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economic zone, and their demands related to straits, occupation of canals or so-called strategic nuclear tests. The basis of that policy was, as in the past, the preparation for a possible war. The peoples of the third world, on the contrary, wanted solutions based on peace, justice, good-neighbourliness and international co-operation, in order to ensure full development for their countries and their inhabitants.

53. Present-day Peru was proving that a new form of society could be based on those values. Social justice and respect for human dignity were not bounded by frontiers but should prevail throughout the world in accordance with the principles of the United Nations. It was therefore essential that highly developed countries should respect the few areas of fishing wealth that had survived depredation. It would be logical and just for all goods to be placed on the common table if a new order of equity were to be established. Peru would not falter in its defence of its maritime sovereignty, which was indispensably linked to the development and welfare of its people, but was, as always, ready to seek reasonable solutions which would meet with universal agreement on the basis of justice and mutual respect.

54. Mr. BELLIZZI (Malta) reminded the Conference that it was Malta that had first raised the question of the sea-bed in the General Assembly and that it had since become closely identified with the development of a new legal order for ocean space. Like other small States entirely surrounded by sea, Malta had a vital interest in the surrounding waters. A people which extracted its livelihood equally from the resources of its limited land area and from its surrounding waters could not justly be denied exclusive jurisdiction over those waters. Few States of a total land area of barely 122 square miles supported a population of almost one third of a million and fewer still were utterly devoid, like Malta, of all land-based mineral resources. In Malta, even fresh water was scarce and, when the energy situation permitted, it was forced to distil large quantities of sea water.

55. The sincerity and frankness of the statements in the general debate had heightened the hopes and expectations with which his delegation had come to the Conference. Some delegations' changes in position regarding certain important issues indicated a positive dynamism in the approach of many participating States.

56. One of the concepts which had gained wide acceptance was that of the 200-mile economic zone in which the coastal State would exercise sovereign rights over the natural resources. His delegation had been the first to propose a maximum limit of 200 miles as a uniform demarcation line between national and international areas of ocean space and had no difficulty in accepting the concept of an exclusive economic zone. Although the breadth of the Mediterranean was nowhere such as to allow for a full 200-mile zone, his delegation supported that maximum limit as the one best suited for universal application. The concept of the continental shelf should be absorbed by that of the economic zone. His delegation also appreciated the arguments put forward in favour of regional arrangements that would provide access to the living resources of that zone by other States in the region, including land-locked States.

57. Owing to its vulnerable position at the crossroads of a busy and virtually enclosed sea, Malta was vitally concerned about the problem of marine pollution, not only because of its effect on the tourist trade but also in the wider context of the preservation of the marine environment, which was particularly essential in the Mediterranean, whose living resources were at best meagre. His country's position on that important issue was based on the Declaration of the United Nations Conference on the Human Environment[5] and it looked to the United Nations Environment Programme to safeguard the seas from the scourge of pollution, especially land-based pollution. It was vitally important that the Conference should elaborate adequate and effective international standards to combat marine pollution as well as measures for their universal enforcement. In especially vulnerable areas, such as enclosed and semi-enclosed seas, provision must be made for even more stringent standards, preferably in the context of regional arrangements.

58. His delegation reaffirmed its belief that an effective international régime provided the only hope of avoiding the inevitable escalating tensions caused by the development of technology and gave the best assurance that the resources on and under the ocean floor would be exploited with harm to none and benefit to all. The Authority should exercise the jurisdiction entrusted to it as a trustee for the international community, based on the principle of sovereign equality of States. It must be flexible enough to be able to assume additional responsibilities in the future should the need arise.

59. His delegation still believed in the principle which had guided its approach to the issues before the Conference, namely that of an equitable balance between the interests of the coastal States and those of the international community, but it realized that there might be more than one way of attaining it. The path indicated by Malta in the past remained open, but his delegation would not be acting as guides. It must be borne in mind that any effective and lasting solution must take full account of the diverse and special interests involved. The success of the Conference depended on the conclusion of a treaty acceptable to all, even though it could not possibly satisfy all individual aspirations.

The meeting rose at 1.25 p.m.

[5] See *Report of the United Nations Conference on the Human Environment* (United Nations publication, Sales No. E.73.II.A.14), chap. I.

38th meeting

Thursday, 11 July 1974, at 3.45 p.m.

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

General statements (*continued*)

1. Mr. O'BRIEN KOKER (Gambia) said that Gambia, a riverain and maritime country, possessing no known deposits of minerals, had a Sahelian economy predominantly dependent on agriculture, supplemented by the living resources of the rivers and the sea. It therefore undoubtedly was among the geographically disadvantaged countries; however, because of its moderate climate and beautiful Atlantic beaches, the Government was attempting to develop tourism. For those reasons, Gambia attached great importance to the Conference.

2. His delegation believed that if the new convention was to avoid the fate which had befallen the 1958 Conventions, all States and recognized liberation movements should have a place in the Conference. It regretted that the African liberation movements, the representatives of the people of Palestine and the representatives of the Royal Government of National Union of Cambodia were still not participating. At the same time, it commended the Government of Australia and the Kingdom of the Netherlands for having included in their delegations representatives from Papua New Guinea and from Surinam and the Netherlands Antilles respectively.

3. Gambia's territorial waters were 12 nautical miles wide and it had a contiguous zone of 6 nautical miles. In 1971, it had established an exclusive fishing zone, whose breadth was 50 nautical miles and whose outer limit coincided approximately with the 200-metre isobath.

4. It was now necessary to define the limits of the territorial sea and its features, which, up to the present, had varied so much, and Gambia believed that the breadth of the territorial sea should not be less than 12 nautical miles. Having taken into account the disadvantaged geographical position of the land-locked countries, Gambia supported their right of access to and from the sea.

5. Given the tremendous bearing that passage through straits had on international navigation and world trade, Gambia would also endorse the principle of the régime of innocent passage. Furthermore, it believed that the existence of new and more powerful vessels of various types required that that régime be given further precision.

6. As a staunch member of the Organization of African Unity, Gambia unreservedly adhered to that Organization's position with regard to archipelagic States.

