

Third United Nations Conference on the Law of the Sea

1973-1982

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Summary Records of Plenary Meetings 14th plenary meeting

Extract from the Official Records of the Third United Nations Conference on the Law of the Sea, Volume I (Summary Records of Plenary Meetings of the First and Second Sessions, and of Meetings of the General Committee, Second Session)

PLENARY MEETINGS

14th meeting

Thursday, 20 June 1974, at 3.15 p.m.

President: Mr. H. S. AMERASINGHE (Sri Lanka).

Opening of the second session

Mr. Carlos Andrés Pérez, President of the Republic of Venezuela, was escorted to the rostrum.

1. The PRESIDENT declared open the second session of the Third United Nations Conference on the Law of the Sea. He welcomed the President of the Republic of Venezuela on behalf of all the participants in the Conference.

Minute of silence for prayer or meditation

On the proposal of the President, the representatives observed a minute of silence.

Statement by the President of the Conference

2. The PRESIDENT thanked the Government of Venezuela, on behalf of all the participants in the Conference, for its hospitality and the excellent arrangements it had made.

3. Caracas was rightly described as the cradle of Latin American independence. It was the birthplace of Simón Bolívar, who had liberated Colombia and then his native Venezuela. From Venezuela the torch of freedom had been carried to the other parts of Latin America. Simón Bolívar had received the accolade of immortality by having a State named after him. The present endeavour, fortunately, did not call for a display of militancy or force. The aim of the Conference was to establish a new international legal order to regulate the use of the oceans and their resources and to give the world an international law of the sea which would ensure justice and equity for all peoples. He was sure that everyone shared the hope that even if agreement was not reached on a treaty, the foundation would be laid for the international covenant everyone so desired.

4. The verdict of history should not be, in the words of Simón Bolívar, that the participants in the Conference "ploughed the seas", but rather that, through their joint efforts and mutual understanding, they helped future generations to garner the wealth of the oceans for the benefit of all mankind, with special regard for the interests of the developing countries. The Conference should bequeath to mankind, to be held in trust for all time, its common heritage to be shared and enjoyed in a spirit of fraternity, peace and tranquillity.

Address by Mr. Carlos Andrés Pérez, President of the Republic of Venezuela

5. President PÉREZ, extended a cordial welcome to all the participants in the Conference.

6. The Conference was the most important international event that the world had witnessed and the people and Government of Venezuela were aware of the enormous responsibility which it imposed on them. Venezuela wished to offer its assistance and extend the hand of friendship to the 150 countries represented at the Conference. It was an integral part of the international community without discrimination based on ideology, creed or race; it felt solidarity with and friendship for all the peoples in the world who were suffering oppression or were victims of colonial exploitation; it had its place among the

nations of the world which were fighting for a new international division of labour, fair and equitable trade among all nations and access, in appropriate conditions, to the technologies they required for development.

7. Venezuela believed in peaceful understanding among nations. It had been a member of the League of Nations, was a Member of the United Nations and belonged to the various bodies which had emerged since the Second World War with the purpose of basing peace on fundamental realities and not on ephemeral political circumstances. But it acknowledged that, instead of serving mankind, those bodies, subjected to pressure from conflicting lesser interests, had so far acted as an instrument of those who wielded power. The Conference was a challenge to the sincerity and future purposes of the great nations.

8. Since its establishment as an independent Republic, Venezuela had professed the thinking which had first begun to seek the creation of an international order in the eighteenth century.

9. The Conference had spiritual and emotional antecedents in his country. Four of Venezuela's most illustrious sons had believed in the universal values, defended them with their lives and represented them through their ideas. Simón Bolívar, the Liberator, Francisco de Miranda, a traveller, soldier and thinker and a fascinating personality, Andrés Bello, the most complete humanist of the America of his time, whose influence in philosophy, literature, law and thought was lasting and fundamental, and Antonio José de Sucre, the military strategist, a man with a broader vision than any in Latin America and the victor in the battle which had secured the independence of Latin America, had all been Venezuelans. They had been Venezuelans and Latin Americans and they had been universal.

