached at Tokyo. At the same time, the General Assembly could and should take a progressive approach to achieving even fuller implementation of the broad guidelines agreed on

at Tokyo. It was in that spirit that the draft resolution had been prepared. It represented a consensus, and not unanimity, on the part of the delegations involved in the consultations. Over a period of weeks, every effort had been made to take all views into account to the fullest extent, but there might be areas in which that had not been entirely possible. For example, some of the concerns and positions of principle of the developing countries were not perhaps reflected in precisely the way those countries would have preferred.

54. Reference had been made to the desirability of the participants in the multilateral trade negotiations taking into account the interests of all countries, without distinction as to their economic and social systems, and trying to ensure equal participation for all on the basis of mutual advantage and non-discrimination. An attempt had been made to introduce those concepts into the text of the draft resolution, to the extent possible. There might also be specific views of certain regional economic groups, and concerns and problems of other countries, which were of great importance in the current structure of world trade. Nevertheless, he hoped that the largest possible number of delegations in the Committee would acquiesce in the text.

55. Mr. SMIRNOV (Union of Soviet Socialist Republics) said that the text of the statement of the representative of Paraguay should be fully reflected in the Committee's report to the General Assembly.

*Draft resolution A/C.2/L.1324 was adopted without a vote.*

56. Mr. GARCIA BELAUNDE (Peru) noted that the draft resolution which the Committee had adopted by consensus was the result of intensive consultations which had led to a reaffirmation of the ministerial Declaration at Tokyo. In that connexion, the delegations of the other countries of the Andean Group—Bolivia, Chile, Colombia, Ecuador and Venezuela—had requested him to reiterate the statement made by the representative of Peru on behalf of the same countries at Tokyo, to the effect that the ministerial Declaration did not adequately reflect the views expressed by the Andean countries with regard to additional net benefits, the principles of non-reciprocity, non-discrimination and preferential treatment and their formalization as part of the general agreement, additional economic objectives, a just international division of labour, and appropriate treatment for the least developed among the developing countries, including land-locked countries. That statement had not constituted a formal reservation to the Tokyo Declaration, but had reflected the concern of one group of countries with respect to the multilateral negotiations. Similarly, his reiteration of it should be regarded not as a formal reservation on the part of the Andean countries with regard to the draft resolution that had been adopted, but as a statement of justifiable concern about the course which the negotiations might take.

57. Mr. UDOVENKO (Ukrainian Soviet Socialist Republic) said that his delegation had not objected to the adoption of the draft resolution without a vote. However, he wished to state yet again his belief that UNCTAD was the most appropriate forum for solving the current problems of international trade. With regard to the preparations for multilateral trade negotiations in

\* Resumed from the 1553rd meeting.

the light of UNCTAD resolution 82 (III),<sup>1</sup> his delegation believed that the main task was to organize equitable discussions which would ensure the expansion and liberalization of international trade. In that context, the recommendation of UNCTAD, in its resolution 82 (III), that any general settlement of international trade problems should take into account the interests of all flows of international trade, in particular those of developing countries, must be borne in mind. The purpose of the talks should be to lead to the elimination of discrimination in international trade.

58. States members of UNCTAD should be kept constantly informed of developments in the multilateral trade negotiations within the framework of GATT, so that the Trade and Development Board could, if necessary, take appropriate decisions in good time. In that connexion, his delegation wished to recall paragraph 14 of the report of the Secretary-General of UNCTAD on the establishment of a comprehensive international trade organization,<sup>2</sup> which pointed out that, if UNCTAD did not take a proper place in those talks, they might become a simple repetition of what had happened during the Kennedy Round, when tariff reductions had generally affected goods of particular interest to the developed countries. He supported the Soviet representative's suggestion that the introductory statement by the representative of Paraguay should be fully reflected in the Committee's report.