7. With respect to the methods of delineating maritime boundaries between adjacent or opposite States, his delegation believed that the best solution to the delineation of the maritime zones between such States could be the median line defined as a boundary, every point of which would be equidistant from the nearest points on the baselines from which the territorial sea of the two States was measured. That geometrical principle would permit the establishment of equitable boundaries which would depend on precise measurements rather than on subjective factors.

8. The concept of an exclusive economic zone was of historical importance and even though the establishment of a 200-mile zone would not greatly benefit Gambia, it understood that that concept already had the support and acceptance of a majority of delegations.

9. Referring to fisheries, a question of supreme importance, he said that the development of that industry was vital to the small Sahelian economy of Gambia and to the well-being and health of its dense population. Consequently, his Government had a special interest in avoiding over-fishing and the depletion of those natural resources. That could not be done, however, unless foreign distant-water fishing vessels from developed and powerful nations ceased their indiscriminate, voracious and illegal plunder of Gambia's fisheries resources. A small and peaceful country such as Gambia did not wish to allocate, for more effective patrolling of its coasts, sums required for other needs; however, it was obliged to do so because of the importance of fisheries as a vehicle of economic progress.

10. Gambia was encouraged by the similarity of views expressed by all delegates with respect to the dangers posed by marine pollution to humanity and the environment. It would therefore support all reasonable measures for the prevention, control and even eradication of that scourge regardless of the cost, difficulty and complexity of that task. The nature, characteristics and sources of marine pollution differed, and for that reason a global approach was the best way of combating it.

11. His delegation understood that the establishment of a broad exclusive economic zone would reduce the size of what might be called "the common heritage of mankind"; however, it had great hopes of the benefits of an effective and orderly régime in that sphere.

12. Furthermore, the Conference must establish a legal framework based on humanitarianism and equity capable of creating an international organization to ensure that the sea and all its resources would be respected, cared for and managed in such a way that it would survive and could benefit all mankind. Gambia's international position was based on its recognition of the sanctity of the sovereignty and the territorial integrity of all States, and on the soundness of the peaceful settlement of disputes through negotiation, conciliation and arbitration.

13. Mr. COSTELLO (Ireland) paid a tribute to the delegation of Malta, which, at the twenty-second session of the General Assembly, had initiated the proposal that had led to the establishment of the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction and the definition of its mandate.

14. Ireland believed that the Conference must create binding, just and reasonable rules of law and adequate machinery to ensure that they were complied with. It should, however, base itself as far as possible on existing elements, i.e., the four Conventions adopted by the First United Nations Conference in 1958; although those Conventions had not received wide acceptance, they contained useful elements, particularly the Convention on the Continental Shelf and the Convention on Fishing and Conservation of the Living Resources of the High Seas.

15. The 1958 and 1960 Conferences and the 1930 Hague Conference for the Codification of International Law had failed because they had been unable to agree on the extent of the territorial sea. The Government of Ireland believed that it would now be possible to agree on a breadth of 12 nautical miles, provided that steps were taken to ensure that the baseline criterion did not give an unfair advantage to a State neighbouring other States, that there was no restrictive definition of innocent passage and that the rights of navigation were maintained, regardless of the breadth that was adopted.

16. Because it was an island and shared a continental shelf with other coastal States, Ireland was particularly interested in the question of the continental shelf. It regarded a coastal State as a land mass, part of which was submerged. Consequently, an appropriate definition would be one which geologically and geomorphologically distinguished between that part which pertained to the ocean crust of the earth and that which pertained to the continental crust.

17. He believed that all States were greatly interested in the question of islands and rocks, their precise definition and their effect on the delimitation of the maritime zones of specific interest and their equitable division between coastal States.

18. His Government supported the concept of an economic zone in which the coastal States would have jurisdiction in matters of fishing, the exploitation of minerals (including hydrocarbons), the control of navigation, scientific research and pollution control, and it believed that that zone should be 200 nautical miles wide. Furthermore, the different activities of the States interested in that zone would require a pluralist legal régime.

19. With respect to fishing in the economic zone, Ireland believed that it was reasonable to recognize the over-all rights of the coastal States, on the condition that in the exercise of such rights due consideration be given to the legitimate interests of others.

20. The problem of anadromous fish such as salmon was vitally important to Ireland since a part of its population to a large extent depended on such fish for its livelihood. It was necessary to ensure that the salmon stocks, which Ireland and other interested countries had developed and maintained over many years, were not eliminated. It would be difficult to per-

suade those countries to allocate their resources to conservation if such expenditure was ultimately for the benefit of others. Consequently, the Government of Ireland believed that the State of origin of the anadromous species alone should manage, control and exploit them. That would not of course exclude bilateral or multilateral arrangements in appropriate cases.

21. With respect to the new régime for the sea-bed and ocean floor beyond the limits of national jurisdiction, the Government of Ireland hoped to see a new international Authority established with two organs, an Assembly and a Council, of which the Assembly would be the supreme organ. It would not be desirable that the technologically advanced States should obtain an excessive influence in the Authority, and appropriate arrangements for the exploitation of the sea-bed must not preclude the possibility of the Authority undertaking such exploitation itself. While the principal beneficiaries should be the developing countries, the future convention should provide for a sharing of those benefits and for the compulsory settlement of disputes. In his delegation's opinion, the differences which might exist in that field should not prevent at least a beginning being made. An international régime for the sea-bed with limited functions would be better than no régime at all, provided that no new rights were created which might impede its future evolution.

22. In view of the threat posed to the marine environment by pollution caused by the discharge of harmful substances into the sea, both from land and by shipping and navigation, or by the exploration and exploitation of the sea-bed, Ireland hoped that as a result of the work of the Conference, States would undertake commitments similar to those of the 1974 Paris Convention on the Prevention of Marine Pollution from Land-based Sources, which applied to States on the north-east Atlantic. Furthermore, it considered that the recognition of coastal State jurisdiction over a wide area of sea would constitute the most effective way of ensuring compliance with international regulations and, consequently, it would support the concept that coastal States should have the right to enforce international regulations in certain circumstances and subject to certain restrictions. Similarly, it believed it appropriate that, in line with Principle 21 of the 1972 Declaration of the United Nations Conference on the Human Environment,[1] the Conference should provide that States must ensure that activities within their jurisdiction or under their control did not cause damage to the environment of other States or to areas beyond the limits of national jurisdiction.

