

Third United Nations Conference on the Law of the Sea

1973-1982

Concluded at Montego Bay, Jamaica on 10 December 1982

Document:-
A/CONF.62/43

Letter dated 5 May 1975 from the representative of Jamaica to the President of the Conference

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

hand, some may question the timing of Malta's offer: in particular, why it was made after, rather than before, the Caracas session of the Conference.

In approaching the question of hosting the Authority, the Government of Malta has always had one major consideration in mind. Although Malta does not yet formally belong to the Group of 77, it considers itself ideologically bound to the Group and it fully shares its ideals and aspirations, which it has consistently supported in the United Nations General Assembly and in other international forums. Malta is only prepared to host an Authority that would in fact respond to the needs and interests of developing countries.

Although the precise picture is still clouded by uncertainties, the basic outlines are becoming increasingly perceptible. This is due in no small measure to the position taken at Caracas by the Group of 77 on the question of who may exploit the area reserved to the Authority and on the basic conditions for its exploration and exploitation. This was the subject of a very careful assessment by my Government immediately following the Caracas session; and it was sufficiently encouraged by the results to decide on publicly announcing its candidature.

Geographically, Malta occupies a strategic position astride a major artery of maritime traffic. It is at the very centre of a sea which links three continents, Africa, Asia and Europe. This makes it easily accessible to a majority of countries and, together with its excellent lines of external communications, would make Malta an ideal site for the proposed Authority. Its long established dockyard and auxiliary maritime facilities could prove most useful to the requirements of the Authority. In addition to its physical capacity fully to accommodate an international organization and its staff, Malta also offers an unbeatable combination of

political stability and solid democratic institutions, low cost of living, pleasant climate and negligible incidence of crime.

In its foreign policy, Malta has firmly embraced the principles of non-alignment, and fully shares with other developing countries a commitment towards a more equitable distribution of the earth's resources. Above all my Government is dedicated to the cause of promoting peace and security in the Mediterranean and missed no opportunity of promoting dialogue and co-operation between the States of the region. Thus it seeks to put into practice its vision of Malta as a link between Europe and Africa.

The establishment in Malta of an International Authority devoted to the concept of the common heritage of mankind would therefore be not only a fitting recognition of Malta's pioneering role since 1967, but would also contribute significantly to the reduction of tension and the promotion of peace and security in an area which historically has divided rather than united its opposite shores.

Lastly, although my Government considers it to be highly premature to make specific suggestions regarding the physical characteristics of the building to house the Authority's headquarters, it is prepared to provide temporary but suitable accommodation as soon as the Authority is created. This would not only enable the authority to start functioning immediately, but would also afford it a direct voice in the elaboration of plans for its permanent headquarters.

(Signed) J. ATTARD-KINGSWELL
Head of the Delegation of Malta
to the Third United Nations Conference
on the Law of the Sea

DOCUMENT A/CONF.62/43

Letter dated 5 May 1975 from the representative of Jamaica to the President of the Conference

[Original: English]
[7 May 1975]

I should be grateful if the contents of this letter could be circulated to all delegations attending the Conference.

It will be recalled that at the 49th plenary meeting at Caracas, the then Chairman of the Group of 77 announced that the Group had endorsed the candidature of Jamaica for the site of the proposed International Sea-Bed Authority.²⁷ The statement by the Chairman of the Group of 77 was preceded by the following sequence of events designed to exhaust all means at reaching consensus on the issue:

(a) The announcement, some two years ago, of Jamaica's candidature and notification thereof to all Members of the United Nations;

(b) The formal offer of Jamaica as the site for the headquarters of the Authority made at the 27th plenary meeting at Caracas by the head of the Jamaican Delegation;

(c) The endorsement of Jamaica's candidature at Caracas by the regional groups within the Group of 77.

²⁷ See *Official Records of the Third United Nations Conference on the Law of the Sea*, vol. I (United Nations publication, Sales No. E.75.V.3).

Since the Caracas session, the Government of Jamaica has continued to receive formal support from several Governments not members of the Group of 77.

The Conference has yet to take a decision on the question of the site of the proposed Authority. However, having regard to the measure of support already received from Governments participating in the Conference, it became necessary for the Government of Jamaica to determine to what extent preparatory arrangements were necessary in the light of the urgency expressed within the Conference for the establishment, as early as possible, of a new regime for the law of the sea.

