

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/C.3/SR.28

28th meeting of the Third Committee

Extract from the *Official Records of the Third United Nations Conference on the Law of the Sea, Volume VI (Summary Records, Plenary, General Committee, First, Second and Third Committees, as well as Documents of the Conference, Fifth Session)*

THIRD COMMITTEE

28th meeting

Tuesday, 3 August 1976, at 3.45 p.m.

Chairman: Mr. A. YANKOV (Bulgaria).

Organization of work

1. The CHAIRMAN welcomed the members of the Committee and stressed the importance of the task facing them. The work of the current session and its results would be the touchstone for measuring the ability of the Conference as a whole to settle pending issues, with a view to the establishment of a viable and just international order for the peaceful use of the oceans. The issues with which the Committee would concern itself—pollution of the marine environment and pollution control, transfer of marine technology and marine scientific research—were by their very nature global and universal issues and the time had come, after the useful confrontation of the views of the various countries, to ensure that the interests of the international community prevailed.

2. At the current meeting, the Committee had to take a decision, first, on the procedure to be followed for the conduct of negotiations and, secondly, on the substantive questions to be considered. Without prejudice to the sovereign positions of States, he thought that part III of the revised single negotiating text (see A/CONF.62/WP.8/Rev.1)¹ should be considered in that regard as a useful preliminary compromise text. An effort should be made, however, to improve and supplement it and—above all—to solve the pending problems.

3. With regard to the procedure to be followed, he suggested that, since the Committee had before it a relatively well-balanced document, it should authorize him to conduct most of the negotiations, although that did not mean that the methods of work used previously would be abandoned. He would continue, as necessary, to seek the well-informed views of the two working groups. The Chairmen of the groups, of which one was concerned with the protection and preservation of the marine environment and the other was concerned with marine scientific research and the development and transfer of technology, were Mr. Vallarta (Mexico) and Mr. Mettermich (Federal Republic of Germany) respectively.

4. He would endeavour to perform his duties in plenary meetings, at formal and informal meetings of the Committee, as well as in smaller groups and negotiating groups, if necessary. He emphasized that, for at least two or three weeks, the negotiations should focus on the key issues. He would follow the principle of full and complete participation of all Committee members in the negotiations and, in order to ensure their effectiveness, he intended at the same time to consult the delegations concerned, individually or in small negotiating groups. In his view, such groups should be set up and their size determined as problems arose and in the light of the questions to be considered. The discussions would always be held with the knowledge of the Committee, which would be kept informed. He would thus try to reconcile the principle of democracy with the need for efficient negotiations.

¹ See *Official Records of the Third United Nations Conference on the Law of the Sea*, vol. V (United Nations publication, Sales No. E.76.V.8).

5. The greatest importance should be attached at the current session to maintaining close co-ordination and co-operation with the First and Second Committees and for certain questions, such as the settlement of disputes, with the competent working group or the plenary Conference. Indeed, it was at the initiative of the Committee that the Secretariat had prepared a document for internal use which reproduced the draft articles concerning pollution of the marine environment and marine scientific research.

6. With regard to the key issues to be studied, he was sure that the Committee would agree with him that it should not conduct an article-by-article study but should concentrate on the crucial problems on which agreement must be reached. The list of questions to be considered should be selective and restrictive. In his view, priority should be given to marine scientific research, which was still a very controversial question; that did not mean, however, that the other questions, such as the protection and preservation of the marine environment and the transfer of technology, should be neglected or under-estimated.

7. The Committee should therefore consider the question of the régime to govern marine scientific research, particularly in the economic zone, and the question of consent. The principal articles concerned were articles 60 and 61, article 64 and related articles, article 65 and article 76 with regard to the settlement of disputes relating to marine scientific research.

8. The Committee would then have to consider control of marine environment pollution, perhaps concentrating on the question of the coastal States' jurisdiction in the territorial sea; the principal articles on the subject were article 21 in part III of the revised single negotiating text and, concurrently, article 20 in part II of that text (*ibid.*).

