

United Nations
**GENERAL
ASSEMBLY**

TWENTY-EIGHTH SESSION

Official Records

**FIRST COMMITTEE, 1927th
MEETING**

Wednesday, 17 October 1973,
at 10.30 a.m.



NEW YORK

CONTENTS

Agenda item 40 (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

Page

27

Chairman: Mr. Otto R. BORCH (Denmark).

AGENDA ITEM 40 (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/9021, A/C.1/1035)

1. Mr. ZEGERS (Chile) (*interpretation from Spanish*): Mr. Chairman, since this is the first time my delegation is taking the floor in the First Committee, may I express to you the confidence the Chilean delegation places in the fact that the work of the Committee is in the hands of a diplomat of your capacity and experience.

2. At the present stage of this debate, my delegation wishes to make a very brief statement regarding the site of the Conference on the Law of the Sea.

3. We regret that we are not in a position, in 1974, to fulfil the responsibility and the honour which the twenty-seventh session of the General Assembly decided to bestow on Chile when it chose Santiago as the site of the first substantive session of the Third United Nations Conference on the Law of the Sea. The Government has been compelled to use as its headquarters the old United Nations Conference on Trade and Development building in which the Conference was to have been held. It is therefore impossible for the Conference to be held there at the time planned.

4. While thanking the General Assembly for the honour it has conferred on my country, I wish to state that Chile will be at the disposal of the General Assembly in future if it wishes to hold any of the later sessions of the Conference in Chile.

5. The CHAIRMAN: I take it that the Chairman of the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction has taken note of the statement of the representative of Chile and that he will take it into consideration in the continuation of his consultations with the various groups. It is now necessary to face the issue of a site for the Conference in 1974.

6. Mr. GRUNERT (German Democratic Republic): Mr. Chairman, permit me also to extend warm congratulations on your election as Chairman of the First Committee. May I also thank you very cordially for the opportunity to take the floor as the representative of a country that has just been admitted to the United Nations, and whose Government is willing to co-operate constructively in all fields of the work of the international community in order to find solutions benefiting humanity. That goes also for matters relating to the law of the sea.

7. The German Democratic Republic followed with special attention the work done in various United Nations organs in regard to the codification and progressive development of the norms of the law of the sea. Matters relating to the law of the sea are of primary interest to all States because the seas are a vital reservoir to meet increasing food and raw material needs and because sea-going shipping plays an important role in the development of international economic relations.

8. The German Democratic Republic agrees with other States that the codification and progressive development of the norms of the law of the sea are real requirements of our time. The emergence of new States, the constant expansion of international relations and the technological and scientific revolutions have resulted in many changes and have raised problems that call for new solutions. The delegation of the German Democratic Republic believes that to ensure the success of codification work it is essential to proceed from existing, generally recognized norms of the law of the sea, which have proved their value in international relations and meet the interests of the community of States as a whole.

9. Such an approach is also justified in the light of positive experience gained in this respect in earlier work on the codification and the progressive development of norms of international law in other legal areas.

10. The delegation of the German Democratic Republic therefore fully supports the position that it is indispensable for the codification and progressive development of the law of the sea to proceed from the principle of the freedom of the high seas. For many centuries the freedom of the high seas has been a firmly established principle in the legal

thinking of peoples, and the convention; on the law of the sea adopted in Geneva in 1958 rest on this sound principle of international law.

11. As a socialist State and party to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water,¹ and to the Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed, the Ocean Floor and in the Subsoil Thereof [*resolution 2660 (XXV), annex*], the German Democratic Republic considers that the sea-bed, the ocean floor and the subsoil thereof should be reserved for exclusively peaceful exploration and exploitation. In this connexion we understand very well the special interests and expectations of the developing countries with regard to the exploitation of the resources of the sea-bed. The position of the delegation of the German Democratic Republic is that these interests should be particularly taken into account. We are determined to support all efforts to achieve acceptable solutions with due regard for the principle of the freedom of the high seas, and we are sure that such efforts will be successful if all the parties display goodwill.

