

Similarly, the functions of the Preparatory Commission that could be envisaged in regard to the Enterprise could *inter alia* include the following matters :—

- (i) Preparation of drafts of rules, regulations and procedures.
- (ii) Draft of staff regulations.
- (iii) Preparation of studies and recommendations concerning the budget for the first financial period.
- (iv) Formulation of financial regulations in connection with finances for the first mine site.

In so far as the preparatory functions concerning the Law of the Sea Tribunal were concerned, it was felt that the provision of paragraph 7 of the Draft Resolution needed to be clarified. That provision is in the following terms :—

“The Commission shall make arrangements for the convening of the Law of the Sea Tribunal and such other arrangements as may be required for the establishment of lists of conciliators and arbitrators as provided under annexes IV, VI and VII to the Convention.”

Views were expressed that the Preparatory Commission should not undertake the task of establishment of lists of conciliators and arbitrators as provided under Annexes IV, VI and VII of the Convention but that its work should be limited to making preparations towards compilation of such lists.

It was felt that the work of the Preparatory Commission in regard to the Law of the Sea Tribunal could perhaps include the following :—

- (i) Preparation of draft rules for the Tribunal.
- (ii) Preparation of staff regulations for the staff of the registry of the Tribunal.
- (iii) Studies concerning the establishment of the headquarters of the Tribunal except in the matter of any recommendation concerning the location of the headquarters.

The participants were of the view that the type of functions contemplated in paragraph 5 of the Draft Resolution concerning preparation of draft rules relating to matters enumerated in Article 17 of Annex III could be usefully undertaken by the Preparatory Commission even though the same did not fall within the normal functioning of a Preparatory Commission. This was in view of the desirability of ensuring commencement of sea-bed activities at the earliest possible time after the Convention comes into force. It was, however, emphasized that the draft of the rules formulated by the Preparatory Commission should only have the status of a draft and shall have no provisional application pending the adoption of the rules by the Authority.

When the tenth session of the United Nations Conference resumed its work in March-April 1981, it was the general expectation that it would be the final working session of the Conference as only four issues remained outstanding, namely :—

- (i) Composition, powers and functions of the Preparatory Commission;
- (ii) Protection of interim investments;
- (iii) Participation in the Convention by international organizations and liberation movements; and
- (iv) Delimitation of maritime zones between opposite and adjacent States.

However, shortly before the commencement of the tenth session, the Reagan Administration announced its decision to review the progress of negotiations held thus far, and expressed its inability to participate in the Conference pending such a review.

#### Colombo Session (1981)

The Colombo Session held in May 1981 was therefore utilized to discuss the impact of the US decision on the ongoing negotiations. The discussions were held in the plenary



and in informal meetings with the participation of all major interests including the United States. The AALCC, following a comprehensive exchange of views :—

1. Considered the success of the Conference through achieving early conclusion and entry into force of a global Convention on the Law of the Sea on the basis of the current draft contained in document A/CONF.62/WP.10 Rev.3, to be of fundamental importance to the interests in the oceans of all States and to the maintenance of confidence in the system of multilateral negotiations as a whole;
2. Endorsed fully the Programme of Work of the Conference as set forth in Conference document A/CONF.62/BUR.3 Rev.1; and
3. Urged the fullest co-operation to adhere to that Programme at the resumed Tenth Session in Geneva in August 1981, by resolving pending issues of interest to all participants as defined in Conference document A/CONF.62/BUR.3 Rev. 1 through negotiations and appropriate informal discussions.

---

### III. EXCLUSIVE ECONOMIC ZONE : OPTIMUM UTILIZATION OF THE FISHERY RESOURCES

---

## EXCLUSIVE ECONOMIC ZONE : OPTIMUM UTILIZATION OF THE FISHERY RESOURCES

### Introductory

The emergence of a new legal regime of the Exclusive Economic Zone (EEZ) is one of the major developments of far reaching importance emanating from the Third United Nations Conference on the Law of the Sea. In response to a request made by several Member Governments, the AALCC Secretariat had presented, at its Seoul Session held in February 1979, a comprehensive study indicating the possible areas of action which could be contemplated with a view to assisting Member Governments in the optimum utilization of the living resources of their EEZs through preparation of the legal framework for various measures which would need to be taken to achieve the desired objectives.

