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Chairman: Mr. Andrés AGUILAR M. (Venezuela).

Statement by the Chairman

1. The CHAIRMAN (*interpretation from Spanish*): Before we take up consideration of the item on our agenda I should like very briefly to reply to the question asked by the representative of Bulgaria at the 1747th meeting, on 30 October.

2. As the Committee will recall, in the course of that meeting the representative of Bulgaria asked me a question regarding the status of observers in the United Nations. At the end of that meeting I informed her that I would study the matter in consultation with the Secretariat and would in due course give her an answer.

3. Having considered the matter, I can say that observers from states not Members of the Organization do not have an officially recognized status and their position is therefore based on the past practice of the Secretariat. I felt that the question of the representative of Bulgaria should be answered by the Secretariat, and I so indicated.

4. In due course, the representative of Bulgaria kindly informed me that the Secretariat had given her the information she required and that she did not, therefore, need a formal reply from the Chair.

AGENDA ITEM 25

- (a) 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 Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction (*continued*) (A/8021, A/C.1/L.562-565);
- (b) Marine pollution and other hazardous and harmful effects which might arise from the exploration and exploitation of the sea-bed and the ocean floor, and the subsoil thereof, beyond the limits of national jurisdiction: report of the Secretary-General (*continued*) (A/7924, A/C.1/L.562-565);
- (c) Views of Member States on the desirability of convening at an early date a conference on the law of the sea: report of the Secretary-General (*continued*) (A/7925 and Add.1-3, A/C.1/L.562-565);
- (d) Question of the breadth of the territorial sea and related matters (*continued*) (A/8047 and Add.1, Add.2/Rev.1, Add.3 and 4, A/C.1/L.562-565)

5. The CHAIRMAN (*interpretation from Spanish*): As the Committee is aware, draft resolution A/C.1/L.536/Rev.1, A/C.1/L.539 and A/C.1/L.545/Rev.2 have been withdrawn by their sponsors. Therefore the only draft resolution at present before us is the one contained in document A/C.1/L.562, together with the amendments to it which are contained in documents A/C.1/L.563, 564 and 565.

6. Before calling on the first speaker on my list, I would ask members of the Committee to note that the United Republic of Tanzania is now a sponsor of draft resolution A/C.1/L.562.

7. The following speakers, who were held over from our meeting last night, are on my list for the general debate on this draft resolution: the representatives of El Salvador, China and Ecuador. The representatives of Turkey, Belgium, Uruguay and Italy have added their names to the speakers' list. I trust that after we have heard these speakers we can begin the voting process, having the explanations of vote before or after the vote. I would be grateful to members of the Committee if, in order to facilitate our work, the explanations of vote both before and after the vote would be addressed to all the matters before us in one intervention. We shall not separate explanations before and after the vote for each individual amendment, but hear all explanations before all the votes and then all explanations after all the votes.

8. Mr. GALINDO POHL (El Salvador) (*interpretation from Spanish*): I shall endeavour to be very brief because of the little time before us. I wish to comment on the

amendments that were submitted yesterday to the draft resolution contained in A/C.1/L.562, of which El Salvador is a sponsor. I believe that it is appropriate to analyse those amendments and to consider—albeit summarily—their possible consequences for the scope, balance and meaning of the draft resolution.

9. I shall refer to those amendments by taking the least complex and difficult first and I shall therefore begin with that of the delegation of Japan [A/C.1/L.565], which I feel presents the least problems. As will be seen, this analysis will hinge on the impact of those amendments on the content of the draft resolution itself, and I shall refer not only to the agreement that is desired and the negotiating conditions from which there emerged a text viewed as a compromise and, as such, one that ought to have remained unchanged.

10. The Japanese amendment suggests in operative paragraph 2 the deletion of two sets of square brackets. Consequentially upon that amendment, the Japanese amendment would mention “international straits” and not the “question of international straits”. My delegation has no objection to deleting the brackets. We might put hyphens or commas instead of the brackets. It would be exactly the same thing. My delegation also has no objection to the reference to international straits, without saying “and the question of international straits”. My delegation believes that all the items mentioned in that paragraph are questions—are open to question—and will therefore receive the adequate treatment at the third conference on the law of the sea.

11. In making these statements I am not, of course, speaking on behalf of the sponsors of the draft resolution, but purely on behalf of my own delegation. I know that the sponsors would prefer no amendment whatever to that paragraph, and I agree with them. Despite the fact that we would have no difficulty in accepting the Japanese amendment, we would also prefer to have the paragraph remain as it is. However, if the Japanese amendment were to be accepted, my delegation would have no objection to it. Nevertheless, in a spirit of solidarity with the other sponsors of the draft resolution, we would be forced to vote against the amendment.

12. I now pass on to the amendments submitted by the delegations of Malta and Turkey [A/C.1/L.564]. I must admit that these amendments create major difficulties. First, these amendments add, at the end of the fifth preambular paragraph, the words “in a framework of close international co-operation”. When I read that amendment for the first time I understood it in its straightforward sense, namely, that the tasks that we are undertaking call for the widest international co-operation, and in that sense I would have no difficulty in accepting it. But when I heard the explanations that were given yesterday [1799th meeting] by the representative of Malta regarding the scope of that phrase and the meaning attached to it, I felt compelled to object to the amendment.

13. This morning I asked for the verbatim records of yesterday afternoon’s meeting, but it was not yet available. Not only was it not available in Spanish, but it also was not available in English or in French. Therefore, I shall have to rely on my memory of what Ambassador Pardo said,

running the risk of having misunderstood him. If I have misunderstood Ambassador Pardo, I apologize to him.

14. When commenting on this amendment yesterday, I think Ambassador Pardo said that it was intended, and I do not know whether he said to prevent or to hamper, the framing of international law by unilateral acts and by regionalism. If that is precisely what Ambassador Pardo contended yesterday regarding the meaning and intention of his amendment, then I must emphatically state that I could not agree with his argument. I must reject that argument for a number of reasons, including theoretical reasons. International law admits as its source unilateral acts in certain circumstances. Furthermore, international law admits regionalism and regional rules. Not only do we have regional treaties, but we have regional systems. Furthermore, the International Court of Justice has, in a number of its judgements, repeatedly recognized even regional customs. This highly important source of international law which we call custom is usually divided into general custom and regional custom.

15. I recall that one of the judgements handed down by the Court in 1960 on the rights of navigation specifically refers to regional custom, and goes even further and speaks of local custom between two specific countries. Neither does the well-known judgement of the Court in 1950 on the right of asylum, for example, challenge regional custom. It even points out the elements required for such custom to be accepted. Therefore, practically and theoretically speaking, from the point of view of case-law as derived from the International Court of Justice—not to speak of arbitration courts—we cannot reject the concept of regionalism or of regional rules.

16. Therefore, we have both a theoretical and a practical difficulty in this amendment. But presuming that there might be a current of opinion that I of course would respect, but which was directed at the suppression of regional rules, and of those actuated by unilateral acts, this would certainly give rise to controversy. This would be the subject of an evolution of law which could justifiably be rejected by countries and treaty-makers. But to raise the matter now would be to prejudice a very delicate question when all we are trying to do is to adopt a draft resolution that will not prejudice the different theses which we all hold in the case of maritime law and, in general, of international law.

17. The response to the convening of the future conference on the law of the sea largely depends on the support received by this draft resolution and, of course, on a neutral attitude being adopted on some very controversial issues. There will be plenty of time for a careful examination and discussion of these delicate matters.

18. I wish to state quite clearly that my country and my delegation emphatically contend, from a standpoint of doctrine and practice, and basing ourselves on law and politics that in international law from the very beginning of history regionalism has been accepted, and that in certain circumstances unilateral acts can give rise to rules.

19. The second amendment of the delegations of Malta and Turkey says: “In paragraph 3, delete the last sentence.” I believe it refers to the entire sentence of paragraph 3. Therefore, the suggestion is that we should delete mention

of the fact that at its twenty-sixth session, the General Assembly, depending on the progress of the preparatory work, might decide to postpone the conference. I think that that was one of the elements on which our negotiations were based, and therefore this sentence of paragraph 3 is essential to the agreement at which we have arrived. We see no reason for deleting this when the logic of the facts and circumstances call for its retention.

20. If at any moment the General Assembly were to find that the preparatory work was not sufficiently advanced, it could not set a specific date for the holding of a conference. So what we are saying is very reasonable; but, as I said a few days ago [*1795th meeting*] it must not be used by some delegations as a means of procrastination. I pointed out then, and I repeat now, that we are ready to attend that conference when the preparatory work is sufficiently advanced. If it were convened for next year, we would be ready to attend next year. I must assure the other members of the Committee that there is no desire to delay matters in our wanting to mention this fact. But the deletion of that sentence would, my delegation feels, seriously upset the balance of the draft.

21. Regarding the third amendment proposed by Malta and Turkey, I must say the following. In paragraph 2 we expressly mention the definition of the area, and paragraph 6 refers to all the matters dealt with in paragraph 2. Therefore, there is no reason to repeat this exact delimitation of the area in paragraph 6. Now, some say that if there is too much of a good thing, it does not do any harm. But although I agree that it may not do any harm, I do believe that repetition becomes redundant and I think that the matter has been adequately dealt with.

