

SUMMARY RECORD OF THE SIX HUNDRED AND NINTH MEETING

Held on Friday, 27 April 1973, at 3.25 p.m.

Chairman:

Mr. CZARKOWSKI

Poland

PERMANENT SOVEREIGNTY OVER NATURAL RESOURCES OF DEVELOPING COUNTRIES (E/5170; E/AC.6/L.483/Rev.1) (concluded)

Mr. FIGUEROA (Chile) emphasized that the sponsors of draft resolution E/AC.6/L.483/Rev.1 wished to reiterate that the provisions of the text relating to marine questions did not prejudge the deliberations of, or any agreement emerging from, the forthcoming law of the sea conference.

The sponsors had carefully considered the various amendments proposed, including those by the representative of Canada, and were in a position to accept some of them. Thus, in paragraph 3, it had been agreed that the words "or of obtaining advantages" in the fourth line should be altered to read: "or of using coercion to obtain advantages". On the other hand, it had been decided that the word "flagrant" in the same paragraph should be retained. Again, the sponsors felt that the formulation in the last part of paragraph 3, i.e. "and that to persist therein would constitute a threat to international peace and security", must remain. However, in the English version the word "would" had now been altered to "could", a change which did not affect the Spanish text.

It had been decided, with regard to paragraph 4, that the word "appropriate" should be changed to "effective". Similarly, the Peruvian representative's suggestion regarding paragraph 5 was acceptable. Consequently, the words "... of establishing and strengthening" in the fourth line would be changed to "... of establishing, strengthening and supporting".

In conclusion, he wished to request through the Chairman that the Committee take a decision on the draft resolution forthwith.

The CHAIRMAN said he interpreted the Chilean representative's request as meaning that the Committee should take its decision on the draft resolution after hearing statements by the delegations included in the list of speakers.

Mr. LISSOV (Union of Soviet Socialist Republics) said that draft resolution E/AC.6/L.483/Rev.1 faithfully reflected the basic trends that had emerged in the debate on the question of permanent sovereignty over natural resources of developing countries. The draft also clearly identified a number of difficulties which were preventing the developing countries from fully exercising sovereignty over their natural resources, including difficulties relating to certain unsettled matters of international law.

(Mr. Lissov, USSR)

Because of the interest which the developing countries rightly attached to the question, the discussion had at times been heated. Some delegations had even gone so far as to make unfounded accusations concerning the position of other delegations on the question of permanent sovereignty over natural resources. Indeed, in certain instances those accusations had been tantamount to slander. He had listened with particular interest to the contrived fable concerning an unspecified "super-Power" which allegedly supported the permanent sovereignty of the developing countries over their natural resources only in so far as land resources were concerned and took a position opposed to that of the developing countries in respect of marine resources. He had in mind, inter alia the statements of the representatives of Brazil and Pakistan who, when speaking, had looked directly in the direction of his delegation, thus giving him the impression that the fable about the super-Power in question might have been addressed to the Soviet delegation. To obviate any misunderstanding, he wished to make his delegation's position on the matter perfectly clear.

True to its revolutionary and democratic traditions, in its international relations the Soviet Union consistently opposed any manifestations of obsolete and reactionary doctrines and had consistently been in the vanguard of the forces struggling for peace, universal security and the well-being and progress of all peoples. As to his country's position on the question of the permanent sovereignty of the developing countries over marine resources, he pointed out that, as a member of the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction, which was currently engaged in preparatory work for the forthcoming Conference on the Law of the Sea, his delegation had consistently taken into account both the new developments in science and technology and the recent changes in the structure of the world community, in particular the emergence of new States from a former colonial status. His delegation had always championed the sovereignty of the new States over their natural resources, both on land and in the sea.

The principles of Marxism/Leninism, which had led to the great October revolution and had subsequently guided socialist construction in the USSR, taught that history was a process of evolution in which the old did not simply make way for

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the new but rather the best elements of the old were incorporated into the new. Thus, in the field of international law, elements which had evolved out of the customary usage of States and had proved their usefulness in the past should not blindly be replaced with new concepts which were not clearly defined and had not stood the test of time. In some quarters, however, it was considered fashionable to replace what were deemed "obsolete concepts" by various new concepts, the meaning of which was not yet clear. That tendency was particularly apparent in regard to the law of the sea, which was currently being re-examined. An international Conference was soon to be convened to develop and to clarify further the law of the sea.