10. He took great pride, as President of Venezuela, in mentioning those Venezuelans, whose names should be remembered today more than ever in America and in the world.

11. The sea had long played a role in the history of Venezuela, whose coast extended for some 3,000 kilometres. Venezuela's situation as a maritime country was due to accidents of geography and history. In the sixteenth century the conquest of its territory had begun by sea. In the seventeenth and eighteenth centuries colonization had developed by sea and the geopolitical configuration of the territory had taken shape in proximity to the sea. The Spanish Empire had developed its economy and culture in the coastal areas. The Caribbean Sea had then been the scene of conflict and confrontation.

12. Venezuela's trade prior to independence had been that of a typical colonial country producing raw materials and subject to the conditions imposed by the great international markets on distant overseas territories.

13. When Venezuela had declared its independence in 1810, it had been a country limited by the conditions of international trade. The ideas of the French Revolution, the revolution in England and independence in North America which had served as ideological models for the political developments then being initiated had become intermingled with the realities of a poor

people, an under-developed society and a small country which was a producer of raw materials.

14. The history of Venezuela could not be understood without remembering that it faced the sea. At the same time it was an Andean country whose territory included mountainous areas and it therefore had to confront other geopolitical, economic and ideological problems as well. It was a country of rivers and torrents, which meant that it would be able to carry out exciting hydrological experiments, some of them already conceivable but not yet capable of realization. Yet Venezuela was not unaffected by the world problem of water. While it was a country of coasts, lakes and rivers, it was also to a great extent a country of deserts, erosion and demographic anarchy and some of the practices of its people had a devastating effect on their natural surroundings. Venezuela had never had an ordered approach to nature and his Government was striving to initiate a policy for the development and preservation of natural resources. It was assuming sovereign control over non-renewable resources.

15. The sea was a natural and historical environment for Venezuela. In the past the sea had been the scene of events over which Venezuela had had no control. Venezuelan history had developed along the Caribbean and largely under its influence but the country had never applied a policy towards the sea. During the past 30 years the waters, continental shelves and sea-beds had taken on decisive importance in the development of resources and of geo-economic and geopolitical strategies. New nations had emerged since the Second World War; new ideas were creating realities not appreciated before. Space exploration had drawn attention to the fact that the productive use of the earth must be viewed in relation to the growth of the world's population. The ratio of man to the earth revealed an irrationality which had become unacceptable.

16. In the sea man must search for food and minerals in order to survive. The sea must continue to be a universal fact of supranational importance, but its significance had acquired a new priority for mankind. All nations of the world, including small countries with or without a sea-coast, must be able to exploit the resources of the sea usefully and adequately. No maritime or ocean policy and no law of the sea could be rational and bring about productive balances or international democratic justice if it was the prerogative of the great Powers which used their sophisticated technology to weaken or prejudice less developed nations. The Conference was a world-wide forum of ideas, initiatives and proposals which should also serve to bring about a real international peace based on the well-being and equality of all nations.

17. The lesson of oil must be remembered during the Conference. The wealth of one country, or a group of countries, could be exploited for many years, but not forever, and the Conference should agree now on the equitable and universal use of the wealth of the sea rather than follow the tradition of the exploitation of the weak by the strong, and of conflicts and wars. It must think in terms of an ethic of the resources of the sea which placed the values of equality and justice above mere material considerations in terms of direct exploitation and the power strategies of the great nations. Venezuela could not look upon the sea simply for what it represented by itself, but must also consider its dramatic world-wide importance. The sea could not be separated from an ethic of human conduct and of the political conduct of nations and Governments. It could not be treated with the injustice with which the earth had been treated. The sea could not be used in such a way that a few countries benefited from it while the rest lived in poverty, as had been done with the riches of the land.

18. The Conference offered the occasion for an affirmation that the sea and the oceans, like all the waters of the world, must be made part of a policy of peace, not of confrontation, of an ideal of human coexistence, not of a strategy of great world privileges. The sea must serve a humanized policy of distribu-

tion of goods and natural resources to all mankind and not a policy of avaricious accumulation by individual nations, régimes, consortiums or possessors of technology. Economic totalitarianism was the major threat confronting man, as colonialist greed had been in the past.

