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94. In order to end the continually increasing imbalance between developed and developing countries, the Organization of African Unity believed that it was indispensable to recognize that all coastal States had the right to establish, beyond their territorial sea, an exclusive economic zone, whose breadth should not exceed 200 nautical miles, in which they would exercise permanent sovereignty over all the biological and mineral riches without unduly prejudicing other legitimate uses of the sea. However, by virtue of regional solidarity, the land-locked countries and the other disadvantaged countries had the right to participate on an equal footing in the exploitation of the living resources of neighbouring economic zones.

95. It was also necessary to protect the living resources from pollution and from the dangers connected with intensive fishing on the high seas of migratory and anadromous species by establishing regional institutions and an international authority entrusted with enforcing the principles of fisheries management.

96. Furthermore, the African countries believed that it was urgent to accelerate the transfer of technology with respect to ocean science, particularly by the training of personnel in the developing countries. Fruitful co-operation would then be possible.

97. Finally, given the importance of the international zone of the sea-bed, which the General Assembly had defined as "the common heritage of mankind", it was essential that no persons, natural or juridical, should undertake any exploitation before the international régime had been established. The Organization of African Unity believed that a treaty should be concluded regulating that zone, elaborating an international régime for the exploitation of biological and mineral riches of ocean space and instituting a body entrusted with applying that régime. That body should undertake the equitable distribution of benefits, minimize the disastrous repercussions which could arise from fluctuations in the prices of raw materials resulting from the exploitation of the zone, and distribute equitably among all developing countries all the revenues from such exploitation. It should also ensure the protection of the marine environment.

98. He believed that the principle of universality, which constituted the very essence of the United Nations, was flouted by the fact that representatives of racist and colonialist Powers which had plundered millions of human beings were participating in the Conference. The Conference should not forget the lesson of history and decide the lot of entire peoples without giving them the possibility of having their say.

99. The Organization of African Unity proposed a policy of peace and human brotherhood and hoped that the fruitful co-operation of all men for the progress and well-being of all would replace confrontation and imperialist exploitation.

Mr. Amerasinghe (Sri Lanka) resumed the Chair.

100. Mr. LE VAN LOI (Republic of Viet-Nam), speaking in exercise of the right of reply, pointed out that the Hoang Sa and Truong Sa Archipelagos had always been an integral part of Viet-Nam's national heritage. In January 1974, the forces of Peking had landed and occupied the Hoang Sa Archipelago after three days of air and naval battle. The Peking régime had thus given a new dimension to its expansionist and imperialist policy at the expense of developing countries bordering China, Tibet, the countries south of China's borders, and the northern part of Viet-Nam had one after another fallen under its sway. With the conquest of the Hoang Sa Archipelago, the Peking régime had entered a new stage: its objective was now to establish a new empire, embodying all the ocean space of the western Pacific and the seas of South-East Asia. The Truong Sa Archipelago, which it was also aiming at, was 600 miles from the Chinese coast. Furthermore, with the assistance of Hanoi it had used local rebel elements as a cover for its armed aggression against the independent countries in the region and for the purpose of interfering in those countries' internal affairs. In Viet-Nam they used for that purpose the so-called Provisional Revolutionary Government of South Viet-Nam, which did not represent any part of the people of South Viet-Nam. No threat from Peking would set back the Viet-Namese people, who were resolved to defend and recover their heritage.

101. His delegation reserved the right to return to that question if it considered it necessary.

102. Mr. SOTH (Khmer Republic), speaking in exercise of the right of reply, said that one delegation had questioned the delegation and Government of the Khmer Republic and its political régime. Those insulting allegations were entirely baseless and constituted a flagrant interference in the internal affairs of the Khmer Republic. His delegation reserved the right to return to that question if it thought it necessary.

103. The PRESIDENT, without questioning the right of any country to exercise its right of reply, observed that the Conference on the Law of the Sea did not have the competence to solve the problems which had been raised.

104. Mr. KIM (Democratic People's Republic of Korea), speaking in exercise of the right of reply, said that the allegations by the representative of South Korea were intended only to conceal an inadmissible attitude with respect to the fishing grounds of the continental shelf. His own delegation had confined itself to the facts.

105. Referring to the unjust claims of the Saigon Government, he pointed out that the archipelagos in question were historically an integral part of Chinese territory.

106. Mr. RAMPHUL (Mauritius) paid a tribute to the memory of General Perón noting in particular his courageous policy with respect to oppressed peoples, such as the people of Guinea-Bissau, and to national liberation movements. He expressed his most sincere condolences to the family of the deceased and to the Argentine people.

The meeting rose at 6:40 p.m.

27th meeting

Wednesday, 3 July 1974, at 10.55 a.m.

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

In the absence of the President, Mr. Al-Saud Al-Sabah (Kuwait), Vice-President, took the chair.

Statement by the President

1. The PRESIDENT read out the text of a letter he had received from the head of the Argentine délegation thanking

the Conference for its expression of sympathy on the occasion of the death of General Perón, President of Argentina.

General statements (continued)

2. Mr. GOKHALE (India) said that, since the issues to be discussed by the Conference would affect the interests of all States and the world community as a whole, all national libera-

tion movements should be invited to attend the Conference. Those movements would soon be establishing legitimate Governments in their countries, and they should be present during the consideration of questions relating to the law of the sea that affected their interests.

3. The lengthy preparations for the Conference had made the world as a whole realize that a fair and durable legal framework for the use of the sea and the sea-bed and their resources was essential. Agreement on such a framework would be possible if a balance was maintained between legitimate national interests and the interests of the world community as a whole.

4. His Government approached the issues facing the Conference from the viewpoint of its national interests and also from the viewpoint of the international community. Although India, with a coastline of over 4,000 miles, had long been aware of the potential of the continental shelf and margin for the production of petroleum and natural gas, it had begun drilling successfully in the sea west of Bombay only in 1974. India, a developing country, was developing rapidly economically and, since its national oil production represented only one third of its total consumption, the exploration and exploitation of the resources of the continental margin were matters of national importance to India. His Government had devoted increasing attention to the exploitation of the fishery resources of the sea adjacent to the coast and would be interested in establishing exclusive jurisdiction of coastal States over an economic and fishery zone. Indian shipping and trade interests needed freedom of navigation in order to ensure economic development, while at the same time the shores and marine resources needed protection against pollution. India had over 1,280 islands, including two archipelagos, and would therefore be interested in evolving a suitable régime for archipelagos and islands.

