

Third United Nations Conference on the Law of the Sea

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81st Plenary meeting

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American States and hoped that it did not imply a criticism of Venezuela for having twice hosted the Conference. In any case, if one applied the criterion of equitable geographical distribution of conferences, Geneva would be the worst choice of venue. However, that was not the appropriate criterion and he was aware that for many delegations Geneva would be the most convenient choice.

15. It had been argued that there were both practical and political difficulties involved in accepting the invitations from Jamaica and Malta. Yet the representative of Jamaica had already given assurances that his country could offer all the necessary facilities and, as far as missions were concerned, it should be noted that less than a quarter of the African countries had missions in Geneva. As the group of African States included many of the least developed and land-locked countries, there was obviously some question of interest groups. Moreover, as the cost of sending representatives from New York to Geneva would be far greater than that of sending them from New York to Jamaica, Governments would be forced to send smaller delegations to Geneva than to Jamaica.

16. As far as political considerations were concerned, it was established United Nations practice to encourage developing countries to host conferences provided that they had the necessary facilities. As the representative of Jamaica had given the necessary assurances in that respect, there could be no justification for rejecting the Jamaican invitation.

17. Unfortunately, the invitation from Malta had come a little too late. Moreover, in response to the Maltese rep-

resentative's argument that the seventh session should be held on "neutral ground", he wished to assure that representative that in opting for the Jamaican invitation his delegation was not indicating a preference for Jamaica with regard to certain other matters connected with the Conference.

18. Mr. BAROODY (Saudi Arabia), speaking on a point of order, suggested that in order to save time a vote should be taken immediately on the venue for the seventh session of the Conference. Alternatively, the President should limit the number of speakers on that item so that due consideration might be given to the date and duration of the seventh session.

19. Mr. ATIGA (Libyan Arab Jamahiriya) said that, like other members of the Arab group, his country favoured the choice of Geneva for objective reasons. Geneva offered all the necessary facilities for the seventh session and its choice would obviate the need to choose between invitations from two developing countries. It was proving difficult to convince some delegations of the objectivity of that approach, with the result that the question of venue was now becoming a political issue. He appealed to all delegations not to allow that question to become a source of political conflict, forcing delegations to adopt extreme positions according to their geographical or political affiliations, and called on all delegations to accept Geneva as the venue for the seventh session.

The meeting rose at 1.20 p.m.

81st meeting

Friday, 15 July 1977, at 4 p.m.

Chairman: Mr. H. S. AMERASINGHE (Sri Lanka).

Venue, date and duration of the seventh session

1. The PRESIDENT outlined the positions of the various regional groups on the question of the venue of the next session. The group of Asian States, like the group of Western European and other States and the group of Eastern European States, were in favour of holding the session at Geneva; the group of Latin American States, with a few exceptions, wanted it to be held in Jamaica. The group of African States, for its part, had not yet taken a position on the matter. In any event, in the absence of consensus, it would be necessary to take a decision by vote.

2. After an exchange of views in which Mr. BAROODY (Saudi Arabia), Mr. ENGO (United Republic of Cameroon), Mr. HYERA (United Republic of Tanzania) and Mr. VELLA (Malta) participated, the PRESIDENT, acting at the request of Mr. ENDAMNE (Gabon), suspended the meeting in order to allow the group of African States to hold consultations.

The meeting was suspended at 4.10 p.m. and resumed at 4.20 p.m.

3. Mr. GAYAN (Mauritius), speaking as chairman of the group of African States, said that there was no more consensus within that group than there was among the

various regional groups on the question whether to hold the next session of the Conference in Jamaica, in Malta or at Geneva. The Conference should therefore put the question to a vote. There was no reason why a secret ballot could not be taken—a procedure that, in keeping with the views of the President, had been suggested by various delegations during the earlier exchange of views.

4. Mr. ENGO (United Republic of Cameroon) said he would prefer the vote to be taken by roll-call.

5. The PRESIDENT said that, unless any delegation raised a formal objection, the vote would be taken by secret ballot.

It was so decided.

At the request of the President, Mr. Sohby (Egypt) and Mr. Hashim (Malaysia) acted as tellers.

A vote was taken by secret ballot.

<i>Number of ballot papers:</i>	136
<i>Invalid ballots:</i>	2
<i>Number of valid ballots:</i>	134
<i>Abstentions:</i>	3
<i>Number of members voting:</i>	131
<i>Required majority:</i>	66

Number of votes obtained:

Geneva	81
Jamaica	47
Malta	3

Having obtained the required majority, Geneva was chosen as the venue of the seventh session.

6. The PRESIDENT said that, in general, delegations seemed to favour a session lasting six weeks, with the possibility of extending it to eight weeks. It should be noted, moreover, that the Group of 77 was planning to meet at Dakar prior to the session. In the circumstances, a number of dates, in his opinion, might be considered—either from 13 February to 24 March (six weeks), 31 March (seven weeks) or 7 April (eight weeks), or from 26 February to 31 March, or 7 or 14 April, depending upon the decision taken on the duration of the session.

7. Mr. CISSE (Senegal) requested that the Conference not resume before April, since the Group of 77 wished to meet during the latter half of March.

