

Third United Nations Conference on the Law of the Sea

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62nd meeting of the General Committee

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the Drafting Committee was necessary before resumption of the tenth session. The meeting should be in the same location as the resumed tenth session and should be long enough to enable the Committee to complete its work. The Group considered that the resumed tenth session should last for six weeks, beginning on 27 July 1981, and that its programme should be the same as that adopted at the resumed ninth session for the current session. That meant that the Conference was expected to complete its work at the tenth session. The group was flexible as to the venue of the resumed session, but would like to request that as was the custom, it be given facilities to meet for three days prior to the resumption.

24. Mr. ZEGERS (Chile) said that he wished to clarify the position of the group of Latin American States, which was in favour of a four- to five-week session with the possible addition of one more week.

25. The CHAIRMAN said that as he heard no objection he would take it that in response to the request from the Chairman of the group of Western European and other States the

Committee agreed to defer further discussion of the item until its next meeting.

It was so decided.

Recommendation of the Conference to the General Assembly at its thirty-fifth session concerning the future work of the Conference

26. The CHAIRMAN observed that the item was legally necessary because the General Assembly had not mandated the Conference to hold a resumed session. However, in the light of the request made by the Chairman of the group of Western European and other States, he would take it, if he heard no objection, that the Committee agreed to defer consideration of the item until its next meeting.

It was so decided.

The meeting rose at 4.20 p.m.

62nd meeting

Tuesday, 14 April 1981, at 3.25 p.m.

Chairman: Mr. T. T. B. KOH (Singapore)

Organization of the future work of the Conference

1. The CHAIRMAN said that after consultations with the Chairmen of the regional groups, the Chairman of the Group of 77 and the representative of the United States, the Collegium had decided to suggest to the Conference that the Drafting Committee should hold a five-week intersessional meeting from 29 June to 31 July 1981 and that the tenth session should resume for five weeks from 3 August to 4 September 1981; the programme of work should be the same as the one agreed upon at the end of the resumed ninth session. The meeting of the Drafting Committee and the resumed tenth session should be held at the same venue. The Special Representative of the Secretary-General would provide information from the Department of Conference Services regarding available conference facilities in New York and Geneva.

2. Mr. OXMAN (United States of America) said that his Government was certain that its policy review would not be completed before the autumn of 1981 and felt that it would be advantageous if all delegations were to engage in bilateral and multilateral consultations before taking a final position. Accordingly, the United States believed it would be preferable to delay the next session until early in 1982; at that time his Government would be able to state its definitive views. However, it had become clear to his delegation that others wished to have a session of the Conference in August. While his delegation had taken those views into account, it was not prepared to regard the August session as the final one or a session for the formalization of the text. His delegation therefore believed that there should be no more than a three-week session for informal consultations so as to ensure that the United States Government and any other Government wishing to undertake a review would be able to ascertain the views of all before taking a final decision.

3. Mr. UL-HAQUE (Pakistan), speaking as Chairman of the Group of 77, said that while the Group had suggested a six-week session for the summer, it could make a compromise and accept the Chairman's proposal.

4. The CHAIRMAN said that during the consultations, the Collegium had learned that the Group of 77 was in favour of a six-week summer session. That had also been the preference of

the group of Asian States, the group of African States, the group of Latin American States, subject to modification, and the group of Eastern European and other States. The Chairman of the Latin American group had stated that that group had been in favour of a six-week session but was willing to accommodate the views of those who wished a shorter session and could accept a four-week or five-week session, provided that it could be extended, if necessary, to six weeks. The group of Western European and other States had had divided views but in order not to obstruct the wishes of the majority had stated that it was able to accept a consensus that there should be a four-week summer session. Members of the General Committee had just heard the United States position. The suggestion of the Collegium had been an attempt to answer the needs of the Conference and the views of the majority and to accommodate the wishes of the group of Western European and other States and the United States delegation. He therefore appealed to the Chairman of the Group of Western European and other States and the United States delegation to go along with the suggestions of the Collegium.

