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Text of statement to be made by the Canadian Representative, Mr. J. A. Beesley, in the Legal Sub-Committee on the Peaceful Uses of the Seabed and the Ocean Floor Beyond the Limits of Nations Jurisdiction on Friday, March 21, 1969

May I begin, Mr. Chairman, by congratulating you and the other members of the Bureau on your well-deserved election. We have already had ample evidence in the manner in which you are guiding our deliberations of the wisdom of our choice. In particular, your decision that delegations be permitted to speak to any or all of the items of our agenda is, in our view, the only sensible course at this stage of our deliberations.

I propose, Mr. Chairman, to make some general observations on certain questions relevant to the elaboration of legal principles and norms, in the context of the principles laid down in the Geneva Convention on the continental shelf, and I shall then attempt to draw certain conclusions arising out of the provisions of the Convention. The particular focus of my comments will be the relationship of the Convention to the so-called "B principles," to which Canada is prepared to subscribe. (It will be recalled that principle 2 of the "B principle" refers to "relevant dispositions of international law" and principle 7 refers to "international law including the Charter of the United Nations.")

In my comments I shall touch very briefly and in a preliminary way on Item A(1) the legal status of the area to be submitted to an international regime, Item A(2) the applicability of international law, including the United Nations Charter to the proposed international area; Item A(6) freedom of the high seas; and Item A(7) pollution and other hazards and the obligations.

Mr. Chairman, a number of delegations have observed that prior to 1958 there was very little law on which to base an argument either in favour of or against the right of occupation of the bed of the sea. There existed a few examples of traditional activities on the sea bottom and beneath. Pearl oysters,

chunks, coral and sponges had been exploited for a long time and undersea mining from the shore was also well known. Authors made reference to the traditional concepts of "res nullius" and "res communis" in connection with the high seas and concluded that the seabed and the ocean floor and the subsoil thereof were, or were not, suscentible of occupation.

It has been pointed out by a number of speakers that the Truman declaration of 1945 began a new trend in state practice which later resulted, after only a little more than a decade, in the adoption of the only relevant international convention, the 1958 Geneva Convention on the Continental Shelf. There are other rules in existence--national laws and bilateral or multilateral conventions--which have a bearing on the subject but the Geneva Convention is, to a large extent, the embodiment of contemporary customary international law in this field. What that convention lays down and whether or not it is satisfactory is, essentially, what I shall discuss. I am aware, of course, Mr. Chairman, that much of what I shall say is not new, but my delegation considers it desirable, nevertheless, to make clear its own views concerning the Convention on the Continental Shelf because of the central position which it occupies in the international jurisprudence of the seabed. I might add that my delegation is conscious that the members of this Committee have a dual function in that they are here not only as representatives of their Governments, but in their capacity as members of a Committee representing the United Nations membership as a whole. I shall attempt, therefore, to make clear when I speak for the Government of Canada, and when I attempt to speak in more general terms. For example, the comments which I now propose to make on the Convention are intended not so much as the considered views of the Canadian Government on the Convention but rather as an attempt to make a detached and objective analysis of some of the virtues, strengths, and consequential implications of the provisions of the Convention.

The Geneva Convention on the Continental Shelf, which is now in force, having been ratified by close to 40 States, recognizes that coastal states may exercise certain rights in respect of the resources of their continental shelves. But the definition of the continental shelf requires careful consideration. It will be recalled that Article 1 of the Convention reads:

> "For the purpose of these articles, the term 'continental shelf' is used as referring (a) to the seabed and subsoil of the submarine areas adjacent to the coast but outside the area of the territorial sea, to a depth of 200 meters or, beyond that limit, to where the depth of the superjacent waters admits of the exploitation of the natural resources of the said areas; (b) to the seabed and subsoil of similar submarine areas adjacent to the coasts of islands."

First, the continental shelf consists of the seabed and its subsoil. The superjacent waters are not included. Second, the continental shelf is adjacent to the coast. Third, the shelf begins where the territorial sea ends. Fourth, it is limited to a depth of 200 meters or by the limits of exploitability.

The first difficulty arises out of the concept of adjacency. This is a crucial concept. What is adjacent? To quote only one definition, that of the concise Oxford Dictionary, adjacent means "lying near, contiguous to." On the Pacific or Atlantic coasts, what is near and contiguous? 10 miles? 100 miles? or more?