59. Mr. OGISO (Japan) agreed with the representative of Paraguay that it was not possible or appropriate for the General Assembly to undo or change the delicate compromise reached at Tokyo. The Tokyo Declaration contained provisions aimed at protecting the interests of the developing countries in general, as well as those of the least developed among them. It thus provided a sound basis for future negotiations. His delegation's understanding of the draft resolution was that none of its provisions was intended to go beyond the Declaration and the concluding remarks of the Chairman of the GATT Ministerial Meeting at Tokyo, and that it was not intended to prejudice the future work of the Trade Negotiations Committee.

60. Mr. GALLARDO MORENO (Mexico) said that his delegation shared the concern expressed on behalf of the Andean Group by the representative of Peru. It interpreted paragraph 3 of the draft resolution as meaning that all countries, whether or not they were contracting parties to GATT, would be able to participate in the negotiations, the results of which would thus be beneficial to all countries whether or not they were parties to GATT.

61. Mr. SANDERS (United States of America) said his delegation welcomed the adoption of the draft resolution by consensus and believed that the support of the General Assembly for the multilateral trade negotiations could make a major contribution to their success, in which all countries, irrespective of their current stage of development, had an important interest. The United States shared with all the countries which had supported the draft resolution a firm commitment to the aim of securing additional benefits for the trade of the developing countries. However, it had not always

agreed with particular formulations of that goal, and he therefore wished to make it clear that his delegation's support for the draft resolution did not imply approval of language in other resolutions or declarations referred to in the text which the United States had not accepted in the past or in which it had not participated. He referred specifically to the reservations of his Government concerning section A of UNCTAD resolution 82 (III) and its abstention on General Assembly resolution 3041 (XXVII). His delegation also wished to reiterate its view that it was not appropriate to refer in United Nations resolutions to the Economic Declaration adopted by the Conference of Heads of State or Government of Non-Aligned Countries, held at Algiers, in view of the restrictions on participation in that Conference.

62. His delegation was gratified by the assurances given during the preparation of the draft resolution that its intent or effect was not to modify in any respect the important Declaration approved by the Ministerial Meeting at Tokyo. In some cases it quoted directly from that Declaration, and in others it made brief reference to concepts which the latter spelt out in their agreed form. On the understanding that the purpose of the draft resolution was not to amend or go beyond the Tokyo Declaration, his delegation was pleased to support it and to express its hope for the success of the historic multilateral trade negotiations which had begun at Tokyo.

63. Mr. MÜEZZINOĞLU (Turkey) said his delegation had welcomed the adoption of the draft resolution by consensus, on the understanding that it would not have a negative effect on those developing countries which had concluded agreements within the framework of GATT leading to customs unions or economic integration.

64. Mr. DELIVANIS (Greece) said his delegation welcomed the adoption of the draft resolution by consensus, on the understanding that countries bound by multilateral agreements within the framework of GATT leading to customs unions or economic integration would not be unfavourably affected, particularly if their trade balance showed a deficit, as was the case with Greece.

#### AGENDA ITEM 46

**Review and appraisal of the objectives and policies of the International Development Strategy for the Second United Nations Development Decade (*continued*)\***  
(A/9003 and Corr.1, chap. III; A/C.2/L.1287, A/C.2/L.1323)

#### AGENDA ITEM 108

**Reduction of the increasing gap between the developed countries and the developing countries**

65. The CHAIRMAN recalled that the General Assembly had recommended, and the Committee had decided at its 1537th meeting, that agenda item 108 should be discussed concurrently with item 46.

66. Mr. SEARWAR (Guyana), introducing draft resolution A/C.2/L.1323 entitled "Economic co-

<sup>1</sup> See *Proceedings of the United Nations Conference on Trade and Development, Third Session*, vol. I, *Report and Annexes* (United Nations publication, Sales No. E.73.II.D.4), annex I.A.

<sup>2</sup> TD/B/455.