5. Commenting on specific issues, he said that the outer limit of the territorial sea should be 12 nautical miles measured from the appropriate baseline along the coast. An 18-mile contiguous zone adjacent to the territorial sea could also be established to protect the customs, fiscal and health interests of coastal States. Coastal States should be entitled to establish an economic zone of up to 200 miles from the coast in which they would enjoy sovereign rights and exclusive jurisdiction over the resources of the sea, the sea-bed and its subsoil. In that connexion he recalled that his delegation had sponsored a comprehensive proposal for fisheries (A/9021 and Corr.1 and 3, vol. III, sect. 27), and he suggested that the outer limit of the fishery zone, which had been left blank in the proposal, should be set at 200 nautical miles since that limit had received general support from developing countries in Asia, Africa and Latin America and also from some important developed States. Coastal States should have jurisdiction in the economic zone to apply measures to preserve the quality of the marine environment and to prevent and control marine pollution. They should also have the exclusive right to regulate the conduct of scientific research within the zone by foreign vessels.

6. In connexion with the question of the outer limit of the national sea-bed and continental shelf, he recalled that his delegation had suggested a uniform limit of 200 miles. Since, however, no other country with a continental shelf and margin extending beyond 200 miles had supported that suggestion, and since existing international law recognized the jurisdiction of coastal States over their entire continental shelf, his Government had reviewed its position. It now supported the view that the national sea-bed of a State should extend to the outer edge of the continental margin. Jurisdiction over the 200-mile economic zone of the national sea-bed should not prejudice the position of coastal States with a shelf extending beyond 200 miles. His Government would, however, be willing to elaborate proposals under which the benefits derived from the exploitation of the resources of the national sea-bed beyond 200 nautical miles from the coast could be shared with the proposed

International Sea-Bed Authority; a formula for such sharing might be devised by the Conference.

7. The definition of basic principles governing the international sea-bed area and its resources would not present much difficulty as the general principles had already been unanimously approved by the General Assembly in resolution 2749 (XXV). He shared the majority view that the proposed International Sea-Bed Authority should, in the initial period, be a simple organization consisting of an assembly representing all member States, a smaller council which would supervise the work of the Authority under the over-all control of the assembly, a corporation conducting the exploitation of the sea-bed resources, and a secretariat recruited on the basis of geographical representation. No single State or group of States should have a preferential position in any decision-making organ of the Authority, and the basis of representation should be geographical, not functional or political. The Authority should have comprehensive powers, and it should be entitled to decide whether to exploit the resources of the international sea-bed area directly, or by entering into contracts with competent international or other corporations, or by any other means, without sacrificing its effective supervision and control over the entire operation. The resources of the sea-bed, the common heritage of mankind, should remain vested in the Authority, and the rights of any operator should derive from a contract rather than from any other source such as a simple licence to explore the area. The Authority should also be competent to regulate the production of sea-bed minerals and to protect the interests of producers and consumers of those minerals. It should determine how the benefits derived from the exploitation of the sea-bed resources should be distributed among the various States and how sea-bed technology would be transferred to the developing countries.

8. He supported proposals for free passage of ships and other vessels on the high seas, through straits traditionally used for international navigation and through other traditional channels of navigation. The essential national interests of coastal States in safeguarding the quality of the marine environment and preserving their resources should, however, be safeguarded in respect of the question of passage through straits or through the waters enclosed within archipelagos. The concept of archipelagos was being promoted by several developing countries, and a proposal on that subject had been made by several States with which India had friendly relations. His delegation would give sympathetic consideration to the implications of the concept of an archipelago or archipelagic State if the following provisions were given consideration: the body of water enclosed by drawing straight baselines joining the outermost points on the outermost islands constituting an archipelago should be reasonable; the channels of navigation traditionally used by international shipping should be respected; and the principle should apply to the Andaman and Nicobar Islands and also to the Lakswadeep Islands. No distinction should be made between an archipelago that constituted a single State and an archipelago that formed an integral part of a coastal State, nor should an archipelago at some distance from the coastal State be treated differently from one located near a coastal State. The Andaman and Nicobar archipelago and the Lakswadeep archipelago should be entitled to the same status as any other archipelago.

9. On the question of land-locked States, his Government had always tried to accommodate the legitimate interests of land-locked States in its bilateral relations with Nepal, Bhutan and Afghanistan, and it would continue to do so. The proposal on fisheries, sponsored by his delegation, included specific provisions to accommodate the interests of land-locked States in the exclusive fishery zone, and a similar provision had been included in proposals on the exclusive economic zone. The legitimate interests of other geographically disadvantaged States should also be accommodated in a fair way.

10. In connexion with the question of the preservation of the marine environment, he recommended co-ordination between the Inter-Governmental Maritime Consultative Organization in the field of pollution from ships, the United Nations Environment Programme in the field of pollution from land and other sources, and the proposed International Sea-Bed Authority. The rules and standards evolved should take account of the economic condition of developing States and should not be burdensome, although they should promote uniformity. Coastal States should be responsible for enforcing the application of those standards in their economic zones.

11. Mr. DAVIS (Canada) expressed his conviction that the Conference would succeed in adopting modern rules of law to govern man's activities on the seas. His Government was particularly aware that human destiny was inseparably linked to that of the ocean, for Canada had the longest coastline in the world and had many lakes and immense river systems flowing into the sea. Canada had an interest in the protection of all of the oceans, but more especially an interest in the continental shelf and margin. His Government intended to do all it could to maintain freedom of navigation, while maintaining the quality of marine life in the ocean areas adjacent to its coast.

12. The coastal States had special opportunities and special obligations in economic and ecological questions. He therefore urged an extension of coastal State jurisdiction in respect of certain activities, particularly fishing and the protection of the marine environment. Although world shipping should be able to move as freely as possible everywhere, changes in the regulations were essential because of the problems caused by the biological consequences of pollution and of overfishing which were currently beyond the control of the coastal State. Coastal States could, through wise and generous management of their adjacent seas, protect a vital world interest. The United Nations Conference on the Human Environment had specifically underlined the need for conservation of the marine environment and had stressed the obligation of coastal States to manage the marine environment close to their shores.

13. A wide consensus had already emerged on two major issues before the Conference, the breadth of the territorial sea and the concept of the economic zone. There was a clear trend in favour of a 12-mile territorial sea. The concept of the economic zone or patrimonial sea, extending for 200 miles for some purposes and to the outer edge of the continental margin for others, was supported by many countries. That concept embodied a balance between the special legitimate needs of coastal States to protect the environment and the needs of all States for trade and communication by sea. The concept of the economic zone and the concept of the remaining 80 per cent of all ocean space constituting the common heritage of mankind were the two main pillars on which the régime of the seas should be based. The oceans could no longer be divided into the territorial sea on the one hand and the high seas on the other. Functional concepts were needed and must be developed by the Conference.