12. The delegation of the German Republic holds the view that the fundamental question of the sea-bed régime needs thorough discussion and that after these questions are settled it may be possible to negotiate on setting up a sea-bed organization. As far as the general purpose of the organization is concerned, it should focus on matters of principle related to the sea-bed and its subsoil and should comprise only non-commercial functions.

13. The delegation of the German Democratic Republic deems it necessary that a future convention reaffirm the principle of innocent passage through international straits which link areas of the open seas. That principle is an inseparable element of the freedom of the seas and constitutes generally accepted international law. The delegation of the German Democratic Republic therefore supports the proposal presented by the Soviet Union in July 1972,² because it harmonizes the interests of the seafaring States with the warranted security interests of adjacent States.

14. Another important problem is the tendency of coastal States to extend their sovereignty to areas of the high seas by broadening their territorial seas or creating exclusive economic zones. To work out a balanced international legal arrangement which takes into account both the legitimate interests of coastal States and the concerns of the international community as reflected in the principle of the freedom of the seas will require a high degree of co-operation and goodwill. Claims to a territorial sea up to 12 nautical miles are in accordance with customary international law, therefore the German Democratic Republic supports the proposal to fix definitively in a future convention the right of coastal States to a territorial sea up to 12 nautical miles broad. An extension of the territorial sea beyond 12 nautical miles would mean for the German Democratic Republic and other coastal States of the Baltic

Sea, for instance, that that sea would be entirely apportioned to the coastal States. Such a measure could, however, become a source of dispute not only among the coastal States of the Baltic Sea but also with other States whose ships ply the waters of that sea. A similar situation would arise for all the other marginal seas and oceans and, moreover, for large areas of the oceans themselves. Such an arrangement would not result in an accommodation of interests but would rather worsen the situation of the geographically disadvantaged States; nor would the setting up of exclusive economic zones serve the interests of the international community, as it would in many respects be tantamount to an extension of the territorial sea.

15. All this would impair the interests of a great number of States, especially the land-locked States, and would not at all ensure that the developing countries among the coastal States could make greater use of the living and mineral resources of the seas. Preferential rights for the developing countries might, however, result in a sufficient safeguard of their national interests. If such rights were bound in with an obligation on the developed States to assist them in using their resources, the degree of exploitation could be higher than it would be in the case of exclusive rights. The German Democratic Republic is ready to assist the developing States within the limits of its capabilities in introducing modern technologies.

16. My delegation wishes to emphasize that the German Democratic Republic strongly supports the right of land-locked States to have free access to the open sea. In our view it is essential to find solutions on the basis of the principles of the United Nations Charter, in particular those of peaceful international co-operation and the sovereign equality of States, solutions meeting equally the legitimate interests of land-locked States and those of coastal States.

17. Another important problem which will have to be considered at the forthcoming Conference on the Law of the Sea is the seaward limits of the continental shelf. The proposal made by the delegation of the Soviet Union at the sixth session of the sea-bed Committee [*A/9021, vol. III, sect. 15*] is in our view a flexible approach which pays heed to future necessities and offers all States the possibility of using the reserves of the sea-bed and the ocean floor. The proposal is well justified from both the economic point of view and the international legal point of view and it meets the interests of the overwhelming majority of States.

18. In the view of the delegation of the German Democratic Republic, the problems of marine pollution control and the conservation of the living resources of the sea deserve special attention. The German Democratic Republic supports the elaboration of a convention on the protection of the world's oceans and territorial waters. In that convention, States should pledge themselves to take all necessary measures, including the adoption of legal regulations, to avoid pollution of the sea. The effective control of marine pollution requires the close co-operation of all States with a view to exchanging scientific information on the prevention of marine pollution and the elaboration of mutually acceptable rules and standards to prevent the pollution of the seas in a regional or global framework.

19. Our delegation reserves the right to make more detailed comments later on the problems of the codifica-

¹ United Nations, *Treaty Series*, vol. 480, No. 5964, p. 43.

² *Official Records of the General Assembly, Twenty-seventh Session, Supplement No. 21, annex III, sect. 5.*

tion and progressive development of the law of the sea and on matters relating to the preparations for the Third United Nations Conference on the Law of the Sea.

