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importance to his country. His delegation's votes on all the proposals and amendments that had been submitted would be guided by that fundamental fact.

47. Mr. BARNES (Liberia), introducing the draft resolution by Ethiopia, Ghana and Liberia (A/CONF.19/L.8), thanked the United Kingdom and the United States delegations for their support. The proposal was self-explanatory. With the development of the international law concerning fisheries and the stress now laid on fishing, as demonstrated by the efforts to conserve fishing rights, the coastal States had shown a concomitant desire to improve fishing techniques. Technical assistance would be required to adjust their techniques to the expected change in international law. That would be particularly important for countries whose economies were largely dependent on fishing, a fact on which emphasis had been laid throughout the Conference. If the request in the draft resolution came to fruition, the coastal States engaged in fishing, or likely to engage in it in future, would derive great economic advantages. Furthermore, when the States now fishing the waters of other States eventually withdraw, the latter would be able to continue to exploit the living resources of the sea and to maintain the equilibrium. The economic technical assistance referred to was intended to cover technical assistance in the broadest sense, especially the development of fishing and the fishing industries and such subsidiary activities as canning and processing. If the draft resolution were adopted, it was to be hoped that it would not remain a dead letter, but that it would be put into effect with all the resources at the command of the United Nations.

48. Mr. GLASER (Romania) wished to reply to certain arguments which had been advanced in the Conference. It had been said that some sort of solution should be reached. For his own part, he did not agree that a bad solution was preferable to no solution at all. The answer to the delegations which opposed the general recognition of the twelve-mile rule was that countries which now applied the three-mile limit would lose nothing by extending the breadth of their territorial sea to twelve miles. By contrast, the general application of a six-mile limit would amputate the territorial sea of all those countries which had already adopted a twelve-mile limit. Secondly, it had been argued that the newly independent States would one day possess their own fleet and that it would be in their interest to be able to employ that fleet in as broad an area of the high seas as possible. That argument was false. In order to develop, those young States must enjoy a juridically favourable situation. Without such a situation, in other words without a sufficiently broad territorial sea, they would hardly ever come to have a sufficiently large fleet.

49. Thirdly, it had been said that the ten-Power draft resolution (A/CONF.19/L.9) was not realistic. In fact, that draft resolution took note, in an entirely realistic manner, of the existence of a disagreement. Likewise, it recognized the right of the coastal State to practice fishing up to a distance of twelve miles from the coast; that was a realistic solution and for that reason the Romanian delegation would vote in favour of the draft resolution.

50. The true reason why a general agreement concerning the breadth of the territorial sea appeared to be impossible was that opinion was sharply divided over the question of the access of warships to the area lying inside the twelve-mile line. So far as the limit of fishing zones was concerned, agreement could not be reached because the States which traditionally fished in the waters of other States did not wish to surrender their so-called acquired rights. It had been stated that it would be unjust and brutal to deprive certain States of the exercise of an ancient right; but to argue thus was to forget the injustice done to millions of persons who, by reason of those abusive practices, had for centuries been deprived of the resources of the sea near their coasts.

51. Replying to those delegations which claimed that the failure of the Conference would cause anarchy and chaos, he said that there had never yet been any unanimously recognized rules on the breadth of the territorial sea; yet maritime traffic had not been impeded. After all, the outer limit of the territorial sea was the maritime frontier of a State. It was inconceivable that the frontier could be altered without the consent of the State concerned.

52. Mr. AMONOO (Ghana) recalled his delegation's reference at the 13th meeting of the Committee of the Whole, during the general debate, to the need for technical assistance for coastal States in developing their fishing resources. Since then, that suggestion had received almost universal support and the draft resolution co-sponsored by Ghana (A/CONF.19/L.8) had been prepared in co-operation with many other delegations. The draft resolution raised no controversial issues and was in no way prejudicial either to the proposals adopted at the 1958 Conference or to the proposals now under consideration. On the contrary, its adoption should have far-reaching and beneficial results. The draft resolution was self-explanatory, and he regarded it as a potent means of determining the goodwill of all delegations to the Conference. He hoped that the great and small Powers which had pledged their support would confirm it by voting in favour of the draft resolution and that technical assistance to coastal States in improving and expanding their fishery and fishing industries would soon become reality, through general co-operation.

The meeting rose at 12.30 a.m.

THIRTEENTH PLENARY MEETING

Tuesday, 26 April 1960, at 10.10 a.m.

