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RESERVATION EXCLUSIVELY FOR PEACEFUL PURPOSES OF THE SEA-BED AND THE OCEAN FLOOR, AND THE SUBSOIL THEREOF, UNDERLYING THE HIGH SEAS BEYOND THE LIMITS OF PRESENT NATIONAL JURISDICTION AND USE OF THEIR RESOURCES IN THE INTERESTS OF MANKIND, AND CONVENING OF A CONFERENCE ON THE LAW OF THE SEA

Report of the First Committee

Rapporteur: Mr. Gustavo SANTISO GALVEZ (Guatemala)

1. The item entitled "Reservation exclusively for peaceful purposes of the sea-bed and the ocean floor, and the subsoil thereof, underlying the high seas beyond the limits of present national jurisdiction and use of their resources in the interests of mankind, and convening of a conference on the law of the sea: report of the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction" was included in the provisional agenda of the twenty-seventh session on the basis of General Assembly resolution 2881 (XXVI) of 21 December 1971.
2. At its 2037th plenary meeting, on 23 September 1972, the General Assembly, on the recommendation of the General Committee, decided to include the item in the agenda (A/8800/Rev.1) and to allocate it to the First Committee for consideration and report.
3. The First Committee considered the item at its 1903rd-1909th meetings, from 27 November to 4 December, at its 1911th-1915th meetings from 5-7 December and at its 1918th meeting on 11 December.
4. At the 1903rd meeting, on 27 November, the Rapporteur of the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National

Jurisdiction introduced that Committee's report.^{1/} At the same meeting, the Chairman of that Committee made an introductory statement.

5. Five draft resolutions and amendments were submitted to the First Committee.

6. A draft resolution was submitted on 3 November by Algeria, Brazil, Oman, Peru and Senegal (A/C.1/L.621). The text read as follows:

"The General Assembly,

"Recalling its resolutions 798 (VIII) of 7 December 1953, 1105 (XI) of 21 February 1957, 2574 A (XXIV) of 15 December 1969, 2749 and 2750 C (XXV) of 17 December 1970 and 2881 (XXVI) of 21 December 1971,

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

"Having considered the Report of the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor and the Subsoil thereof Beyond the Limits of National Jurisdiction, 2/

"Noting the encouraging work of the Committee in preparation for a comprehensive conference on the Law of the Sea, in conformity with its mandate contained in General Assembly resolution 2750 C (XXV) of the General Assembly,

"Noting in particular that the Committee has reached agreement on a comprehensive list of subjects and issues relating to the law of the sea which is to serve as the framework for discussion and preparation of draft treaty articles, thus paving the way for the initiation of the substantive stages of preparatory work,

"Bearing in mind, with regard to the elaboration of the international régime and machinery for the sea-bed and the ocean floor and the subsoil thereof, beyond the limits of national jurisdiction, that fundamental differences of approach continue to exist on the main aspects of the régime and machinery to be established, despite the advances made,

"Considering that substantive work is yet to begin on the preparation of draft treaty articles on the other subjects of the law of the sea mentioned in General Assembly resolution 2750 C (XXV), such as the preservation of the marine environment (including, inter alia, the prevention of pollution) and scientific research,

1/ Official Records of the General Assembly, Twenty-seventh Session, Supplement No. 21 (A/8721 and Corr.1).

2/ Ibid.

"Conscious that the problems of ocean space are closely interrelated and need to be considered as a whole,

"Convinced that the new conference on the law of the sea would have to be carefully prepared to ensure its success,

"Considering that, despite the advances achieved, further preparatory work is necessary in order to ensure the success of the conference,

"1. Decides to convene in 1974, a comprehensive conference on the law of the sea, as provided for in resolution 2750 C (XXV) of 17 December 1970:

"2. Reaffirms the mandate of the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction set forth in resolutions 2467 A (XXIII) and 2750 C (XXV) as supplemented by the present resolution;

"3. Instructs the Committee, in the discharge of its mandate, to hold two sessions in 1973, one in New York, in March/April, and one in Geneva in July/August 1973, and to report to the General Assembly at its twenty-eighth session;

"4. Requests the Committee to expedite its work with a view to ensuring that the preparatory work during 1973 is sufficient to permit the holding of the conference in 1974."

