

Third United Nations Conference on the Law of the Sea

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141st Plenary meeting

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Thirdly, the fishery resources of the coasts and contiguous zones must be preserved, and should not be managed in a manner which failed to take account of the conservation policies of coastal States; it was therefore essential to provide for machinery to control the aggressive exploitation to which fishery resources were at present being subjected. Fourthly, Guatemala had for some time been producing nickel in order to diversify its economy, and part of its development now relied on such production. A number of delegations had already expressed doubts as to the future of the land-based producers when deep-sea mining became a reality. His delegation therefore requested that the Conference should give due attention to that matter and provide for a production control formula giving adequate protection to land-based developing-country producers. Fifthly, his delegation in no way opposed the idea that peoples which had not acceded to independence or whose territory was occupied by a foreign Power should fully enjoy the economic benefits that would accrue to them under the Convention: the Conference should therefore devise machinery which would enable international agencies such as the United Nations Development Programme to invest the funds deriving from such benefits in order to promote development of those peoples. Sixthly, his delegation had demonstrated goodwill during the negotiations in the hope that a wording satisfactory to all parties and capable of commanding a consensus would be found for article 300. Guatemala welcomed the progress made at the second part of the ninth session.

69. Mr. FERRER (Panama) expressed satisfaction at the substantial progress made at the second part of the ninth session, and the hope that the long and arduous negotiations carried out so far would lead to the adoption, at the next session, of a law of the sea capable of protecting the interests of all States. He welcomed the fact that the Conference had accepted the draft article on *jus cogens*, submitted by the Chilean delegation, and supported the participation of liberation movements recognized by the United Nations or by international regional organizations in the benefits derived from the convention.

70. His delegation maintained its position on the innocent passage of warships through the territorial waters of coastal States, that is, on the need to obtain express permission for such passage from the State exercising sovereignty over the waters in question. It welcomed the agreement reached on the Greek proposal concerning the protection of archaeological or historical objects, on the proposals for the use of the sea for peaceful purposes and on the protection of marine mammals, and other proposals which had received substantial support.

71. On the other hand, it could not support the intentions of States which, by unilateral action, sought to withdraw certain sea or land areas from the régime of the Convention or from the sovereignty of other States. It therefore protested vigorously against the legislation enacted by the United States Congress, approved by President Carter on 11 August 1980, and designed to empower the United States to establish demarcation lines delimiting the high seas and United States internal waters, which, under section 2 (c) of the act in question, encompassed the waterway and adjacent lands known until 1 October 1979 as the "Panama Canal Zone". That provision was contrary to the principle of sovereignty and jurisdiction exercised by the Republic of Panama over the waterway zone, which had never ceased to be an integral part of national Panamanian territory. It therefore violated the Panama Canal Treaty, which had been in force since 1 October 1979 and under which, what had been known as the "Canal Zone" and the administrative jurisdiction exercised over that zone by the United States had been explicitly terminated. The act was therefore simply creating grounds for conflict, just as the act on deep-sea exploration and mining had done. His delegation, therefore, could not but strongly condemn any form of unilateral legislation which endangered the balance of the current negotiations and cast doubts on the desire for negotiation.

The meeting rose at 6.05 p.m.

141st Meeting

Friday, 29 August 1980, at 3.30 p.m.

President: MR. H. S. AMERASINGHE

Organization of work of the tenth session and of the intersessional meeting of the Drafting Committee

1. The PRESIDENT said that although he was already aware of the preferences of the various groups of countries concerning the place, date and duration of the following session of the Conference, he considered it necessary, in order to avoid any possible misunderstanding, to call on the Special Representative of the Secretary-General to give an objective report on the situation which implied no preference on the part of the Secretariat. He would then call on the Chairman of the Group of 77, the Chairman of the group of Eastern European States, the Chairman of the group of Western European and other States, the representative of the United States, and lastly, if they so desired, the Chairmen of the group of African, Asian and Latin American States, which constituted the Group of 77.

It was so decided.