President: Prince WAN WAITHAYAKON (Thailand)

Consideration of the questions of the breadth of the territorial sea and fishery limits in accordance with resolution 1307 (XIII) adopted by the General Assembly on 10 December 1958 (A/CONF.19/L.4, L.5/Rev.1, L.6, L.8, L.9, L.11 to L.13) (continued)

[Agenda item 9]

1. Mr. GARCIA HERRERA (Colombia) said that his delegation had stated at the close of the general debate

at the 27th meeting of the Committee of the Whole that it was in favour of conciliation in all circumstances of international life, and considered compromise as the most effective method of reaching equitable and satisfactory solutions. It had stated that for that reason it would vote for the proposal submitted jointly by the Canadian and United States delegations (A/CONF.19/C.1/L.10). Since then amendments had been submitted jointly by Brazil, Cuba and Uruguay (A/CONF.19/L.12) to the second proposal adopted by the Committee of the Whole (A/CONF.19/L.4, annex) dealing with the treatment of special situations. As the Colombian delegation had explained, all the earlier proposals relating to special situations and preferential rights had had features which, if combined, might have provided an appropriate formula — though none of them had in itself entirely fulfilled the required conditions — and his delegation had accordingly suggested that efforts be made to that end. The new amendments represented a satisfactory fusion, and had the additional merit of providing that the exercise of preferential rights should not be effected by a unilateral and final decision by a coastal State, but should be subject to scientific arbitration. The Colombian delegation would therefore support that proposal, not only for its intrinsic merits, but also because it had been submitted by the delegations of three sister Latin-American republics.

2. The Colombian delegation had every sympathy with such special situations as that of Iceland, although Colombia did not enjoy diplomatic or other relations with that country. The Latin-American amendments, together with the offer made at the 11th plenary meeting by the United Kingdom representative, furnished Iceland with safeguards even more far-reaching than those embodied in the Icelandic amendment (A/CONF.19/L.13) to the second proposal in the report of the Committee of the Whole, for which his delegation would be unable to vote, because it was incompatible with the Latin-American amendments. For the same reason, it would be unable to vote for the Peruvian draft resolution (A/CONF.19/L.5/Rev.1) or any other which covered the same ground as the Latin-American amendments.

3. He would vote for the draft resolution relating to technical assistance submitted by Ethiopia, Ghana and Liberia (A/CONF.19/L.8), which was useful and constructive.

4. He would vote against the ten-Power draft resolution (A/CONF.19/L.9), and could only regret that two Latin-American countries should have seen fit to associate themselves with it. It was unacceptable because it prejudged the issue of the Conference's success; because it suggested that the Conference should recognize the right of all States to extend the breadth of their territorial sea to a limit of twelve miles, although most of the participants in the Conference had rejected that idea; and because it made an untenable distinction between countries which had declared their independence prior to 24 October 1945 and those which had done so subsequently. He could see no justification for such discrimination, which ran counter to the principle, well grounded in international law, of the sovereign equality of States.

5. Mr. RAFAEL (Israel) observed that since the voting in the Committee of the Whole the situation had shown

three main features. In the first place, there was no longer a proposal for a twelve-mile breadth of the territorial sea before the Conference. Secondly, the proponents of the six-mile limit had made further compromises to accommodate divergent interests, particularly with reference to special situations. Thirdly, a draft resolution for technical assistance to coastal States wishing to expand their fisheries and fishing industries (A/CONF.19/L.8) had been introduced. Israel particularly welcomed that last proposal, having advocated such action at the 16th meeting during the general debate in the Committee of the Whole, and was very gratified to note that three African States had taken the initiative, which would undoubtedly draw greater attention to the needs of economically under-developed coastal States. It was to be hoped that the appropriate organs of the United Nations and the specialized agencies concerned would make every effort to implement the proposal. Technical and material aid would be needed in adjusting current practices to a possible extended fishing zone, would facilitate mutual accommodation during the proposed transition period, and would lead to bilateral and multi-lateral agreements such as those now specifically mentioned in the joint Canadian and United States proposal (A/CONF.19/L.11).

6. The great shortcoming of the original Canadian and United States proposal (A/CONF.19/C.1/L.10) had been its failure to provide for special situations. If the amendments submitted by Brazil, Cuba and Uruguay (A/CONF.19/L.12) to the second proposal adopted by the Committee of the Whole were incorporated in it, and if the new clause relating to bilateral and multi-lateral agreements were also embodied in it, the needs and interests of countries with special situations could undoubtedly be met. It should be borne in mind, however, that the letter of the law was not enough; it was the spirit in which the proposal would be implemented that would really count.

