



UNITED NATIONS



Distr.
GENERAL

A/7925
17 July 1970

ENGLISH
ORIGINAL: ENGLISH/FRENCH/
RUSSIAN/SPANISH

Twenty-fifth session
Item 26 (c) of the provisional agenda

QUESTION OF THE 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 THE USE OF THEIR RESOURCES
IN THE INTERESTS OF MANKIND

Report of the Secretary-General

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INTRODUCTION

1. In accordance with operative paragraph 1 of General Assembly resolution 2574 A (XXIV) of 15 December 1969, the Secretary-General, by a note verbale of 29 January 1970, asked Member States to express their views "on the desirability of convening at an early date a conference on the law of the sea to review the régimes of the high seas, the continental shelf, the territorial sea and contiguous zone, fishing and conservation of the living resources of the high seas, particularly in order to arrive at a clear, precise and internationally accepted definition of the area of the sea-bed and ocean floor which lies beyond the limits of national jurisdiction, in the light of the international régime to be established for that area".
2. As of 1 July 1970, the Secretary-General had received replies from forty-four Governments, the substantive parts of which are reproduced in the present document. When further replies are received, they will be communicated in an addendum to the present document.

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II. REPLIES RECEIVED FROM GOVERNMENTS

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ARGENTINA

/Original: Spanish/
11 June 1970

1. The Government of the Argentine Republic is in favour, in principle, of convening a new conference on the law of the sea at a date to be agreed upon.
2. The Argentine Government considers that all aspects of the law of the sea are so closely interrelated that they should not be dealt with on a partial or fragmentary basis. Consequently, the agenda for this conference should cover all the topics referred to in operative paragraph 1 of General Assembly resolution 2574 A (XXIV), that is, the régimes of the high seas, the continental shelf, the territorial sea and contiguous zone, fishing and conservation of the living resources of the high seas and the sea-bed and ocean floor beyond the limits of national jurisdiction.
3. According to the aforementioned resolution, one of the aims of the conference should be to arrive at a clear, precise and internationally accepted definition of the sea-bed and ocean floor beyond the limits of national jurisdiction, in the light of the international régime to be established for that area.
4. Consequently, the Argentine Government considers that, because of the influence which this régime is bound to have on all other areas of international maritime law, the régime should be established prior to the convening of the new conference and that the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the limits of National Jurisdiction should continue to undertake that task.
5. The Argentine Government is also of the view that the envisaged conference should be prepared as carefully as possible, from the technical and legal points of view, so as to ensure the minimum amount of agreement necessary to guarantee its viability.

AUSTRIA

/Original: English/
22 June 1970

The Permanent Representative of Austria to the United Nations has the honour to inform the Secretary-General that the Austrian authorities would welcome the

convening of a conference on the law of the sea, particularly in order to arrive at a clear, precise and internationally accepted definition of the area of the sea-bed and ocean floor which lies beyond the limits of national jurisdiction.

BELGIUM

/Original: French/
18 June 1970

1. The Belgian Government considers that the conference in question should have a limited objective.
2. The conventions on matters relating to the sea, concluded in 1958, have only recently entered into force: the Convention on the High Seas on 30 September 1962;^{1/} the Convention on the Continental Shelf on 10 June 1964;^{2/} the Convention on the Territorial Sea and the Contiguous Zone on 10 September 1964;^{3/} and the Convention on Fishing and Conservation of the Living Resources of the High Seas on 20 March 1966.^{4/} It would be wise to wait until they have been in effect for a longer period before contemplating revision of diplomatic instruments of such scope.
3. However, there are two subjects dealt with in these conventions which it would be useful to clarify now and to which a revision conference could confine itself: the delimitation of the territorial sea and that of the continental shelf.
4. The Convention on the Territorial Sea and the Contiguous Zone, in article 1, affirms the sovereignty of a coastal State over a zone which it does not explicitly delimit. It is only on the basis of article 24, which defines the contiguous zone, that it can be inferred that the territorial sea has a maximum breadth of twelve miles. Paragraph 1 of that article specifies that the coastal State may exercise control in a "zone of the high seas contiguous to its

^{1/} United Nations, Treaty Series, vol. 450, No. 6465 (1964), p. 82.

^{2/} Ibid., vol. 499, No. 7302 (1964), p. 312.

^{3/} Ibid., vol. 516, No. 7477 (1964), p. 206.

^{4/} Ibid., vol. 599, No. 8164 (1966), p. 286.

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territorial sea"; paragraph 2 adds that this zone "may not extend beyond twelve miles from the baseline from which the breadth of the territorial sea is measured".

5. The Convention on the Continental Shelf, for its part, recognized that the coastal State exercises sovereign rights for the purpose of exploring and exploiting the natural resources of the continental shelf "to a depth of 200 metres or, beyond that limit, to where the depth of the superjacent waters admits of the exploitation of the natural resources of the said areas". Article 2 provides that the coastal State is not required to engage in effective exploitation of the resources or to make any express proclamation. As a result, it is impossible to say where a coastal State's continental shelf ends.

6. The fact that the United Nations is considering the question of the exploitation, in the interests of mankind, of the resources of the sea-bed and the ocean floor "beyond the limits of national jurisdiction" makes it imperative to define those limits.

7. It would not actually be necessary formally to re-examine the Convention on the Continental Shelf, since the elaboration of a convention on the sea-bed and the ocean floor would also provide an opportunity for defining the limits of the continental shelf.

BRAZIL

[Original: English]
1 June 1970

1. The Brazilian Government favours the convening of a new United Nations conference on the law of the sea, at a date to be agreed upon.
2. The Conference should have adequate preparation, both from the technical and the legal points-of-view, so that the decisions to be taken during its course will reflect the present state of relevant scientific knowledge and the whole range of available political options. The preparatory work could be carried out, with the exception of the régime for the sea-bed beyond national jurisdiction, through an organ created for that purpose, such as an ad hoc Committee of the General Assembly. On the other hand, the elaboration of a legal régime for the sea-bed beyond national jurisdiction should continue to be the responsibility of the Committee established by Assembly resolution 2467 A (XXIII).

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3. In the opinion of the Brazilian Government, the new conference should aim at the comprehensive examination of all aspects of the Law of the Sea as listed in operative paragraph 1 of Assembly resolution 2574 A (XXIV). The over-all negotiation of the questions of the Law of the Sea is no more than the logical consequence, on the diplomatic plane, of the physical and biological unity of the marine environment. In this context, the Brazilian Government deems still valid the opinion expressed by the International Law Commission in its 1956 report to the effect that "the various sections of the law of the sea hold together, and are so closely interdependent that it would be extremely difficult to deal with only one part and leave the others aside".

4. Finally, the Brazilian Government wishes to recall the terms of Assembly resolution 2574 A (XXIV), which stresses that the establishment of an equitable international régime for the sea-bed and ocean floor, and the subsoil thereof, beyond the limits of national jurisdiction, "would facilitate the task of determining the limits of the area to which that régime is to apply". In this sense, the Brazilian Government is of the opinion that the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction should conclude its study of the legal régime for this area before the convening of the new conference referred to in operative paragraph 1 of General Assembly resolution 2574 A (XXIV).