22. Doubts were voiced yesterday over a new problem of competence arising, as a result of which some subjects might be dropped from the agenda of the preparatory committees. But I believe that in this case those arguments fall, because the wording of the draft resolution in document A/C.1/L.562 is extremely broad. It allows for a variety of subjects, and if this specific subject has not been mentioned, it could nevertheless still be included because the terms used in the draft resolution have been purposely chosen as general and wide. But this subject is mentioned in operative paragraph 2, and for that reason, and not because we consider that this suggestion is going to upset a balance that exists, my delegation feels unable to support these amendments.

23. Now, let me turn to the amendment that is the most complex of all, that of the Netherlands and the United Kingdom [*A/C.1/L.563*].

24. If that amendment were to be supported, my delegation feels that the entire system set up by resolution A/C.1/L.562 would be altered. We have been working on the basis of two cardinal ideas: the first is that the conference be comprehensive, which does not mean that it is going to deal with all subjects, but, rather, with those subjects which may give rise to problems. We are not going to issue a new edition of the law of the sea. That could not be done in a lifetime. We want to study all those subjects that are, in general, of interest to the international community, to the developing countries and also to the great maritime Powers.

25. We do not deny that the maritime Powers have the right to raise questions on matters affecting them directly and to have them examined and studied. We feel, however, that, as far as the conditions, methods and circumstances of the examination of those problems are concerned, they should be given the same treatment as those affecting the developing countries.

26. I believe we have tackled this problem in a very equitable fashion, without trying to derive advantages from the numerical voting strength of the developing countries in the Committee because we do not want to win this battle on the basis of a vote, but rather on the basis of study, and of co-ordination of interests and efforts that will perhaps result in finding a constructive common denominator for the international community, one in which the developing countries will have a voice and enjoy the opportunity, for so many years denied to them, of participating in the elaboration of present-day international law.

27. Another point on which my delegation has insisted is that we should try to avoid the entire matter of priorities. If, in the convening of a conference, we get involved in the question of priorities, we shall never be able to extricate ourselves. Perhaps later on, when the preparatory work has progressed somewhat, we might consider the matter—I say “perhaps”, for I cannot state this as a fact. My delegation considers—and in this perhaps I differ with some of the other sponsors—that the draft resolution in document A/C.1/L.562 cannot be taken as implying the establishment of any kind of priority, not even in favour of the régime for the sea-bed. It is extremely important that it be very clearly understood that we are going to deal with all the subjects in the same way, on the same level, with equal interest; we are going to give them all similar treatment. Thus, although my delegation happens to be most interested in the régime for the sea-bed, we are not claiming preferential treatment for that matter. Let us deal with it as we do all other subjects, but then too, let us not give any other subject priority over it.

28. These two fundamental points—a comprehensive conference and no priorities—would be radically affected by the amendments submitted by the Netherlands and the United Kingdom. Let me now examine those amendments.

29. The first amendment proposes an entirely new wording for paragraph 2 of our draft resolution. It speaks of concluding one or more international conventions on the following specific questions: an equitable international régime, the breadth of the territorial sea and related matters, and questions of maritime pollution. On those three points it specifically refers to “one or more international conventions”. But what about the other subjects? It refers, in sub-paragraph (d), to “such other specific matters as the General Assembly may decide upon”. In other words, the other matters would be left for later decision by the General Assembly, for a decision which might be made next year or the year after—or who knows when? We do not know; some day the General Assembly may add a list of subjects. My delegation therefore feels that this immediately raises the question of a limited conference, since it calls for specific conventions on the items listed in sub-paragraphs (a), (b) and (c) of the first amendment and lumps all the rest together for some future

decision by the General Assembly, a decision postponed *sine die*. In such conditions, the proposal of a limited conference is unacceptable to my delegation.

30. Let us now examine the second amendment. It asks for "draft treaty articles on the matters referred to in paragraph 2, sub-paragraphs (a) and (b)", in other words, articles of a draft treaty on the régime for the sea-bed, the breadth of the territorial sea and related matters. But what happens to the other subjects, including the question of pollution? Sub-paragraph (b) tells us in the following terms: "proposals for other specific matters". "Proposals"; no longer draft treaty articles, no longer specific, detailed studies on which serious and immediate negotiations can take place; what it calls for now are merely "proposals". I think that here a clear-cut priority is implicitly being established for the régime of the sea-bed and for the question of the breadth of the territorial sea and related matters, because these would be given preferential treatment going so far as to make them the subject of draft treaty articles. While other matters, including those which concern pollution, would merely be the subject of proposals. True, they might well be important and substantive proposals, but then again they might be trivial and of little weight.

31. My delegation therefore regrets that it cannot accept the amendments submitted by the Netherlands and the United Kingdom, since we believe that, in terms very different from those agreed to, they raise the entire question of the convening of a third conference on the law of the sea.

32. For these reasons, Mr. Chairman, I would request you to be good enough to ask for a roll-call vote on all the amendments, and, if any of them are adopted, to have a roll-call vote on the whole draft resolution. By way of explanation, I should like to say that if certain amendments are approved, my delegation would have to review its entire position regarding the draft resolution; and that, although approval of the Japanese proposal would not affect our position and we would still continue to support the draft resolution, acceptance by the Committee of the amendments of Malta might lead us to abstention, and adoption of the amendments of the Netherlands and the United Kingdom would force us to cast a negative vote on the draft resolution that we have ourselves thus far sponsored.

33. Mr. LIANG (China): The Chinese delegation is keenly aware of the fact that the text of the draft resolution contained in document A/C.1/L.562, now under discussion, is the result of painstaking and tactful diplomatic negotiations. That being so, no one should try to upset the delicate balance and poised equilibrium implicit in such a labour of co-operation performed in a spirit of give and take. As has been said, politics is the art of achieving the possible in the circumstances. We would be the last to think of obstructing, at the eleventh hour, the process towards final accomplishment—a process made possible by the strenuous and generous efforts exerted by all the sponsors concerned. Yet we would be lacking in candour if we did not put on record some conclusions concerning this text, which we have arrived at after due reflection, and some views on the subject which we hold with all sincerity and conviction.

34. First, we find it hard to understand the meaning of the expression used in operative paragraph 2, namely,

"Decides" to convene in 1973, in accordance with the provisions of operative paragraph 3 below, a conference on the law of the sea which would deal with the establishment of an equitable international régime", and so on. We think that the implications of the term "deal with" are nebulous and shrouded in vagueness, since there is no sequel to it, that is to say, no indication of the process of dealing with the matter in question.

35. As we know, historically, all legislation and codification processes under official auspices, in the League of Nations and in the United Nations, have culminated in a convention or conventions. Thus, article 23 of the Statute of the International Law Commission provides that the Commission may, *inter alia*, recommend the draft to the Members of the General Assembly with a view to the conclusion of a convention, or indeed the convening of a conference to conclude a convention. The Charter of the United Nations provides in Article 62, that the Economic and Social Council may prepare draft conventions for submission to the General Assembly and may call international conferences on matters within its competence. In the past years numerous conventions of an economic and social character have been concluded. We are pleased to note that this defect of the draft resolution was singled out and that the remedy was provided in point 1 of the Netherlands and United Kingdom amendment [A/C.1/L.563].

36. Secondly, we hesitate to subscribe unreservedly to the expansion of the terms of reference of the conference, such as appears in operative paragraph 2 of the draft resolution. We find in it too much of an attempt to rewrite the 1958 Geneva Conventions on the Law of the Sea. The dangers of such an attempt have been pointed out in our statement in the general debate at the 1785th meeting of the First Committee, on 4 December 1970. We do not intend to recapitulate our arguments here.

37. Specifically we feel that, in the present formulation of the terms of reference, certain enumerations are either too broad or too narrow. In one instance, the contents of one particular agenda item may still be controversial, and its appearance as a topic may be premature. In that paragraph, we find mention of the "broad range of related issues including those concerning the régimes of the high seas". Now, that is a very sweeping description.

38. The 1958 Geneva Convention on the High Seas¹ contains 37 articles, mostly substantive in character. The subject matter ranges through navigation, nationality of ships, hot pursuit, the immunity of warships, the immunity of State-owned ships to pollution and to submarine cables—a veritable coat of many colours. In respect of most of these variegated subjects there has been no suggestion in government or scientific circles that the provisions on these matters clamour for modification or revision. We wonder whether it would be profitable to undercut firmly-established principles of international law in order to satisfy the mere craving for change or novelty.

39. On the other hand, the question of fisheries is a broad one, but the mention of the preferential rights of coastal

¹ United Nations, *Treaty Series*, vol. 450 (1963), No. 6465.

States refers only to one controversial aspect of it. The delegation of Japan at the last meeting expressed its doubts about this point also, and we share some of its preoccupations. We know that the concept of preferential rights given to the coastal States in fishing is based on nothing but a claim. In theory, the claim is, in turn, sometimes based upon the relative propinquity of the coastal State to fishing areas or upon the degree of importance of fishing for the people's livelihood and the economic well-being of the coastal State. The claim has been sanctioned by bilateral or multilateral treaties, but it has not acquired the status of a general principle of international law. The idea of special or preferential rights was expounded by some States on the eve of the 1960 United Nations Conference on the Law of the Sea and during that Conference as a *quid pro quo* for the so-called "six-plus-six formula", or proposal, concerning the limit of the territorial sea. But it was prescribed at the same time that a preferential right would operate only when it could be scientifically demonstrated that the special situation of a State made the exploitation of the living resources of the sea of fundamental importance to the economy of that State. An arbitration machinery was also to be provided to prevent unilateral exclusion by the coastal State. The whole project failed in 1960, as is well known.