7. Great efforts had been made since 1958 to reach agreement, and many delegations had worked unremittingly to accommodate one another's views. In his delegation's opinion, the second proposal adopted by the Committee of the Whole, as amended by Brazil, Cuba and Uruguay, together with the draft resolution submitted by Ethiopia, Ghana and Liberia, represented the greatest extent of such accommodation, recognizing as those proposals did both national requirements and the interests of the international community. The Israeli delegation would therefore vote for those three texts.

8. Mr. FATTAL (Lebanon) wished, before the vote was taken, to explain the reasons why his country had put its name to the ten-Power draft resolution (A/CONF.19/L.9). His Government was concerned not so much about the width of its country's territorial sea as about the problem of the Gulf of Aqaba. Lebanon, whose liberalism and traditional reasonableness were well known, wished to stress that, although the Conference had feigned to ignore it and had subjected it to a conspiracy of silence, that problem, together with the tragedy of Palestine, had never ceased to influence decisions one way or another. It was because Lebanon was legitimately anxious to preserve the Arabian nature of the waters of Aqaba that it had agreed to act as a sponsor of the ten-Power draft resolution. For the same

reason, his delegation had been instructed by the Lebanese Government to vote for the joint Canadian and United States proposal (A/CONF.19/L.11), provided it were found possible to include in the proposed protocol a saving clause to the effect that it would not apply to the waters of the Gulf of Aqaba. On that condition alone could the Lebanese delegation abandon the ten-Power draft resolution.

9. The PRESIDENT announced that the discussion had been concluded.

VOTING ON PROPOSALS AND AMENDMENTS

(A/CONF.19/L.4, L.5/Rev.1, L.6, L.8, L.9, L.11 TO L.13)

10. The PRESIDENT invited the Conference to vote on the proposals and amendments before it. It should be observed that the new joint proposal by Canada and the United States of America (A/CONF.19/L.11) might be taken as a series of amendments to the second proposal in the report of the Committee of the Whole (A/CONF.19/L.14, annex); the sponsors had agreed to that course.

11. The PRESIDENT put to the vote the first proposal in the report of the Committee of the Whole (A/CONF.19/L.4, annex).

The vote was taken by roll-call.

Iraq, having been drawn by lot by the President, was called upon to vote first.

In favour: Iraq, Jordan, Lebanon, Liberia, Libya, Mexico, Morocco, Paraguay, Peru, Saudi Arabia, Sudan, Tunisia, United Arab Republic, Venezuela, Yemen, Yugoslavia, Argentina, Burma, Cambodia, Cuba, Ecuador, Ethiopia, Guinea, Iceland, Indonesia.

Against: Ireland, Italy, Japan, Luxembourg, Monaco, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Panama, Philippines, Portugal, San Marino, Spain, Sweden, Switzerland, Thailand, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Republic of Vietnam, Australia, Belgium, Bolivia, Camerons, Canada, Ceylon, China, Colombia, Costa Rica, Dominican Republic, France, Federal Republic of Germany, Greece, Honduras.

Abstentions: Israel, Republic of Korea, Laos, Federation of Malaya, Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Uruguay, Albania, Austria, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Chile, Czechoslovakia, Denmark, El Salvador, Finland, Ghana, Guatemala, Haiti, Holy See, Hungary, India, Iran.

The result of the vote was 25 in favour and 37 against, with 26 abstentions.

The first proposal in the report of the Committee of the Whole was rejected.

12. The PRESIDENT put to the vote the Icelandic amendment (A/CONF.19/L.13) to the second proposal in the report of the Committee of the Whole (A/CONF.19/L.4, annex).

The vote was taken by roll-call.

India, having been drawn by lot by the President, was called upon to vote first.

In favour: Indonesia, Iraq, Jordan, Libya, Mexico, Morocco, Panama, Peru, Saudi Arabia, Sudan, Tunisia, United Arab Republic, Venezuela, Yemen, Yugoslavia, Argentina, Burma, Cambodia, Chile, Ecuador, El Salvador, Ethiopia, Guinea, Iceland.

