

# **Third United Nations Conference on the Law of the Sea**

1973-1982

Concluded at Montego Bay, Jamaica on 10 December 1982

Document:-

**A/CONF.62/ SR.36**

## **Summary Records of Plenary Meetings 36<sup>th</sup> 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)*

67. His country favoured a limit of 12 miles for the territorial sea but it saw the need to determine criteria for appropriate baselines from which the territorial sea could be measured.

68. With regard to straits used for international navigation, his delegation thought that if they fell within the territorial sea of one or several coastal States, the sovereignty of the coastal State or States should be recognized, subject to the régime of innocent passage, and that there should be safeguards for the security and other vital interests of the coastal States.

69. Being situated in a semi-enclosed sea through which international navigation routes passed, his country had a special interest in the prevention and control of pollution. It subscribed to the idea of an international standard for the users of the sea, the sea-bed and its subsoil. Questions of liability, remedy and compensation should take account of the harmful effects which might be suffered primarily by the coastal States.

70. His delegation favoured an international machinery with broad authority for the management and exploitation of marine resources in the area outside national jurisdiction; decisions on matters of common interest should be taken or approved by a majority of States.

71. As to scientific research, his country would support the broad competence of coastal States to ensure their own secu-

rity and the *bona fide* nature of the research. The benefits of scientific research should be shared by the entire international community, especially the developing coastal States in whose jurisdictional areas it was conducted.

72. The task before the Conference was not merely to clarify and supplement the existing rules of international law but to restructure the law of the sea as a whole. That could be achieved only by accommodating particular interests to the common ones in the form of a package deal on all unsettled major issues. However, particular interests, even those of a minority, could not be swept under the carpet. No decisions could be imposed on dissenters, and no law could survive if rejected by many States. The success of the Conference rested therefore on general agreement, and such agreement could be achieved only in a spirit of accommodation and flexibility. The Conference could not afford to fail, for failure would lead to serious international conflicts and even violence. His delegation pledged its co-operation in the common efforts to attain equity and international justice in the use of the sea and its resources.

*The meeting rose at 1.15 p.m.*

## 36th meeting

Wednesday, 10 July 1974, at 3.55 p.m.

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

### General statements (*continued*)

1. Mr. AL-QADHI (Iraq) said that his country had participated in the United Nations Conferences on the Law of the Sea in 1958 and 1960. In his delegation's view the Conventions that had been adopted at Geneva did not reflect the needs of all the peoples of the world. For that reason, the present Conference was proceeding in a new spirit to meet the requirements of the contemporary world.

2. With regard to the question of the territorial sea, his delegation was of the view that the establishment of a limit not exceeding 12 miles might be approved by the majority of States, and it would therefore be advisable to adopt it. His country attached great importance to the question of freedom of navigation, since that was a basic principle of sea law and the major factor in the development of world trade and communications. In straits which had been used for international navigation since historical times and which connected two parts of the high seas, freedom of navigation must be maintained and guaranteed. As to the continental shelf, the development of marine technology proved that the previous exploitability criterion was no longer applicable. The delimitation of the continental shelf between two or more States was one of the vital questions before the Conference. Article 6 of the Geneva Convention on the Continental Shelf<sup>1</sup> set out the methods for making such a delimitation. And in its judgement on the North Sea Continental Shelf cases<sup>2</sup> the International Court of Justice had found that no single method of delimitation was likely to prove satisfactory in all cases. Special circumstances and the principles of equity and justice should therefore be taken into consideration in each case.

3. His delegation recognized the aspirations of coastal States to extend their marine jurisdiction to an economic zone or a

patrimonial sea beyond their territorial waters, but it believed that the interests of the land-locked and the geographically disadvantaged countries should be borne in mind, as should the need to secure freedom of navigation.

