

Third United Nations Conference on the Law of the Sea

1973-1982

Concluded at Montego Bay, Jamaica on 10 December 1982

Document:-
A/CONF.62/55

Letter dated 8 July 1977 from the representative of Portugal to the President of the Conference

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

responds furthermore to the legitimate concern of third States to have a legal guarantee that they have before them partners capable of honouring in their regard the totality of obligations envisaged by the Convention.

It should also be mentioned that the procedure for the conclusion of agreements with the Community is well known. More than half of the Member States of the United Nations have indeed concluded such agreements with the Community in various fields.

I recall furthermore that Mr. Riphagen's letter included the text of two clauses to be inserted in the future instruments and, in view of the member States, capable of solving the present problem. These clauses would have the following wording:

"Customs unions, communities and other regional economic groupings exercising powers in the areas covered by this Convention may be parties to this Convention.

"Nothing in the present Convention shall prevent the Member States of such customs unions, communities or other regional economic groupings from implement-

ing provisions relating, in accordance with the rules governing such customs unions, communities or other regional economic groupings, to the mutual granting to the nationals of such States of national treatment or any other special treatment."

The member States and the Community attach great importance to the inclusion of these clauses in the informal single negotiating text which it is your intention to establish according to your proposals of 20 May (A/CONF.62/BUR.5).

In view of the great importance of this matter for them, they would be grateful if you could arrange for the text of this letter to be circulated as an official document of the Conference.

(Signed) D. A. LOGAN
*Head of the Delegation of the United Kingdom
 of Great Britain and Northern Ireland
 to the Third United Nations Conference
 on the Law of the Sea*

DOCUMENT A/CONF.62/55

Letter dated 8 July 1977 from the representative of Portugal to the President of the Conference

[Original: English]
 [12 July 1977]

I have the honour to inform you that in a note verbale dated 5 July 1977, addressed to the Permanent Missions and Observers to the United Nations, the Permanent Mission of Portugal announced that the Portuguese Government is prepared to offer facilities in Lisbon as a possible site for one of the institutions—specifically for the Law of the Sea Tribunal—the establishment of which is expected to result from the Convention or which may prove to be necessary from subsequent developments associated with the implementations of the new ocean régime. As referred to in the note verbale, the Portuguese Government reiterates that this initiative is not intended to prejudice the proposals already submitted by other countries regarding the headquarters of the International Sea-bed Authority.

I shall be grateful if you would circulate this letter and the attached note verbale as a document of the Conference.

(Signed) Mário RUIVO
*Head of the delegation of Portugal
 to the Third United Nations Conference
 on the Law of the Sea*

NOTE VERBALE DATED 5 JULY 1977 ADDRESSED TO ALL PERMANENT MISSIONS AND OBSERVERS TO THE UNITED NATIONS

The Permanent Mission of Portugal to the United Nations presents its compliments to the Permanent Mission of ... to the United Nations and wishes to draw its attention to the following:

The Third United Nations Conference on the Law of the Sea is entering into an advanced phase, and matters concerning international organizations, the establishment of which is provided for in the Convention—including

their possible location—will become a subject of increased attention by participating States. Proposals for headquarters sites have, in fact, already been presented.

Portugal is by tradition a sea-faring country. Its history and culture have been strongly influenced by the sea. The uses of the oceans—particularly fishing—still play an important role in the lives and well-being of Portuguese people. Hence the importance attached by the Portuguese Government to the United Nations Conference on the Law of the Sea and to its outcome.

The Portuguese Constitution approved after 25 April 1974 upholds the principle of equality among States, the peaceful settlement of international disputes, the co-operation with all peoples for the emancipation and progress of mankind, and the establishment of an international order capable of safeguarding peace and justice in the relations amongst peoples.

This means, in fact, the return to the tradition of friendly collaboration with peoples of all continents, to which the Portuguese people have always been so deeply attached.

The Portuguese Government, having actively participated in the Third United Nations Conference on the Law of the Sea, recognizes that the future implementation of the Convention will depend, to a great extent, on the adequacy of the institutional arrangements in the sector of ocean affairs, specially on the organizations which are part of the United Nations system.

