

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

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## **Summary Records of Plenary Meetings 30<sup>th</sup> plenary meeting**

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ment of reasonable duties to the coastal State for the licence to catch the surplus fish in its zone; preferences for the developing countries and for those developed countries which helped to increase the fish resources of the zone; co-operation among the developing countries for joint exploitation; and equitable participation of the economically under-developed countries in the exploitation of the resources available after the previous preferences had been met.

70. The straits régime was a problem of vital importance for his country. Being determined to develop its merchant and fishing fleets and having an open economy largely dependent on foreign trade, it was natural for Cuba to be concerned to maintain freedom of navigation. Since its Revolution Cuba had had to contend with the aggressive policy of the United States and it was therefore essential that the fleets of friendly nations and of the socialist and the non-aligned countries should be able to sail freely to Cuban ports. Accordingly, his delegation supported the maintenance of the present régime in international straits, with proper guarantees for the riparian States. The future Convention must prevent the indirect but no less effective violation of freedom of navigation; in that connexion he cited the example of the United States Government's black list of ships trading with Cuba, which had caused some shipping companies to discontinue their services to Cuban ports, with a consequent economic loss for Cuba.

71. The question of archipelagos was another matter of particular interest for his delegation, since access to the islands of the Cuban archipelago lay through straits between certain neighbouring countries. His delegation thought that the ar-

chipelagic régime approved by the Conference should provide for freedom of navigation among the islands of archipelagos to which access lay through international straits.

72. His country had always supported the right of land-locked countries to free access to the sea. That general principle should be confirmed in the Convention. The application of the principle in individual cases should be regulated by bilateral agreements with the transit countries or by regional agreements.

73. He endorsed the view of the delegation of Trinidad and Tobago that the Conference should establish regional or sub-regional régimes for closed or semi-closed seas such as the Caribbean. He agreed with the representative of Barbados that the regulations for pollution control should not impede the development of the economically backward countries. He supported the decision of Argentina not to recognize any rights accorded under the convention to the territories occupied by foreign Powers or subject to colonial domination. His delegation wished to reiterate its support of Jamaica's offer to provide the headquarters of the International Sea-Bed Authority which was to be set up to regulate exploration and exploitation in the international zone.

74. In conclusion he read out the text of a telegram addressed by the Prime Minister of the Revolutionary Government and the President of the Republic of Cuba to the President of Argentina, expressing condolences on the death of President Perón.

*The meeting rose at 1 p.m.*

## 30th meeting

Thursday, 4 July 1974, at 3.40 p.m.

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

### General statements (*continued*)

1. Mr. AL-HUBAISHI (Yemen) said that the absence of representatives of the national liberation movements recognized by regional organizations was a matter of grave concern to his delegation, and he asked that they should be invited to participate in the Conference. In particular, he urged the Conference to take the necessary steps to ensure the participation of the Palestinian people, represented by the Palestine Liberation Organization.

2. The principal aim of all countries was to reshape the law of the sea and adapt it to the economic, political, social and technological context in which it was to operate in the future, without obstacles, and with fewer conflicts and crises. Although his delegation recognized that both national interests and the community's interests must be harmonized in a general treaty such as that which the Conference was to draw up, he did not think that that could be done once and for all, since the interests were changing and so were the conflicts to which they might give rise. Therefore, he thought the suggestion made by the Secretary-General at the opening meeting—that some institutional machinery should be created to keep whatever rules were adopted under permanent review—was a very wise one.

3. Another problem which, in his view, had not been given enough attention until the present was that of the rights of coastal States with regard to closed and semi-closed seas. If a comparison of interests was adopted as a basis for the control that a State might exercise over its adjacent waters, the coastal States must be given full control and jurisdiction over such areas. The intensive and diverse activities that were carried on

in those waters tended to centre on the exploitation of the natural resources, while according to the projections of technical development over the next few years, a great variety of activities would be carried on in a limited space. That would have the inevitable consequence of increasing the magnitude of the conflicts and of the interests involved and multiplying them.