4. The concept of the economic zone or patrimonial sea should not be applied to semi-closed seas, where it was vitally important to recognize the rights of all the States in the area. For that reason, the solution of the fishing question in those areas was a high-priority matter. A proper solution would be the establishment of regional arrangements for conservation, exploration, management, protection from pollution and development of the living resources of the sea. The coastal States might establish, in consultation with the appropriate FAO commissions, regional and subregional regulations for the sector beyond their territorial waters; those regulations might be embodied in multilateral regional agreements to which all the coastal States would be parties.

5. His delegation was greatly concerned at the continuing degradation of the marine environment. In semi-closed areas like the Arabian Gulf, pollution might come from many sources. Regional and subregional conservation units should be established to prevent and control oil pollution, which was the most harmful. International measures were urgently needed, and the Inter-Governmental Maritime Consultative Organization might be of great help in that sphere.

6. There was an urgent need for scientific research and the transfer of technology to developing countries. His country gave a high priority to those questions, and it had actively participated in various projects. His delegation considered that research in waters under the jurisdiction of a coastal State was a legitimate activity of that State. Scientific research in the international zone should be undertaken in co-operation with the competent specialized agencies such as FAO, UNESCO and others. The participation of developing countries in inter-

<sup>1</sup> United Nations, *Treaty Series*, vol. 499, p. 312.

<sup>2</sup> *North Sea Continental Shelf, Judgment, I.C.J. Reports 1969, p. 3.*

national programmes of scientific research was important if the results were to be disseminated throughout the world.

7. His delegation had observed with appreciation that many speakers had referred to the interests of the land-locked and the geographically disadvantaged countries, which represented a considerable number of States that had participated effectively in the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction. The future convention should not ignore their legitimate interest in having an access to the high seas and in benefiting from the living resources of the sea.

8. He wished to reaffirm his country's support for the Declaration of Principles adopted by the General Assembly in 1970, in its resolution 2749 (XXV), which was of great value for the elaboration of the concept of the "common heritage of mankind". The entire area beyond national jurisdiction should be used for peaceful purposes, and all exploration and exploitation activities should be governed by international rules and be subject to an established international régime which would comprise appropriate bodies. In that Authority, the assembly, in which each member State would have one vote, would supervise the activities of the council, in which the geographical groups, including the land-locked and the geographically disadvantaged countries, should be duly represented. In that connexion, he wished to point out that the exploration of that area and the exploitation of its resources should not be allowed to have an unfavourable impact on the prices of raw materials.

9. Lastly, he regretted that, although the importance of universality had been stressed by many speakers, no representatives of the national liberation movements, including that of Palestine, were present; they should be invited to the Conference.

10. Mr. YANKOV (Bulgaria) said that two major factors in the contemporary world—social and political change and the challenge of the technological revolution—called for a readjustment of the international legal order governing the world's oceans to fit the new realities. The peaceful uses of the sea had acquired new dimensions. The natural wealth of the sea now offered new opportunities in such critical fields of the world economy as the increasing demand for energy and raw materials, including minerals and protein. At the same time, the protection of the marine environment had become an essential part of the protection of the global environment.

11. The Conference was the most representative that had been held under United Nations auspices, but his delegation could not ignore the fact that the restrictive provisions of General Assembly resolution 3067 (XXVIII) had prevented a full application of the principle of universality. It was to be regretted that the Provisional Revolutionary Government of the Republic of South Viet-Nam had not been invited to the Conference although it had been given official international recognition as a signatory of the Paris Agreements, had taken part in the Conference of Heads of State or Government of Non-Aligned Countries held at Algiers in 1973, and maintained diplomatic relations with various States. The requirement for universality of the present Conference, which had to deal with problems of vital importance to all, called for the participation of the representatives of the national liberation movements, which had legitimate political rights and the legal capacity to represent their peoples in international affairs. The Bulgarian delegation urged the Conference to invite the national liberation movements recognized by regional organizations.