BYELORUSSIAN SOVIET SOCIALIST REPUBLIC

[Original: Russian]
11 June 1970

1. The Byelorussian SSR took an active part in the work of the 1968 Geneva Conference on the Law of the Sea. It has signed and ratified the Convention on the High Seas, the Convention on the Continental Shelf, and the Convention on the Territorial Sea and the Contiguous Zone, which it regards as important international instruments. The 1958 Geneva Conventions have played an important role in the development of international law relating to the sea. They provide a sound basis under international law for the activities of States in the world ocean.

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2. The Byelorussian SSR feels that, since the 1958 Geneva Conventions on the law of the sea have proved their worth and are promoting international co-operation, they should not be reviewed, but further strengthened. It need hardly be recalled that the States Members of the United Nations, the International Law Commission and other United Nations bodies devoted a great deal of time and effort to the task of drawing up these Conventions. A review of the 1958 Geneva Conventions might in effect undermine the existing norms of the law of the sea and lead to disputes and friction between States.
3. The Byelorussian SSR cannot agree that the framing of agreements on specific unresolved questions should be linked to a review of the régimes established in the 1958 Geneva Conventions. It feels that such questions as a more precise definition of the outer limit of the continental shelf, the determination of the maximum breadth of territorial waters and the formulation of basic principles governing the activities of States on the sea-bed and the ocean floor beyond the limits of national jurisdiction, should be resolved separately.
4. In the light of the foregoing observations, the Byelorussian SSR feels that it would not be desirable to convene a conference to review the 1958 Geneva Conventions on the law of the sea.

CHILE

/Original: Spanish/
11 June 1970

1. Chile considers that it would be useful to convene a conference on the law of the sea to review the régime of the high seas, the continental shelf, the territorial sea and contiguous zone, fishing and conservation of the living resources of the high seas, particularly in order to arrive at a clear, precise and internationally accepted definition of the area of the sea-bed and ocean floor which lies beyond the limits of national jurisdiction, in the light of the international régime to be established for that area.

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2. All aspects of the law of the sea should be included in the agenda of such a conference, since it is well known that they are closely linked and should therefore not be considered on a partial basis or in isolation.
3. Adequate preparations should be made for the conference so as to ensure that it will result in positive decisions entailing progress in respect of the present situation. In order to achieve that end, it might be advisable to assign the task of planning the necessary preliminary work to a fairly large committee which would receive advice from the United Nations Secretariat.
4. In any case, before any such conference is held, it would seem indispensable to define the régime to be applied to the area of the sea-bed and ocean floor beyond the limits of national jurisdiction. This is imperative because of the influence which the establishment of such a régime is bound to have on all areas of international maritime law and, consequently, on the outcome of the future conference. Furthermore, it was with that consideration in mind that the General Assembly stated in its resolution 2574 A (XXIV) that the problem of the definition of the area in question would be considered "in the light of the international régime to be established for that area".

CHINA

[Original: English]
23 April 1970

1. As the proposed conference is called upon to deal with a wide range of highly complex problems, it seems essential that adequate preparatory work should be undertaken to ensure the success of such a conference.
2. In this connexion, it may be recalled that the United Nations Conferences on the Law of the Sea were convened in 1958 and 1960 after preparatory work had been done by the International Law Commission.
3. It is therefore suggested that in the present case the International Law Commission be invited to study the whole question and to submit to the General Assembly a report on the result of its study together with its recommendations.

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COLOMBIA

[Original: Spanish]
17 April 1970

Colombia is strongly in favour of convening at an early date a conference on the law of the sea to review the position regarding the various maritime problems referred to in your note.

CYPRUS

[Original: English]
24 February 1970

1. The Cyprus Government considers that it is desirable to convene at an early date a conference on the law of the sea.
2. Further, the Cyprus Government's view is that, for the purpose of expeditiously defining the area of the sea-bed and the ocean floor, priority of consideration should be given to the subject of the continental shelf and to that of the breadth of the territorial sea and contiguous zone, so that the requisite definition of the area of the sea-bed and the ocean floor to be reserved for the benefit of all mankind may be arrived at by the Conference, without unnecessary delay.

CZECHOSLOVAKIA

[Original: Russian]
30 June 1970

1. Although Czechoslovakia is a land-locked State, it has always taken an active part in the codification and progressive development of the law of the sea, both at the Geneva Conferences of 1958 and 1960 and in the organs of the United Nations. Czechoslovakia understands that the multilateral agreements evolved in this area as a result of the efforts of the United Nations and particularly the 1958 Geneva Conference, in which the majority of the States Members of the United Nations participated, have won general recognition. This can also be seen from a resolution adopted at the thirteenth session of the United Nations General Assembly;

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which emphasizes that the Geneva Conference on the Law of the Sea, held in 1958, "made an historic contribution to the codification and progressive development of international law".

2. The experience of the past years has shown that these agreements provide a sound basis for international co-operation in this area.

3. For this reason, Czechoslovakia believes that it would not be advisable to undertake in any way whatsoever a review of the régimes established by those agreements. Not only would this approach not promote international co-operation in the matter of the law of the sea but, on the contrary, it might create difficulties for navigation, fishing and other aspects of the activities of States relating to the sea.

4. In the opinion of Czechoslovakia, the future efforts of the United Nations concerning the law of the sea should focus on questions which are still outstanding and whose settlement would be of great significance for the development of co-operation among States in this area. Such questions include, in particular, the determination of the breadth of territorial waters and the more precise definition of the outer limit of the continental shelf.

5. Consequently, the answer to the question of the advisability of convening an international conference on the law of the sea, which is raised in General Assembly resolution 2574 A (XXIV), depends on what the purposes of such a conference would be.

6. On the basis of the foregoing, Czechoslovakia considers that it would be undesirable to convene a conference for the purpose of reviewing the régimes established by the 1958 Geneva Conventions on the law of the sea. It is, however, in favour of accelerating efforts to reach a solution of individual questions, such as the determination of the breadth of territorial waters and the more precise definition of the outer limit of the continental shelf, and of formulating basic principles to govern the activities of States concerning the sea-bed beyond the limits of national jurisdiction. The successful solution of these questions will require careful preparation. Only then - in the light of the results of this preparatory work - will it be appropriate, in the opinion of the Czechoslovak Socialist Republic, to decide the question of future activities, that is, whether it would be advisable to convene an international conference to solve the questions at issue or whether one of the organs of the United Nations should be requested to

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prepare a draft of suitable international agreement, which would then be adopted by the United Nations General Assembly and opened for signature by States.

DENMARK

[Original: English]
23 June 1970

1. The Government of Denmark, desirous of contributing to the establishment of internationally binding rules on the law of the sea, has consistently taken active part in the efforts to formulate, at the international level, provisions that would be acceptable to the greatest possible number of States. The Government of Denmark therefore noted with satisfaction that the 1958 United Nations Conference on the Law of the Sea succeeded in reaching broad agreement on the texts of four Conventions and an Optional Protocol codifying essential rules of international law relating to the sea. Denmark has ratified these conventions.
2. The Government of Denmark recognizes, however, that important issues were unresolved by the 1958 and 1960 conferences and that developments since then have enhanced the need for the establishment at the earliest possible date of internationally acceptable rules in certain fields. Among the issues on which agreement is required is a clear definition of the jurisdiction of the coastal State over the sea-bed and the ocean floor. Such a definition would tend to enhance the possibilities of the United Nations Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction to reach agreement on the principles and the régime to be established for the exploitation of the resources of the sea-bed and ocean floor beyond the limits of national jurisdiction. Another important issue is that of the maximum breadth of the territorial sea and, in that context, the grant to coastal States being particularly dependent on fishery of preferential rights to fish in areas adjacent to the territorial sea.
3. The rules to be established in these fields should obviously be based on the existing conventions on the Law of the Sea. In the view of the Government of Denmark, however, there is no need for a general revision of these conventions,

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which rest upon a generally accepted balance of differing interests. Nor does the Government of Denmark see any cogent reason for considering the outstanding issues at one and the same conference. On the contrary, it would be desirable to limit the items on the agenda of one or several conferences in such a manner that there would be reasonable prospects of a successful outcome.