4. His delegation was happy to see, as the debate of the Conference progressed, that many questions connected with the law of the sea which had been the subject of controversy were now virtually acceptable in principle for a large number of countries, as was the case for the concept of the common heritage of mankind. Once that principle was accepted, it necessarily involved giving very broad jurisdiction to an international body to administer the affairs of the zone for which it was responsible.

5. One of the questions which his delegation felt to be of the highest importance was the régime governing the passage of merchant and military vessels through straits when they were affected by the new 12-mile limit of the territorial sea. In his view, the best solution would be to achieve a balance between the interest of the world community as a whole and the exclusive interests of the coastal States concerned. When that régime was being worked out, it would be advisable to distinguish between straits connecting one part of the high seas with another in international navigation and those that were used for navigation between the high seas and the closed and semi-closed seas.

6. Recognizing the special importance of that question, his delegation, jointly with seven other delegations, had submitted

during the preparatory work for the Conference some draft articles on navigation through the territorial sea and navigation through straits (A/9021 and Corr.1 and 3, vol. III, sect. 69), which he trusted would receive considerable attention.

7. There was one type of problem on which the present law of the sea was very ambiguous. They included the problem of the limits of the continental shelf. Although he considered that the principle of equidistance had been generally accepted, its world-wide application was restricted owing to a limited conception of what constituted special circumstances, which required more precise definition. The situation with regard to islands and their effect on the limits of the continental shelf was equally ambiguous and it required clarification also.

8. The problem of baselines and the disputes which might arise as a result of the application of the present rules, particularly when the limits of the continental shelf were established within territorial waters, was closely bound up with the same question. Therefore, it would be highly advisable for any new treaty that was signed to include unified maps which could be used by all nations to establish such baselines.

9. Lastly, his delegation wished to stress its support for the Declaration of Principles Governing the Sea-Bed and the Ocean Floor, and the Subsoil Thereof, beyond the Limits of National Jurisdiction, which appeared in resolution 2749 (XXV) adopted by the General Assembly and he was convinced the Conference could be successful only if the principles laid down in that Declaration were solemnly and conscientiously respected.

10. Mr. ZEGERS (Chile) thought that the Conference would constitute a test not only of the United Nations but also of the international community's capacity to lay down for itself universal rules to cope with the enormous problems of a world united by technological progress. He believed that the procedural arrangements agreed upon a few days before augured well for the success of the substantive negotiations, and the rules that had been approved would enable the Conference to work by consensus. At the very least, a set of central articles should be adopted at Caracas defining the major themes of the Conference and giving legal form to what had been called an "international package deal".

11. Chile was a maritime country with a long continental, insular and Antarctic coastline. The sea was an essential means of communication for Chile, and it also provided much of the protein eaten by its population. Its waters and sea-bed also contained important living and mineral resources. That was why Chile had striven to contribute to the various stages and aspects of the work of the Conference. He was honoured by his election as Vice-President of the Conference, and he reaffirmed his Government's determination to use its best efforts for the success of the international negotiations.

12. It was a source of great satisfaction to Chile that the 200-mile limit, which it had been the first country to declare 27 years before and which, together with Ecuador and Peru, it had long defended, had been made the central pillar of the international negotiations. Those three countries, with modest investments and simply-equipped coastal fishing fleets, had increased their catch twentyfold because of the maritime zone, and had now joined the great fishing nations of the world.

13. The proclamation of the 200-mile limit had drawn attention to an unjust, anachronistic state of affairs, under which a handful of countries divided up the wealth of all the oceans among themselves. It also underlined the primary relationship between land, man and the sea and the link between a nation and the resources of its adjacent sea.