19. Venezuela defended the sea as an instrument of peace and justice, of collective wealth for all nations and as a compensating factor in establishing a world equilibrium. The sea must be freely open to travellers, researchers, transport and communication. But its exploitation must have a world-wide significance. The universal importance of the sea did not lessen the significance of marine resources for each country. On behalf of Venezuela, he expressed the hope that the conclusions of the Conference would harmonize and unify, not separate and divide.

20. The topics to be discussed were complex but warranted a maximum effort by all nations because of their importance not only for the contemporary world but also for future generations. The world population was increasing by incredible numbers while natural resources were decreasing or being exhausted at an alarming rate. The world was only now beginning to realize how important the sea was for human life. The sea contained vast reserves of food and other unexplored reserves which included the most valuable non-renewable resources. Yet the problem was precisely to conduct discussions on the use of the oceans among nations whose interests had hitherto been opposed to each other. The sea was a prodigiously rich area containing immeasurable quantities of natural products of vital importance for mankind—and that, at a time when terrestrial space was being diminished while the rate of population growth increased daily.

21. Many theoretical arguments had been carried on and bloody wars waged throughout history in the struggle for physical possession of the sea. Now it was a question not of academic discussions or political hegemony but of the very survival of man. The matters about to be discussed involved the fate of millions of human beings as yet unborn who would populate the earth and live from the sea. In the world of tomorrow man would seek food in the sea, which would determine his fate and his right to life.

22. The eyes of the world were on Caracas. The decisions of the Conference must be revolutionary and creative if they were to be truly constructive and beneficial. The Conference must create a new law for mankind, without national selfishness or feelings of superiority and without imperialist pretensions. All nations must learn the lesson of the many centuries of fraud and humiliation practised by the strong nations against the weak, or by the developed countries against the developing countries, the latter made subservient by the privileges claimed by the former in the name of a science and technology which, like the oceans, should be the heritage of all mankind. The participants in the Conference must be the architects of the new history of mankind. They must break with anachronisms and prejudices and trace new guidelines for man. They must determine the new horizons and possibilities of technology and bring justice and brotherhood to the new world society. That was a welcome task for whoever wished to fight for a new concept of life and for man's destiny.

23. Through its history in the wars of independence, Venezuela had shared friendly traditions with all nations and it had brotherly and close relations with the countries of Latin America. But Venezuela could not forget that it had been in the past a victim of the domination of large international interests. He recalled that fact not because his country wished to nurture feelings of rancour, but so that the lesson might endure and the experience be of profit.

24. As a small country, Venezuela was establishing its due rights on the earth, on the oceans, on the continental shelves and on the sea-bed. But its attitude, as host to the Conference, was to promote all efforts to achieve agreements, under-

standing and joint programmes. Venezuela must not, because of its peculiarities as a maritime and continental country, lose sight of the integral, universal and ecumenical vision of perspectives and problems. It wanted the sea to be an area not of conflict but of understanding. It wanted not confrontations, but fair sharing and distribution. It could not agree that the future of the sea should belong to the privileged and the most technologically advanced. In that attitude, Venezuela remained true to the cause of the land-locked countries, which also had a right to the sea and to its riches. It offered its co-operation in achieving a world of understanding and human solidarity. In Latin America no greater tribute could be paid to Simón Bolívar on the 150th anniversary of Ayacucho than to satisfy Bolivia in its aspiration to reach the sea, as well as that other appeal of Latin America that the Panama Canal should, in the service of all mankind, come fully within the sovereignty of the Republic of Panama.

25. In addition to the essential concern which had brought about the Conference, the sea was acquiring an ecological significance which it had not had before. Man in his industrial civilization had rediscovered that the ecological balance was essential for his survival. The ecological protection of the sea was a basic factor in preventing a repetition of what had happened to resources on land. Ecological protection was urgent necessity for civilization, and as President of Venezuela he was proud to be able to contribute towards that goal.

26. Mankind now understood the urgent need to know what the limits of growth were and what, in the final analysis, the essential goal of development was. Man's resources on the earth were limited and he had to learn to use them well, so that they could be shared fairly and properly by all. Those resources could not be the privileged possession of countries, Governments or big business and their conservation and management must also be a shared obligation.