The general acceptance of the concept of the EEZ by the international community is a matter of particular satisfaction to the AALCC and its Member States since this had originated in a proposal made by Mr. Frank Njenga, the Delegate of Kenya, at the Colombo Session of the AALCC in 1971 and later developed and crystallised through deliberations in the subsequent sessions of the AALCC and its Sub-Committee meetings which resulted in concrete proposals being put forward before the United Nations Sea-Bed Committee and the acceptance of that concept by the OAU Council of Ministers as also by the Fourth Summit Conference of Non-Aligned Nations.

The concept was initially put forward with a view to finding a possible via media to accommodate the interests of countries who claimed a considerably wider breadth than the 12-mile limit for their territorial sea. Recognizing that such claims, especially in Latin America were motivated by economic considerations, it was felt that an attempt might be made to find a compromise



solution by providing for an EEZ while fixing the breadth of the territorial sea at 12 nautical miles which at that time was found to be generally acceptable to a large number of States. This concept gradually gathered momentum and was found to be attractive to many of the developing States in Asia and Africa and proposals in this regard were introduced before the U.N. Sea-bed Committee in 1972, firstly by Kenya, followed thereafter by a group of African States. A very similar proposal setting forth the concept of patrimonial sea based on the Santo Domingo Declaration adopted by the Caribbean States in June 1972 was also introduced before the Sea-bed Committee by three Latin American States, namely, Colombia, Mexico and Venezuela.

Initially the Asian-African sponsors of the concept of the EEZ had certain reservations regarding the possible limits of the zone but very soon during the deliberations in the Sea-bed Committee itself they accepted the Latin American proposal for a 200-mile limit as envisaged in their patrimonial sea concept. The proposal for establishment of the EEZ thus gained the unanimous support of the Group of 77 and a good deal of discussion ensued before the Sea-bed Committee regarding the scope, content, the rights and duties of coastal and other States in that zone. Finally, it emerged as a zone of exclusive jurisdiction for exploitation of the resources and other matters connected therewith and secured the acceptance by and large of all the States represented in the Law of the Sea Conference. Even though many of the developed countries were initially opposed to this concept, the issue seemed to be quite settled by the time the Caracas Session of the UNCLOS III was concluded. It is, however, interesting to note that no sooner had this concept gathered momentum, some of the developed nations, which had initially opposed the idea were amongst the first to claim areas of the seas adjacent to their coasts as their EEZs. A large number of States, almost over a hundred, have already taken legislative or administrative measures to claim jurisdiction and competence over the resources of their EEZs.

The new legal regime of the EEZ which is embodied in Part V of the Convention on the Law of the Sea (Articles 55 to

75) envisages, *inter-alia*, the exercise of sovereign rights by coastal States over a belt of the sea extending upto 200 nautical miles in width measured from the baselines used for measurement of the territorial sea, for the purposes of exploring and exploiting, conserving and managing the natural resources, whether living or non-living, of the sea-bed and the sub-soil and the superjacent waters, and with regard to other economy-related activities, such as the production of energy from water, currents and winds. The coastal State has jurisdiction in the zone, not only to exercise and protect these sovereign rights, but also with regard to the establishment of artificial islands, installations and structures, marine scientific research and the preservation of the marine environment. The coastal State is also required to undertake certain duties and responsibilities in relation to the zone with regard to artificial islands and regarding conservation of living resources.

#### Seoul Session (1979)

In the light of the developments that had been taking place in the practice of States since the Caracas Session of UNCLOS-III held in 1974, in regard to the claims for extended fisheries jurisdiction, the Secretariat of the AALCC, at the request of some of its Member Governments, had presented a study on "Exclusive Economic Zone—Optimum Utilization of its Fishery Resources—Regional and Sub-Regional Co-operation" at the Seoul Session held in February 1979. The Secretariat study had pointed out that as on 1 April 1978, 85 States had claimed fisheries jurisdiction beyond 12 miles and 67 of them had claimed such jurisdiction upto a limit of 200 miles. In that context and also taking into consideration that the provisions relating to the EEZ had virtually remained unaltered through the successive Negotiating Texts for a Convention on the Law of the Sea, the Secretariat study had drawn the conclusion that there was a positive trend towards general acceptability of the concept of EEZ. A number of suggestions were accordingly made both in regard to possible national efforts and AALCC's programme of assistance to meet the objectives of optimum utilization of the resources of the EEZ.