14. It had been stated that the two central elements of the international solution would probably be the patrimonial sea of up to 200 miles in breadth and the international régime for the sea-bed. In essence the patrimonial sea represented a balance between recognizing the sovereign rights of a coastal State

over a zone up to 200 miles wide for the exploitation of resources and for related purposes, and protecting the needs of the international community. That formula would give a coastal State clearly defined powers with respect to resources, control of scientific research, pollution and installations; and third States would enjoy freedom of navigation and overflight beyond the 12-mile limit of the territorial sea. The zone would therefore be characterized by the jurisdiction and control exercised over it by the coastal State for purposes that were primarily economic. That was what the power of the coastal State consisted in; to dilute it beyond the requirements of "*ius communicationis*" would mean running the risk of jeopardizing all the negotiations. From the procedural standpoint, moreover, it was important that a vote should be taken at the same time on the territorial sea and the patrimonial sea.

15. With respect to the international régime for the sea-bed, it was important that the principle of the "common heritage of mankind" should not be vitiated. According to that principle, all States, whether coastal or land-locked, would be able to take part in managing the sea-bed beyond the limits of national jurisdiction and its resources. It also implied that there would have to be a treaty setting up an international régime and an international body with sufficient power to attain the proposed objectives.

16. He stressed the fact that if the ideas of patrimonial sea and common heritage were given a suitable legal formulation, a step forward towards creating a more modern, just and balanced law of the sea would have been taken. All developing countries, including the land-locked countries, would benefit from the sea-bed régime. The coastal States would have a formulation of the law of the patrimonial sea, which was gaining ground as an international usage, and the great maritime Powers would conserve the essential features of what were called the freedoms of the high seas.

17. The international solution to the problems of the sea, which should include regional, subregional and bilateral agreements to supplement it, covered many other questions, such as straits used for international navigation, archipelagos, the continental shelf, pollution and the problem of the land-locked countries. The rules adopted on the last point should include a formulation of the principle of free access to and from the sea, and recognition of a preferential régime for land-locked countries with regard to fishing in neighbouring countries. Chile's interest in those rules was obvious, and it had already contributed something to them through a system of bilateral agreements under which it had granted Bolivia transit facilities and access to the sea from all Chilean ports.

18. Finally, the major definitions corresponding to those central themes should take the form of treaty articles and become part of an international package deal. His delegation believed that to be the basic task of the Conference.

19. Mr. TREPCZYNSKI (Poland) said that, in accordance with the General Assembly's decision, the task of the Conference was to review the whole system of international law relating to the sea, in the light of the enormous advances in science and technology and the political and economic changes in the world. That was possible largely because of international *détente* and the implementation of the principles of peaceful coexistence between States with different economic and social systems. It was, however, regrettable that the principle of universality had not been fully respected and that the Provisional Revolutionary Government of South Viet-Nam had not been invited to participate in the Conference, with the result that the Democratic Republic of Viet-Nam was not represented either.

20. Co-operation and mutual understanding were essential if the difficult problems on the agenda were to be solved. In that connexion, particular attention should be paid to the interests of the developing countries. Poland therefore firmly supported the sovereign rights of those countries to manage their natural resources.

