

Third United Nations Conference on the Law of the Sea

1973-1982

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Document:-

A/CONF.62/C.1/L.15

Statement on the work of the First Committee

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)*

DOCUMENT A/CONF.62/C.1/L.13*

Czechoslovakia: draft article³⁴[Original: English]
[28 April 1975]*System of revenue distribution*

Note. This draft article does not necessarily represent the final position of the members of the group of land-locked and geographically disadvantaged States on this question and does not prejudice their position on previous or future draft proposals.

1. The net annual revenue collected by the International Authority from the exploitation of the international sea-bed area shall be distributed subject to the provision of paragraph 4 according to the following procedures:

- (i) 10 per cent shall be accumulated as a fund for price stabilization schemes (offsetting adverse effects for developing land-based producers);
- (ii) 35 per cent shall be distributed amongst all developing countries;
- (iii) 35 per cent shall be distributed amongst all the land-locked and geographically disadvantaged States

* Incorporating document A/CONF.62/C.1/L.13/Corr.1, subparagraphs (ii), (iii) and (iv), of 29 April 1975.

³⁴ The delegation of Czechoslovakia, being Chairman of the Working Group on First Committee matters of the group of land-locked and geographically disadvantaged States, has been requested by the group to submit this document on its behalf.

(two-thirds for land-locked and one-third for geographically disadvantaged States);
(iv) 20 per cent shall be distributed amongst all States.

2. The distribution within the three groups of States listed in subparagraphs (ii), (iii) and (iv) of the preceding paragraph shall be made according to the *per capita* income and the population of each State in proportion to the following formula:

$$\frac{\text{population of State}}{\text{global population}} \times \frac{\text{global per capita income}}{\text{per capita income of State}}$$

3. The total share which any country can accumulate under one or more of the four categories listed in paragraph 1 above shall in any event not exceed 10 per cent of the total sum distributed by the International Authority. If, upon application of the above-mentioned formulae any country would receive more than the said 10 per cent, the excess amount shall be allotted according to the percentage outlined in paragraph 1, subparagraphs (ii), (iii) and (iv), and distributed amongst those States in the relevant categories which are not affected by this 10 per cent clause.

4. The International Authority shall distribute net revenues in excess of an accumulated fund of not less than US\$. . . million.

DOCUMENT A/CONF.62/C.1/L.14

Czechoslovakia: draft article³⁴[Original: English]
[30 April 1975]*Representation in the council and other organs of the International Sea-Bed Authority*

Note. This draft article does not necessarily represent the final position of the members of the group of land-locked and geographically disadvantaged States on this question and does not prejudice their position on previous or future draft proposals.

The following addition is proposed to any formula that would be adopted regarding the composition of the Council and of other organs of the International Sea-Bed Authority:

"At least two-fifths of the members of the Council and of other organs of the International Sea-Bed Authority in which not all member States are represented, shall be representatives of land-locked and geographically disadvantaged States."

DOCUMENT A/CONF.62/C.1/L.15

Statement on the work of the First Committee*Prepared by the Rapporteur of the Committee*[Original: English]
[15 May 1975]**I. Establishment of the Committee**

1. The First Committee was one of the three Committees of the whole established at the first session of the

Conference to deal with the subjects covered by the three sub-committees of the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction.

The officers of the Committee are:

- Chairman:* Mr. P. B. Engo (United Republic of Cameroon)
Vice-Chairmen: Brazil, Mr. S. M. Thompson-Flores; German Democratic Republic, Mr. H. Wuensche; Japan, Mr. T. Iguchi.
Rapporteur: Mr. J. S. Bailey (Australia)³⁵

II. Mandate of the Committee

2. The mandate of the Committee consists of examining the subjects and issues allocated to it by the Conference at its 15th meeting, on 21 June 1974.³⁶

III. Documents before the Committee

3. The First Committee had before it all the documentation from Sub-Committee I of the sea-bed Committee³⁷ including in particular the texts illustrating the areas of agreement and disagreement in items 1 and 2 of the Sub-Committee's programme of work.³⁸

4. The First Committee also had before it the documents submitted to it during the second session of the Conference and all other documents that were relevant to the mandate of the Committee.³⁹ The documents submitted to the Committee during the third session of the Conference are listed at the beginning of the present volume.

IV. Work of the Committee

5. During the third session of the Conference at Geneva from 17 March 1975 to 9 May 1975, the First Committee worked through formal meetings and through its Working Group.

6. At its 18th meeting on 18 March 1975, the Committee accepted a proposal of the Chairman that the Working Group set up at Caracas to pursue negotiations on articles 1-21 relating to principles of the international regime,⁴⁰ particularly on article 9 thereof, and on the subject of conditions of exploration and exploitation, should begin work as soon as possible.

7. At the 19th meeting on 26 March 1975, the Chairman made a statement proposing that at the current session there should be no further general statements of principle or of national positions and that, as the time had come for negotiations, the work of the Committee and its Working Group should be reduced in favour of work in small informal negotiating groups.

³⁵ See para. 8 below.

³⁶ The list of items allocated to the Committee is contained in paragraph 2 of the statement of activities of the First Committee at the second session of the Conference; see *Official Records of the Third United Nations Conference on the Law of the Sea*, vol. III (United Nations publication, Sales No. E.75.V.5), document A/CONF.62/L.8/Rev.1, annex I.