40. Fishing on the high seas being one of the principal industries in China and vital to our economic prosperity, we attach particular importance to the question. We therefore wonder what would be the justification for the preferential rights of the coastal State in fishing on the hypothesis that there is now a general acceptance of the territorial sea limit of 12 miles. Would there then be another area beyond that limit which belongs to the coastal State as regards fishing? This is of course possible if conventional law is created to furnish the rule. But we think it unwise to prejudge this question by the introduction of an agenda item already so labelled, although in the conference we shall be willing and ready to consider jointly with other nations questions affecting the interests of the long-range fishing States and coastal fishing States.

41. It is appropriate to cite here the words of a writer who was one of my former collaborators in the United Nations Secretariat and during the 1960 Conference on the Law of the Sea, Dr. D. W. Bowett, now lecturer in Cambridge, England, who wrote as late as 1967:

"...it might be said that the 1958 Conference, in adopting the Convention on Fishing and Conservation of the Resources of the High Seas, rejected the view that the problem of conservation was exclusively for the coastal State to solve. It indicated that, whilst its special interest could be recognized, this ought not to involve *exclusion* of States with existing fishing rights, and conservation régimes ought to emerge as a result of agreement and, where necessary, under the control of an impartial, expert Tribunal. There is, as we have shown, no real evidence that this principle has been accepted in State practice: and it is difficult to see on what other basis these difficult disputes can be settled."²

This passage is from page 31 of *The Law of the Sea*.

² Manchester, Manchester University Press.

42. Finally, we want to say a word about the question of semantics. Some delegations observed that the criticism directed at draft resolution A/C.1/L.562 was mainly a matter of semantics and therefore the quarrel was futile. We beg to differ. As the contemporary Polish jurist and legal philosopher Hermann Kantorowicz once remarked, "law is the science of logomachy". When we see operative paragraph 6 of draft resolution A/C.1/L.562 and read that the enlarged Committee is instructed to prepare for the conference a "comprehensive list of subjects and issues relating to the law of the sea referred to in paragraph 2", we begin to understand how arduous the work of the enlarged Committee is bound to be. For while "subjects" can, in logic, be comprehensively listed, "issues" as such, namely, "controversial points", scarcely lend themselves to this treatment.

43. What could be the utility of listing issues? What the conference will imperiously and eventually need are well-thought-out and well-phrased draft articles buttressed with "adequate presentation of precedents and other relevant data, including treaties, judicial decisions and doctrine", in the words of article 20 of the Statute of the International Law Commission.

44. The conference does not need a list of questions. The questions belong to the preparatory stage of the conference. The conference must needs have a finished product to consider if it is to discharge the function of the conclusion of one or more international conventions in respect of the matters with which it is entrusted.

45. The CHAIRMAN (*interpretation from Spanish*): Before calling on the next speaker I should like to remind representatives that the closure of the session of the General Assembly is scheduled for this afternoon and, in order to do that, the First Committee must conclude its work at this morning's meeting. May I advise you that it is now four minutes to twelve o'clock? I would further remind you that we have to consider separately the draft amendments submitted and roll-call votes have been asked for on each one and a possible roll-call vote has been requested on draft resolution A/C.1/L.562 as a whole. I still have the delegations of Ecuador, Turkey, Belgium, Uruguay, Italy, Chile and Malta on my list. I do not wish to curtail the rights of delegations to express themselves, but I would appeal to all on the list to be as brief as possible in their statements. We have held a very long general debate on the item. We also had a long general debate on the resolutions at their submission. We also had a lengthy debate on the draft resolutions and amendments now before the Committee. So I appeal to all those on the list to limit as far as possible the length of their statements and merely to state their position and to be as brief and concise as possible.

46. Mr. BENITES (Ecuador) (*interpretation from Spanish*): You announced that it is four minutes before twelve o'clock. I shall use three of those minutes. First, because I should not like to interrupt the conversation going on both in the corridors and in the Committee room....

47. The CHAIRMAN (*interpretation from Spanish*): The representative of Liberia has asked for the floor on a point of order. I apologize to the representative of Ecuador.

48. Mr. DOSUMU JOHNSON (Liberia): My purpose in asking for the floor is this. Yesterday, Mr. Chairman, when you asked that the discussion should continue on this subject, you asked all those who wished to explain their position on the draft resolutions and amendments to inscribe their names. When the meeting closed last night there were only three names on the list. So now, if you are to inscribe further names you should exercise your indulgence to allow them to speak, but I think you should try to limit them to two minutes.

49. The CHAIRMAN (*interpretation from Spanish*): Thank you, I shall call on all those on the speakers' list and I re-read the list: Ecuador, Turkey, Belgium, Uruguay, Italy, Chile and Malta, without as yet setting any limitation but with an urgent appeal to them to limit their statements to what is strictly indispensable.

50. Mr. BENITES (Ecuador) (*interpretation from Spanish*): I had proposed to speak for only three minutes, but now I may have to speak for three and a half minutes to explain to the representative of Liberia that he is quite wrong in raising a point of order when a representative is speaking and, when raising a point of order, to refer to someone who was on the list to speak yesterday. I think that was unseemly and I should like note to be taken in the Committee of my expression of feelings on that. I think I have taken about a quarter of a minute for that.

51. I shall not repeat any of the legal arguments which have already been very wisely adduced. The present situation reminds me somewhat of the old fairy tales and how the knight errant galloped all day and when he got to the end of the forest he fell asleep. Next morning he found himself back at the same place from which he had set forth on the previous day. This is what the representative of the United Kingdom is proposing to us in his amendments [A/C.1/L.563]: to go right back to the point of departure; that is to say, to the point of destroying the terms of reference. That is what his proposal means. He divides his proposal into three parts, then into a number of conventions and with this sleight of hand entirely destroys the unity of the terms of reference.

52. My delegation will vote against it, first, because this is not the most advisable procedure from the—shall we say—ethical point of view; secondly because he did participate in the debate of the negotiating groups; and thirdly because this is a last-minute attack on the draft resolution.

53. Regarding the amendments of Malta and Turkey [A/C.1/L.564], those delegations are trying to quarrel with the date and here again my delegation must oppose this intention. If the Japanese amendment [A/C.1/L.565] were to be approved my delegation would not object to it.

54. That is all I wish to say and I think it has taken me less than the three minutes I had allotted myself.

55. Mr. BAYÜLKEN (Turkey): The draft amendment by Malta and Turkey [A/C.1/L.564] to the draft resolution was presented at the last meeting most lucidly by the Ambassador of Malta. I have nothing to add to his expert explanation. I shall comment only on the appeal made to use by some of the sponsors of the draft resolution and by some members.

56. The delegations of Malta and Turkey sincerely appreciate and respect the efforts made to obtain the compromise text, but we are at the same time aware of its precarious balance reflecting the views of groups of delegations. Our main intention is to solidify this balance and bring to the compromise text before us a clarity which will enable it to achieve quasi-consensus. We believe that the incorporation of our amendment into the text will remove the doubts and hesitations in the minds of a large group of members.

57. The comment made yesterday by the representative of France illustrates some of the persistent hesitations. He pointed out the ambiguity in operative paragraph 2 of the draft resolution regarding the precise definition of the sea-bed and ocean floor and stated that the easiest answer would be to accept the amendment proposed by Malta and Turkey. Furthermore, the representative of Trinidad and Tobago remarked yesterday that the amendments were more semantic than substantive. If so, we would like to think there would be no difficulty in incorporating our amendments into the draft resolution. We likewise appeal to the sponsors of draft resolution A/C.1/L.562 to accept our amendments so that this compromise draft resolution would command the largest possible consensus of our Committee.

58. Mr. DEBERGH (Belgium) (*interpretation from French*): I should like to say a few very brief words concerning the amendments submitted by the representatives of Malta and Turkey [*ibid.*]. First of all, I would earnestly urge members of the Committee to reflect carefully on the first of these amendments which would add at the end of the fifth preambular paragraph the words "in a framework of close international co-operation". My delegation feels that this is a basic idea that is in accordance with the purposes and principles of our Charter, according to which all Member States have agreed to settle their common problems in a spirit of co-operation. I am very much afraid that, if we start a discussion and attempt to settle the questions of the law of the sea in any other than such a spirit of co-operation, we will arrive at a situation of international anarchy which may have disastrous consequences. So, I do urge members of the Committee to weigh the implications of this amendment.

59. Secondly, I should like to say a few more words on the question of the definition of limits. At our last meeting I said that the present operative paragraph 2 of draft resolution A/C.1/L.562 was an improvement over the previous draft [A/C.1/L.545/Rev.2] in the sense that it now put the problem of definition on an equal footing with other problems, by removing it from the so-called broad range of related issues, so far as the terms of reference of the conference are concerned. But, there is no longer any mention at all of the question of definition of limits in operative paragraph 6. I explained yesterday evening why my delegation would like operative paragraph 6 to be more explicit in this regard. If I were to juxtapose the question put yesterday by the representative of France and the answer given by the representative of Peru, it might be concluded that the question of definition would, in principle—but it is very vague—be included in the comprehensive list of subjects mentioned at the end of paragraph 6 and thus that that question would be dealt with in the "draft articles on such subjects and issues".

