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

PROVISIONAL SUMMARY RECORD OF THE NINETY-FOURTH MEETING\*/

held at the Palais des Nations, Geneva,  
on Monday, 2 July 1973, at 11.15 a.m.

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| <u>Chairman:</u>   | Mr. AMERASINGE | Sri Lanka |
| <u>Rapporteur:</u> | Mr. VELLA      | Malta     |

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N.B. Participants wishing to submit corrections to this provisional summary record are requested to submit them in writing, preferably on a copy of the record itself, to the Official Records Editing Section, Room E.4121, Palais des Nations, Geneva, within three working days of receiving the provisional record in their working language.

\*/ This provisional summary record, together with the corrections to be issued in consolidated form after the session, will constitute the final record of the meeting.

## OPENING OF THE SESSION

The CHAIRMAN declared the session open and welcomed the participants. He thanked Mr. Winspeare Guicciardi, the Director-General of the United Nations Office at Geneva, for the interest that his Office had shown in the work of the Committee and for its co-operation, and invited him to read a statement on behalf of the Secretary-General.

Mr. WINSPEARE GUICCIARDI (Director-General of the United Nations Office at Geneva) said that, as the Secretary-General had to be at Helsinki on 3 July for the opening of the Conference on European Security and Co-operation, he could not attend the opening of the session. Mr. Stavropoulos, Under-Secretary-General for Legal Affairs, who was to have taken his place, had been delayed. On behalf of the Secretary-General, he assured the Committee that the Conference would have the full attention of the United Nations, especially with regard to its political and economic implications. The Secretary-General hoped that the forthcoming discussions would help to produce broad guidelines for United Nations action to deal with the difficult problems concerning the Law of the Sea.

## ORGANIZATION OF WORK

The CHAIRMAN said that the present session should mark the end of the Committee's preparatory work for the third United Nations Conference on the Law of the Sea. The General Assembly had provided for further preparatory sessions if necessary. He hoped, however, that the work accomplished during the present session would make that unnecessary.

At the meeting of the bureaux of the Main Committee and the Sub-Committees held that morning, it had been agreed that the Sub-Committees and working groups would resume work immediately, taking up where they had left off on 6 April.

The following facilities would be provided during the session: a summary record would be drawn up for one morning and one afternoon meeting each day; interpretation would be provided for three meetings in the morning and three in the afternoon, thus giving the organs of the Committee ample opportunity to meet.

Referring to the Committee's report, he said that the General Assembly was to consider the question of invitations and of participation in the Conference and other related matters, in accordance with its resolution 3029 A (XXVII), early in its twenty-eighth session. The Committee's report should therefore be ready by then to be considered; for that to be possible the report should be kept as short as possible.

He therefore proposed that only documents issued by the Committee as such should be annexed to the report, and not, as in recent years, documents submitted by individual delegations. The Committee could, however, declare where appropriate that given documents should be regarded as annexed to its report, although they would not be reproduced in it.

It would also be possible to save time if, instead of reissuing the summary records in final form, the corrections made by delegations to the provisional records were circulated. If the Committee should decide to adopt that course, the corrections would be circulated soon after the close of the session in a single consolidated document.

In accordance with past practice, he proposed that the main Committee should meet at regular intervals during the session. In the early stages, one meeting a week should be sufficient. The next meeting of the Committee would therefore be held at 10.30 a.m. on 9 July.

It was so decided.

Mr. BAKULA (Peru) said that, in his opinion, documents submitted by some delegations, including his own, should be annexed to the Committee's report. To depart from that practice would be prejudicial to delegations which submitted documents. During the present session, which was the last to be held before the United Nations Conference on the Law of the Sea, an evaluation should be made of the results achieved so far, so that all delegations would be fully aware of the situation. Peru wished to make a statement on that subject at the next plenary meeting.

Mr. CASTANEDA (Mexico) said that he too saw no justification for the proposal that documents submitted by delegations should not be annexed to the report. It was desirable that the participants in the Conference should have as much information as possible, provided by the work of the Committee and the proposals made by States, on which to form their opinions. Little time would be saved by not incorporating the documents of delegations in the report, since it was not the reproduction of prepared documents submitted by delegations which took time, but the summaries made of such documents by the Secretariat and the other documents drawn up by the Secretariat.

Sir Roger JACKLING (United Kingdom) said that, in order to take into account both the Chairman's desire for simplification and the concern expressed by Peru and Mexico, the delegations could perhaps state, at the end of the discussions, whether they wished their documents to be submitted to the Conference.