9. With regard to the question of the transfer of technology, he suggested that the matter should be studied in consultation and in liaison with the First Committee.

10. Clarifying a point raised by the President of the Conference in the General Committee and in the plenary meeting, he explained that the negotiations on the questions of marine scientific research and pollution of the marine environment would, particularly with regard to the functioning and framework of the régime to govern marine scientific research, be conducted within the Committee, in close liaison and consultation with the Second Committee in the case of questions concerning the jurisdiction of States and with the First Committee in the case of the transfer of technology for the exploration and exploitation of the sea-bed beyond the limits of the exclusive economic zone and of the continental shelf. Nevertheless, the Committee would retain full authority in that regard.

11. Mr. KATEKA (United Republic of Tanzania) congratulated the Chairman on his clear statement on the organization of work. Without wishing to comment on the whole of the revised single negotiating text which was before the Committee, he wished nevertheless to make some remarks. The Chairman had said that, on the subject of control of pollution of the marine environment, the discussion would concentrate on the question of coastal States' jurisdiction in the territorial sea. His delegation believed

that it would be preferable to consider the question of the coastal State's jurisdiction in the economic zone. It also suggested that questions relating to implementation, which in its view were of vital importance, should be added to the Chairman's list of key issues. So far as procedure was concerned, he was glad to learn that the Chairman would in future lead the discussion, but hoped that the services of Mr. Metternich and Mr. Vallarta would continue to be used, particularly when the Committee discussed the problems of vessel pollution control and marine scientific research.

12. The CHAIRMAN, replying to the Tanzanian representative, said that, with regard to the list of key issues concerning pollution of the marine environment, the fact that he had placed particular stress on the need to consider the question of the coastal State's jurisdiction in the territorial sea did not mean that he intended to exclude from the discussion other questions such as the coastal State's jurisdiction in the economic zone. With regard to the question of procedure raised by the Tanzanian representative, he stressed that the method of asking Mr. Vallarta and Mr. Metternich to lead the discussion on a particular question had not been abandoned and could be used if necessary.

13. Mr. RUIVO (Portugal) supported the Chairman's suggestions concerning procedure; the method of holding more plenary meetings would enable all States to participate actively in the discussion. He suggested, however, that the services of Mr. Metternich and Mr. Vallarta should again be used when the Committee was to deal with difficult issues requiring a certain amount of preparation. With regard to the substantive issues, he stressed that the Conference was of vital importance and that failure would not only be disastrous from the viewpoint of the law of the sea but would also seriously jeopardize the future of the United Nations system and of world co-operation. In view of the short time available to the Committee, his delegation therefore believed that the key issues should be selected extremely carefully, if a consensus was to be reached. With regard to the key questions as such, the views of the Portuguese delegation were quite similar to those of the Chairman and of the Tanzanian representative. In conjunction with the question of the coastal State's jurisdiction in the territorial sea, he believed that the Committee should consider the question of the coastal State's jurisdiction and role in the economic zone and the question of the implementation of the rules adopted. However, the main problems on which the Committee should focus its attention were those relating to the régime for marine scientific research and the consent of the coastal State. With regard to the development and transfer of marine technology, the discussion should bear mainly on article 78, which dealt with the "transfer of marine science and marine technology at fair and reasonable terms, equitable conditions and prices". Lastly, if time allowed, his delegation hoped that the Committee would examine the machinery for the implementation of the various categories of articles. In that connexion, he pointed out that he had asked the Secretariat to prepare a study on existing international institutions in order to help member countries to interpret the content of some articles in which reference was made to those various institutions. It was extremely difficult to identify the competent institutions and his delegation hoped that, when the study he had referred to was circulated to delegations, a debate would be organized on the institutional implementation machinery.

14. The CHAIRMAN said that that was an important question and he welcomed the assistance which Portugal and the Secretariat were giving him on the matter.