An issue of current interest concerning the law of the sea was, as many delegations had observed during the debate, the extent to which a coastal State was entitled to exercise sovereignty over marine resources, which comprised the mineral resources as well as the living resources of the sea. In his delegation's view, the rights of States with respect to the mineral resources of the sea-bed extended also to the resources of the continental shelf and the subsoil thereof, as had been established in the 1958 Geneva Convention on the Continental Shelf. The question of the breadth of the territorial shelf, like that of the territorial sea, remained to be settled; however, it had been clearly established that, whatever the extent of the territorial sea, foreign vessels had the right of innocent passage through it. The right of innocent passage was essential since, without it, there would be no difference between the legal status of the territorial sea and that of internal waters. Moreover, the breadth of the territorial sea could not be established arbitrarily but only in accordance with international law. In that connexion, it should be particularly noted that the International Law Commission, in its draft articles elaborated for the 1958 Geneva Conference, had expressed the view that international law did not allow a breadth greater than 12 miles. It should also be noted that in practice a limit of 12 miles or less was observed by the overwhelming majority of States.

With regard to the question of sovereignty over the living resources of the sea, there were considerable differences of opinion, some taking a selfish view and claiming very broad limits for national jurisdiction, while others advocated a more equitable and balanced solution, taking into account the interests of all countries. His delegation was very sympathetic to the natural desire of the coastal developing

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countries to raise their standards of living by rationally exploiting the fisheries resources in their coastal waters. However, the interests of the land-locked countries, the majority of which were also developing countries, should not be overlooked; they too were entitled to a fair share of the world's fisheries resources. His delegation therefore favoured a solution to the fisheries question which would equitably take into account the interests of all countries, including those countries in which the fishing industry was a vital part of the national economy. His delegation favoured the idea that coastal developing countries should have certain special rights and privileges with regard to fishing in a zone contiguous to their territorial sea. At the same time, however, his delegation was sympathetic to the desire of certain other countries that their fishing fleets should have access to the resources in the high seas adjacent to the territorial sea of other countries.

Another consideration which should be borne in mind was the fact that the developing countries, as a result of the exploitation they had been subjected to during colonial times, were not generally able to build and operate modern fishing fleets capable of rationally exploiting the fisheries resources in the waters off their coasts. Every effort should, of course, be made to help them develop their fishing industries as rapidly as possible but in the meantime it was in their interests as well as the interests of countries operating modern fishing fleets, that their fisheries resources should be exploited as rationally and economically as possible. The Soviet Union was deeply involved in the effort to assist developing countries to expand and modernize their fishing industries; to that end it had concluded agreements with some 30 developing countries based on the principles of equitable co-operation and mutual benefit. A number of spokesmen of the developing countries had expressed their approval of that form of co-operation, and his Government was prepared to continue such assistance.

In conclusion, he expressed the hope that the information he had provided had made his delegation's position clearer, especially for those who had shown some misunderstanding of it. In accordance with the above-stated position, his delegation had no serious difficulty in supporting the draft resolution before the Committee, although it had made some informal proposals to the sponsors with a view to improving the text and hoped that it would soon have a reply from them.

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Mr. LOFTIN (United States of America) was pleased to note that the sponsors of draft resolution E/AC.6/L.483/Rev.1 had accepted at least some of the Canadian amendments. He formally proposed that the following words be added to the end of paragraph 4: "but not so as to put consumer countries, both developing and developed, in an inferior bargaining position". His delegation felt that such an addition would not detract from the main thrust of the paragraph, but would make for more equitable treatment of all countries, particularly the land-locked countries. As it stood, paragraph 4 was somewhat unbalanced and favoured producer countries at the expense of consumer countries.