A second problem is raised by the inner limit of the shelf being fixed in relation to the breadth of the territorial sea. It is well known that the Convention on the Territorial Sea and the Contiguous Zone, also adopted by the Geneva Convention of 1958, is silent on the extent of the territorial sea, agreement having proved impossible at the time and again in 1960. In the present circumstances, this means that the shelf begins, for example, at three miles for certain states while others consider that their shelf begins at 12 miles and still others at 200 miles.

A third problem--and the most serious difficulty--is found in the double criterion used for the outer limits of the shelf; namely, 200 meters in depth or as deep as a country can actually exploit the resources. Thus, while the inner limit is based on a horizontal concept, that of distance from the shore, the outer limit is a vertical one, that of depth. It was considered by the International Law Commission, which drafted the original version of the Convention, that, as indicated in its report in 1953, the 200 meter figure represented a sort of general or world average for the depth at which the break between shelf and slope normally occurred. Now it appears that the world average is somewhat less than this. However, the shelf can extend well beyond the 200 meter depth line--as in the case of Canada for instance

Moreover, it appears that the drafters of the Convention thought that, for a long time to come, it would not be possible to exploit areas beyond 200 meters. But delegations are all aware that actual exploitation of petroleum resources has already taken place at depths of 120 meters, serious evaluation drilling at 400 meters, and it appears to be only a question of time and technological development and economic resources before much greater depths are reached.

If a depth of two hundred meters is not a practicable criterion, then what of the exploitability test, the second criterion that was proposed by the International Law Commission in its final draft articles and included, side by side with

the 200 meter test, in the Convention? Does this mean that states can continue to extend their jurisdiction independently, deeper and further out to sea, as technological progress is realized?

It may be surmised that the delegations at the United Nations Conference on the Law of the Sea in 1958 considered that the rules they were establishing were related only to the geological shelf itself and that they were not laying down rules for the exploitation of the deep ocean floor beyond the limits of the shelf or beyond equivalent limits of the seabed where there is no geological shelf. The Convention is, after all, a Convention on the Continental Shelf, not a Treaty on the deep ocean floor. But the exploitability principle set out in the Convention has led some authors to point out--I quote the distinguished Japanese delegate, Professor Oda--that "it can be inferred that, under this Convention, all the submarine areas of the world have been theoretically divided among the coastal states at the deepest trenches."

I should point out, however, that some scholars hold the opposite view. Professor Henkin has written that, "No government, I believe, would dare propose this as the interpretation of the Convention; if one did, the other nations would reject it." I shall refer later to the indication that the states represented in the United Nations have already rejected this interpretation.

I shall revert again to this question a little later, but I should like to note in passing that the general view which has been expressed in the United Nations and embodied in the relevant resolutions makes abundantly clear, in our view, that there is now general acceptance of the principle that there is an area of the seabed and ocean floor and the subsoil thereof underlying the high seas which lies beyond the limits of national jurisdiction. Canada wholeheartedly supports this proposition which is reflected in the first of the principles which are referred to in our discussions as the "B principles."

Speaking as the representative of the Government of Canada, may I refer again for a moment to the Canadian position on this question. I should like to point out that even prior to the First United Nations Conference on the Law of the Sea in 1958, the Canadian view, as expressed in an official publication, was that "precision would not be forfeit...if the boundary of the shelf were its actual edge. Where the actual edge might be ill-defined or where there is no shelf in a geographical sense, the boundary might be set at such a depth as might satisfy foreseeable practical prospects of exploitation of the natural resources of the seabed adjacent to a particular state."

Bearing in mind the foregoing analysis of Article 1, a further insight can be gained from Articles 2, 3, 4, 5 and 7 of the Convention into the precise nature of the rights enjoyed by coastal states over the rather imprecisely defined area just described.

Article 2 states that "the coastal state exercises over the continental shelf sovereign rights" (not, it might be noted, sovereignty), "for the purpose of exploring it and exploiting its natural resources" and--these are my words--for no other purpose. These "sovereign rights, are exclusive, in the sense that no other state may undertake these activities without the express consent of the coastal state; that these rights do not depend on occupation or any express proclamation; that the rights to be enjoyed do not affect the legal status of the superjacent waters as high seas or that of the airspace above these waters; that the enjoyment of these rights may not impede the laying or maintenance of submarine cables or pipelines on the shelf; and finally that exploitation must not result in any unjustifiable interference with navigation, fishing, conservation of the living resources even though installations, safety zones and other devices are permitted in order to allow proper exploration and exploitation.