60. But, as I say, it is extremely vague and I already explained yesterday evening that my delegation regards this question of the definition of limits as an integral part of the whole question of the international régime and should, consequently, be mentioned together with the problem of the international machinery. The present text says "the international régime—including an international machinery". I think that we ought to add here the question of definition. I also wonder whether the omission of the question of definition in this way implies that it will be discussed—although I am not sure of this—as part of the comprehensive list of subjects which is to be drawn up. That is the question I raise and I do not think the reply is very certain.

61. All the same, I should like to raise a small problem with regard to this subject. The sea-bed Committee which we are now going to enlarge already has before it a draft convention on the international régime for the sea-bed, to be precise, a draft treaty submitted by the United States [A/8021, annex V], a country which was a sponsor of draft resolution A/C.1/L.562. When we look at this United States draft, we see that right from the very beginning, in article 1, there is reference to the limits of the international zone of the sea-bed. I wonder then whether a country like the United States, one of the sponsors, agrees with the terms of draft resolution A/C.1/L.562—and particularly the terms of operative paragraph 6—that when the Committee comes to discuss this draft treaty, it will agree that operative paragraph 1 should be discussed, not together with the régime, but by another sub-committee, which is to deal with the "broad range of issues". That is the question I ask, and in my opinion, the reply is to be found in operative paragraph 6. But the reply contained in that paragraph is not satisfactory to my delegation.

62. In the circumstances I firmly support the amendment of Malta and Turkey concerning the inclusion of the question of definition of limits in the place where it belongs, that is to say, together with the question of the international régime, including an international machinery.

63. I would, therefore, entreat members of the Committee to reflect on this question of definition, because there are too many small, underdeveloped, land-locked or shelf-locked countries or others which have an interest in getting some idea of where this question of definition should come.

64. Mr. LEGNANI (Uruguay) (*interpretation from Spanish*): In order to set your mind at rest, Mr. Chairman, and also to assuage the fears of the Committee I wish to say that, if they have no other value, my words will have that of brevity.

65. I would remind the Committee that my delegation voted in favour of the draft declaration of principles governing the sea-bed and the ocean floor, and the subsoil thereof, beyond the limits of national jurisdiction [A/C.1/L.544], and we did so imbued with the same spirit of compromise that led other delegations to do likewise. Our own specific views, which might dictate our entering reservations on the text, were duly made known by my delegation [1773rd meeting].

66. In that same spirit of compromise, and largely in tribute to the efforts made to achieve a compromise

between texts which had either opposing or at least different approaches to matters of such importance, we will vote in favour of draft resolution A/C.1/L.562.

67. My delegation has no doubt of the noble intentions of those who have submitted amendments; they hope to improve the draft text. But in this case perhaps the desire for the best may stand in the way of what is merely good and therefore my delegation would prefer the text to remain as presented, unamended, since amendments might cause a chain reaction and new amendments would be submitted and the laboriously achieved understandings might thereby collapse.

68. Finally, I would add that my delegation endorses the explanations given by Ambassador Galindo Pohl of El Salvador regarding the validity and efficiency of regional legal systems and of unilateral acts in specific aspects of international law.

69. Mr. VINCI (Italy): My delegation and other delegations sincerely appreciate the efforts which have been made by the sponsors of draft resolution A/C.1/L.562.

70. Painsstaking efforts were made to merge several draft resolutions into a single one and those efforts certainly simplified our work and facilitated the positive outcome of our deliberations and decisions. We can hardly understand why the sponsors are not prepared to consider and accept any of the amendments submitted to them. To our minds some of them at least would not upset the delicate balance of the whole text and would instead help to achieve unanimity.

71. In another case of great importance consultations were held for several months. The Chairman of our Committee set up a working group; this group set up a drafting group; they worked for three weeks, morning, afternoon and evening. Nevertheless, at the end of this work in which the results were translated into a very significant declaration, some amendments were presented to that text—there were very few but there were some. So I would make an appeal, especially to our Latin American friends, to consider at least some of the amendments.

72. Having said this, I will now turn to the amendments and take them up briefly in the order in which they were presented, beginning with the first amendment submitted to us by the delegations of the Netherlands and the United Kingdom [A/C.1/L.563]. My delegation would have supported the first amendment provided that it did not include sub-paragraph (b). We believe that the question of the territorial sea and international straits is better dealt with in operative paragraph 2 of draft resolution A/C.1/L.562. We would of course be in a position to vote in favour of the second amendment which I believe is attached to the first one. In that case, if the first amendment were to be accepted, in spite of our reservation we would vote in favour of the second amendment.

73. I turn now to the amendment submitted by the delegations of Malta and Turkey [A/C.1/L.564]. We strongly support all the amendments which have been submitted by those two delegations; I do not think that I need to deal with them at length. After all the arguments

put forward by the delegations of Malta and Turkey and those submitted by the representative of Belgium, there is very little for me to say. I just want to say that I share all the arguments which were submitted in support of those amendments.

74. Time is short and I will say no more except that I do think that in the light of the statements which were made by the sponsors yesterday and today, there is one amendment which should certainly be inserted in draft resolution A/C.1/L.562, and that is the insertion provided for in operative paragraph 6 after the words "international régime". We have been led to understand that the enlarged Committee will certainly be able to deal with the delimitation of the area to which it applies. I should like to recall an old French saying—and here I should like to say also that I support what our French colleagues said at the last meeting in support of those amendments—to the effect that "if it goes without saying", it is much better to say it. So I think that amendment at least should be accepted by the sponsors in order to make things much clearer.

75. Finally, speaking of amendments, my delegation is in a position to support and vote in favour of the amendment submitted by the representative of Japan [A/C.1/L.565] for the many reasons he made clear at the last meeting.

76. I should like to say that I believe that some of the amendments which have been submitted, and to which I have referred, would not in any way disrupt the delicate balance of the draft resolution. Some of those amendments are simple textual improvements. That is why we think they should be inserted and they would help a great deal towards achieving unanimity on a subject which is so very close to the vital interests of all countries.

77. This brings me to the last point I wanted to speak about, and that is the enlargement of the sea-bed Committee, which is dealt with in operative paragraph 5 of the draft resolution. This paragraph provides for an enlargement of the Committee by 39 members. My delegation can speak all the more easily on this question since my country is already a member of the sea-bed Committee. If we increase it by 39 members, the whole Committee will be composed of 81 countries. I personally do not see a real difference between 81 or 89 or 92 in order to satisfy the wishes of some countries which are really based on well-founded interests.

78. I was impressed yesterday by the debate which took place, and it appears very clear to me from all the statements made that there were different views between countries, not because they belong to one region or another, not because they are developed or developing countries, but because they have individual interests which are different from the interests of other countries, regardless of the region or category of nations to which they belong.

79. For reasons I am fully prepared to respect, enlargement by the addition of a few more members would seem unacceptable. Personally, I wonder why we should not set up a plenary committee in which all members can be represented. I do not wish to complicate the situation at this eleventh hour. I know we have very little time left.

That is why I submit this very simple suggestion, in order to reach agreement and also to achieve unanimity on this point among ourselves. I understand, of course, that it would raise some other problems. One main problem I have in mind is that some countries have no representation or office in Geneva or, even if they have offices, they do not have the same facilities and the same means of communication with their own capitals. That is why, if we were to adopt such a proposal, it might imply the renunciation of the session of the sea-bed Committee in Geneva, if that would help all members to take part in the work of the sea-bed Committee. I should like to make clear that my delegation is in favour of the meetings being held in Geneva; however, if it would make it easier for all delegations to participate in the tremendous amount of work which will be entrusted to that Committee, and if they were to request it, we would be in favour of giving up the sessions in Geneva and having them take place in New York. At least, that may perhaps offer one advantage, namely, we would be saving some money.

80. Mr. PARDO (Malta): In order to clear up a misunderstanding, I have just a few words to say concerning the statement of my highly respected friend, the representative of El Salvador. I am afraid that the representative of El Salvador was unable to jot down the precise words of my statement yesterday. I said yesterday that the purpose of the amendment to the fifth paragraph of the preamble was "that the development of international law, which we believe is both urgent and necessary, should take place, not unilaterally or regionally, but in a framework of international co-operation" [1799th meeting, para. 260]. In other words, we do not question that the law of the sea can be elaborated on the basis of unilateral or regional action by States. But in the situation in which we now find ourselves, when we are engaged in a broad and far-reaching revision of the law of the sea, with the participation of the entire international community, it is obvious that there will be risks of chaos and anarchy if an excessive number of unilateral actions are taken during the transitional period before a conference on the law of the sea can establish new law. We believe it is important that the General Assembly should show itself aware of this problem.