Mr. ROUIRA (Spain) said that it was important to recognize the principle of permanent sovereignty over the natural resources of the developing countries. However, his delegation had some difficulties with the draft resolution under consideration. For example, he endorsed the pertinent remarks made by the representative of the Netherlands to the effect that the draft resolution made no reference to international law. His delegation's main reservations concerned the inclusion in paragraphs 1 and 6 of references to the jurisdiction of coastal States over resources in the sea-bed and particularly in the superjacent waters. The Council should take into account the fact that such matters were under discussion in other United Nations' bodies and would be the subject of suggestions and decisions at the Conference on the Law of the Sea. An Economic and Social Council resolution should not be allowed to prejudge the outcome of that Conference; nor was the Council the appropriate forum for discussing the question of the limits of national jurisdiction.

Therefore, his delegation would take the same position as it had with regard to General Assembly resolution 3016 (XXVII) and would abstain in the voting on the draft resolution. If the draft resolution was adopted, he wished to make it clear that, in his delegation's view, it could in no way prejudge the decisions to be taken at the forthcoming Conference on the Law of the Sea on the matter, nor modify the existing rules of international law on the matter.

Mr. GATES (New Zealand) said that his delegation had not taken part in the general debate, because its support for the principle of permanent sovereignty over natural resources of all States was well known and it had supported General Assembly resolution 3016 (XXVII). Furthermore, his delegation's views on the draft

(Mr. Gates, New Zealand)

resolution had been well expressed by other delegations, particularly those of Canada and India. He was pleased to note that the sponsors of the draft resolution had accepted certain amendments which improved the draft considerably. However, the text was still by no means perfect. For example, his delegation would have preferred deletion of the word "flagrant" in paragraph 3, since it added nothing to the paragraph other than a shrill and extravagant tone which was both undesirable and unnecessary in a resolution from a responsible body such as the Council.

Furthermore, his delegation would have preferred to avoid the ambiguity in paragraph 1 concerning natural resources in the sea and the sea-bed. The question of the limits of national jurisdiction had not yet been settled and would be discussed at the forthcoming Conference on the Law of the Sea, and, for his delegation, the draft resolution should not be considered to prejudge the outcome of that Conference. His delegation interpreted paragraph 5 of the draft resolution which requested international financial organizations to provide all possible assistance as meaning that they were to provide assistance within their available resources.

Mr. BRITO (Brazil) said that he had understood that the general debate on the item under consideration had been concluded. However, further discussion might well help to identify possible areas of agreement and co-operation and he had therefore listened carefully to the statement of the representative of the USSR. He pointed out that the whole question of marine resources was in the process of evolution. Obviously, all countries, particularly developing countries looked to their environment to help accelerate the process of development. In the case under discussion, they looked to their marine environment in an effort to find some compensation for their past disadvantages. That could not be considered as a selfish move, but a move to give developing countries a better chance to succeed in their development efforts. It was in that context that the affirmation of developing and other countries of their sovereignty over marine resources in coastal areas should be viewed. The representative of the USSR had referred to fishing fleets and had implied that some fleets were operated by the land-locked countries. However, most of the fleets on the high seas today were those of the developed countries and not those of land-locked or developing

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(Mr. Brito, Brazil)

countries. That was an indication of the real interests involved and explained why there was so much opposition to the affirmation of the rights of States over their marine resources. The representative of the USSR had referred to international law, which was surprising since that law was a heritage of an unjust past in which the maritime powers had wanted to maintain their freedom of movement. Times had changed and international law must also change and take into account the legitimate interests of the developing countries. However, he was confident that the representative of the USSR would soon support the cause of the developing countries. He had in no way intended to slander the delegation of the Soviet Union or any other delegation. Perhaps he had implied that the USSR had adopted a similar position to that of the United Kingdom. If that constituted a slander, perhaps they could discuss it among themselves.

As a sponsor of draft resolution E/AC.6/L.483/Rev.1, he found it difficult to accept the United States amendment to paragraph 4. It implied that the measures suggested in paragraph 4 were unbalanced and would constitute unfair treatment of the consumer countries. However, for centuries, the producer countries had been the victims of a very unfair situation. He could therefore not understand why co-operation between producer countries to get a fair deal should be considered to constitute unfair treatment of consumer countries. The producer countries did not wish to impose unfair treatment but merely to redress the unjust situation of the past. He therefore hoped that the representative of the United States would not press his amendment. History proved that when the developing producer countries had negotiated an agreement, they had been very fair in their requests. He hoped that the international community would recognize that the draft resolution reflected the legitimate rights and interests of the developing countries and that it would find the unanimous support it deserved.