14. Mankind's concerns in respect of the sea were both environmental and economic. The provisions adopted by the Conference should be based on physical and biological realities. It was important to know where fish stocks were and where they spent their natural lives, to know how far the continental shelf or margin extended seawards off the coast of each country. The Conference should first deal with the conservation and wise management of the precious marine resources, and then draft rules and regulations in line with economic and ecological imperatives.

15. On the question of the mineral resources of the sea-bed beyond the limits of national jurisdiction, he believed that some new form of international co-operation and a strong international authority to manage the resources was needed. Exploitation of the resources of the international sea-bed should be planned and executed with full regard for all the

factors involved, including access to the area, minimization of possible adverse economic effects, collection and distribution of financial benefits among States, and preservation of the living marine resources. New problems needed imaginative solutions. The main aim was to devise a system that would work to the benefit of mankind in general and of the developing countries in particular. There could be no real benefit for mankind unless advanced technology was effective, and that would of course require just compensation. He hoped that it would be possible to reconcile those interests.

16. His delegation had a particular interest in the subject of the natural resources of the continental shelf. The basic problem was one of delimitation, not ownership. His delegation's position was that the sovereign rights of coastal States, as defined in the 1958 Geneva Convention on the Continental Shelf¹ and confirmed by the International Court of Justice and in State practice, extended to the limit of the continental margin. The 200-mile economic zone concept was appropriate to the geographic situation of most countries, but the continental margins of some countries were wider than 200 miles and provision should be made for those countries to maintain existing rights to the edge of the continental margin.

17. Turning to the question of fisheries, he said that many countries considered that the living resources of the sea could best be managed by coastal States within the conceptual framework of the economic zone. The concept of freedom of fishing, as traditionally practised, no longer met the needs of the present time. The States bordering on the coastal areas where most fish stocks were found should be given the right and responsibility to manage those stocks in accordance with agreed principles. Coastal States should have the right to exploit as much of the fish stocks under their jurisdiction as they had the capacity and economic interest to exploit under conditions that would allow them to expand their capacity to exploit, or to benefit in other ways from, those resources. That was the only way to conserve the world fisheries and to make full and rational use of them. It would also protect the vital interests of the coastal communities that depended on fishing.

18. The concept of the 200-mile economic zone or patrimonial sea went far towards resolving the fisheries problem. Some additional provisions were, however, necessary. Coastal stocks should be managed on a scientific and functional basis as a whole, and appropriate recognition should be given to the interests of the coastal State with regard to those stocks in areas adjacent to the economic zone. In order to ensure adequate protection and proper management of the anadromous stocks, such as salmon, fishing for those stocks should be prohibited outside the economic zone, and the primary interests of the State in whose rivers those fishes were spawned should be recognized. Management of wide-ranging stocks such as tuna and whales was also needed; the authority of the coastal State over such stocks within their economic zone should be accommodated, and his delegation felt that co-operation between the relevant international commissions and the coastal States concerned could achieve balance of interests. In order to ensure optimum utilization of the living resources of the economic zone, as distinct from those of the continental shelf, foreign States should be allowed to fish for the surplus of stocks not reserved to the coastal State, subject to the authority and regulations of the coastal State, and under equitable arrangements for apportionment of the surplus.

19. Preserving the quality of the marine environment was essential to conserve fishery resources. Coastal States should be responsible for controlling shore-based pollution which constituted the major part of ocean pollution. One example was the great river system of the St. Lawrence which reached nearly 900 miles into the industrialized centre of North America; the success with which his Government and the United States Gov-

¹United Nations, *Treaty Series*, vol. 499, p. 312.

ernment protected the quality of those waters would affect large areas of the North Atlantic Ocean. All States must undertake to preserve the marine environment from pollution damage from all sources, internal as well as external, and in particular refrain from inflicting such damage upon others. The Conference should provide effective international measures and also endorse the right of coastal States to take further measures against pollution where necessary. Pollution from ships, although not the major source of ocean pollution, was a significant threat to the sea, and how to control such pollution presented some of the most difficult problems facing the Conference. Navigation represented a basic, legitimate and vital use of the sea, but it must be subject to proper regulation so that it would not lead to degradation of the environment. There were precedents, for example, traffic regulations for air navigation and international river systems. The Conference should provide for effective enforcement of internationally agreed standards for the safe operation of ships in every part of the oceans, not only by the State of registration, but by all States concerned. The major problem would be to reconcile the need for harmonization of measures with the need of coastal States, when faced with special circumstances, to adopt special measures, for example, in respect of ice-covered waters, congested traffic situations, shallow or narrow channels and other situations, particularly in semi-enclosed seas and international straits.

20. With respect to the question of straits, he said that the right of passage through international straits should be assured for all States subject to international regulation and to the right of the coastal State to protect itself. A system of guarantees, internationally applied and enforced, was necessary to ensure that coastal States and flag States exercised their rights in economic zones or in international straits in a reasonable manner.

21. Scientific research in areas adjacent to coastal States should be regulated in a constructive and reasonable manner. The law of the sea should be based on up-to-date knowledge of the sea. His Government was committed to support of scientific research to expand knowledge of the ocean and increase human dependence upon it.

22. He drew attention to the fact that his Government had adopted legislation asserting its right to fisheries and pollution control and continental shelf jurisdiction over large areas of the sea adjacent to its coast.

23. Commenting on the archipelago concept, he said that he supported attempts being made to work out a compromise solution taking account of the special position of archipelagos while at the same time recognizing the interests of all States in passage through archipelagic waters. Canada itself was an archipelagic State, and the Arctic archipelago was a classic example of a special area requiring special treatment.

24. The views of his delegation were based on national interests and also on the conviction that a general accommodation of the interests of all States was essential to serve the common interests of all nations in the future.

25. Mr. THOMPSON (Jamaica) said that his delegation had been disturbed by occasional references to anticipated confrontations between the great maritime hegemonies on the one hand and the poorer, weaker nations of the developing world on the other. Jamaica did not share that pessimism, first because it expected that the differing positions to be taken on most of the complex points at issue would draw their support from both great and small Powers, and secondly because the voting procedure which had been adopted would provide an opportunity for all the participants to work together to redress the injustices of the past. To that end, the developing countries in particular, abiding by what he would like to call the discipline of mutual distress, should join in placing their just causes before the Conference. Until now the voiceless former colonies could accurately have been described as the politically disad-

vantaged States. At the Conference, however, the principles of the independence and sovereignty of nations and the "one nation, one vote" concept, were universally recognized. Moreover, as the recent energy crisis had shown, the world was becoming increasingly interdependent and there was greater respect on the part of the industrial giants for the erstwhile weaker nations. Even so, however, the latter were conditioned by history to judge the former by their deeds rather than their words. The industrialized countries therefore had a heavy responsibility to convince the developing countries of their sincerity.