23. Ireland believed that scientific research should be carried out with minimum restrictions and that results should be disseminated as widely and as quickly as possible. The coastal States had a legitimate and overriding interest in the principles governing scientific research especially when, as was often the case, such research was conducted with military funds and from military vessels.

24. With respect to the transfer of technology, Ireland felt that the developing countries and the countries which at the present time had limited resources for carrying out marine research, were entitled to receive assistance from the technologically advanced countries. Consequently, it would support the establishment of suitable machinery for the transfer of the relevant technology.

25. Mr. STEVENSON (United States of America) said that the Conference, begun under the happy promise of the adoption of the rules of procedure by consensus, was characterized by the moderate and constructive tone of the statements made in the previous two weeks. Only very few delegations had departed from that pattern by misrepresenting past events and the present positions of some delegations, including his own.

26. His delegation had also noted with satisfaction the growing consensus on the limits of national and international jurisdiction.

27. For a number of years the United States had indicated its flexibility on the limits of coastal State jurisdiction over natural resources. Thus, it had stressed that the content of the legal régime within such jurisdiction was more important than the limits of the jurisdiction itself. It was prepared to accept accordingly, as apparently were the majority of delegations, general agreement on a 12-mile outer limit for the territorial sea and a 200-mile outer limit for the economic zone, provided that that was part of an acceptable comprehensive package, including a satisfactory régime within and beyond the economic zone, and providing for unimpeded transit of straits used for international navigation.

28. With regard to jurisdiction over the resources of the continental margin when it extended beyond 200 miles, a number of States had expressed the view that they had rights over those resources under the Convention on the Continental Shelf[2] and the continental shelf doctrine of customary international law as interpreted by the International Court of Justice, and that they would not accept any law of the sea which cut off those rights at a distance of 200 miles. Other States, by contrast, had expressed reluctance to reduce the common heritage of mankind by recognizing coastal State jurisdiction beyond 200 miles. For its part, the United States, like a number of other States, had suggested an approach which gave coastal States the limit they sought, but provided through uniform payments of a percentage of the value of the production, for the sharing by other States in the benefits of exploitation of the non-renewable resources in part of the area. In his delegation's view, that proposal was an equitable basis for an accommodation.

29. With regard to the question of jurisdiction over anadromous fish, such as salmon, his delegation believed that because that species depended for survival on the maintenance of a favourable environment in coastal streams and rivers, it could be effectively conserved and managed only if caught when returning to the waters of its origin, in the internal waters, territorial sea or economic zone of the host State. The very survival of the species might depend on the collective measures taken at the Conference.

30. In the opinion of many delegations, including that of the United States, the right to establish a territorial sea up to 12 miles wide had to be accompanied by treaty provisions for non-discriminatory right of unimpeded passage through, over and under straits used for international navigation, while meeting coastal State concerns with respect to navigational safety, pollution and security.

31. His delegation's acceptance of a 200-mile outer limit for the economic zone depended on the concurrent acceptance of correlative duties by coastal States. Those States would have full jurisdiction to regulate exploration and exploitation of sea-bed resources, non-resource drilling, fishing for coastal and anadromous species, and installations constructed for economic purposes. The rights of other States would include freedom of navigation and overflight and other non-resource uses.

32. Coastal States would have the duty not only to prevent unjustifiable interference with navigation, overflight and other non-resource uses, but also to respect international environmental obligations with respect to the zone as a whole. They should also have the duty to conserve living resources, and to observe exploration and exploitation arrangements which they had entered into regarding the sea-bed.

33. When coastal States did not fully utilize fisheries, they should have the duty to permit fishing by foreign ships under reasonable coastal State regulation, which would include conservation measures, the payment of a reasonable licence fee

[1] See *Report of the United Nations Conference on the Human Environment* (United Nations publication, Sales No. E.73.II.A.14), chap. I.

[2] United Nations, *Treaty Series*, vol. 499, p. 312.

and the right of coastal State vessels to harvest up to their capacity. All interested parties should have the duty to co-operate in formulating international and regional conservation and allocation regulations for highly migratory species.

34. It was clear that many delegations, including his own, although prepared to accept conditionally a 200-mile economic zone, would not accept the requirement of coastal State consent for scientific research and plenary coastal State control over vessel-source pollution within the zone. On the other hand, researchers and flag States would be subject to certain obligations such as data sharing, technological assistance in scientific research and interpretation of data, and compliance with international environmental standards.

35. Vessel-source pollution was a troublesome problem, but it was also necessary to prevent interference with freedom of navigation. International standards, enforced by flag and port States, with provision for specific additional coastal State enforcement rights could accommodate these interests. The Authority's jurisdiction over the exploitation of the deep sea-bed's resources—the common heritage of mankind—must be balanced by duties that protect the rights of individual States, including every State and its nationals to non-discriminatory access to sea-bed resources on a basis that provided for the sharing of the benefits of their exploitation with other States. Although there were substantial differences on the proposed implementation of the common heritage principle, delegations were perhaps not so far from an acceptable solution as they thought.

36. His delegation agreed that land-locked and other geographically disadvantaged States should have free access to the sea and special rights in the fisheries of adjacent coastal States. With regard to the proposal that those countries should participate in the benefits of exploitation of non-renewable resources, principally petroleum and natural gas, of the continental margin, the United States believed that the most satisfactory and practicable accommodation might well be to provide for coastal States' exclusive rights in the continental margin, but also to provide for modest and uniform international payments for the extraction of mineral resources beyond 12 miles or the 200-metre isobath, whichever was furthest seaward. Those payments would be used primarily for developing countries, including land-locked and other geographically disadvantaged States.

37. Any law of the sea treaty was susceptible of unreasonable unilateral interpretation, and his delegation was convinced that one of the most important aspects of the new legal structure was the search for a peaceful and compulsory system for third-party settlement of disputes.

38. The Conference should now strive to adopt an entire treaty text; that would require, above all, political will to decide a relatively small number of critical issues.

39. The minimum objective was to complete articles on most of the critical questions, since otherwise it would not be possible to achieve the basic minimum required to complete the task the following year.

Mr. Medeiros Querejazu (Bolivia), Vice-President, took the Chair.