What would seem to emerge from this list of rights is that they are limited in nature and that they are not to interfere with any right previously enjoyed by other states, whether over the waters themselves or in the very bottom, as in the case of pipelines and cables.

One of the major difficulties encountered in interpreting the Convention has been the determination of the precise nature of the rights which are said to be sovereign and exclusive, but are not equivalent to what traditionally arose from effective occupation, that is, ownership. There have been differences of view over the interpretation to be given to those types of living organisms belonging to sedentary species which are considered to be, for the purpose of exploitation, a part of the continental shelf. It has also been argued--although the argument is strained--that one of the possible effects of the concept of limited sovereign rights is that jurisdiction over the shelf does not extend to the freedom to install structures or devices which are unrelated to the "exploration and exploitation of the natural resources" of the shelf, for example, military installations. But it is alleged that continental shelves are being used for that purpose, even though the nature and extent of these activities are well-guarded secrets. It can be assumed that states are not likely to ignore their security requirements simply because the Convention is silent or unclear on the subject.

The exploitation of the resources of the seabed gives rise to another difficulty. It is generally assumed that

there is bound to be a very large increase of activities on the shelf in the next few decades. Unless the law is made clearer, there is a danger that the economic benefits derived from the shelf resources will be of such a scope as to contribute substantially to the erosion of the legal basis for the free use of the high seas. The provisions of Article 5 of the Convention, which allow the coastal state to erect "safety zones" around the installations and devices used for exploring or exploiting the continental shelf, do not appear to be adequate, from the legal standpoint, to permit coastal states to exercise that degree or jurisdiction and control in the area which is necessary to protect their sovereign right over exploitation of the resources of the shelf. The relevance of what has just been stated to the resolution passed at the XXIII United Nations General Assembly drawing attention to the dangers of pollution and to Item A(7) of our agenda are too obvious to require re-statement.

Reference must also be made to Article 6 which provides for the delimitation of the continental shelf as between two states whose coasts are adjacent to or opposite each other. These rules are important not only from a bilateral point of view, but also because they represent the only firm limitation to coastal states' jurisdiction.

Article 6 provides that in the absence of agreement and unless another boundary is justified by special circumstances, the boundary between the shelves opposite or adjacent to two states is to be determined by application of the principle of the median or equidistance line. If, therefore, the exploitability test of Article 1 is not sufficient to limit the jurisdiction of the coastal state, eventually it is the equidistance line drawn somewhere in the midst of the ocean which so limits that jurisdiction. Charts have been published showing the result of such a concept. Such a division of the oceans would not only be inequitable; it would certainly also give rise to a new type of territorial conflict as well as to a colonialistic race to capture new resources in distant regions.

In brief, Article 6 is a confusing and, perhaps, inadequately drafted article which has already been the subject of an international dispute before the International Court of Justice. I will discuss some of the difficulties arising from this article later.

The conclusion can be drawn from the foregoing comments is that the Geneva Convention on the Continental Shelf is not fully satisfactory. The Convention remains, however, the only international instrument applicable on a widespread scale. There is no question but that, weaknesses notwithstanding, it embodies a large number of essential rules which, in any event, will have to remain an integral part of whatever new law is developed. In spite of the criticisms being made of the

Convention, particularly in United Nations discussions, it is most difficult to offer workable alternatives and the Convention must be regarded as a remarkable achievement even if it turns out to be regarded, some years hence, as only a good first try. In the meantime, and I am expressing now not merely Canadian views but I feel the views of any jurist that has considered this problem, it must be accepted that the Convention represents existing international law, however imperfect.

I have already referred to a number of legal rights or rules, traditional or otherwise, which have an important bearing on the question of jurisdiction over seabed resources. There are first of all the traditional freedoms of the high seas:

(1) freedom of navigation;
(2) freedom of fishing;
(3) freedom to lay submarine cables and pipelines; and
(4) freedom to fly over the high seas.

Another freedom which has perhaps a lesser status, is the freedome to undertake scientific research on the high seas.

After enumerating the four freedoms mentioned previously, Article 2 of the 1958 Geneva Convention on the high seas provides an additional rule: "These freedoms, and others which are recognized by the general principles of international law, shall be exercised by all states with reasonable regard to the interests of other states in their exercise of the freedom of the high seas...". This is a most important concept to retain and apply.