\* Resumed from 1534th meeting.

operation among developing countries'', on behalf of the sponsors, said that it had been endorsed in principle by the Group of 77 and supported by many other delegations. It sought to give a larger place and a more closely focused role to the important concept of self-reliance and self-help. The principles and programmes of economic co-operation among developing countries referred to in the preambular paragraphs were inspired by one idea, namely, the translation of the concept of national self-reliance to the regional, subregional and interregional levels. Such programmes were based on the generally agreed principle that the primary responsibility for the development of the developing countries rested with those countries themselves. Leaders of the developing countries had long held the belief that a powerful stimulus would be given to development if the vast market of the developing countries could be opened up to their own trade. More recently, steps had been taken to move from aspirations to programmes and from programmes to projects and practical measures. The promotion of economic co-operation among the developing countries required investigation and studies to be conducted within a framework that only the United Nations system could provide. Consequently, the draft resolution sought in particular to enlist the further support of United Nations agencies and organizations. Such co-operation efforts would also require practical support from the developed countries, particularly with regard to the untying of aid.

67. On several important points, the language of the draft resolution was identical with the careful language painstakingly negotiated in the Working Party on Review and Appraisal. His delegation hoped that it would be possible to avoid reopening discussion on formulations upon which agreement had already been reached.

68. He wished to propose some small changes in the text, which he had unfortunately not been able to bring to the attention of all the sponsors. The word "States" in the last preambular paragraph should be replaced by "countries"; the words "*inter alia*" should be inserted after "steps" in the introductory sentence of paragraph 1, and paragraph 1 (c) should be amended to read: "To promote, establish or strengthen economic integration at the regional and subregional levels".

69. Bolivia, Colombia, the Dominican Republic, Ecuador, Ethiopia, Oman, the Syrian Arab Republic and Tunisia should be added to the list of sponsors.

70. The draft resolution spoke for itself, and he hoped that it could be adopted by consensus.

71. Mr. FLEMING (Argentina) said that his delegation wished to become a sponsor of draft resolution A/C.2/L.1323, which complemented and improved the provisions of General Assembly resolution 2974 (XXVII). The Committee for Development Planning and the Centre for Development Planning, Projection and Policies should study the important question of economic co-operation among developing countries, and the Committee on Review and Appraisal should also give due attention to that question in the forthcom-

ing review and appraisal of the implementation of the International Development Strategy.

72. He shared the hope of the representative of Guyana that the draft resolution would be adopted by consensus.

73. Mr. SINGH (Malaysia) noted that the draft resolution had been circulated some time previously, and delegations had probably had the time to decide what position they would take on it. It might therefore be possible for the Committee to adopt the draft resolution without much further discussion.

74. Mr. KUMI (Ghana) said that his delegation supported the draft resolution. He drew attention to the language that the Committee had accepted by consensus during its consideration of draft resolution A/C.2/L.1310/Rev.2 concerning special measures for the land-locked developing countries, and requested the sponsors to consider the possibility of using the same language in paragraph 2 of draft resolution A/C.2/L.1323. Whatever language was used, however, the adoption of the draft resolution should not prejudice the outcome of the forthcoming Conference on the Law of the Sea.

75. Mr. SEARWAR (Guyana) said that his delegation would have no difficulty in accepting the suggestion of the representative of Ghana to use, in paragraph 2, wording similar to that approved by the Committee in the case of draft resolution A/C.2/L.1310/Rev.2. However, the other sponsors should perhaps be consulted on that point.

76. Referring to the statement by the representative of Argentina, he said that his delegation would have no objection to including an appropriate reference to the Committee on Review and Appraisal, and was ready to discuss the matter with the Argentine delegation.

77. Mr. MACKENZIE (United Kingdom) said that the interests of both producers and consumers should be clearly recognized and reflected in paragraph 1 (d) of the draft resolution and a reference to respect for international law should appear in paragraph 1 (e).

78. Mr. KANÉ (Mauritania) said he did not consider it necessary to reopen discussion on paragraph 2, since the question of free access to the sea for land-locked developing countries had already been discussed by the Committee, which had agreed on the terminology to be used. Most delegations had supported the draft resolution under consideration, and he saw no reason why it should not be adopted immediately by consensus.

79. The CHAIRMAN observed that the sponsors might need a little time to discuss the various points that had been raised with the delegations concerned. He therefore suggested that the Committee should defer its decision on the draft resolution until the following meeting.

*It was so decided.*

*The meeting rose at 12.50 p.m.*