20. Finally, I wish to record the readiness of the delegation of the German Democratic Republic to contribute, in accordance with its capabilities, to the preparation and successful holding of that Conference.

21. The CHAIRMAN: Before calling upon the next speaker. I call on the Chairman of the sea-bed Committee for a brief comment.

22. Mr. AMERASINGHE (Sri Lanka): The representative of Chile, Mr. Fernando Zegers, who has been associated with the sea-bed Committee for many years and has demonstrated outstanding ability, and whom I regard as a very close personal friend, has informed us that circumstances have made it impossible for his Government to act as host to the first substantive session of the Third United Nations Conference on the Law of the Sea in 1974, as originally decided. We appreciate the circumstances that have compelled his Government to take that decision, and I share with him the hope that if at some future date it is found necessary to hold a further session, we will remember the statement he has made today.

23. When we chose Chile as the site of the Conference we did so as a gesture not only to that country but to the whole of Latin America.

24. I shall take note of the statement made by the representative of Chile in the course of my consultations with my colleagues on the sea-bed Committee.

25. Mr. THOMPSON-FLORES (Brazil): Mr. Chairman, my delegation wishes to associate itself with those who have congratulated you and the other officers of the Committee on your election. We are certain that with your experience and intelligence you will guide us to fruitful results in our work here.

26. It has consistently been the Brazilian Government's belief that the Conference on the Law of the Sea should be convened when preparations have reached an adequate level, affording all States the possibility of examining the over-all situation on the basis of agreed or alternative draft articles on the main subjects under study.

27. It was this approach that we took last year when, in association with a few other friendly delegations, we sought to introduce into the draft resolution to be adopted a minimum degree of flexibility so as to be able to cope with precisely the kind of situation we now face.

28. It is clear to the majority of us here, if not to all, that the preparatory work for the Conference has, on many points, merely begun. With the exception of the régime and machinery for the sea-bed area beyond the limits of national jurisdiction, where some progress has been achieved, and of a few items on marine pollution and scientific research, the preparatory work to be accomplished remains formidable.

29. This does not constitute in any way a demerit to the task performed by the sea-bed Committee and its most able

Chairman, Mr. Amerasinghe, whom we have had many occasions in this Committee to congratulate and thank for his untiring and skilful efforts in this most arduous struggle. We now renew to him and the other members of the Bureau the expression of our gratitude and admiration.

30. At this time we are, however, called upon to decide on our future course of action. As I hinted earlier, we have no doubt as to the need for further preparatory work, undertaken by the sea-bed Committee, the Conference itself, or in any other way the Assembly deems appropriate. It might be advisable, in the future endeavours, to benefit from those countries which, for one reason or another, have not participated so far in this collective effort.

31. If the majority feels that an inaugural session of the Conference, to take decisions on organizational matters, is desirable this year, we will not oppose the convening of such a meeting, although time is very short and no fruitful negotiations have really begun on the procedural questions to be settled, some of which are of a most important and delicate nature, such as, for instance, the structure of the Conference, the mandate of the various committees to be created, and the decision-making process to be adopted.

32. In these circumstances, that is to say, if we launch the Conference itself with a meeting in November-December of 1973, my delegation would support those who favour aiming for a single session next year, of around 10 weeks, possibly during the months of June, July and August.

33. The stage of preparatory work may not be as advanced as was thought possible by some delegations here. We are not surprised and we are not disappointed. This is a momentous endeavour. With goodwill, faith and continuous hard work, we will be successful.

34. Mr. MOTT (Australia): Almost three years ago in this Committee, during the discussions leading to the passage of General Assembly resolution 2750 C (XXV), the Australian representative commented that there was no more important business on the Assembly's agenda in that year than the preparations for the Conference on the Law of the Sea. What we decided then, he said, could have far-reaching implications for our countries and peoples for years ahead.

35. My delegation considers that, in 1973, after six sessions of the preparatory committee and at a vantage point from which we can look both back over the preparatory work and forward to the Conference, these remarks retain their essential validity. Indeed, they could as well be applied to our present situation. Resolution 2750 C (XXV), of course, has become part of the background to the Conference and we have now advanced to the point where we are preparing to confirm the decisions that were implicit in that resolution and amplified in General Assembly resolution 3029 A (XXVII).

