

Third United Nations Conference on the Law of the Sea

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56th meeting of the Second Committee

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

groups were open to all delegations? Secondly, how could they be prevented from interfering with the discussions on hard-core issues? Thirdly, what would be the position of delegations which did not have enough representatives to attend all the meetings? They could not be considered to be bound by the results of discussions in which they had not taken part. For all those reasons, the United States delegation thought that the method suggested by the representative of Papua New Guinea was very interesting, but it did not believe that the Committee should take any decision on the matter for the time being.

50. Mr. BRENNAN (Australia) said he thought that the best way of giving effect to the third of the Chairman's proposals would be to follow the suggestion by the representative of Papua New Guinea, which would mean that only a small number of consultation groups would be set up.

51. Mr. KOROMA (Sierra Leone) said that he agreed with the representative of Portugal that delegations which were interested in a particular question should themselves take the initiative of organizing consultations, and should then report to the Chairman on any agreement they might succeed in reaching.

52. The CHAIRMAN said that, as none of the methods which he had proposed had met with the general approval of the Committee, it would be better to take some time for reflection before coming to a decision. In the meantime, delegations could inform him which issues they would like to have discussed during the present session and by what procedure.

The meeting rose at 6.25 p.m.

56th meeting

Friday, 21 April 1978, at 3.35 p.m.

Chairman: Mr. A. AGUILAR (Venezuela).

Organization of work

1. Mr. DROUSSIOTIS (Cyprus) said that he was opposed to the proliferation of interest groups and therefore shared the opinion expressed at the preceding meeting by the representative of Spain that delegations interested in a particular issue should so inform the Committee and should express their views on the subject. The Committee would then decide whether the interest displayed in the issue was sufficient to justify setting up a working group which would report to the Committee.

2. The CHAIRMAN said that the third solution he had proposed at the 55th meeting for the consideration of issues other than hard-core issues was intended precisely to encourage delegations that were interested in an issue to hold consultations without the Committee having to take a formal decision to set up a consultation group. Such consultations must not interfere with the work on the hard-core issues. Delegations wishing to hold consultations could indicate to the Chairman the number of meetings they expected to hold and the languages in which they proposed to work. The Chairman would then ask the secretariat what services could be provided for such meetings. In the case of issues which were of interest only to a small number of delegations, the latter could state their views on the informal composite negotiating text¹ and propose solutions at formal or informal meetings of the Committee, but without reopening the general debate. He would like delegations to inform him in writing of the issues they wished to raise and of the procedure they proposed for considering them. That method of work might not be the ideal solution, but should provide all the delegations with an opportunity to state their positions.

3. Mr. HAMOUD (Iraq) supported the method of work proposed by the Chairman, but wished to point out that it was easy to establish consultation groups on an issue of regional interest, for example, but, in the case of a controversial problem of a more general nature, it might happen that only delegations sharing the same views would wish to set up a group. In that case, what would be the use of their work? Could a text prepared by those delegations serve as a basis

for the Committee's discussions? Would it not be better for the issue to be discussed in the Committee?

4. The CHAIRMAN said he recognized that only delegations wishing to do so would set up discussion groups and that as such groups would be informal, they would not receive any particular instructions from the Committee. Consequently, if a consultation group did not contain delegations holding different opinions, its work would obviously be sterile. But it was for delegations themselves to make sure that all points of view were represented in the group. Then, the agreement, the formulation or the proposal emerging from the consultations should be submitted to the Committee.

5. Mr. ZHIGALOV (Union of Soviet Socialist Republics) recalled that the Chairman had asked delegations to inform him which articles of the informal composite negotiating text they wished to have discussed and what amendments should, in their view, be made to those articles. Would delegations be able to place their proposals before the Committee at the meetings scheduled for the examination of such matters during the following week?

6. The CHAIRMAN drew the attention of members of the Committee to the distinction that should be made between issues of general interest, which would be considered by the consultation groups, and more specific issues such as the territorial sea, in connexion with which delegations might express their objections and make proposals in the Committee.

7. Mr. VALENCIA-RODRIGUEZ (Ecuador) said that he supported the procedure proposed by the Chairman. The consultation groups would be set up by delegations themselves. The place and time of meetings would be announced on the notice boards. The meetings would be open to all delegations and secretariat services would be provided as far as possible. The Chairman would be informed of the results of the consultations.

8. Mr. TUERK (Austria) requested that the programme of meetings of negotiating groups on 24 and 25 April should be adjusted so that, in view of the importance of item (6) of recommendation 5 in document A/CONF.62/62, the negotiating groups concerned would not be meeting at the same time as the groups on items (4) and (5).

¹Official Records of the Third United Nations Conference on the Law of the Sea, vol. VIII (United Nations publication, Sales No. E.78.V.4).

9. The CHAIRMAN pointed out that the Committee had already adopted the time table for the meetings of the negotiating groups, and that the negotiating groups should have finished their work by 25 April. It might, however, be possi-

ble to revert to the question in the following week and adjust the time table.

The meeting rose at 4.05 p.m.