40. Mr. GODOY (Paraguay) said that the various positions taken with regard to jurisdictional concepts for marine areas could be summarized in the following fashion: first, States which accepted a territorial sea less than 12 nautical miles wide and a contiguous zone of 12 miles; secondly, States which claimed a territorial sea of up to 12 miles and an economic zone or territorial sea of between 30 and 200 miles; thirdly, States which adhered to the idea of a *sui generis* territorial sea, with a plurality of régimes extending up to 200 miles, and permitting activities by foreign ships beyond 12 miles; fourthly, States which supported the idea of a 200-mile territorial sea with a unity of régimes, i.e., with exclusive jurisdiction or sovereignty for the whole 200-mile width, but with certain activities of foreign vessels permitted, subject to the control and regulation of the coastal State.

41. Beyond those unilaterally-established jurisdictional limits, there was the so-called area of the sea-bed, ocean floor and the subsoil thereof beyond the limits of national jurisdiction, which had been declared the common heritage of mankind, and which would be administered by an international authority in accordance with the régime and the machinery established by the Conference.

42. His delegation understood and appreciated the attitude of almost all the coastal States, since they were defending interests which would promote the well-being of their respective peoples.

43. The countries without a continental shelf were claiming exclusive sovereignty and jurisdiction over extensive areas of sea adjacent to their coasts, arguing that their geological configuration deprived them of the resources of the sea-bed and subsoil of the continental margin, so that they were obliged to obtain living resources in broader and richer areas of the sea. They further maintained that living species in those zones obtained food and reproduced thanks to organic elements which the coastal territory lost to the sea, and that it was only just that they should make up for that loss by recovering fish and other resources from the sea.

44. States with a broad continental shelf, for their part, also found formulas to justify their claims over broad sea, sea-bed and subsoil areas, defending the proposition that since the continental shelf was a geological extension of land beneath coastal waters, their sovereignty and jurisdiction should extend over it as if it were their own territory.

45. Land-locked and other geographically disadvantaged States could justly invoke each of these arguments, and others, in claiming rights equal to those of coastal States, since through the flow of rivers and streams they also lost precious organic and inorganic elements which ended up in the sea, impoverishing their land areas. It was likewise true that land-locked countries were part of their continents and in many cases were the nucleus from which the territory of the continent sloped gradually downward until it was covered by the sea.

46. According to a recent document prepared by the secretariat of the United Nations Conference on Trade and Development, a comparison of land-locked countries with neighbouring transit coastal countries showed that they lacked one important resource: access to the sea, and that the lack of that resource, combined with isolation from world markets, appeared to be one of the causes of the relative poverty of those countries.

47. Just as the sixth special session of the United Nations General Assembly had sought to establish a new international economic order, the present Conference, for the developing land-locked and otherwise geographically disadvantaged countries, offered hope that a genuine new international legal order would be adopted for the exploitation and distribution of all the resources of the sea, so that that vast expanse could cease to be *res nullius* and would become *res communis.*

48. The new law of the sea would receive unanimous support only when the land-locked countries enjoyed the same rights as the coastal countries of their respective regions within the so-called economic zone or territorial sea, beginning from the outer limit of a territorial sea which should not extend beyond 12 miles.

49. Mr. LIM (Khmer Republic) said that, although his country was a party to the four Geneva Conventions of 1958, they were to a large extent out of date and no longer fully reflected the needs of the modern world. The Conventions had been drafted primarily in the interests of the maritime Powers as they had then existed, and contained gaps, ambiguities and imperfections. For example, the provisions on the territorial

sea established the existence of that maritime space without defining its breadth, a defect which had not been remedied by the 1960 Geneva Conference.

50. With regard to the continental shelf, the concept established in the Geneva Convention of 1958 did not seem rational, as it was based on the dual criterion of the depth of the superjacent waters and the possibility of exploiting the underwater areas, which favoured the great industrial Powers with their superior technology.

51. Another problem caused by the lack of clear and precise rules was that of fishing. The Geneva Conference of 1958 regulated fishing in the high seas, but left the problem of fishing in the area between the high seas and the territorial sea unsolved. Moreover, no provision was made for marine pollution, caused mainly by tankers, which were increasing in number and tonnage.

52. In addition, the 1958 Geneva Conventions included some vaguely defined concepts, which had given rise to difficulties in practice. For example, the notion of "special circumstances", which enabled recourse to the rule of equidistance in the delimitation of the continental shelf to be circumvented. The summary definition of an "island" in article 10 of the 1958 Geneva Convention on the Territorial Sea and the Contiguous Zone,[3] in which it was deemed to be "a naturally-formed area of land, surrounded by water, which is above water at high-tide", complicated the application of rules on the delimitation of the continental shelf. The concept of innocent passage through the territorial sea under article 14 of the same Convention appeared to be out of date for dealing with new developments, such as the pollution of coastal waters caused by tankers and the use of nuclear-propelled vessels. Under article 16 the coastal State could, in its territorial sea, take the necessary steps to prevent passage which was not innocent, but the application of such steps assumed that it possessed adequate means of doing so, which was not always the case in developing countries.

53. Lastly, some provisions of the Geneva Conventions of 1958, such as those on piracy, had become a dead letter, as in practice there was no occasion to apply them.

54. Such considerations justified a revision of the 1958 rules, and his delegation thought that a new law of the sea, under the auspices of the United Nations, should be formulated on the principles of justice and equality between States.

55. The Khmer Republic firmly supported recognition of a patrimonial sea or exclusive economic zone of 188 nautical miles, measured from the outer limit of the territorial sea of 12 nautical miles in breadth. The territorial sea and the exclusive economic zone would be under the sovereignty of the coastal State and subject, in respect of the territorial sea, to the right of innocent passage granted to foreign vessels and in respect of the patrimonial sea or exclusive economic zone, to the right of freedom of navigation, overflight and the laying of underwater pipes and cables. The economic zone was of particular interest to the Khmer Republic because of its mainly biological natural resources, which were so essential to its population. In the hope that the new international law of the sea would authorize the existence of an exclusive economic zone, the Khmer Government had prepared a draft law instituting an exclusive fishing zone 50 nautical miles in breadth from the outer limit of its territorial sea. The purpose of that measure was to protect the resources of the sea against plunder by large foreign fishery vessels, but if the resources of the economic zone exceeded the needs, his Government could grant concessions to foreign undertakings, either public or private, on a basis of equality and non-discrimination.