7. A draft resolution was submitted on the same date by Ecuador and Peru (A/C.1/L.622), the text of which read as follows:

"The General Assembly,

"Recalling resolution 2750 C (XXV) of 17 December 1970,

"Having considered the report of the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction, 3/ particularly paragraphs 42 to 46,

"Accepts with gratitude the invitation of the Government of Chile to make its capital, Santiago, the venue for the Conference on the Law of the Sea to be held in accordance with the provisions of draft resolution A/C.1/L.621."

3/ Ibid.

8. A draft resolution was submitted by Afghanistan, Austria, Bahrain, Belgium, Bhutan, Bolivia, Botswana, Chad, Czechoslovakia, Finland, Hungary, Jordan, Kuwait, Laos, Lesotho, Luxembourg, Malawi, Mali, Mongolia, Nepal, the Netherlands, Paraguay, Rwanda, Singapore, Swaziland, Uganda, Zaire and Zambia (A/C.1/L.632), which was subsequently sponsored also by Burundi, the Niger and Upper Volta and was introduced by the representative of Singapore at the 1904th meeting, on 28 November. The text read as follows:

"The General Assembly,

"Recalling its resolution 2749 (XXV) of 17 December 1970 containing the Declaration of Principles Governing the Sea-Bed and the Ocean Floor, and the Subsoil Thereof, beyond the Limits of National Jurisdiction (hereinafter referred to as the area),

"Noting that in the said Declaration, the Assembly, inter alia, declared that the exploration of the area and the exploitation of its resources should be carried out for the benefit of mankind as a whole, and that an international régime applying to the area and its resources and including appropriate international machinery should be established,

"Realizing that the economic significance of the area would depend on its final delimitation, as stated in the reports by the Secretary-General contained in documents A/AC.138/36 and A/AC.138/73,

"Considering that there is a close relationship between any decision concerning the activities and functions of the international machinery and any decision concerning limits,

"Convinced that information and data on the economic implications and significance for the area of the various proposals for limits would be helpful to the participants at the forthcoming Conference on the Law of the Sea, particularly to developing States, of which many are not members of the Sea-Bed Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction,

"1. Requests the Secretary-General to prepare, on the basis of data and information at his disposal, a comparative study of the extent and the economic significance, in terms of resources, of the international area that would result from each of the following proposed limits for national jurisdiction:

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- (a) 200 metres isobath;
- (b) 500 metres isobath;
- (c) 40 nautical miles;
- (d) 200 nautical miles;
- (e) The edge of the continental margin;

"2. Further requests the Secretary-General to submit his study as soon as possible but not later than the convening of the summer session of the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction in 1973;

"3. Invites States, the United Nations Conference on Trade and Development, the specialized agencies and other competent organizations of the United Nations system to co-operate with the Secretary-General in the preparation of such a study."

9. The following amendments were submitted to the above draft resolution:

(a) Amendments submitted by Kenya (A/C.1/L.636) on 5 December and introduced at the 1912th meeting on 6 December, by which

(i) The third preambular paragraph would be reformulated as follows:

"Realizing that the economic significance of the area would depend on its final delimitation, as stated in the reports by the Secretary-General contained in documents A/AC.138/36 and A/AC.138/73, as well as on the specific arrangements made for the utilization of the area and the whole ocean space for the benefit of mankind as a whole,";

(ii) The following new operative paragraph 2 would be inserted, and the subsequent paragraphs renumbered accordingly:

"2. Further requests the Secretary-General to assess, on the basis of information obtained above, the economic significance for the international community, particularly developing, land-locked, shelf-locked and coastal States, which would result from the establishment of an exclusive economic zone not exceeding 200 nautical miles;".

(b) Amendments submitted by Canada, France and Malta (A/C.1/L.637) and introduced by the representative of Canada at the 1911th meeting, on 5 December, by which:

(i) The third and fourth preambular paragraphs would be replaced by the following:

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"Realizing that the economic significance of the area for the international community would depend on the nature of the régime and the machinery to be established, as well as on its final delimitation,";

(ii) The following final preambular paragraph would be added:

"Convinced further of the importance to coastal States of the resources of the ocean space adjacent to their coasts for their economic development and social progress,";

(iii) Operative paragraph 1 would be revised as follows:

"1. Requests the Secretary-General to prepare, on the basis of information at his disposal, a compilation of geological data regarding the ocean floor, in terms of resources, in the context of an updating of his reports on mineral resources of the sea (E/4680 and E/4793);".