26. In that connexion his delegation wished to associate itself with those which had paid tributes to the valiant efforts of the liberation movements that were continuing to fight for justice.

27. His delegation would make known in the Committees its position on various matters of substance. The main point to which he wished to address himself at that stage was that the Conference was more likely to be a success if members demonstrated the ability to adjust to each other's positions than if they stubbornly defended preconceived positions. In that connexion, he would like to introduce one qualification with respect to the position taken by some in support of the idea of a patrimonial sea with a breadth of 200 miles. That concept of an enlarged economic zone of control had first been put forward by the developing nations and was gradually gaining acceptance. His delegation was not discouraged by the fact that it meant different things to different people—indeed, that was as it should be, given the diversity of situations in which it was expected to be applied. Having recognized that it had its origin in the desire of the poorer coastal States to extend their maritime boundaries, and that its objective was to improve the lot of the needy inhabitants of the regions in which those States were situated, delegations must be prepared to show flexibility in its application, for it would be ironic if the very principle conceived by the developing States were to be applied so rigidly as to cut off the source of livelihood of fishermen long established in a particular area or to reduce the condition of an already poor neighbouring country to one of stark destitution. Such an application of the concept would, moreover, deny the just claims of the land-locked nations. His delegation therefore proposed that the principle should be enunciated in terms making provision for the qualifications which would allow for regional flexibility. That position was not a new one, for it had been outlined at the Specialized Conference of the Caribbean Countries on Problems of the Sea at Santo Domingo in 1972.

28. There were various ways in which the merits of the patrimonial sea concept could be assessed. In the strictly diplomatic sense, it could be viewed from the standpoint of whether it contained elements of a compromise between the divergent schools of thought on the question of the limited patrimonial sea. In practical terms, it could be viewed as a means of conserving resources and enabling coastal States to derive the maximum benefit from such marine resources as might exist in the waters off their shores, while at the same time the effect of its application on the concept of the common heritage enshrined in the United Nations Declaration of Principles Governing the Sea-Bed and the Ocean Floor, and the Subsoil Thereof, beyond the Limits of National Jurisdiction² would have to be taken into account. One of the fundamental problems confronting developing countries was that of finding ways of protecting their marine resources to the fullest possible extent without undermining the common heritage concept. In pursuing that end it was essential to appreciate the exceptional circumstances of some countries. His own delegation, for example, had considerable sympathy for countries which were in the situation described by Peru in the statement on the subject made by its Minister for Foreign Affairs in May 1970.

29. Thus Jamaica did not adhere to the rigid concept of an exclusive rule for the economic zone. However, as a compro-

²General Assembly resolution 2749 (XXV).

mise, it would be prepared to accept an economic zone if rights of access were guaranteed. It would be disastrous for the 20 million people inhabiting the Caribbean islands if such a guarantee of rights of access was not embodied in the same Convention setting forth the concept of the economic zone. The matter was not one which could be settled merely by regional or bilateral arrangements. He drew attention in that connexion to the draft articles on regional facilities for developing geographically disadvantaged coastal States submitted by his country to the sea-bed Committee (*ibid.* sect. 45). Those articles were inextricably bound up with the question of the limits of national jurisdiction and Jamaica's acceptance of those limits. His delegation felt not only that the principle embodied in those articles must be enshrined in a general multilateral treaty but also that they must be so placed as to run parallel with the articles embodying whatever concept was finally adopted, whether that of a patrimonial sea, an economic zone or any other zone. That parallelism would determine Jamaica's attitude toward the limits to be agreed upon. The Conference must take account of the facts of geography, of nature and of the variety of regional peculiarities. His delegation believed that the geographically disadvantaged States of the Caribbean should be afforded equal access to the resources of the waters surrounding them. It did not feel that there would be any infringement of sovereignty if the living resources of the Caribbean beyond the accepted 12-mile limit for territorial waters were considered not in absolute terms of monopoly by the coastal State but in terms of priority. That concept could be given effect by a provision under which a State would allow neighbouring disadvantaged States of the Caribbean area facilities for fishing, limited to their domestic requirements. He wished to emphasize that such a sharing of the regional heritage would not limit exploitation by the coastal States and would certainly exclude the great continental Powers.

30. The formula need not be limited to the Caribbean but could apply elsewhere in similar circumstances with a view to improving the quality of life for the victims of poverty.

31. At the current session of the Conference the President of Venezuela had supported the concepts of freedom of travel, research, transport and communication on the open sea. His delegation associated itself with that position and hoped that delegations would give it careful consideration, particularly when dealing with the question of straits. Another matter of the greatest importance was the need for the Conference to recommend the establishment of a headquarters for the institutional machinery which would put the results of its deliberations into effect. The relevant executive body should be made up of persons of the highest reputation and ability and should reflect the principle of equitable geographical distribution. The kind of authority he had in mind was, of course, light years away from any sort of petty international licensing authority engaged in granting concessions to multinational corporations. The task of the Conference was to establish a new international legal order for the sea, and any such new legal order necessitated machinery for the resolution of differences. It was a fact of life that however well concepts might be formulated or objectives defined, problems of interpretation and application would continue to arise. Hence satisfactory machinery and procedures for the settlement of disputes must be established.

32. In conclusion, he wished to pay a tribute to the generosity of Venezuela, which was the source of the inspiration by which the participants in the Conference were guided. His Government took the opportunity formally to offer for consideration a site in Jamaica to accommodate whatever international maritime authority was decided upon. He had already been assured of wide support for that offer. Jamaica, a developing nation located at the cross-routes of the ocean, had long experience of the problems of the sea and possessed the infrastructure and ancillary facilities required for the establishment of such an institution. Indeed, what place could be more suitable for that purpose than the beautiful island which had once offered

Simón Bolívar sanctuary and from which he had written his famous *Cartas de Jamaica*?

Mr. Arias Schreiber (Peru), Vice-President, took the Chair.