2. Mr. ZULETA (Special Representative of the Secretary-General) said specific instructions he had received from New York indicated that, if the Conference decided to hold its following session in New York, the Committee on Conferences of the General Assembly might have serious difficulty in providing it with the necessary services, since the Assembly could decide, as it was entitled to do, to use the available services—conference rooms and translation, reproduction and interpretation services—

for other negotiations, such as those which were planned as a follow-up to the current eleventh special session of the General Assembly. Those facts implied no preference on the part of the Secretariat, which simply abided by the decision of the various Governments, the sole entities competent to rule on the matter.

3. The PRESIDENT, noting that the choice to be made rested with the Governments which were represented both at the Conference on the Law of the Sea and in the General Assembly, urged delegations to request their Governments to give primary consideration to ensuring the successful conclusion of the Conference.

4. Mr. WAPENYI (Uganda), speaking on behalf of the Group of 77, recommended that the Drafting Committee should meet for a period of six weeks and that the Conference itself should meet one week after the Drafting Committee had completed its work, also for six weeks. For practical reasons, since some of its members might not have an embassy or mission in other cities, including Geneva, the Group of 77 would like the following session of the Conference to be held in New York. The members of the Group had decided to get in touch with their permanent representatives in New York to ask them to ensure that priority was given to the Conference on the Law of the Sea.

5. Mr. SPÁČIL (Czechoslovakia), speaking on behalf of the group of Eastern European States, said that the draft programme of work submitted by the President in document A/CONF.62/

BUR.13/Rev.1 constituted an entirely reasonable approach which could produce good results. There was no question of reopening the debate on questions already regarded as having been resolved. As the preliminary work of the Drafting Committee would be of very great importance, that Committee should be granted the necessary time to carry it out. Eight weeks would perhaps be too long for its meetings, but six weeks might be scheduled, as recommended by the Group of 77, or even seven weeks.

6. With regard to the period of one week envisaged by the Group of 77 between the conclusion of the work of the Drafting Committee and the beginning of the session of the Conference, he thought that it would be preferable to schedule two to three weeks in order to enable delegations to communicate with their Governments and receive instructions.

7. As to the place of the following session, the group of Eastern European States would prefer Geneva, but if the majority of delegations preferred New York, it would support that choice. However, if New York was unable to provide the necessary services, it would perhaps be preferable to decide forthwith in favour of Geneva.

8. Like the Group of 77, the group of Eastern European States thought that six weeks should be sufficient for the Conference to carry out its work, but it might be preferable to adopt a more flexible approach and to envisage seven weeks. It must be borne in mind that formal amendments might be proposed, which might, of course, delay the Conference's work, but he hoped that they would be few in number and that by adopting a rational approach, all delegations would make a point of ensuring the success of the following session.

9. The PRESIDENT expressed the view that a one-week interval might not be sufficient and suggested that two weeks should be scheduled. With regard to the duration of the session of the Conference, he thought that six weeks should be sufficient, but it would be wiser, because of any amendments that might be submitted, to provide for an additional week.

10. Mr. SALIBA (Malta), speaking on behalf of the group of Western European and other States, said that eight weeks should be scheduled for the work of the Drafting Committee, followed by an interval of three to four weeks for consideration of any drafting changes that might be made to the text. The actual session of the Conference, which could consequently not begin before April, should be of six weeks' duration but it would be more realistic to provide for two additional weeks.

11. As to the place of the session, the majority of the members of the group would prefer Geneva, but no member had said that it would be opposed to the choice of New York if the other groups considered it more convenient to meet in that city.

12. Mr. RICHARDSON (United States of America) felt that it was for the Chairman of the Drafting Committee to fix the amount of time he considered necessary for the Committee to carry out its work. If the Committee thought that it would require eight weeks, it should be granted that amount of time. Even in that case, it would have to take up 10 articles a day, which already constituted a very intensive rate of work.

13. In his opinion, it was essential that all States not represented in the Drafting Committee should have the time necessary to examine the Committee's work, in order to be certain that the amendments proposed were indeed drafting amendments and not substantive; that might take up to four weeks.

14. As to the duration of the session itself, it would be unwise to provide for more than six weeks, since that would encourage delegations to propose too many amendments. With regard to the place of the Conference, it would be advisable to consider an alternative solution in case the Conference was not accorded the anticipated priority.

