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COMMITTEE ON THE PEACEFUL USES OF THE SEA-BED AND THE OCEAN FLOOR
BEYOND THE LIMITS OF NATIONAL JURISDICTION

SUB-COMMITTEE II

PROVISIONAL SUMMARY RECORD OF THE SIXTH-NINTH MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 24 July, 1973, at 3.40 p.m.

CORRIGENDUM

1. Page 5

Insert the following statement before the statement of Mrs. Warner (Trinidad and Tobago) beginning near the bottom of the page:

"Mr. RAJAPAKSE (Sri Lanka) recalled that at the session of the previous summer, his delegation had referred to two crucial issues: the exclusive economic zone, and passage through straits within the territorial sea, and it had urged the preparation of drafts which set out the positions of governments with clarity and precision. His delegation had always believed that it was only through the preparation of concrete texts that issues could become clearer, and a solid foundation laid for the more important stage of political negotiation. Already at that session the representative of Kenya had submitted a proposal regarding the exclusive economic zone, which had since, in a modified form, received the support of a large number of States. At the Spring session of the current year, his delegation had welcomed and commented on a text which dealt with the second issue, passage through straits, jointly submitted by eight delegations (A/AC.138/SC.II/L.18).

"It was his privilege today to welcome the draft prepared by the representative of Fiji, dealing with passage through the territorial sea (A/AC.138/SC.II/L.42). The representative of Fiji had been kind enough to take into account many of the suggestions which the Sri Lanka delegation had made in relation to the eight-Power draft, and he wished to express his warm appreciation.

"The draft proposed by the representative of Fiji, while based firmly on the concept of innocent passage - and therefore, in his delegation's view, in accordance with existing law - seemed to go a considerable way towards allaying the apprehensions of those who favoured other approaches, in that it attempted to elaborate the concept of innocent passage by specifying acts that would not be regarded as 'innocent'. It had thus sought to develop the idea of 'objective criteria', which could be of decisive importance in bringing together those who held opposing views on the matter. His delegation supported the concept of 'innocent passage' although it would not object to using another term such as 'lawful passage' or 'peaceful passage' if that commended itself to the majority of States. Nor would it be against a simple reference to 'passage', provided the rights and lawful interests of all were safeguarded through clear rules and objective criteria.

"In the opinion of his delegation, the delegation of Fiji had made a major contribution to the work of the Committee in submitting its paper. The Sri Lanka delegation was in broad agreement with the principles it contained, and believed that, together with other related proposals, it would offer a sound basis for working out a régime acceptable to the overwhelming majority of States."

2. Page 10, line 5

For Austrian read Australian.