5. Mr. DREHER (Federal Republic of Germany), speaking as Chairman of the group of Western European and other States, expressed his regret at being unable at the current stage to agree with the suggestion of the Collegium because it went too far in view of the discussions held within the Group. It would therefore have to be left to the individual delegations to state their positions.

6. Mr. OXMAN (United States of America) said that his delegation was not in a position to go along with the proposal of the Collegium.

7. Mr. NAKAGAWA (Japan) said that his delegation supported the proposal by the United States that the session should be for three weeks only and, in any event, no longer than four weeks.

8. Mr. ARIAS SCHREIBER (Peru) said that the delegations of the developing countries had been most patient and understanding and had made every effort to accommodate the wishes of others. However, those efforts at conciliation had their limits and his delegation had no choice but to attempt to obtain the will of the majority, which should not be subject to

the whims of one delegation. He therefore requested that a vote under the rules of procedure be taken on the matter.

9. Mr. YANKOV (Bulgaria) said that he could agree with the Chairman's suggestions regarding the intersessional meeting of the Drafting Committee and the resumed session of the Conference even though he believed that five weeks might not be sufficient for the Drafting Committee to complete its work. What was important was not to count days or weeks but to determine the objective of the resumed session of the Conference, which in turn would determine the time required.

10. Different delegations might have different views with respect to the draft convention. However, there had been a consensus at the ninth session that an attempt should be made to complete the work as soon as possible and to decide when and how to formalize the text. The current session of the Conference had not been working as it normally did because of the United States position. He therefore wished, in good faith, to put two questions to the representative of the United States. At the 145th meeting of the plenary Conference, the United States representative had stated that he regretted that the decision had inevitably caused great disappointment, but a pause for reflection was much better than an irrevocable mistake. He had assured the Conference that his Government would proceed with the review as quickly as possible, and would in the course of that review listen to all points of view. He had further stated that the review could be completed in a few months, after which time he expected to have a definite and considered position which would form the basis for future policies of the United States. The notion of a few months now seemed to mean one year. He therefore wished to ask the representative of the United States whether any change of position, approach, attitude or policy had taken place since the 145th meeting, because if so, there was no guarantee that further changes would not take place. Secondly, could the United States delegation now state that if the Conference agreed to defer the resumed session until 1982 it would be ready to make a commitment with respect to the principle of the treaty? Failing that, he wondered whether the intention was to have the Conference convene in 1982 to listen to United States proposals and subsequently to study them. In other words, delegations needed to know whether the United States intended to propose that there should be no convention, that significant changes should be made in the existing draft, or that some other course should be adopted. Those questions were significant because while representatives had a responsibility to the Conference, they also had a responsibility to their sovereign States.

11. Mr. ENGO (United Republic of Cameroon) said that never before in the Conference had there been disputes regarding the length of sessions without reasons being given. He therefore requested those delegations that had asked that the resumed session last a specific period of time to explain their reasons. The world was awaiting a decision from the Conference because at the ninth session it had been decided that the tenth session would be the final one.

12. Members had learned through the press, not from their colleague, that one delegation would undertake a view of the draft convention. The discussions held with the United States delegation in that connexion had not cleared the air and representatives would like to be in a position to inform their Governments that the delay was justified and was not a case of one delegation dictating to the others.

13. The issue was not so much the duration of the resumed session as what would be accomplished at the session. If it was agreed that at the resumed session the Conference would formalize the text and adopt a convention, then it would need all the time that was available. However, the situation would be quite different if the resumed session was to be held merely to provide an opportunity for an exchange of views with one delegation which had no final position. A decision had to be

taken whether to pursue the course of consensus and, in that connexion, the Conference should tackle the real problem. If consultations were needed for that purpose, they should be held, but any decision must be based on rational thinking.