15. Mr. HOOR TEMPIS LIVI (Italy) said he would like to ask a question concerning co-ordination with the two other Committees. The President of the Conference, Mr. Amerasinghe, had said, in paragraphs 15 and 16 of document A/CONF.62/L.12/Rev.1, that "questions relating to the jurisdiction, rights and duties of the coastal State in the territorial sea as well as in the exclusive economic zone ... would require to be determined in

close consultation between the Second and Third Committees", and that, with regard to the powers, functions and responsibilities of the International Sea-bed Authority and the rights and duties of States in regard to scientific research, transfer of technology and the protection of the marine environment so far as the international sea-bed area was concerned, "co-ordination and consultation between the Chairmen of the three Committees" would be required. His delegation, which agreed that co-ordination between the Committees was essential, hoped that the Chairman would provide a fuller explanation of the system of consultations envisaged.

16. The CHAIRMAN said he wished first of all to inform the Committee that the Secretariat, which he had requested to update the working paper grouping the articles of the various parts of the revised single negotiating text, had transmitted to him the part of the document relating to the control of marine pollution, scientific research and the transfer of marine technology. With regard to co-ordination between the three Committees, he said that close contacts would be established between the Committees and that they would submit to each other for consideration some of the provisions which they intended to adopt. He hoped that that machinery, which had begun to be used at the previous session, would operate effectively and would enable the outstanding difficulties to be ironed out.

17. Mr. HASHIM (Malaysia) wished to make a general observation. In the view of his delegation, the emphasis in the text was placed on the interests of foreign vessels rather than on the risks run by the coastal State. Article 4, for example, dealt with the measures which States, in the exercise of their sovereignty, could take in the event of marine pollution from vessels, under normal conditions, in other words when vessels were up to 200 miles from the coastal State. He hoped that the Committee would consider the limitation in the exercise of the sovereign right of the coastal State in the territorial sea, in particular in the case where the coastline was less than three miles from the place where the pollution occurred.

18. Mr. YTURRIAGA BARBERAN (Spain) thanked the Chairman for his statement and his suggestions concerning the organization of work. While he considered the guidelines proposed in general acceptable, he wished to state some reservations with regard to both procedure and substance. As far as procedure was concerned, he thought that the two working groups presided over by Mr. Vallarta and Mr. Metternich should be reactivated, at least during the preliminary stage; it would then be preferable to meet in plenary session in order to consider final texts, if possible. On the other hand, his delegation was not in favour of setting up too many small groups. It felt that at the current stage of negotiations any State should be able to take part in the discussion. Moreover, the time was past for calling on experts; all questions should be considered by representatives of Governments.

19. As for substance, he thought that as far as marine scientific research was concerned, the Committee should consider in particular the question of the legal régime, both in the economic zone and on the continental shelf. With regard to the protection and preservation of the marine environment, the main question was the rights and duties of coastal States in the matter of pollution control in the economic zone and on the continental shelf. The question of pollution control in the territorial sea did not give rise to controversy. It was common knowledge that it was entirely a matter for the coastal State which exercised absolute sovereignty over that zone. The main question with which the Committee had to deal was the expansion of the jurisdiction of the coastal State beyond the territorial sea. Lastly, while his delegation was convinced of the need for co-ordination between the various Committees, it believed that such co-ordination should be established on a footing of equality. He suggested that the various Committees should meet together to deal with questions common to them.

20. The CHAIRMAN said that he would ensure that all mem-

bers of the Committee participated in the negotiations, as had been the case to date. He was, moreover, quite prepared to call upon the services of Mr. Metternich and Mr. Vallarta if the need arose. As for co-ordination between the Committees, he felt it was unnecessary to raise the question of their respective competence. The Third Committee should be concerned only with carrying out as best it could the extremely precise mandate entrusted to it.