There is also the question, already referred to, of the prevention of pollution and other hazardous and harmful effects from any activity on the high seas, illustrated by the recent disaster near Santa Barbara, California.

A more political aspect, but one with important legal consequences, is that of the use of the seabed and ocean floor for peaceful purposes only, Item A(3) of our agenda. One of the main problems to be faced here is how far states are willing to go in setting limitations on the military uses of the seabed which are not imposed on the superadjacent high seas. It is likely that the answer to this question will be fully known only after patient negotiations not only here, but in the Eighteen-Nation Disarmament Conference in Geneva.

There is also the concept embodied in Article 6 of the 1958 Fisheries Convention which recognizes that "a coastal state has a special interest in the maintenance of the productivity of the living resources in any area of the high seas adjacent to its territorial sea." This special interest may come to be

recognized in respect of all resources and all activities in areas adjacent to a state's coasts. Fish do not respect territorial sea limits, nor do mineral veins or oil pools. From a security point of view, this special interest should be even more evident. In fact, the concepts underlying the Convention on the Continental Shelf, and in particular the concepts of adjacency, seem to be rooted in the notion of the special interests of the coastal state.

What then are the main outstanding problems to be faced at this juncture? What are the basic issues facing the international community, and particularly this Committee?

Seemingly, one of the most pressing, if not the most urgent, is the re-definition of those areas which are to remain under national jurisdiction, a matter now covered, albeit somewhat imperfectly, by the Geneva Convention. The answer to this question will, of course, also decide what area of the seabed is to be placed under some form of international regime. Many new definitions have been proposed, starting with the depth criterion, 200 meters, or 550 meters which certain authors claim to be closer to the geographical nature of the continental shelf, 1000meters, etc.... Others have suggested a formula based on distance from the shore. Others yet have proposed a mixed depth-distance formula, for instance, 200 meters and/or 50 miles whichever is more beneficial to the coastal state. Another possibility would be to permit a coastal state a fixed distance-depth jurisdiction, or the edge of the Continental Terrace, whichever is greater. This approach is worth serious consideration.

The difficulty with mere distance-depth definitions is that they are not susceptible of universal application. While any one formula might be considered as satisfactory for a particular state or group of states, other states could not rest satisfied with them. So far as Canada is concerned, a cursory look at the Canadian shelf, and I am referring here to the geological-geographical entity, gives a clear indication of the scope of the problem.

Canada has taken the position that, irrespective of what may be permissible under existing customary international law--and, as I said before, it has been argued that, under existing international law, a coastal state can legally extend its jurisdiction as far as it can exploit subject only to the median line--the limits of national jurisdiction need to be clarified and related to a more precise and firmer legal criteria. As to where and how this might be done, I shall refer a little later.

A second and closely related problem relates to the legal regime which will prevail beyond the new limits of national jurisdictions once these are established. This is one of the

questions which the Sub-Committee has been instructed to study. Here again many theories have been advanced. The one which at present seems to be the most widely accepted, is the idea of international control. But such control poses both qualitative and quantitative problems. How detailed should such a new system be? Should it attempt to cover all exploration and exploitation activities in their minutest details, in a way similar to existing national legislation? Or should it just lay down some general rules of the road? It could be confined to simple registration machinery whereby the states undertaking activities on the seabed would simply be required to notify some international agency of their intentions and generally keep the world community informed. Or again, it could imply the establishment of a new international agency with adequate powers to lease areas of the seabed, control all activities therein, collect fees, royalties and other revenues and hold a percentage of these for the developing countries.

So long as there is no agreed definition of the area which might be made subject to such a new regime it is difficult for any delegation, including the Canadian, to develop very concrete or specific views on the question. As was made clear, however, by the Canadian representative in the First Committee in a statement on November 5, 1968, we do not share the fears expressed by some delegations as to the possible consequences of developing such a regime. It seems to us that, whatever legal principles and procedures are ultimately devised, given the wide range of possibilities open to us--extending from mere registration of exploration and exploitation projects with some central registry to a system which might be based on the concept of ownership in trust--it ought not to be beyond the capabilities of man to devise a solution which meets both national and international imperatives.