14. Mr. BRENNAN (Australia) said that members had been participating in the Conference on the understanding that it should pursue the common objective through universality and consensus. Those had been the two guiding lights that had illuminated the discussions for a decade and his delegation believed that they should continue to do so. It was no secret that delegations were disappointed that the current session would not be the final one and were further disappointed to learn that the problems of the United States would not be solved before the summer session. However, that was a fact that had to be taken into account. All were aware of the considerations which had prompted the Group of 77 to see merit in a six-week summer session preceded by a six-week meeting of the Drafting Committee. The purpose was to make it possible to complete the work of the Conference in 1981 in accordance with the consensus reached at the ninth session. However, the objectives of universality and consensus would not necessarily be served by those two six-week sessions. Some believed that it was necessary to adopt a convention in 1981 and to open it for signature at Caracas in 1982 even if there had to be a departure from the concepts of universality and consensus. While he was sure that they had reached that decision reluctantly, he believed that circumstances in the summer would not be such as to suggest that that course would be the desirable one.

15. His delegation did not believe that after completing its review the United States would produce proposals that were not negotiable. He therefore saw advantages in holding a four-week session preceded by a five-week meeting of the Drafting Committee. However, since others did not agree with that position he would suggest a four-week session beginning on 10 August with the contingency of a fifth week if needed. He believed that the summer session would be a busy one and delegations would not wish to extend it to five weeks because they would feel the need for consultation and reflection after four weeks. That position might not be too far from that of the group of Latin American States and might even be acceptable to the group of Western European and other States as a whole. While it was far from the United States position, it was certainly more attractive than the other suggestions and would allow time for consultations which the United States regarded as essential and in which all wished to participate.

16. The CHAIRMAN said that he did not think it was necessary to delay the opening of the resumed session from 3 August to 10 August. He believed that the essence of the Australian proposal was to make provision for a fifth week if necessary.

17. Mr. BRENNAN (Australia) said that he had proposed the later date as an incentive to limiting the duration to four weeks.

18. Mr. MOMTAZ (Iran) said that it was now clear from the reports of the chairmen of the group of Asian States, the group of African States, the group of Latin American States and the Group of 77 that the overwhelming majority of delegations wished to continue negotiations on outstanding issues and to complete the work of the Conference before the end of 1981. That attitude was in accordance with logic and would avoid the nefarious consequences which an adjournment of the Conference would entail. A resumption for a short session would be tantamount to an adjournment and he wished to remind members of an important point: as his delegation had stated in the plenary Conference, the Conference could not allow one delegation to impose its will on the others. The guiding principle of all diplomatic conferences was the equality of all delegations. There could be no exception to that principle and any delegation that did not adhere to it should withdraw from the negotiations. His delegation was convinced that as long as there were outstanding issues and the majority

wished to continue negotiating, any attempt to go against that wish would be a serious precedent in diplomatic negotiations.

19. Mr. MWANGANG'ONZE (Zambia) said that he had listened with dismay and apprehension to the statement of the United States representative. He wondered whether the United States Government's review of policy with regard to the draft convention was really so far-reaching that it would prevent that country's delegation from resuming meaningful negotiations promptly. He agreed with the representative of Cameroon that what was needed was a session at which such negotiations were entered into in a spirit of responsibility. In that connexion he observed that many of the participants in the Conference came from small developing countries which would find it difficult to make available the funds needed to enable their delegations to attend a protracted session in New York.

20. Mr. OXMAN (United States of America) said that his delegation's suggestion that the Conference should be reconvened in 1982 reflected its view that participants would prefer to hold the Conference at a time when his Government's position had been clearly defined. It was in a spirit of accommodation that his delegation had suggested a resumed tenth session for informal consultations to be held in August 1981; his delegation was in no way insisting that such a session be held.