12. Any new universal legal framework to lay down rules for the peaceful uses of the sea had to be established on the basis of an appropriate balance between the rights and obligations of the coastal States and the interests of the international community as a whole. While due regard must be paid to the legitimate economic, environmental and security considerations of the coastal States, the necessary arrangements should be made to

ensure that the benefits of the sea were accessible to all States in a spirit of equity and international understanding and co-operation. The lack of equity in the uses of the sea in the past had been due to the structure of the international community. The world process of social and political change had significantly altered the whole system of international relations and had provided ever-increasing safeguards against social injustice on a world scale. A satisfactory balance between the rights of the coastal States and the interests of the world community could be achieved only if a comprehensive approach to the problems was adopted, as stipulated in General Assembly resolution 3067 (XXVIII), which stated that the problems of ocean space were closely interrelated and needed to be considered as a whole. Such a package-deal approach presupposed a political will to enter into meaningful negotiations in a spirit of mutual accommodation. He believed that the best method was the consensus procedure, which represented a new trend in contemporary treaty-making and had proved its usefulness in the adoption of the rules of procedure.

13. Unfortunately there were one or two isolated voices at the Conference which should cause common concern. As some other representatives had already pointed out, the disturbing fact was that one of those voices had presented the Conference not as a negotiating gathering but rather as a battle-field for confrontations between different groups of States, in accordance with his own doctrinal schemes. The same representative who had made abundant use of the word "hegemony" when he attacked other States, had assumed the role of a self-appointed spokesman and leader of the third world and of all "small and medium-sized countries".

14. He expressed the hope that mutual respect, wisdom and goodwill would prevail at the Conference.

15. He then outlined the principal aspects of the régime of the territorial sea.

16. First, regarding the nature and characteristics of the territorial sea, the Bulgarian delegation had submitted to the seabed Committee a concrete proposal contained in document A/AC.138/SC.II/L.51 (A/9021 and Corr.1 and 3, vol. III, sect. 41) and he reiterated the view that, within the limits of its territorial sea, the coastal State exercised full sovereignty, subject to the principles and rules of international law, with special reference to the right of innocent passage through the territorial sea. While recognizing that the territorial sea was a prolongation of the State's territory, with all the legal implications that that involved, he emphasized that freedom of communications was an important exception.

17. Secondly, his delegation believed that a breadth of not more than 12 nautical miles for the territorial sea should be adopted as a universal rule for in its view there was no justification for the excessive expansion of the territorial sea based on economic, environmental or other considerations. Such claims could well be satisfied if the right of the coastal State to establish an economic zone extending up to 200 nautical miles was recognized. That zone could also be used to preserve the marine environment and to supervise scientific research.

18. Thirdly, his delegation maintained that the problem of the nature and characteristics of the territorial sea and its breadth should be considered together with related problems such as the régime of the straits used in international navigation and the régime of the economic zone.

19. Fourthly, the convention on the law of the sea should contain only general principles and rules regarding the delimitation of the territorial sea. The details relating to concrete cases might be settled by mutual agreement among the interested States.

20. The Bulgarian Government attached great importance to the establishment of a viable and equitable régime of transit through straits used in international navigation, and it urged that any extension of the limits of the territorial sea should not be detrimental to the global system of navigation, of which

international straits formed an integral part. That functional approach acquired particular importance with respect to straits which were the only communication lines between two parts of the high seas.

21. The Bulgarian delegation firmly believed that the régime of passage through straits used for international navigation should serve as a legal framework for the purpose of ensuring speedy, unimpeded and free transit and overflight. At the same time, it agreed that that régime should take account of the legitimate concern of coastal States for their security, territorial integrity and political independence, the observance of the international regulations for safety at sea and the prevention of pollution from ships. Special provisions should be envisaged concerning the responsibility of the flag State for damage caused to a straits State.

22. In the view of his delegation, the draft articles submitted by the Soviet Union in document A/AC.138/CS.II/L.7,<sup>3</sup> with a few slight drafting changes, could provide a sound basis for discussion at the Conference.