10. A revised version (A/C.1/L.632/Rev.1) of draft resolution A/C.1/L.632 was submitted on 6 December by the sponsors of the original draft, and was introduced by the representative of Singapore, on behalf of the sponsors, at the 1912th meeting, on 6 December. The revised text incorporated the following changes in the operative part of the original draft (see paragraph 8):

(a) Operative paragraph 1 was replaced by the following:

"1. Requests the Secretary-General to prepare, on the basis of data and information at his disposal, a comparative study of the extent and the economic significance, in terms of resources, of the international area that would result from each of the various proposals on limits of national jurisdiction presented so far to the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction;"

(b) The following operative paragraph 4 was added at the end of the operative part:

"4. Declares that nothing in this resolution or in the study shall prejudice the position of any State concerning limits, the nature of the régime and machinery or any other matter to be discussed at the forthcoming Conference on the Law of the Sea."

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11. Amendments to the above revised draft resolution were submitted by Peru (A/C.1/L.638) and were introduced by its representative at the 1912th meeting, on 6 December. The amendments would amend operative paragraph 1 of the revised text, as follows:

(a) In the second line, the words "comprehensive and" would be inserted before the word "comparative";

(b) The following words would be added at the end of the paragraph: "and of the economic implications of those proposals for coastal States;"

12. At the request of the respective sponsors, the amendments to the draft resolution (A/C.1/L.632) contained in documents A/C.1/L.636 and L.637 (see para. 9 (a) and (b)) were applied to the revised text thereof (A/C.1/L.632/Rev.1).

13. A draft resolution was submitted on 1 December by Australia, Bahrain, Cameroon, Canada, Colombia, the Congo, Denmark, Egypt, Ethiopia, Gabon, Ghana, Guinea, India, Iran, Iraq, the Ivory Coast, Kenya, the Khmer Republic, Kuwait, Liberia, Libya, Madagascar, Mali, Mauritania, Mauritius, Mexico, Morocco, Nepal, the Niger, Nigeria, Norway, Pakistan, the Philippines, Sweden, Thailand, Tunisia, Turkey, Swaziland, Uganda, the United Arab Emirates, the United Republic of Tanzania, Venezuela, Yugoslavia, Zaire and Zambia (A/C.1/L.634) which was subsequently sponsored also by Cyprus, Greece and Guyana and was introduced by the representative of Thailand at the 1907th meeting on 1 December. The text read as follows:

"The General Assembly,

"Recalling its resolutions 2467 (XXIII) of 24 December 1968, 2750 (XXV) of 17 December 1970 and 2881 (XXVI) of 21 December 1971,

"Having considered the report of the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction (the Committee) on the work of its sessions in 1972,

"Noting with satisfaction the further progress made towards the preparations for a comprehensive international conference of plenipotentiaries on the law of the sea including, in particular, acceptance of a list of subjects and issues relating to the law of the sea,

"Reaffirming that the problems of ocean space are closely interrelated and need to be considered as a whole;

"Recalling its decision, in resolution 2750 C (XXV) of 17 December 1970, to convene a conference on the law of the sea in 1973,

"1. Reaffirms the mandate of the Committee set forth in resolutions 2467 (XXIII) and 2750 (XXV), as supplemented by the present resolution;

"2. Requests the Committee, in the discharge of its mandate in accordance with resolution 2750 C (XXV) of 17 December 1970, to hold two further sessions in 1973, one of five weeks at New York, beginning in early March, and the other of eight weeks at Geneva, beginning in early July, with a view to completing its preparatory work and to submit a report with recommendations to the General Assembly at its twenty-eighth session and, in the light of the decision taken under operative paragraph 5 below, to the Conference;

"3. Requests the Secretary-General to convene the first session of the third United Nations Conference on the Law of the Sea (the Conference) at New York for a period of approximately two weeks in November/December 1973, for the purpose of dealing with organizational matters including the election of officers, adoption of the agenda of the Conference and the rules of procedure, establishment of subsidiary organs and allocation of work to these subsidiary organs;