15. Mr. SHEN Weiliang (China), noting that the deliberations of the past few days had shown that differences of views continued to exist between the various delegations, in particular with regard to the delimitation of the economic zones and the conti-

mental shelf, and the innocent passage of ships, said that six weeks should suffice to enable the Drafting Committee to carry out its work and that, in order to be able to devote sufficient time to consideration of any amendments that might be proposed, the session of the Conference should last for at least six weeks, if not longer. With regard to the place of the meeting, since the Group of 77 seemed to prefer New York, that was the city which must be chosen. In his opinion, it should be possible to overcome the difficulties mentioned by the Secretariat.

16. Mr. WAPENYI (Uganda) said that the Group of 77 would meet in New York three days before the session and that it would require the usual assistance during that period. He wished to point out, for the benefit of the Conference, that as the Group of 77 wished to be fully represented in the Drafting Committee, measures would be taken to ensure the participation of the members of the group.

17. The PRESIDENT said that he had taken due note of the request made by the Chairman of the Group of 77 and that the other groups which also wished to meet during the three days in question would be accorded the same facilities.

18. The Drafting Committee, whose work was essential for the future of the Conference, must be given the necessary time to carry out its work. So far, it had been able to deal only with the text submitted by the Third Committee. It was not impossible that the texts of the First and Second Committees might give it more work than that of the Third, and delegations must bear that possibility in mind before deciding on the duration of the meeting of the Drafting Committee and on the interval that would have to be allowed between the conclusion of the work of the Drafting Committee and the beginning of the tenth session.

19. Mr. BEESLEY (Canada), Chairman of the Drafting Committee, noting that it was largely recognized that the Drafting Committee must have the time necessary to prepare the text of the draft convention so that it would be ready on the first day of the tenth session, said he did not think it possible to achieve that goal in less than eight weeks, and even then the Committee would have to work at the rate of 10 articles a day. Much remained to be done to ensure the concordance of texts in all the working languages. He was aware that it was difficult for some delegations to envisage a duration of more than six weeks and he therefore proposed, as a compromise solution, a meeting of seven weeks. In any event, whatever decision the Conference might take on that point, the Drafting Committee would do its utmost to carry out its work within the period of time allotted to it.

20. The PRESIDENT said that as the Group of 77 clearly preferred a six-week session in New York preceded by an interval of one week following the meetings of the Drafting Committee, Governments would have to be persuaded to give priority to the Conference over the North-South dialogue. If Governments did not concur with the Group of 77, it should be expected that the Conference would hold its tenth session in Geneva. Given that situation, the Drafting Committee must be given time to consider the texts originating from the First and Second Committees and Part XI and the annexes in particular, which were essential for the Group of 77. He therefore suggested that the Chairman of the Drafting Committee might consult the members of the Committee belonging to the Group of 77 in order to agree on the duration and dates of the next meeting of the Committee. In addition, he asked the Group of 77 whether it would have any serious objection to the Drafting Committee meeting for seven weeks instead of six and completing its work two weeks before the beginning of the tenth session, so as to enable Governments which would be sending small delegations to the Conference to consider the report of the Drafting Committee during the interval.

21. Mr. WAPENYI (Uganda), speaking as Chairman of the Group of 77, said that the Group was not opposed to the idea of extending the meeting of the Drafting Committee. That matter should, however, be decided jointly by the members and Chairman of the Committee.

22. Mr. DIOP (Senegal) said that, in order to settle the matter as speedily as possible, the idea of a seven-week meeting of the

Drafting Committee should be taken as a starting-point and members of the Group of 77 should be asked if they had any objections to that proposal.

23. The PRESIDENT invited members of the Drafting Committee belonging to the Group of 77 to state their opinion on the proposal.

24. Mr. MAKEKA (Lesotho) said that, as a member of the Drafting Committee, he was aware of the delicate task entrusted to it, but participation in its work required sacrifices on the part of delegations such as his own. Although he had no objection to an extension of the session of the Drafting Committee, he stressed that it should take its work seriously, begin its meetings punctually and on each occasion go as far as it could in its consideration of the text—in other words, it should avoid any waste of time and money. As Lesotho was also a member of the English language group which was collaborating with the Drafting Committee and which sometimes spent one hour discussing the use of a particular term, Lesotho would have to enlarge its delegation, thereby incurring a supplementary financial burden which it was reluctant to assume.