4. In the opinion of the Government of Denmark, the prospects of a successful outcome of new conferences on the law of the sea would be improved if the General Assembly of the United Nations requested the appropriate committee to suggest guidelines and draw up substantive and, if necessary, alternative proposals that could serve as a basis for the consideration of the outstanding issues.

DOMINICAN REPUBLIC

[Original: Spanish]
24 June 1970

The Permanent Representative of the Dominican Republic is pleased to inform the Secretary-General that the Government of the Dominican Republic has no objection whatsoever to the holding of the proposed conference on the law of the sea to review the régimes of the high seas, the continental shelf, the territorial sea and contiguous zone, fishing and conservation of the living resources of the high seas.

ECUADOR

[Original: Spanish]
1 June 1970

1. The Minister for Foreign Affairs has the honour to inform the Secretary-General of the United Nations that his request was the subject of careful study and consultations among the representatives of Argentina, Brazil, Chile, Ecuador, El Salvador, Nicaragua, Panama, Peru and Uruguay at the recent Montevideo Meeting on the Law of the Sea held from 4 to 8 May 1970. Those representatives reached the following conclusions, which were later approved by their respective Governments:

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(a) The States participating in the Montevideo Meeting - and hence Ecuador - agreed in principle that a new conference on the law of the sea should be convened and considered that such a conference should be appropriately prepared;

(b) If a conference on the law of the sea is convened, its agenda should include each and every topic covered by Assembly resolution 2574 A (XXIV), adopted by the General Assembly at its 1833rd plenary meeting on 15 December 1969.

(c) In any case, in accordance with the terms of the resolution in question, the conference should not be held until the United Nations Committee established by resolution 2467 (XXIII) has taken final action with regard to those aspects of the sea-bed and the ocean floor, and subsoil thereof, beyond the limits of national jurisdiction, which were expressly included in its terms of reference, wherein it was specifically instructed to study the legal principles and norms which would promote international co-operation in the exploration and use of this area, the economic and other requirements which such a régime should satisfy in order to meet the interests of mankind and the ways and means of promoting the exploitation and use of the resources of this area, and of international co-operation to that end; to review the studies carried out in the field of exploration and research, measures to prevent pollution and the reservation for peaceful purposes of the sea-bed and the ocean floor.

EL SALVADOR

[Original: Spanish]
17 June 1970

1. The Government of El Salvador is of the opinion that the third Conference on the Law of the Sea should be held only after a careful study of the many topics on which international agreement is urgently needed, as regards both the revision of rules, which experience has shown to be outdated, and the regulation of those matters which are as yet undefined. The Government of El Salvador feels that convening this Conference without the necessary preparations would mean risking an outcome similar to that of the Second Conference on the Law of the Sea.

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2. The Government of El Salvador believes that the clear and precise definition of that part of the sea-bed which will constitute the "international area" must stem from positive advances in the work of the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction; for, although that topic is not included in the Committee's terms of reference, once real progress has been made, the United Nations General Assembly will be able to make provision for this matter to be discussed and settled.

3. There is a consensus in the international community on the existence of an area of the sea-bed beyond the limits of national jurisdiction, and consequently there is an adequate basis for work on the formulation of legal principles, on a régime for exploration and exploitation, and on machinery to see to the application of whatever régime is agreed on. Of course, once the work of the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction is more advanced, with regard to this and other matters, consideration might be given to transmitting the studies and recommendations to the General Assembly to a preparatory committee for the third Conference on the Law of the Sea, unless this preparatory work could be entrusted to one of the competent United Nations committees. Preparation of the Conference should thus proceed in a co-ordinated and methodical manner, in full and continuous consultation with the Members of the United Nations.

EQUATORIAL GUINEA

/Original: Spanish/
25 February 1970

The Government of the Republic of Equatorial Guinea has no objection to the convening of a conference on the matters referred to in resolution 2574 A (XXIV) adopted by the General Assembly at its 1833rd plenary meeting on 15 December 1969 in connexion with agenda item 32 of the twenty-fourth session, provided that the conference has no military purposes.

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FRANCE

[Original: French]
29 June 1970

1. In a letter dated 29 January, you requested the French Government to submit its views on "the desirability of convening at an early date a conference on the law of the sea to review the régimes of the high seas, the continental shelf, the territorial sea and contiguous zone, fishing and conservation of the living resources of the high seas, particularly in order to arrive at a clear, precise and internationally acceptable definition of the area of the sea-bed and ocean floor which lies beyond the limits of national jurisdiction, in the light of the international régime to be established for that area".
2. The ideas expressed in that resolution were given careful attention by the French Government.
3. The French Government recalls that this resolution had its origin in a draft submitted by the delegation of Malta calling for review of the Geneva Convention on the Continental Shelf of 29 April 1958 alone, in order to "arrive at a clear, precise and internationally accepted definition" of the limits of the area of the sea-bed situated beyond national jurisdiction, a draft which the French delegation supported.
4. However, the French delegation was obliged to oppose an amendment to that draft (by voting against the amendment itself and abstaining on the text as a whole) submitted by the Latin American delegations and envisaging a conference on the law of the sea as a whole.
5. The French Government was and is of the opinion that it is not desirable to open up the entire question of the law of the sea as a whole as codified by the Geneva Conventions of 1958.
6. The field to be covered is so vast and still so imprecise that the danger of failure and confusion would doubtless be in proportion to the broad scope of the questions which would be studied and dealt with at the conference.
7. To cite but one example, a clear distinction must obviously be drawn between the problems of the régime of the sea relating to the problems of navigation,

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fishing or the effort to combat pollution and those of the continental shelf to which are related the complex questions presented, since the considerable development of technology in this field, by the exploration and exploitation of the area of the sea-bed situated beyond the limits of national jurisdiction.

8. The French Government would therefore be very much in favour of the convening of one or more specific conferences dealing with exact subjects which would unquestionably be useful, such as the following:

(a) A conference on the delimitation of the continental shelf in order to arrive at a definition of the limits of the area of the sea-bed;

(b) A conference on the delimitation of the territorial waters, the régime of reserved fishing zones and, as appropriate, the status of international straits.

9. However, in order that these various questions and any relating to them may be studied in a logical order, the French Government feels it would be desirable to lay down guidelines in advance in the form of a study plan accompanied by an exact time-table for consideration of each of these problems.

GHANA

[Original: English]
16 April 1970

The Government of Ghana is agreeable to a new law of the sea conference being held in 1971 to deal with the topics specified in operative paragraph 1 of resolution 2574 A (XXIV) adopted by the General Assembly at its 1833rd plenary meeting on 15 December 1969.