81. Mr. ZEGERS (Chile) (*interpretation from Spanish*): I have asked to speak only to clarify two small points.

82. First, I should like to speak of the origin of the draft resolution in document A/C.1/L.562, which was intended to obtain general agreement in this Committee. It was said yesterday that this draft resolution in its origin had mainly taken into account the views of the sponsors of drafts and not those of the sponsors of amendments. But the truth of the matter is that we consulted all delegations that had submitted texts, whether of amendments or of draft resolutions, and we also took into account the views of other delegations that had not submitted drafts or amendments.

83. Specifically the proponents of the amendments to draft resolution A/C.1/L.545/Rev.1 contained in document A/C.1/L.554, a group of countries headed by the United Kingdom, were represented at the meetings that led to our preparation of the draft resolution in document A/C.1/L.562. The delegations of Norway, Malta and Canada,

which had submitted amendments [A/C.1/L.553, 555 and 556] to the draft resolution were also represented. At our informal discussions, the representative of the United Kingdom said that two of the three main points that his group had submitted in the original amendments had been taken care of in the draft consensus that has been submitted to the Committee. The third problem was not solved, and I presume that it was that third position or concern that later was reflected in the draft amendments submitted by the Netherlands and the United Kingdom [A/C.1/L.563]. However, I want to state that to a large extent the position of the proponents of the amendments contained in document A/C.1/L.554 had been considered and incorporated.

84. Secondly, I should like to refer briefly to the scope of the conference to which many other speakers in our debate have referred. Paragraph 2 of draft resolution A/C.1/L.562 is very wide. A conference on the law of the sea would have to be wide in view of the many resolutions adopted by the General Assembly as well as other past developments. It should be open to entertain all problems of the sea, but this does not mean that *in extenso* all imaginable problems will be studied. The last part of paragraph 6 of the draft resolution establishes the need for the preparatory committee to prepare a list of the subjects and issues to be dealt with by the conference.

85. I do not believe that anyone intends to minimize the value of the international usage or to open a Pandora's box on this subject. I consider that the delegation of Canada at the last meeting and the delegation of El Salvador today have expressed themselves on this subject clearly and specifically.

86. Finally, I should like to repeat the appeal voiced by the sponsors to maintain the delicate balance of this draft which is so prepared as to commend itself to the majority of the members. In the light of the difficulties of preparing it and in the light of the laborious compromises that we have all had to make in order to accept the text and, furthermore, because of the need to prepare the best possible atmosphere for the future conference, it would be preferable if the amendments were not pressed to a vote, but if they are voted upon, I must repeat here, there is an agreement among the co-sponsors to vote against those amendments irrespective of their individual merits.

87. The CHAIRMAN (*interpretation from Spanish*): I give the floor to the representative of the United Kingdom. I trust that he will be very brief.

88. Mr. JAMIESON (United Kingdom): I only want to clarify a point that has just been raised by the representative of Chile about the attitude of my delegation during these informal consultations leading up to draft resolution A/C.1/L.562. I think there has been some misunderstanding here. What the representative of my delegation said there was that we would look sympathetically at the listing in paragraph 2 of a conference with a very broad scope, with a great number of things included in the listing, provided that it was made absolutely clear in the resolution that there was no question of priorities either at the conference or during the preparatory work and, secondly, that it was brought out rather more precisely that there should be no argument

about the competence of the preparatory committee to discuss the question of sea-bed limits parallel with the sea-bed régime. It is because those preoccupations were not met—preoccupations which we felt were shared by many delegations here—that we put forward our amendments.

89. The CHAIRMAN (*interpretation from Spanish*): The representative of Peru has the floor to make a very brief statement. I hope that we shall thus be able to conclude the general debate on these draft resolutions and amendments.

90. Mr. DE SOTO (Peru) (*interpretation from Spanish*): I promise to be brief. I am very sorry to have to take the floor at this stage of our debate, but the representative of Belgium alluded to the statement made yesterday by the representative of Peru. He did so at the very end of the debate, and so I can only follow suit by replying.

91. What I was going to state was with regard to the question he asked regarding paragraphs 2 and 6 of draft resolution A/C.1/L.562. I was under the impression that the question that he raised and that had been asked yesterday by the representative of France had been covered in the statement of the representative of Peru yesterday and I was under the impression that the reply was satisfactory, but the representative of Belgium says that it was not, and he poses the question question anew. However, he has gone a little further, because, when referring to paragraph 6, he asks on the understanding that it is implicit—and my delegation feels it is explicit—concerning the question of the consideration of the delimitation of the sea-bed and the ocean floor, as mentioned in paragraph 6, to what committee or sub-committee of the preparatory body would be allocated the question of defining or delimiting the area.

92. As far as I am concerned, I can only say that we do not have a crystal ball nor can we assume the right to speak on behalf of all the sponsors. What we should consider to be obvious from the distribution made by the sponsors is that not all share the same view regarding the allocation of items to sub-committees, and, as we see it, it is one of the great virtues of draft resolution A/C.1/L.562 that it does not even prejudge this question. The neutrality of the wording of this draft resolution is precisely its great value.

93. I fear that we approve amendments such as those submitted by the delegations of Malta and Turkey—and I am not only singling them out but I am also including the amendments of the delegations of Japan and of the Netherlands and the United Kingdom—we might very seriously disturb that specific neutrality of wording which is so important. I am convinced that, if any of those amendments were to be approved and we were to tilt the balance of the draft resolution one way or the other, we might seriously jeopardize the support that the draft resolution has from many sponsors, including my own delegation. Therefore my delegation echoes the other sponsors in saying that we shall be forced to vote against all amendments.

94. The CHAIRMAN (*interpretation from Spanish*): We have now concluded the general debate on draft resolution A/C.1/L.562 and the amendments to it. We now start the process of voting, and we shall begin with the explanations of vote before the vote. These explanations before the vote

will be on the draft resolution and the amendments thereto, on the understanding that, in accordance with rule 90 of the rules of procedure, the Chairman will not permit the proposer of a proposal or of an amendment to explain his vote on his own proposal or amendment.

95. Before I call on representatives to explain their votes, Mr. Chacko, the Secretary of the Committee, will explain the financial implications of the adoption of the draft resolution on which we are about to vote.

96. Mr. CHACKO (Secretary of the Committee): In accordance with the provisions of rule 154 of the rules of procedure, I wish to make the following statement in connexion with the financial implications of the draft resolution.

97. Paragraph 6 of this draft would instruct the enlarged Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction to hold two meetings at Geneva in 1971. On behalf of the sponsors, the representative of Canada has indicated that these should be in March 1971 for a period of four weeks and in July and August 1971 for a period of six weeks. The first would be scheduled from 1 to 26 March, and the second from 19 July to 27 August 1971.

98. On the assumption that these sessions would involve two meetings per day, the costs are estimated at \$272,900. This figure comprises conference servicing costs amounting to \$216,900, travel of 15 staff members from New York to Geneva and their subsistence amounting to \$39,600, and additional documentation amounting to \$16,400.

99. The CHAIRMAN (*interpretation from Spanish*): I shall now call on members of the Committee who wish to explain their votes before the vote. The first speaker is the representative of Australia.

100. Sir Laurence McINTYRE (Australia): Before explaining how my delegation will vote on the draft resolution and the proposed draft amendments, I should like to speak briefly about some of the considerations that have determined our attitude.

101. During my earlier statement on this item [1782nd meeting], I said that the proposed conference on the law of the sea was bound to be a difficult and demanding operation and that many differences of opinion and emphasis would come to the surface. I went on to express the hope that at this point we in this Committee could muster enough goodwill and co-operation to take the political decisions necessary to prepare for the conference in a manner that would be as fair and equitable as possible to all.

102. The draft resolution has been presented to us as a compromise and as the best possible compromise in the circumstances. In all honesty my delegation has some difficulty in subscribing to that view. We had hoped, and still feel, that this Committee should have been capable of better things, and that the resolution on the conference we eventually approved could have been a better product than that before us. But we must reluctantly acknowledge that it seems to represent the closest we can come to consensus.

Nevertheless my delegation must confess to some feeling of disappointment at what we regard as the unnecessarily last-minute fashion in which we have arrived at this draft resolution, as well as with the draft itself.

103. I should now like to make some specific points on the draft resolution. First, we would have hoped it would have been possible in operative paragraph 2 simply to have called the conference in 1973. We cannot see how that would have harmed any delegations' positions. If between now and then events were for any valid reason to make that impossible, it would surely be a simple thing for the General Assembly to vary its decision. We would also have hoped it would have been possible to have set out the conference's mandate in somewhat clearer and more precise terms, since we felt that something close to general agreement has existed in the Committee as to the main subjects for treatment at a conference. For that reason we shall support the Netherlands and United Kingdom amendment to that paragraph contained in document A/C.1/L.563, which more accurately reflects my delegation's position.

104. We are also disappointed over the second sentence of operative paragraph 3, which seems to us to amount to an open invitation to postponement of the conference. As I have said, the General Assembly would always have that power, but to foreshadow the possibility of postponement so blandly, if I may say so, and so far in advance, seems to us to strike a sadly discordant note. We shall therefore support the proposal of Malta and Turkey contained in document A/C.1/L.564 to delete that sentence.

105. It would be my delegation's understanding, incidentally, that the wording of operative paragraph 2 does not require the wholesale reopening or review in detail of the four Geneva Conventions, to all of which Australia is a party.