25. With regard to the duration of the interval, he found it difficult to accept the idea of a two-week break. How could his delegation convince his Government of the need to stay in New York for two weeks without doing anything? If it returned to Lesotho, it would have to return to New York two weeks later. Since the Drafting Committee was required not to change the substance of the various provisions, he did not see why Governments would need two weeks—which would prove very expensive—to consider the Committee's report.

26. The PRESIDENT pointed out that during the two-week interval, three days would be taken up by preparatory meetings of the Group of 77.

27. Mr. WARIOBA (United Republic of Tanzania), speaking as a member of the Drafting Committee, said that by extending the meeting of the Drafting Committee to seven weeks and the interval between that meeting and the tenth session of the Conference to two weeks, the Conference would be allocating almost four months for its work. That represented a very heavy burden for small delegations. If the meeting of the Drafting Committee was to be extended by a week, arrangements should be made for an interval of only one week. Governments would have every opportunity to consider the Committee's report at the beginning of the tenth session, while the Conference was considering outstanding issues. His delegation therefore endorsed the proposal for a seven-week meeting of the Drafting Committee, on the understanding that there would be only one week between that meeting and the session of the Conference.

28. Mr. BEESLEY (Canada), Chairman of the Drafting Committee, thanked the small delegations which, in spite of their difficulties, were making every effort to participate in the work of the Committee. By working long hours every day, including weekends, the Drafting Committee should be able to complete its work in seven weeks. Referring to the points raised by the representative of Lesotho, he said that at its meeting in New York, the Committee had been free to fix its own programme of work and had always kept to its time-table. During the current session, however, it had had less freedom of movement as a result of the many other meetings being held. At its next series of meetings it might perhaps issue its report in instalments, on the understanding that the first instalments issued would be subject to revision as the work of harmonizing the text progressed.

29. Mr. TORRAS DE LA LUZ (Cuba) said that he shared the concern of the representatives of Lesotho and the United Republic of Tanzania. He did not see why Governments would be in such great need of the report of the Drafting Committee when they would already have been able to consider the third revision of the informal composite negotiating text, which included the essential compromise formulas and in which the Committee would incorporate only drafting amendments, particularly if the Committee's report was issued in instalments. Furthermore, it was unnecessary to extend to two weeks the interval between the meeting of

the Drafting Committee and the beginning of the tenth session of the Conference.

30. The PRESIDENT said that, if there was no objection, he would take it that the Conference accepted the proposal to convene an intersessional meeting of the Drafting Committee of seven weeks' duration, followed by an interval of one week prior to the tenth session of the Conference.

It was so decided.

31. The PRESIDENT, replying to a question asked by Mr. RICHARDSON (United States of America), said that three days of the week separating the meeting of the Drafting Committee and the session of the Conference would be devoted to preparatory meetings of the Group of 77.

32. If there was no objection, he would take it that the Conference approved the proposal that the tenth session of the Conference should be of six weeks duration, with the possibility of an extension if necessary.

It was so decided.

33. Mr. ZULETA (Special Representative of the Secretary-General), referring to his previous observations, said that the opening date of the Conference which would be the most convenient for the Secretariat would be 9 March or, alternatively, 16 March.

34. The PRESIDENT said that, if there was no objection, he would take it that the Conference wished to hold its tenth session from 9 March to 17 April 1981 with the possibility of an extension to 24 April, and to hold the meeting of the Drafting Committee from 12 January to 27 February 1981.

It was so decided.

35. Mr. WAPENYI (Uganda), speaking as Chairman of the Group of 77, said that the Group could meet from 4 to 6 March 1981.

36. The PRESIDENT observed that a decision on that matter came within the purview of the Committee on Conferences.

37. Mr. DE SOTO (Peru) said that he would like further information on the nature of the report which the Drafting Committee would submit at the end of its seven-week meeting. He would also like to know if it would be possible to schedule a two-week interval if the Conference met in Geneva and not in New York.

38. The PRESIDENT said that after its meeting, the Drafting Committee would be able to submit to the Conference its final report on the texts currently before the Conference. It would, however, have to wait until negotiations had been concluded on other questions such as the final clauses, participation and delimitation of maritime areas before considering them in their turn.

39. The Peruvian suggestion that the interval between the meeting of the Drafting Committee and the session of the Conference might be extended to two weeks if the next session was held in Geneva was a reasonable one, and he invited representatives to express their views on the matter.