ICELAND

[Original: English]
22 June 1970

1. The Government of Iceland considers that many of the problems concerning the law of the sea were satisfactorily solved by the Geneva Conference on the Law of the Sea in 1958. But some problems remain.

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2. Throughout the work of the United Nations on the law of the sea, it has been the consistent policy of the Government of Iceland that, where a nation is overwhelmingly dependent on coastal fisheries, adequate jurisdiction and control must be provided. It has been emphasized that, in the case of Iceland, invaluable spawning areas and nursery grounds are found in the waters of the continental shelf area whose outlines follow those of the coast and must be considered to be a part of the country itself. It has on various occasions been maintained that it would be unrealistic and unjust to prevent foreign nationals only from exploiting oil from the continental shelf, but to allow them to utilize the fishing grounds whose existence depends on the same shelf. This is not only a matter of conservation; it is also a question of the utilization of the resources involved. This view was the basis for the Icelandic Law of 5 April 1948, which authorizes the Ministry of Fisheries to issue regulations concerning the continental shelf fisheries. This law has so far been implemented up to a distance of twelve miles from straight base-lines, but it is increasingly evident that further implementation is urgently required. Attention has frequently been drawn to the fact that the Icelandic fishery limits were formerly thirty-two miles, but were gradually reduced to twenty-four miles, sixteen miles, four miles and finally, through the agreement between Denmark and the United Kingdom of 1901, to three miles. Since 1958, the distance has been twelve miles, but that limit is not sufficient in Icelandic waters. The views of the Icelandic Government in this field were set forth e.g. in a communication to the Secretary-General of the United Nations, dated 5 May 1953^{5/} and in statements to the Sixth Committee of the General Assembly on 10 December 1956^{6/} and 17 November 1958^{7/} as well as at the Geneva Conferences on the Law of the Sea in 1958 and 1960.

^{5/} Yearbook of the International Law Commission, 1953, vol. II (United Nations publication, Sales No.: E/59.V.4/vol. II), pp. 251-257.

^{6/} A/C.6/SR.494.

^{7/} A/AC.6/SR.583.

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3. In view of the above, it is the considered opinion of the Government of Iceland that it would be desirable to convene a conference to deal with those problems of the law of the sea for which a satisfactory solution has not been provided but is urgently called for, such as:

- (a) Jurisdiction and control over coastal fisheries;
- (b) The outer limits of the continental shelf;
- (c) The extent of the territorial sea;
- (d) Passage through and over straits.

4. Since it is important that the conference should be able to deal with these problems successfully, it is submitted that the date of the conference should be determined so as to allow for thorough preparation.

ISRAEL

/Original: English/
12 June 1970

The attitude of the Government of Israel on the matters raised in the Secretary-General's note is reflected in the position expressed by the delegation of Israel to the General Assembly at its twenty-fourth session.

JAMAICA

/Original: English/
20 March 1970

1. The Permanent Representative of Jamaica further has the honour to inform the Secretary-General that the Government of Jamaica supports the desirability of convening at an early date a conference on the law of the sea to review the régimes of the high sea, the continental shelf, the territorial sea and contiguous zone, fishing and conservation of the living resources of the high seas, particularly in order to arrive at a clear, precise and internationally accepted definition of the area of the sea-bed and ocean floor which lies beyond the limits of national jurisdiction, in the light of the international régime to be established for that area.

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2. The Government of Jamaica also suggests that consideration be given to organizing the conference in more than one session, as was done in connexion with the United Nations Conference on the Law of Treaties.

JAPAN

/Original: English/
16 June 1970

1. Japan, as a maritime nation, is keenly interested in promoting orderly and progressive development of the law of the sea and is always ready to support any international effort contributory to this end. The Government of Japan, however, considers it both improper and unnecessary for the United Nations to convene an international conference with its terms of reference as broad as those envisaged in the General Assembly resolution 2574 A (XXIV). It would be more in accord with the interest of the international community as a whole if it could address itself to the task of reaching agreement on important specific issues which were neither resolved nor mature enough to be dealt with by the Geneva Conference of 1958 and 1960.

2. In the view of the Government of Japan, the breadth of the territorial sea would be one of such issues. If consensus could be reached on this basic issue and other questions which are directly related thereto, it would be of great benefit to the international community, which at present suffers from exorbitant unilateral claims of jurisdiction by States over the high seas. In this connexion, the Government of Japan wishes to emphasize the crucial importance of careful preparation in advance in order to assure a successful outcome. For the international community cannot risk the possibility of repeating its bitter experience of the 1960 Geneva Conference.

3. A "clear, precise and internationally accepted definition of the area of the sea-bed and ocean floor which lies beyond the limits of national jurisdiction" is another important outstanding issue, which calls for close and urgent attention. It is obvious, however, that this subject must be considered in relation to the task of working out an international régime and machinery which would govern the exploration and exploitation of sea-bed resources of the area

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beyond the continental shelf -- the task presently entrusted to the United Nations Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor Beyond the Limits of National Jurisdiction. The Government of Japan believes that such a new international régime and machinery will certainly benefit the international community and is prepared, for its part, to contribute to accelerating the work of the Committee, which still has a number of problems to solve before a state could be reached for adopting a formal international agreement in this regard.

4. The Government of Japan believes that these two outstanding issues are of different nature and therefore should be dealt with separately. The Government of Japan considers also that, although the need for careful preparation cannot be overemphasized, the question of the breadth of the territorial sea is urgent enough to merit early consideration of the United Nations.

KUWAIT

[Original: English]
25 March 1970

The State of Kuwait supports without reservation the convening of such a conference particularly in order to arrive at a clear, precise and internationally accepted definition of the area of the sea-bed and ocean floor which lies beyond the limits of national jurisdiction in the light of the international régime to be established for that area.

LAOS

[Original: French]
17 February 1970

The Royal Laotian Government recognizes the desirability of convening at an early date a conference on the law of the sea to review the régimes of the high seas, the continental shelf, the territorial sea and contiguous zone, fishing and conservation of the living resources of the high seas.

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MADAGASCAR

[Original: French]
21 May 1970

The Malagasy Government hereby states that it endorses in principle the idea of convening a conference on the law of the sea in order to arrive at a clear and precise definition of the area of the sea-bed and ocean floor which lies beyond the limits of national jurisdiction, in the light of an international régime designed to preserve the "common heritage of mankind".

In this connexion, the Malagasy Government recalls its position, which has been stated on a number of occasions, that it looks forward to the preparation, at the earliest possible date, of conventions establishing the legal principles and standards governing the area and its use. It hopes, in particular, that the work of the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction will proceed in as rapid and practical a manner as possible. It should also be noted that, in view of the complexity of the problem and the diverse interests involved, it seems advisable that extremely careful preparations should be made for the conference on the law of the sea. If the conference is to achieve positive results, it will be necessary to conduct detailed preliminary studies at the international level of the questions which are expected to be included in the agenda.

MALAYSIA

[Original: English]
11 March 1970

The Permanent Mission of Malaysia to the United Nations has the honour to inform the Secretary-General that the Government of Malaysia is in favour of convening such a conference at an early date.

MALTA

[Original: English]
24 June 1970

1. The Government of Malta are fully conscious of the interrelationships between the problems relating to the sea-bed and ocean floor and those relating to

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the seas and oceans, including the conservation and exploitation of the living resources of the high seas. The Government of Malta also recognize that "the régimes of the high seas ... the territorial sea and contiguous zone, fishing and conservation of the living resources of the high seas" are becoming outmoded, in the light particularly of the progress of technology and of the increasingly intensive use of ocean space in all its dimensions on the part of States. A conference to review these régimes is, therefore, required.