36. As we are all aware, the Chairman of the sea-bed Committee, Mr. Amerasinghe, has taken the important step of circulating informally a draft resolution relating to the Conference which he believes could act as a catalyst for discussion. My delegation thanks him for this timely initiative which will help us with our main task at this session.

37. In considering what action we must take in regard to the Conference, my delegation acknowledges that genuine differences of view exist as to the adequacy of the work that the preparatory committee undertook at the request of the General Assembly. I think that none among us would contend that the work of the Committee has been fully satisfactory in the sense that we now have before us a complete set of draft articles and recommendations on the basis of which it would be possible to take decisions at the Conference. We are, in fact, still some distance from that point.

38. Nevertheless, the preparatory committee has clearly made worthwhile progress. Sub-Committees I and III, for example, have sent forward to the Assembly, for transmission to the Conference, a large volume of useful documentation, much of which is in the form of draft articles and alternatives. Sub-Committee II which, because of the complexity of its task, has lagged behind somewhat, has also provided a considerable amount of documentation which, although it does not constitute a basis on which decisions could be taken, will help the Conference to plan and take further action in that direction.

39. It will obviously be necessary to do a lot more work before we can hope to reach the final stage of taking decisions. It seems equally obvious to us that the preparatory committee, as constituted, has taken its work as far as it can. Looking back, we can now appreciate that the committee was not a fully satisfactory medium for the process of narrowing and, where possible, removing differences of attitude that must precede the formulation of a convention on the law of the sea. Both for this reason and because Australia's interests lie in the direction of an acceptable convention, we have concluded that it would be appropriate now to put an end to this phase of our work and to move to the stage of the Conference.

40. My delegation would like to comment on the informal draft resolution that has been circulated. We shall do so in the spirit that a full exchange of views will make it easier to achieve the objective of a draft resolution that commands widespread, if not unanimous, support.

41. Resolution 3029 A (XXVII) asked the Secretary-General to convene the first session of the Conference at New York in November-December 1973 for the purpose of dealing with organizational matters. We believe that this year's resolution should confirm that decision, because it would help us to move more rapidly into substantive work in 1974 if we disposed of the main organizational problems beforehand. We also have sympathy for the difficulties of those who argue that, for representational reasons, it would be preferable to have one organizational session instead of a split session, or that, if there is to be a split session, the two parts should be close together in time.

42. The time-table that we decide on for 1974 is bound to have an influence on the substantive work of the Conference. In this respect some difference of view has arisen as to whether there should be one substantive session next year or two sessions. My delegation confesses to seeing merit in both approaches, which we believe represent variations in the means for achieving the end rather than differences about the end itself—which surely is that the Conference

should be successful and which we believe is not an issue in this Committee.

43. Those who favour two sessions believe that the first of the two sessions, which would be somewhat preliminary in nature, would provide an opportunity for fulfilling certain preparatory functions which the sea-bed Committee has not completed, as well as for clearing away the initial stages of substantive work such as the general debate.

44. Those who favour one session, on the other hand, fear that it could fragment the work of the Conference unnecessarily if there were to be two sessions separated only by a brief period of time. They also see possible difficulties of representation in such an arrangement. They argue essentially that the simple and effective course for the General Assembly this year would be to confirm the substance of the decision it took last year.

45. My delegation believes that there is a widespread feeling in this Committee that the resolution we approve this year should primarily contain clear provision for one substantive session in 1974, at a place and time to be generally agreed. In this connexion we must take appropriate account of the statement which the representative of Chile made earlier this morning. However, whether the resolution should also contain provision for a further session, or provision for carrying forward our collective effort in some manner that does not necessitate the calling of a formal session, is a subject for reflection on which we would prefer to keep an open mind just now.

46. In view of the fact that the United Nations has taken a number of steps towards the goal of universality this year, the question of invitations to the Conference on the Law of the Sea has aspects that are both novel and, of course, important. We have heard a number of suggestions as to how this might be handled. Mr. Amerasinghe himself has outlined one approach in the informal draft resolution he has circulated. We believe that, if applied appropriately, this could have the desired effect of facilitating the attendance at the Conference of all of the States which together comprise the international community. We have listened in this regard, too, to the variation proposed by the representative of Norway at the 1924th meeting, which could achieve the same objective but by a slightly different path which has potential attractions of its own.