21. His Government took the view that it would be most undesirable from every point of view to proceed with undue haste. Postponement of the Conference would enable senior officials to gain a more precise appreciation of the views of other Governments. His Government had increasingly recognized the need for that in view of the complexity of the problems involved; it would be erroneous to assume that such an approach reflected a negative decision regarding the convention itself. An August session for the purpose of informal consultation could contribute to an understanding of the views of others before final decisions were made. The review would be completed after that and before the 1982 session.

22. Mr. ADIO (Nigeria) said that the views of one delegation, which had received very specific instructions with regard to resumption of the Conference, should not be allowed to prevail over those of the vast majority of delegations participating in that Conference. He believed that, if no compromise could be reached, the Committee should decide to go ahead with the Conference without the participation of that delegation.

23. Mr. DJALAL (Indonesia) said that he was deeply concerned at the developments which had taken place at the current session and that he was astonished by the explanation given by the representative of the United States with regard to the convening of the next session. The Committee had been told that the United States delegation would agree to participate in that session only on the understanding that the session would not be the final one and that the text would not be formalized at that stage. The decision to hold a session of "consultations" lasting for three weeks would be financially embarrassing for many developing countries, including Indonesia, and would do nothing to resolve the uncertainty which had overtaken the draft convention at the current session. For the Committee to give its sanction to the position taken by the United States delegation would be to set a most regrettable precedent. He saw no reason why the United States Government could not complete its review in time for a substantive session of the Conference in August 1981.

24. Mr. ZEGERS (Chile) said that the Conference had reached a crucial stage of its work and that compromise was essential if its achievements were not to be jeopardized. It had not been possible to complete the Conference's programme of work at the current session, and it was therefore necessary to hold a resumed session in the summer of 1981. He suggested that a possible solution might be to convene the resumed session for four weeks commencing 3 August, and to leave it to

the Conference itself to decide whether a fifth week was required.

25. Mr. MAHIOU (Algeria) said that he shared the concern expressed by the representatives of Bulgaria, Iran, Nigeria and the United Republic of Cameroon. In the past, the Conference had usually decided on the duration and date of its sessions by consensus based on compromise, due largely to the co-operation of the developing countries. However, the current failure to find a compromise seemed to be putting the whole process of consensus at risk. If it was not possible to reach a consensus in a spirit of compromise and co-operation, his delegation must join the delegation of Peru in urging that the rules of procedure should be applied in order to reach a decision.

26. Mr. BRECKENRIDGE (Sri Lanka) requested clarification as to which proposal was under discussion. He had been of the opinion that views on the proposal of the Collegium were being expressed. The proposal of the representative of Australia seemed in reality to be a proposal for a four-week resumed session rather than four weeks with the possibility of a further one-week extension. In all, he was of the opinion that the proposal of the collegium would be the best compromise.

27. Mr. CHARRY SAMPER (Colombia) said that there seemed to be a large majority in favour of a resumed session in the summer. However, the United States statement to the effect that the tenth session would not be the last session and that there could be no formalization of the text during the summer seemed to him to put the whole draft convention at risk by being tantamount to reopening discussion on articles already negotiated. Such a process would have the effect of a time-bomb. It was therefore important to have new consultations with the various groups in order to reach a decision. The proposal of the representative of Australia, as reformulated by the representative of Chile, might be useful to the extent that the United States would be able to reconsider its decision that there should be no formalization of the text.

28. Mr. NDOTO (Kenya) said that his delegation shared the concern expressed by other speakers. The current draft convention was a document which had been painstakingly worked on by all for many years and, even if it did not fully satisfy everyone, it provided a basis for inter-State relations in respect of the sea area. Not only did the Conference find itself in a position where the current session would not be the last negotiating session, as had been the resolve of the Conference at the ninth session, but it was also faced with the situation where a new or resumed session might not be a substantive session but would be confined to consultation. His delegation believed that, whatever the duration agreed upon for the resumed session, the Conference should at least have the opportunity to continue negotiations on outstanding issues.