23. With respect to the problem relating to the economic zone concept, his delegation, in a spirit of solidarity with the developing countries, was ready to co-operate in the elaboration of acceptable principles and rules of international law on the régime of the economic zone as an integral part of an over-all package together with the 12-mile limit of the territorial sea, free and unimpeded transit through straits used for international navigation, the regulation of marine scientific research, and international control for the protection of the marine environment.

24. Despite its concern that the economic zone concept might lend itself to abuses, his Government could accept it provided it took into account certain basic considerations. First, the limits of the economic zone should not exceed 200 nautical miles, measured from the baselines used for the delimitation of the territorial sea. Second, that economic zone should be established for the purpose of exploring and exploiting the living and mineral resources which were found in the waters, in the sea-bed and in the subsoil thereof. Third, the coastal State should exercise sovereign rights over the natural resources within the economic zone. Fourth, the rights of the coastal State in the economic zone should be exercised without prejudice to the rights of any other State, whether coastal or not, recognized by international law and by the provisions of the Convention on the law of the sea, taking into account the interests of mankind as a whole. In addition, the coastal State should ensure that any exploration and exploitation activities carried on within its economic zone had exclusively peaceful purposes. Fifth, the coastal State, when unable to use the available fishery resources in their entirety, should allow nationals of other States to have access to its economic zone under reasonable conditions. In that case it should take into consideration in particular the interests of developing countries, land-locked countries and countries with narrow continental shelves, as well as the interests of those States which had incurred substantial expenses for research, exploration and evaluation of the living resources or which had fished in the area until then. Sixth, in the exercise of its sovereign rights over the natural resources of the economic zone the coastal State should co-operate with the appropriate regional and world organizations. Seventh, within its economic zone the coastal State should have the right to apply appropriate measures to prevent or mitigate any serious imminent danger of hazards caused by marine pollution. Finally, marine scientific research within the economic zone should be carried out with the consent of the coastal State, which should have the right to take part in the research activities and should have access to the scientific data acquired as a result of such activities.

25. His delegation considered that the sea-bed and the subsoil thereof beyond the limits of national jurisdiction were the common heritage of mankind. Consequently, it maintained that an appropriate international régime for the exploration and exploitation of the mineral resources of that area should be established with a view to ensuring the equitable and rational management of those resources for the benefit of all States. The International Sea-bed Authority should be empowered to exercise regulatory and licensing functions and, where appropriate, enter into contractual arrangements with States or undertake exploration and exploitation activities if that was feasible and profitable. That Authority should represent the main groups of States and co-operate with all international agencies directly or indirectly involved in the exploration and exploitation of the marine resources in question.

26. The oceans were a determining factor with respect to climate and represented the major source of energy and raw materials. It was therefore necessary to establish effective international control of pollution and define clearly the nature and extent of the rights and obligations of States with respect to control of contamination and the preservation of the marine environment. That required a comprehensive approach to the identification and assessment of pollutants and their harmful effects. In his delegation's view, assessment, codification and effective operational control constituted the three dimensions of over-all action to prevent or minimize the risks of marine pollution.

27. Assessment procedures should be carried out by both national and international institutions. With reference to pollution caused by ships, he drew attention to the significant contribution made during the past decade by the Inter-Governmental Maritime Consultative Organization, which had adopted a number of international instruments relating to that question. Hence the experience and expertise of that agency should be used to prevent pollution and preserve the marine environment.

28. The promotion of marine scientific research and dissemination of knowledge and scientific data were a prerequisite for the peaceful uses of the sea. Therefore, freedom of scientific research in accordance with agreed rules and regulations should be encouraged.

29. Special attention should likewise be paid to the development of the technological capabilities of developing countries through the sharing of knowledge and technology and the training of personnel.

30. Finally, his delegation wished to express its conviction that the Conference would fulfil its main purpose with success and would adopt a convention providing a viable, universal, dynamic and equitable legal framework that would command the general support of the international community.