It may still be too early for anyone to take a definitive stand on these theoretical questions. The few "draft treaties" we have been able to study appear to be somewhat idealistic and removed from the political, technological and economic facts of life to be more than interesting and perhaps useful background documentation. One should not forget that any new system, if it is to prove beneficial to mankind as a whole, will have to be a practical, workable proposition not only from the point of view of world politics but also from that of the private entrepreneurs who will undertake such activities on behalf of states. The huge amounts of capital expenditures required for the development of the presumably vast resources of the ocean floor will in all likelihood continue to originate with private industry. Without an adequate guarantee of a reasonable return, these funds will be diverted to other more profitable undertakings. This is not to say that the new regime should be designed to the specifications of the mining and petroleum industries; but rather the new regime has to take practical and economic considerations into account.

Mr. Chairman, it is at this point that I wish to leave aside the consideration from a strictly legal point of view of the Geneva Conventions on the Law of the Sea, particularly the Continental Shelf Convention, and refer to some questions which, while as much political as legal in nature, have an important bearing on the work of this Legal Sub-Committee.

I have already pointed to the need referred to by many other delegations to proceed as quickly as possible to the delimitation of the proposed internationalized area. It is no secret, however, that many governments have expressed unease concerning this aspect of our work, presumably because it appears to raise also questions concerning the delimitation of the limits of national jurisdiction. We have given considerable thought to this problem and we wonder if we might avoid some of the delicate questions it raised by concentrating our attention, as a matter of priority, on the nature of the legal regime to be developed for the area to be internationalized. I am aware, of course, that there is an intimate relationship between the question of the nature of the regime to be established and that of the area to which it is to apply. To put it bluntly, states might feel relatively relaxed about the nature of the regime if it is to cover a small area far from the shores of coastal states, but might be more concerned to protect what they conceive to be their interests if the internationalized area is to be extensive.

As was made clear in a statement in the First Committee of the XXII United Nations General Assembly by the Canadian delegation, it is the Canadian view that one of the basic problems to be solved if progress is to be made on other related issues is the delimitation of the area of the seabed and the ocean floor beyond the limits of national jurisdiction. Even if we postpone any actual attempt at delimitation until a later stage in our studies, we think it should be recognized from the outset that the position of many countries as to the nature of the solutions envisaged may be governed to a large extent by the determination of the actual area in question. It has become clear during the studies of the Ad Hoc Committee, the subsequent debate of the XXIII United NationsGGeneral Assembly, and in our own discussions, that there are divergencies of views concerning the limits of national jurisdiction. Thus, while we continue to make progress on other aspects of the matter, we must bear in mind that it will not prove possible to achieve the final results we seek if the international community does not devise a solution to this basic problem.

It is obviously beyond the powers of this Sub-Committee or our parent Committee or even the General Assembly to exercise judicial or

or quasi-judicial powers actually to determine the extent of the jurisdiction of any given state or group of states. For this reason, we think such functions have rightly been excluded from our mandate and that of our parent Committee. We can, however, and should in our view, lay the foundations for the elaboration of generally-agreed principles for the subsequent delimitation of the area to be dedicated to peaceful purposes for the benefit of mankind. This elaboration process might conceivably be carried out by the Standing Committee or by some other United Nations organ, or even by means of a United Nations Conference held for the purpose. A number of delegations have suggested that an international conference may be required to work out agreed principles for the delimitation of the area beyond national jurisdiction. The Canadian delegation has an open mind on this proposal, but wishes to emphasize that any such conference should be preceded by careful preparatory studies, including studies by experts in order to ensure the likelihood of agreement on this complex question. We recall the difficulties encountered in attempting to reach agreement on the breadth of the territorial sea and contiguous fishing zones, issues which like those before us now, touch directly on the national interests of states. We must exert every effort to avoid a recurrence of such a failure to develop new rules, as this could cause uncertainty and confusion concerning existing rules of international law. Fortunately, some progress has already been made on this important issue by the technical and economic working group of the Ad Hoc Committee in the distinctions it developed between the "continental margin" and the "oceanic basin."

We have previously pointed out that it should be borne in mind that while extremely useful techniques have been developed for elaborating and codifying international law, rather less success has been achieved thus far in the development of machinery for implementing and applying such laws. The record of the willingness of states to accept the compulsory adjudication of disputes even on peripheral matters speaks for itself as an indication of the caution with which many states view any development which might conceivably be construed as an infringement of their sovereignty. We must recognize also that our work must contribute to friendly relations and cooperation among States. We must be conscious of the danger that our work could have the opposite effects if we do not exercise prudence, leading not only to possible disputes between States but even, conceivably, between States and the UN itself.