21. While drafting the new law of the sea, there should be an awareness that the Conference was not acting in a legal vacuum. There was a whole system of rules of international law relating to the sea which, though imperfect in certain respects, nevertheless fulfilled a useful role in international relations. The Conference should therefore concentrate its attention on adapting the law of the sea to present circumstances and on filling the gaps which existed.
22. With respect to the principal problems before the Conference, it was necessary to refer first of all to the question of the freedom of the high seas. His delegation believed that nothing should restrict the peaceful use of the sea for transport and communications, which included the three principles of freedom of navigation, freedom of overflight and freedom of laying submarine cables and pipelines. In that connexion, it should be pointed out that freedom of navigation was not only the free movement of ships on the high seas, but also the right of innocent passage through territorial seas and of free passage through straits. Because of its geographical position, Poland attached great importance to the last-mentioned principle. The Conference should reaffirm the principle of freedom of passage through straits used for international navigation, provided that such passage did not endanger the security of the coastal State and conformed to international rules concerning prevention of collisions and pollution of the waters of the coastal State. The new rules to be adopted in that respect should not affect existing international agreements or rule out the possibility of concluding new agreements which would define the status of particular straits.
23. Another important aspect of the freedom of the high seas was the freedom of scientific research, which should be conducted for peaceful purposes and in the interests of the entire international community. At the same time, it should be conducted in such a way that it would not damage the marine environment. Finally, its results should be made public through scientific publications.
24. Referring to the rational exploitation of the living resources of the sea, he pointed out that the differences in approach to fishery issues stemmed not only from the varying degree of economic advancement of States, but also from their geographical location, for which reason the land-locked States were obliged to fish off the coast of other States. For many geographically disadvantaged States, the expansion of distant-water fishing was the only way of obtaining part of the food requirements of their population. However, that did not mean that Poland did not take into account the interests of States which were mainly engaged in coastal fishing, and it was therefore prepared to recognize the right of developing countries, and other countries which were largely dependent on fishing, to establish economic zones beyond the 12-mile limit of the territorial sea in which they would have special rights to the fish stocks. That meant that they could reserve for themselves the part of the catch which they were capable of landing, while other States would be entitled to the remaining part of the fish stock in the economic zone under conditions to be determined.
25. The concrete decisions concerning the scope of the rights of the coastal States in the economic zone should be reached through close co-operation between the relevant regional fishery organization and the coastal State concerned, with the co-ordinating role with respect to the regional fishery organization being assigned to the Food and Agriculture Organization of the United Nations.
26. Poland was prepared to continue its policy of co-operation with developing countries, under which it had shared its fisheries experience and technology with various African and Asian countries.
27. He emphasized the need for awareness of the possible consequences which the fisheries decisions might have on the world food situation. It was impossible, in connexion with the World Food Conference to be held in Rome, to work out programmes aimed at combating hunger and increasing the food resources of the world and, on the other hand, to disregard those programmes in the Conference at Caracas.
28. With respect to the exploration and exploitation of the mineral resources of the sea-bed and the ocean floor beyond the limits of the continental shelf, his delegation believed that under the concept of the "common heritage of mankind", all States should be guaranteed access to that area and to its resources in order to ensure that it would be used exclusively for peaceful purposes and the benefits derived from the exploitation of its resources would be equitably shared, with special consideration being given to the interests and needs of the developing and geographically disadvantaged countries. Access to the sea-bed and its resources should also be guaranteed to the land-locked and shelf-locked countries.
29. Regarding the establishment of the International Authority that was planned following the recognition of the sea-bed and the ocean floor as the common heritage of mankind, Poland believed that its powers, structure, the composition of its organs and its decision-making procedures should be adapted to the circumstances resulting from exploitation activities and should guarantee that the interests of all groups of States were taken into account so that it would not become an instrument to be used by one State or group of States to dominate others.
30. The importance of the prevention of marine pollution in the last decade had led the United Nations Conference on the Human Environment, held at Stockholm, to include a special paragraph on the subject in its Declaration and to formulate the general principles<sup>1</sup> which should be observed by all States. The Conference should now elaborate the relevant principles as a basis for the drafting of universally elaborated and accepted international legislation which would facilitate global and regional co-operation in that field. The formulation of the relevant technical standards could suitably be left to the specialized agencies, in particular the Inter-Governmental Maritime Consultative Organization.
31. Taking into account the long-term interests of the international community, the Conference should subordinate its decisions to the objectives of stimulating and not impeding international co-operation in the peaceful use of the seas and oceans for the benefit of all States, and of reasonably developing and protecting the resources of the seas and oceans for the benefit of mankind, particular regard being given to the needs and interests of developing countries.
- Mr. Kedadi (Tunisia), Vice-President, took the Chair.*
32. Mr. LUPINACCI (Uruguay) said that international law, especially the law of the sea, must be in tune with the compelling realities of the modern world, namely, under-development, unjust distribution of the resources of the earth, the plundering of food reserves and upsetting of the ecological balance. The present legal order, built by an oligarchy of maritime Powers and basically serving their interests, must therefore give way to a different, democratically structured order which safeguarded and protected legitimate rights and interests deriving from the new realities of the modern world.
33. The most important question which had to be resolved was that of the content, scope and extent of the authority of coastal States over the maritime areas adjacent to their coasts. As an approach towards solving that problem, Uruguay supported the idea of the plurality of territorial sea régimes, as it considered that there were only two possible juridical norms applicable to maritime régimes, one based on the principle of sovereignty, which had found expression in the concept of the territorial sea, and the other on that of liberty, which had found expression in the régime of the open or high seas.