In many coastal States of the Asian-African region, the existing machinery for the development of fishery resources might not be adequate to undertake fishing and other connected activities on a large scale in order to take maximum benefit from the extended zones of resource jurisdiction. Evidently most of the coastal States of the region would need to re-examine their respective national fisheries policies and adopt strategies required to optimise the benefit from their exclusive economic zones. The study indicated that action on a national or a regional level might be considered *inter alia* in the following areas :

1. Promoting the national awareness of rights in the EEZ and its potential for overall national development;
2. Establishment of machinery for collection of data regarding the nature and extent of the resources in the zone;
3. The formulation of national policies of marine resources development;
4. The establishment of new institutions to handle the conservation, management and development of resources in the zone and/or strengthening of the existing machinery for the purpose;
5. Establishing a strategy for the development of resources within the zone by mobilising both local and foreign expertise and capital;
6. Establishment of machinery for surveillance and policing of the zone;
7. Establishment of infrastructure for processing, storage, transport and marketing of resources;
8. Enactment of national legislation for the conservation, management and development of the resources within the zone; and
9. Fostering bilateral, sub-regional, regional and international co-operation for the development of the resources within the region and the legal framework for such co-operation.

At the Seoul Session, discussions were held at considerable length on the programme outlined in the study in the Plenary as well as in a Working Group. Whilst generally endorsing the suggestions contained in the study, the AALCC decided that, to begin with, the Secretariat should proceed with the collection of material and preparation of studies analysing information regarding measures taken by countries within, as well as outside the region for development and exploitation of the living resources in the 200-mile zone. This was in view of the fact that most of the claims for extended jurisdiction related to fisheries. It was also agreed that the work programme should be aimed at assisting Member Governments in practical terms through preparation of the legal framework for various measures which needed to be taken to achieve the desired objectives of optimum utilization of the fishery resources. The programme accordingly included:

- (a) Preparation of guidelines for national legislation;
- (b) Preparation of drafts of model agreements for exploitation of the living resources, including joint ventures; and
- (c) Promotion of regional and sub-regional co-operation.

Two delegations expressed the view that their governments did not recognize the concept of the EEZ which was the subject of negotiations in the Law of the Sea Conference. They, however, had no objection to the AALCC's initiative being confined to fishery resources in the 200-mile maritime zones of countries in the region. There was general agreement that the matters relating to exploitation of the other resources should not be taken up for the time being.

Immediately after the Seoul Session, the Secretary-General of the AALCC consulted with a number of Member Governments, fishing industries and scientific research institutions. The purpose of these consultations was to ascertain the needs of developing coastal States, their attitude towards foreign fishing and joint venture arrangements generally and also in the light of assistance that may be generated among the countries of the region, so that the legal framework for national legislation to



be prepared by the AALCC Secretariat could be suitably oriented so as to meet their requirements in a practical fashion.

The fishery legislations in force, in most of the countries, were virtually outmoded and were hardly suited to application in relation to the waters of the EEZ even with amendments. Many States preferred the idea of introducing comprehensive legislation and they welcomed AALCC's initiative to provide suitable guidelines for the purpose.

Even though the extension of the waters to 200 nautical miles had brought under the jurisdiction and control of the coastal States vast resources and resource potential, including stocks which has hitherto been exploited mainly by foreign fishermen, most coastal States in the region did not have the capital or technical and managerial know-how to exploit them or to undertake fishing operations on an appreciable scale in areas beyond their territorial seas. Furthermore, the lack of knowledge concerning the stock of fish or the breeding grounds and the migratory habits of fish found within the zone made it extremely difficult for them to determine their allowable catch or to plan measures for management and conservation of the fishery resources. The concept of optimum utilization denotes that a certain quantity of fish is needed to be harvested during a particular period in order to maintain ecological balance and that if no harvesting was done it could almost be as harmful as overharvesting. In that context several coastal States were prepared to allow in the initial stages fishing activities by foreign nationals on certain terms and conditions but they were opposed to unlimited access to foreign fishermen as being detrimental to a country's economy and as defeating the very purpose for which the EEZ was conceived. The general attitude of the developing coastal States was towards development of their harvesting potential through gradual building up of a national fishery industry, including infrastructure, if necessary with foreign assistance.