21. Mr. LEGAULT (Canada) said he felt that once the few outstanding problems had been resolved, part III of the revised single negotiating text would constitute a suitable working basis for the preparation of the draft convention. In his view, there were two types of key issues: those which, if they were not settled, would lead to the failure of the Conference and those which, if they remained outstanding, would not necessarily bring about the failure of the Conference but, which was as serious, would result in the failure of the convention. He thought that the Chairman had provided a short and well-chosen list of key issues, of which the question of the régime governing marine scientific research activities, particularly in the economic zone, and the question of the consent of the coastal State seemed to him to be matters of priority. With regard to pollution control and the preservation of the marine environment, the most important question seemed to him to be undoubtedly that of the jurisdiction of the coastal State in the territorial sea or, more precisely, that of the sovereignty of the coastal State over the territorial sea. In that connexion, it was in fact the question of the régime of the territorial sea which was involved; it was important to determine whether the régime was always that of the sovereignty of the coastal State subject to the right of innocent passage, or whether it was similar to the existing régime in the economic zone. That question went beyond the scope of the Third Committee and should be considered in consultation with the Second Committee. He thought, moreover, that the Third Committee should add to the list of key issues relating to the preservation of the marine environment those relating to the rights of the port State and the coastal State to apply international rules concerning the control of pollution from vessels and to the duties incumbent on the flag State in that connexion. This was not to suggest, however, that a wholesale revision of the relevant enforcement articles was necessary. His delegation also believed that the need to establish co-ordination between the Committees and between parts I, II and III of the revised single negotiating text was a question of substance and not of procedure.

22. Mr. BUHL (Denmark) believed, as did the President, that the debate on the revised single negotiating text should be conducted in the plenary. He felt, however, that the various questions should be considered by the Committee on an alternating rather than a consecutive basis and that, in view of the small amount of time available to the Committee, there should be a regrouping of some of the questions that were to be studied. With regard to the substantive aspects of the questions, his delegation was opposed to the list of key issues being indefinitely extended, but it did feel that the question of vessel source pollution should be considered in connexion not only with the territorial sea but also with the economic zone. An additional key issue to which, in his opinion, the Committee should give attention was the notion of liability or compulsory insurance embodied in article 30, paragraphs 7 and 8, of the revised text and the notion of the transfer of proceedings, which was dealt with in article 28, paragraph 4.

23. Mr. YUSUF (Somalia) expressed his delegation's approval of the detailed introductory statement by the President and of his suggestions concerning methods of work and what questions should be considered.

24. In the opinion of his delegation, the revised single negotiating text represented a very useful negotiating instrument that should make it possible to reach a compromise on the questions under consideration.

25. In his delegation's view, the list of key issues proposed by the President set forth the basic issues which must be resolved if agreement was to be possible. It felt, though, that the list was too limited and that, even though the question of the régime for marine scientific research was the most important of all, the President placed undue restrictions on consideration of the question of the prevention of marine pollution. The question of establishing norms, particularly with regard to vessel source pollution, and the question of applying those norms were, in his delegation's view, also very important.

26. For Somalia, the principle of the jurisdiction of coastal States over their territorial sea was very clear: as the territorial sea was part of the territory of those States, they exercised their full sovereignty over it. Consequently, the régime for the territorial sea must not be put on the same footing as the régime for the economic zone.

27. The jurisdiction of the coastal States over the economic zone was also, in his delegation's opinion, a key issue which, as pointed out by the representative of the United Republic of Tanzania, should likewise be included in the list of questions to be considered. Since the President had made it clear that that list was not exhaustive, it should be possible for other questions to be taken up in the course of the current session.

28. With regard to the transfer of technology, he supported the idea of co-ordination with the First Committee referred to by the President and considered close co-ordination to be a real necessity, particularly as a means of defining the legal machinery for facilitating the application of the arrangements contemplated in that area.

29. Mr. ORSZULOK (Poland) said that he joined with the delegations that had supported the President's suggestions concerning the Committee's method of work and the particular issues that should be considered.

30. Certain problems would undoubtedly arise in the course of the debate, and his delegation accordingly reserved the right to express its point of view at the appropriate time. On the whole, however, it fully endorsed the procedure suggested by the President and the principles he had proposed.