The Jamaican authorities were faced with a situation of either making no preparations at all or making such preliminary preparations as would enable the Authority to be functional within the shortest possible time after its establishment. In reliance upon the wide measure of support expressed so far and in the confident expectation that, at the appropriate time, the Conference will decide to site the headquarters of the Authority in Jamaica, substantial financial commitments and extensive preparatory arrangements have been made to facilitate the suitable

establishment of the headquarters of the Authority at the appropriate time.

It is unnecessary to repeat the indisputable advantages of geographic location in the tranquil Caribbean, communications and infrastructural facilities, climate and environmental attractions which make Jamaica an ideal site for the location of the International Sea-Bed Authority. Nor is it necessary to recall the positive contribution which Jamaica continues to make in the development of a new law of the sea and in initiatives for the creation of a new international economic order. Suffice it to say that the combination of physical and other characteristics which have found expression in Jamaica are important guarantees for the efficient functioning of the International Sea-Bed Authority.

The response already received, in relation to the siting of the headquarters of the International Sea-Bed Authority, makes it an incontrovertible fact that this is one matter on

which a very wide margin of consensus has already been reached.

The Government of Jamaica reiterates its profound appreciation to all those Governments which have so steadfastly supported its candidature and reaffirms its relentless commitment to take all steps which are necessary for the proper establishment of the Authority.

Finally, the Government of Jamaica remains convinced that the Governments represented at this Conference will refrain from any action which may rupture the developing consensus regarding the siting of the headquarters of the International Sea-Bed Authority.

(Signed) K. O. RATTRAY,
Head of the Delegation of Jamaica
to the Third United Nations Conference
on the Law of the Sea

DOCUMENTS A/CONF.62/44*

Report of the Credentials Committee

(Original: English)
[7 May 1975]

1. On 5 May 1975, the Credentials Committee held its 3rd meeting at Geneva. Representatives of all the members of the Committee, except Chad, were present.

2. The Committee had before it a memorandum by the Executive Secretary of the Conference dated 2 May 1975, which read as follows:

"1. The action taken by the Credentials Committee at the second session of the Conference is covered in document A/CONF.62/34, of 23 August 1974, the report of the Credentials Committee as adopted by the Conference on that date.²⁸ The present memorandum covers the period since that action.

"2. Invitations to participate in the third session of the Conference were sent on 30 January 1975 to 150 states (138 States Members of the United Nations and 12 non-member States). As of 2 May 1975, credentials or other relevant communications had been received from 141 States.

"3. In accordance with rule 4 of the rules of procedure of the Conference, a Credentials Committee consisting of nine members (Austria, Chad, China, Costa Rica, Hungary, Ireland, Ivory Coast, Japan and Uruguay) was appointed by the Conference at its 9th meeting on 13 December 1973.

"4. As of 2 May 1975, formal credentials for the third session in due form under rule 3 of the rules of procedure had been received by the Executive Secretary of the Conference from the following 114 States: Afghanistan, Albania, Australia, Austria, Bahrain, Bangladesh, Barbados, Belgium, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Dahomey, Democratic People's Republic of Korea, Democratic Yemen, Denmark, Dominican

Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gabon, Gambia, German Democratic Republic, Germany (Federal Republic of), Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Holy See, Honduras, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Ivory Coast, Jamaica, Japan, Jordan, Kuwait, Laos, Lebanon, Lesotho, Liberia, Libyan Arab Republic, Liechtenstein, Luxembourg, Madagascar, Malaysia, Mali, Malta, Mexico, Monaco, Mongolia, Morocco, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Saudi Arabia, Senegal, Sierra Leone, Somalia, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Thailand, Togo, Tonga, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Upper Volta, Uruguay, Western Samoa, Yemen and Zambia.

"5. Formal credentials in due form which would be effective for the third session of the Conference had been received during a previous session from the following eight States: Algeria, Chile, Czechoslovakia, Iran, Mauritania, United Republic of Cameroon, United States of America and Zaïre.

"6. The lists of representatives of the following 17 States were communicated to the Executive Secretary by notes verbales or letters:

"(a) From the permanent representatives or observers to the United Nations: Argentina, Ghana, Italy, Kenya, Khmer Republic (see para. 10 below), Paraguay, Peru, Republic of Viet-Nam, Singapore, Syrian Arab Republic, Trinidad and Tobago, Tunisia, Turkey and Yugoslavia;

"(b) From the Foreign Ministry: Mauritius;

"(c) From the Embassy in Bern: Central African Republic;

"(d) From the delegation: Israel.

* Incorporating document A/CONF.62/44/Corr.1 of 8 May 1975.
28 *Ibid.*