It had been found that the statistics and data available with some countries and even with international institutions regarding the fishery resources were at times not fully accurate as they were based on certain assumptions and this had

accounted for some States estimating their fishery resources at a higher figure than the actual position would justify. It was recognised that a more reliable source for a correct estimate of the resources was perhaps the data on the catch kept by some States under their laws in regard to fishing activities of their own nationals over a number of years. But at the same time it was appreciated that it might be difficult to obtain such data except under arrangements with a State or States concerned whose nationals had been fishing in those waters. It was also felt that since living resources were renewable and the habits of fish change, it would be essential to encourage and undertake research activities for the purpose but that the developing coastal States could be in no position to undertake such a task without some assistance at least in the initial years.

It was felt that there were several ways through which the assistance required by developing coastal States in regard to assessment of the resources, harvesting of fish as also in the matter of development of national fishing potential could be organised. One of the possible ways considered was through joint venture arrangements between the government, a State agency or a national enterprise of a developing coastal State with a foreign entity; another possibility was through arrangements for joint operation and resource survey over a limited period; and a third alternative was through permitting foreign fishing on certain terms and conditions relating to furnishing of data, transfer of technology, training of personnel and assistance in building up of the national fishing industry. A combination of two or more of these methods was also considered feasible. Technical assistance through technical cooperation arrangements with international organizations or States with long experience of fishing was also considered as a possibility.

In the light of the above, the AALCC Secretariat commenced its work on the preparation of draft guidelines for national legislations, the draft of a possible model for a bilateral Government to Government umbrella agreement relating to fishing by foreign nationals as also the drafts for model joint venture arrangements.



In December 1979, an Expert Group Meeting on Optimum Utilization of Fisheries Resources in the Exclusive Economic Zone was convened to discuss generally the scope of the study on national legislations, model arrangements on foreign fishing and joint venture arrangements as also the question of regional and sub-regional co-operation on the basis of the outlines and the list of topics prepared by the AALCC Secretariat. The three-day Expert Group meeting was chaired by Mr. Tosio Isogai (Japan) and attended by participants from twenty Member Governments. The discussions at the meeting were so channelised as to provide the practical inputs for the studies to be undertaken by the Secretariat. In that context, the participants outlined the prevailing position in their respective countries regarding the fisheries policies, institutional framework as also the legislations in force for the development of fishery resources in their national waters. Indications were also given about the measures that were planned or undertaken for establishing an adequate machinery for the optimum utilization of the fishery resources in the extended zones of national jurisdiction and about the requirements in the matter of data collection and research surveys to ascertain the resource potential.

With regard to the national legislations, the Expert Group was of the view that it might be preferable for States in the region to consider enacting a separate law dealing with fisheries in deep sea area and in this connection the possible contents of such legislation were discussed in some detail, especially in regard to the provisions on control of foreign fishing, prohibited acts, licensing procedures, offences, penalties and enforcement measures.

#### **Jakarta Session (1980)**

At the Jakarta Session held in April-May 1980, the Secretariat placed before the AALCC two drafts namely : (i) draft guidelines for legislation on fisheries; and (ii) draft of a model bilateral agreement on access to foreign fishing and other related matters. It also submitted a detailed note concerning the various types of joint venture arrangements that could

be contemplated. These drafts had been prepared on the basis of the discussions and material made available during the Expert Group meeting held in December 1979.

During the discussions in the Plenary at that session, the observer for FAO indicated about FAO's Programme of assistance to developing countries in the management and development of the fisheries of their EEZs as one of the high priority areas of FAO. The EEZ Programme of FAO, he said, had two main objectives, namely, to promote rational management and full use of fishery resources in the zones and to enable the developing States as part of their efforts to establish the New International Economic Order, to secure a greater share of living marine resources. Assistance to developing countries on legal and institutional implications of the new ocean regime at the national level concentrated on the five main topics and in each case the programme consisted of research and information dissemination and technical assistance systems. He elaborated the five main topics, namely : (i) revision of fisheries legislation; (ii) management implementation systems, surveillance and enforcement; (iii) the role of parastatal bodies in fisheries development; (iv) joint venture, licensing and other commercial arrangements in fisheries; and (v) small-scale fisheries.

The right of fishing by landlocked and geographically disadvantaged States in the EEZ was also mentioned by some of the delegations. It was argued that the concept of the EEZ had deprived the landlocked and geographically disadvantaged States of their historic rights of fishing in areas where they traditionally fish without any benefit in return. Credit was given to the African States because they made adequate arrangements for the landlocked States in their regions and other coastal States were urged to emulate the example. Lastly, the view was expressed that instead of developing coastal States granting rights of fishing in their waters to developed countries as a barter, they should use such arrangements for developing their own technologies in this area. After a general exchange of views on the subject, due to shortage of time, the AALCC directed that another Expert



Group meeting should be convened as early as possible to examine the drafts.