Mr. OLIVERI LOPEZ (Argentina) said that his delegation had spoken earlier in general support of the draft resolution and had stated that it could be improved. Argentina had a long coastline and a very extensive continental shelf and was therefore in favour of including the question of permanent sovereignty over marine resources in the draft resolution. International law recognized the permanent sovereignty of States over their continental shelf and authorized them to decide unilaterally on rules governing their maritime jurisdiction. The permanent

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(Mr. Oliveri Lopez, Argentina)

sovereignty of States over natural resources should be exercised in conformity with international law and the Charter of the United Nations. That was particularly important for ensuring optimum utilization of natural resources shared by two or more countries without harming any country and for the benefit of all. He therefore suggested that paragraph 1 of the draft resolution should be amended to read "Reaffirms the right of States to permanent sovereignty over all their natural resources, in accordance with international law and the Charter of the United Nations, on land within their international boundaries, as well as those of the continental shelf and the sea-bed and the subsoil thereof...". He suggested that the last part of paragraph 6 should also be amended to read "... over their natural resources of the continental shelf and the sea-bed and the subsoil thereof...".

Mr. MOLINA (Venezuela) said that it was only after thorough reflection that the sponsors of the draft resolution had decided to include in paragraph 4 a provision concerning the promotion or strengthening of machinery for co-operation among the developing countries, a formulation which was being included for the first time in a draft resolution on the subject of permanent sovereignty over natural resources of developing countries. The latter were of the view that such co-operation was one of the ways open to them to protect their natural resources. He wished to assure the Committee that the paragraph in question was in no way designed to affect the interests of consumer countries and, in particular, the interests of other developing countries. It was probably no exaggeration to state that some 70 to 80 per cent of the exportable production of primary products of the developing countries was in fact consumed in the developed countries.

All were aware that capital goods and manufactured goods were vital for the economies of the developing countries. But those countries were never consulted when developed countries or their companies were constantly increasing the prices of those goods - a fact which helped to explain the well-known deterioration in the terms of the trade. An important country had recently put on the world market strategic reserves of primary products produced by the developing countries. Although decisions by the international community explicitly called for consultations with the developing countries, such consultations had not taken place.

The developing countries were the prime movers in seeking the conclusion of commodity agreements. Moreover, UNCTAD had adopted a number of resolutions

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(Mr. Molina, Venezuela)

concerning products of special interest to developing countries, calling upon the Secretary-General to hold consultations designed to further agreements between consumer and producer countries. The difficulties now being experienced in connexion with the International Coffee Agreement were not being caused by the producer countries. When the prices of primary products fell, the developed countries were not at all eager to sign agreements, claiming that the products in question faced no problems on the world market. In contrast, they did not take that position when the prices of basic products were rising, as was happening in the case of cocoa.

Unfortunately, a number of the raw materials produced in the developing countries could be replaced by synthetic products. Yet again, there were in the majority of cases no consultations as to whether the particular synthetic products could affect the natural products and, in turn, the exports and over-all development of the poorer nations.

It was also well known that, in the history of trade, the prices for primary products were set in the stock exchanges and industrial centres of important consumer countries. In addition, the efforts of the developing countries to gain better access to markets were constantly being blocked. For example, many economically powerful countries failed to implement the generalized system of preferences for the developing countries, which were also unable to secure any true balance between the prices of raw materials and the prices of goods manufactured from those materials. For instance, the price of iron ore might go down, but the price of steel always went up.

It was for those reasons that the sponsors had drafted paragraph 4 of the text now before the Committee, in the conviction that the United Nations could and must promote the conclusion of commodity agreements, bearing in mind at all times, the interests of the developing countries.

Mr. WANG Tzu-chuan (China) agreed that, as some delegations had pointed out, times had changed. The imperialist era of the past - one of interference in the affairs of other States - had gone for ever.

