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AD HOC COMMITTEE TO STUDY THE PEACEFUL
USES OF THE SEA-BED AND THE OCEAN
FLOOR BEYOND THE LIMITS OF NATIONAL
JURISDICTION

Note by the Secretary-General

Replies by Member Governments

SWEDEN

On page 19, second paragraph, between the fourth and fifth lines, following the words "permit the Committee to penetrate fully the many problems", insert the following:

"involved. In view thereof the Committee should concentrate its main efforts on defining as clearly as possible the complex questions raised by the proposal of Malta and on pointing to the avenues along which solutions of these questions may be found. In this way, the next General Assembly will be in a position to approach the substance of some of the questions of principle to which Sweden attributes fundamental importance.

In the following some aspects of the subject are mentioned which the Government of Sweden considers important.

1:o) Establishment of the area concerned

According to its mandate the Ad Hoc Committee shall indicate practical means to promote international co-operation in the exploration, conservation and use of the sea-bed and the ocean floor, and the subsoil thereof underlying the high seas beyond the limits of present national jurisdiction. A prerequisite for fulfilling the task of the Ad Hoc Committee is obviously that the Committee defines the area which constitutes the object of its study.

Certainly, the mandate specifically mentions those parts under the high seas

which at present do not fall under national jurisdiction. Such an imprecise description of the area in question is not satisfactory. It might conceivably be taken to imply that any claims to national jurisdiction over the sea-bed and the ocean floor (theoretically) would have to be recognized. This would be as erroneous as it would be dangerous. To safely eliminate such unfortunate eventualities, there should be excluded from the area concerned by the resolution only those parts of the sea-bed to which national jurisdiction can be extended according to international law.

The discussions preceding resolution 2340 (XXII) have shown that there are divergencies of opinion as to the rules of international law regarding the above-mentioned delimitation. Evidently, the wording of article 1 of the Geneva Convention on the Continental Shelf, 1958, could lend itself to an extensive interpretation. Cogent arguments can be advanced against such a construction. In the Swedish view the Convention - which deals with the continental shelf - cannot reasonably be interpreted to cover the deep sea floor, at any rate not those parts of it which are not adjacent to the coasts. It is important".