³⁷ By paragraph 6 of resolution 3067 (XXVIII), the General Assembly referred to the Conference the reports of the sea-bed Committee and all other relevant documentation of the General Assembly and that Committee.

³⁸ *Official Records of the General Assembly, Twenty-eighth Session, Supplement No. 21*, vol. II, p. 39.

³⁹ For a list of the documents submitted to the Committee during the second session of the Conference, see *Official Records of the Third United Nations Conference on the Law of the Sea*, vol. III (United Nations publication, Sales No. E.75.V.5).

⁴⁰ Contained in document A/CONF.62/C.1/L.3/Rev.1.

8. At the same meeting, the Chairman informed the Committee that on account of Government duties at home its Rapporteur, Mr. H. C. Mott, was unable to continue his functions as Rapporteur and that the group of Western European and other States had put forward the candidacy of Mr. J. S. Bailey to replace him. The Committee approved that group's recommendation. All other officers of the Committee remained unchanged.

9. At its 20th meeting on 25 April 1975, and its 21st and 22nd meetings on 28 April 1975, the Committee discussed the structure, powers and functions of the international machinery. Twenty-nine statements were made by representatives during those meetings.

10. At the 23rd meeting on 7 May 1975, the Chairman of the Committee made a concluding statement. Also during that meeting the Special Representative of the Secretary-General replied to a request made to the Secretariat by the representative of Singapore at the 20th meeting for certain technical information on nodule mining.

11. An index to the summary records of the Committee, including a list of those who spoke in the discussions, is contained in annex II.

V. Work of the Working Group

12. The Working Group, under the chairmanship of Mr. C. W. Pinto of Sri Lanka, continued its negotiations on the basic conditions of exploration and exploitation with the aid of an anonymous paper submitted to the Working Group.

13. At the 19th and 20th meetings of the Committee, the Chairman of the Working Group gave a progress report on the work done relating to its mandate. At the 23rd meeting he presented a final report. Each report contained personal views and was not binding on any delegation. All statements appear in the records of the meetings.

VI. Negotiating Text

14. Following a request by the Conference at its 54th meeting on 18 April 1975, the Chairman of the Committee prepared a single negotiating text covering the main issues within the mandate of the First Committee that was designed to facilitate the process of future negotiations.

VII. Future work of the Committee

15. The First Committee made useful progress at the current session of the Conference towards completion of the mandate assigned to it by the Conference. It was hoped that the negotiating text presented by the Chairman would represent an essential element in negotiations in the Committee at the next session.

VIII. Presentation of the Statement on the work of the First Committee

16. At the 23rd meeting on 7 May 1975, the Rapporteur presented this statement to the Committee.

ANNEX I

Documents of the First Committee

[See the list of documents at the beginning of the present volume]

ANNEX II

Index to the summary records of the meetings
of the First Committee*18th meeting—18 March 1975*

Organization of work:

Statements by the Chairman of the Committee and by the Chairman of the Working Group.

19th meeting—26 March 1975

Tribute to the memory of King Faisal of Saudi Arabia

Officers of the Committee:

Mr. H. C. Mott (Australia), Rapporteur, informed the Committee of his withdrawal from the post of Rapporteur and of the agreement of the group of Western European and other States to replace him by Mr. J. S. Bailey (Australia). Following a statement by the Chairman, the Committee decided to elect Mr. Bailey as Rapporteur.

Statement by the representative of the Union of Soviet Socialist Republics introducing document A/CONF.62/C.1/L.12.

Interim report by the Chairman of the Working Group

Sea-bed exploitation:

Statements by the representatives of Peru, Australia, Cuba and the United States of America.

20th meeting—25 April 1975

Interim report by the Chairman of the Working Group

Statements were also made by the representatives of Peru, United States of America, Liberia and Poland.

Request for information on development of sea-bed resources:

The representative of Singapore requested the Secretariat to give information of an economic and technical nature concerning sea-bed resources development.

International machinery—structure, functions and powers:

Statements by the Chairman and by the representatives of Peru, Zambia, Chile, Guatemala, Morocco and the International Bank for Reconstruction and Development.

21st meeting—28 April 1975

International machinery—structure, functions and powers:

Statements by the representatives of Argentina, Mexico, Trinidad and Tobago, United States of America, Kenya, Switzerland, Zaire, Mauritania, Mongolia, Greece, Poland, Israel, Yugoslavia, German Democratic Republic, France, Malta and Romania.

22nd meeting—28 April 1975

International machinery—structure, functions and powers:

Statements by the representatives of Afghanistan, Egypt, Federal Republic of Germany, Bulgaria, China, Madagascar and Australia.

The representative of Czechoslovakia, on behalf of the land-locked and geographically disadvantaged States, introduced document A/CONF.62/C.1/L.13.

Request for information on development of sea-bed resources:

Statement by the Secretary of the Committee.

23rd meeting—7 May 1975

Report by the Chairman of the Working Group

Statement on the work of the Committee:

Statements by the Rapporteur and by the representatives of France, Brazil and Algeria.

Request for information on development of sea-bed resources:

Statements by the Special Representative of the Secretary-General and by the representative of Austria.

Concluding statement by the Chairman.