

Third United Nations Conference on the Law of the Sea

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Summary Records of Plenary Meetings 43rd plenary meeting

Extract from the Official Records of the Third United Nations Conference on the Law of the Sea, Volume I (Summary Records of Plenary Meetings of the First and Second Sessions, and of Meetings of the General Committee, Second Session)

43rd meeting

Monday, 22 July 1974, at 10.50 a.m.

President: Mr. H. S. AMERASINGHE (Sri Lanka).

Progress of work: statements by the Chairmen of the Main Committees

1. Mr. ENGO (United Republic of Cameroon) said that the First Committee had decided to hold a short general debate to give delegations which had not been directly involved in the work of the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction an opportunity to express their views. The debate had progressed at good speed and the statements had been useful. Some States which had been represented in the sea-bed Committee had also taken the opportunity to state their current views.
2. As a second stage, the Committee had decided to hold informal meetings to try to clear up misunderstandings about the somewhat confusing documentation which had resulted from the work of Sub-Committee I of the sea-bed Committee. He could report no progress at present but hoped to be able to do so after the Committee's next meeting.
3. Mr. AGUILAR (Venezuela) said that the Second Committee had decided to consider the items before it one by one in the order in which they appeared in document A/CONF.62/29, bearing in mind that the items were interrelated. The aim was to identify main trends of thought and express them in generally acceptable formulas. When that had been done, the item concerned would be "put on ice" and the Committee would go on to the next item, until all related items had been considered.
4. The Committee had begun with item 2—the territorial sea. There had been a brief general debate, and after holding consultations with the officers of the Committee the Chairman had prepared an informal working paper, which he hoped would be the first of a series on each item. The papers would be discussed informally and should help the Committee to produce generally acceptable formulae. The paper on the territorial sea had in fact already been revised, and the new version would shortly be available to members of the Committee.
5. The Committee had begun to consider item 3—the contiguous zone—but had decided to defer its consideration, in view of its close connexion with the items concerning the territorial sea and the exclusive economic zone. At its next meeting the Committee would take up item 4—straits used for international navigation.
6. The Committee had little time to complete the long list of items before it; it would need two informal or formal meetings per day. The decision whether to meet formally or informally would depend on the progress of work and of the informal negotiations.
7. He noted that the Committee's work was being conducted in a constructive manner and in an atmosphere of mutual respect and cordiality.
8. Mr. YANKOV (Bulgaria) said that the Third Committee had decided to hold informal as well as formal meetings. By the end of the past week it had held formal meetings to discuss items 12, 13 and 14 on which 85 delegations had stated their views, focusing on their Governments' positions and reviewing the work of Sub-Committee III of the sea-bed Committee. The countries which had not been members of the sea-bed Committee had had ample opportunity to give their views. The Committee had decided to have formal meetings at regular intervals so that delegations could submit proposals and hear reports on the progress of work in the informal meetings. Informal meet-

ings were to be held daily, considering alternately item 12 by itself and items 13 and 14 together. The aim was to give delegations an opportunity to negotiate on substantive issues so that the Committee could agree on general principles as a basis for draft articles.

9. It had been agreed that all proposals submitted to Sub-Committee III and those made at the Conference would be before the Committee and that the Secretariat should bring up to date the unofficial tables of proposals submitted to Sub-Committee III by incorporating in them those submitted at the Conference. He requested all delegations to submit their formal or informal proposals as soon as possible.

10. He noted that the work of the Committee was taking place in a friendly atmosphere, speakers were concentrating on the main issues and many constructive ideas and suggestions had been put forward.

11. The PRESIDENT said that the work of the Conference was at a crucial stage. He thanked the Chairmen of the Main Committees for their diligence and expressed the hope that negotiations on the main issues would proceed without delay. He appealed to all delegations to co-operate fully with the Chairmen of the Committees, especially in the Second Committee which had the most onerous burden.

Tribute to Simón Bolívar the Liberator (*continued*)*

12. The PRESIDENT drew attention to the additional sponsors of the draft resolution (A/CONF.62/L.3) listed in documents A/CONF.62/L.3/Add.1 and 2. The following delegations had also expressed the wish to sponsor the draft resolution: Afghanistan, Austria, Bangladesh, Bhutan, Burma, Burundi, Canada, Congo, Cyprus, Dahomey, Denmark, Federal Republic of Germany, Fiji, Finland, France, Gambia, Ghana, Iceland, India, Indonesia, Iran, Ireland, Israel, Italy, Japan, Laos, Lesotho, Liberia, Madagascar, Malaysia, Mali, Malta, Nepal, Netherlands, Norway, Republic of Korea, Republic of Viet-Nam, Spain, Sweden, United Republic of Tanzania, Thailand, Togo, Tonga, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United States of America, Upper Volta, Western Samoa, Yugoslavia and Zaire.

13. He outlined the programme for the observation of the anniversary of the birth of Simón Bolívar which had been drawn up in consultation with the representative of El Salvador, spokesman of the Latin American countries: the Conference would hold a formal meeting at 10 a.m. on 24 July to hear statements by the President, the spokesmen of the regional groups and any other delegations which wished to speak; the Conference would then be addressed by the Minister for Foreign Affairs of Venezuela before proceeding to the National Pantheon where the President would lay a wreath on behalf of the whole Conference and the Secretariat. All the necessary arrangements would be made by the Offices of Protocol of the Government of Venezuela and of the Conference.