27. Venezuela was taking some fundamental policy decisions on the management of its resources. The country's petroleum must belong to Venezuela in its entirety and the same was true for iron. Another decision related to the ecological balance and was intended to ensure that nature would not continue to deteriorate as a result of various forms of devastation, which sometimes enjoyed the protection of ambiguous and arbitrary interpretations of the concept of private ownership or acquired rights. Venezuela was fully resolved, and alert to the need, to exploit and protect its resources and to develop a form of education in line with its intention to promote international co-operation and Latin American integration.

28. Today, sovereignty was a much more complex concept than in the past. National values and interests must not be given more weight than the mutual duties and obligations to bring well-being to all peoples and thus to ensure the political balance of the world. One of the most important implications of the Conference was therefore to translate principles into reality, into specific formulae and into wise and forward-looking regulations.

29. There was an acute form of colonialism on the seas which, if not corrected, would jeopardize the efforts made by mankind on the land to create a climate of understanding. The idea of the United Nations to set up a world authority with sufficient economic and technical power to administer the riches of the open sea and to share them among all peoples would be an extraordinary step based on the soundest social justice. While the pressing need to share food and technology placed interdependence before traditional sovereignty, that did not mean that the latter was being abandoned, but rather that it was being adapted to the common interest without the abuse of technology and economic superiority which humiliated and deprived.

30. Venezuela therefore firmly advocated the concept of the patrimonial sea, which was subscribed to by a majority of States and which would immediately dispel the tensions cur-

rently generated by the plundering of the less developed States by the industrial Powers. The 12 miles of full jurisdiction, as already exercised by a majority of States, and the economic control over the remainder up to 200 miles, except for traditional rights, certainly constituted the ideal approach to what could be, if it was not resolved, an unending source of conflict. There had to be norms of international law to govern the peaceful use of oceans, waters within and beyond national jurisdiction, sea-beds and the continental shelf.

31. Venezuela had begun on a modest scale to develop its marine science, including shipbuilding, fishing and the exploitation of the mineral and protein resources of the sea-bed. It intended to diversify its economy so that it would not depend on petroleum and iron alone.

32. In reaffirming the welcome of the people and Government of Venezuela to the participants, he stated that Venezuela had traditionally been a peaceful country which had waged only wars of liberation and which had always advocated international law and the peaceful use of man's creative powers. Venezuela was ready to co-operate with all nations to achieve common rules of conduct for the use and exploitation of the marine environment.

33. In 1824, Simón Bolívar had chosen Panama as the site of the amphictyonic Congress because of its geographical position and its proximity to the Pacific and the Atlantic Oceans. Thus the sea had long played a part in Latin American history and had long been an observer of it and Bolívar's ideas of universality would have been incomplete without the sea. Hence in acting as host to the Conference, Venezuela was being true to its most deeply rooted traditions. As a coastal country it was ready to fulfil its obligations to its people and to mankind and to strive for universal social justice in order to reach an agreement on the use of the resources of the sea which were "the common heritage of mankind".

Statement by the Secretary-General

34. The SECRETARY-GENERAL expressed his deep appreciation of the generous effort of the Government of Venezuela which had made it possible for the Conference to take place. Venezuela had thereby demonstrated the importance it attached to the work of the Conference and the international community was grateful to the Government for its determination and its dedication to a most important and challenging undertaking. The invitation to meet at Caracas was consistent with the interest displayed by Venezuela, and the Latin American region as a whole, in the law of the sea. It was also in keeping with the contribution which the countries of the region had made to the development of law and to the preparatory work for the Conference. The international community had to express its admiration for the work of the Government Commission and of all others who had laboured to adapt the Parque Central to the needs of the Conference. He also expressed his gratitude to them and to the Commission for its close co-operation with the Secretariat during the preparations.