*Mr. Appleton (Trinidad and Tobago), Vice-President, took the Chair.*

31. Mr. NAJAR (Israel) said that the existing law of the sea was the product of a long process of evolution culminating in the 1958 Geneva Conventions, which had been ratified by a large number of States and were widely accepted. What must now be done was to erect the structure of the future on the foundations established as a result of past efforts.

32. Every State brought to the present undertaking a universal vision as well as a specific approach which reflected its national interests. Israel was a country of the eastern Mediterranean, a region of great civilizations from which the three great monotheistic religions—Judaism, Christianity and Islam—had embarked on the spiritual conquest of the world. The region was inhabited by ancient peoples which had sometimes been friends and sometimes enemies but nevertheless shared the memories of their long history and a deep aspiration to illuminate the present and the future as they had illuminated the past. Israel also had coasts on the Red Sea, which consti-

<sup>3</sup> *Official Records of the General Assembly, Twenty-seventh Session, Supplement No. 21 and corrigendum, annex III, sect. 5.*

tuted its means of communication with Africa and Asia. Those two seas, to which access was gained through straits, were Israel's principal maritime horizons. As a country which communicated with the outside world only by air and by sea, Israel attributed vital importance to freedom of navigation on the seas. That special interest of Israel's coincided with the necessities of the modern world, in which interdependence had become the inexorable law of the economy, of security and even of survival. The trend to limit freedom of the seas ran counter to the realities of history, and it was within the framework of that freedom that legitimate national interests could be asserted rather than the converse. That was an essential order of priority which the Conference would have to formulate in appropriate legal terms.

33. His delegation thought that the concern of a large number of States to secure exclusive rights, for economic purposes, over a maritime zone up to 200 miles in breadth should be recognized, in principle, in a widely acceptable instrument of international law in order to give legal form to that general aspiration and at the same time avoid the risks of anarchy and of the conflicts which might arise because of the many interests which might be at stake.

34. Naturally, recognition of that aspiration should take into account the differences between the various seas of the world and the legitimate interests of the international community. The convention to be drafted should therefore be conceived in such a way as to be adaptable to the particular characteristics determined by the geographical and geophysical conditions of different areas of ocean space and of the States which depended on them. His delegation did not feel that the division of certain areas of ocean space should lead to the establishment of closed economic zones, for economic and technological interdependence was an irreversible fact of present-day international life. Newly recognized economic rights should, in particular, be regulated in such a way that the freedom of the seas, which was so increasingly essential to human society, was not impeded.

35. As early as the Geneva Conference of 1958, his Government had questioned the advisability of substantially broadening the territorial sea. It might well be asked whether that measure was really necessary, particularly in the light of the new concept of exclusive economic zones. It was obvious that, from the standpoint of territorial security, a zone of control subject to the absolute sovereignty of the coastal State was a necessity, but a territorial sea of six nautical miles was sufficient for that purpose. Within the new context of economic zones, the general trend in favour of a 12-mile limit had not yet been convincingly justified and his Government would support it only if it was definitively and generally accepted. Moreover, the extension of the territorial sea to a distance of 12 nautical miles would change the nature of the waters of more than 100 international straits measuring less than 24 miles in breadth and would accordingly necessitate new international definitions and innumerable local regulations. That was an undertaking which could well be dispensed with. At all events, his delegation reaffirmed its position that all straits without exception, both those which joined two parts of the high seas and those which linked the high seas to the territorial sea of a given State, should remain open to free navigation and overflight.

36. With regard to fishing, his delegation thought it was essential to take account of the interests of States which had only recently begun to fish at great distances from their own coasts, as in the case of Israel, and which therefore could not very well invoke traditional rights. That made it essential for any new convention to take into account the developing countries, such as Israel, which were increasingly dependent on fishing as a source of protein in the diet of their peoples and which, in addition, would not benefit from an exclusive fishing zone but, on the contrary, would be unfavourably affected if other States extended their exclusive jurisdiction to broader fishing zones.