To protect their inalienable right to permanent sovereignty over their natural resources and to assist their economies, the developing countries had established the breadth of the territorial sea or determined the limits of the economic zone.

(Mr. Wang Tzu-chuan, China)

It was purely a question of the sovereignty of individual countries. The limits of the territorial sea and economic zone between neighbouring States could be established through negotiations and consultations held by the States concerned on an equal footing.

At the present time, the major obstacle to the exercise of permanent sovereignty over natural resources by developing countries was imperialism and big-Power hegemony. The more the super-Powers defended their position, the clearer it became to all.

In conclusion, his delegation wished to reiterate that it fully supported the draft resolution contained in document E/AC.6/L.483/Rev.1.

Mr. FAROOQ (Pakistan), referring to the statement by the USSR representative, said that his delegation had had no intention of slandering any country or telling "fables" to the Committee. However, it might be said that, where there was smoke, there was fire. He wondered why it was that one delegation should feel that his country's comments had been addressed to that delegation alone.

If Pakistan had extended its territorial limits to 50 miles, it had had good reason to do so, and it maintained that its action was right, no matter what interpretation was placed on it by certain other countries. Furthermore, frequent references were being made to the "limits" allowed under international law. The point was, what was international law? It was in no sense final, for it was still in the process of formulation. Indeed, international law itself might be regarded as a fable too.

Mr. LISSOV (Union of Soviet Socialist Republics) said he agreed entirely with the Brazilian representative that the discussion of the item under consideration was extremely fruitful. However, he had the impression that the representative of Brazil had closed his eyes in order not to see clearly what the USSR's position was. Moreover, the representative of Brazil had said that he was convinced that the Soviet Union would in time draw nearer to the position of the developing countries, something which might be described as an attempt to mislead the Committee. Where indeed had the representative of Brazil gathered the idea that the Soviet Union held aloof from the position of the developing countries?

(Mr. Lissov, USSR)

Was not such an assertion in fact a distortion of the Soviet position? The USSR was in no sense holding to one side. Indeed, the wave of independence throughout the world had started with the great revolution of 1917, since which time the Government and people of the USSR had stood shoulder to shoulder with the developing countries in their efforts to throw off the shackles of imperialism.

The Brazilian representative had further stated that the Soviet position seemingly had a great deal in common with that of the United Kingdom delegation, an assertion for which there was absolutely no justification. The United Kingdom and also the United States, clearly defended imperialist interests and monopolies, which invested money in and plundered the resources of developing countries. It certainly was not the Soviet Union that sent aggressive companies to developing countries.

Lastly, the representative of China had replied to the Soviet statement. Consequently his own delegation was now fully entitled to state that it categorically rejected the Chinese attacks as unfounded and defamatory.

Mr. HEMANS (United Kingdom) proposed three amendments to draft resolution E/AC.6/L.483/Rev.1: the first was that in paragraphs 1 and 6 the words "and in the superjacent waters" should be deleted, the second that in the first line of paragraph 3 the words "contrary to international law" should be inserted after the words "legislative provision", and the third that in the fourth line of paragraph 3 the words "in coastal waters" should be replaced by the words "in their territorial waters".

Mr. WANG Tzu-chuan (China) said that in his earlier statement he had not referred to any delegation by name, and he therefore considered the attack on his delegation by the representative of the USSR completely unfounded.

Mr. BRITO (Brazil) said he hoped that the expression of support for the developing countries made by the representative of the Soviet Union would be fully reflected in his complete approval of the draft resolution before the Committee and in his attitude to the review and appraisal of targets in the fields of science, technology and finance and in other matters concerning developing countries, so that his general declaration of intent to support developing countries would be translated into action.

Mr. LISSOV (Union of Soviet Socialist Republics) said that he would indeed be pleased to co-operate with the representative of Brazil and others in the struggle against imperialism.

Mr. FIGUEROA (Chile), commenting on the amendments submitted to the draft resolution, recalled that the United States amendment to paragraph 4 had already been rejected by the representative of Brazil on behalf of the sponsors. He had consulted with the sponsors over the proposed Argentinian amendments and, since the sponsors would have difficulty in accepting them, he appealed to the representative of Argentina to withdraw them. Rejecting the amendments proposed by the representative of the United Kingdom, he recalled that similar proposals had been rejected by a large majority at the twenty-seventh session of the General Assembly when resolution 3016 (XXVII) had been adopted.