2. There would be little reason, however, to convene a conference to review all the 1958 Geneva Conventions on the Law of the Sea unless fruitful results can be anticipated with some confidence.

3. Questions related to the 1958 Geneva Convention on the Continental Shelf and to the establishment of an international régime for the area beyond the legal continental shelf have been closely debated at the United Nations over the past three years and appear almost ready for examination and decision by a conference. On the other hand, questions related to the régimes of the high seas, the territorial sea and contiguous zone, fishing and the conservation of the living resources of the seas have not been considered by the United Nations for more than a decade. Careful preparation is, therefore, required to ascertain whether a sufficient international consensus of views exist on major issues related to these questions before an international conference can be usefully convened.

4. Thus, the Government of Malta, while entertaining no objections to a decision to convene at an early date a general conference on the law of the sea, are strongly of the opinion that, within the conceptual framework of one conference, the several major aspects of the law of the sea be considered separately as they appear mature for conference examination and decision. This may require conference sessions over a period of years.

5. The Government of Malta are also strongly of the view that a review of the 1958 Geneva Convention on the Continental Shelf and the question of the establishment of an international régime for the area of the sea-bed beyond the continental shelf should be the first questions to be considered in a future United Nations Conference on the Law of the Sea not only because the related issues have already been clarified at the United Nations, but also because a decision on these questions is of the utmost urgency. The proliferation of

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increasingly expansive claims to national jurisdiction over the sea-bed in a situation where applicable international law is controverted, where the technology for sea-bed exploitation is advancing rapidly and where internationally binding norms for the use of the sea-bed beyond national jurisdiction are almost totally lacking, is a matter of grave concern. The possibility, indeed, cannot be excluded that delay in taking the urgent international action required to preserve from further encroachment that area of the sea-bed now generally considered to be beyond national jurisdiction and to establish for this area an equitable international régime may lead not only to serious conflict and avoidable ecological damage, but also to irreparable harm to the interests of land-locked, poor or less technologically advanced countries.

6. It would appear appropriate that a United Nations organ be entrusted with the preparation of the proposed conference on the law of the sea, but the International Law Commission, which is the United Nations body that most readily comes to mind in this connexion, does not appear able to deal expeditiously with such a task at the present time, since it is fully occupied in other urgent legal work. Nor would the creation of an ad hoc committee reporting to the Sixth Committee of the General Assembly appear advisable, since it would unnecessarily add to the proliferation of existing United Nations organs. On the whole, the Government of Malta would, therefore, prefer that the task of conference preparation be entrusted to the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction. This would require both a revision of the terms of reference of the Committee and, either the creation of an additional sub-committee, or, preferably, assignment of the task of conference preparation to the existing Legal Sub-Committee, many of the present tasks of which could probably be undertaken by the Committee itself.

7. Preparation of a new United Nations Conference on the Law of the Sea would also appear to require some reorganization of Secretariat services. It is suggested in this connexion that if Secretariat staff concerned with matters related to ocean space, now dispersed in three United Nations departments, were brought into one section, conference preparations would proceed more efficiently and expeditiously than is likely to be possible under present circumstances.

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MEXICO

[Original: Spanish]
7 April 1970

The Government of Mexico considers it desirable to convene a conference on the law of the sea at an early date, if and when there are reasonable prospects for its success, a question which may be determined in the light of the results of the Secretary-General's consultations in pursuance of resolution 2574 A (XXIV). A recurrence of what happened in the case of the Second United Nations Conference on the Law of the Sea, when no agreement could be reached on the delimitation of the territorial sea, would not be desirable.

NIGER

[Original: French]
31 March 1970

1. The Republic of the Niger, despite its geographical situation, cannot but associate itself with the general endeavour to promote international co-operation in the exploration and use of the sea-bed and the ocean floor, and the subsoil thereof, and ensure the exploitation of their resources for the benefit of mankind.
2. It therefore considers that it would be desirable to convene a conference on the law of the sea, in accordance with the wishes expressed in the United Nations General Assembly at its meeting on 15 December 1969.

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PAKISTAN

[Original: English]
21 April 1970

The Government of Pakistan shares the view of other developing countries that an international conference be held to consider all issues relating to the law of the sea, since problems relating to the high seas, territorial waters, contiguous zone, continental shelf, super-adjacent waters and the sea-bed and ocean floor beyond national jurisdiction are closely linked together.

Although the Geneva Conventions of 1958 on the Law of the Sea attempted to codify customary rules of international law and embody a new agreement on problem areas, they did not settle certain highly important and crucial questions and thus the codification of the Law of the Sea remains incomplete. Further, the Geneva Conventions have been subject to criticism by many countries, as they do not seem to respond to the views of the developing countries of the world. It is possibly because the practice of States, which has developed in the régime of the sea since 1960, does not find place in the Conventions. Moreover, as all the Conventions are open for review/revision after five years from the date of their entry into force, it appears desirable that the review should take place at an early date.

PANAMA

[Original: Spanish]
23 February 1970

The Minister for Foreign Affairs wishes to state in this connexion that the Government of Panama does not consider it desirable to convene such a conference at an early date.

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PERU

/Original: Spanish/
27 May 1970

1. The Peruvian Government is of the view that the point expressed in resolution 2574 A (XXIV) with regard to the desirability of reviewing the Conventions referred to in that resolution in order to arrive at an internationally accepted definition of the area of the sea-bed and ocean floor beyond the limits of national jurisdiction, in the light of the international régime to be established for that area, is well taken since the various sections of the law of the sea are interdependent, a fact which has always been recognized by the United Nations General Assembly and was confirmed in its resolutions 798 (VIII) and 1105 (XI).
2. Since 1960, when the last Geneva Conference on the Law of the Sea took place, considerable progress has been made in this area, and there has been a growing and legitimate tendency for coastal countries, and especially developing countries, to extend their sovereignty and jurisdiction in accordance with geographical factors and their economic and social responsibilities. This has been necessary in order to protect marine resources from the depredations and pollution resulting from new methods of exploiting and using the sea, which are influencing ecological conditions and threatening the very existence of certain species.
3. However, studies of the geo-biological, economic and political implications of the use of marine resources have not yet been completed, as they should be before the legal aspects are reviewed. Furthermore, the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction has not finished its work on the establishment of an equitable international régime for the area in question.
4. Therefore, while the Government of Peru is in favour of a unified approach to matters connected with the legal régime for the sea, it considers that another international conference, for the purposes indicated in resolution 2574 A (XXIV),

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should not be convened at an early date unless work that is being carried out to find a solution that would satisfy all the countries concerned has been completed.

5. In this connexion, the Peruvian Government expressed opposition when approached by the Government of the United States of America and the Union of Soviet Socialist Republics concerning the convening of an international conference to adopt three draft articles, respectively, on the maximum breadth of the territorial sea, passage through international straits and a fisheries régime for areas adjacent to the territorial sea or contiguous zone. It considered that this plan was undesirable since it involved establishing limits and conditions which were unsatisfactory to a great many countries and which were taken in isolation from the remaining sections of the law of the sea.