33. Mr. PLAKA (Albania) observed that the Conference had been made possible thanks to the efforts of sovereign countries devoted to peace and freedom, including Albania. The fact that it was being held in Venezuela was a reflection of the struggle of the countries of Asia, Africa and Latin America for the defence and consolidation of their national sovereignty and their economic interests. Those countries had made an important contribution to the preparation for the Conference made by the sea-bed Committee and elsewhere, submitting numerous proposals and drafting documents based in particular on the concept of defending the rights of the peoples of the world. In accordance with that concept, it was necessary to change the international law of the sea so that it would benefit the peoples and to put an end to the ruthless plunder of the resources of the sea by the imperialist Powers. The time when imperialism could dictate the law had passed. The need for changes in the law of the sea had become particularly apparent during the past two decades, when many new States had emerged as a result of the struggle against colonialist and imperialist oppression, States which had not participated in the two earlier conferences on the law of the sea. The urgency of the Conference's task was particularly apparent at a time when peace and the vital national interests of coastal States were being increasingly threatened by the policy of aggression and expansion of the two imperialist super-Powers, the United States and the Soviet Union, which were seeking to arrogate to themselves the role of arbiters with respect to the international problems of the day, to establish their hegemony in the world and to dominate the seas. As a result of their aggressive expansionist policies and of their rivalry and collaboration, tension was increasing in the Middle East, Indo-China, Europe, the Mediterranean, the Indian Ocean and other parts of the world. They were continuing their unbridled arms race, producing and perfecting new long-range weapons of mass destruction and increasing their naval forces with a view to unleashing a new world war and dividing the world into new spheres of influence. In that context, changes in the law of the sea which would help countries to defend their national sovereignty assumed special importance. The imperialism of the United States and the social-imperialism of the Soviet Union were seeking, under various fallacious "legal" pretexts, to impose their will, making the law of the sea contingent upon the balance of naval power, to weaken the defence capability of sovereign peoples and countries and to subject them to pressure, blackmail and military threats. In other words, they were seeking to impose "the law of the strongest" and to legitimize their freedom to dominate and plunder the seas.

34. Ocean space beyond the limits of national jurisdiction and its resources were the patrimony of all the peoples and countries of the world and the sovereign countries dedicated to peace were rightly calling for the formulation of new rules of sea law which would favour their legitimate interests. However, the imperialist Powers, and primarily the two super-Powers, continued to put obstacles in the way of the development and modification of the law of the sea because they wished to protect their military, political and economic interests at the expense of the other countries of the world. That was why they had sent their warships, submarines and spy ships to the different parts of the world to demonstrate their strength and intimidate the peoples. However, those peoples clearly understood that the seductive slogans of the United States and the Soviet Union concerning "peace", "disarmament" and "détente" bore no relation to their real policies and aggressive activities. The meetings of Nixon and Brezhnev at Moscow and Yalta did not augur well for the peoples or for world peace; on the contrary, they were but one more indication of the diabolical intent of the two super-Powers to establish, in rivalry and collaboration, their hegemony over both land and sea. While

creating false hopes in order to lull the vigilance of the peoples, those two Powers were ceaselessly strengthening their navies and deploying them at distances of thousands of kilometres from their national territory.

35. Mr. ROMANOV (Union of Soviet Socialist Republics), speaking on a point of order, said that while each delegation was entitled to set forth its views, the Conference was a completely inappropriate forum for the expression of unworthy sentiments which were at variance with the fundamentals of human ethics. He therefore appealed to the President to apply the rule of procedure under which a speaker whose remarks were not relevant to the subject under discussion could be called to order.

36. The PRESIDENT said that the representative of the USSR could speak in exercise of the right of reply later but that in the meantime the representative of Albania should be allowed to exercise the right, which he possessed in common with all other representatives, to continue his exposition of the views of his Government.

37. Mr. PLAKA (Albania), continuing his statement, said that a typical example of the confrontation-collaboration of the two super-Powers was the situation in the Mediterranean, which had been transformed into an area of tension as a result of the presence of the fleets of those two super-Powers and their naval bases in that area. They were endangering the security of the countries of the Mediterranean basin, which resolutely opposed their presence and were demanding that they should remove their forces as quickly as possible. The leader of the Albanian people, Enver Hoxha, had said that Albania, as a country of the Mediterranean, wanted the Mediterranean basin to be a zone of peace and co-operation and had added that it was the duty of all peace-loving countries to demand the removal of those fleets and combat any attempt to impose political hegemony in that part of the world, for the Mediterranean belonged to the Mediterranean peoples and countries. If their aspirations for real détente in the Mediterranean were to be realized, the foreign military bases in their territories would have to be liquidated. Moreover, they should not permit the installation of other foreign bases on their territory, grant port or other facilities to the United States or Soviet fleets, or allow them to visit their countries. The application of those measures in the Mediterranean and in other areas where the fleets of the two super-Powers had appeared would be in accordance with the security and economic interests of all the coastal States and would be an important contribution to world peace.

38. The presence of the fleets of the two Powers in the Indian Ocean likewise served their aggressive purposes and was directed against the countries of the area which were dedicated to peace and freedom, in particular the People's Republic of China, which was resolutely defending the true security of Asia and the world and represented an insuperable obstacle to the realization of the aggressive plans of the two Powers to stifle the national liberation struggle and enslave the peoples. It was the duty of the Conference to establish precise rules to prevent the concentration of large naval units on the high seas or off the coasts of other countries and to prevent military manoeuvres near such coasts. That was particularly urgent in the light of the violation of the territorial waters of sovereign States by the fleets of the two super-Powers, their presence off the coasts of other countries and their naval bases on foreign soil and installations on the sea-bed. His delegation likewise considered that foreign warships should be allowed to enter the territorial waters of coastal States only in accordance with the provisions of the law of the State concerned.

39. The exploitation on a footing of equality of the resources of the sea beyond the limits of national jurisdiction was the legitimate right of all States, great or small, coastal or landlocked. That question too was linked to the efforts of the developing countries to promote their political independence. The great fishing fleets of the two super-Powers were plundering the