40. Mr. MAKEKA (Lesotho), supported by Mr. WARIOBA (United Republic of Tanzania), said that a change of venue would in no way affect his delegation's objections to a two-week interval.

41. Mr. DE SOTO (Peru) withdrew his suggestion.

42. The PRESIDENT drew the attention of the participants to the recommendations of the General Committee concerning the programme of work for the tenth session (A/CONF.62/BUR.13/Rev.1) and said that if there was no objection, he would take it that the Conference approved the General Committee's recommendations.

It was so decided.

Other matters

43. The PRESIDENT said that in a report to the Conference at the end of the first part of the current session (A/CONF.62/L.51),¹ the Chairman of the Second Committee had mentioned Sri Lanka's proposal relating to article 76 for an exceptional

¹ See *Official Records of the Third United Nations Conference on the Law of the Sea*, vol. XIII (United Nations publication, Sales No. E.81.V.5).

method of delimitation applicable to specific geological and geomorphological conditions of a particular zone, a proposal which had been the subject of intensive consultation among the interested States. It had been generally understood that provision would be made for that exception in a statement by the President of the Conference to be annexed to the final act of the Conference as an integral part of the over-all settlement. The consultations on the contents of that statement currently under way should be completed by the end of the ninth session of the Conference. At the 133rd meeting of the Conference devoted to informal discussions, the Chairman of the Second Committee had said that the consultations were continuing and that a text would shortly be prepared.

44. He (the President) was now able to announce that the Chairman of the Second Committee had informed him that the text of the statement of understanding concerning Sri Lanka's proposal mentioned in document A/CONF.62/L.51, paragraph 6 (d), and circulated on 21 August 1980 in document C.2/Informal Meeting/65 had not met with any objections and should be incorporated in an annex to the Final Act of the Conference as part of an over-all settlement. If there was no objection, he would take it that the Conference wished to incorporate the text in question in an annex to the Final Act of the Conference.

It was so decided.

45. Mr. MANANSALA (Philippines) pointed out that during the general debate 22 delegations, including his own, had expressed reservations concerning the production policy provided for in article 151, paragraph 2 (b). During the 57th and 58th meetings of the General Committee the previous day, several delegations had requested that that question should be included on the list of problems still to be negotiated. After examining the programme of work for the tenth session, his delegation considered that at that session delegations would have to take difficult decisions on which might depend the ratification of, or accession to, the convention by the group of countries to which he had referred. In order to assist his own and a number of other delegations to reach calculated and justifiable decisions on the question of production policies, his delegation wished to request the Secretariat to conduct a detailed study analysing the effects of the ceiling-floor safeguard formula set out in article 151, paragraph 2 (b), of the report of co-ordinators of the working group of 21 (A/CONF. 62/C.1/L.28 and Add.1). It further requested that the study should be based upon a range of parameters, including successive production start-up dates ranging from 1985 to 1995 and projected growth rates for world consumption of nickel ranging from 2 to 3 per cent during each of those years, taking as a base year the actual figures for 1979, and that historical data from Metallgesellschaft A.G. should be utilized for the study. It suggested that staff of the United Nations Ocean Economics and Technology Office in New York knowledgeable in ocean mining should be involved in the study in view of their long-standing experience in that field.

46. The PRESIDENT pointed out that a delegation could suggest that a study should be carried out but could not invite the Secretary-General to entrust it to a particular department.

47. Mr. MANANSALA (Philippines) withdrew his suggestion that the Secretariat should be requested to call upon the services of the United Nations Ocean Economics and Technology Office.

48. Mr. ADIO (Nigeria), supported by Mr. OERIP (Indonesia) agreed that the Secretariat should be requested to conduct a study on the question mentioned by the representative of the Philippines.

49. Mr. RICHARDSON (United States of America) said it must be clearly understood that the Secretariat would have complete discretion with respect to the exact statistical formulas to be used and the sources of data and the periods which the study would cover. Furthermore, he did not feel it was appropriate to ask the Secretariat to limit itself to projected growth rates of 2 to 3 percent.

