RESERVATION EXCLUSIVELY FOR PEACEFUL PURPOSES OF THE SEA-BED
AND THE OCEAN FLOOR, AND THE SUBSOIL THEREOF, UNDERLYING THE
HIGH SEAS BEYOND THE LIMITS OF PRESENT NATIONAL JURISDICTION
AND USE OF THEIR RESOURCES IN THE INTERESTS OF MANKIND, AND
CONVENING OF A CONFERENCE ON THE LAW OF THE SEA

Note by the Secretary-General

Pursuant to the request made at the 1927th meeting of the First Committee,
on 17 October 1973, the Secretary-General has the honour to communicate to the
members of the First Committee the resolution concerning the law of the sea adopted
at the Fourth Summit Conference of the Non-Aligned Countries as well as section V
of the Political Declaration relating to the question of the sea-bed.
A. Resolution concerning the law of the sea

The Fourth Conference of Heads of State or Government of Non-Aligned Countries, meeting in Algiers from 5 to 9 September 1973,

Considering that the Non-Aligned Countries, at the Lusaka and Georgetown Conferences, formulated important principles concerning the law of the sea which have influenced the position of the United Nations General Assembly as well as the preparations for the next Conference on the Law of the Sea,

Recalling General Assembly resolution 2749 (XXV) which contains a statement of the principles relating to the sea-bed and ocean floor based on the declaration adopted in September 1970 at Lusaka,

Recalling also General Assembly resolution 3016 (XXVII) which reaffirms the right of States to permanent sovereignty over all their natural resources, both in territories included within their international frontiers and in the sea-bed and ocean floor and the subsoil thereof within the limits of their national jurisdiction and in the superjacent waters,

Recalling further the principles, recommendations and declarations adopted at the meetings of the Asian-African Legal Advisory Committee (Colombo 1971, Lagos 1972 and New Delhi 1973), at the second Ministerial Meeting of the Group of 77 (Lima 1971), at the Conference of Foreign Ministers of the Caribbean Countries (Santo Domingo 1972), at the regional seminar of African States on the law of the sea (Yaoundé 1972), at UNCTAD III (Santiago de Chile 1972) and at the Conference of the Organization of African Unity (Addis Ababa 1973),

Reaffirming the vital importance of the rational exploitation of marine and ocean resources for the economic development and promotion of the well-being of peoples,

Considering, finally, the need for further co-ordination between the Non-Aligned Countries to ensure international recognition of these principles at the Conference on the Law of the Sea to be held in Santiago de Chile in 1974 and which, according to resolution 2750 C (XXV), is to globally consider the various subjects and questions of the juridical régime governing oceanic space, having regard to the political and economic realities as well as to scientific and technological progress in the last decade,

1. Welcomes the adoption by the United Nations General Assembly of resolutions 2740 (XXV) and 3016 (XXVII);

2. Supports the recognition of the rights of coastal States in seas adjacent to their coasts and in the soil and subsoil thereof, within zones of national jurisdiction not exceeding 200 miles measured from the baselines, for the purposes of exploiting natural resources and protecting the other connected interests of their peoples, without prejudice either to the freedom of navigation and overflight, where applicable, or to the régime relating to the continental shelf;

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3. **Stresses** the need to establish a preferential system for geographically handicapped developing countries, including land-locked countries, in respect both of access to the sea and of the exploitation of living resources in zones of national jurisdiction;

4. **Recommends** that the new law of the sea take into account the particular conditions in each region;

5. **Reaffirms** the principles that the zone and resources of the sea-bed and ocean floor and the subsoil thereof beyond the limits of national jurisdiction are the common heritage of mankind;

   - the need to set up an international authority to undertake, under its effective control either directly or by any other means on which it might decide, all activities related to exploration of the zone and exploitation of its resources, having due regard to the economic and ecological repercussions of such activities on the special needs and interests of developing countries whether coastal or land-locked and distributing equitably the benefits and other advantages resulting from such activities;

6. **Recommends** also that the new rules governing the use and exploitation of ocean space should take into consideration the conservation of the marine environment;

7. **Considers** that the new rules should effectively help to remove threats to the security of States and ensure respect for their sovereignty and territorial integrity;

8. **Stresses** the urgency of the Conference on the Law of the Sea to be held in Santiago de Chile in 1974, and the need to ensure its success through adequate preparation and the adoption of rules of procedure permitting the rapid achievement of positive results and ensuring the maximum possible degree of agreement;

9. **Reiterates** that, in accordance with the Declaration of Principles Governing the Sea-Bed and the Ocean Floor and the Subsoil thereof Outside the Limits of National Jurisdiction, as adopted under resolution 2749 (XXV), and with the provisions of resolution 2574 (XXIV), no State or persons, physical or juridical, may exploit the resources of the area pending the establishment of the international régime agreed on;

10. **Recommends** that the representatives of the non-aligned countries at the next session of the General Assembly of the United Nations and at the Conference on the Law of the Sea, should hold prior meetings to co-ordinate their positions and actions on matters of organization and substance relating to that Conference with a view to ensuring the establishment of a new régime governing ocean space which is based on the principles of justice, security, peaceful coexistence, development and well-being for all peoples.
B. Extract from the Political Declaration relating to the question of the sea-bed

The Heads of State or Government of Non-Aligned Countries recalled the Statement on the Sea-Bed and the Declaration on Non-Alignment and Economic Progress adopted at Lusaka, and reviewed the progress made since then. They noted with satisfaction that the Declaration of Principles adopted by the United Nations General Assembly in 1970 was in harmony with the principles set forth in the Lusaka Statement on the Sea-Bed, and that those principles had continued to guide the work of the United Nations Committee on the Peaceful Uses of the Sea-Bed. They also noted with satisfaction that the suggestion made at Lusaka for the convening of a conference on the law of the sea to deal with all the questions relating to the marine environment in a comprehensive manner had been accepted by the international community.

The Heads of State or Government agree to support the adoption of zones of national jurisdiction not exceeding 200 miles, measured from base lines, within which the riparian State would exercise its rights to exploit natural resources and to protect the other related interests of its peoples, bearing in mind the special rights and interests of developing countries, whether coastal, land-locked or geographically handicapped, without prejudice either to freedom of navigation and overflight, where applicable, or to the régime concerning the continental shelf.

The Heads of State or Government reaffirm the vital importance of a rational exploitation of the resources of the seas and oceans, in the interests of economic development and the promotion of the well-being of peoples.

The participants reaffirm their adherence to the basic principle that the area and resources of the sea-bed beyond the limits of national jurisdiction are the common heritage of mankind and recommend the setting up of an international authority, possessing wide powers which would be responsible for administering this area for the benefit of the international community as a whole, and especially the developing countries.

The participants urge all interested parties to abide by the moratorium banning the exploitation of the resources of the international zone until such time as a régime is established.

They stress that the new rules of the law of the sea must effectively contribute to the elimination of threats to the security of States and ensure respect for their sovereignty and territorial integrity.

The participants recommend that the legislation on utilization and exploitation of ocean space include appropriate measures for ensuring the preservation of the sea environment.

The Heads of State or Government proclaim the urgency of holding the Conference on the Law of the Sea at Santiago, Chile, in 1974, as well as the need to ensure its success by proper preparation, and consider that prior consultation among non-aligned countries is essential in order to co-ordinate their positions and actions concerning problems of substance and procedure with a view to arriving rapidly at satisfactory results.