35. In addressing the Conference, which was of profound significance for the orderly use of the natural resources at the disposal of mankind, he wished to emphasize the outstanding feature of the recent Sixth Special Session of the General Assembly on raw materials and development. That session had dramatically underlined the fact that mankind inhabited only one earth; it had become conscious of the world as one world, of the finite nature of its resources and of the overriding need to reduce the economic disparities between nations. Both the Special Session and the preparatory work for the Conference had clearly demonstrated that many earlier assumptions must be reviewed.

36. Today all were aware that the great problems with which humanity was confronted could not be solved on the national level alone. For many countries that was not possible because

of their lack of adequate resources while for others it was not possible because those problems were interconnected with other issues which required the active co-operation of many countries. The year 1974 would see a grouping, within a relatively short time, of the Special Session on raw materials, the Conference on the Law of the Sea and the forthcoming United Nations conferences on population and food. That clearly showed that the international community was ready to adopt an approach which gave importance to each issue while not losing sight of their interconnexion. In all those fields the United Nations had been chosen as the common forum for international action and it had thus the opportunity and responsibility of creating a new global strategy based on all elements essential for the survival of mankind.

37. It had been, in fact, in the context of the law of the sea that the General Assembly had first recognized the dominant fact of the present time, namely, that all the many problems affecting the uses of the sea and the sea-bed could only be tackled jointly. Such a comprehensive approach presented many difficulties but it was the only one that could provide practical and lasting solutions.

38. When the Charter had been written and when the United Nations family of agencies and programmes had been organized, there had seemed to be comparatively little reason to look at the vast field of marine questions as a whole. Fisheries, shipping, transport and sea-bed development, for example, had been dealt with by different organs or agencies. The 1970 decision of the General Assembly to convene the present Conference had marked a significant departure. The Assembly had realized that the many diverse problems of ocean space were indeed related and must be considered as a whole if real solutions were to be found, and that that entailed extensive political negotiation. Agreement on a wide range of issues was vital to the future of mankind.

39. The work of the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction leading to the Declaration of Principles Governing the Sea-Bed and the Ocean Floor, and the Subsoil Thereof, beyond the Limits of National Jurisdiction¹ had made it clear that the delimitation of that area could be settled only together with all other limits involved. It was therefore no coincidence that the Declaration and the decision to convene a new and comprehensive conference had been adopted by the General Assembly at the same time. The tremendous diversity in the interests of States revealed shortly thereafter in the preparatory work and reflected in the various proposals had shown the realism of the General Assembly's decision to adopt such a comprehensive approach.

40. Many factors had made the Conference imperative. First, problems had been left outstanding at the 1958 and 1960 Conferences. Secondly, there had been dissatisfaction with the existing law, stemming in part from the fact that many States which had since achieved independence had had no role in shaping that law and did not feel that it conformed to the realities of the new international community. A crucial element had been the very rapid progress of technology and the rising demand for resources which had produced the new ability to exploit minerals on the ocean floor, a development not anticipated in 1958. It had led to the rapid advance made in drilling at ever greater depths for undersea hydrocarbons. Growing world demand had also caused an increase in fishing with modern, industrialized fleets and had intensified maritime transport, particularly in the form of supertankers. At the same time, those developments had aggravated the menacing problems of the pollution of the seas. Finally, and most important in bringing about the Conference, had been the mounting pressure on world resources and the awareness that the sea-bed and the oceans contained some of the largest unexploited reserves

available to man. The Conference had been convened because of the realization that those resources must be developed in an orderly manner for the benefit of all and must contribute to a more equitable and workable global economic system.

41. The range of problems before the Conference was hard to parallel in complexity and in the very concrete nature of the national and international interests at stake. The world was passing through a period of great and rapid change and many of the divisive problems and issues that had characterized international relations for so long were receding. The future thus appeared to hold great promise and it was of the utmost importance that, in the process of change, the international community should be constantly on guard so as to anticipate new problems and issues which might divide it. Change was imperative but it had to be accompanied by greater diligence to maintain the stability necessary for real progress. Of course, many potential causes for dispute were inherent in the subject matter of the Conference, and an awareness of that fact had prompted the common effort. He was therefore profoundly convinced that the Conference must succeed because old quarrels on land must not be replaced by new quarrels at sea. A new balance had to emerge from the Conference—a balance which would bring about the exploitation of the riches of the sea while safeguarding the interests of all.