fishery resources of other countries. Their pirate fishing vessels had been seized in the territorial waters of many coastal States. Four fifths of the fish caught by Soviet vessels did not originate in Soviet territorial waters, and the same was true of the United States. Those two Powers were doing everything they could to limit the sovereignty of coastal States to as narrow a zone as possible, not exceeding 12 nautical miles, in pursuit of their intention to establish military installations and plunder the resources of the sea off the coasts of independent countries. The countries of Asia, Africa and Latin America and other peace-loving countries had risen up in defence of their national sovereignty over their territorial waters and the resources of the sea and had launched a resolute struggle against the two super-Powers which were attempting to impose their hegemony over the seas. To put an end to those efforts of the imperialist Powers it was essential that the rules of international law concerning the sea should be changed in conformity with the inalienable rights of peoples and countries. Albania supported the right of every sovereign country to determine the extent of its territorial waters in a reasonable way, without prejudice to the interests of neighbouring countries or international navigation, in accordance with specific geographical, biological and oceanographical conditions, taking into consideration first of all the requirements of its national security. At a time when the aggressive fleets of the two super-Powers were sweeping the seas in all directions, threatening the independence of sovereign coastal States, Albania maintained that those countries were entitled to fix the limit of their territorial waters at not less than 12 miles and it rejected the dictates of the two super-Powers on that question. It likewise supported the right of the Latin American, African and Asian countries to establish a 200-mile limit for their territorial waters. Since the two super-Powers were traversing the Mediterranean and the Adriatic like sea monsters, Albania was going to reconsider the breadth of its territorial waters beyond the 12-mile limit. It further supported the right of coastal States to establish and exercise jurisdiction over an exclusive economic zone extending to a reasonable limit beyond their territorial waters in conformity with geographical, biological and oceanographic conditions, without prejudice to international navigation. In that connexion, his delegation felt that because of serious defects and omissions which could give rise to wrong interpretations and lead to conflicts between States and to the violation of the sovereign rights of coastal States, adversely affecting the interests of many developing countries, the 1958 Convention on the Continental Shelf should be radically changed and made to conform to the legitimate interests of sovereign coastal States. In certain zones the continental shelf should be defined by the countries concerned in consultation with each other, and where appropriate the continental shelf could be divided between neighbouring coastal States.

40. Since the efforts of many African, Asian and Latin American countries to assert their political and economic sovereignty over the maritime zones along their coasts had recently been receiving the support of an overwhelming majority of sovereign States, the Conference should recognize the changes which had occurred in that field and should establish just rules for the progressive development and codification of the law of the sea. It should assert the legitimate right of sovereign coastal States to conserve and utilize the natural resources in their territorial waters, their exclusive economic zone and their continental shelf. Those provisions should be based on the principles of respect for national sovereignty, the right of self-determination of peoples, non-interference in the internal affairs of countries, and respect for the territorial integrity and equality of rights of all sovereign peoples and countries.

41. His delegation likewise attached particular importance to the establishment of a just régime for straits, which should be established by sovereign coastal States, having regard to freedom of international navigation in accordance with the rules fixed by the coastal State in question and without dis-

crimination against peace-loving sovereign States. It supported the efforts of the coastal States concerned to re-establish their sovereignty over straits or channels used for international navigation the extent of which lay entirely within their territorial waters. Indeed, Albania was directly concerned with that question because of the existence in the Adriatic Sea, off its own waters, of the Strait of Otranto. The régime governing straits which were entirely within the territorial waters of two neighbouring countries and which were not used for international navigation should be decided solely by those two coastal States.

42. The same criterion should be applied in determining the régime of an archipelagic State, which should exercise complete sovereignty over the waters surrounding it and at the same time ensure freedom of navigation through international waterways along its coasts. Albania supported the just struggle of the Panamanian people to recover the Canal Zone usurped by the United States, for that would restore the territorial integrity of Panama, and possession of the Canal Zone was its inalienable right. The régime of straits was particularly important for peaceful countries, particularly in view of the fact that the two super-Powers had adopted the same line of conduct in that regard, seeking to utilize them for the transit of their warships and aircraft for the obvious purpose of intimidating the coastal States in pursuit of their goal of political hegemony. The Conference should therefore support the rights of coastal States with respect to straits and firmly oppose the manoeuvres of the two super-Powers, rejecting any compromise in the matter which would affect the vital interests of the peoples, their security and their national sovereignty. His Government also supported the demands of the land-locked countries to be allowed to engage in the peaceful utilization or exploitation of the seas under bilateral agreements based on respect for the sovereignty of coastal States.

43. All the peace-loving countries represented at the Conference must be on guard against the intrigues and insidious subterfuges, including the so-called consensus, engaged in by the two super-Powers which claimed to be in favour of changing the law of the sea but were in reality adamantly opposed to the legitimate rights of the sovereign coastal States and were redoubling their efforts to perpetuate their privileged position.

44. If the Conference was to achieve its purposes, universal participation should be ensured. For that reason his delegation protested against the injustice done the Provisional Revolutionary Government of the Republic of South Viet-Nam, which, because of the hostile and discriminatory attitude of the United States, had been deprived of its lawful right to participate in the proceedings. That Government was the only authentic representative of the interests of the people of South Viet-Nam and his delegation protested against the representation of the puppet Saigon régime and did not recognize the validity of its activities at the Conference. Similarly, the participation of representatives of the Lon Nol clique constituted an intolerable intervention in the internal affairs of the Cambodian people, for everyone knew that their only lawful representative was the Royal Government of National Union headed by Samdech Norodom Sihanouk. In accordance with that same position, his delegation considered the participation of representatives of the national liberation movements in the work of the Conference indispensable. The struggle waged by the oppressed peoples of Palestine, South Africa, Southern Rhodesia, the Portuguese colonies, Puerto Rico and other colonial territories for freedom and independence was a just struggle which had the support of all progressive humanity. The liberation movements were the sole authentic representatives of their peoples and they should therefore be invited to attend the Conference.

45. He wished to protest against the attempt of the Soviet representative to muzzle not only the delegation of Albania but also the delegations of the countries of Latin America, Asia and Africa and to prevent them from defending their legitimate

interests. Everyone knew that the Soviet Union had not been enthusiastic about the proposal to convene a conference on the law of the sea in the first place. Albania had been subjected to pressure by the two super-Powers precisely because it had courageously defended the Marxist-Leninist position which had been betrayed by the Soviet revisionists.

46. The PRESIDENT said he wished to remind members that all delegations had been asked to exercise moderation in making their statements and to confine themselves to the issues under discussion.

47. Mr. CHOWDHURY (Bangladesh) said that the Conference was of historic importance as it was designed to ensure that the seas would be zones of peace.

48. Many of the nations which had become eligible to participate since the 1958 and 1960 Conferences on the Law of the Sea felt that their views had not been represented and that their interests had been ignored at those Conferences. The 1958 Geneva Conventions did not reflect the nature and complexity of the law of the sea and the extent to which the practice of States had developed in the past 17 years. Obviously, any new order in the régime of the sea must adequately reflect the views of the developing countries.

