

# **Third United Nations Conference on the Law of the Sea**

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Document:-

**A/CONF.62/L.11/Add.5**

**Interested non-governmental organizations invited in accordance with paragraph 9 of General Assembly resolution 3029 A (XXVII) and paragraph 8 of General Assembly resolution 3067 (XXVIII)**

*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)*

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[Original: English]  
[2 August 1976]

At its 71st meeting, held on 2 August 1976, the Conference approved the inclusion of the following in the list of interested non-governmental organizations having consultative status with the Economic and Social Council and the extension of an invitation to them in accordance with the above-mentioned General Assembly resolutions and in conformity with rule 66 of the rules of procedure:

## CATEGORY II

Baptist World Alliance  
World Conference on Religion and Peace

## DOCUMENT A/CONF.62/L.12/Rev.1

Note by the President of the Conference

[Original: English]  
[2 August 1976]

1. During the closing stages of the fourth session, I suggested that at the fifth session delegations should initially concentrate, in their negotiations, on the key issues. Agreement on such issues should substantially promote progress towards a generally acceptable treaty.

2. The suggestions that follow, in regard to what I consider to be the key issues, are subject to modification by the committees themselves. I would not presume to claim for them the character of an *ipse dixit*. The chairmen of the committees have, in presenting the first three parts of the revised single negotiating text,<sup>2</sup> made certain introductory observations which give a clear notion of those issues which, in the course of the informal negotiations that have taken place so far, have impressed them as being the principal issues on which agreement should primarily be sought. It should not be necessary for the plenary to have any discussions regarding the relative importance of particular issues or the absence from the list that follows of issues which, in the opinion of certain delegations, deserve to be treated as key issues. This question could best be disposed of in the committees themselves without a protracted procedural debate.

3. From the discussions, consultations and negotiations which have taken place so far and from the introductory observations of the Chairmen of the three committees, it is evident that there are at least six main areas, broadly speaking, on which delegations should specially concentrate in their informal consultations and negotiations during the fifth session. They are the following:

(a) The structure of the proposed International Sea-bed Authority; the financial arrangements for the maintenance of the Authority and its activities; the basic conditions governing exploration and exploitation of the sea-bed resources and the measures required to prevent or mitigate the adverse consequences to the economies of developing countries that may result from sea-bed mining;

(b) The accommodation of the interests and concerns of those countries whose peculiar geographical location might, for want of such accommodation, deprive them of any real benefit from the establishment of an exclusive economic zone or of a fair share in the 'common heritage of mankind';

(c) The precise legal relationship between the concept of the exclusive economic zone and the doctrine of the high seas at present understood;

(d) The régime to be applied to marine scientific research in all areas outside the territorial sea;

(e) A viable mechanism for the compulsory settlement of disputes designed to ensure finality; and

(f) The formulation of final clauses which would preserve the legal unity of the convention.

4. Within the general framework referred to in the preceding paragraph, the specific issues which would form the core of the new convention may best be divided into four groups corresponding to the various parts of the negotiating text:

Part I—First Committee subjects

Part II—Second Committee subjects

Part III—Third Committee subjects

Part IV—Settlement of disputes.

## PART I—FIRST COMMITTEE

5. As the Chairman of the First Committee has stated in his introductory note to the revised single negotiating text, part I, there are certain questions which have been the subject only of a preliminary exchange of views. The provisions in regard to them require different treatment from questions which have been the subject of negotiation and in regard to which the revision of the original text was appropriate. They are:

(a) Basic conditions of prospecting, exploration and exploitation—annex I;

<sup>2</sup> See Official Records of the Third United Nations Conference on the Law of the Sea, vol. V (United Nations publication, Sales No. 3.76.V.8), document A/CONF.62/WP.2/Rev.1.