

Third United Nations Conference on the Law of the Sea

1973-1982

Concluded at Montego Bay, Jamaica on 10 December 1982

Document:-

A/CONF.62/L.48/Rev.1

Draft decision sponsored by the representatives of the Philippines, the United Arab Emirates and Greece as respective Chairmen of the group of Asian States, the group of Arab States and the group of Western European and other States

Extract from the Official Records of the Third United Nations Conference on the Law of the Sea, Volume XIII (Summary Records, Plenary, General Committee, First and Third Committees, as well as Documents of the Conference, Ninth Session)

4. Where there is an agreement in force between the States concerned, questions relating to the delimitation of the exclusive economic zone shall be determined in accordance with the provisions of that agreement.

Article 83

1. The delimitation of the continental shelf between States with opposite or adjacent coasts shall be effected by agreement in conformity with international law. Such an agreement shall be in accordance with equitable principles, employing the median or equidistance line, where appropriate, and taking account of all circumstances prevailing in the area concerned.

2. If no agreement can be reached within a reasonable period of time, the States concerned shall resort to the procedures provided for in Part XV.

3. Pending agreement as provided for in paragraph 1, the States concerned, in a spirit of understanding and co-operation, shall make every effort to enter into provisional arrangements of a practical nature and, during this transitional period, not to jeopardize or hamper the reaching of the final agreement. Such arrangements shall be without prejudice to the final delimitation.

4. Where there is an agreement in force between the States concerned, questions relating to the delimitation of the continental shelf shall be determined in accordance with the provisions of that agreement.

Article 298

1. Without prejudice to the obligations arising under section 1, a State Party when signing, ratifying or otherwise expressing its consent to be bound by the present Convention, or at any time thereafter, may

declare that it does not accept any one or more of the procedures for the settlement of disputes specified in the present Convention with respect to one or more of the following categories of disputes:

- (a)(i) Disputes concerning the interpretation or application of articles 15, 74 and 83 relating to sea boundary delimitations, or those involving historic bays or titles, provided that the State having made such a declaration shall, when such a dispute arises subsequent to the entry into force of this Convention and where no agreement within a reasonable period of time is reached in negotiations between the parties, at the request of any party to the dispute, and notwithstanding article 284, paragraph 3, accept submission of the matter to conciliation provided for in annex IV, and provided further that there shall be excluded from such submission any dispute that necessarily involves the concurrent consideration of any unsettled dispute concerning sovereignty or other rights over continental or insular land territory;
- (ii) After the Conciliation Commission has presented its report, which shall state the reasons on which it is based, the parties shall negotiate an agreement on the basis of that report; if these negotiations do not result in an agreement, the parties shall, by mutual consent, submit the question to one of the procedures provided for in section 2 of part XV, unless the parties otherwise agree;
- (iii) The provisions of this subparagraph shall not apply to any sea boundary dispute finally settled by an arrangement between the parties, or to any such dispute which is to be settled in accordance with a bilateral or multilateral agreement binding upon those parties.

DOCUMENT A/CONF.62/L.48/REV.1

Draft decision sponsored by the representatives of the Philippines, the United Arab Emirates and Greece as respective Chairmen of the group of Asian States, the group of Arab States and the group of Western European and other States

*[Original: English]
[31 March 1980]*

The Conference.

Noting that the question of the seat of the International Sea-Bed Authority has yet to be considered by it in all its aspects.

Having regard to the request made by the group of Asian States, the group of Arab States and the group of Western European and other States, as contained in documents A/CONF.62/73, A/CONF.62/75 and A/CONF.62/76,^a that all the candidates, namely, Fiji, Jamaica and Malta, for the seat of the International Sea-Bed Authority should be considered on an equal basis,

Decides that Fiji, Jamaica and Malta should be treated on an equal basis as candidates for the seat of the International Sea-Bed Authority until such time as the Conference has considered and decided upon that question;

Requests that the Presidential Collegium should list these candidates accordingly in the relevant article of the revised informal composite negotiating text.

^a *Ibid.*, vol. XI.

DOCUMENTS A/CONF.62/L.49 AND ADD.1 AND 2

Report of the President on the work of the informal plenary meeting of the Conference on the preamble

DOCUMENT A/CONF.62/L.49

Text of the preamble prepared by the President as the recommendation of the informal plenary meeting of the Conference

*[Original: English]
[27 March 1980]*

The States parties to the present Convention,

Prompted by the desire to settle, in a spirit of mutual under-

standing and co-operation, all issues relating to the law of the sea and aware of the historic significance of the present Convention as an important contribution to the maintenance of peace, justice and progress for all the peoples of the world,

Noting that the developments that have occurred since the Geneva Conferences of 1958 and 1960 have accentuated the need for a new and generally acceptable Convention on the law of the sea.