"4. Decides to convene the second session of the Conference, for the purpose of dealing with substantive work, at Santiago, Chile, in April/May 1974, for a period of eight weeks, and such subsequent sessions, if necessary, as may be decided by the Conference and approved by the General Assembly, bearing in mind that the Government of Austria has offered Vienna as site for the Conference for the succeeding year;

"5. Decides further to review at its twenty-eighth session on the progress of the preparatory work of the Committee and, if necessary, to take measures to facilitate completion of the substantive work for the Conference and any other action it may deem appropriate;

"6. Authorizes the Secretary-General, in consultation with the Chairman of the Committee, to make such arrangements as may be necessary for the efficient organization and administration of the Conference and the Committee, utilizing to the fullest extent possible the resources of staff at his disposal, to render to the Conference and the Committee all the assistance they may require in legal, economic, technical and scientific matters and to provide them with all relevant documentation of the United Nations, the specialized agencies and the International Atomic Energy Agency;

"7. Decides that it will consider any further matters requiring decision in connexion with the Conference, including the participation of States in the Conference, as a matter of priority at its twenty-eighth session and that the provisional agenda of that session shall include an item entitled 'Reservation exclusively for peaceful purposes etc.';

"8. Invites the specialized agencies, the International Atomic Energy Agency and other intergovernmental organizations to co-operate fully with the Secretary-General in the preparations for the Conference and to send observers to the Conference;

"9. Requests the Secretary-General, subject to approval by the Conference, to invite interested non-governmental organizations having consultative status with the Economic and Social Council to send observers to the Conference;

"10. Decides that the Conference, its main Committees shall have summary records of their proceedings."

14. Amendments to the above draft resolution were submitted by Malta (A/C.1/L.635) on 4 December, by which:

(a) In operative paragraph 4, fourth line, the words "and approved by the General Assembly" would be deleted;

(b) After operative paragraph 4, the following new operative paragraph 5 would be inserted, and the subsequent paragraphs renumbered accordingly:

"5. Decides further that the Conference should aim at completing its substantive work not later than December 1975;"

(c) In the present operative paragraph 5, renumbered 6:

(i) In the first line, the word "further" would be replaced by "also";

(ii) In the last two lines, the words "and any other action it may deem appropriate;" would be deleted.

15. At the 1914th meeting, on 7 December, the representative of Thailand, on behalf of the sponsors, submitted an oral revision to draft resolution A/C.1/L.634, inserting the following new last preambular paragraph:

"Expressing the expectation that the Conference may be concluded in 1974 and, if necessary as may be decided by the Conference with the approval of the General Assembly, at a subsequent session or sessions no later than 1975,".

16. At the same meeting, the representative of Malta stated that, in the light of the above oral revision to the draft resolution (A/C.1/L.634), he would not press to a vote the amendments to that draft resolution contained in document A/C.1/L.635.
17. At the 1911th meeting, on 5 December, the representative of Peru stated that the submission of the draft resolution contained in document A/C.1/L.634 made it unnecessary for a vote to be taken on the draft resolutions contained in documents A/C.1/L.621 and L.622.
18. At the 1913th meeting, on 6 December, the representative of Brazil, on behalf of the sponsors, stated that, in the light of the draft resolution contained in document A/C.1/L.634, the sponsors would not press to a vote the draft resolution contained in document A/C.1/L.621.
19. On 6 December, the Secretary-General submitted a statement (A/C.1/L.639) on the administrative and financial implications of draft resolution A/C.1/L.634.
20. At the 1914th meeting, on 7 December, the Committee agreed to give priority in the voting to draft resolution A/C.1/L.634.
21. At the same meeting, the Committee unanimously adopted draft resolution A/C.1/L.634, as orally revised (see para. 32 below, draft resolution A).
22. At the 1915th meeting, on 7 December, in reply to a request made at the previous meeting by various delegations concerning the provisions of operative paragraph 2 of draft resolution A/C.1/L.634, the Secretary of the Committee made the following statement:

"The Secretariat has noted the request made by various delegations this morning that the Sea-Bed Committee be required to adhere strictly to the wording of the draft resolution and that it hold its spring session from 5 March to 6 April 1973, rather than during the period 26 February to 30 March as had been scheduled in the calendar of meetings. In so far as the week of 2-6 April 1973 is concerned, because of other meetings already scheduled for that week, it would be necessary to recruit two teams of interpreters for that one week, at an estimated cost of \$8,000. It should also be mentioned, in this connexion, that unless there are changes in the scheduled meetings of other bodies, only one large and one small conference room would be available for use by the Sea-Bed Committee and its subsidiary organs during the week of 2-6 April 1973, since all other large conference rooms are already committed."

