

Third United Nations Conference on the Law of the Sea

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A/CONF.62/C.2/L.84

Iran: draft article on the continental shelf

Extract from the *Official Records of the Third United Nations Conference on the Law of the Sea, Volume III (Documents of the Conference, First and Second Sessions)*

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Iran: draft article on the continental shelf

[Original: English]
[26 August 1974]

The sovereign rights of the coastal State over its continental shelf are exclusive. The revenues derived from the exploitation of the natural resources of the continental shelf shall not be subject to any revenue-sharing.

DOCUMENT A/CONF.62/C.2/L.86*

Statement by the Chairman of the Second Committee at its 46th meeting

[Original: Spanish]
[28 August 1974]

The Second Committee began its work at this session in very special circumstances. It had been given the task of considering 15 of the 24 items of the agenda, including some of the most complex and controversial, and this task, which was heavy enough in itself, was made more difficult by the fact that the progress achieved with respect to these items in the preparatory work of the Conference was appreciably less than that achieved with respect to the items allocated to the other two Main Committees.

If the Conference was to move ahead, therefore, it was essential that the Second Committee should work at a speed which would enable it to overcome this lag and keep pace with the others.

To achieve this objective it was necessary, first of all, to consider the various items in depth and, in some cases, to study systematically for the first time subjects and issues which had been touched upon only incidentally in the preparatory phase. With this purpose the Committee, on the proposal of its officers, agreed to consider one by one the items allocated to it in the order in which they appeared on the relevant list and to begin consideration of each such item with a discussion, principally for the purpose of giving States which had not been members 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.

That discussion also provided an opportunity for the presentation of new positions and new proposals and was definitely useful because even if in some cases the statements were essentially a reiteration of opinions expressed in the work done at the preparatory stage and in the general debate in plenary meetings, they contain clarifications and particulars which make it possible to have a better understanding of the interests and aspirations of the various States.

When that debate was concluded it was essential, in order to give direction to the work of the Committee and make it more specific, to identify the main trends with the greatest possible precision and express them in generally acceptable formulations. The officers of the Committee, with the invaluable co-operation of the staff of the United Nations Secretariat, assumed that responsibility, since the establishment of formal or informal working groups to carry out the task would have created difficulties.

In 13 informal working papers the officers of the Committee summarized the main trends with respect to the various subjects and issues, as they had been manifested in proposals submitted to the sea-bed Committee or at the Conference itself, with the sole exception of those which were submitted to the

Second Committee for consideration after the preparation of the final version of each of the papers in question.

Those papers thus did not reflect trends which had not been put forward as formal proposals, both because time did not permit detailed consideration of the relevant records and because of the difficulty the officers of the Committee would have had in giving a precise formulation of opinions which had not always been expressed with the requisite precision or which were not faithfully reflected in the records.

In view of the nature and purpose of those papers, each of them had been submitted to the Committee in informal working meetings. Thus all the members of the Committee have had the opportunity to make observations on these papers in their original versions and in their first revised versions. After considering those observations in detail, the officers prepared a first and, in almost all cases, a second revision of the papers which, by agreement of the Committee, is the final version.

Thus what we have is the collective work of the Committee which, with the limitations and reservations to be indicated in the general introduction and, in some cases, in the explanatory notes accompanying certain of the papers, is a faithful reflection of the main positions on questions of substance that have taken the form of draft articles of a convention.

Assembling these papers in a single text, with consecutive numbering, makes it possible to present in an orderly fashion the variants which at this stage of the work of the Conference are offered for consideration by States with respect to the subjects and issues falling within the Committee's competence. Naturally, it is essential to read the various proposals and the summary records in order to have an over-all picture of the work of the Committee at this session.

This document, in my opinion, should serve not only as a reference text relating to the most important work done by the Committee at this session but also as a basis and point of departure for the future work of this organ of the Conference. It would be senseless to begin all over again the long and laborious process which has led us to the point where we now stand.

Under the agreement reached by the Committee, on the proposal of the officers, a new examination of items regrouped in accordance with the degree of affinity between them was undertaken at this session. The fundamental purpose of this second phase of the work, which was also carried out in informal meetings of the Committee, was to stimulate negotiation with a view to reducing the number of variants and to consider the items in a more orderly and systematic manner. Unfortunately, time allowed a second reading only of the paper relating to item 2, on the territorial sea.

*Incorporating document A/CONF.62/C.2/L.36/Corr.1 of 3 October 1974.