For the reasons mentioned above, the Portuguese Government, wishing to contribute to the further development of international co-operation, is prepared to offer facilities in Lisbon for the possible site of one of the institutions—specifically for the Law of the Sea Tribunal—the establishment of which is expected to result from the Convention or which may prove to be necessary from sub-

sequent developments associated with the implementation of the new ocean régime.

This is done within the framework of the Portuguese Government policy aimed at contributing to and enhancing the dialogue among countries having different social and economic régimes and levels of development, within the principles of a new international economic order in a world of interdependence.

The location in Lisbon, at this particular moment, of an institution which is part of the United Nations system would also be seen by the Portuguese people as an en-

couragement by the world community for the values which inspire the new Portugal.

Bearing in mind Portugal's geographical position, as well as the diverse facilities it could place at the disposal of the institutions concerned, the Portuguese Government expresses the hope that the choice of Lisbon as the site for the Law of the Sea Tribunal will be welcomed and meets with general support.

The Portuguese Government would like to reiterate that this initiative is not intended to prejudice the proposals already submitted by other countries regarding the headquarters of the International Sea-Bed Authority.

DOCUMENT A/CONF.62/56

Letter dated 11 July 1977 from the representative of Fiji to the President of the Conference

[Original: English]
[12 July 1977]

On instructions from my Government I have the honour to inform you that the Government of Fiji has decided to offer Fiji as the site of the International Sea-Bed Authority to be established under part I of the proposed convention on the Law of the Sea.

Fiji has participated actively in the current Conference on the Law of the Sea and has taken an interest in the proposed International Sea-Bed Authority. As is well known, many of the known manganese nodule deposits occur in the Pacific Ocean; it is only logical, therefore, that the headquarters of the Authority, together with its other appendages, should be sited within a reasonable

proximity of operating areas. In this regard, Fiji's location in mid-Pacific is ideal.

I shall be grateful if this offer of the Government of Fiji could be considered together with other offers when the Conference as a whole comes to decide upon the site for the International Sea-Bed Authority.

(Signed) Satya N. NANDAN
Head of the delegation of Fiji
to the Third United Nations Conference
on the Law of the Sea

DOCUMENT A/CONF.62/57

Report of the Credentials Committee

[Original: English]
[13 July 1977]

1. The Credentials Committee held its 6th meeting on 13 July 1977. Representatives of all the members of the Committee except Costa Rica, the Ivory Coast and Uruguay were present.

2. The Committee had before it a memorandum by the Executive Secretary of the Conference, dated 11 July 1977, indicating that as of that date communications had been received concerning 148 States participating in the session.

3. Credentials in the form provided for by rule 3 of the rules of procedure of the Conference had been submitted to the Executive Secretary by the following 115 States: Afghanistan, Albania, Algeria, Argentina, Australia, Austria, Bahamas, Bahrain, Barbados, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Canada, Cape Verde, Chile, China, Congo, Costa Rica, Cyprus, Czechoslovakia, Democratic Yemen, Democratic People's Republic of Korea, Denmark, Dominican Republic, El Salvador, Ethiopia, Fiji, Finland, Gabon, Gambia, German Democratic Republic, Germany, Federal Republic of,

Ghana, Greece, Guatemala, Guinea-Bissau, Haiti, Holy See, Honduras, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Malaysia, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Papua New Guinea, Philippines, Portugal, Qatar, Republic of Korea, Romania, Rwanda, Saudi Arabia, Senegal, Sierra Leone, Singapore, Socialist Republic of Viet Nam, Somalia, Spain, Sri Lanka, Sudan, Surinam, Swaziland, Sweden, Switzerland, Syria, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Cameroon, United States of America, Venezuela, Yemen, Yugoslavia and Zambia.

4. The appointment of the representatives of five States: Chad, Cuba, Nauru, Peru and Turkey, had been communicated to the Executive Secretary by telegram from the Ministry of Foreign Affairs concerned.