We have noted with great interest the resolution introduced yesterday by the distinguished representative of Malta in a most scholarly and informative address. While we are most appreciative of the constructive purposes which motivated Malta

In introducing the proposal, our preliminary reaction to the proposal is that it is somewhat premature, as well as going beyond the mandate of this Committee. We should be interested, however, in the views of other delegations on the proposal.

Mr. Chairman, I do not propose at this stage to go further into the questions raised by the items on our agenda. I should, however, like to point out before concluding that whether we consider that our attention should be focused initially on the nature of the regime to be developed or on the delimitation of the area to be covered by the new regime, we must in any case begin as soon as possible to elaborate principles on the basis of which our work can proceed. I have already expressed the support of the Canadian Government for the so-called "8 principles" subject to certain amendments which I shall suggest concerning paragraph 7. These principles, it will be recalled are as follows:

1. There is an area of the seabed and ocean floor and the subsoil thereof, underlying the high seas, which lies beyond the limits of national jurisdiction (hereinafter described as "this area"). If we cannot agree at least on this much, then we have achieved little indeed during our year's labour on this matter. This is a far-reaching proposal, however, and we ought not to minimize the progress represented by the general agreement which is apparent concerning this principle.

2. Taking into account relevant dispositions of international law, there should be agreed a precise boundary for this area. I have already explained the importance of this principle and the extent to which success in our endeavours hinges on it. I have also, however, pointed out that the likelihood of progress on this principle is closely related to progress on the principle I shall next refer to.

3. There should be agreed, as soon as practicable, an international regime governing the exploitation of resources of this area. I have attempted to outline, albeit briefly and inadequately, the significance of this succinct statement of our ultimate objective, and, of course, its intimate relationship to the preceding principle.

4. No state may claim or exercise sovereign rights over any part of this area, and no part of it is subject to national appropriation by claim of sovereignty, by use or occupation, or by any other means. I need not reiterate our previously-expressed view of the gains which can flow from this imaginative concept. I should like to emphasize, however, that I see no reason why we ought not to be able to agree on this principle.

5. Exploration and use of this area shall be carried on for the benefit and in the interests of all mankind, taking into account the special needs of the developing countries. I need hardly stress the importance of the concept embodied in this simple statement of a radical and, we suggest, long overdue hypothesis. I do not propose at this stage to discuss the relationship between this principle and the concept of "common heritage of mankind," except to note that the two notions are obviously closely related. The Canadian representative in the First Committee of the XXIII United Nations General Assembly stated on this matter: "My delegation has noted that a number of speakers have referred to the need to guard against the disruption of world markets. My delegation associates itself with this view. In so doing, however, we wish to make clear our view that the preservation of existing worldmarket patterns ought not to be permitted to override the need to develop resources for the benefit of countries which may otherwise be precluded from participation in the world markets. If the eventual outcome of our work achieves nothing except a diminution in the gap between the standard of living of the developed and the developing countries, then it will have justified its existence. Only the need to ensure the use of the seabed for peaceful purposes ranks in importance with that objective."

6. This area shall be reserved exclusively for peaceful purposes. My delegation does not propose to discuss this principle at this time, except to make clear our view that the widest possible area should be reserved exclusively for peaceful purposes, and that this principle ranks in importance only with the immediately preceding one. We shall, of course, be making known our position in the ENDC in Geneva in the draft treaty just tabled there by the USSR.

7. Activities in this area shall be conducted in accordance with international law, including the Charter of the United Nations, the Geneva Law of the Sea Conventions, and such new rules of law as may be agreed by progressive development and codification. Activities in this area shall not infringe upon the freedom of the high seas. It will be noted that I have suggested a slight explanation of the principle from the form in which it appears in "principles B." While the Canadian delegation does not have strong views on the question, it is our opinion that in the interests of accuracy, it is desirable to refer to the Geneva Law of the Sea Conventions as part of the existing law and to note also the possibility of new rules of law which might be agreed to by means of progressive development and codification.

Mr. Chairman, my delegation is conscious of the privilege and responsibility which all members of this Committee share. We shall endeavour to contribute to the best of our ability to the constructive work of this Committee, and to this end we shall of course express our views in due course on other items of the agenda.