56. His delegation thought that the right of innocent passage through the territorial sea should be revised in the light of the dangers and the damage caused by the passage through the territorial sea of three types of vessels: warships, large tankers and fishing vessels: in the case of the first type, owing to the threat they represented to the security of the coastal States; in the case of the second, because of the pollution of maritime waters; and in the third case because frequently they engaged in clandestine fishing in territorial waters.

57. His Government thought that as there was already a maritime space in the outer limit of its territorial sea, foreign vessels which did not frequent its ports should use it for passage, on the understanding that, in the event of *force majeure* or danger, those vessels could temporarily enter territorial waters.

58. The Khmer Republic realized that its position concerning the right of innocent passage through the territorial sea would lead to objections from some delegations, and reserved the right to develop and explain its position when the question was taken up in the Second Committee.

59. With reference to the continental shelf, he thought that, in the interest of international peace and security and for the maintenance of good relations between States, the Conference should find a solution, and seek to adopt more rational and precise criteria than those of depth and potential exploitation applied hitherto.

60. Faithful to the principles of peaceful coexistence and desiring to maintain good neighbourly relations, the Khmer Republic proclaimed once again its desire to use peaceful means of solving problems with its neighbours, either by resuming the bilateral negotiations which had been interrupted, or by adopting the procedures provided for under the United Nations Charter, or any other means of settlement based on law, justice and equity.

61. His Government took the opportunity to reiterate the reservations it had expressed at the Second Conference on the Law of the Sea at Geneva with regard to islands situated near or opposite to the Khmer coast, and which were still outside its sovereignty. He repeated that his Government would never waive its rights to those islands, which were still under foreign occupation and important to its security.

62. The Khmer Government thought that the land-locked States should enjoy free access to and from the sea and be able to use the resources of the sea-bed.

63. With regard to the international zone, it endorsed and supported General Assembly resolution 2749 (XXV). It also supported the principle of the establishment of an International Authority with powers to perform effectively the task of exploring and exploiting the sea-bed and the oceans and of carrying on related activities. That Authority, in which all States would be represented, including the land-locked States, would be competent to issue permits to State or private undertakings to explore and exploit the resources of the international area.

64. Lastly, there was the question of straits used for international navigation, an extremely delicate problem, as it concerned two groups of States with divergent interests: first, the developed countries which, in their eagerness to secure economic prosperity, advocated freedom of navigation; secondly, the developing countries which, for reasons of security, upheld the idea of State sovereignty. His country did not think that there should be a confrontation on those principles at the Conference, but rather an attempt to reconcile them. In the search for a compromise it was possible to establish an order of priorities. The concept of security should take precedence, and the new law of the sea should be based on reciprocal concessions, which would take account of the aspirations and needs of the developing countries.

65. Concerning the participation of the delegation of the Khmer Republic in the Conference, General Assembly resolution 3067 (XXVIII) invited all States Members of the United Nations to participate in the Conference. The Khmer Republic, a full Member of the United Nations, had accepted the invita-

[3] *Ibid.*, vol. 516, p. 206.

tion and sent a delegation to the preparatory session in New York and to the current session in Caracas. The legal question, and the only question which could arise, was whether the delegation in question truly represented the country, and that was a matter for the Credentials Committee to decide. That Committee should verify whether the Khmer Republic had sent a delegation provided with full powers, and if it had, whether that delegation was the same as the delegation which was attending the Conference. Any other interpretation would be at variance with the law which the United Nations should apply.

66. A few days previously some delegations had wondered why only the Khmer Republic had been invited to the Conference. It was for the General Assembly of the United Nations to provide a reply, as it was the only body authorized to issue invitations to attend the Conference.

67. The Khmer Republic would have no objection to the Conference discussing political questions, as in many cases law and politics were very closely related; on the other hand, his Government found it inadmissible that some representatives should take the opportunity to raise problems bearing on its internal affairs, and he asked them to refrain from doing so, as such interference would only complicate its problems.

68. He stressed that his Government had at various times demonstrated its will for peace, and had offered Khmer compatriots of the other side the opportunity of arriving at a negotiated solution to all problems, and of reintegrating the national community, in order to reconstruct their country by common action. He specified that that invitation to peace negotiations did not involve any preconditions. He was convinced that from the dialogue there would emerge a solution which would lead to a cease-fire, to the withdrawal of all foreign forces from Khmer national territory, and to national unity and reconciliation.

69. Mr. GOEDEL (Austria) said that his delegation was ready to explore all possibilities of accommodating the legitimate interests of all States, whether large or small, developing or developed, coastal or land-locked, disadvantaged or not, in the hope that the Conference would be able to formulate new rules of international law which would truly be generally recognized. Although his delegation had already had the opportunity to make its views known on the subjects and issues dealt with by the sea-bed Committee, he wished to highlight some of them.

70. The principle of the common heritage of mankind, which Austria, as a land-locked country, had consistently emphasized, required that the Conference find a solution to the most important challenge of the time—the need to reduce the gap between the rich and the poor nations. The principle should be effectively implemented by a suitable system which would ensure the rational development and maximum utilization of the resources of the sea, and would provide all States with the opportunity to participate in the exploration and exploitation of the riches of the sea.

71. The Conference would also have to take into account the fact that many States, as a consequence of their geographical situation or an insufficient level of economic and technological development, or a combination of both factors, were disadvantaged or even totally unable to exercise their rights under the Geneva Conventions. In trying to achieve a readjustment of that aspect of international law by correcting existing deficiencies and having regard to the aspirations of a considerable number of countries that had not been able to participate in the elaboration of legal norms on earlier occasions, it would be necessary to take into consideration not only the international area within which, as had been stated in the Declaration of Principles,[4] exploration and exploitation would be carried out for the benefit of all mankind, but also the area whose precise limits were yet to be determined. The delimitation of that area and the various rights that the coastal States could exercise in it would require an equitable solution which took due account of the interests and needs of those States and also of the land-locked and other geographically disadvantaged States.

72. The developing coastal States were certainly entitled to the primary benefits from the resources of the areas adjacent to their territorial waters, not only because they depended upon those resources as a means of subsistence, but also because it was their primary responsibility to harness the resources for the economic development and advancement of their peoples. But the States that could not achieve that goal by simply extending their jurisdiction into the high seas must also be taken into consideration. Consequently, when dealing with that question, mutually agreed international solutions must be devised to avoid a situation in which unilateral action by one group of States, without regard to the legitimate interests of others, provoked an international atmosphere devoid of mutual trust and understanding. To do that, the Conference must establish an economically meaningful international area that could be shared by all States in the near future; the principle of sharing living and non-living resources should be established in the area adjacent to territorial waters.