106. In regard to operative paragraph 4, we would have preferred the phrase "as modified by the present resolution" to the existing phrase "as supplemented by the present resolution".

107. But it is operative paragraph 6 that causes us most misgivings. The first part of that paragraph instructs the sea-bed Committee to prepare draft treaty articles on a sea-bed régime, including an international machinery. The second part instructs it to prepare a comprehensive list of subjects and issues relating to the law of the sea which should be dealt with by the conference, and draft articles on such subjects. My delegation sees no reference to the fixing of limits in that paragraph, and we wonder how the sponsors of this draft resolution would envisage a solution on limits being explored and prepared for eventual consideration at the conference. If the answer is that it is not at all envisaged that the preparatory machinery for the conference would consider limits at the same time as, and as part of, the same process by which it considers the question of the régime, we would regard that as a serious deficiency in the draft resolution. We should therefore like to state our view that the question of limits should be considered in the preparatory committee on the same level as, and *pari passu* with, other important subjects for the conference and as part of a coherent and co-ordinated advance towards the conference.

108. I believe that the amendments to operative paragraph 6 proposed by the United Kingdom and the Netherlands, on the one hand, and by Malta and Turkey, on the other, would help to achieve that result, and my delegation will vote in favour of them both.

109. The Japanese draft amendment [A/C.1/L.565] causes us some difficulty and we are unable to support it.

110. Having made my delegation's position clear, let me say it is ready to accept this draft resolution as apparently being the best the latest negotiating group was able to produce, and we shall support it on the basis. We hope it will lead to a successful conference on the law of the sea in 1973 that will take decisions beneficial to the nations and peoples of the world, and we look forward to participating actively both in the conference and in the preparatory work that will precede it.

111. Mr. ISSRAELYAN (Union of Soviet Socialist Republics) (*translated from Russian*): The Soviet delegation would like briefly to explain how it will vote on the draft resolution in document A/C.1/L.562 concerning the convening of an international conference on the law of the sea. The Soviet delegation has taken note of the efforts made by a number of delegations towards preparing a compromise draft resolution acceptable to all States. Unfortunately, however, we must say that this draft resolution comes nowhere near meeting the fundamental points the Soviet delegation made in its statement at the 1796th meeting on 14 December on the manner in which the General Assembly might resolve the issue of convening an international conference on the law of the sea.

112. The draft resolution we have before us is unfortunately not a balanced document. It does not successfully avoid a one-sided approach to the issues of the programme, objectives and preparatory arrangements for the conference.

113. The Soviet delegation cannot agree with the content of operative paragraph 2, which opens the door to discussion at the conference of issues resolved by and embodied in the relevant Geneva Conventions. The Soviet delegation has already indicated that in its view such an approach is unjustified, inappropriate and unnecessary. Involving the conference in an examination of all the different issues already resolved by the Geneva Conventions would have the effect of deflecting its attention from major, pressing but as yet unresolved matters in the law of the sea. Such a course might make it even harder to achieve agreement on the most acutely pressing problems of the law of the sea.

114. We do not think it would be proper for the conference to be used to disrupt the international legal order which evolved over a long period of history and which forms the basis for the use of territorial waters and the world's oceans. Attempts to revise the régimes laid down in the Geneva Conventions and to replace them with certain new ones could seriously impair the development of international co-operation in the use of the world's oceans. This would open the way to disputes and friction among States and would entail extremely serious consequences.

115. This approach is an extension of the tendency to ignore the rules of the law of the sea which have grown up

in practice and have been codified on the basis of international agreement, and it is the reflection of a one-sided approach to problems of the law of the sea disregarding the general interests of the world community.

116. Furthermore, the position taken in operative paragraph 2 can in effect be used to make it harder for the conference to work out the most urgent and pressing problems of the law of the sea, including the matter of the régime for the exploration and exploitation of the sea-bed.

117. Our delegation also finds the very cumbersome arrangements for preparing the conference as envisaged in the draft resolution to be most unsatisfactory, since they may in fact impede efficient preparatory work. We see no justification whatsoever for the disproportionate enlargement of the sea-bed Committee and the assignment to it of duties in preparing the conference. Such an enlargement of the Committee will clearly entail additional, unjustified financial expenditure, as reported to us just now by the Secretary of the First Committee.

118. For these reasons and in view of the basic considerations expressed in the 14 December statement by the Soviet delegation, we cannot support the draft resolution in document A/C.1/L.562 and will vote against it.

119. At the same time the Soviet delegation would be prepared to support those amendments to the draft resolution which we believe would improve the text and make it more balanced as regards defining the purposes and tasks of the conference on the law of the sea.

120. Mr. BEESLEY (Canada): I am quite prepared to speak now in explanation of my vote on the draft resolution and amendments before us, but the possibility has arisen within the last half hour that some of the amendments might be withdrawn. Perhaps it would be useful and constructive to suspend the meeting for 5 or 10 minutes. It would be unfortunate at this stage if we were to explain our vote on amendments which may not exist if we have a little more time to talk about them. I put this suggestion to the Committee in the light of the fact that the sponsors of draft resolution A/C.1/L.562 have just had a meeting on this precise issue.

121. The CHAIRMAN (*interpretation from Spanish*): If the members of the Committee have no objection, I am prepared to have a five-minute suspension of the meeting in order to allow for a last effort at conciliation. Since there is no objection, we shall suspend the meeting for five minutes in the hope that it will facilitate our work.

The meeting was suspended at 12.55 p.m. and resumed at 1 p.m.

122. The CHAIRMAN (*interpretation from Spanish*): We shall now continue with explanations of vote before the vote.

123. Mr. YANGO (Philippines): Mr. Chairman, you have not announced it, but my delegation has become a sponsor of draft resolution A/C.1/L.562.

124. My delegation will vote against all the amendments proposed to the draft resolution, in the spirit of solidarity

with the other sponsors and in the belief that those amendments would militate against the delicate balance that has been achieved in the draft resolution, after long and arduous negotiations between various groups interested in harmonizing the views that have come to light on this matter.

125. I wish to refer particularly to the amendment proposed by Japan [A/C.1/L.565] relating to the concept of the preferential rights of coastal States in fishing and conservation of the living resources of the high seas. Japan, and another delegation this morning, claimed that this concept is non-existent in international law. My delegation takes the view that the concept of preferential rights of coastal States is evolving and developing. It has been said many times in this Committee that one of the sources of international law is the practice arising from unilateral action of States or of States belonging to one region. I need not elaborate further on this question.

126. I wish to point out that the preferential rights of participation of coastal States has been recognized in scientific research conducted near its shores. The Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof [resolution 2660 (XXV), annex] recognizes the right of coastal States concerning inspection activities off their shores. These are instances showing why my delegation believes that the concept of preferential rights of coastal States is evolving and developing, and we hope that the forthcoming conference on the law of the sea will sustain this belief.

127. Mr. DE PINES (Spain) (*interpretation from Spanish*): My delegation would like to explain its position regarding the different documents before us, since, for technical reasons and because of the time-limit for the admission of amendments, it was impossible for us to submit an additional amendment.

128. Therefore, on behalf of the group of Western European and other nations, we wish to submit an amendment at the meeting of the plenary that will be held this afternoon, so that the enlarged committee to be set up, adding 39 members to it, shall be a committee of the whole; that is, with all members of the Assembly represented on it. In due course, and in order not to exceed the time-limit of what should be considered reasonable for a statement of this nature here, during the plenary meeting I shall develop the ideas that led to our wishing to submit such an amendment.

129. At the same time, and even were the draft resolution to be adopted, there would still be required the final endorsement of the General Assembly; namely, if this Committee approves a draft resolution, it will still not be a resolution of the Assembly since it will require the endorsement of the General Assembly. Therefore, on behalf of the group I represent, I would appreciate it if the names of countries to compose the enlarged committee—that is, as far as our own group is concerned—were not announced as yet. We do not have the list of those which are going to be suggested and we trust that we can extend the mandate of the Chairman of this Committee so that once the draft resolution has been approved by the General Assembly, the

Chairman of the First Committee will still be able to fulfil his duties of nominating the countries.

130. I should like to say that the delegation of Spain will vote against the amendments contained in document A/C.1/L.563. Regarding the amendments in documents A/C.1/L.564 and A/C.1/L.565, we shall abstain. With regard to draft resolution A/C.1/L.562 as it stands, we shall support it, with the reservation, as I said, that in the plenary meeting of the General Assembly we will submit the new amendment.

131. If, of course, the draft resolution were to be amended or modified by any of the amendments submitted to the First Committee, we would have to review our position and act in accordance with the principles that we have already outlined.

132. Mr. GARBO (Norway). As I understood the representative of Spain, he put forward his amendment on behalf of a group of Western European nations. I just want to make it quite clear that the Norwegian delegation is not supporting the amendment of Spain, and as one of the sponsors of draft resolution A/C.1/L.562, we shall, of course, vote against the proposed amendment.

133. The CHAIRMAN (*interpretation from Spanish*): I would inform the representative of Norway that the representative of Spain has not proposed an amendment at this time. He announced that he intends to submit an amendment to the plenary Assembly this afternoon on behalf of his group, so there is no amendment to be considered by the Committee at present.