14. Mr. MANNER (Finland), speaking on behalf of the group of Western European and other States, Mr. GOERNER (German Democratic Republic), speaking on behalf of the group of Eastern European States, Mr. CISSÉ (Senegal), speaking on behalf of the African group of States, Mr. DE ALWIS (Sri Lanka), speaking on behalf of the Asian group of

*Resumed from the 41st meeting.

States, and Mr. ABDEL HAMID (Egypt), speaking on behalf of the Arab States, made brief statements endorsing the draft resolution.

15. The PRESIDENT said that he would take it that the Conference adopted the draft resolution and the programme by acclamation.

It was so decided.

Statement by the Representative of the Palestine Liberation Organization

16. Mr. AL-AMERICANY AMERCANI (Palestine Liberation Organization) complimented the Conference on its decision to invite the representatives of the national liberation movements to participate in the Conference as observers. He noted that the Palestine Liberation Organization had been specified by name. By taking that decision the Conference was responding to the imperatives of history which proved that true democracy, freedom and revolution were always victorious in the end, although the oppressors and reactionaries could not grasp that fact. History would testify that those who had supported the participation of the national liberation movements had contributed to the acceleration of the historical process by allowing the peoples struggling for their freedom to become masters of their own destiny and defend their national interests at international conferences.

17. He did not wish to reply to the attack made against his Organization by the representative of world zionism but he would refer that representative to the decision of the Conference that it was master of its own procedures and entitled to invite the liberation movements to take part in its deliberations. The Palestine Liberation Organization had come to the Conference not to discuss the problem of Palestine but to participate constructively in the work of the Conference and co-operate fully with its members.

18. The fact that the Palestine Liberation Organization was speaking in the Conference proved that the people of Palestine was strong and alive. In the past its enemies had claimed that time alone would bring an end to the problem of Palestine, and when that theory had proved untrue they had resorted to a war of genocide. For its part, the Palestine Liberation Organization wished to establish a democratic Palestinian State in which there was no discrimination among Jews, Christians and Moslems, a State based on full equality of rights and obligations, regardless of race, colour or religion.

19. The Palestine Liberation Organization believed that the struggle for liberation would change the *status quo*, which was based on injustice, and create conditions of peace based on equity and justice. It must not be forgotten that the struggle for freedom had always grown out of oppression and injustice.

20. The Palestine Liberation Organization hoped that the Conference would be successful and it pledged to work for that end, in the light of the national interests of the Palestinian people with regard to their land, air and sea.

21. The PRESIDENT welcomed the assurance that the Palestine Liberation Organization would co-operate constructively in the Conference and limit its contribution to matters germane to the Conference's work.

Additions to the list of non-governmental organizations (A/CONF.62/L.2/Add.1)

22. The PRESIDENT said that if there was no objection, he would take it that the Conference wished to include the International Conference of Catholic Charities and the National Shippers' Councils of Europe in the list presented for its approval (A/CONF.62/L.2).

It was so decided.

The meeting rose at 11.30 a.m.

44th meeting

Wednesday, 24 July 1974, at 10.15 a.m.

President: Mr. H. S. AMERASINGHE (Sri Lanka).

Tribute to Simón Bolívar the Liberator (*concluded*)

1. The PRESIDENT said that the special plenary meeting of the Conference was being held as an act of homage to the memory of Simón Bolívar, the Liberator, on the 191st anniversary of his birth. Men of that fibre belonged not to one people or one continent but wherever human dignity and freedom were respected as the essence of the human condition. Bolívar had been born during an age of revolutionary ferment, which had witnessed two events that had had a dramatic effect on world history, the American Declaration of Independence and the French Revolution. The finest elements in the human spirit and character often emerged during the most tempestuous periods of history. Although born into conditions of affluence, Simón Bolívar had at a very early age renounced those privileges and had waged a bold struggle to win independence for his homeland and other fellow Latin Americans from a powerful and tenacious foreign ruler. In his own words, he had fought for liberty and everything that was great and beautiful. In 15 years he had won freedom for five Latin American countries and, throughout all the vicissitudes that had barred his way to final triumph, had displayed indomitable perseverance and invincible courage born of faith in his mission and of the genuine conviction that all men were entitled to be free. He was the stuff of which great leaders and liberators were made: undaunted by defeat, a stranger to fear and fatigue, animated by

an indestructible faith in the justice of his cause and sustained throughout by unswerving devotion to his people. Such men served as an example and inspiration wherever freedom and liberty were cherished.

2. Mr. DE ALWIS (Sri Lanka), speaking on behalf of the Asian group of countries, said that history recorded the names of many conquerors and colonialists but rarely those of a single individual who had been chosen by the free will of the people. President of five countries, with one of them named after him, Simón Bolívar had told the newly formed Congress, when requested to be head of State, that Venezuela must be ruled by laws made by representatives of all the people, not by a dictator, and had considered it a greater honour to be a liberator than to be king of all the nations of the world. History recorded instances of pioneers of freedom and freedom fighters in individual States, but rarely had one single individual fought for the freedom of a continent and changed the course of history.

3. All States members of the Conference joined with the people of Latin America and Venezuela to pay homage to their noblest son, as an expression of the gratitude of freedom-loving peoples.

4. Simón Bolívar and what he epitomized struck a familiar chord for Asian countries whose freedom and civilization, dating back many thousands of years, had been interrupted by periods of colonial domination and which, although they had