31. Mr. TRESSELT (Norway) said that his delegation had listened to the President's suggestions concerning the Committee's task with great interest, and, like the President, it felt that States must give evidence of the moderation that was indispensable for the achievement of a consensus.

32. His delegation agreed with the idea of the President personally directing the negotiations with the assistance of Mr. Vallarta and Mr. Metternich. It was generally in favour of the suggestions made by the President regarding the procedure to be followed by the Committee.

33. In his opinion, the matter calling for decision was not which issues were more important than others but rather what was the logical order for the course of the Committee's work. The fact that one question was taken up first did not mean that other areas of the revised single negotiating text could not also be dealt with. Thus, the first point to be decided was what questions ought to be considered during the first part of the session. The list of questions proposed by the President constituted a starting point, but it was his delegation's view that only one opinion had thus far been expressed regarding the paramount importance of marine scientific research. As far as the protection and preservation of the marine environment were concerned, his delegation believed that a number of the statements heard thus far had tended to support the suggestion by the President that the powers of coastal States with regard to the establishment of norms for the territorial sea should be considered in the light of part II of the negotiating text. That kind of procedure would facilitate the consideration of other problems that might arise with regard to the application of those norms and to questions affecting the zones outside the territorial sea.

34. In his delegation's opinion, the list of issues proposed by the President was just a starting point and could be expanded as the Committee's work advanced.
35. Mr. CROSBY (Ecuador) said that he appreciated the President's efforts and unflagging spirit of dedication and commended the heads of the Committee's small working groups for the achievements of those groups. The method of work which had been adopted had been very effective and had thus far given all delegations the freedom and opportunity to participate in the work.
36. He was convinced that every State would continue to be able to express its point of view freely and that every delegation would be able to submit amendments, suggestions and proposals in accordance with the previously adopted procedure. Delegations would thus be encouraged to show the greatest possible tolerance, since they would know that the sovereignty of States would not be threatened by the results of the Conference. His delegation continued to participate enthusiastically and to co-operate to the utmost, on the understanding that those results would make it possible for the interests of all States to co-exist and be compatible with the territorialist position which Ecuador maintained and which formed part of its national consciousness and was an important element in its survival. His delegation recognized the right of all delegations to bring up their own problems even though those problems were not considered vital by the other delegations.
37. His delegation approved the method of work proposed by the President, but it drew attention to the fact that some delegations, lacking sufficient staff, would be unable to take part in simultaneous negotiations going on within the Committee or within the groups. While the key issues suggested by the President and by some delegations were all important in their own way, his delegation wished to stress that for its part the absolute sovereignty of the coastal State over its territorial sea was indisputable.
38. His delegation hoped that it would be possible for every other point linked to the suggested issues to be considered, including, of course, certain questions that were of special concern to Ecuador. His delegation agreed with the President and with what had been said by several delegations regarding such matters as the consent problem and the need for close co-ordination with the other committees. Scientific research was a matter of great importance, and his delegation considered it necessary in that regard to analyse the parts of the text dealing with the restrictions on the consent or express agreement which the coastal State would have to give in so far as the exclusive economic zone was concerned. That would make it possible to safeguard the national legislation of the coastal States and guarantee their participation in scientific research in their own interest and that of the international community.
39. Another problem regarded by his delegation as a key issue was that of the categories and delimitations in the area of scientific research which the Conference had sought to establish and which had been the subject of long discussion. In his delegation's view, it was essential to avoid setting up classifications between the different types of research. The best course would be to enable the coastal States to apply their national legislation in harmony with the interests of the States wanting to use the waters in proximity to the coast.