Against: Ireland, Italy, Japan, Luxembourg, Federation of Malaya, Monaco, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Philippines, Poland, Portugal, Romania, San Marino, Spain, Sweden, Switzerland, Thailand, Ukrainian Soviet Socialist Republic, Union of South Africa, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Republic of Viet Nam, Albania, Australia, Belgium, Bolivia, Brazil, Bulgaria, Byelorussian Soviet Socialist Republic, Camerons, Canada, Ceylon, China, Colombia, Costa Rica, Czechoslovakia, Denmark, Dominican Republic, France, Federal Republic of Germany, Greece, Haiti, Honduras, Hungary.

Abstentions: India, Iran, Israel, Republic of Korea, Laos, Liberia, Paraguay, Turkey, Uruguay, Austria, Cuba, Finland, Ghana, Guatemala, Holy See.

The result of the vote was 24 in favour and 48 against, with 15 abstentions.

The Icelandic amendment was rejected.

13. Mr. GROS (France), speaking to a point of order, observed, first, that the French text of paragraphs 6 and 7 of the three-Power amendments (A/CONF.19/L.12) to the second proposal adopted by the Committee of the Whole did not absolutely agree with the English and Spanish texts, and that it failed to stipulate sufficiently precisely that, in the event of dispute about a claim to preferential rights, it was the decision of the special commission that prevailed, and that the State claiming such rights could take no measures before such decision was taken. The French text of the proposed paragraph 10 was equally at variance with the English and Spanish texts. He trusted that the Drafting Committee would put matters right.

14. Secondly, he proposed that the new paragraph 4 of the three-Power amendments be replaced by paragraph 5 of the revised joint proposal (A/CONF.19/L.11). The two paragraphs were substantially the same, and it would be logical to make the replacement he proposed because the two amendments tended to run together so far as modification of the second proposal adopted by the Committee of the Whole was concerned.

15. Mr. AMADO (Brazil), speaking on behalf of the sponsors of the three-Power amendments, agreed to make the change proposed by the French representative.

16. The PRESIDENT put to the vote the amendments submitted by Brazil, Cuba and Uruguay (A/CONF.19/L.12) to the second proposal in the report of the Committee of the Whole (A/CONF.19/L.4, annex), as just modified by agreement between the sponsors and the French delegation.

The vote was taken by roll-call.

Yemen, having been drawn by lot by the President, was called upon to vote first.

In favour: Yugoslavia, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Camerons, Canada, Ceylon,

Chile, China, Colombia, Costa Rica, Cuba, Denmark, Dominican Republic, Ecuador, El Salvador, Ethiopia, Finland, France, Federal Republic of Germany, Ghana, Greece, Holy See, Honduras, Iceland, Ireland, Israel, Italy, Republic of Korea, Laos, Liberia, Luxembourg, Mexico, Monaco, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Portugal, San Marino, Spain, Sweden, Switzerland, Thailand, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Republic of Viet-Nam.

Against: Yemen, Albania, Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, Hungary, Indonesia, Iraq, Japan, Jordan, Libya, Morocco, Poland, Romania, Saudi Arabia, Sudan, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic.

Abstaining: Burma, Cambodia, Guatemala, Guinea, Haiti, India, Iran, Federation of Malaya, Tunisia, Venezuela.

The result of the vote was 58 in favour and 19 against, with 10 abstentions.

The three-Power amendments were adopted, having obtained the required two-thirds majority.

17. The PRESIDENT said that, if there were no objections, the amendments contained in the joint Canadian and United States proposal (A/CONF.19/L.11) would be incorporated in the second proposal in the report of the Committee of the Whole (A/CONF.19/L.4, annex).

It was so decided.

18. The PRESIDENT put the second proposal in the report of the Committee of the Whole (A/CONF.19/L.4, annex), as thus amended, to the vote.

The vote was taken by roll-call.

Turkey, having been drawn by the lot by the President, was called upon to vote first.

In favour: Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Republic of Viet-Nam, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Camerouns, Canada, Ceylon, China, Colombia, Costa Rica, Cuba, Denmark, Dominican Republic, Ethiopia, Finland, France, Federal Republic of Germany, Ghana, Greece, Guatemala, Haiti, Holy See, Honduras, Ireland, Israel, Italy, Jordan, Republic of Korea, Laos, Liberia, Luxembourg, Federation of Malaya, Monaco, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Paraguay, Portugal, San Marino, Spain, Sweden, Switzerland, Thailand, Tunisia.