29. The CHAIRMAN said that of the proposals before the General Committee, the only one which seemed to provide a possibility of bridging the different positions was that made by the representative of Chile to the effect that the resumed tenth session should begin on 3 August 1981 for a duration of four weeks with the proviso that, if the Conference should so decide at the time of the resumed session, it might be extended to five weeks. He therefore asked whether there was any objection to adopting that proposal for recommendation to the plenary Conference.

30. Mr. OXMAN (United States of America) said that the history of the Conference showed that whenever proposals had been adopted allowing for an extension of sessions, the additional period had always been used. Therefore, if the Chilean proposal was perceived in the light of similar decisions, it implied in fact a proposal for a five-week session. He inquired about the procedure applicable to a decision to extend the session.

31. The CHAIRMAN said that it was partially true that whenever the Conference had provided for an extension, the additional period had been used. However, the current session

might be seen as a precedent that ran counter to that trend, since it had been decided to use the extension not for meetings of the Conference as a whole but for meetings of the Drafting Committee.

32. Mr. KOZYREV (Union of Soviet Socialist Republics) said that it had become clear to him during the course of discussions that the Group of 77 and the group of Eastern European States held a definite, identical position. The proposal by the Collegium that there should be a resumed tenth session beginning on 3 August and lasting for five weeks seemed to him to be a reasonable one under current conditions. His delegation could also agree with the proposal that the resumed session should begin on 10 August. However, it was important to determine what would be done during a resumed session. He supported the proposal by the Collegium that the Conference should meet in Geneva in order to implement the decision of 28 August 1980 adopted by the Conference with the participation of all delegations, namely, to conclude the work of the Conference by adopting the draft convention by consensus. Similar views had been expressed by other delegations and only one delegation had expressed its unreadiness to conduct negotiations at a resumed session. Against that background further clarification had become necessary in order to determine what would be done at the resumed session. He therefore proposed that the meeting should be suspended for a short time to allow the delegation in question to give some thought to whether it would be possible for it not to continue to oppose the international community.

33. Mr. UL-HAQUE (Pakistan), speaking as Chairman of the Group of 77, said that before making any decision concerning the duration of the resumed session, he wished to hear any dissenting views in relation to the programme of work, since it was related to the question of duration and should be taken into account when taking a decision on that question.

34. The CHAIRMAN confirmed that it had been decided that the resumed session was to complete the programme of work, as agreed at the end of the ninth session. Delegations should consider whether the Conference could hope to complete the programme of work if the length of the resumed session was to be less than six weeks and in the light of the statement by the United States delegation to the effect that the United States would not be in a position to negotiate in the summer. When the Collegium had suggested that there should be a resumed session during the summer it had been reflecting the overwhelming feeling of the Conference. It had been hoped that the United States, under benign pressure, might find itself able to accelerate its review. In view of the current situation, he suggested that the General Committee might wish to adopt the Chilean proposal or, if it were unable to do so, to adjourn in order to give those regional groups which so wished the opportunity to meet for further consultations.

35. Mr. ARIAS SCHREIBER (Peru) said that it had become obvious from the debate and the latest statement by the United States representative that the General Committee would not be able to reach a decision by consensus. The proposal which seemed to come closest to consensus was the proposal of Australia as reformulated by the representative of Chile. Since a final decision rested with the plenary Conference he proposed that the compromise formula should be submitted to the plenary Conference as the formula having received the widest acceptance in the General Committee with the reservation of the United States of America. The United States delegation would then have to restate its reservation in the plenary Conference and the rules of procedure would apply. He did not believe that consultations within the regional groups would solve the problem since any proposal considered in the groups would still be objected to by the United States of America.

36. Mr. NAKAGAWA (Japan) said that he supported the suggestion of adjourning the meeting and reconvening the various groups in order to hold further consultations in the

hope that the General Committee might then be able to adopt a decision by consensus.