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23. At the 1914th meeting, the Secretary of the Committee made a statement in response to questions raised by various delegations concerning the provisions of revised draft resolution A/C.1/L.632/Rev.1, and the amendments thereto, contained in documents A/C.1/L.636, L.637 and L.638.

24. On 7 December, the Secretary-General submitted a statement (A/C.1/L.641) on the administrative and financial implications of that revised draft resolution and the amendments thereto.

25. At the 1915th meeting, the Chairman informed the Committee that the sponsors of the amendments to the revised draft resolution (A/C.1/L.632/Rev.1) had agreed on the following order of voting thereon: A/C.1/L.637/Rev.1, L/638 and L.636. The Committee agreed without objection to that order of voting.

26. The Committee then proceeded to vote as follows:

(a) The amendments submitted by Canada, France and Malta (A/C.1/L.637) were rejected by a roll-call vote of 46 to 46, with 27 abstentions. The voting was as follows:

In favour: Argentina, Australia, Barbados, Brazil, Canada, Chile, Colombia, Costa Rica, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, France, Ghana, Guatemala, Haiti, Honduras, Iceland, Iraq, Ireland, Jamaica, Kenya, Libyan Arab Republic, Malta, Mauritania, Mexico, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Peru, Portugal, Saudi Arabia, Senegal, Spain, Sri Lanka, Sudan, Trinidad and Tobago, United Republic of Tanzania, Uruguay, Venezuela, Yemen.

Against: Afghanistan, Austria, Bahrain, Belgium, Bhutan, Bolivia, Botswana, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Chad, Czechoslovakia, Democratic Yemen, Finland, Hungary, Japan, Jordan, Khmer Republic, Kuwait, Laos, Lebanon, Lesotho, Liberia, Luxembourg, Malawi, Mali, Mongolia, Nepal, Netherlands, Niger, Paraguay, Poland, Qatar, Rwanda, Singapore, Swaziland, Sweden, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United States of America, Upper Volta, Zaire, Zambia.

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Abstaining: Burma, Cameroon, Central African Republic, China, Cuba, Cyprus, Fiji, Greece, Guyana, India, Indonesia, Iran, Italy, Ivory Coast, Madagascar, Malaysia, Mauritius, Morocco, Philippines, Romania, Sierra Leone, South Africa, Syrian Arab Republic, Thailand, Tunisia, United Kingdom of Great Britain and Northern Ireland, Yugoslavia.

(b) The amendments submitted by Peru (A/C.1/L.638) were rejected by a roll-call vote of 43 to 39, with 37 abstentions. The voting was as follows:

In favour: Argentina, Australia, Barbados, Brazil, Canada, Chile, Colombia, Costa Rica, Cuba, Denmark, Ecuador, El Salvador, France, Ghana, Guatemala, Haiti, Honduras, Iceland, Ireland, Jamaica, Kenya, Mauritania, Mexico, New Zealand, Nicaragua, Nigeria, Norway, Oman, Panama, Peru, Portugal, Senegal, Spain, Sri Lanka, Trinidad and Tobago, United Republic of Tanzania, United States of America, Uruguay, Venezuela.

Against: Afghanistan, Austria, Bahrain, Belgium, Bhutan, Bolivia, Botswana, Bulgaria, Burundi, Byelrussian Soviet Socialist Republic, Chad, Czechoslovakia, Finland, Hungary, Japan, Jordan, Khmer Republic, Kuwait, Laos, Lebanon, Lesotho, Liberia, Luxembourg, Malawi, Mali, Mongolia, Nepal, Netherlands, Niger, Paraguay, Poland, Qatar, Rwanda, Singapore, Swaziland, Sweden, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, Upper Volta, Zaire, Zambia.

Abstaining: Burma, Cameroon, Central African Republic, China, Cyprus, Democratic Yemen, Egypt, Ethiopia, Fiji, Greece, Guyana, India, Indonesia, Iran, Iraq, Italy, Ivory Coast, Libyan Arab Republic, Madagascar, Malaysia, Malta, Mauritius, Morocco, Pakistan, Philippines, Romania, Saudi Arabia, Sierra Leone, South Africa, Sudan, Syrian Arab Republic, Thailand, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, Yemen, Yugoslavia.