73. The participation of the land-locked States, particularly the developing land-locked States, in the fishing zones of neighbouring coastal States would be a first step towards an equitable distribution of the resources of the sea. It was obvious that access to the sea was particularly important to a land-locked country; there were some regions of the world where a satisfactory solution to the problem had apparently not yet been found. The provisions of the 1958 Geneva Convention on the Continental Shelf favoured the coastal States and ignored the rights and interests of land-locked States, shelf-locked States, States bordering enclosed and semi-enclosed seas, States with relatively short coastlines, and in general, geographically disadvantaged States. Consequently, there was a need to define the right of those States to participate in the exploration and exploitation of the wealth of the oceans.

74. Austria hoped that the land-locked and other disadvantaged States would be adequately represented in the organs of the régime to be set up to administer the international area referred to in the Declaration of Principles.

75. He also wished to stress that, first, freedom of navigation, particularly where straits used for international navigation were concerned, could be essential to land-locked States, especially those with high seas fleets and, secondly, he supported all efforts to promote scientific research, the transfer of technology, the protection of the marine environment against detrimental influences and the adoption of relevant international standards.

Mr. Amerasinghe (Sri Lanka) resumed the Chair.

76. Mr. TRAORE (Mali) said that there were two essential issues before the Conference: to reduce to a minimum and, if possible, eliminate the causes of armed confrontation between States; and to discover and exploit rationally the resources of the sea so as to improve the quality of life. The new international order, which should by no means allow the oceans to become a testing ground for new weapons of mass destruction, must be based on a just appreciation of international reality in which there would be no place for hegemony or the excessive role that some Powers wished to assume by virtue of the dominant position they currently enjoyed. After the special session of the General Assembly dealing with raw materials and development, the complex task of bringing international law into line with the new requirements of a new, much broader and diversified international society was a very ambitious effort to bring about a fundamental change in the relations between States and to improve the living conditions of their peoples by a rational exploitation of the resources of the seas and oceans.

[4] Declaration of Principles Governing the Sea-Bed and The Ocean Floor, and the Subsoil Thereof, beyond the Limits of National Jurisdiction (General Assembly resolution 2749 (XXV)).

77. His delegation regretted very much the absence from the Conference of representatives of the Kingdom of Cambodia and of Viet-Nam, nations that had been divided by imperialism; he also regretted the absence of the liberation movements of Africa and Palestine which were fighting for the same objectives that the majority of the nations represented at the Conference had been pursuing until recently. It was certain that the liberation movements would one day control vast areas of the sea; they could not be made to accept an order established without their participation.

78. The rapid development of modern science and technology united nations, a rapprochement that should be supported by a body of institutional rules that would allow those nations to combine their efforts to achieve a common destiny.

79. Most of the many studies devoted to the law of the sea reflected only concern for domination; it was therefore a matter of urgency to reformulate the ideas that had hitherto served as the basis of international law.

80. The 1958 Geneva Conventions had been rendered obsolete by contemporary political, economic and social realities; the Conference would have to fill those gaps in the law, and also reverse the current trend towards widening the development gap between the rich countries and those with few resources.

81. Except in the case of unavoidable difficulties, the spirit of understanding would make it possible to reconcile respectable but opposing interests and views and would ensure the triumph of the ideals of the Charter of the United Nations.

82. As a land-locked country, Mali was basically interested in the problems of free access to the sea and of participation on conditions of equality in the exploitation of the resources of the high seas.

83. A number of international conferences had concerned themselves with the question of the land-locked countries' free access to the sea; the 1965 New York Convention on Transit Trade of Land-locked States[5] ought to have provided an acceptable and durable solution. The issue, the first international approaches to which dated from the creation of river law, had begun to acquire great importance after the Second World War as a result of the emergence in Europe of new States isolated from the sea and of the desire to maintain peace and guarantee co-operation among all countries on the basis of new international principles.

84. Initially, bilateral or multinational agreements had been concluded to solve the transit problems of the land-locked States; those agreements had been followed by a series of efforts to obtain recognition of the right of free international transit as a way of guaranteeing the freedom of communication and encouraging international trade, as had been stated in Article 23 of the Covenant of the League of Nations. Other conventions, such as the Barcelona Convention of 20 April 1921 and the Geneva Convention of 5 December 1923, had had the undeniable merit of dealing, although superficially, with essential aspects of access to the sea for land-locked States.

85. Subsequently, little had been done until 1958. The International Law Commission, that had drafted the four Conventions, endorsed by the First United Nations Conference on the Law of the Sea, had paid no attention to the problems of the land-locked countries, a gap that had been only partly closed at the eleventh session of the General Assembly. But the provisions adopted in 1958 did not meet the needs or development hopes of the land-locked States, particularly the newer ones.

86. He mentioned the comments by a group of experts appointed by the United Nations Conference on Trade and Development to make a thorough examination of the problems of encouraging the trade and economic development of the land-locked countries, adding that the guarantees that would allow the land-locked countries to participate effectively in the exploitation of marine resources should not be in the nature of concessions that could be withdrawn from time to time.

87. The heads of the African States had proclaimed unreservedly the need for the land-locked countries to have free access to the sea and had agreed to offer them, on a basis of equality, the opportunity to exploit the biological resources of the economic zones of the coastal States.

88. The Government of Senegal had granted Mali the use of a free port—Dakar—and Mali had been offered facilities in the Ivory Coast, mainly in the port of Abidjan.

89. The problem of access to the sea could be approached from two points of view which were different, but not contradictory: as a corollary to the principle of freedom of navigation, and as a fundamental factor in the expansion of international trade. He affirmed that the right of access to the sea was not necessarily a right exclusive to the land-locked countries, but a particular example of a more general right, valid for all: that of free transit, of the freedom of communications, or in other words, the right to trade, considered by most States as the corner-stone of international law.

90. Mr. CISSÉ (Senegal) said that many African States had been absent when the Geneva Conventions had been drawn up and wished to have their say in the establishment of a new legal order for the sea and oceans.