<sup>1</sup>See *Report of the United Nations Conference on the Human Environment* (United Nations publication, Sales No. E.73.II.A.14).

34. The essence of the applicable juridical régime would always be conditioned by the prevalence of one or the other of those two principles which, in the final analysis, would amount to its residual application. Thus, Uruguayan legislation defined the territorial sea as the adjacent sea area under Uruguayan sovereignty extending 200 nautical miles from the applicable baselines. However, without prejudice to that sovereignty, two régimes were in force in respect of navigation. On the one hand, the right of innocent passage was recognized for ships of all flags in a strip 12 nautical miles wide, measured from the applicable baselines. On the other hand, the freedoms of navigation and overflight were recognized beyond that 12-mile strip, up to the 200-mile limit of the territorial sea. That system had been brought into force under the Treaty between Uruguay and Argentina concerning Rio de la Plata and its Sea Front which guaranteed those freedoms in the seas under the jurisdiction of each Party beyond the 12-mile strip. The only restrictions were those arising from the exercise by each Party of its power to exploit, conserve and explore resources; protect and preserve the environment; carry out scientific research; construct and set up installations; and guarantee defence.

35. The new law of the sea must provide for the strictest limitation within the broader areas of State sovereignty, by providing for freedom of sea and air navigation and for the freedom to lay submarine pipelines and cables, freedoms which should be defined in accordance with the purpose of maintaining speedy and safe international communications. If the principle of sovereignty was recognized, together with the consequent retention by the coastal State of the powers and competences appropriate to that sovereignty, limited only by exceptions that were expressly set forth, there was no need to enumerate the powers or competences. The establishment of a plurality of régimes in the territorial sea would simplify to the greatest possible extent reconciliation of the legitimate interests which had to be considered. Such a reconciliation, achieved through an equitable distribution of rights and obligations based on the right of the coastal State over the sea adjacent to its coasts, would set reasonable limits on that right and harmonize it with the rights of third States and of the international community. As a corollary to that sovereignty of the coastal State, however, international law imposed duties on that State. In particular, there was the State's duty to take effective action in its areas of maritime sovereignty to protect the marine environment from the damage and risks of pollution, through co-operation with other States and in implementation of the recommendations of international technical bodies. In that regard, his delegation wished to reiterate that the marine environment was a single unit which had to be preserved as a whole, within and outside national jurisdictions, without prejudice to the sovereign rights of the coastal State, and that the international duty of protecting the marine environment therefore constituted a genuine *jus cogens* forming a part of the international public order. Secondly, the coastal State had the duty to give particular consideration within its area of maritime sovereignty to the general interest in terms of promoting scientific research, which was correlative with the right to participate in all phases of the research, to be apprised of, interpret and use the results obtained, and to benefit from the transfer of the relevant technology.