49. His delegation hoped that the Conference would be able to formulate a new law of the sea based not only on respect for the sovereign equality of States and the elimination of all forms of hegemony and dependence, but also on the application of the principles of social and economic justice. Developing countries, as a result of their economic position, had called for the recognition of certain preferential criteria in the determination of the extent and use of ocean space, particularly those of the "common heritage of mankind" and of the "exclusive economic zone", or "patrimonial sea". The Declaration of Principles adopted by the General Assembly in 1970 had in itself virtually constituted the nucleus of a draft treaty on the régime of the sea, sea-bed and ocean floor beyond national jurisdiction and had provided for the development of the "common heritage" concept. Far more important, however, was the attempt by developing countries to seek international acceptance and legitimization of the concept of an economic zone, which would give coastal States exclusive control, short of full sovereignty, over all living and mineral resources as far out as 200 miles. That concept had received the endorsement of the Fourth Conference of Heads of State or Government of Non-Aligned Countries at Algiers, the Organization of African Unity meeting of the Council of Ministers in 1973, and most of the Caribbean and other Latin American States.

50. His delegation believed that the present Conference hinged around two issues of paramount importance, namely the seawards limit of coastal State control and the nature and scope of national jurisdiction over the coastal areas. Those issues naturally gave rise to other matters, such as the international régime and machinery, the position of land-locked States, the question of straits and archipelagos, marine environment, ocean research, the question of revenue sharing and the procedure for the settlement of international disputes. Those issues were interrelated; none of the matters which came up at the Conference could be viewed in isolation.

51. Bangladesh had a population of 75 million living in an area of only 55,000 square miles. If its current annual population growth rate of 3 per cent remained unchecked, its population could reach the staggering figure of 200 million by the turn of the century. Moreover, despite attempts to obtain self-sufficiency in food, Bangladesh remained a food-deficient area.

52. Those facts had to be viewed with concern as they indicated dramatically the economic plight of his country. Bangladesh was making gigantic and dedicated efforts to overcome those problems, and in doing so depended on the sea as its source of additional food supplies. To augment resources vitally necessary for its development, it required maximum utilization of continental margins. In that respect, its disadvantages

were somewhat offset by nature, as Bangladesh was a coastal State with over a thousand miles of heavily indented coastline and numerous offshore islands, so that the sea and its resources provided it with an essential lifeline. Bangladesh was also a fishing nation, and a great many of its people—entire communities in some offshore island areas—depended solely on fishing for their livelihood.

53. Thus, his country's views on national jurisdiction and the extent of its coastal State control grew out of the fact that the sea, the sea-bed and its resources, both living and non-living, renewable and non-renewable, constituted an essential supplement to its economy. That had been the impetus behind his Government's efforts to define the extent of its sovereign rights over the management and control of the ocean, and the limits of its national jurisdiction. The Bangladesh Parliament had already enacted a "Territorial Waters and Maritime Zones Act", which enabled the Government to declare the limits of the territorial waters, contiguous zone, economic zone and continental shelf. Pursuant to that Act the Government had issued notices stating that its territorial waters extended to 12 nautical miles, and its economic zone to 200 nautical miles, from baselines expressed in geographical co-ordinates.

54. His delegation believed that the straight baseline method took into account the diversity of facts and the geographical peculiarities of the coasts of littoral States, and it therefore conceded that straight baselines might be drawn following the depth method. Considerable support of that position was to be found in the Anglo-Norwegian Fisheries Case, where the International Court of Justice had observed that a State must be allowed the latitude necessary to adapt its delimitation to practical needs and local requirements.³

55. Bangladesh claimed exclusive jurisdiction over the 200-mile economic zone for exploration and exploitation of all natural resources, both living and non-living, including the sea-bed, subsoil, water surface and water column. He appreciated the statement made earlier in the meeting by the Indian representative to the effect that the interests of Bangladesh and other coastal States should be taken into account by the international community.

56. His delegation also believed that the delimitation of the territorial waters and economic zone should be without prejudice to the régime of the continental shelf. The jurisdiction of coastal States over their continental shelf was an inherent right. Some 85 States had issued laws and decrees regarding their jurisdiction over the shelf. The only point that remained to be determined was the exact extent of such jurisdiction, since the definition found in the 1958 Convention on the Continental Shelf lacked precision and included a criterion of exploitability which was subject to varied interpretations. With a view to removing any possible doubt, Bangladesh had defined its continental shelf as comprising the sea-bed and subsoil of the submarine areas adjacent to the coast of the country but beyond the limits of the territorial waters, up to the outer limits of the continental margin bordering on the ocean basin or abyssal floor. The legislation also envisaged comprehensive control over the utilization of the continental shelf.

57. Bangladesh supported the concept of a contiguous zone, and had declared the existence of such a zone extending seawards to a line six nautical miles measured from the outer limit of its territorial waters. In the zone, Bangladesh would exercise necessary control to prevent and punish the infringement of its customs, fiscal, immigration, sanitary and security laws.

58. Bangladesh, in accordance with its law, had the right to establish conservation zones in areas of the sea adjacent to its territorial waters, and could take conservation measures in such zones for the purpose of protecting the living resources of the sea from indiscriminate exploitation, depletion or destruc-

tion. Its law provided that the Government could take such measures as it deemed appropriate for the purpose of preventing and controlling marine pollution and preserving the quality and ecological balance of the marine environment in the high seas adjacent to its territorial waters.

59. His Government believed that the régime of the sea to be established by a new convention must gain the wide support of States. It must ensure that the legitimate interests of land-locked and geographically disadvantaged States were protected. His delegation viewed the position of those States with sympathy and felt that the best interests of all parties could be mutually secured by close bilateral and regional co-operation.

60. With regard to the ocean space beyond national jurisdiction, Bangladesh endorsed the Declaration of Principles contained in General Assembly resolution 2749 (XXV), particularly the principle of the "common heritage of mankind". That declaration should, however, be made real and effective. The international régime should extend to all ocean space, its sea-bed and superjacent waters, and also to the sea itself and all resources of the sea beyond the limits of national jurisdiction. The régime should have appropriate powers for the preservation of the marine environment from pollution. Bangladesh also favoured the establishment of international machinery with full legal personality and with functional privileges and immunities, under the supervision of the United Nations.

61. The new régime of the law of the sea would have an immediate and crucial impact on all regions of the world, including those which were struggling for their right of self-determination. His delegation, therefore, considered that the Conference would not be complete if the representatives of the liberation movements, including that of Palestine, were not admitted as observers. When Bangladesh had fought for its own liberty, it had fought for the liberty of the world, as it firmly believed that life and freedom were indivisible. Wherever peoples were fighting for their liberty, Bangladesh was with them. Bangladesh's support for the people of Palestine, in particular, was total, as it had reiterated many times.