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(c) The amendments submitted by Kenya (A/C.1/L.636) were rejected by a roll-call vote of 38 to 33, with 48 abstentions. The voting was as follows:

In favour: Australia, Barbados, Brazil, Canada, Chile, Colombia, Ghana, Guatemala, Haiti, Honduras, Iceland, India, Iran, Iraq, Jamaica, Kenya, Mauritania, Mauritius, Mexico, Morocco, New Zealand, Nicaragua, Nigeria, Oman, Panama, Peru, Sri Lanka, Sweden, Trinidad and Tobago, United Republic of Tanzania, United States of America, Uruguay, Venezuela.

Against: Afghanistan, Austria, Bahrain, Belgium, Bhutan, Bolivia, Botswana, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Chad, Czechoslovakia, Finland, Hungary, Japan, Jordan, Kuwait, Laos, Lesotho, Liberia, Luxembourg, Malawi, Mali, Mongolia, Nepal, Netherlands, Niger, Paraguay, Poland, Rwanda, Singapore, Swaziland, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, Zaire, Zambia.

Abstaining: Argentina, Burma, Cameroon, Central African Republic, China, Costa Rica, Cuba, Cyprus, Democratic Yemen, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, France, Greece, Guyana, Indonesia, Ireland, Italy, Ivory Coast, Khmer Republic, Lebanon, Libyan Arab Republic, Madagascar, Malaysia, Malta, Norway, Pakistan, Philippines, Portugal, Qatar, Romania, Saudi Arabia, Senegal, Sierra Leone, South Africa, Spain, Sudan, Syrian Arab Republic, Thailand, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, Upper Volta, Yemen, Yugoslavia.

(d) The 31-Power revised draft resolution (A/C.1/L.632/Rev.1) was adopted by a roll-call vote of 52 to 19, with 48 abstentions (see para. 32 below, draft resolution B). The voting was as follows:

In favour: Afghanistan, Austria, Bahrain, Belgium, Bhutan, Bolivia, Botswana, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, Central African Republic, Chad, Czechoslovakia, Democratic Yemen, Finland, Hungary, Iraq, Italy, Japan, Jordan, Khmer Republic, Kuwait, Laos, Lebanon, Lesotho, Liberia, Luxembourg, Malawi,

Mali, Mongolia, Nepal, Netherlands, Niger, Oman, Paraguay, Poland, Qatar, Rwanda, Sierra Leone, Singapore, Swaziland, Sweden, Syrian Arab Republic, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United States of America, Upper Volta, Zaire, Zambia.

Against: Argentina, Brazil, Canada, Chile, Costa Rica, Ecuador, El Salvador, Guatemala, Honduras, Ireland, Jamaica, Kenya, Mauritania, Nicaragua, Panama, Peru, Portugal, Uruguay, Venezuela.

Abstaining: Australia, Barbados, Burma, Cameroon, China, Colombia, Cuba, Cyprus, Denmark, Egypt, Ethiopia, Fiji, France, Ghana, Greece, Guyana, Haiti, Iceland, India, Indonesia, Iran, Ivory Coast, Libyan Arab Republic, Madagascar, Malaysia, Malta, Mauritius, Mexico, Morocco, New Zealand, Nigeria, Norway, Pakistan, Philippines, Romania, Saudi Arabia, Senegal, South Africa, Spain, Sri Lanka, Sudan, Thailand, Trinidad and Tobago, Tunisia, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Yemen, Yugoslavia.

27. At the 1915th meeting, after the voting, the representative of Peru introduced a draft resolution A/C.1/L.642, which read as follows:

"The General Assembly,

"Convinced of the importance to coastal States, for purposes of economic development and social progress, of the ocean resources adjacent to their coasts,

"Requests the Secretary-General to prepare, on the basis of the information at his disposal and in connexion with the study to be prepared pursuant to resolution ... (draft resolution A/C.1/L.632/Rev.1), a comparative study of the potential economic significance for riparian States, in terms of resources, of each of the various proposals on limits of national jurisdiction presented so far to the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction."

