

PREAMBLE

The significance of the Convention's opening statement, in addition to heightening the solemn character of the following document, can be found in its expression of the Conference's purposes, aims, desires, and beliefs which motivated the participating nations to conclude the agreement. The Preamble does not impose direct obligations on the states parties; but by showing the political, historical, and ideological context of the treaty, it imposes a certain obligation to interpret the treaty in good faith, in accordance with the ordinary meaning of the terms, and in the light of the object and purpose of the Convention.

The Conference itself was aware of the historic significance of and the need for a new and generally accepted Convention which would settle all issues of the law of the sea and hoped that the present effort would be a contribution to the maintenance of peace, justice, and progress for all peoples of the world. The Conference refers to the resolution of the General Assembly of the United Nations of December 17, 1970¹ that

"the area of the sea-bed and ocean floor and the subsoil thereof, beyond the limits of national jurisdiction, as well as its resources, are the common heritage of mankind, the exploration and exploitation of which shall be carried out for the benefit of mankind as a whole, irrespective of the geographical location of States."

Furthermore, the Conference recognized the desirability of establishing through the Convention a legal order for the seas and oceans which would facilitate international communication and promote the peaceful uses of the seas and oceans, aiding the equitable and efficient utilization as well as protection of living resources and the protection and preservation of the marine environment. If these goals could be achieved, the realization of a just and equitable international economic order would be a step closer to reality, and the Convention would contribute to the strengthening of peace, security, co-operation, and friendly relations among all nations and promote the economic and social advancement of all peoples of the world in accordance with the Purposes and Principles of the United Nations as set forth in the Charter.

The final paragraph of the Preamble states that matters not regulated by the Convention continue to be governed by rules and principles of general international law.

¹ See Preamble