36. With regard to the various approaches to the so-called economic zone or patrimonial sea, his delegation felt that many differences, such as those involving terminology, were only apparent, while others, although originating in differing legal systems, led to the same or similar substantive solutions. Thus, the method could be to lay down the principle of sovereignty as an over-all aggregate of competences, without having to enumerate them, or to enumerate the competences of the coastal State. However, the latter method suffered from a serious defect: it was very difficult, if not impossible, to foresee all the possible competences which the coastal State might exercise and to envisage unforeseen situations. The question would then

arise as to which principle should be applied, that of sovereignty or that of liberty. Choosing the latter principle would prejudice coastal States, particularly the developing ones. In any event, the concepts of a plurality of territorial sea régimes and of an economic zone, or patrimonial sea, with broad sovereign powers for the coastal State, had much in common.

37. His delegation wished to emphasize the risk that, under the heading of the economic zone or patrimonial sea, positions might be included which in practice might deprive that concept of some of its meaning, curtailing the rights and powers of the coastal State. Some Powers were interested in reducing to narrow margins the areas of sovereignty of coastal States in order to further their economic, political and strategic interests. Outwardly adopting a conciliatory approach, they might support the concept of an economic zone beyond the 20-mile strip while making it a hollow formula under which scarcely any of the preferential rights of the coastal State remained. His delegation found such proposals unacceptable.

38. With regard to the continental shelf, his country reiterated its support for the recognition of the sovereign rights of the coastal State over the shelf for the purposes of exploring and exploiting its natural resources. He considered that the legal concept of a continental shelf, which took into account both geological and distance criteria, had been properly formulated, and that fair consideration was being given to the situation of all coastal States, both those that were almost devoid of any shelf and those that possessed a wide shelf.

39. As to the situation of the land-locked countries, the same principles of justice that had been invoked as a basis for the new law of the sea called for the recognition of the full right of those States to make effective use of the sea and to share in the benefits flowing from the exploration and exploitation of the international area of the sea-bed and the ocean floor. They should consequently be assured, under bilateral or subregional agreements, of access to the sea through the territories of neighbouring coastal States and the areas of sea under the sovereignty of such States. Recognition should also be given, under bilateral or subregional agreements, to their right to participate in the exploitation of the living resources within the sea areas under the sovereignty of neighbouring coastal States or of coastal States within the same subregion.

40. Uruguay wished to express its special solidarity with the Republics of Bolivia and Paraguay and to state that it was fully disposed to join in giving equitable consideration to their situation.

41. It also wished to reiterate its full endorsement of the historic Declaration of Principles in General Assembly resolution 2749 (XXV), and also supported the establishment of an international régime with wide powers that would ensure the implementation of those principles, so that the international area of the sea-bed and the ocean floor was used for the real benefit of all peoples, particularly those of the developing countries.

42. Mr. AZZAM (League of Arab States) emphasized the role of the League of Arab States as a regional organization within the framework of the United Nations for the promotion of peace and understanding and the prosperity of the peoples of the region and of the world as a whole.

43. The League of Arab States had attached particular significance to the preparatory work for the Conference. The Council of the League had adopted many resolutions on the subject and had decided to establish a special Committee of Arab experts to study all the questions relating to the law of the sea. That Committee had held three sessions at the headquarters of the League in Cairo and had adopted a number of resolutions that had subsequently been adopted by the Council of the League at its most recent session.

44. Those resolutions not only took into account the interests of the 20 Arab States but also gave attention to the common interests of all countries and peoples, in conformity with the

League's policies of co-operation with all nations for the benefit of mankind.

45. Those resolutions had also been co-ordinated with the measures adopted by the Organization of African Unity, in furtherance of the close co-operation between the two organizations and the solidarity between their member States.

46. The League and all its members were determined to contribute to the success of the Conference in establishing a new legal order based on equity and justice.

47. Another question of great importance was that of permitting the participation in the Conference of the Palestine Libera-

tion Organization as the legitimate representative of the Palestinian people. The whole world had come to acknowledge that the people of Palestine were struggling for their legitimate right of self-determination, of which they had been deprived for so long. The League of Arab States also strongly supported the participation of all other liberation movements recognized by the regional organizations, and was convinced that the Conference would respond positively to that wish, seeing that such participation had been endorsed by the great majority of previous speakers.

