

Third United Nations Conference on the Law of the Sea

1973-1982

Concluded at Montego Bay, Jamaica on 10 December 1982

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A/CONF.62/47

Provisional agenda of the fifth session of the Conference

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

DOCUMENTS OF THE CONFERENCE

DOCUMENT A/CONF.62/47

Provisional agenda of the fifth session of the Conference

[Original: English]
[21 May 1976]

1. Opening of the session by the President of the Conference
2. Minute of silence for prayer or meditation
3. Adoption of the agenda
4. Organization of negotiations
5. Consideration of the subject-matter referred to in paragraph 3 of General Assembly resolution 3067 (XXVIII) of 16 November 1973
6. Adoption of a convention dealing with all matters relating to the law of the sea, pursuant to paragraph 3 of General Assembly resolution 3067 (XXVIII) of 16 November 1973, and of the final act of the Conference
7. Signature of the convention and the final act (at Caracas)

DOCUMENT A/CONF.62/48

Letter dated 10 September 1976 from the representative of the Netherlands to the President of the Conference

[Original: English/French]
[14 September 1976]

As representative of the State currently acting as President of the Council of Ministers of the European Communities, I wish to bring to your attention the need for the future law of the sea convention to contain appropriate provisions to allow the European Economic Community to become a contracting party to the convention. In view of the importance of this matter, I would be grateful if you could arrange for this letter to be circulated as an official document.

As regards general information concerning the Community, reference may be made to the annotated directory of inter-governmental organizations concerned with ocean affairs prepared by the United Nations Secretariat (A/CONF.62/L.14), which contains a brief summary of the nature, structure and pertinent powers and functions of the Community. It may be recalled however that, following its institution by the Treaty of Rome of 25 March 1957, and its enlargement in 1973, the European Economic Community consists of nine States, all participating in the Conference: Belgium, Denmark, the Federal Republic of Germany, France, Ireland, Italy, Luxembourg, the Netherlands and the United Kingdom, who are engaged in a process of regional integration.

The Community, which is open to the accession of other European States, has the task of constituting a common market, consisting of the abolition of all restrictions on exchanges between its members and protected by a common customs tariff. In addition it operates through the establishment of common policies and rules in certain fields, such as external trade, agriculture, fisheries and transport.

In order to attain these ends, the member States have agreed to transfer certain of their competences to the institutions of the Community. There are, therefore, various fields in which the competence of the Community has replaced that of the member States.

In these fields the transfer of competence applies also to the external relations of the Community with third States. In this regard the Community has concluded agreements with a very large number of States represented at the Conference, agreements relating to trade, or agreements of association or co-operation going considerably beyond simple trade agreements, one of the examples of the latter being the Lomé Convention, signed in February 1975 with almost 50 African, Caribbean and Pacific States.

As is recalled in the study prepared by the Secretary-General concerning the preamble and final clauses (A/CONF.62/L.13), the Community is, in addition, a party or eligible to become a party to a number of multilateral agreements of a regional character (the Paris and Barcelona Conventions on marine pollution) or of a universal character (the agreements on coffee, cocoa and tin concluded under the auspices of the United Nations).

The future law of the sea convention which the Conference is elaborating will contain both provisions for which the member States are competent and provisions dealing with matters for which competence has been transferred by the member States to the Community. Among these latter provisions reference may be made to those concerning the conservation, management and exploitation of the biological resources of the economic zone. In this respect the Community will shortly engage in negotiations with a number of States concerning agreements on fisheries between each of them and the Community as such.

In view of the transfer of competences which has occurred, the member States of the Community cannot undertake engagements with respect to third States in respect of matters over which the Community has competence. It is accordingly necessary that these engagements should be undertaken by the