134. Mr. BEESLEY (Canada): I wish to explain my vote and that of the other delegations which are sponsors of draft resolution A/C.1/L.562 on the amendments contained in documents A/C.1/L.563, 564 and 565. I should make it clear, however, in the light of the comments I have already made, that in so doing I may be obliged to stray slightly from an explanation of vote in the strict sense, because of the possibility which has arisen that some of the amendments may be withdrawn.

135. Dealing first with the amendment in document A/C.1/L.563, this amendment, in the view of the sponsors of the draft resolution, addresses itself to a problem which does not exist or which, in any event, the sponsors did not intend to raise. Operative paragraph 3 of the draft resolution makes clear, as a number of its sponsors said in their statements introducing the draft resolution, that the precise agenda of the conference will be determined at the twenty-sixth and twenty-seventh sessions of the General Assembly. To put it differently, it is the clear position of the sponsors that the position of no delegation concerning the exclusion or the inclusion of any item on the agenda of the 1973 conference should be prejudiced, or will be prejudiced, by the essentially procedural draft resolution.

136. With respect to the equally important question of priorities, to which a number of delegations have referred, it is also the clear intention and understanding of the sponsors that all urgent questions of the law of the sea shall receive attention commensurate with their urgency in the preparatory work undertaken by the committee.

137. Mr. Chairman, before proceeding further, I wonder if the sponsors of document A/C.1/L.563 wish to withdraw their amendment, on the basis of what I have just said. It is a somewhat unusual procedure, but I would like to interrupt my statement for the moment.

138. The CHAIRMAN (*interpretation from Spanish*): Has the representative of Canada concluded his statement?

139. Mr. BEESLEY (Canada): By no means, but I wanted to interrupt it for a moment.

140. The CHAIRMAN (*interpretation from Spanish*): I would be grateful if he would complete his statement, and I shall then call upon the representative of the United Kingdom.

141. Mr. BEESLEY (Canada): With respect to the amendments in document A/C.1/L.565, the sponsors of draft resolution A/C.1/L.562 consider once again that there is no substantive issue raised by these amendments that cannot be resolved. To put it precisely, the sponsors intend, by their reference in operative paragraph 2 to the preferential fishing rights of coastal States, that the question of such rights be raised at the conference. There was no intention to prejudge the substance of this issue. Thus, the following words should have been included in the draft resolution and I now include them, at the request of the sponsors, as a drafting change. I might mention that these words, in any event, do occur in the French version of the draft resolution. The words "the question of" are to be inserted after the word "including" in the phrases contained within brackets. I will repeat the phrases as amended. Taking the first one that one reaches in reading the paragraph, it will read: "including the question of its breadth and the question of international straits"; and the second one will read: "including the question of the preferential rights of coastal States".

142. One other drafting point involves an error of the sponsors and certainly not of the Secretariat. It is that the phrase in operative paragraph 2, "including *inter alia* the prevention of pollution", should also be enclosed in round brackets, or parentheses, as the case may be.

143. I might mention further that there are certain understandings amongst delegations reflected in these comments that I have made. The sense of the arrangement is that the sponsors consider that, because of the misunderstanding that may have existed and in the light of the clarification I have just made, it should be possible for the amendments in documents A/C.1/L.563 and 565 to be withdrawn.

144. I turn now to the amendments of Malta and Turkey in document A/C.1/L.564. This presents a more difficult series of problems for the sponsors of the draft resolution and their opinion, as expressed by the representative of Peru, is that, although it may well be that we have settled the misunderstanding on the question of limits—and certainly it is the intention of the sponsors that the question of limits should be not only a subject for the conference but a subject for the preparatory committee as well—in any event, in spite of this misunderstanding, there are other points raised in that series of amendments which the

sponsors of the draft resolution do not accept; for this reason there is no change in the position of the sponsors concerning the amendments. In other words, the sponsors consider that they have met the problems raised by the Japanese amendment, in document A/C.1/L.565, and also the earlier amendments raised by the Netherlands and the United Kingdom in document A/C.1/L.563; but with respect to the Maltese and Turkish amendment appearing in document A/C.1/L.564, it appears necessary that we proceed to a vote.

145. The CHAIRMAN (*interpretation from Spanish*): I should like now to consult the sponsors of the amendments as to whether, in view of the explanation given by the representative of Canada, they would be prepared to withdraw their amendments.

146. Mr. JAMIESON (United Kingdom): I am most grateful to the representative of Canada for his very clear statement. I assume from what he said that his statement was made on behalf of all the sponsors of draft resolution A/C.1/L.562. If that assumption is correct and does not prove wrong, I am prepared, on my own behalf, to withdraw the amendments in document A/C.1/L.563.

147. Mr. HOUBEN (Netherlands): The Netherlands delegation, for its part, is prepared to withdraw the draft amendments in document A/C.1/L.563 on the assumption that the understanding of the interpretation of draft resolution A/C.1/L.562 just given by the representative of Canada reflects the view of all the sponsors of that draft resolution, and that the understanding as such will be duly recorded in the report in conjunction with the resolution to be adopted.

148. Mr. OGISO (Japan): My delegation appreciates the last-minute efforts made by the sponsors in our consideration of this term. However, it must be frankly stated that the change now introduced far from satisfies the basic concern of my delegation, as I stated yesterday [1799th meeting] when introducing the amendment contained in A/C.1/L.565. Nevertheless, in a spirit of co-operation, and in order to reciprocate the goodwill shown by the sponsors at this difficult stage, my delegation will not press its amendment to the vote.

149. However, before ending my remarks, I wish to take particular note of two points which were mentioned by the representative of Canada in explaining the position of the sponsors.

150. The first point was that the position of any delegation on the substance of the matter is not prejudiced by this procedural draft resolution; the second is that as a result of the addition of the words "the question of" after "including" in the first and second brackets, it has become clear to my delegation that the use of the words "preferential rights" will not prejudice the position of any delegation in the future preparatory work.

151. On that understanding, my delegation will not press its amendment to the vote.

152. Mr. PARDO (Malta): It will be recalled that one of the amendments was to put brackets around the number

"39" in operative paragraph 5. In view of what has just been stated by the representative of Spain, I withdraw that amendment.

153. The CHAIRMAN (*interpretation from Spanish*): If I correctly understand the situation, the position as stated by the representative of Canada is shared by all the sponsors of the draft resolution, who have no objections to the changes in drafting that he indicated; and, therefore, the draft resolution to be put to the vote is that which has been orally amended by the representative of Canada in the statement he made a few minutes ago.

154. Secondly, in the light of that statement, I understand that the representatives of the United Kingdom and the Netherlands have agreed not to press their amendments to the vote—or, to be more precise, they have withdrawn their amendments.

155. I also understand that, with the reservations and comments made by the representative of Japan, his delegation also will not press its amendment to the vote, and that he withdraws that amendment.

156. We therefore have only the amendments submitted by the delegations of Malta and Turkey—and I trust that everyone will take note of the latest statement made by the representative of Malta—to delete the third amendment proposed in document A/C.1/L.564, which would have placed the number "39" in paragraph 5 in square brackets.

157. A roll-call vote on the amendments has been asked for by the delegation of El Salvador. I intend, therefore, if there is no objection, to put to the vote the remaining amendments of Malta and Turkey as a whole.

158. Mr. PARDO (Malta): I would request a separate roll-call vote on each amendment. I would have no objection to the two on operative paragraph 6 being taken together. In other words, there would be three roll-call votes.

159. Mr. BAYÜLKEN (Turkey): I subscribe to what the representative of Malta has said about the deletion of the amendment to paragraph 5. I would also add that while we are anxious to come to a compromise, we did not hear in the statement of the representative of Canada any reference to the Maltese and Turkish amendments. Therefore, there was no accommodation as regards this amendment, and we regretfully must press for a vote on our amendment. We would otherwise have been willing to go along with the other delegations.

160. The CHAIRMAN (*interpretation from Spanish*): We shall now proceed to a roll-call vote on the first amendment submitted by Malta and Turkey which would add the words "in a framework of close international co-operation" at the end of the fifth preambular paragraph.

The vote was taken by roll-call.

Yugoslavia, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Afghanistan, Australia, Austria, Belgium, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic,

China, Congo (Democratic Republic of), Czechoslovakia, France, Greece, Hungary, Iraq, Ireland, Italy, Ivory Coast, Jordan, Kuwait, Lebanon, Lesotho, Liberia, Libya, Madagascar, Mali, Malta, Mauritania, Mongolia, New Zealand, Niger, Pakistan, People's Republic of the Congo, Poland, Romania, Rwanda, Saudi Arabia, Singapore, Somalia, Southern Yemen, Sudan, Syria, Thailand, Togo, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Against: Yugoslavia, Algeria, Argentina, Bolivia, Brazil, Cameroon, Canada, Chile, Colombia, Costa Rica, Cyprus, Dominican Republic, Ecuador, El Salvador, Guatemala, Guyana, Haiti, Honduras, Iceland, Indonesia, Jamaica, Kenya, Nicaragua, Nigeria, Norway, Panama, Peru, Philippines, Senegal, Sierra Leone, Sweden, Trinidad and Tobago, Tunisia, United Republic of Tanzania, United States of America, Uruguay, Venezuela.