40. As to the prevention of pollution and the rights of the coastal States in that area, the control of those States must extend to all types of pollution, and they should be given some kind of punitive powers in cases where acts affecting their interests were committed. With regard to the problems posed in connexion with the exclusive economic zone, the relationship between national and international norms must, of course, be borne in mind, but in no case should the national norms be subjected to the international norms. Furthermore, a saving clause ought to be included in the text to ensure that those norms did not constitute an obstacle to the poorer developing countries that would want to establish a fleet of their own.
41. Another problem deserving attention was the priority to be accorded to the coastal State in regard to pollution control. While the flag States must, of course, be fully able to exercise control over their own vessels, they must do so in co-operation with the coastal States whenever there was a question of protecting the marine environment in the economic zone of those States. Similarly, the flag States must form the basis of the system for the prevention of pollution in international waters, a system that would be supervised by the Authority in co-operation, of course, with the said States.
42. With regard to the transfer of technology, his delegation believed that a provision should be included in the text under which the activities of the regional centres for the transfer of technology would be co-ordinated through the action of an international centre. Such an arrangement would make it possible to give greater uniformity to the efforts made and to establish an effective system for the true realization of the hopes embodied in the text.
43. His delegation would like to contribute its support to that effort by proposing that the International Sea-bed Authority should participate in the efforts to achieve co-ordination in so far as the transfer of technology was concerned. An endeavour of that kind would of course have financial implications, and that question would have to be resolved.
44. Mr. PERRAKIS (Greece) endorsed the Chairman's appeal for moderation and emphasized that the Commission should make every effort to draft a set of articles acceptable to the majority of delegations.
45. His delegation approved the procedure proposed by the Chairman and thought that, despite the positive results obtained by Mr. Vallarta and Mr. Metternich, it would be better to adopt a more direct method. Accordingly, his delegation approved the Chairman's decision to take charge of the negotiations himself.
46. His delegation agreed that the question of scientific research and that of the transfer of technology were very important because they were very controversial. With respect to the struggle against pollution, he agreed with the Chairman's suggestion that the Committee should concentrate mainly on one aspect of the question, without tackling others unless it was absolutely necessary. The Chairman had been quite right to suggest that the discussion should concern only the territorial sea. His delegation agreed that the coastal State exercised absolute sovereignty over the territorial sea but thought that the exercise of that sovereignty must be compatible with freedom of navigation. The Third Committee should therefore consider the problems involved in the exercise of sovereignty in the territorial sea and should leave the decision on provisions for the economic zone to another committee.
47. His delegation, unlike the Canadian delegation, thought it unwise to extend the list of topics submitted by the Chairman; however, that did not mean that delegations would not be free to express their views.
48. Mr. SLIM (Tunisia), said that the Chairman's sense for shades of meaning and for balance could only help the negotiations. He endorsed the Chairman's comment that the Committee was a sovereign body, since that sovereignty would make it possible to ensure the equality of all States and all delegations throughout the debate and the negotiations. However, that principle had to be reconciled with the need for efficiency and the rationalization of work, making it necessary to maintain small working groups. Nevertheless, his delegation had serious reservations concerning the possible proliferation of small groups, which would dissipate the resources of small delegations, with harmful results. His delegation therefore preferred the idea of retaining the two working groups already in existence.

49. With respect to the list of key issues submitted by the Chairman, he noted that the Chairman had made clear that the list was not exhaustive and remained open to suggestions from delegations.

50. With respect to co-ordinating the work of the Third Committee with that of the First and Second Committees for certain topics which they held in common, he agreed with the suggestion of some delegations for joint meetings, depending on the topics under discussion; that would mean that topics held in common which still had to be discussed could be dealt with efficiently, and it would promote the effective participation of all delegations in the work.

51. The CHAIRMAN repeated that there could be no question of arranging several meetings at the same time.

52. Miss AGUTA (Nigeria) said that her delegation approved the procedures proposed by the Chairman. She welcomed the fact that, while continuing to consult with Mr. Vallarta and Mr. Metternich, the Chairman would assume over-all responsibility for the negotiations and that the negotiations would be conducted largely within the Committee, which would co-ordinate and consult with the other committees. The negotiations might bring out other questions which should be discussed by the Committee.