42. In 1958, most of the main problems involved in the law of the sea had seemed to be settled; yet, only a decade and a half later the world had once more been assembled at another conference on the law of the sea. A repetition of the 1958 experience had to be avoided. Efforts must be made to ensure that the new law of the sea would endure as the foundation of man's uses of the sea. The number of ratifications of the convention to be drawn up was clearly going to be a major determinant of the viability of the decisions of the Conference. However, it would not be the only one. Clearly, a convention must be sought which would settle issues without creating new ones. Inevitably, however, the international community would continue to evolve and its uses of the sea would continue to develop and diversify. Difficult as the present negotiations might be, it was prudent to assume that the problems of negotiating another convention at a later date would be greater still. The Conference, therefore, might well consider whether some institutional means should be created whereby, within the framework of the new convention, common measures could be agreed upon and taken whenever necessary so as to avoid obsolescence under changing world conditions. A periodic assembly of the parties to the convention, for the review of common problems and for the development of ways to meet any difficulties produced by new uses of the seas, would be one possibility worth considering.

43. He was suggesting such an addition to the many intricate and difficult problems already before the Conference because he felt that such an approach might be helpful in overcoming difficulties arising at a later stage. The law of the sea was one of the principal areas in which international law in general was formed. It was basic to the State system on which the United Nations had been founded and which, with the advance of decolonization, had spread around the world. It must also become a vital element in creating the new forms of international co-operation on which the future of mankind would depend.

44. The international community therefore faced a great challenge; however, it was also being afforded a great opportunity and he was confident that the Conference would seize it.

Statements on behalf of the regional groups

45. Mr. MUSTAFA (Sudan), speaking on behalf of the African group of States expressed the gratitude of the African States to the Government of Venezuela for acting as host for the first substantive session of the Third United Nations Conference on the Law of the Sea. The hospitality extended to the

¹General Assembly resolution 2749 (XXV).

representatives came from a people with a long-standing tradition of hospitality and friendship. The speed and efficiency with which the Conference had been prepared and the presence of the President of the Republic at the opening session showed the immense importance that Venezuela attached to the Conference.

46. The task entrusted to the Conference was complex and enormous. He recognized the existence of divergent and conflicting interests, but did not share the scepticism voiced in some quarters as to the outcome of the Conference and the chances of its success. The African group firmly believed that with goodwill, willingness to negotiate and a spirit of compromise, conflicting interests and viewpoints could be amicably reconciled and agreement could be reached on at least the major issues.

47. The determination of the African States to bring the Conference to a successful conclusion stemmed from a deep realization of the serious consequences that failure to agree would entail for the international community. If agreement could not be reached on an acceptable régime for the sea, the resulting conflicts and rivalries would eventually destroy the international spirit expressed in the concept of the common heritage of mankind. It might also undermine some of the noble principles for which the United Nations stood: the maintenance of international peace and security, the promotion of international co-operation and the removal of economic disparities.

48. The most effective and eloquent tribute to the exceptional generosity of the Venezuelan people and Government would be to bring the Conference to a successful conclusion, so that the name of Venezuela could be associated with an international event that was likely to remain for a long time a significant landmark in man's endeavours to achieve justice, peace and prosperity.

49. Mr. CHAO (Singapore), speaking on behalf of the Asian group of countries, expressed the sincere gratitude of the Asian countries to the Government and people of Venezuela for acting as host for a historic conference in its capital. He had been impressed by the kindness, friendliness and warmth of the Venezuelan people. He paid tribute to the hospitality extended to delegations; the care taken to make their stay a pleasant one and to provide unparalleled conference facilities bore ample testimony to the greatness of the Venezuelan people.

50. The importance of the sea and its resources to the economic and social development and general well-being of the peoples of the world, and of the developing countries in particular, could not be over-emphasized. It was therefore fitting that the Conference should be held in a developing country like Venezuela.