8. Mr. GAYAN (Mauritius), speaking on behalf of the group of African States, said that that group did not want the next session to last more than seven weeks or to begin before the end of March or the beginning of April.

9. Speaking as the representative of Mauritius, he said it would be best to wait until the seventh session had begun to take a decision on the possibility of an extension.

10. Mr. NJENGA (Kenya) said that, in view of the harsh weather conditions that prevailed in Geneva in February, it would be preferable if the Conference did not resume its work before the end of March or the beginning of April, which would enable the Group of 77 to hold its meeting as scheduled.

11. It should also be noted that the "six to eight weeks" formula always meant eight weeks, which he felt was much too long. The duration of the Conference should be limited at the current stage to seven weeks.

12. After an exchange of views in which Mr. BAROODY (Saudi Arabia), Mr. MONNIER (Switzerland), Mr. SOHBY (Egypt), on behalf of the group of Arab States, Mr. IGUCHI (Japan), on behalf of the group of Asian States, Mr. NJENGA (Kenya), Mr. CISSE (Senegal), Mr. BAKULA (Peru), Mr. BAYAGBONA (Nigeria), Mr. SAID-VAZIRI (Iran) and Mr. ROZENTAL (Mexico) participated, the PRESIDENT proposed that the seventh session of the Conference should open on 28 March 1978.

It was so decided.

13. The PRESIDENT then proposed that the duration of the session should be set at seven weeks, leaving open the possibility of extending it by one week.

14. Mr. BAKULA (Peru) agreed with the representative of Kenya that, whenever the exact duration of a conference was not established at the outset, it was always extended. In his view, seven weeks was the most many delegations could manage. In most cases, members of delegations had other duties to perform and a lengthy session, especially when its duration was uncertain, would doubtless create many problems for them. The wish of most delegations would be met by deciding on a duration of seven weeks at the most for the next session.

15. Mr. SAID-VAZIRI (Iran) said he too favoured limiting the duration of the next session to seven weeks.

16. Mr. ROZENTAL (Mexico) favoured seven weeks, with the option of a one-week extension.

17. Mr. AL-NIMER (Bahrain) said it would be best to determine at the current stage the exact duration of the Conference, since all representatives had other commitments. It was necessary to avoid a recurrence of what had happened at the current session, when the one-week extension had caught some delegations by surprise and made it necessary for them to change plans they had made.

18. The PRESIDENT asked the representative of Bahrain not to press for a decision on the duration of the next session of the Conference at the current stage, pointing out that consultations were to take place in the period before 28 March which would doubtless facilitate a decision on that matter. All members of the Conference would, of course, be kept informed of the results of those consultations.

19. He therefore proposed that the duration of the next session should be set at seven weeks, with the possibility of a one-week extension.

It was so decided.

Report of the Credentials Committee (A/CONF.62/57)

20. Mr. HALL (Executive Secretary of the Conference) indicated that three further communications had been received since the report of the Credentials Committee had been issued. Accordingly, Sierra Leone and Togo should be added to the list of States referred to in paragraph 3 and Burundi to the list of States referred to in paragraph 5.

21. The PRESIDENT read out paragraph 7 of the report of the Credentials Committee and proposed that the Conference should adopt the report, with the additions which the Executive Secretary had just indicated.

The report of the Credentials Committee was adopted.

Other matters

22. Mr. CISSE (Senegal) said that, in view of the date set for the seventh session of the Conference, the Group of 77 could meet at Dakar from 13 to 24 March 1978.

23. Mr. NANDAN (Fiji) reminded the Conference that, as he had said in his letter addressed to the President of the Conference (A/CONF.62/56), Fiji's location in mid-Pacific, close to one of the most important mining zones which it was proposed to exploit, made it the ideal site for the International Sea-bed Authority. He therefore announced officially that his Government would be happy to accommodate the Authority on its territory.

24. Mr. HALL (Executive Secretary of the Conference) announced that the World Muslim Congress had asked to be included in the list of non-governmental organizations to be invited to the Conference.

25. The PRESIDENT suggested that the request be granted.

It was so decided.

Closure of the session

26. The PRESIDENT suggested that Conference members should hold informal meetings between the sixth and seventh sessions, as had been planned, and should recommend that the General Assembly make the necessary arrangements for that purpose.

It was so decided.

27. The PRESIDENT, regretting that it had not been possible to produce the document consolidating the different parts of the revised single negotiating text before the end of the session, felt he could still say with satisfaction that work was well advanced. Part three was completely finished; part four, dealing with the settlement of disputes, was 99 per cent complete; work on part one was in progress; only part two remained. The Chairmen of the three Committees, in collaboration with himself, would immediately resume work to bring it to a satisfactory conclusion as soon as possible.

28. The informal single negotiating text of the Second Committee, which would be of crucial importance for the

future work of the Conference, had been drawn up under the guidance of Mr. Galindo Pohl, the representative of El Salvador, to whom he wished to pay tribute. Mr. Pohl had been the Chairman of the second Committee until his Government had transferred him to other duties in keeping with his rare qualities as a diplomat and a statesman.

After the customary exchange of courtesies, the President declared the session closed.

The meeting rose at 5.45 p.m.
