



PUBLICATIONS ON OCEAN DEVELOPMENT

# CRIES OF THE SEA

WORLD INEQUALITY,  
SUSTAINABLE DEVELOPMENT  
AND THE COMMON HERITAGE  
OF HUMANITY

Peter Bautista Payoyo

MARTINUS NIJHOFF PUBLISHERS

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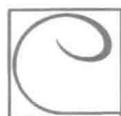
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## CRIES OF THE SEA

World Inequality, Sustainable Development and the Common Heritage of Humanity



Publications on Ocean Development

Volume 33

*A Series of Studies on  
the International, Legal, Institutional and Policy Aspects  
of Ocean Development*

General Editor: Shigeru Oda

*To my wife, Au*

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than we could ever have imagined. Thus, I also thank those in the big (and still growing) IOI family who have, in one way or another, prodded me to search for new vistas – in the depths of the ocean or in the depths of the soul: Jan van Ettinger, Christopher Pinto, Abdul Koroma, Alexander Yankov, Hasjim Djalal, Joseph Warioba, Anton Vratusa, Don Mills, Frank Njenga, Tom Fuse, Norton Ginsberg, and the two giants from the tiny Maltese isles: Fr. Peter S. Inglot, and Ambassador Arvid Pardo.

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Lastly, I kiss and embrace my wife for having endured those solitary seasons when I had to write up my piece in some far and lonely corner. Now that the living-apart is over, we shall be marching on again, close together.

## ABBREVIATIONS

AFRICAN J INT & COMP L	African Journal of International and Comparative Law
AJIL	American Journal of International Law
ASIL Proc	American Society of International Law Proceedings, Annual Meeting
AUSTRALIAN YBIL	Australian Yearbook of International Law
BOSTON COLL INT & COMP L R	Boston College International and Comparative Law Review
BYIL	British Yearbook of International Law
CAL L REV	California Law Review
CASEWESTERN RES J INT L	Casewestern Reserve Journal of International Law
CLOS	United Nations Convention on the Law of the Sea With Index and Final Act, UN Sales No. E.83.V.5
COLUMBIA J TRANS L	Columbia Journal of Transnational Law
I COMMENTARY	M. Nordquist (Ed.-in-chief), <i>United Nations Convention on the Law of</i>

*the Sea 1982: A Commentary* Vol. 1 (1985)

II COMMENTARY

S. Nandan, S. Rosenne & N. Grandy (Eds.); M. Nordquist (Ed.-in-chief), *United Nations Convention on the Law of the Sea: A Commentary* Vol. 2 (1993)

IV COMMENTARY

S. Rosenne, A. Yankov & N. Grandy (Eds.); M. Nordquist (Ed.-in-chief), *United Nations Convention on the Law of the Sea: A Commentary* Vol. 4 (1991)

Dept of State BULL

US Department of State Bulletin

ECOLOGY L QTLY

Ecology Law Quarterly

ECOSOC Off Rec

Official Records of the UN Economic and Social Council

EJIL

European Journal of International Law

EPL

Environmental Policy and Law

GEORGETOWN INT ENV L REV

Georgetown International Environmental Law Review

HARV INT L J

Harvard International Law Journal

HDR

Human Development Report (UNDP)

House Interim Report

US Congress, House. Interim Report on the United Nations and the Issue of Deep Ocean Resources, together with hearings by the Subcommittee on International Organizations and Movements of the Committee on Foreign Affairs

(US Government Printing Office,  
1967)

HUMAN RIGHTS QTLY	Human Rights Quarterly
ICJ Rep	International Court of Justice Reports
ICLQ	International and Comparative Law Quarterly
IJMCL	International Journal of Marine and Coastal Law
ILC YRBK	Yearbook of the International Law Commission
ILM	International Legal Materials
INDIAN J INT L	Indian Journal of International Law
JOHN MARSHALL L R	John Marshall Law Review
JWTL	Journal of World Trade Law
LOUISIANA L REV	Louisiana Law Review
LoS BULLETIN	Law of the Sea Bulletin (published by the Division of Ocean Affairs and the Law of the Sea, UN Secretariat)
LSI	Law of the Sea Institute
MICHIGAN L REV	Michigan Law Review
NAT RES L	Natural Resources Lawyer
NETH INT L REV	Netherlands International Law Review
NETH YRBK INT L	Netherlands Yearbook of Inter- national Law

NILOS DOCUMENTARY YRBK	International Organizations and the Law of the Sea Documentary Yearbook (Netherlands Institute for the Law of the Sea)
NORTHWESTERN J INTL L & BUS	Northwestern Journal of International Law and Business
NYU J INT L & POL	New York University Journal of International Law and Politics
OCEAN & COASTAL MGMT	Ocean and Coastal Management
OCEAN YRBK	Ocean Yearbook
ODIL	Ocean Development and International Law
PV #	United Nations General Assembly Official Records, First Committee (Provisional Verbatim Records); number and date of First Committee meeting indicated
SAN DIEGO L REV	San Diego Law Review
SBC Rep	Report of the United Nations Seabed Committee 1969- 1973 (Ad Hoc SBC Rep, the 1968 Report of the Ad Hoc Committee)
UNCLOS III Off Rec	Official Records of the Third United Nations Conference on the Law of the Sea
UNCLOS I Off Rec	Official Records of the First United Nations Conference on the Law of the Sea
UN GAOR	United Nations General Assembly Official Records

UNTS	United Nations Treaty Series
VA ENV L J	Virginia Environmental Law Journal
VA J INT L	Virginia Journal of International Law
YALE L J	Yale Law Journal
YRBK INTL ENV L	Yearbook of International Environmental Law
ZaöRV	Zeitschrift Für Ausländisches Öffentliches Recht und Völkerrecht

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