In connection with the *draft guidelines for model legislation*, in May 1979, the Secretariat had addressed a communication to all Member Governments and various organizations engaged in the field of fisheries requesting for material which could assist the Secretariat in the preparation of the model legislation on fisheries suited to the objective of optimum utilization of the fishery resources in the EEZs. A number of international organisations, including the F.A.O. had very willingly placed a good deal of material at the disposal of the Secretariat which had enabled it to examine as many as 30 legislations. These, however, reflected, with a few exceptions, the legislative pattern obtaining in countries outside the Asian-African region. The response from Member Governments was not adequate but the gap was filled through the information given and views expressed at the Expert Group meeting held in December 1979.

In the preparation of the guidelines for legislation, the Secretariat had considered that the most convenient method would be to set out the relevant provisions in the form of a legislative text and accordingly such a draft was prepared consisting of 71 sections grouped in XIII parts. In the formulation of the text, however, emphasis had been placed on the need to put together the substantive elements rather than on drafting techniques, especially as this would vary from country to country according to their own legislative practice.

The preamble to the draft guidelines was drafted with a view to set out a brief summary of the objectives of the legislation, as had been provided in the Statement of Objects and Reasons, where it was considered appropriate. Part I contained preliminary provisions applicable to the draft legislation as a whole; Part II dealt with fisheries policy and planning; Part III indicated the suggested administrative set up; Part IV dealt with development, conservation and management of fishery resources; Part V contained provisions on the development of national fishing industry; Part VI was on grant of

licences; Part VII contained detailed provisions on foreign fishing; Part VIII enumerated the prohibited acts; Parts IX, X and XI dealt with enforcement, criminal and civil liability; Part XII contained provisions on processing and marketing; and Part XIII had certain general provisions.

The preparation of a *model bilateral umbrella agreement on access to foreign fishing* on terms and conditions acceptable to the developing coastal States as also the distant water fishing interests was conceived in the light of consultations with governments immediately following upon the Seoul Session and the subsequent discussions at the Expert Group Meeting held in December 1979. The tentative draft for the model agreement was prepared by the AALCC Secretariat after examination of more than twenty agreements which were made available to the Secretariat by the F.A.O. and some governments outside the region.

The main objective behind this project was that many developing countries, which had yet to develop an adequate fishing capacity in order to exploit the resources of their EEZs, might consider it necessary to draw on the assistance and co-operation from other States, especially those which had been habitually fishing in their waters, for the purpose of identification of the resources, their optimum utilization as also in the taking of conservation measures. It was felt that if such arrangements could be worked out under Government to Government umbrella agreements, foreign fishing could be carried out in a more orderly fashion in the interest of both the coastal States and the foreign party. It was also felt that such agreements would pave the way for mutually beneficial co-operation through which the developing coastal States could be assisted in the development of their national fishing industry.

Pursuant to the decision of the Jakarta Session, an inter-sessional Expert Group meeting composed of legal and fisheries experts was held at the Secretariat of the AALCC from 19th to 21st February, 1981, under the Chairmanship of the Secretary-General. The meeting was attended by participants from eighteen countries, namely, Arab Republic of Egypt, Bangladesh,



Burma, Cyprus, India, Indonesia, Iran, Democratic People's Republic of Korea, Malaysia, Mauritius, Nepal, Oman, Philippines, Republic of Korea, Singapore, Thailand, Turkey and Australia. The purpose of the meeting was to consider the draft of a model bilateral umbrella agreement concerning fishing activities by foreign nationals in the fisheries waters/EEZs of coastal States, and the draft of the guidelines for fishery legislation and also to discuss the modalities for regional and sub-regional co-operation. The Expert Group finalised the model draft of the bilateral agreement concerning fishing activities by foreign nationals but was not in a position to take up the draft of the guidelines for fishery legislation.

The Expert Group generally exchanged views on the question of regional and sub-regional arrangements for optimum utilization of the fishery resources in the EEZs and in this connection attention was invited to the text of the Draft Convention of the South Pacific Forum Fisheries Agency. It was felt that the Secretariat should collect further information on regional or sub-regional arrangements and that the matter should be further discussed at the Colombo Session.

