

TEXT OF STATEMENT BY MR. J.A. BEESLEY, REPRESENTATIVE OF CANADA TO THE
UNITED NATIONS XXVTH GENERAL ASSEMBLY, FIRST COMMITTEE, 15 December 1970
NEW YORK, N.Y.

My delegation is pleased and honoured in having the privilege of introducing the draft resolution in document A/C 1/L.562 on behalf of the following group of sponsors: China, Chile, Ecuador, El Salvador, Guyana, Haiti, Iceland, Indonesia, Jamaica, Kenya, Nigeria, Norway, Peru, Senegal, Sierra Leone, Sweden, Trinidad and Tobago, Tunisia and the United States of America. The list of sponsors as the Chairman has pointed out, embraces a wide group drawn from the sponsors of the draft resolution in document A/C 1/L. 536 Rev.1, A/C 1/L.539 and A/C 1/L.545/Rev. 2; but it comprises also a number of other delegations, and in so doing it indicates, better than any explanation we could provide, the extent to which the draft resolution reflects a bridging of differences between positions of delegations and groups of delegations supporting differing approaches to this important question of the desirability of convening at an early date a conference on the law of the sea.

In deference, Mr. Chairman, to your plea, I shall abbreviate considerably what I intended to say about the preamble, but I would like to stress that the sponsors of these three resolutions and the other delegations mentioned met together over a very lengthy period yesterday lasting until midnight; and again this morning, in an attempt to produce an agreed text.

I really would like to take this opportunity, which I consider a duty, to stress to all delegations here the genuine spirit of conciliation shown by the sponsors. There was a real willingness to join together, even with those representing differing or opposing points of view, in a common effort to reach an accommodation that was intended to reflect the general interest.

I will not turn to the preamble at this stage, except perhaps to point out -- because of the importance attached to another resolution we have finished voting on today -- one particular preambular paragraph, the third from the top on page 2, which reads:

"Noting that the political and economic realities, scientific development and rapid technological advances of the last decade have accentuated the need for early and progressive development of the law of the sea,"

This paragraph, as is the case with several other preambular paragraphs was drawn from texts contained in documents A/C.1/L.536, A/C.1/L.530 and A/C.1/L.545/Rev.2. It is intended to stress the impact of scientific development and rapid technological advances upon the law of the sea, and also to stress the need for urgent action in beginning the task of the progressive development of the law of the sea. Incidentally, it replaces the previous preambular paragraph in document A/C.1/L.536, which also recognizes the importance of scientific development and the need for broad action.

I think that the only other point I would draw attention to in connexion with the preamble -- subject to the views of other sponsors when they speak -- is the inclusion in the final preambular paragraph of the reference to the 1972 United Nations Conference on the Human Environment. It was intended by that paragraph to provide a balanced approach to the preparatory work of the Conference by adding this reference to the Stockholm Conference, which originated in document A/C.1/L.541/Rev.1.

I think I should also mention in passing that the third-last preambular paragraph, touching on the interests of land-locked states, represents a very serious attempt by the sponsors to take into account the particular interests of land-locked states, both developed and developing. We should like to draw attention to its language:

"Affirming that such agreements on these questions should seek to accommodate the interests and needs of all states, whether land-locked or coastal, taking into account the special interests and needs of the developing countries, whether land-locked or coastal,"

Turning now to the operative paragraphs, it will be noted that operative paragraph 2 contains much of the language of A/C.1/L.545/Rev.2, which itself builds upon A/C.1/L.539, while also incorporating elements in the approach to the same question taken in A/C.1/L.536. This is undoubtedly the single most important paragraph in the draft resolution. In brief, it decides on a conference on the law of the sea to be held in 1973; it decides that that conference should be convened in accordance with the provisions of the succeeding paragraph, to which I shall refer in a moment; and it sets out a range of questions to be dealt with at the proposed conference. Two points in particular should be noted. First, the draft resolution proposes a conference which is broad in scope, and it also draws attention to particular issues requiring consideration, some of which, we are aware, may give difficulty to some delegations, but which have been included in order to accommodate the majority view. It was the view of the sponsors on this key issue that those questions to which significant numbers of delegations attach importance should be included on the agenda, and that a more restrictive approach to the agenda could give rise to serious difficulties for many delegations..

Second, the paragraph attempts to take a balanced approach to the questions set out for consideration at the conference, giving a certain priority to the establishment of an equitable international régime but adopting a neutral formulation on the relationship of the various issues. I would like to stress that it is intended as a neutral formulation on the relationship of the various issues without attempting

to prejudge the relationship between issues. While the question of priority is touched upon and dealt with also in a later paragraph, the draft resolution does not attempt to predetermine, for example, which issues should be considered together at the conference and in the preparatory committee. This formulation was the result of long and extensive negotiations and it reflects a genuine compromise on the part of the supporters of all three draft resolutions in question. ✓

It is our earnest hope that those delegations which find difficulty with the scope of the proposed conference, as reflected in this draft resolution, will not consider it essential to press amendments to the vote, bearing in mind particularly the provision, to which I shall refer later, contained in operative paragraph 3, which leaves it to future sessions of the General Assembly to determine the precise agenda of the conference.