28. On 8 December, the Secretary-General submitted a statement (A/C.1/L.643) on the administrative and financial implications of that draft resolution.

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29. At the 1918th meeting, on 11 December, the representative of Peru orally introduced a revised text of draft resolution A/C.1/L.642 (see para. 32 below, draft resolution C).

30. At the same meeting, the Committee adopted the draft resolution, as orally revised, by a roll-call vote of 76 to 1, with 23 abstentions. The voting was as follows:

In favour: Albania, Argentina, Australia, Austria, Bahrain, Belgium, Bhutan, Bolivia, Botswana, Brazil, Burundi, Canada, Chile, China, Colombia, Costa Rica, Cuba, Cyprus, Czechoslovakia, Denmark, Dominican Republic, El Salvador, Fiji, Finland, France, Ghana, Guatemala, Guyana, Haiti, Hungary, India, Indonesia, Iran, Iraq, Ireland, Jamaica, Jordan, Kenya, Khmer Republic, Kuwait, Malawi, Malaysia, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Peru, Philippines, Poland, Portugal, Romania, Senegal, Sierra Leone, Singapore, South Africa, Spain, Sri Lanka, Sweden, Syrian Arab Republic, Thailand, Trinidad and Tobago, Tunisia, Turkey, United Republic of Tanzania, United States of America, Uruguay, Yugoslavia, Zambia.

Against: Libyan Arab Republic.

Abstaining: Afghanistan, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Chad, Ethiopia, Italy, Ivory Coast, Japan, Laos, Liberia, Mali, Nepal, Pakistan, Paraguay, Sudan, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, Venezuela.

31. At the same meeting, following the voting, the representatives of Egypt and Iceland stated that, had they been present at the time of voting, they would have voted in favour of the draft resolution (A/C.1/L.642), as orally revised.

RECOMMENDATIONS OF THE FIRST COMMITTEE

32. The First Committee recommends to the General Assembly the adoption of the following draft resolutions:

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Reservation exclusively for peaceful purposes of the sea-bed and the ocean floor, and the subsoil thereof, underlying the high seas beyond the limits of present national jurisdiction and use of their resources in the interests of mankind, and convening of a conference on the law of the sea

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The General Assembly,

Recalling its resolutions 2467 (XXIII) of 21 December 1968, 2750 (XXV) of 17 December 1970 and 2881 (XXVI) of 21 December 1971,

Having considered the report of the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction on the work of its sessions in 1972, 4/

Noting with satisfaction the further progress made towards the preparations for a comprehensive international conference of plenipotentiaries on the law of the sea, including in particular acceptance of a list of subjects and issues relating to the law of the sea,

Reaffirming that the problems of ocean space are closely interrelated and need to be considered as a whole,

Recalling its decision, in resolution 2750 C (XXV) of 17 December 1970, to convene a conference on the law of the sea in 1973,

Expressing the expectation that the conference may be concluded in 1974 and, if necessary as may be decided by the conference with the approval of the General Assembly, at a subsequent session or subsequent sessions no later than 1975,

1. Reaffirms the mandate of the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction set forth in General Assembly resolutions 2467 (XXIII) and 2750 (XXV), as supplemented by the present resolution;

2. Requests the Committee, in the discharge of its mandate in accordance with resolution 2750 C (XXV), to hold two further sessions in 1973, one of five weeks at New York, beginning in early March, and the other of eight weeks at Geneva, beginning in early July, with a view to completing its preparatory work, and to submit a report with recommendations to the General Assembly at its twenty-eighth session and, in the light of the decision taken under paragraph 5 below, to the conference;

4/ Official Records of the General Assembly, Twenty-seventh Session, Supplement No. 21 (A/8721 and Corr.1).