51. He expressed the appreciation of the members of the Asian group of States to the President of the Republic of Venezuela and to the Secretary-General of the United Nations for their presence at the opening session of the Conference. As they had rightly pointed out, the tasks facing the Conference were immense. There was a need to reconcile the often conflicting interests of States of all categories. While recognizing the magnitude of the task, the members of the Asian group were confident that a spirit of understanding and co-operation and a will to succeed, coupled with the delightful environment in which the Conference was being held, would culminate in the adoption of a Caracas convention on the law of the sea establishing a new legal order of the oceans.

52. He paid tribute to the President of the Conference and pledged the full co-operation of the Asian group of States.

53. Mr. MOLDT (German Democratic Republic), speaking on behalf of the Eastern European group of States, thanked the President of Venezuela for his warm welcome. He paid tribute to the warmth and friendship of the Venezuelan people and to the excellent working conditions that would certainly make it possible to solve the difficult problems facing the Conference. He expressed his sincere gratitude to the Government and

people of Venezuela, and especially to the organizational commission, for the efforts made to prepare the Conference.

54. He agreed with the previous speakers, who had pointed out the universal importance of the law of the sea, that progress in the codification of the law of the sea directly affected the vital interests of all countries and peoples. It was clear to all of those who had been involved in the preparatory work of the Conference that that Conference was faced with a truly historic task, that of establishing a new régime governing the seas which would correspond to the need for peaceful coexistence between countries with different social and political systems. It was therefore essential for all participants to show a great readiness for understanding and compromise in order to find lasting solutions to all the principal problems connected with the law of the sea, taking into account the legitimate interests of all countries.

55. He pledged the full co-operation of the socialist States to ensure the success of the Third United Nations Conference on the Law of the Sea.

56. Mr. FACIO (Costa Rica), speaking on behalf of the Latin American States, said that the President of Venezuela had pointed out clearly the way to a truly egalitarian international law of the sea.

57. The Third United Nations Conference on the Law of the Sea was faced with the extremely difficult task of reconciling the opposing interests of many of the participating States. It required a flexible attitude and a willingness to compromise. The States of Latin America were entering the negotiations with a strong desire to reach major agreement and were ready to take into account not only the national interests of each country in the region but also the interests of all humanity. All parts of the planet above water had already been discovered, or at least demarcated within national boundaries. But the world was on the threshold of a new era; scientific progress was opening up to humanity the only territories that had not yet been conquered—the sea-bed and the ocean floor with an area more than twice that of the land. Those new territories and the waters above them contained biological and mineral wealth that was essential for the survival of the human race, which was already expanding beyond the land available to it.

58. The Conference had to ensure that no colonial systems would be established similar to those used in the past by the great Powers to exploit lands which they had brought under their domination. The task ahead was to formulate for the sea the system of international social justice that mankind had so far been unable to establish on the land.

59. In a bitter moment at the end of his life, Simón Bolívar had once expressed his extreme disillusionment in the words: "I have ploughed the sea". It was to be hoped that in the city in which the great Liberator was born, that expression of disillusionment would be transmuted into an expression of encouragement and hope, because if the Conference could forge the foundations of a new law of the sea and could agree on the principles to serve as the basis for a just international law of the sea, it would be possible to state with the greatest optimism and faith in the future of humanity that the world had indeed ploughed the sea.

60. Mr. DE ABAROA Y GOÑI (Spain), speaking on behalf of the group of Western European and other States, expressed the pleasure felt by the group at being in Venezuela to begin a task that everyone hoped would be brought to a satisfactory conclusion. The decisive step being taken in an effort to establish a body of law that was of such great importance to the future of mankind would be linked with the name of the beautiful capital of Venezuela, which had made such efforts to provide a magnificent venue for the Conference. Venezuela and the city of Caracas had made an immense effort to produce in an incredibly short space of time the splendid results that were visible to all, and to provide an environment that would facili-

tate the work of seeking a solution to a problem of universal concern.

61. That the Conference was meeting in Caracas was a well-deserved tribute from the international community to Latin America and one of its most notable countries—Venezuela—which had made a constant and valuable contribution to the codification of international law and of the law of the sea in particular. In view of the number of countries represented, the Conference was more “universal” than any other ever held, a further source of pride for Venezuela.

