reported the bill favorably and it was pending before the full House Merchant Marine and Fisheries Committee. All bills were based on flag state jurisdiction and not on territorial jurisdiction.

Mr. NORDQUIST believed that from the perspective of the Law of the Sea negotiations, passage of full deep seabed legislation would have a tremendous psychological impact on the Conference. The impact would be great because many developing countries had long held that the concept of the common heritage of mankind meant that the resources of the deep seabed could not be exploited without the consent of the international community. If the United States were unilaterally to authorize the mining of these resources, many states would argue that the common heritage concept was being flagrantly violated. In addition, unilateral deep seabed legislation would be strongly resented by certain developed countries that feared that the United States would take advantage of its technological lead before they were in a position to commence exploitation.

Ambassador ANDREAS J. JACOVIDES* said that, in his view, the answer to the basic question is that there was no necessary reason why there should be no law at sea. If the Conference did not produce a comprehensive Convention, there would be an increasing number of disputes and the common heritage concept would soon disappear.

A highly pertinent question was the form which the revised Single Negotiating Text would take as this would determine whether it would be an acceptable basis for negotiation in the next session. In this regard, the inclusion of a satisfactorily worded new Part IV, on the settlement of disputes, would be very important because the interpretation and application of the Convention, and especially the new concepts included in it, could not be left to the discretion of individual states.

Another question was whether a second session of the Conference should be held in 1976. In his view, the answer should be positive so as not to lose the existing momentum, provided that the revised Single Negotiating Text was generally acceptable as a basis and if procedures could be applied which would enable the Conference to make progress. This raised the issue of voting as a means of dealing with the numerous amendments that could be anticipated. He recognized that on certain key issues a decision by majority would be a pyrrhic victory as the world could not afford to outvote the major powers on issues of vital concern to them. In these issues, every effort should be made to reach a consensus. However, he believed that the possibility of voting should be present at future sessions regarding nonkey issues, since it would be conducive to a compromise, failing which such issues would be resolved by the democratic method of majority decision. Conversely, the absence of such a possibility would give no incentive for compromises, thus prolonging the conclusion of a comprehensive Convention and allowing

* Head of the Cyprus Delegation to the LOS Conference; Vice-Chairman of Committee III, LOS Conference.
for unilateral measures which would further prejudice the prospects for an international order at sea.

In response to a question from the audience about the meaning of "common heritage," Ambassador Jacovides stated that this was a sound idea which had been originally introduced and elaborated upon by Ambassador Pardo of Malta. In the course of the last few years, it was considerably trimmed by the insistence of coastal states on extending their rights to an economic zone of 200 miles and even over the continental margin beyond 200 miles. This development not only reduced the area of common heritage but also substantially diminished the economic significance of this concept. However, the Single Negotiating Text did contain provisions on revenue sharing which might go some way towards compensating the international community for its loss in this regard.

One member of the audience inquired why there was so much emphasis on consensus in the Law of the Sea negotiations. Ambassador JACOVIDES replied that on certain critical issues a majority victory would be fatal to the Convention. The world simply could not afford to outvote the major powers on issues of vital concern to them. He suggested that procedurally it might be possible at the next session to handle major unresolved issues differently from those on which no further negotiation was necessary.

Professor MOORE pointed out that it would be difficult to differentiate in advance between resolved and unresolved issues. He believed that it would be preferable to have a single package vote in each Committee and that, until a negotiated solution was at hand, no voting should take place. Article-by-article voting or, indeed, even chapter-by-chapter voting could result in a breakdown of the negotiations. Professor MOORE strongly supported the "package of amendments" approach which might entail going through a number of informal revisions to avoid premature voting.

A member of the Swiss Law of the Sea Delegation who was in the audience commented on the interest of landlocked and geographically disadvantaged states in the negotiations. This group of over 50 states desired participation in the economic zone through an accommodation on their position on living resources. With respect to nonliving resources, they sought either access to the area or resource sharing.

A serious question remained as to the juridical character of the economic zone. There was an alarming trend towards making the 200-mile zone national jurisdiction in all respects, except for certain specified competences. Questions also remained with respect to the continental shelf. Would there be revenue sharing or resource sharing? What kind of jurisdiction would there be on the continental shelf? Would it be limited to resource jurisdiction or would coastal states acquire broader rights? Some states viewed the 200-mile economic zone as part of their territory. This view was not shared by the large number of landlocked and geographically disadvantaged group at the Conference.

Ambassador NANDAN commented that he was hopeful that an ac-
commodation of the desires of the landlocked and geographically disad
Advantaged states on living resources would be possible. There ap
peared to be a deadlock at the Conference regarding their sharing in the
nonliving resources within the economic zone. Beyond the 200-mile
economic zone, the trend toward revenue sharing seemed well
established.

Asked to distinguish between an exclusive economic zone and a ter
ritorial sea, Professor SoHN answered that an economic zone was limited
to jurisdiction over resources and did not include jurisdiction over the
area.

Asked to explain the weaknesses in the Geneva Informal Single
Negotiating Text regarding marine pollution, Mr. STEIN replied that
the Law of the Sea Conference might not be the proper forum for re
solving certain pollution issues. There were inherent weaknesses in
relying upon flag-state enforcement and he personally favored stronger
liability and responsibility provisions than apparently were currently
contemplated.

As a final question, Professor MOORE asked each panelist to comment
upon when a Law of the Sea Treaty would be concluded. All panelists
were of the opinion that the Law of the Sea negotiations were on track
and that a treaty was within the grasp of the international community,
either in 1976 or 1977. However, a number of important roadblocks
remained, including the reception given to the revised text to be issued
after the current session of the Conference and the procedures the
Conference would adopt in dealing with that revised text.

MYRON NORDQUIST
Reporter

PROSPECTS OF PEACE IN THE MIDDLE EAST

(Joint Luncheon with the Section of International Law of the
American Bar Association)

The luncheon was presided over by Richard P. Brown, Jr., Chairman
of the ABA Section of International Law, who introduced the speaker,
Joseph J. Sisco, Under Secretary of State for Political Affairs.

ADDRESS BY UNDER SECRETARY SISCO

It is a great pleasure for me to join with you today and to say just a few
words about the Middle East. I want to concentrate on the Lebanese
situation and to allow some time for questions, because it is probably one
of the most complicated developments that has occurred in the area in
recent years and I think it is very difficult to come to some understanding
of what is occurring internally from our press reports.