Mr. RINGNALDA (Netherlands) said he could not accept the United States amendment to paragraph 4 since it was somewhat imbalanced in that the bargaining power of the consuming countries was not involved; he suggested that the amendment should be reworded to refer to the interests of the consuming Powers.

The CHAIRMAN recalled that the following amendments had been accepted by the sponsors: in the fourth line of paragraph 3 the words "of obtaining advantages" would be replaced by the words "or of using coercion to obtain advantages"; in the penultimate line of paragraph 3 the word "would" would be replaced by the word "could"; in the first line of paragraph 4 the word "appropriate" would be replaced by the word "effective"; and in the fourth line of paragraph 5 the words "establishing and strengthening" would be replaced by the words "establishing, strengthening and supporting".

Mr. OLIVERI LOPEZ (Argentina) withdrew his proposed amendments.

The CHAIRMAN called for a vote on the amendments submitted to draft resolution E/AC.6/L.483/Rev.1.

The United States amendment to paragraph 4 was rejected by 28 votes to 11, with 7 abstentions.

The first United Kingdom amendment was rejected by 25 votes to 14, with 7 abstentions.

The second United Kingdom amendment was rejected by 30 votes to 14, with 2 abstentions.

The third United Kingdom amendment was rejected by 22 votes to 14, with 9 abstentions.

The CHAIRMAN invited the Committee to vote on the draft resolution as a whole, as amended.

Mr. AL-KHUDHAIRY (Observer for Iraq) requested a roll-call vote.

Mr. OSWUONO (Uganda) opposed that request on the grounds that it was not necessary and, if so desired, a roll-call vote could be taken at the plenary meeting of the Economic and Social Council.

The CHAIRMAN called for a vote on the draft resolution (E/AC.6/L.483/Rev.1) as amended.

The draft resolution was adopted as amended by 37 votes to 2, with 6 abstentions.

Mr. HEMANS (United Kingdom), speaking in explanation of vote, said that his delegation fully respected the principle of the sovereignty of all countries over their natural resources in accordance with international law. However, he could not approve the application of the principle of sovereignty over natural resources to resources in areas beyond national jurisdiction. He was also concerned over the question of international law in respect of national sovereignty and regretted the implication in paragraph 3 that resorting to the processes of international law could be a violation of the Charter of the United Nations or a threat to international peace and security or jeopardize the success of the Second Development Decade.

Mr. LISSOV (Union of Soviet Socialist Republics) said that he had voted in favour of the resolution and understood that it would be taken in the general context of the General Assembly resolutions mentioned in the third preambular paragraph, in particular resolution 3016 (XXVII). It was on the basis of that resolution that he understood sovereign rights over natural resources of the sea-bed to extend to the resources of the continental shelf and the subsoil thereof, in accordance with the 1958 Geneva Convention on the Continental Shelf.

(Mr. Lissov, USSR)

In connexion with the question of sovereign rights over natural resources in coastal waters, referred to in paragraphs 1, 3 and 6, his view was that it referred to territorial waters of a breadth no greater than 12 miles.

Mr. DUMAS (France) said that he had abstained in the vote on the draft resolution because, although he fully supported the principle of sovereignty over natural resources, the resolution stated principles of great importance and, since it had been submitted only three days before, his advisers had not had time to analyse those principles. The resolution contained much that was excellent, but he had reservations on the inclusion of the natural resources of the sea-bed and the subsoil thereof referred to in paragraphs 1 and 6 since that would be an item on the agenda of the next Conference on the Law of the Sea, and the Committee should in no way prejudge the outcome of that Conference. He also had reservations on paragraphs 2 and 3 which could be interpreted in a way that was not acceptable to his delegation; sovereignty over natural resources did not mean that a State could revoke international commitments it had entered into freely.

