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Report of the Chairman of the Drafting Committee

Extract from the Official Records of the Third United Nations Conference on the Law of the Sea, Volume XVII (Plenary Meetings, Summary Records and Verbatim Records, as well as Documents of the Conference, Resumed Eleventh Session and Final Part Eleventh Session and Conclusion)

deal with the question of who may sign the Convention. The Japanese delegation stated that the Committee's function was to examine the question of credentials rather than representation.

9. The representative of China stated that in his view the Government of Democratic Kampuchea is the sole legitimate government.

10. The Chairman noted that the views expressed would be reflected in the report of the Committee. Subject to these

views, summarized in paragraphs 8 and 9 above, the Committee decided to approve the following draft resolution:

"The Credentials Committee.

"Taking into account the views expressed during the debate,

"Accepts the formal credentials of the representatives that have been received;

"Accepts, as an exceptional measure and subject to later validation, the communications referred to in paragraphs 5 and 6 above in lieu of formal credentials."

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Report of the Chairman of the Drafting Committee

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[15 September 1982]

1. The final inter-sessional meeting of the Drafting Committee was held in Geneva from 12 July to 20 August 1982, pursuant to the decision taken by the Conference at its 182nd plenary meeting on 30 April 1982.⁵⁵ During that meeting the Drafting Committee fulfilled its mandate by completing all the remaining work assigned to it by the Conference.

2. On the basis of resolution 36/79, adopted by the General Assembly at its thirty-sixth session, the Conference was authorized to extend its work beyond 30 April 1982, in consultation with the Secretary-General, for the purpose of completing its work. At formal meetings of the Drafting Committee held on 16 and 18 August 1982, it was decided, in consultation with the Secretary-General, to extend the inter-sessional meeting of the Drafting Committee from Friday, 20 August until Wednesday, 25 August 1982, in order to complete the Drafting Committee's programme of work.

3. Throughout the meeting the language groups, the co-ordinators and the Drafting Committee maintained an intensive schedule, including regular meetings in the early morning hours, luncheon periods, evenings and weekends.

4. During the last inter-sessional meeting of the Drafting Committee there were 232 meetings of the language groups, 42 meetings of the co-ordinators of the language groups under the direction of the Chairman of the Drafting Committee, 7 informal meetings of the Drafting Committee and 2 formal meetings of the Drafting Committee. Representatives of over 50 countries participated in those meetings.

5. In accordance with the timetable proposed at the 182nd plenary meeting of the Conference,⁵⁶ the Drafting Committee gave priority to Parts XVI, XVII, annexes III, IV, VI, VII, VIII and IX, preamble, article 1 and draft resolution II, and then considered pending items on all parts of the Convention.

6. During the final inter-sessional meeting the Drafting Committee had to carry out an enormous volume of work

under severe time pressures.⁵⁷ Annex III, article 13, offers a representative example of the type of problem which the Drafting Committee dealt with during that session. The language groups' proposals on that highly technical article amounted to some 366 pages, including proposals correcting translation errors, as well as recommendations clarifying, refining and lightening the text or seeking to ensure linguistic concordance. All those proposals had to be reviewed carefully and co-ordinated by the co-ordinators of the language groups, under the direction of the Chairman, before being considered by the Drafting Committee as a whole. It should also be noted that the language groups had to reconsider resolution II, which had been revised by the Conference in plenary meeting.

7. As an indication of the number of issues addressed, the Drafting Committee formulated approximately 2,800 further recommendations during the inter-sessional meeting as compared to a total of approximately 3,000 recommendations which it had submitted for all its earlier sessions.

8. The Drafting Committee now submits a series of recommendations to the Conference in informal plenary meeting on Part III, articles 36 and 37, Parts XVI and XVII, annexes III, IV, VI, VII, VIII, IX, preamble, article 1 and resolution II. These recommendations are set out in addenda 1 to 22 to this report.

9. The Drafting Committee will meet on the morning of 22 September 1982 to process proposals approved by the co-ordinators of the language groups of the Drafting Committee⁵⁸ but not ready in final form during the Geneva session, in order to ensure against errors and omissions in that part of the report.

⁵⁵ See *Official Records of the Third United Nations Conference on the Law of the Sea*, vol. XVI.

⁵⁶ *Ibid.*, document A/CONF.62/L.142/Rev.1.

⁵⁷ At the 14th meeting of the General Committee at the fourth session of the Conference the Chairman of the Drafting Committee had observed that "he hoped that every effort would be made to avoid referring drafting problems to the Committee at the last moment under great pressure. The Drafting Committee should not be asked to accomplish its work hurriedly" (*Official Records of the Third United Nations Conference on the Law of the Sea*, vol. V).

⁵⁸ CG/WP.69-72