Against: Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Venezuela, Yemen, Yugoslavia, Albania, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Chile, Czechoslovakia, Ecuador, Guinea, Hungary, Iceland, India, Indonesia, Iraq, Libya, Mexico, Morocco, Panama, Peru, Poland, Romania, Saudi Arabia, Sudan.

Abstaining: Cambodia, El Salvador, Iran, Japan, Philippines.

The result of the vote was 54 in favour and 28 against, with 5 abstentions.

The second proposal in the report of the Committee of the Whole, as amended, was not adopted, having failed to obtain the required two-thirds majority.

19. Mr. GARCIA AMADOR (Cuba) requested that the meeting be suspended for a short time, as the result of the previous votes made it necessary for his delegation to hold informal consultations with a view to revising the Cuban draft resolution (A/CONF.19/L.6).

20. Mr. GARCIA ROBLES (Mexico) suggested that, since the Cuban draft resolution was completely independent of the other proposals and amendments still before the Conference, the vote on the latter might, in order to speed up business, be taken before the recess, in which case the only business remaining to the Conference at the close of the meeting would be to dispose of the Cuban draft resolution.

21. Mr. GARCIA AMADOR (Cuba) agreed to that suggestion.

22. Mr. ULLOA SOTOMAYOR (Peru) observed that the Peruvian draft resolution (A/CONF.19/L.5/Rev.1) had posited an exception to a rule which had not been adopted by the Conference. It had therefore become irrelevant, and he would withdraw it.

23. The PRESIDENT invited the Conference to take action on the draft resolution relating to technical assistance, submitted by Ethiopia, Ghana and Liberia (A/CONF.19/L.8).

24. Mr. GARCIA ROBLES (Mexico) said that the ideas embodied in the three-Power draft resolution were highly commendable, but certain phrases might be liable to misinterpretation in the light of subsequent circumstances, and he would be obliged to abstain from voting unless they were changed. The objectionable phrases were: "in the light of new developments in international law and practices" in operative paragraph 1; and "based on the new developments" in operative paragraph 3.

25. Ato GOYTOM PETROS (Ethiopia), speaking on behalf of the three sponsors, explained that the proposal had been prepared on the assumption that the joint Canadian and United States proposal would be adopted.

25. The PRESIDENT put to the vote the draft resolution relating to technical assistance submitted by Ethiopia, Ghana and Liberia (A/CONF.19/L.8).

The vote was taken by roll-call.

The Federal Republic of Germany, having been drawn by lot by the President, was called upon to vote first.

In favour: Federal Republic of Germany, Ghana, Greece, Guinea, Haiti, Holy See, Honduras, Iceland, India, Ireland, Israel, Italy, Japan, Jordan, Republic of Korea, Laos, Lebanon, Liberia, Luxembourg, Federation of Malaya, Monaco, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Portugal, San Marino, Spain, Sudan, Sweden, Switzerland, Thailand, Tunisia, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Republic of Viet-Nam, Yugoslavia, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Cam-

bodia, Cameroons, Canada, Ceylon, Chile, China, Colombia, Costa Rica, Cuba, Denmark, Dominican Republic, Ecuador, El Salvador, Ethiopia, Finland, France.

Against: None.

Abstaining: Guatemala, Hungary, Indonesia, Iran, Iraq, Libya, Mexico, Morocco, Poland, Romania, Saudi Arabia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Yemen, Albania, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Czechoslovakia.

The result of the vote was 68 in favour and none against, with 20 abstentions.

The draft resolution was adopted, having obtained the required two-thirds majority.

27. The PRESIDENT put to the vote the draft resolution submitted by Indonesia, Iraq, Lebanon, Mexico, Morocco, Saudi Arabia, Sudan, the United Arab Republic, Venezuela and Yemen (A/CONF.19/L.9).

The vote was taken by roll-call.

Morocco, having been drawn by lot by the President, was called upon to vote first.

In favour: Morocco, Panama, Peru, Romania, Saudi Arabia, Sudan, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Venezuela, Yemen, Albania, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Czechoslovakia, Ecuador, Ethiopia, Ghana, Guinea, Hungary, Iceland, India, Indonesia, Iran, Iraq, Jordan, Lebanon, Libya, Mexico.