37. The CHAIRMAN asked if there was any objection to adopting the proposal made by the representative of Peru.

38. Mr. OXMAN (United States of America) said that adoption of the Peruvian proposal could have incalculable implications for the Conference and multilateral diplomacy generally.

39. The CHAIRMAN said that he believed the representative of Peru had intended his proposal to expedite the Committee's work. It was evident that discussion of the question in a larger forum would not necessarily produce a consensus, and he therefore proposed that the meeting should adjourn in order to enable regional and interest groups to meet for consultations. Discussion could then be resumed at the meeting to be held on 16 April.

40. Mr. TUBMAN (Liberia) said that the position of the group of African States was quite clear and that he could therefore see no reason to hold further consultations.

41. The CHAIRMAN said that the representatives of the group of African States had repeatedly stated that the session to be held in the summer of 1981 should be the final one. However, all regional groups should consider whether that objective could be attained in the light of the statement made by the representative of the United States. If it was not possible to hold the concluding session in the summer of 1981, members of the Committee should consider whether the next session should be held in January 1982 and, if so, what reciprocal assurances would be required from the United States Government.

42. Mr. ENGO (United Republic of Cameroon) said that in presenting his proposal the representative of Peru had merely been trying to help the Committee to reach a decision. However, it was evident that no consensus was likely to emerge from the meeting, and he therefore suggested that the matter should be taken up forthwith in the plenary Conference, where a larger membership might succeed in bringing forth an acceptable compromise.

43. The CHAIRMAN said that the General Committee could in many ways be seen as a microcosm of the plenary Conference, and that there could therefore be little expectation that any accommodation would be arrived at in the larger forum.

44. Mr. AGUILAR (Venezuela) said that he could see little point in conducting further consultations within the Group of 77 and the regional groups, which had already taken into account the fact that the United States Government had stated that it would be most unlikely to arrive at its final position in time for the resumed session in the summer of 1981. His delegation agreed with the representative of Peru that, since the General Committee was unable to arrive at a decision by consensus, the matter should be taken up in the plenary Conference. He noted that the vast majority of the members of the General Committee agreed either with the proposal made by the Collegium or with that put forward by the representative of Australia.

45. His delegation had been deeply perturbed by the statement of the United States representative, which seemed to place the Conference virtually under threat. The announcement by the United States Government, at the outset of the current session, that it intended to review its position with regard to the draft convention had been calmly received by the other participating delegations, albeit with dismay. The attitude of respect shown by those delegations should not, however, lead the representatives of the United States to conclude that they could dictate the entire programme of work of the Conference. The United States delegation should try to accommodate its views to those of the majority. As it was, the position of the United States was extremely unclear: there was

no indication of the scope of the proposed review, or whether it would be compatible with the fundamental principle that the resources of the sea-bed were the common heritage of mankind. Nor was there any indication that the United States Government would be in a position to take a decision by January 1982, or indeed at any other time.

46. In conclusion, he said that it might prove disastrous for the Conference if the issue were to be referred to a plenary meeting for discussion, and he therefore strongly urged the United States delegation to reconsider its position.

47. Mr. BEESLEY (Canada) said that the General Committee seemed to be on the verge of a serious misunderstanding. Unlike the representatives of the United States, France and Japan, he had understood the representative of Peru to propose that the discussion be continued in the plenary Conference, which was the decision-making body, and that there was no question of pushing for a snap vote as the United States seemed to believe.

48. Mr. OXMAN (United States of America) said that the United States Government would be in a position to state its definitive substantive views on the draft convention early in 1982. With regard to the suggestion that the discussion be pursued in the plenary Conference, there was no reason to suppose that that would help to solve the problem of achieving a consensus. If the intention was that a decision should nevertheless be taken by the plenary Conference, whether or not by a snap vote, the implications of such a move were most serious and must be apparent to all. The viewpoints expressed in the General Committee were not so different as to render consensus impossible and it was not at all clear that all possible efforts to achieve that end had yet been exhausted.