Mr. WRIGHT (Canada) said that his delegation had supported the resolution as a whole, because it accepted the over-all thrust. However, it was aware that important and complex issues underlying the draft resolution were under discussion in the Committee on the Sea-Bed and would be discussed at the forthcoming Conference on the Law of the Sea. The resolution just adopted should not be taken to prejudge those discussions in any way, despite the implication in paragraph 1 that countries should assert permanent sovereignty over all the living resources of the continental shelf. He was grateful to the sponsors of the resolution for having accepted some of his amendments, but his delegation still had reservations on the harsh tone of paragraph 3 which made no mention of the rules of international law. His delegation also had reservations regarding paragraph 4, since it felt that arrangements relating to commodity trade should be worked out between consumer and producer countries and not consumer countries alone.

Mr. LOFTIN (United States of America) said that he had abstained in his vote on the draft resolution because his delegation had reservations regarding

(Mr. Loftin, United States)

the words "and in the superjacent waters" in paragraphs 1 and 6. In his delegation's view, the Conference on the Law of the Sea was the proper forum for discussion of such matters. The resolution just adopted should not be construed as limiting the outcome of that Conference or the obligation of States under international law. His delegation had reservations on paragraph 4, because it was unbalanced and favoured producer countries at the expense of consumer countries.

Mr. VALDEZ (Bolivia) said that his delegation's only reservation on the draft resolution was that it dealt with jurisdictional matters which fell within the competence of the forthcoming Conference on the Law of the Sea. His delegation felt that the study, requested of the Secretary-General in Economic and Social Council resolution 1673 D (LII) and referred to in paragraph 6 of the draft resolution, should take into account in the chapter on the legal aspects of the principle of permanent sovereignty over natural resources the work of the Committee on the Sea-Bed which was preparing draft treaty articles for examination by the Conference on the Law of the Sea.

Mr. SKOGLUND (Sweden) said that he had supported the draft resolution, but he felt that the question of how far the coastal waters of States should be extended was an issue to be settled by the forthcoming Conference on the Law of the Sea. He did not interpret the draft resolution as prejudging the outcome of that Conference. He had been unable to vote in favour of General Assembly resolution 3016 (XXVII) and for the same reason he had abstained in the vote on the United Kingdom amendments to paragraphs 1 and 6. He did not take paragraph 4 to mean that monopolistic forms of co-operation between producer countries should be accepted. In his delegation's view, the seventh preambular paragraph and paragraph 2 could have been drafted in a clearer fashion.

Mr. OLIVERI LOPEZ (Argentina) said that he had voted for the draft resolution. However, in his delegation's view, paragraphs 1 and 6 should be interpreted in the light of the fact that international law in force recognized that the sovereignty of a State extended to its continental shelf. Furthermore, permanent sovereignty over renewable and non-renewable natural resources should be



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exercised in accordance with international law in force and the Charter of the United Nations, particularly for the optimum utilization of natural resources that were shared by two or more countries.

Mr. KUNIYASU (Japan) said that he had voted against the draft resolution for reasons which his delegation had explained earlier.

Mr. OFWONO (Uganda) said that he had voted for the draft resolution as a whole, although his delegation still had reservations regarding the inclusion of the phrase "and in the superjacent waters". The inclusion of that phrase was premature, in the light of the forthcoming Conference on the Law of the Sea. If that phrase had already been discussed at the Conference on the Law of the Sea and a decision had been taken thereon, his delegation would have had no reservations. He sympathized with those countries which depended on marine products for their livelihood, but they should not be allowed to prejudice other nations.

Mr. ROUIRA (Spain) said that his delegation had abstained in all the voting for the reasons he had given earlier in the meeting.

Mr. KUMI (Ghana) said that he had voted against the United Kingdom amendments because he did not agree with the United Kingdom representative's interpretation of international law. The international law of the sea was still evolving and wide areas of uncertainty remained. Many developing countries had not participated in the Conferences on the Law of the Sea in 1958 and 1960 and there was no doubt that the principles adopted at those Conferences had predominantly favoured the super-Powers.