62. His delegation believed that sincere attempts must be made to reconcile the conflicting interests of all nations in order to open the way to a viable and long-lasting agreement on the oceans. It would make constant efforts to achieve such an agreement, remaining aware at all times of national, regional and international interests. If a sense of objectivity, fairness and justice was retained, he was confident that acceptable and enforceable principles could be laid down. Conference participants must renounce their desire for power, and act in a spirit of sympathy, mutual consideration and understanding, fellowship and love. Their concern must be for man and not for States, as the latter existed only for human welfare.

63. Mr. ROMANOV (Union of Soviet Socialist Republics) said that the appeal for moderation and restraint made by the President at the previous day's meeting had been timely and reasonable. The present meeting had also shown the need for such an appeal. The statement which he had already mentioned in his earlier point of order was not worthy of a reply. It came from the same source as the similar statement of the previous day.

64. If the Conference was to deal successfully with pollution of the sea environment and other problems relating to the law of the sea, then the climate at the Conference itself must also be free from any political or other pollution.

65. Mr. PLAKA (Albania) said that the Soviet representative's remarks were a vain attempt to reduce the effect of his delegation's statements.

66. Albania had come to the Conference to seek a new law and to defend the interests of peoples. It had no other intent. If the representative of the Soviet Union thought otherwise, then he should explain what its naval fleets were doing in the Mediterranean and in the Indian and Atlantic Oceans. Obviously, the fleets were there to threaten, intimidate and enslave devel-

³ *Fisheries Case, Judgment of December 18th, 1951: I.C.J. Reports 1951, p. 116.*

oping countries, and all such countries had a right to be anxious.

67. Not only had the Soviet Union been against the organization of the present Conference, but it had, in its statements, threatened the sovereignty of coastal States and advocated free shipping and access to territorial waters in order to despoil other nations and impose its will on them. Its intentions could

not be concealed and showed that the Soviet Union was a revisionist and chauvinist super-Power.

68. The PRESIDENT said that although questions relating to the law of the sea inevitably had political overtones, he wished again to appeal to delegations to exercise restraint in their statements.

The meeting rose at 1.30 p.m.

28th meeting

Wednesday, 3 July 1974, at 3.40 p.m.

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

General statements (*continued*)

1. Mr. PINTO (Sri Lanka) said that his Government had already indicated its position on the law of the sea in various bodies concerned with the sea-bed. Consequently, he wished to deal with the question that he considered to be of the highest importance—the exclusive economic zone and, in particular, an exclusive fishery zone, which should be the subject of recognition and codification at the current session of the Conference.

2. In the opinion of his delegation, a State had sovereignty for the purpose of exploiting the available living, non-living, renewable and non-renewable resources of the exclusive economic zone. That meant that all the resources of the zone actually belonged to the coastal State, which was the only State that could take action to conserve and manage them. If the coastal State was unable, because of a lack of technological and financial capacity, to exploit the resources of the zone, it would be open to the coastal State to enter into arrangements with other Governments and entities to exploit the resources so as to generate the maximum possible benefit. The coastal State did not therefore have merely a preferential right to those resources. If that were so, the right of the coastal State would be limited to only those resources that were exploitable. Recognition of the exclusive economic zone would not only protect existing investments but would also offer new incentives for development of the fishing industry by guaranteeing that the Government would have the right to take action to conserve the resources and to control competition. A distinction had to be made between renewable resources, consisting of fish stocks that would be wasted if they were not harvested systematically, and non-renewable resources, consisting of minerals that could remain untapped indefinitely. Consequently, it was to be foreseen that the coastal State would adopt different approaches to the exploitation of the two types of resource.

3. As far as the exclusive fishery zone was concerned, it was essential to recognize that all species of fish in the zone were to be treated as belonging to the coastal State and subject to its exclusive right of exploitation. Nevertheless, in view of the biological characteristics of those resources, the coastal State would recognize that when the fish passed out of its national jurisdiction or into the jurisdiction of another State, the coastal State would lose its exclusive rights to them, and, in view of the mobility of the resource, the coastal State should exploit it with due regard to the interests of the international community and, in particular, of neighbouring States. That would not apply, of course, to such species as anadromous fish, for which special provision would be needed.

4. As to the operation of an exclusive fishery zone, his country was particularly interested in conservation and management on the one hand, and arrangements for full utilization on the other. As far as conservation and management of the zone were concerned, the coastal State should have exclusive

jurisdiction for formulating and implementing regulatory measures which, of course, must be based on sound scientific data. The gathering of that data would not present any problems when the data referred to fish stocks whose life cycles were completed within the zone of the coastal State. Nevertheless, in the case of species that migrated from the zone or into the exclusive economic zone of another State, co-operation between all the States concerned might be necessary. Such co-operation would also be necessary to agree on arrangements designed to maintain fish stocks at an optimum level throughout their entire migratory range. Such arrangements might be bilateral or multilateral, depending on the case, or based on the use of a permanent intergovernmental machinery such as the regional commissions of the Food and Agriculture Organization of the United Nations (FAO) when a more regular operation was required. It would of course be necessary to modify the existing statutes or agreements to take into account the recognition of the exclusive fishery zone. He drew attention to the fact that the FAO Fishery Committee for the Eastern Central Atlantic had established two Sub-Committees to deal with fishery management. One of the Sub-Committees, the membership of which was limited to coastal States, was concerned with resources of areas within national jurisdiction; the other, made up of coastal States and distant water fishing nations, was concerned with resources beyond national jurisdiction and matters relating to action affecting other areas. In addition, three of FAO's regional fishery commissions—in the Indian Ocean, in the South China Sea and off the West African coast—were already providing assistance from funds made available by the United Nations Development Programme and certain donor countries.

5. As far as the arrangements for full exploitation of the exclusive zone were concerned, it had been argued that its operation would lead to a closure of access to stocks in large areas of coastal waters and a consequent under-utilization and waste of protein resources. His Government believed that such a result was most unlikely to occur. The central objective of an exclusive fishery zone was to give the coastal State possession of a resource from which direct benefits could be realized immediately. Consequently, the coastal State would be the first one to be interested in exploiting those resources. Such exploitation could take place not only through the levy of charges under a licensing system but also, for example, by the transfer of technology, including the training of personnel. Another, more promising, arrangement during the transitional period prior to the attainment by the coastal State of the requisite level of technology and financial capacity was what had been called "joint ventures", which might be either contractual or involve equity participation and the setting up of a separate legal entity.

6. It was the exclusive right of coastal States to determine the allowable catch and the allocation of quotas to foreign