Mr. ABDEL-HAMID (Egypt) said that he saw no need for the question of the contents of the report to be settled forthwith. In the course of the session delegations would no doubt manage to strike a balance between the various views expressed.

The CHAIRMAN said that he hoped that the Peruvian text which the representative of that country had mentioned would be accepted by the Committee and that it would therefore be incorporated in the report as a draft article submitted to the Conference.

He proposed that the question of the contents of the Committee's report should be left in abeyance and taken up later in the session.

It was so decided.

Mr. HALL (Secretary of the Committee), replying to a question by Mr. PARDO (Malta), said that at its preceding session the Committee had asked the Secretariat to prepare in addition to the reports on the economic implications of jurisdictional limits called for in General Assembly resolutions 3029 B and C (XXVII), a report on precedents concerning the provisional entry into force of multilateral conventions, a report on economic developments and a master file of Sea-Bed Committee documentation. The report under resolutions 3029 B and C was before the Committee in document A/AC.138/87. The report on precedents for the provisional entry into force of multilateral conventions appeared in document A/AC.138/88. The report on economic developments was expected to be available within a few days. The Secretariat proposed to make an introductory statement regarding those reports at the next meeting of the Committee. The master file of Sea-Bed Committee documentation was available for consultation by delegations in room A.662 of the Palais des Nations. A staff member would be on hand to assist members in the use of the file and an index to its contents was available. The file included copies of all the past documentation of the Committee and of the preceding Ad Hoc Committee, as also the relevant General Assembly documents, in all the working languages. Joined to it was a collection of relevant documentation of the specialized agencies. Other relevant material, such as the documents of the 1958 and 1960 Law of the Sea Conferences, was also available for consultation in that room.

The Secretariat had also been asked to distribute copies of certain documents prepared for the Pacem in Maribus convocation. Those were being reproduced and would be circulated in the near future.

Mr. CISSE (Senegal) said that 41 African States members of the Organization for African Unity, meeting at Addis Ababa, had adopted the "Declaration of Addis Ababa", which dealt with most of the questions relating to the Law of the Sea. He would like that Declaration to be reproduced in all the working languages and circulated as a working document. It would represent a contribution by Africa to the solution of the problems under consideration.

The CHAIRMAN said that, in the absence of any objections, the request by the representative of Senegal would be granted.

Mr. WINSPEARE GUICCIARDI (Director-General of the United Nations Office at Geneva) said that the Secretary-General was preoccupied with the increasingly adverse effects of the critical financial situation of the United Nations on its reputation and on the efficiency and effectiveness of its future operations. The Secretary-General had made it clear that, as far as 1972 was concerned, the budget appropriations had to be administered in such a manner as to achieve a final unexpended balance of \$4 million, which was the approximate equivalent of the anticipated shortfall in the payment of assessed contributions. With regard to 1973, he had stated that it was essential that the Secretariat should show maximum restraint in its estimates. He had indicated, in particular, that even in circumstances where a legitimate case could be made for the strengthening in 1973 of particular offices and departments, he would not seek the necessary provisions for such purposes until present difficulties had been resolved.

The Secretariat had already responded positively to the Secretary-General's appeal but it was evident that, if the goals which the Secretary-General had defined were to be reached, it would be necessary also to secure the full support of the various United Nations bodies which initiated new programmes and activities. The Secretary-General therefore felt it to be his duty to make all United Nations councils, commissions and committees aware of his preoccupations and his objectives. He did not consider that the application of a policy of financial restraint necessarily meant that new programmes and activities could not be undertaken. The aim should rather be to seek to accommodate such new responsibilities within the staff resources which would have become available as a result of the completion of prior tasks or by the assignment of a low order of priority to certain continuing activities.

The Secretary-General was confident that the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor would help him to attain those objectives, which, in his opinion and in the present circumstances, were in the best interests of the United Nations.

Mr. SANTA CRUZ (Chile) pointed out that the members of the Committee were already showing the moderation requested by the Secretary-General. The latter could not hope, however, that the question of the sea-bed would not generate new expenditure. Even if the aim was to secure maximum economy, the necessary funds should be forthcoming for fundamental activities of major importance.

The CHAIRMAN asked the Committee to take note of the Secretary-General's remarks. He pointed out that, strictly speaking, the Committee had no programme but it had a moral obligation to discharge.

The meeting rose at 11.55 a.m.