47. The question of the purpose of the Conference should be dealt with in the resolution. In this regard, and with the experience of 1958 in mind, we consider that the Conference should be asked to embody the results of its work in an international convention, or, if need be, in international conventions which should form an integrated whole.

48. As we move forward to the Conference it would seem to be important for purposes of sound policy-making that the participants should have as clear an idea as possible of each other's views on the matters of substance that will be confronting them. Members of the preparatory committee have been listening to one another's views for three years now. We have not heard, however, the views of those 50 or more States which will be joining the deliberations for the first time at the stage of the Conference—although of course this process is beginning now and we have been most

interested to hear the statements by the representatives of the Federal Republic of Germany at the 1926th meeting and the German Democratic Republic at this meeting.

49. For that reason we believe that it would be helpful to all participants if States, and particularly States which were not members of the sea-bed Committee, were given the chance to submit their views on substance to the Secretary-General by a certain date, and if these views could then be made available to all participants before the Conference. It is our view that the resolution should give States this opportunity. It would be understood, of course, that the use of a target date would not in any way preclude States from putting forward their views at any time after that date.

50. As we know, consultations in regard to the informal draft resolution are in progress both within the geographical groups and, across group lines, within the contact group system. We hope that these consultations will be pursued energetically and that, as with resolution 3029 A (XXVII), the result will be a resolution embodying a firm decision to convene the Conference in 1974 in terms that will be acceptable to all Members of the United Nations. That would be a good omen for our future work.

51. Mr. CASTAÑEDA (Mexico) (*interpretation from Spanish*): Mr. Chairman, may I first of all, on behalf of my delegation, join in the congratulations that have been offered you and other officers of the Committee. We trust that your important task will be crowned with success.

52. I should like very briefly to reiterate the views of my delegation on the various matters we are discussing at the moment. We have already made our views known in a more general sense.

53. Obviously, we understand that, unfortunately, the preparatory work has not reached such a stage as to allow us, with any degree of certainty and in a direct way, so to speak, to embark on the Conference. However, we might fall into a mistaken approach to the problem if we assessed only the apparent or obvious progress—which admittedly has been relatively meagre. We feel that despite appearances there are favourable, objective conditions for achieving a substantial measure of basic agreement which may ultimately turn out to be the very key to the success of the Conference. As far as possible, at the recent meetings in Geneva an effort was made to negotiate so that at least a considerable number of delegations occupying what I would term the central area of the gamut of views that had been expressed could come to an agreement that might be the basic foundation for the possible Conference. We did not succeed, but we were not too far off from achieving that agreement. I would say that we were relatively quite close to an agreement, and perhaps in the future we may actually achieve it.

54. Now, would that justify our continuing the preparatory work in the Committee? In our opinion, the Committee has, if I may put it this way, outlived its usefulness. Hence, I do not believe that the Committee as such can be of any further use to us. To prolong its mandate would not serve any valid purpose. The Committee could hold a number of additional sessions without making

further progress. Actually it cannot be said that there has not been enough time. During the last three years we have had six sessions which altogether add up to seven or eight months of actual work, and in the course of the last session we gathered the impression that it was not that time was lacking but that the majority of the representatives on the committee had reiterated the position of their Governments so often and the possibilities of negotiation had been so exhausted that sufficient efforts were not made by many of those involved in the negotiations to come to an agreement. Therefore, I do not believe it can be held that the preparatory work represents a set of tasks which can necessarily be accomplished if there is sufficient time or that it will take only another session to complete the work. The question is far more complex and there are a number of paradoxes involved.

55. I would say that many or most delegations had the feeling, in the course of the last session of the preparatory committee, that that was neither the right place nor the right time for negotiations to be wound up and for a maximum effort to be made; they felt, rather, that it was still a matter of preparatory work and that other opportunities for negotiation would be open to us. It was precisely this feeling that I think, to some extent, prevented the development of the appropriate psychological atmosphere for negotiation. Everybody felt that there was possibly another chance elsewhere.