62. He expressed gratification at the presence of the Secretary-General of the United Nations, an Organization which had sought for many years to bring peace, security and harmony to the whole world and which had been responsible

for the initiative in convening it.

63. He felt certain that the members of the group on whose behalf he was speaking had come to the Conference with a sincere spirit of understanding and compromise; he hoped that that would make it possible to reach solutions that would satisfy the legitimate interests of all States. He was sure that under the guidance of the President of the Conference it would be possible to achieve the results that everybody wanted and expected.

64. The PRESIDENT expressed his gratitude to the President of the Republic of Venezuela for having attended the opening session of the Third United Nations Conference on the Law of the Sea.

The meeting rose at 4.45 p.m.

15th meeting

Friday, 21 June 1974, at 10.45 a.m.

President: Mr. H. S. AMERASINGHE (Sri Lanka).

Report of the General Committee (A/CONF.62/28)

1. The PRESIDENT drew attention to the first report of the General Committee (A/CONF.62/28) and requested the representatives to examine it paragraph by paragraph, on the understanding that each one would be adopted if no objection to it was made.

Paragraph 1

Paragraph 1 was adopted.

Paragraph 2

Paragraph 2 was adopted.

Paragraph 3

Paragraph 3 was adopted.

Paragraph 4

2. Mr. JAGOTA (India), referring to recommendations (a) and (b), said that as the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction had completed its work, the general statements to be made by Governments would be of great importance. It would therefore not be appropriate to limit the period allocated to such statements to six days. A certain amount of flexibility should be maintained with regard to the matter.

3. Mr. OGUNDERE (Nigeria) agreed with the representative of India, and said that it would also be necessary to take into account the case of delegations whose chairmen would arrive later and could only then make their general statements.

4. The PRESIDENT said that while he appreciated the validity of the remarks made by the representatives of India and Nigeria, he hoped that delegations would adhere as far as possible to the proposed programme of work, which was only a guide and was designed to facilitate the organization of work and the task of the secretariat. He also wished to assure the representatives that flexibility would be maintained and that the particular circumstances of each delegation would be borne in mind. If there was no objection, he would take it that the Conference was in agreement with paragraph 4.

Paragraph 4 was adopted.

Paragraph 5

5. The PRESIDENT, referring to the suggestion that delegations should restrict the length of their general statements as much as possible, urged representatives not to allow such statements to exceed 15 minutes in length. If there was no objection,

he would take it that the Conference was in agreement with paragraph 5.

Paragraph 5 was adopted.

Paragraph 6

Paragraph 6 was adopted.

Paragraph 7

Paragraph 7 was adopted.

Paragraph 8

6. The PRESIDENT suggested that consideration of paragraph 8 should be postponed until the question of the list of interested non-governmental organizations, to which it was closely related, had been examined.

It was so decided.

Paragraph 9

7. The PRESIDENT, replying to a question from the representative of the Ukrainian Soviet Socialist Republic, observed that although paragraph 9 was being considered under the heading “Allocation of items”, it in fact covered the list of subjects and issues proposed by the sea-bed Committee.

8. Mr. LACLETA Y MUÑOZ (Spain) said that the allocation of item 22 involved a certain inconsistency, since that item, unlike the others, would be examined simultaneously by the Plenary and by the Committees. He therefore wondered if it would not be appropriate to delete it from the agenda of the Plenary. Otherwise, it should be made clear that the Plenary would consider it after the Committees had done so.

9. The PRESIDENT said that simultaneous consideration of item 22 by the Plenary and the Committees involved no inconsistency, since such in fact were the terms of the agreement on organization of work arrived at in the sea-bed Committee. Under that agreement, each Committee would be entitled to examine various items in so far as they were relevant to its mandate. In addition, it had been proposed that item 22 should be allocated to the Plenary so that it would not have to wait for the results of the Committees' discussions. If there was no objection, he would take it that the Plenary approved of the allocation of items as a whole.

It was so decided.

10. The PRESIDENT noted that two proposals had been left pending at the previous meeting. The first was to decide whether the President should suggest to the Main Committees and the Rapporteur that they be brief; that suggestion would