50. Mr. SANZE (Burundi) supported the Philippine proposal, especially since Burundi was a producer of nickel and its economic well-being was at stake. In his opinion, a growth rate of 3 percent would already be too high and incompatible with the interests of the countries which were counting on land-based production.

51. Mr. LUKABU—K'HABOUJI (Zaire) welcomed the Philippine proposal. He had already had occasion to stress the fact that article 151 did not take the concerns of several delegations into account. The study to be conducted by the Secretariat should be widely distributed, so that all delegations which lacked experts would have it at their disposal.

52. Mr. HAGE (Canada) said he was in favour of the study requested by the Philippine delegation. That study should facilitate the continuation of work on production policies, and in particular encounters of the kind suggested in paragraph 35 of the report of the Chairman of the First Committee (A/CONF.62/L.62).

53. Mr. ZULETA (Special Representative of the Secretary-General) said that the Secretariat was, of course, at the disposal of the Conference. However, it would not find it easy to conduct the study requested unless clearly defined conditions were established for it. The results of the projections depended on the conditions upon which they were based. The Secretariat could not be asked to decide controversial issues by setting those conditions itself. It would be for the Secretary-General to decide which bodies would be entrusted with the study, in co-operation with the specialized agencies and the intergovernmental organizations, if need be. But it was essential to give the Secretariat a clear and well-defined mandate.

54. Mr. DREHER (Federal Republic of Germany) supported the observation made by the representative of the United States concerning the Philippine proposal. In addition to the annual rates of increase in world nickel consumption proposed by the Philippines projections of 3.5 and 4.5 percent could be used.

55. Mr. POWELL-JONES (United Kingdom) supported the observations of the United States and the Federal Republic of Germany concerning the Philippine proposal. Any study undertaken on that subject should be based upon the present text of article 151, paragraph 2, with equal variations below and above the annual rate of increase of 3 per cent. In addition, when submitting the results of the study, it would have to be specified which methods had been applied. His delegation believed that the annual rates of increase should be 2, 3, 4 and 5 per cent, based upon the trend curve value for the year 1979 rather than upon actual consumption.

56. The PRESIDENT said that, if there was no objection, he would take it that the Conference approved the proposal of the Philippines as amended by the Federal Republic of Germany and the United Kingdom.

It was so decided.

57. The PRESIDENT reminded the Conference that it had been decided to postpone the decision on the question of the headquarters of the Authority until the tenth session.

58. Mr. PINTO (Sri Lanka) said that his delegation had transmitted to the Secretariat a draft resolution on the development, at the national level, of marine science technology and the infrastructure of oceanic services, which provided that the bilateral and multilateral organizations would help the developing countries to strengthen their marine technology capacities, in order to take better advantage of the opportunities offered by the new convention. Algeria, the Libyan Arab Jamahiriyah, Mauritius, the Philippines, Trinidad and Tobago, Uruguay and Yugoslavia had co-sponsored the draft resolution, which had originally been proposed by Sri Lanka (A/CONF.62/L.64). He hoped that appropriate action would be taken on it.

59. The PRESIDENT pointed out that the draft resolution was within the competence not of the Conference but of the General Assembly.

60. Mr. YOLGA (Turkey) requested clarification of the title of

document A/CONF.62/WP.10/Rev.3. Although the issue had never been discussed in plenary meeting, the revised negotiating text was being presented under the title of "Draft convention on the law of the sea", which seemed to confer a completely different status on the text.

61. The PRESIDENT confirmed that the question of the title of the third revision of the negotiating text had not been discussed in plenary meeting. However, the Collegium had agreed on the proposed title, from which no inference should be drawn as to the status of the text.

62. Mr. MAXIM (Romania) regretted that the revised version of the note by the President on the programme of work for the tenth session (A/CONF.62/BUR.13/Rev.1) had not taken account of his delegation's proposal that the problems for which an adequate solution had not yet been found should be the subject of negotiation.

63. Mr. PINTO (Portugal) agreed with the Chinese delegation that other important questions should have been added to the list proposed in the note by the President on the programme of work for the tenth session.

64. The PRESIDENT said that it was impossible to change the text at the current stage. The observations of delegations would be reflected in the summary records of the Conference.

65. Mr. MAHIOU (Algeria), referring to the question raised by the Romanian delegation, said the President had stated that consultations constituted the first phase of the negotiations. His delegation took note of that statement, since it was no longer possible to change the terms of the note.