56. So I think we should move on from the preparatory committee stage to the conference stage—in other words, change the very structure, change many of the elements composing the preparatory work of the Committee. I believe that once we have initiated the conference process itself, where agreements must be arrived at, States will make greater efforts than they made in the Committee to come to such agreements. That is why I believe it desirable, and indeed indispensable, for us to follow the time-table we set for ourselves earlier and, concurrently with the present session of the General Assembly—during November—to start the procedural and organizational stage of the Conference.

57. Now, with regard to the stages of the 1974 conference, frankly, my delegation has no rigid views on the matter, and I do not really feel that we should solve that question on the basis of questions of principle. I think we ought to be far more flexible and practical in this matter. Furthermore, I believe that, generally speaking, the experience we have gathered in the Committee has taught us that we should strengthen the negotiating machinery somewhat and try to provide wider opportunities for negotiation on specific texts.

58. A committee as large as the preparatory committee, with its more than 90 members, where the same general positions have constantly been stated and reiterated, has provided the right forum for certain basic ideas to emerge, for principles to be outlined and for certain trends to be made visible. Because of its large membership, it is the right place for general debates. For negotiations, however, we require a more effective type of machinery paralleling the Committee. Now, what that might be, I do not know. There are, however, a number of alternatives.

59. Here, as elsewhere, my delegation is very close to sharing the views expressed a few moments ago by the representative of Australia. I think that there are advantages and disadvantages to both positions that have been adopted, and my delegation fully understands the fears or concerns expressed by many delegations, primarily the small ones, over the possible holding of two further sessions, since that would call for certain efforts in the matter of representation of delegations, and so on.

60. Yet, I do believe that that argument would be more valid were it not for the fact that in the course of the last three years the Committee has met twice yearly. Actually, it is somewhat strange, after the Committee has been meeting twice a year, that when we come to the very nub of the matter, the Conference itself, the Assembly should suddenly be hesitant to hold two sessions a year.

61. I think there is a lack of logic there. However, some have rightly stated that representation at the conference level is far more demanding on a country, in the sense that countries may wish to send delegations of a much higher level to a conference; and therefore, to hold two sessions—a brief, four-week session and a second, somewhat longer one later in the same year—would place a greater burden on countries.

62. Now, in order to avoid that sort of difficulty, why not consider the other alternative—that the brief spring session need not be devoted to an all-out attack on all fronts. We have been told that Sub-Committee I has progressed on the sea-bed question; Sub-Committee III has progressed a few steps on the pollution problem. We could perhaps hold a session that would not necessarily require those two Sub-Committees to meet, and devote ourselves exclusively to the work of Sub-Committee II. Thus the representational burden would be much lighter: we would not require ministerial-level representation at that short session and thus, without too great an effort, that session could be held and would concentrate on the matters falling within the competence of Sub-Committee II.

63. At that short session, I think we could also hear general statements from those who have not participated in the past work of the Committee. Those wishing to do so in writing will be more than welcome. Indeed, at times it is easier for others to learn of our views by a careful reading of our statements. However, those who prefer to make oral statements could also do so at that spring session. In any event, at the same time that this general debate was held at the short spring session, I believe that, during that same session, the Conference should make the necessary effort to undertake negotiations on those subjects falling within the purview, as I said, of Sub-Committee II.

64. In the past, and more particularly in the course of the last three years, we have very often repeated the same idea—that is, that the main responsibility for agreements to be arrived at, and the main initiatives for such agreements, must inevitably emerge from the negotiations themselves. Unfortunately, the Conference will not now have a document prepared by a group of independent experts, as was the case with the splendid 1956 reports of the International Law Commission which were submitted to the 1958 Conference.

65. The task of preparing draft texts is not one for the Secretariat, but for delegations. I think that efforts will have to be multiplied at that next session so that delegations—above all, those having similar views and positions—can reduce to two or three the fundamental positions. If that could be done at the spring session, then during the summer session we would have only two or three basic formulations representing the views of practically all delegations.

66. I think this is feasible and something we could do. I believe it is the way we should direct our efforts. That is the programme my delegation would advocate and the course of action we would support.