53. Mr. FIELDER (United Kingdom) said that his delegation fully endorsed the Chairman's general proposals concerning procedure, particularly the principle that the Chairman would play a central role in the negotiations while continuing to seek the assistance of Mr. Vallarta and Mr. Metternich.

54. With respect to the key issues, he thought that the topics referred to in paragraphs (b) and (c) of the note of the President of the Conference (A/CONF.62/L.12/Rev.1) were the same as two of the topics mentioned by the Chairman. In his opinion, the various statements had shown that the Committee ought to consider the question of vessel source pollution, which was more limited than that of pollution in general. The delegations would certainly not wish to examine each article or paragraph relevant to the question, but it would be more convenient to treat as a single key issue in its own right the problem of vessel source pollution, particularly those aspects referred to in articles 21, 28, 30 and 38 of Part III of the revised single negotiating text. That would take account of the Chairman's comment on the problems to be solved in connexion with regulation making in the territorial sea.

55. His delegation welcomed the Chairman's proposal concerning greater co-ordination among the various committees. For that co-ordination to be genuine, each committee should take care not to renegotiate a text for which another committee was responsible.

56. With respect to the practicalities of organizing meetings, he thought that the Committee should follow the practice adopted at the preceding session by alternating the meetings concerned with research with those concerned with pollution and by making every effort to avoid holding meetings on two different topics at the same time. This would help those delegations which had only one representative in the Committee.

57. Mr. MANSFIELD (New Zealand) endorsed the Chairman's suggestions and the method of work he had proposed.

58. In connexion with the list of key issues to be discussed, his delegation approved those topics which had been proposed but, like the Norwegian delegation, thought that the Chairman's suggestions could be nothing more than a point of

departure for the Committee's work, especially with respect to the question of pollution of the marine environment. Furthermore, if he had correctly understood the Chairman's replies to the representatives of the United Republic of Tanzania and Canada, the issues raised by those representatives would also be added to the list. As the United Kingdom representative had suggested, it might be better, for the sake of clarity, to refer to the question of pollution of the marine environment as "vessel source pollution".

59. The CHAIRMAN thanked the delegations for the spirit of co-operation which they had demonstrated. With respect to the key issues to be discussed, the list which he had submitted, while limited, was by no means exhaustive. The list merely indicated the fundamental issues and represented a point of departure for the Committee's work, in which all delegations would be fully involved. He pointed out that he would conduct the negotiations and consultations personally and would make sure that two meetings on different questions never took place at the same time, so that all delegations could participate at each stage of the negotiations. The statements made thus far had shown that most delegations seemed to think that the question of marine scientific research was the most important one and should have priority. He therefore suggested that the Committee should examine the question of the régime for marine scientific research and that of consent, namely chapter II, section 3, of Part III of the revised single negotiating text.

60. Another issue which the Committee should consider was that of coastal States' powers in their territorial sea in connexion with the struggle against pollution of the marine environment. In that connexion, particularly the question of establishing norms, delegations could consider other related questions, especially those referred to in article 21 and elsewhere.

61. He wished to make it clear that when he had asked the Committee to consider coastal States' powers in their territorial sea, he had intended not to question those rights but to make sure that, when establishing norms, those States did not violate international rules and norms, so that it would be possible to establish a régime for protecting and preserving the marine environment without affecting in any way the other uses to which the seas and oceans were put and without interfering with freedom of navigation and communication.

62. In order to co-ordinate the work of the three committees and the activities of their Chairmen, joint meetings could be organized.

63. He proposed that one or two informal meetings should be devoted to each of the main topics to be discussed by the Committee. However, the Committee should not open another general debate; rather, the delegations should make known their views on the text under discussion, thus making it possible to determine the areas in which agreement would be possible. He hoped that the Committee would authorize him to conduct the desired negotiations in consultation with delegations, and he gave his assurance that all delegations would be able to participate fully in the negotiations in question.

64. In conclusion, he said that, if there was no objection, he would take it that the Committee approved his suggestions concerning the questions to be discussed and the method of work to be followed.

It was so decided.

The meeting rose at 6.25 p.m.