66. Mr. DREHER (Federal Republic of Germany) said that some delegations, including his own, felt that the title of the third revision of the negotiating text was not justified. He took note of the President's explanation, according to which even if the title was maintained, it would be without consequence for the status of the text.

67. Mr. DE LA GUARDIA (Argentina) pointed out that there was an error in the Spanish text of paragraph 11 of the explanatory memorandum by the President on the third revision of the negotiating text (A/CONF.62/WP.10/Rev.3/Add.1), in which it was stated that a new Part XVI had been added incorporating those general provisions that had been found not acceptable. Obviously, the general provisions referred to had been found acceptable.

68. Mr. ENGO (United Republic of Cameroon) said that some years before his delegation had requested the Secretary-General to authorize a study to be conducted in order to assist Governments in carrying out training programmes before the Authority came into operation. The developing countries, such as the United Republic of Cameroon, were impatiently awaiting that study.

69. Mr. ZULETA (Special Representative of the Secretary-General) said that, although the Conference had not taken any formal decision to comply with that request, the General Assembly had studied the question and asked the Secretary-General to authorize the study requested to be carried out. The problem was important since professional training in the exploration and exploitation of the sea-bed and the processing and marketing of its resources could be a key preparation factor for the establishment of the Authority and the functioning of the Enterprise. It was therefore necessary to help the developing countries to increase their capacities in the area of marine science and technology so that they could make their own decisions on the management of marine resources. With respect to education and professional training within the context of the provisions of Part XIV of the negotiating text, it was not possible to give a detailed descrip-

tion of negotiations conducted with Governments, the specialized agencies and the various United Nations bodies.

70. Nevertheless, the Secretariat wished to thank the delegations and Governments which had collaborated in the study and enabled that difficult investigation to be carried out. A decision would subsequently have to be taken on the extent of participation by the United Nations system in the implementation of the complex project involved. The conclusions of the study would be submitted before the tenth session of the Conference.

71. Mr. WAPENYI (Uganda), Chairman of the Group of 77, said that the position of the Group of 77 on the initiatives taken or unilateral legislation enacted by certain States members was well known. The Group had published a statement on that subject, which would be distributed as an official document of the Conference (A/CONF.62/106).

72. Mr. DREHER (Federal Republic of Germany) reminded the Conference that his delegation had nominated the city of Hamburg as the seat of the Law of the Sea Tribunal.

Report of the Drafting Committee

73. Mr. BEESLEY (Canada), Chairman of the Drafting Committee, drew the attention of the Conference to the programme of work for the intersessional meeting, which would be annexed to the Committee's report (A/CONF.62/L.63). The Committee hoped that a Secretariat document setting out translation errors and a concordance text for the six languages would be available before the beginning of the intersessional meeting.

74. Mr. RICHARDSON (United States of America) suggested that the programme of work proposed for the intersessional meeting of the Committee should be issued as a document of the ninth session of the Conference.

75. Mr. ZULETA (Special Representative of the Secretary-General) said that the Secretariat had done its utmost to correct the translation errors in the negotiating text but unavoidably there were still some errors in the third revision, which had already been distributed. The Secretariat would also make every effort to prepare a concordance text as requested by the Drafting Committee.

The report of the Drafting Committee was adopted.

Report of the Credentials Committee

76. Mr. GUEHI (Ivory Coast) regretted the reference in the report of the Committee (A/CONF.62/105) to the absence of his delegation at the 13th meeting of the Credentials Committee, of which it had not been informed.

77. Mr. HALL (Secretary of the Conference) said that the Committee had met as scheduled.

The report of the Credentials Committee was adopted.

Closure of the session

78. The PRESIDENT said that the results achieved at the ninth session of the Conference gave reason to hope that the Conference would be able to conclude its work in 1981. The First Committee had successfully fulfilled its mandate and the Third Committee had also made much progress. Some of the issues submitted to the Second Committee were still outstanding, as he had indicated in his explanatory memorandum, but efforts to resolve them would be continued. There was no question of reverting to problems already solved even if the solutions found were not totally satisfactory.

79. After an exchange of courtesies, the President declared the session closed.

The meeting rose at 6.25 p.m.