6. In the view of the Government of Peru, any precipitated action in this area would prejudice, hamper or delay the studies currently under way and would also lead to a pointless confrontation between maritime Powers and developing countries which hold opposing views. The results would be similar to those of the last international conference on the subject.

7. In conclusion, the Peruvian Government considers that the convening of another international conference on the law of the sea, as outlined in resolution 2574 A (XXIV), should be subject to the following conditions:

(a) Completion of the work of the United Nations Committee established by resolution 2467 (XXIII), including the establishment of a more appropriate international régime for the promotion of the peaceful uses of the sea-bed and the ocean floor beyond the limits of national jurisdiction, taking into account the special situation of the developing countries;

(b) Appropriate preparation for the conference, which would necessitate the establishment of an ad hoc committee by the United Nations General Assembly at its twenty-fifth session to undertake studies and conduct the necessary preliminary work;

(c) Inclusion in the agenda not only of the points referred to in resolution 2574 A (XXIV), but also of other matters related to the law of the sea under study in other international forums.

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POLAND

/Original: English/
30 June 1970

1. The Government of the Polish People's Republic is deeply interested in the settlement of problems which have not been resolved till now in international law.
2. The establishment of a limit of the breadth of the territorial sea and contiguous zone, the precise definition of the outside limit of the continental shelf and the elaboration of the principles of peaceful uses of the sea-bed and ocean floor which lies beyond the limits of national jurisdiction are, in the view of the Government of the Polish People's Republic particularly important issues which call for urgent solution.
3. Considering that the above-mentioned problems are not closely interconnected and each one has to be considered according to its specific and separate aspects, it is the view of the Polish Government that these issues should be dealt with separately, since such procedure would facilitate the achievement of a successful outcome on each of them.
4. The Government of the Polish People's Republic considers the establishment of a limit of the breadth of the territorial sea and contiguous zone to be especially urgent, since unilateral excessive extension of jurisdiction by some States over the high seas infringes upon freedom of these seas, and, particularly the principles of freedom of navigation and fishing and consequently may cause international conflicts. In this connexion, efforts should be undertaken to achieve the establishment of an admissible limit of the breadth of the territorial sea and contiguous zone.
5. As to the proposal of convening of an international conference to deal with the problems mentioned in resolution 2574 A (XXIV), that is, to consider and possibly to revise generally all the essential fields of international law of the sea, it is the view of the Government of the Polish People's Republic that

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the convening of such a conference is unnecessary and unjustified, since in the law of the sea there have been established generally recognized principles which do not need any review or revision. These principles constitute a proper basis to promote international co-operation and any eventual attempts to question them may create a legal confusion which would occur inevitably when some States would start establishing some new legal principles different from those which are in force.

6. In view of the above, it is the opinion of the Government of the Polish People's Republic that all efforts should be undertaken to settle as soon as possible the problems which have not been settled up to now in the law of the sea, and not to contest the established and accepted rules and principles of this law.

SOMALIA

/Original: English/
11 April 1970

The Somali Democratic Republic completely supports the convening at an early date a Conference on the Law of the Sea with a view to defining the area of the sea-bed and ocean floor.

SWEDEN

/Original: English/
29 June 1970

1. The Swedish Government recognizes that many important problems exist in the field of the law of the sea which should be solved by multilateral agreements.
2. General Assembly resolution 2574 A (XXIV) seems to be based on the assumption that all these problems can be solved at one conference, entrusted with the heavy task of reviewing the régimes of the high seas, the continental shelf, the

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territorial sea and contiguous zone, and fishing and conservation of the living resources of the high seas. This approach gives rise to some general comments.

3. First, experience shows that conferences dealing with the law of the sea must be well prepared to have positive results. It took almost a decade to prepare the 1958 Geneva Conference. If all the matters covered by resolution 2574 A (XXIV) were to be dealt with at one conference, a considerable number of years would have to elapse before the conference could be called. The fast advance of science and technology does not, however, permit such a long delay in tackling the most acute problems in the field of the law of the sea. Rapid progress is possible only if the issues are treated in manageable packages. Therefore the Swedish Government considers it advisable and even necessary not to treat all the issues mentioned in the Secretary-General's note at one conference, although it is well aware of the fact that some problems are linked together. Without neglecting the importance of the other issues mentioned, the Swedish Government believes that only a carefully prepared conference dealing exclusively with some of the most urgent problems has possibilities to lead to multilateral regulations in the near future. Secondly, no conference on any of the vital problems of the law of the sea should be called unless there is some advance assurances as to its success. The importance of this opinion is clearly demonstrated by the grave consequences of the failures of the 1958 and 1960 Geneva conferences to establish an outer limit of the territorial sea.

4. With the above considerations as a basis, a settlement of the maximum breadth of the territorial sea allowed in international law seems to constitute one of the most urgent issues for international action.

5. Frequent and escalating claims for extended territorial waters from some coastal States have caused what could be described as a chaotic and absurd state of affairs in this particular field of the law of the sea. Claims for territorial

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waters as far out as 200 miles from the coast were made even after the adoption of General Assembly resolution 2574 D (XXIV). An international agreement fixing a reasonable maximum breadth of the territorial waters is the only way of restoring order and avoiding potential conflicts. Earlier attempts to reach an international agreement and recent efforts to stop further claims for extensions while waiting for an international regulation have been in vain. The problems related to the breadth of the territorial sea have been carefully examined in the past and are well known to international law. Intergovernmental contacts during the last few years have enhanced the prospects of reaching an agreement in this field. The Swedish Government thinks that the time now has come for a final effort to solve this particular problem.

6. Defining the outer limits of the jurisdiction of coastal States for exploration and exploitation of resources on the continental shelf is another issue of major importance. In the 1958 Convention on the Continental Shelf, this definition is given as "to a depth of 200 metres or, beyond that limit, to where the depth of the superjacent waters admits of the exploitation of the natural resources...". The criterion of exploitability makes the limit indeterminable and successively changing and gives an inexplicable advantage to technologically advanced nations as they might feel entitled, through an extreme and unintended interpretation of the 1958 Convention, to proceed to reduce more and more that area of the sea-bed and ocean floor which now lies beyond national jurisdiction. A dividing up of the entire sea-bed between the coastal States is unacceptable to most nations and must be precluded by adopting a new definition. The question whether the 200-metre depth criterion would remain as the only constitutive element or whether some other sort of definition of the outer limit of the continental shelf should be used must be negotiated between all States. These matters have already been discussed within the United Nations Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction and, in the opinion of the Swedish Government, consultations should proceed so that the issue could be decided rapidly.

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7. Other issues connected with a review of the law of the sea, as mentioned in General Assembly resolution 2574 A (XXIV) do not seem to be ready as yet for international conferences. They should be further studied by the international community and prepared in such a way that at later conferences these problems can be solved in a satisfactory way. The Swedish Government is willing to give its contributions to such preparatory work.

TRINIDAD AND TOBAGO

[Original: English]
29 June 1970

The Government of Trinidad and Tobago supports the need to convoke a Conference on the Law of the Sea at a date to be agreed upon.

The Government of Trinidad and Tobago, however, wishes to stress that, in its view, the marine environment constitutes an organic whole, that juridically and conceptually the legal problems are interrelated and that all matters concerning the marine environment should be comprehensively examined.