Abstaining: Barbados, Burma, Cambodia, Ceylon, Chad, Cuba, Denmark, Ethiopia, Fiji, Finland, Ghana, Guinea, India, Iran, Israel, Japan, Laos, Malawi, Malaysia, Mexico, Morocco, Nepal, Netherlands, Paraguay, Portugal, South Africa, Spain, Swaziland, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, Yemen.

The amendment was adopted by 46 votes to 37, with 31 abstentions.

161. The CHAIRMAN (*interpretation from Spanish*): We go on now to a roll-call vote on the second amendment which would delete the last sentence of operative paragraph 3.

A vote was taken by roll call.

Malawi, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Mali, Malta, Mauritania, Mongolia, Morocco, New Zealand, Niger, Pakistan, People's Republic of the Congo, Poland, Romania, Rwanda, Saudi Arabia, Somalia, Thailand, Togo, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Afghanistan, Australia, Austria, Belgium, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, China, Czechoslovakia, France, Ghana, Guinea, Hungary, Iraq, Ireland, Italy, Ivory Coast, Jordan, Liberia, Madagascar.

Against: Malawi, Malaysia, Mexico, Nepal, Nicaragua, Nigeria, Norway, Panama, Peru, Philippines, Portugal, Senegal, Sierra Leone, South Africa, Sweden, Trinidad and Tobago, Tunisia, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Yugoslavia, Argentina, Barbados, Bolivia, Brazil, Cameroon, Canada, Ceylon, Chile, Colombia, Costa Rica, Cuba, Cyprus, Dominican Republic, Ecuador, El Salvador, Guatemala, Guyana, Haiti, Honduras, Iceland, India, Indonesia, Jamaica, Kenya, Laos, Libya.

Abstaining: Netherlands, Paraguay, Singapore, Southern Yemen, Spain, Sudan, Swaziland, Syria, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, Yemen, Algeria, Burma, Cambodia, Chad, Congo (Democratic Republic of), Denmark, Ethiopia, Fiji,

Finland, Greece, Iran, Israel, Japan, Kuwait, Lebanon, Lesotho.

The amendment was rejected by 48 votes to 39, with 27 abstentions.

162. The CHAIRMAN (*interpretation from Spanish*): We shall now have a roll-call vote on the last amendment concerning paragraph 6.

The vote was taken by roll call.

The Central African Republic, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: China, Congo (Democratic Republic of), Czechoslovakia, France, Greece, Hungary, Iran, Iraq, Ireland, Italy, Ivory Coast, Madagascar, Mali, Malta, Mauritania, Mongolia, New Zealand, Niger, Pakistan, Poland, Romania, Rwanda, Saudi Arabia, Singapore, Somalia, Syria, Thailand, Togo, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Afghanistan, Australia, Austria, Belgium, Bulgaria, Byelorussian Soviet Socialist Republic.

Against: Ceylon, Chile, Colombia, Costa Rica, Cyprus, Dominican Republic, Ecuador, El Salvador, Guatemala, Guyana, Haiti, Honduras, Iceland, India, Indonesia, Jamaica, Kenya, Kuwait, Nepal, Nicaragua, Nigeria, Norway, Panama, Paraguay, Peru, Philippines, Senegal, Sweden, Trinidad and Tobago, Tunisia, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Yugoslavia, Algeria, Argentina, Barbados, Bolivia, Brazil, Canada.

Abstaining: Chad, Cuba, Denmark, Ethiopia, Fiji, Finland, Ghana, Guinea, Israel, Japan, Jordan, Laos, Lebanon, Lesotho, Liberia, Libya, Malawi, Malaysia, Mexico, Morocco, Netherlands, People's Republic of the Congo, Portugal, Sierra Leone, South Africa, Southern Yemen, Spain, Sudan, Swaziland, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, Yemen, Burma, Burundi, Cambodia, Cameroon.

The amendment was rejected by 41 votes to 37, with 36 abstentions.

163. The CHAIRMAN (*interpretation from Spanish*): As the representative of El Salvador had asked for a roll-call vote on the draft resolution if any of the amendments to it were adopted, we shall now hold a roll-call vote on the draft resolution as a whole, as amended.

The vote was taken by roll call.

Romania, having been drawn by lot by the Chairman, was called upon to vote first.

In favour: Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, South Africa, Southern Yemen, Spain, Sudan, Swaziland, Sweden, Syria, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Yemen, Yugoslavia, Afghanistan, Algeria,

Argentina, Australia, Austria, Barbados, Bolivia, Brazil, Burundi, Cambodia, Cameroon, Canada, Ceylon, Chad, Chile, China, Colombia, Congo (Democratic Republic of), Costa Rica, Cyprus, Denmark, Dominican Republic, Ecuador, El Salvador, Ethiopia, Fiji, Finland, France, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Laos, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malawi, Malaysia, Mali, Malta, Mauritania, Mexico, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Pakistan, Panama, Paraguay, People's Republic of the Congo, Peru, Philippines, Portugal.

Against: Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, Hungary, Mongolia, Poland.

Abstaining: Romania, Venezuela, Belgium, Burma, Cuba, Japan.

The draft resolution, as amended, was adopted by 100 votes to 8, with 6 abstentions.

164. The CHAIRMAN (*interpretation from Spanish*): The Committee will now hear explanations of vote after the vote. The first speaker is the representative of New Zealand.

165. Mr. SMALL (New Zealand): New Zealand voted in favour of the draft resolution. The scheme for a conference on the law of the sea, and for the preparatory work set out in this draft resolution represents the greatest common measure of agreement that could be attained in this Committee, and the New Zealand delegation voted for it on that basis in a spirit of co-operation. We believe that, had there been more far-ranging consultations, in particular with the sponsors of the most substantial set of amendments presented, the area of agreement would have been much enlarged. We were delighted by the fact that the fragile balance struck in the draft resolution has been able to sustain the weight of the amendments either accepted or voted into it today.

166. New Zealand was a sponsor of amendments which would have sought, among other things, to settle more definitely on 1973 as the conference year. We are sorry to see that this element, which we still regard as important, has been diluted away to the stage where it is apparently envisaged—though we hope not desired—that the General Assembly in 1972 could postpone the conference. On the other hand, it is an advantage that the wording in a previous draft resolution, which said merely that the conference would be held in 1973 “if possible”, has now disappeared.

167. We had also maintained, for the reasons set out in two previous New Zealand statements [1786th and 1795th meetings], that it would be better for the agenda of the conference on the law of the sea to be more restricted than that envisaged in operative paragraph 2 of the draft resolution we have just adopted. On the other hand, we have taken account of the fact that under operative paragraph 3 the General Assembly at a later session is specifically required to refine this very broad agenda, and we hope that it will. This intention is reinforced by the

common understanding of the sponsors of the draft resolution as just expressed to the Committee by the representative of Canada.

168. We note that operative paragraph 6 of the draft resolution might be thought to give some appearance of according a priority to the sea-bed régime. We think that the Maltese amendment would have helped remove any impression that it is possible to work on the régime without proceeding concurrently with studies and negotiations on the boundary question. We are still at a loss to understand why that amendment should have been rejected, but the fact is that, with or without the clarification that the Maltese amendment would have offered, nobody can really suppose that the preparatory committee can deal with one aspect without considering the other aspect as well. That is certainly our interpretation of the terms of the draft resolution.

169. Our views in that and other respects have been reinforced and confirmed by the various assurances given by sponsors that under operative paragraph 6, the preparatory committee will be dealing in a balanced way during its work with all the outstanding issues of the law of the sea that are at stake. We have been much assisted by the explanation given yesterday by the representative of the United States, who indicated that although a certain priority of listing is given to the sea-bed régime in operative paragraph 6, this is intended to express the natural fact that the devising of such a régime poses new problems and will obviously require a great deal of work. Mr. Stevenson also indicated that the text does not prejudice the question of the organization of the committee's work, which should be taken up at an early stage.

170. My delegation is particularly grateful also to the representative of Peru, another sponsor of the draft

resolution, for the further clarification which he provided yesterday evening. As we understand him, the sponsors have confirmed that work on the sea-bed régime will necessarily encompass also work on the delimitation of the area within which the régime will operate.

171. The statements made on behalf of the United States and Peru have since been confirmed in the very valuable speeches made today by the representatives of El Salvador and Canada in particular.

172. On an entirely separate point, we have heard the statement of the representative of Spain concerning the membership of the enlarged committee. We understand he will present an amendment this afternoon in the plenary meeting of the General Assembly. We hope the issue will be resolved there to the satisfaction of all.

173. The CHAIRMAN (*interpretation from Spanish*): I should like to inform the members of the Committee that we still have on the list to explain their vote after the vote the delegations of France, the Netherlands, the United Kingdom, Venezuela, Ireland, South Africa, Greece and Argentina. Furthermore, in accordance with the provisions of the draft resolution the Committee has just adopted, certain announcements have to be made regarding the composition of the sea-bed Committee. I think that all this would take more time than we have available at present. Therefore, I intend to adjourn the meeting now and resume at 3.15 this afternoon to conclude our work. The plenary Assembly will meet at the time scheduled, but will first deal with the subjects of the Fifth Committee. Therefore, we will be able to hold a meeting this afternoon, and at least, we will have time to have lunch and give the interpreters and other Secretariat members a well-earned rest.

The meeting rose at 2.05 p.m.