37. The initiative taken by the United Nations General Assembly in proposing the exploitation of the riches of the seabed and ocean floor beyond the limits of national jurisdiction in the interests of all mankind was a very promising one. However, claims of exclusive economic rights over the continental shelf and an extensive area of the sea stressed the fact that the destiny of human beings differed according to the accidents of geography. In those circumstances, the General Assembly's initiative opened up the possibility of a more just distribution, in accordance with which the human person would appear to predominate over the accidents of geography. With regard to the appropriate international machinery, his Government was ready to co-operate and, in addition, accepted Jamaica's invitation to set up the headquarters of the organization in question in its territory.

38. In its search for a just system of distribution and a reduction of international tension, the Conference must also bear in mind the equally important question of the land-locked and geographically disadvantaged countries.

39. Another particularly important and immediate question was that of marine pollution, since existing international and regional marine pollution standards were insufficient. In the particular case of the Mediterranean Sea, it would be desirable for the coastal States, European, African and Asian, to recognize certain principles. First, it was of vital national and international importance to protect the Mediterranean Sea from the point of view of living resources, human health and the use of its coasts for tourism and other purposes. Secondly, the particular oceanic and ecological conditions of the Mediterranean Sea should be analysed and clearly recognized, as should the special nature of its marine traffic. Thirdly, in order to find an effective solution to ecological problems it was essential to co-ordinate, on the basis of co-operation between all the coastal States, programmes designed to establish a permanent control over environmental conditions, to set up research programmes and to evaluate the various strategies possible. Fourthly, the non-Mediterranean countries which made great use of the Mediterranean Sea and derived considerable benefit from it should join in the efforts to protect it and to prevent any deterioration of its ecology. His Government had noted with satisfaction the provisions of the International Convention for the Prevention of Pollution from Ships, adopted in 1973 under the auspices of the Inter-Governmental Maritime Consultative Organization. The Convention was of particular importance to Israel in that it declared the Mediterranean and Red Sea "special zones" which were considered particularly vulnerable to pollution and in which the discharge or dumping of oil was therefore categorically prohibited.

40. His Government was also concerned by the pollution of the eastern Mediterranean. That pollution, which came mainly from the international transport of oil from Asia and Africa, would doubtless increase when the Suez Canal came into operation. The problem was further aggravated by the discharge into the sea of urban and industrial waste. The volume of discharge would increase as a result of the growth of towns and the increasing industrialization going on in the region as well as the transport by sea of industrial products, including noxious chemical products. There was also the risk of accidental spillage at sea. His country therefore considered that it was necessary to set up as soon as possible a system for the exchange of information between all the Mediterranean countries concerned by which all States that might be affected would be informed immediately of any spillage or discharge at sea or on the coast of noxious materials that might endanger persons or property, and also of the results of the existing surveillance programmes and any future developments relating to the spillage of noxious products at sea. Multinational co-operation and assistance plans should also be drawn up to deal with accidents at sea that might cause serious pollution problems.

41. Those suggestions obviously did not affect the interest of his Government in the constructive consultations on protection against the pollution of the living fish resources of the Mediterranean Sea, held under the auspices of FAO. The guidelines agreed on during the consultations held not long before in Rome could serve as the basis for a Mediterranean convention, which, he hoped, would be concluded and put into effect as soon as possible.

42. He pointed out that, so long as a suitable international organization to combat marine pollution did not exist, the individual initiatives taken by States could impair the very freedom of the sea whose protection was being sought. He concluded by saying that freedom and co-operation must be the two poles of the peaceful, constructive work to which the Conference was called upon to contribute.

43. Mr. AL-JAMALI (Oman) said that his delegation had been following the activities of the sea-bed Committee as an observer since 1972. He felt that the old order of the sea required not a slight retouch but a complete recasting; justice, peace, and the well-being of all mankind should be the common thread linking the various parts of the new law of the sea. The starting point should be the Declaration of Principles appearing in General Assembly resolution 2749 (XXV).