TURKEY

[Original: English]
30 June 1970

The Government of Turkey is in favour of discussing the problems relating to the law of the sea in a new conference to be convened at an early date provided that the necessary arrangements can be made in time. Also, the Turkish Government is of the opinion that, if the problems faced with regard to the law of the sea are not handled now, their solution will become much more difficult in later years.

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UGANDA

/Original: English/7
1 April 1970

Uganda supports the proposal to convene, at an early date, a conference on the law of the sea to review the régimes of the high seas, the continental shelf, the territorial sea and contiguous zone, fishing and conservation or living resources of the high seas, particularly in order to arrive at a clear, precise and internationally accepted definition of the area of the sea-bed and ocean floor which lies beyond the limits of national jurisdiction, in the light of the international régime to be established for that area.

UNION OF SOVIET SOCIALIST REPUBLICS

/Original: Russian/7
25 May 1970

1. The Soviet Union finds it necessary to make the following observations in this connexion. There are no grounds whatsoever for raising the question of a review of the régimes established in the 1958 Geneva Conventions. These régimes are based on universally recognized principles and norms of international law which have evolved over the centuries. They have been consolidated in national practice and in numerous treaties and were reaffirmed at the 1958 Geneva Conference on the Law of the Sea in which some ninety States took part. The success of this Conference was to a considerable extent due to the extensive preparatory work done by the International Law Commission and other United Nations bodies over a period of ten years. That the efforts involved were universally acknowledged was shown in particular by a resolution adopted by the General Assembly at its thirteenth session (1307 (XIII)), which emphasized that the 1958 Geneva Conference on the Law of the Sea had made "an historic contribution to the codification and progressive development of international law".

2. The 1958 Geneva Conventions on the law of the sea have stood the test of time and shown themselves to offer a sound basis for the development of international co-operation. Attempts to revise them could only lead to disputes

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and friction between States. How could international co-operation develop if some States continued to support the existing régimes as laid down in the 1958 Geneva Conventions, while others rejected them and advocated the establishment of new régimes? In such circumstances, fruitful co-operation would clearly be out of the question. States would find themselves faced with serious difficulties. There can accordingly be no justification for the completely unfounded attempts to revise the generally recognized principles and norms of international law, which have evolved through many years of historical development, have become part of the every day life of States and have provided the legal basis for their activities in the world ocean.

3. The Soviet Government feels that the international legal basis which on the whole has proved satisfactory for the development of international co-operation in this field should not be undermined or weakened. On the contrary, it should be strengthened by the settlement of individual outstanding questions whose resolution is of great importance for the development of co-operation between States in this field. Among them are such questions as the determination of the maximum breadth of territorial waters and a more precise definition of the outer limits of the continental shelf. There is no reason to raise the question of reviewing the régimes established in the 1958 Geneva Conventions in order to solve these questions. To do so would only create unnecessary problems with regard to navigation, fishing and other aspects of national activity on the world ocean. The progressive development of the international law of the sea should be effected not in a vacuum, but on the basis of generally recognized norms and principles, not through unilateral action by individual States but through international co-operation based on the reaching of agreement that takes the interests of all countries into account.

4. An answer to the question of the desirability of convening an international conference on the law of the sea, to which reference is made in General Assembly resolution 2574 A (XXIV) depends first and foremost on the aims and tasks which would be given to such a conference and also on the extent of its preparedness for the successful disposal of the items on its agenda.

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5. In the light of the foregoing, the Soviet Union feels that it would not be desirable to convene a conference to review the régimes established in the 1958 Geneva Conventions on the law of the sea. At the same time it advocates the speedy solution of such important individual problems as the determination of the maximum breadth of territorial waters, the more precise definition of the outer limit of the continental shelf and the formulation of basic principles for national activities on the sea-bed beyond the limits of national jurisdiction. A carefully thought out approach is essential for the successful solution of these problems, each of which should be considered separately. After the necessary progress has been made in preparatory work of this nature, the question of further action could be decided, namely, whether an international conference should be convened for this purpose or a United Nations body should formulate an appropriate draft international agreement that would subsequently be adopted by the General Assembly and opened for signature by States.

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

/Original: English/
30 June 1970

1. Her Majesty's Government have played an active part in the work of the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction. This Committee has made useful progress, in particular on the question of an international régime. However, no consensus has yet been reached, and there remains a considerable amount of work to be done. Her Majesty's Government consider that the Committee should continue to address itself urgently to this problem.
2. The principle subject identified by General Assembly resolution 2574 A (XXIV) is the need to arrive at a clear, precise and internationally accepted definition of the area of the sea-bed and ocean floor which lies beyond national jurisdiction. Her Majesty's Government have frequently stated their view that a precise boundary for the area of the sea-bed beyond national jurisdiction should be agreed. They consider that this question is closely linked with that of a régime for the sea-bed mentioned in the preceding paragraph of this note.

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They believe, in consequence, that it would be unreasonable to expect Member States either to give their final agreement to a régime without knowing precisely the area over which that régime operates, or to reach a final decision on a limit without knowing what will be the international régime which shall operate in the area of the sea-bed lying beyond that limit. Her Majesty's Government's view, therefore, is that the consideration of the limit to national jurisdiction over the sea-bed should, at least in the preparatory stages, proceed in parallel with the consideration of the international régime for the sea-bed: and that the most appropriate forum for the consideration of both these issues at the present stage remains the United Nations Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction.

3. General Assembly resolution 2574 A (XXIV) refers also to "the régimes of the high seas, the continental shelf, the territorial sea and contiguous zone, fishing and conservation of the living resources of the high seas". All of these questions were discussed at the two United Nations conferences on the Law of the Sea held at Geneva in 1958 and 1960. Her Majesty's Government consider that the four conventions which resulted from the first of these conferences continue to represent a valid and satisfactory statement of international law on the subjects with which they deal. They would not wish to re-open matters already settled on that occasion.

4. Nevertheless, there are certain specific issues which were not conclusively resolved by the two conferences on the Law of the Sea of 1958 and 1960. Such a question is the breadth of the territorial sea. Her Majesty's Government believe that there would now be considerable advantage in settlement of this question, together with the related issues of international straits and coastal fisheries, all of which have been discussed informally between many members of the United Nations in recent months.

5. Her Majesty's Government consider that the work on the three outstanding questions referred to in General Assembly resolution 2574 A (XXIV) - the international régime for the sea-bed, the limit to national jurisdiction over the sea-bed and the breadth of the territorial sea - should be undertaken

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separately, although discussion of the first two questions should proceed in parallel in the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction. Her Majesty's Government are naturally in full sympathy with the strong feeling among the international community that a solution of these problems should be achieved as early as possible. With this in mind, they are ready to look carefully at any proposals which offer a hope of accelerating progress towards a satisfactory solution.

UNITED STATES OF AMERICA

/Original: English/
11 June 1970

1. The United States Government strongly supports the efforts of the United Nations to provide for the codification and progressive development of international law. These efforts of the United Nations with respect to the international law of the sea provide an excellent example of its accomplishments regarding a subject of great importance to all nations. The work of the United Nations in this field began over twenty years ago, and resulted in the 1958 and 1960 United Nations conferences on the Law of the Sea. The 1958 conference completed the four United Nations Conventions on the Law of the Sea, which contain basic rules regarding the rights and duties of States in the use of the seas. It would appear to be unnecessary and unwise to repeat the work which the United Nations has already completed and which is reflected in these Conventions.
2. The United States Government is pleased to note that the United Nations has continued its work in this field in recent years. In particular, the General Assembly has established a Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction, which is charged with considering the problems posed by the development of sea-bed technology.
3. There are certain outstanding issues regarding the Law of the Sea which were either unresolved by the 1958 and 1960 United Nations conferences or have matured since that time, that should be addressed and resolved by new treaties.