Mr. BORCH (Denmark) said that his delegation recognized the right of any State to exercise permanent sovereignty over the natural resources within the limits of its national jurisdiction as defined in international law. He had therefore voted in favour of the draft resolution. According to paragraph 2 of General Assembly resolution 2750 (XXV), the extent and scope of national jurisdiction over marine resources was an issue to be discussed at the forthcoming Conference on the Law of the Sea. The matter was therefore outside the competence of the Economic and Social Council. His delegation did not wish to prejudge the outcome of work in the Committee on the Sea-Bed or at the Conference on the Law of

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(Mr. Borch, Denmark)

the Sea and he had therefore abstained on the United Kingdom amendments to paragraphs 1 and 6 and the second United Kingdom amendment to paragraph 3. His vote in favour of the draft resolution did not reflect any prejudgement of the substance of the matter.

Mr. CHAKRAVARTY (India) said that his delegation had voted in favour of the draft resolution, but it had reservations regarding paragraphs 3 and 4. It supported paragraph 1 without prejudice to the decisions to be taken at the Conference on the Law of the Sea. His delegation had voted in favour of the first United Kingdom amendment to paragraph 3 because it would have improved the paragraph and would have amounted to a strengthening of international law. Paragraph 3 was somewhat complex, and his delegation would have been happier if it could have been simplified. However, he was grateful to the sponsors for having accepted the Canadian amendments. Although his delegation agreed with the general principle, it had reservations on paragraph 4 because it lacked balance.

Mr. RUGGIERO (Italy) said that his delegation recognized the importance of the exercise by developing countries of permanent sovereignty over their natural resources for their economic and social development. Italy had co-operated on a bilateral and multilateral basis with the developing countries in the exploitation of their natural resources and would continue to do so. His delegation had stated in the past that permanent sovereignty over natural resources must be exercised within the framework of the rules and principles of international law on the subject. The absence of any reference to that fact in the resolution had led his delegation to abstain in the vote. Furthermore, some of the concepts contained in paragraphs 1, 3 and 6 might prejudice the outcome of the forthcoming Conference on the Law of the Sea and that would be unacceptable to his delegation.

Mr. AKSOY (Turkey) said that he had voted for the draft resolution because it was generally in line with his delegation's views. He did not consider that the resolution would prejudice the outcome of the forthcoming Conference on the Law of the Sea; nor did his delegation interpret the resolution as diminishing the provisions of international law. The first United Kingdom amendment to paragraph 3 would have clarified that fact.

The CHAIRMAN observed that the Committee had completed its consideration of item 2, permanent sovereignty over natural resources of developing countries.

ECONOMIC AND SOCIAL CONSEQUENCES OF DISARMAMENT (E/5243 and Add.1 and 2; ST/ECA/174 and Corr.1)

Mr. SKOGLUND (Sweden) said that his delegation wished to commend the Group of Experts on the Economic and Social Consequences of Disarmament for its lucid and imaginative report which reflected a thorough understanding of the problems involved. Disarmament and development had figured prominently on the agenda of the United Nations since its inception, and the very first resolution adopted by the General Assembly had dealt with that subject.

Sweden played an active part in disarmament negotiations, both in the United Nations and in the Conference of the Committee on Disarmament, with a view to furthering discussions through practical and realistic proposals which might lead to tangible results in a not-too-distant future. The Swedish delegation had concentrated primarily on the issue of how to bring the arms race to a halt, since it diverted enormous human and material resources from peaceful and social pursuits to unproductive military purposes. It was logical for Sweden to take and support initiatives aimed at giving a clear picture of the negative impact of military expenditures on social and economic development. The report entitled "Disarmament and Development" (ST/ECA/174) not only gave a clear picture of the magnitude of the resources used for armaments, it also pointed out that most of the resources released by disarmament could be readily transferred to peaceful uses. Furthermore, the report gave a list of specific examples to show how research and development facilities now used for destructive purposes could be employed for peaceful pursuits.

In his delegation's view, one of the most important conclusions drawn by the Group of Experts was that disarmament and development must each be pursued in its own right. Development must never be made dependent on progress in disarmament. People must be made aware of the link between disarmament and development and of the contrast between the amount of resources wasted in the arms race and the unfulfilled needs of development. Such awareness would guarantee that the conflict between disarmament and development would be brought forward whenever the United Nations discussed development strategy.

The meeting rose at 6.15 p.m.

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