



SIJTHOFF PUBLICATIONS ON OCEAN DEVELOPMENT

The Law of the Sea
in our Time - II
THE UNITED
NATIONS
SEABED
COMMITTEE
1968-1973

SHIGERU ODA

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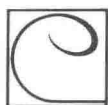
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VOLUME 4

*A series of studies on the international, legal, institutional
and policy aspects of the ocean development*

General editor: Shigeru Oda

To Arvid and Shirley

FOREWORD

Nearly ten years have passed since the need for a new régime for the seabed of the world's oceans arose at the United Nations General Assembly in 1967. The difficulty of the problem involving the vital interests of all the nations was known only to a few people at that time. But who would ever have thought or anticipated that so much energy and time as has been spent over the past ten years would be necessary for the dawning of a new law of the sea. Before transferring its work to the Third United Nations Conference on the Law of the Sea in 1973 after six years' work, the Seabed Committee met for more than 50 weeks during its 14 sessions in New York, Rio de Janeiro and Geneva.

This is a reference book in which I have tried to describe and analyse the process of the work of the Seabed Committee over its six-year period, together with the related discussions in the General Assembly, by referring to official documents and sometimes to my personal notes. The positions taken by the Japanese Government are continuously mentioned, but in general I have tried to remain objective when describing the work of the Committee. The expression "deep ocean floor" is often used in this book to indicate the official expression "the seabed and the ocean floor, and the subsoil thereof, under the high seas beyond the limits of present national jurisdiction".

Throughout the six-year period I was present in the conference rooms as a member of the Japanese delegation. Counting my participation in the First and Second Conferences on the Law of the Sea in 1958 and 1960, I have devoted much of the prime of my life to the law-making process for the oceans. As I left this post after the Third (Geneva) Session of the Third Conference on the Law of the Sea in 1975, I have prepared this very modest volume with infinite attachment and nostalgia for the work of the law of the sea.

I have so many memories covering this period in which I made so many good friends from all over the world. In particular, the young diplomats in the developing world who began their working lives in the early stages of the Seabed Committee, are now playing important roles as senior government officials at home and as high-ranking diplomats representing their own countries all over the world. Some of my best friends from the Third World are now members of the International Law Commission.

Whilst attending the First Session of the Ad Hoc Seabed Committee in New York in February 1968, I met, for the first time, Arvid Pardo (presently Professor at the University of Southern California) who, as Representative of Malta to the United Nations, had taken the initiative in this work the previous year when he referred to my apprehension that the whole ocean seabed would eventually be divided up by the coastal States (GAOR, 22nd Sess., A/C.1/PV.1515, p.9), and H. Shirley Amerasinghe (President of the United Nations General Assembly at the Thirty-First Session), who, as Representative of Sri Lanka (then Ceylon) to the United Nations, was duly elected Chairman of the

Seabed Committee. Although I can never claim that this book is a definitive work which represents any new idea or thought on the future of the sea, I should like to dedicate it to Arvid Pardo whom some might call the "Initiator" of the seabed discussions and Shirley Amerasinghe who has presided over the Committee for the whole six-year period, for the friendship they have shown me.

The greater part of this book was originally published in Japanese on several occasions, and I am grateful to the Ministry of Education of Japan which has graciously given me financial assistance in translating the original text from Japanese into English, thus making it accessible to my foreign colleagues.

January 1977

Shigeru Oda

The Hague

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