*The meeting rose at 5.30 p.m.*

## 31st meeting

Monday, 8 July 1974, at 10.45 a.m.

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

### General statements (continued)

1. Mr. STRONG (United Nations Environment Programme) said that the importance of the Conference from the environmental point of view could not be emphasized too strongly. The decisions it would take would affect the protection of the environment on which the life and well-being of all peoples depended.

2. The protection of the oceans was vital to the future of humanity, and any exploitation of their resources that was not accompanied by an *a priori* commitment to protect the environment could not be considered sound or sensible.

3. The current state of the marine environment was far from satisfactory. By the end of the century, the seas would be more intensely exploited than many areas on land. Their potential was of course immense, but care must be taken to exploit that potential without destroying it. It was not an organization that was required for that purpose but a comprehensive oceans management system. The United Nations Environment Programme (UNEP) made no claim to a monopoly of even the environmental aspects of such a system. Such organizations as the proposed International Sea-Bed Authority and the Intergovernmental Maritime Consultative Organization (IMCO) should also be expected to incorporate environmental considerations in their special areas of competence. At the same time, as the responsibilities of those organizations would not be essentially environmental and might even on occasion conflict with environmental interests, it was for UNEP to make sure that they took full account of the environmental problems they created by their activities and that those activities were carried out in accordance with general environmental objectives and with the priorities established by Governments.

4. Currently, there was a disturbing increase in the use of "flags of convenience", important conventions remained unratified, and there was no framework of law, no organization for the sea-bed and no set of international standards for the protection of the marine environment.

5. Many Governments were struggling to study and resolve all those problems; he himself had been asked by UNEP to make an assessment of the problems affecting the marine environment and its living resources in specific areas.

6. The number of fish in the sea was not unlimited and there was already a decrease in the total world catch, for which overfishing and pollution were partly responsible. If those causes were eliminated or brought under control, there would be hope of obtaining greater yields of some species on a sustainable basis. The United Nations General Assembly had asked UNEP

and the Food and Agriculture Organization of the United Nations to survey the state of depletion of fish stocks so as to gain an accurate idea of the different factors that were responsible for it.

7. For marine pollution, the Global Environmental Monitoring System which was being established in line with a decision taken by the UNEP Governing Council would provide the framework for a wide variety of research activities such as the Global Investigation of Pollution in the Marine Environment, the Pollution of the Oceans Originating on Land, the River Inputs into Ocean Systems, and the Integrated Global Ocean Stations System, which would be undertaken by existing inter-governmental or non-governmental organizations receiving support from UNEP. On the initiative and with the continuing help of the Intergovernmental Oceanographic Commission and its associated agencies a concerted attack was being mounted on scientific questions relating to a number of high-priority marine pollutants.

8. Nevertheless, however valuable the help of scientists might be in that field, they could not take the essential decisions. Those decisions concerned the choices which would decide the present and the future of mankind, and they should be defined and embodied in "standards". A standard was an authoritative measure of what was acceptable or unacceptable. The standards would not necessarily be binding on States. For example, in the general category of standards, there were the recommendations of competent international bodies. That approach was to be encouraged in highly technical matters, along with the trend towards standards recommended within the context of general principles. In his opinion, the establishment of those principles was the primary environmental task of the Conference on the Law of the Sea; for that reason, he wished to outline some of the principles in the hope of facilitating and perhaps accelerating the Conference's deliberations. First, in the sphere of the obligations of States, the following principles could be defined: States shall protect the quality and resources of the marine environment for the benefit of present and future generations; States shall co-operate with each other and with the competent international bodies in taking measures to protect the marine environment, including the development of minimum international standards and the establishment of machinery for dispute settlement; States shall take fully into account standards recommended by the competent international bodies in taking national measures for the protection of the marine environment. They shall also conform their national laws to obligatory international measures. And they shall ensure that their national laws and regulations provide adequate enforcement of national control measures.