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Specifically, these include the basic questions of the breadth of the territorial sea and the régime for the exploration and exploitation of the natural resources of the sea-beds beyond the limits of national jurisdiction.

4. A resolution of the issue of the territorial sea in itself directly raises questions of concern to many States regarding other applicable rules of law, particularly questions regarding international straits and coastal fisheries beyond the territorial sea. Similarly, the establishment of an international régime and international machinery for the exploitation of sea-bed resources beyond the limits of national jurisdiction requires agreement on a clear, precise and internationally accepted definition of the areas involved. A precise seaward limit of the continental shelf was not established by the 1958 United Nations conference.

5. In connexion with the foregoing issues, it must be borne in mind that the international community has become increasingly aware of the need to protect the environment. The United States Government firmly supports the efforts of the United Nations and its specialized agencies to deal with this pressing problem on an international basis. It is convinced that the protection of the environment, and particularly the prevention of pollution, must occupy a major role in the further development of the international law of the sea.

6. The United States Government believes that the outstanding issues regarding the law of the sea could appropriately be addressed and resolved at a future Law of the Sea conference or conferences. In this connexion, it should be noted that the considerations and questions bearing upon the breadth of the territorial sea are in many respects different from those bearing upon a sea-bed régime and boundary. All the outstanding issues are important and require appropriate concentration of effort and attention. The United States Government believes that the procedures for the resolution of these issues should be structured so as to assure that each issue receives appropriate attention in a manner which will facilitate its examination and enhance the opportunity for agreement.

7. There are doubtlessly a variety of means available for assuring an orderly and successful resolution of these issues. While the United States Government

is most interested in learning the views of the other Members of the United Nations on this matter, it wishes to point out to the Secretary-General the procedure it has considered during informal discussions with other States, based on the concept that the issues be addressed in manageable packages. The questions of the breadth of the territorial sea, international straits, and coastal fisheries were carefully and thoroughly reviewed at the earlier United Nations conferences. The resolution of these directly interrelated questions has been discussed informally by many Members of the United Nations recently. The General Assembly might accordingly decide that these issues should be addressed and resolved as soon as practicable. The establishment of a régime for the exploitation of sea-bed resources beyond the limits of national jurisdiction involves certain new and challenging legal and institutional problems: the General Assembly might accordingly instruct the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction simultaneously to accelerate the preparation of such a régime, which, along with the question of the boundary for the sea-beds beyond the limits of national jurisdiction, might also be addressed and agreed upon as soon as practicable. The problem of protecting the ocean environment arises in the context of many issues, and should be carefully examined in connexion with each issue. At the same time, the United Nations and its specialized agencies might proceed with their work in this field, certain aspects of which could more appropriately be dealt with separately from the more general problems of the Law of the Sea.

8. The United States Government wishes to emphasize its view that timely agreement on these substantive issues should be the central objective of the procedures adopted, and believes that all suggestions which will enhance the possibility for timely agreement should be given the most careful consideration.

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UPPER VOLTA

/Original: French/
13 March 1970

1. The Government of the Republic of the Upper Volta, a land-locked country, has a particular interest in the "question of the 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 the use of their resources in the interest of mankind".
2. We are therefore very favourably disposed towards the idea of convening, at an early date, a conference on the law of the sea to review, in the words of the above-mentioned General Assembly resolution, "the régimes of the high seas, the continental shelf, the territorial sea and contiguous zone, fishing and conservation of the living resources of the high seas, particularly in order to arrive at a clear, precise and internationally accepted definition of the area of the sea-bed and ocean floor which lies beyond the limits of national jurisdiction".

URUGUAY

/Original: Spanish/
14 May 1970

1. First, the Government of Uruguay takes the view that it is neither necessary nor desirable to review the 1958 Geneva Convention on the Continental Shelf with the primary object of amending the definition of the continental shelf (article 1 of the Convention). The definition in question is, of course, of Latin American origin, since it was originally formulated at the Inter-American Specialized Conference on Conservation of Natural Resources: The Continental Shelf and Marine Waters at Ciudad Trujillo in 1956; and it has hitherto adequately served the interest of coastal States, which have gradually extended their sovereign rights over the continental slope to ever-increasing depths, as the general technology for the exploitation of the natural resources of this submarine area has progressed.

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2. Secondly, the Government of Uruguay is of the opinion that any attempt to amend the definition in article 1 of the Convention of the Continental Shelf may adversely affect the existing sovereign rights of the coastal States, inasmuch as this revision procedure may be used for the purpose of restricting these rights to depths of distances closer to the coast (200-metre isobath or 50-mile distance).

3. Despite the foregoing statement of its basic position, and if the Secretary-General's present consultations show that the majority of Member States are in favour of a conference, the Government of Uruguay would agree, in principle, to the idea of convening a third United Nations conference on the law of the sea to review the régimes of the high seas, fishing and conservation of the living resources of the high seas, and for other purposes referred to in General Assembly resolution 2574 A (XXIV).

4. In the view of the Government of Uruguay, however, the actual convening of a further conference on the law of the sea should be made clearly contingent upon the prior fulfilment of three main requirements, as follows:

(a) Proper preparations must be made for the conference; for this purpose, it will certainly be necessary to establish at the appropriate time an ad hoc committee of the General Assembly to undertake the studies and prepare the drafts required.

(b) The agenda for the conference must include all the items specifically mentioned in Assembly resolution 2574 A (XXIV) and, if possible, other aspects of the law of the sea at present being discussed in other international bodies.

(c) In any event, in accordance with the provisions of Assembly resolution 2574 A (XXIV), the conference should not be held before the United Nations Committee established by resolution 2467 (XXIII) has taken a definitive position on the legal régime to be applied in the area of the sea-bed and the ocean floor beyond national jurisdiction, in view of the effect which the establishment of this régime is bound to have on all other questions of international maritime law.

YUGOSLAVIA

[Original: English]
15 June 1970

1. The Yugoslav Government considers acceptable the convening of a conference on the law of the sea to review the régimes of the high seas, the continental shelf, the territorial sea and contiguous zone, fishing and conservation of the living resources of the high seas, in order to arrive at a clear, precise and internationally accepted definition of the area of the sea-bed and ocean floor which lies beyond the limits of national jurisdiction, in the light of the international régime to be established for that area. In this connexion, the Yugoslav Government considers that the conference should primarily deal with questions directly related to the régime of the sea-bed and ocean floor beyond the limits of national jurisdiction and that it is indispensable simultaneously to regulate the international régime of research, use and exploitation of the resources of the sea-bed and ocean floor, and the subsoil thereof, beyond the limits of national jurisdiction.
2. In the view of the Yugoslav Government the conference should not take place earlier than the latter half of 1971.

ZAMBIA

[Original: English]
3 April 1970

The Permanent Mission wishes to inform the Secretary-General that the Government of the Republic of Zambia is in agreement with the view that such a conference should be held as soon as possible and, to that extent, the Zambian Government has decided to participate fully in the deliberations of the conference when it is held.