91. His delegation regretted the absence of the liberation movements, the Provisional Revolutionary Government of South Viet-Nam and the representatives of the only legitimate Government of Cambodia, that of Prince Norodom Sihanouk.

92. The third-world countries questioned the principle of the alleged freedom of the seas which had enabled the maritime Powers to appropriate a large share of the uses of the sea, for both fishing and navigation.

93. The sea-bed Committee had discussed for a long time the problem of the international zone which ought to be delimited, organized and exploited in the interest of all mankind, of which it was the common heritage. Senegal attached the greatest importance to ensuring that the international machinery had sufficient powers to carry out its task. The real power should lie with the Assembly, the only forum in which all States would be represented and which should be responsible for adopting the important decisions.

94. As for the concept of an exclusive economic zone, he believed that the coastal States should have the right to establish an economic zone of not more than 200 nautical miles, from the same baseline as that from which their territorial sea was measured, within the limits of which zone the non-renewable resources would be under their exclusive jurisdiction, allowing the other States to participate in the exploitation of the renewable resources.

95. Senegal had set the breadth of its territorial sea at 12 nautical miles and, under article 2 of the Act establishing an exclusive fishing zone of 110 nautical miles measured from the limits of the territorial sea, had provided for the possibility of concluding with any country so desiring a special agreement enabling it to participate in the exploitation of the fishery resources of the zone.

96. For Senegal the continental shelf was the natural extension of the coastal State below the sea and oceans to the extremity of the slope where the abyssal depths began.

97. With regard to the problem of delimiting the maritime frontiers, his delegation thought that, provided a delimitation programme existed, the countries concerned should reach agreement, because the cases were different, as were the geographical situations of the countries involved.

98. The possibilities that an international legal order different from that existing on land could be restored were meagre, unless real safeguards were provided for the survival of coun-

[5] United Nations, *Treaty Series*, vol. 597, p. 49.

tries less able to bear the cost of economic competition. It would serve no purpose to grant the developing countries rights over the exclusive economic zone, unless at the same time the international community took the action necessary to avoid pollution or improve the technological potential of those countries.

Invitation to national liberation movements recognized by the Organization of African Unity or by the League of Arab States to participate in the Conference as observers

99. The PRESIDENT announced that Senegal had asked to speak in order to submit a proposal.

100. Mr. CISSÉ (Senegal) recalled that, at the Fourth Conference of Heads of State or Government of Non-Aligned Countries at Algiers in 1973, it had been decided to offer all necessary assistance to the national liberation movements, and that the Organization of African Unity had also requested the presence of the national liberation movements at meetings in which topics of international importance were discussed. In line with the trend to admit the national liberation movements to international forums, the General Assembly, in resolution 3102 (XXVIII) of 12 December 1973, had urged that the national liberation movements recognized by the various regional intergovernmental organizations interested in the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, in which a number of liberation movements had actually participated, should be invited to attend. At its fifty-sixth session, the Economic and Social Council had invited the national liberation movements recognized by the Organization of African Unity or the League of Arab States to participate in the World Population Conference and the World Food Conference to be held in 1974. Only three days earlier the Council of the International Telecommunication Union had decided to allow those liberation movements to participate in its meetings.

101. On behalf of the Organization of African Unity and the League of Arab States, he therefore formally proposed that the liberation movements recognized by the Organization of African Unity or the League of Arab States should be represented in the Conference by observers and requested that the proposal should be adopted by consensus, as the debate should be reserved for specific questions bearing on the law of the sea.

102. The PRESIDENT noted that the Senegalese delegation had just proposed that the national liberation movements recognized by the Organization of African Unity or by the League of Arab States should be invited to participate in the Conference as observers. In accordance with rule 65, the rules of procedure could be amended by a decision of the Conference taken by the majority specified in rule 39, paragraph 1, after the General Committee had reported on the proposed amendment.

103. Mr. NAJAR (Israel) said that he thought the Senegalese proposal should be introduced in writing and that delegations should have sufficient time to study it in accordance with rule 33 of the rules of procedure. The Israeli delegation, however, would oppose the proposal to invite certain movements or groups for reasons relating to the competence of the Conference and because of considerations of substance concerning one of those groups.

104. The PRESIDENT said that if there was a motion calling for a decision on the competence of the Conference, it would be voted upon in accordance with rule 34 of the rules of procedure without discussion of substantive issues.

105. Mr. NAJAR (Israel) introduced a motion concerning the competence of the Conference. He said that the Caracas Conference was a diplomatic conference, i.e., a conference of plenipotentiaries empowered to assume obligations on behalf of the States they represented.

106. States were the only entities entitled to negotiate and assume the obligations that derived from conventions. Entities other than States had no status in relation to such conventions and were not qualified to become parties thereto. Consequently, it was not always fitting to invite such entities to attend a diplomatic conference, and indeed their presence could complicate the proceedings unnecessarily by introducing into the discussions elements that had nothing to do with the Conference and that should be considered in other international forums set up for the purpose.

107. The current diplomatic Conference on the Law of the Sea had been convened in pursuance of General Assembly resolution 3067 (XXVIII) of 16 November 1973. Before adopting that resolution, the General Assembly had carefully examined the question of the composition of the Third United Nations Conference on the Law of the Sea. Taking into account all the relevant factors, including the desire for universality of participation, and having listened to every point of view, the General Assembly had drawn up a specific list of participants in the Conference, which was contained in paragraphs 7 and 8 of the resolution. The list included not only States Members of the United Nations, but also States members of specialized agencies, the International Atomic Energy Agency, States parties to the Statute of the International Court of Justice, and the Republic of Guinea-Bissau and the Democratic Republic of Viet-Nam. In pursuance of General Assembly resolution 3029 A (XXVII), intergovernmental and non-governmental organizations and the United Nations Council for Namibia had also been invited.

108. A number of delegations had spoken as though the list had been prepared by an ill-intentioned Power which had unfairly ignored the interests of certain movements or groups. That attitude was not acceptable, for it constituted an insult to the United Nations General Assembly and to the delegations which had participated in the discussions leading to the adoption of resolution 3067 (XXVIII).