44. The complex issues before the Conference did not allow of a simple and direct solution. There were however apparent contradictions, which could be eliminated through mutual trust and understanding, and real contradictions which could be resolved by negotiations, compromise and accommodation. Compromise was never perfect, but it would be preferable to the anarchy that currently prevailed at sea.

45. Oman was a party to the Declaration adopted at Algiers in September 1973, in which the Heads of State or Government of Non-Aligned Countries had reaffirmed the need to set up an International Authority to undertake effective control of all activities related to the exploration of the zone beyond national jurisdiction and to the exploitation of its resources, having due regard to economic and ecological implications, the needs and interests of the developing countries and the equitable distribution of the resulting benefits.

46. His Government's stand on the question of territorial waters had been defined in a decree dated 17 July 1972. Oman's territorial waters extended to a distance of 12 nautical miles, but, in a spirit of negotiation and accommodation, his country was ready to review its position if the mood prevailing at the Conference so dictated.

47. As far as the issue of straits used for international navigation was concerned, he suggested that the cardinal point was the protection of the legitimate interests of the coastal States and the promotion of international trade. Straits should not be subject to a special régime, because they were part and parcel of the territorial sea and should be viewed as such. The regulations formulated by the coastal State should be heeded and obeyed.

48. Oman endorsed the régime of innocent passage and had already passed legislation to that effect. However, it believed that the proposals submitted by Cyprus, Greece, Indonesia, Malaysia, Morocco, the Philippines, Spain and Yemen (*ibid.*, sect. 6) deserved serious consideration. He subscribed to the

draft articles on the right of innocent passage and the draft rules regulating passage of ships, which had great merit.

49. The assertion that the exclusive economic zone or patrimonial sea would be a licence to the coastal States to annex large portions of the seaward territory was far from the actual state of affairs. Most of the States present at the Conference had not participated in the definition of the principles endorsed by the 1958 Geneva Conventions, including the concept of the continental shelf. For many delegations, the criterion of exploitability was doubtless ambiguous and even dangerous. The new States, on the other hand, had simply adopted the approach which consisted in measuring the zone, thereby doing away with the ambiguities of the earlier definition.

50. Consequently, his delegation viewed the concept of the exclusive economic zone as an improvement on the earlier concept, first declared by President Truman in 1945.

51. His country recognized the rights of each coastal State to establish such a zone for the exploitation of natural resources without prejudice to freedom of navigation, overflight, or the laying of cables and pipelines. He fully supported the proposals submitted by the 14 African States to the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction (*ibid.*, sect. 29).

52. He recognized that scientific research should be within the exclusive competence of the coastal State, which alone had the right to regulate and conduct such research and to take the necessary steps to prevent marine pollution.

53. The process of the transfer of marine science and technology should be accelerated, together with the training of personnel, especially personnel from developing countries. The United Nations agencies and the technologically advanced countries would play a vital role in that respect.

54. His country did not want the new Sea-Bed Authority to be a weak licensing body; the developing nations should be, as it were, privileged shareholders in it. Along those lines, it would be possible to produce a new law of the sea.

55. The PRESIDENT stated that, in accordance with Rule 64 of the rules of procedure, the non-governmental organizations attending the Conference had asked to make a statement. If there were no objections, he would take it that the Conference had agreed to allow a representative of those organizations to take the floor.

*It was so decided.*

56. Mr. SZEKELY (Non-governmental Organizations) said that he welcomed the provisions of paragraphs 2 and 3 of Rule 64 of the rules of procedure, which allowed representatives of non-governmental organizations to be invited by the Chairman of a Committee to participate as observers.

57. All the representatives at the Conference had become spokesmen for peace, understanding and co-operation but, if a true common heritage of mankind was to emerge that could be handed down to future generations, the words would have to be translated into action. The representatives of the non-governmental organizations were ready to help the Conference to a successful conclusion in every way.

*The meeting rose at 5.40 p.m.*