49. Mr. BEESLEY (Canada) said that, when it had been originally decided to proceed by consensus, there had been a clear understanding that consensus should mean neither the tyranny of the majority nor the veto of a minority. In the present instance, and although his own delegation was very strongly in favour of the early adoption of the draft convention, the United States delegation deserved some credit for the

candour with which it had expressed its position and should not be accused of stalling or of seeking its own ends by indirect means. Whereas it had appeared in Geneva that a consensus existed on the substance of the matter, it was clear that, whatever the reasons, that situation no longer obtained. Every effort must therefore be made to reach a consensus again. As the Chairman had indicated, the proposal of the Australian and Chilean delegations seemed to afford a possibility of bridging the gap and it might be useful for further discussion—perhaps of an informal nature—to be held before the matter was taken any further. He therefore urged the United States and Japanese delegations and the Group of 77 most strongly to give serious consideration to that proposal in order to avoid a deep split in the Conference.

50. Mr. ARIAS SCHREIBER (Peru) said that the threats implied by the statement of the representative of the United States were unacceptable to his delegation. It was clear that, if the United States was determined to maintain its current position, further discussion would be useless and the situation in the plenary Conference would be exactly the same as in the General Committee. If that was the situation, the only solution would be to apply rule 29 and rule 39, paragraph 3, of the rules of procedure and for the Conference to reach its decision by majority vote, due account being taken of the reservations expressed by certain delegations.

51. The CHAIRMAN agreed with the representative of Canada that a misunderstanding seemed to have arisen which further discussion of an informal nature might be able to clear up. He therefore urged the representative of Peru not to press his proposal that the debate be closed and a decision taken by majority vote and suggested that the Chairmen of the five regional groups, the Chairman of the Group of 77 and the United States representative meet with him in order to investigate further the possibility of reaching consensus and that the meeting be adjourned pending the outcome of their discussions.

It was so decided.

The meeting rose at 6 p.m.

63rd meeting

Thursday, 16 April 1981, at 10.15 a.m.

Chairman: Mr. T. T. B. KOH (Singapore)

Organization of the future work of the Conference

1. The CHAIRMAN informed members that he had held two meetings with the Chairmen of the five regional groups, the Chairman of the Group of 77 and the representative of the United States, as a result of which an agreement had been reached on the future programme of work of the Conference. The agreement was as follows.

2. The tenth session would be suspended on 24 April and resumed on 3 August 1981 for a period of four weeks, until 28 August, provided that, if the Conference should so decide, the resumed tenth session could be extended by an additional week, until 4 September. He had been asked how the Conference would decide whether or not to extend the resumed tenth session. He had replied that the procedure by which the Conference would decide that question would be governed by the rules of procedure of the Conference, also taking into account the traditions of the Conference and the circumstances prevailing at the time. With regard to the programme of work, he said that the resumed tenth session would continue with the programme of work that had been agreed at the end of the ninth session in August 1980.

3. With regard to the intersessional meeting of the Drafting Committee, it had been understood that the Drafting Committee must be given sufficient time to complete its mandate, namely, the examination of the entire draft convention. It should therefore hold a five-week intersessional meeting, beginning on 29 June. In order to facilitate the attendance of experts on First Committee matters from developing countries, the Chairman of the Drafting Committee and the Chairman of the Group of 77 had agreed that it would be desirable for the Drafting Committee to take up Part XI during the last two weeks of the intersessional meeting. Thus, the first three weeks would be devoted to the examination of Parts XV, XVI and XVII and any others that remained outstanding.

4. That programme of work had been fully agreed upon by the Chairmen of the five regional groups, the Chairman of the Group of 77 and the representative of the United States, as well as the Chairman of the Drafting Committee. He therefore hoped that the General Committee would agree to it without objection.

5. Mr. BEESLEY (Canada), speaking as Chairman of the Drafting Committee, said that one element had inadvertently