As regards the rights of landlocked and geographically disadvantaged States in regard to the EEZ some of the participants expressed the view that the coastal, landlocked and geographically disadvantaged States should enter into bilateral, sub-regional or regional agreements whereby their special rights will be effected and taken care of.

#### **Colombo Session (1981)**

At the Colombo Session held in May 1981, the Secretariat had placed before the AALCC the draft of the model agreement on foreign fishing as finalised by the Expert Group, two tentative drafts for possible joint venture arrangements for the optimum utilization of the fishery resources and a comprehensive note on regional and sub-regional arrangements in respect of fisheries.

The AALCC at that session had examined the Secretariat drafts in some depth in the Plenary as well as in an Expert

Group. Several of the delegations were of the view that the model bilateral agreement on foreign fishing finalised at the last inter-sessional expert group meeting (1981) of the AALCC was acceptable to them as a useful model. They further stated that most developing countries lacked the expertise, capital and technology as also the knowledge concerning stocks of fish and their migrating habits. They felt that the rational management and optimum utilization of the fishery stocks in the EEZ might be carried out through appropriate joint venture arrangements. It was suggested that the guidelines set out in the Secretariat paper might be given careful consideration in the Expert Group. A view was expressed that joint venture arrangements could be very useful whereby the developing States could gain experience and expertise from the foreign partner. The question as to whether a developing coastal State would wish to enter into joint venture arrangements in the fisheries sector was essentially a question of policy depending upon the national programmes and objectives which they might seek to achieve. One delegate was however of the view that as different countries had different interests, it was not possible to apply any uniform model to suit all circumstances. He suggested that the model drafts on bilateral agreement, joint ventures and national legislation would need to be appropriately modified.

As regards the regional and sub-regional arrangements, most of the delegations fully supported in principle the idea of regional and sub-regional co-operation, in particular matters relating to conservation of stocks and management of the resources. In this connection the Observer for FAO, during the course of discussions, briefly outlined the activities of his organization in matters relating to the implementation of the EEZ programme and the assistance given by the FAO to developing countries for the optimum utilisation, development and management of fisheries in their EEZs.

In addition to general discussion in the Plenary, an Expert Group was constituted under the Chairmanship of Mr. A. Fernando (Sri Lanka) which comprised of representatives from Bangladesh, India, Japan, Malaysia and Sri Lanka for the detailed consideration of the drafts on joint venture



arrangements. The Group had before them for their consideration the models of joint venture arrangements between a developing State entity and a foreign entity. One of the drafts contained the model of an equity joint venture while the other was in regard to a contractual joint venture. The Group was of the view that the draft Equity Joint Venture Agreement formed an acceptable legal framework for the countries of the African-Asian region and had made certain recommendations in regard to the text of the model arrangements.

The Group concluded that while those drafts provided a useful legal basis for joint venture arrangements for the countries of the region, it would also be beneficial for these countries to have broad guidelines relating to the subsidiary agreements to be entered into under the main joint venture agreements in order to ensure the optimum utilization of the fishery resources in the EEZ. The AALCC took note of the recommendations and directed that the drafts should be further considered and finalised in another Expert Group Meeting as also to discuss the question of regional and sub-regional co-operation for optimum utilisation of the fishery resources.

---

#### IV. ENVIRONMENTAL LAW

---



## ENVIRONMENTAL LAW

### Introductory

The subject "Environmental Law" was inscribed in the work programme of the AALCC on the proposal of the Government of India presented before the Tokyo Session of the AALCC held in 1974. The Government of India had desired that the AALCC should initiate a study concerning the development of international law relating to human environment. A preliminary study prepared by the Secretariat served as a basis of discussions at the Tehran Session of the AALCC held in 1975. At that session a number of delegations made general observations regarding the future work programme of the AALCC on the topic.

At the Kuala Lumpur Session held in 1976, the deliberations were focussed on identifying legal issues concerning prevention and control of environmental pollution and preservation of the environment as well as the work done by other organizations. At the end of the deliberations, it was decided that the Secretariat should prepare a comprehensive questionnaire to elicit information from the member governments regarding their environmental problems and the legislative and administrative measures taken to deal with such problems. The questionnaire prepared by the Secretariat was approved at the Baghdad Session of the AALCC held in 1977, and thereafter it was circulated to member governments and other interested States.

The questionnaire covered the following areas relating to environmental pollution :

- (i) Environmental pollution problems and main sources of pollution.
- (ii) Laws and regulations in force and the proposed legislation concerning :