Against: Netherlands, New Zealand, Nicaragua, Norway, Paraguay, Portugal, San Marino, Spain, Sweden, Switzerland, Thailand, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Australia, Belgium, Bolivia, Brazil, Cameroons, Canada, Chile, China, Costa Rica, Denmark, Dominican Republic, France, Federal Republic of Germany, Greece, Haiti, Honduras, Israel, Italy, Japan, Republic of Korea, Laos, Luxembourg, Monaco.

Abstaining: Pakistan, Philippines, Poland, Uruguay, Republic of Viet-Nam, Yugoslavia, Argentina, Austria, Ceylon, Colombia, Cuba, El Salvador, Finland, Guatemala, Holy See, Ireland, Liberia, Federation of Malaya.

The result of the vote was 32 in favour and 38 against, with 18 abstentions.

The ten-Power draft resolution was rejected.

28. Mr. GARCIA HERRERA (Colombia) said that his delegation's vote should be recorded as negative, not as an abstention.

29. The PRESIDENT said that that change would be noted in the summary record of the meeting, but that the result of the vote, having already been announced, could not be changed.

30. Mr. DEAN (United States of America) pointed out that a great deal of work had been done in the past two years on the problems before the Conference. Any agreement that could be reached would be welcomed throughout the world, and would prove the soundness

of United Nations procedures, which was doubted in some quarters. He therefore moved that the second proposal in the report of the Committee of the Whole (A/CONF.19/L.4, annex) be reconsidered.

31. Mr. SHUKAIRY (Saudi Arabia) said that it was too late to entertain the United States motion. The advocates of the twelve-mile limit had been appealing to the United States delegation for a compromise for the past six weeks, but the only compromise that had emerged had been that between the Canadian and United States positions. The interests and needs of the advocates of the twelve-mile limit had been flatly rejected by the United States delegation as recently as at the previous meeting. Even if a two-thirds majority could be conjured up, adoption of the joint proposal could not create a valid rule of international law. The methods used to secure votes for the Canadian-United States proposal had been unorthodox, to say the least; the pressure exercised represented no sincere effort to reach agreement, for the interests of others had been despised and rejected. In his view, it was contrary to United Nations practice to reconsider a vote without submitting a new proposal. The United States motion was merely part of a campaign to exercise pressure unprecedented at a United Nations conference. For the sake of the dignity of the United Nations, the motion should be rejected outright and the door left open to a genuine agreement, which patently did not exist at that time.

32. Mr. TUNKIN (Union of Soviet Socialist Republics) thought the results of the voting pointed to one sole conclusion—namely, that the questions before the Conference were not yet ripe for codification. All delegations had come to the Conference with a desire to solve the problems left in abeyance in 1958; nevertheless, certain countries, including his own, had pointed out in the General Assembly that it would be premature to convene a second conference as early as 1960. In his opinion, the results of the voting were salutary, for a bad decision was worse than none at all. The door was now left open for further efforts to create a real rule of international law. He had been surprised to hear the United States representative move the reconsideration of the joint proposal: the use of pressure to obtain a mechanical majority could do no good. The motion was yet a further example of "diplomacy by force", which was doomed to failure and would be censured by history. The United States delegation had made a similar attempt in 1958, thereby causing a great deterioration in the atmosphere prevailing at that Conference. It was to be hoped that the United States representative would not press his motion, to avoid impairing the spirit of co-operation that was so much required and sought after. But if the motion were not withdrawn many delegations, surely, would vigorously resist such a last-minute attempt to impose a decision on the Conference.

33. The PRESIDENT, applying rule 32 of the rules of procedure, put to the Conference the United States motion that the second proposal in the report of the Committee of the Whole, as amended by the joint Canadian and United States proposal, be reconsidered.

The vote was taken by roll-call.

Costa Rica, having been drawn by lot by the President, was called upon to vote first.

In favour: Costa Rica, Denmark, Dominican Republic, France, Federal Republic of Germany, Greece, Guatemala, Haiti, Holy See, Honduras, Ireland, Israel, Italy, Japan, Jordan, Republic of Korea, Laos, Liberia, Luxembourg, Federation of Malaya, Monaco, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Portugal, San Marino, Spain, Sweden, Switzerland, Thailand, Turkey, Union of South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Republic of Viet-Nam, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Camerouns, Canada, Ceylon, Chile, China, Colombia.

Against: Czechoslovakia, Ecuador, Ethiopia, Ghana, Guinea, Hungary, Iceland, India, Indonesia, Iraq, Libya, Mexico, Morocco, Panama, Peru, Poland, Romania, Saudi Arabia, Sudan, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Venezuela, Yemen, Yugoslavia, Albania, Bulgaria, Burma, Byelorussian Soviet Socialist Republic.