67. Mrs. BORODOWSKY (Cuba) (*interpretation from Spanish*): Mr. Chairman, may I convey to you the congratulations of my delegation on your well-earned election to preside over the work of this First Committee.

68. My delegation would like to refer to what was said by the representative of the Government of the Military Junta of Chile. There can be no doubt that at present Chile offers neither the conditions nor the safeguards for the holding of the Conference on the Law of the Sea, or any other conference or meeting, for reasons that are well known to yourself, Sir, and the representatives on this Committee. Furthermore, as the Chairman of the sea-bed Committee quite correctly put it, the proposal that Chile be the site of that conference was addressed to the constitutional Government of President Allende, who was so foully overthrown.

69. Mr. ZEGERS (Chile) (*interpretation from Spanish*): I feel constrained to reply to what was just said by the representative of Cuba. Her statement, as so many others, violates the second principle of the Charter of the United Nations regarding non-intervention in the domestic affairs of States. I did not want to raise a point of order since the representative of Cuba is a lady.

70. But for the only time in this Committee I shall make a brief comment. I shall not make comparisons regarding the Chilean régime and the legality which has been maintained in my country for many years and still exists. I shall not compare this with what has happened in Cuba in the last 15 years because I respect the principle of the Charter regarding intervention in the domestic affairs of States.

71. For the moment I shall merely confine myself to citing Don Quixote: "If the dogs bark, Sancho, it is because we are riding on."

72. The CHAIRMAN: Might I suggest that perhaps we limit our discussion regarding this matter and consider it closed as a result of the statements already made—unless there are some who feel a strong urge to continue the debate.

73. Mr. AZZOUT (Algeria) (*interpretation from French*): Mr. Chairman, the Algerian delegation will no doubt have an opportunity to express its congratulations on your election to the chairmanship of our Committee and to set forth its views on the subject under discussion. I shall confine myself simply to informing the Committee that three important documents were adopted this year: a declaration concerning the law of the sea adopted by the

heads of African States when they were celebrating the tenth anniversary, and a declaration and a resolution adopted at the Fourth Conference of Heads of State or Government of Non-Aligned Countries. Those documents were transmitted to the Secretariat and we think that very soon they will be circulated as United Nations documents.

74. Mr. ARIAS SCHREIBER (Peru) (*interpretation from Spanish*): I should specifically like to refer to the statement made by the representative of Algeria, who has asked that the text of the resolution on the law of the sea and the pertinent paragraphs of the general political Declaration adopted by the Fourth Conference of Heads of State or Government of Non-Aligned Countries, held at Algiers from 5 to 9 September 1973, should be circulated in the Committee.

75. The importance of those documents flows not only from their very contents, which include basic ideas with regard to the law of the sea, such as support for the 200-mile limit, for the regional solutions criterion, for special treatment for land-locked countries and other countries in an unfavourable geographical position and for the régime of the sea-bed beyond the limits of national jurisdiction, but also from the fact that they represent a declaration of heads of State and Government of a majority of the States of the world which urge the adoption of a new law of the sea as an instrument not of hegemony but of development and general welfare of all peoples.

76. As far as procedural questions are concerned, my delegation is waiting for the regional consultations to take place before we pronounce ourselves on the informal draft resolution circulated by Ambassador Amerasinghe.

77. In the meantime, I merely wanted to say that we are grateful to the representative of Chile for the information that he gave us this morning on the question of the site for the conference in 1974, which was not decided upon in terms of Government but of a Latin American State whose contributions to the law of the sea have been and continue to be fundamental.

78. We also wish to express our agreement with the views stated by the representative of Brazil on the unchallengeable fact that the preparatory work of the conference has not been completed and that it should be completed at a session in 1974 with the participation of those countries that did not take part in the sea-bed Committee, so as to achieve results acceptable to all States.

79. The CHAIRMAN: I take it that the matter of the documentation from the Fourth Conference of Heads of State or Government of Non-Aligned Countries will be dealt with by the host country and the Secretariat, and that when it is ready it will be circulated to this Committee.

The meeting rose at 11.45 a.m.