3. Requests the Secretary-General to convene the first session of the Third United Nations Conference on the Law of the Sea at New York for a period of approximately two weeks in November/December 1973, for the purpose of dealing with organizational matters, including the election of officers, the adoption of the agenda and the rules of procedure of the Conference, the establishment of subsidiary organs and the allocation of work to these subsidiary organs;

4. Decides to convene the second session of the Conference, for the purpose of dealing with substantive work, at Santiago, Chile, in April/May 1974, for a period of eight weeks, and such subsequent sessions, if necessary, as may be decided by the Conference and approved by the General Assembly, bearing in mind that the Government of Austria has offered Vienna as a site for the Conference for the succeeding year;

5. Further decides to review at its twenty-eighth session the progress of the preparatory work of the Committee and, if necessary, to take measures to facilitate completion of the substantive work for the Conference and any other action it may deem appropriate;

6. Authorizes the Secretary-General, in consultation with the Chairman of the Committee, to make such arrangements as may be necessary for the efficient organization and administration of the Conference and the Committee, utilizing to the fullest extent possible the resources of staff at his disposal, to render to the Conference and the Committee all the assistance they may require in legal, economic, technical and scientific matters and to provide them with all relevant documentation of the United Nations, the specialized agencies and the International Atomic Energy Agency;

7. Decides to consider as a matter of priority at its twenty-eighth session any further matters requiring decision in connexion with the Conference, including the participation of States in the Conference and to inscribe on the provisional agenda of that session an item entitled "Reservation exclusively for peaceful purposes of the sea-bed and the ocean floor, and the subsoil thereof, underlying the high seas beyond the limits of present national jurisdiction and use of their resources in the interests of mankind, and convening of a conference on the law of the sea";

8. Invites the specialized agencies, the International Atomic Energy Agency and other intergovernmental organizations to co-operate fully with the Secretary-General in the preparations for the Conference and to send observers to the Conference;

9. Requests the Secretary-General, subject to approval by the Conference, to invite interested non-governmental organizations having consultative status with the Economic and Social Council to send observers to the Conference;

10. Decides that the Conference and its main committees shall have summary records of their proceedings.

B

The General Assembly,

Recalling its resolution 2749 (XXV) of 17 December 1970, containing the Declaration of Principles Governing the Sea-Bed and the Ocean Floor, and the Subsoil Thereof, beyond the Limits of National Jurisdiction,

Noting that, in the said Declaration, the General Assembly, inter alia, declared that the exploration of the area of the sea-bed and the ocean floor, and the subsoil thereof, beyond the limits of national jurisdiction (hereinafter referred to as the area) and the exploitation of its resources should be carried out for the benefit of mankind as a whole, and that an international régime applying to the area and its resources and including appropriate international machinery should be established,

Realizing that the economic significance of the area would depend on its final delimitation, as stated in the reports by the Secretary-General, 5/

Considering that there is a close relationship between any decision concerning the activities and functions of the international machinery and any decision concerning limits,

Convinced that information and data on the economic implications and significance for the area of the various proposals for limits would be helpful to the participants at the forthcoming United Nations Conference on the Law of the Sea, particularly to developing States, many of which are not members of the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction,

1. Requests the Secretary-General to prepare, on the basis of data and information at his disposal, a comparative study of the extent and the economic significance, in terms of resources, of the international area that would result from each of the various proposals on limits of national jurisdiction presented so far to the Committee on the Peaceful Uses of the Sea-Bed and Ocean Floor beyond the Limits of National Jurisdiction;
2. Further requests the Secretary-General to submit his study as soon as possible, but not later than the opening date of the summer session of the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction in 1973;
3. Invites States, the United Nations Conference on Trade and Development, the specialized agencies and other competent organizations of the United Nations system to co-operate with the Secretary-General in the preparation of such a study;
4. Declares that nothing in the present resolution or in the study shall prejudice the position of any State concerning limits, the nature of the régime and machinery or any other matter to be discussed at the forthcoming Conference on the Law of the Sea.

5/ A/AC.138/36, A/AC.138/73.

C

The General Assembly,

Convinced of the importance to coastal States, for purposes of economic development and social progress, of the ocean resources adjacent to their coasts,

1. Requests the Secretary-General to prepare, on the basis of the information at his disposal and in connexion with the study to be prepared pursuant to resolution B above, a comparative study of the potential economic significance for riparian States, in terms of resources, of each of the various proposals on limits of national jurisdiction presented so far to the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction;

2. Further requests the Secretary-General to submit his study as soon as possible, but not later than the opening date of the summer session of the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction, in 1973 simultaneously with the study to be prepared under resolution B above;

3. Declares that nothing in the present resolution or in the study shall prejudice the position of any State concerning limits, the nature of the régime and machinery or any other matter to be discussed at the forthcoming United Nations Conference on the Law of the Sea.