Abstaining: Cuba, El Salvador, Finland, Iran, Paraguay, Philippines, Tunisia, Cambodia.

The result of the vote was 50 in favour and 29 against, with 8 abstentions.

The United States motion was not carried, having failed to obtain the required two-thirds majority.

The meeting rose at 12.25 p.m.

FOURTEENTH PLENARY MEETING

Tuesday, 26 April 1960, at 3.20 p.m.

President: Prince WAN WAITHAYAKON (Thailand)

Consideration of the questions of the breadth of the territorial sea and fishery limits in accordance with resolution 1307 (XIII) adopted by the General Assembly on 10 December 1958 (A/CONF.19/L.6) (*concluded*)

[Agenda item 9]

VOTING ON PROPOSALS AND AMENDMENTS (A/CONF.19/L.6) (*concluded*)

1. The PRESIDENT invited the representative of Cuba to introduce the Cuban draft resolution (A/CONF.19/L.6).

2. Mr. GARCIA AMADOR (Cuba) wished only to point out that the Cuban draft resolution sought to establish a régime whereby preferential consideration would be given to the special requirements and interests of the coastal State in certain cases. He hoped that delegations would adopt the same approach as they had earlier to similar proposals and vote accordingly.

3. The PRESIDENT put the Cuban draft resolution (A/CONF.19/L.6) to the vote.

The vote was taken by roll-call.

Greece, having been drawn by lot by the President, was called upon to vote first.

In favour: Iceland, Indonesia, Iraq, Republic of Korea, Libya, Mexico, Morocco, Panama, Peru, Philippines, Saudi Arabia, Sudan, United Arab Republic, Uruguay, Yemen, Yugoslavia, Argentina, Chile, Cuba, Ecuador, El Salvador, Ethiopia.

Against: Greece, Hungary, Ireland, Italy, Japan, Laos, Luxembourg, Monaco, Netherlands, New Zealand, Nicaragua, Norway, Poland, Portugal, Romania, Spain, Sweden, Switzerland, Ukrainian Soviet Socialist Republic, Union of South Africa, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Albania, Australia, Belgium, Bulgaria, Byelorussian Soviet Socialist Republic, Camerouns, Czechoslovakia, Finland, France, Federal Republic of Germany.

Abstaining: Guatemala, Haiti, Honduras, India, Iran, Israel, Liberia, Federation of Malaya, Pakistan, Thailand, Tunisia, Turkey, Republic of Viet-Nam, Bolivia, Brazil, Burma, Cambodia, Canada, Ceylon, China, Colombia, Costa Rica, Dominican Republic, Ghana.

The result of the voting was 22 votes in favour and 33 against, with 24 abstentions.

The Cuban draft resolution was rejected.

EXPLANATIONS OF VOTE

4. Mr. VAN DER ESSEN (Belgium) said that, after having abstained from voting in the Committee of the Whole, the Belgian delegation had decided to vote at the plenary meeting for the joint proposal by Canada and the United States of America (A/CONF.19/L.11) and for the amendments thereto submitted jointly by Brazil, Cuba and Uruguay (A/CONF.19/L.12). It had done so because it believed that that proposal, which had obtained a simple majority in Committee, would be capable of securing the required two-thirds majority in plenary. That expectation had been almost fulfilled. Belgium had only a very short coast bordering on a narrow sea, and its inhabitants did much fishing; it had therefore a very great deal to lose by supporting the proposal in question, but had not wished to be the cause of wrecking what had seemed to be the last chance of reaching agreement. His country had been prepared to accept very heavy sacrifices for the sake of establishing a rule of international law, but as the compromise put forward had not obtained the required majority the Belgian Government did not consider itself bound by the vote which its delegation had cast.

5. Mr. MUHTADI (Jordan) said that his delegation was in favour of a maximum breadth of twelve miles for the territorial sea; but it had voted for the joint proposal because it had seemed the only alternative to failure of the Conference. Such failure would in his view work against the interests of Jordan and other small States. Hence, the joint proposal having failed to secure the required two-thirds majority, his delegation had voted also for the United States motion that it be reconsidered.

6. Mr. CHACON PAZOS (Guatemala) said his delegation had voted for the joint proposal on the clear under-