109. Clearly, the United Nations General Assembly alone was empowered to amend the explicit provisions of resolution 3067 (XXVIII). The diplomatic Conference could neither extend nor shorten the list. Any decision of that kind would lack juridical foundation and would be illegal. None of the rules of procedure of the Conference had envisaged a possibility of that kind and no procedure for implementing such a decision had been provided for. The fact that the General Assembly and the Economic and Social Council had decided to recommend—on other occasions and in altogether different circumstances—that the so-called liberation movements should be invited either to the Red Cross conference or to the food and population conferences did not prejudice the legal argument he had just outlined, but rather confirmed it, because in those specific cases the General Assembly and the Economic and Social Council had given their prior approval, whereas they had not done so in the case of the Conference on the Law of the Sea.

110. The one undeniable fact was that resolution 3067 (XXVIII), by virtue of which the Conference had been convened, had determined the composition of the Conference in respect of both States and observers, and that the Conference was not entitled to change that composition.

111. That decision of the General Assembly, and more especially the part relating to the composition of the Conference, had been completely confirmed, if such confirmation were necessary, by the rules of procedure that the Conference had adopted on 27 June by a consensus which had been hailed at the time as a great success. It was astonishing that attempts were being made to amend them—and in such an arbitrary fashion—only two weeks after their adoption.

112. Leaving aside the question of political sympathies towards individual movements or groups, the proposal introduced by the Senegalese delegation on behalf of the Organization of African Unity and the League of Arab States was clearly inadmissible and could not be considered by the Conference. The point at issue was whether the Conference could

amend the list of entities invited to participate, as it appeared in General Assembly resolution 3067 (XXVIII), to which recognition had been given in the rules of procedure adopted on 27 June 1974.

113. A decision on the issue required the majority stipulated in rule 39, paragraph 1, of the rules of procedure for two distinct reasons. First, as any lawyer knew, questions of competence were not merely procedural issues; they might perfectly well constitute matters of substance. Consequently, rule 34 of the rules of procedure, in accordance with legal tradition in that regard, did not stipulate the majority required to solve questions of competence. The matter now being discussed was clearly of a political nature and therefore a matter of substance to which rule 39, paragraph 1, applied. Secondly, any decision giving the Conference the competence that was envisaged would necessarily and inevitably imply an amendment to the Conference's rules of procedure, which, under rule 65, would require the majority provided for in rule 39, paragraph 1. It was that majority which was required in the present instance.

114. The PRESIDENT said he understood that the matter to be decided by the Conference was whether it was competent to take a decision on the Senegalese proposal that the liberation movements recognized by the Organization of African Unity or the League of Arab States should be invited to participate in the Conference as observers. If there was no objection, he would rule that the issue should be decided by a simple majority of members present and entitled to vote.

It was so decided.

At the request of the representative of Israel, a vote was taken by roll call on the competence of the Conference with regard to the proposal of Senegal.

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

In favour: Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Cameroon, United Republic of Tanzania, Upper Volta, Venezuela, Yemen, Yugoslavia, Zaire, Zambia, Afghanistan, Albania, Algeria, Argentina, Bahrain, Bangladesh, Brazil, Bulgaria, Burundi, Byelorussian Soviet Socialist Republic, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Dahomey, Democratic People's Republic of Korea, Democratic Yemen, Egypt, El Salvador, Ethiopia, Fiji, Gambia, German Democratic Republic, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Holy See, Honduras, Hungary, India, Indonesia, Iran, Iraq, Jamaica, Kenya, Kuwait, Laos, Lebanon, Lesotho, Liberia, Libyan Arab Republic, Madagascar, Malaysia, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Nigeria, Oman, Pakistan, Peru, Philippines, Poland, Qatar, Republic of Korea, Republic of Viet-Nam, Romania.

Against: South Africa, Israel.

Abstaining: Spain, Sweden, Switzerland, Thailand, Tonga, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Western Samoa, Australia, Austria, Barbados, Belgium, Bolivia, Canada, Chile, Denmark, Dominican Republic, Ecuador, Finland, France, Germany (Federal Republic of), Guatemala, Haiti, Iceland, Ireland, Italy, Japan, Luxembourg, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Portugal.

The Conference decided by 88 votes to 2, with 35 abstentions, that it was competent to consider the proposal of Senegal.

115. Mr. STEVENSON (United States of America) said, in explanation of his delegation's vote, that he wished to place on record the fact that, in the opinion of the United States, the decision just adopted by the Conference did not prejudice the position of participants concerning the matter of the Conference's competence.

116. The PRESIDENT said that the decision of the plenary Conference entailed an amendment to the rules of procedure. The General Committee would therefore make the appropriate amendments, which would be submitted for approval by the majority required under rule 39, paragraph 1, of the rules of procedure.

The meeting rose at 7.45 p.m.

39th meeting

Friday, 12 July 1974, at 11.05 a.m.

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

General statements (*continued*)

1. Mr. VAN der ESSEN (Belgium) said that his was a small, thickly-populated country, with no natural resources. Its inhabitants had achieved their standard of living through capacity for work. Although it was a sea-going country, its coastline bordered on a narrow sea, separated from the ocean by a strait 25 miles broad towards the south-west and a sea less than 400 miles wide in the north. Its 800 fishermen were therefore obliged to fish in the waters of other States. Consequently, it was understandable that Belgium was not disposed to accept the idea of a wide exclusive economic zone, although it was ready to take account of the problems posed by technological evolution. It hoped however that a solution to those problems could be found along the lines of the 1964 Fisheries Convention,[1] which empowered coastal States to establish a fishing zone beyond their territorial waters, in a wide area of which the customary rights of foreign fishermen who had habitually fished there were formally recognized. Belgium had no factory ships; its fishing was practised on a family and traditional basis. To deprive the fishermen of their livelihood would therefore pose not only social but also human problems. Some speakers had said that countries whose continental shelf was over 200 miles wide had vested interests beyond that limit. Fishermen also had vested interests and he saw no reason why they should be deprived of them.

2. Belgium was however ready to recognize particular situations and accept the special rights of countries whose economy depended mainly on fishing, as it had shown in the treaties it had concluded with Iceland, and with Denmark with regard to the Faroes.

3. His country had always preferred international to national solutions because they constituted a better guarantee for small countries. It therefore attached great importance to regional fishing organizations and hoped that their methods of opera-

[1] United Nations, *Treaty Series*, vol. 581, p. 57.