

Third United Nations Conference on the Law of the Sea

1973-1982

Concluded at Montego Bay, Jamaica on 10 December 1982

Document:-

A/CONF./BUR/SR.5

Summary records of meetings of the General Committee 5th meeting

Extract from the Official Records of the Third United Nations Conference on the Law of the Sea, Volume I (Summary Records of Plenary Meetings of the First and Second Sessions, and of Meetings of the General Committee, Second Session)

41. Mr. AGUILAR (Venezuela) said that he would speak as the representative of Venezuela, not as the Chairman of the Second Committee, since the latter had not yet discussed the nature and form of the final document. The results achieved at the current session were of great significance and should serve as guidance for future work so that the Conference could reach the stage of negotiations at its subsequent sessions. That could be done by preparing documents which accurately reflected the results achieved so far.

42. The ideal starting point, as far as the Second Committee was concerned, would be a single set of draft articles that would serve as a basic document for the discussions and could be amended as and when appropriate. Unfortunately, since some delegations opposed that solution, it would be necessary in plenary meeting to give an official "stamp of approval" to the documents reflecting the main substantive trends, consolidated in a single document with a general preface, introductions to each chapter and commentary; it would then have to be agreed that the document should be discussed at the next session. A consolidated document could be prepared by combining the provisions of all the documents submitted and pruning the alternative texts. That could be done by working groups in meetings held between the two sessions. Once it had a consolidated text, the Conference could begin the normal process of article-by-article consideration. The stage of decision-making and political agreements would then really begin and should be followed by a final stage in which the convention would be drafted and adopted.

43. Since there was not a clear enough consensus on the question of the final document he believed that it would be useful to hold another meeting of the General Committee. Consultations could first be held with the delegations which were not members of the General Committee in order to obtain a clearer idea of the situation before the next plenary meeting.

44. Mr. ENGO (United Republic of Cameroon) said that there should not be different types of reports from each Committee. Indeed, if one Committee submitted a detailed report and another a simple statement of facts, it might give the impression that the latter had not even been able to approve a report. It should first be decided whether the final document would be a report in the traditional sense of the term or a statement on activities. A report had to be submitted to someone but the Conference was a sovereign body and while a report should give an account of the progress made, the term "progress" was open to different interpretations. The usual recipient of a report was a Government, but he believed his Government would prefer to study the report submitted by the Head of his delegation rather than a report from the international gathering. There was therefore no need for the Conference to submit a report to Governments. Some had said that

due account should be taken of international public opinion; that was true, but the sole purpose of the Conference was to prepare a historic convention and it could be left to the press to satisfy international public opinion. The Conference on the Law of the Sea would adjourn at the end of the month but the same delegations would meet again the following year. The Conference should therefore be realistic and adopt the proposal of the President.

45. Mr. JEANNEL (France) said that the questions raised by the representative of Chile were out of line. It was a serious matter to accuse delegations of giving subjective information to their Governments: if the report was subjective, the representatives would probably be relieved of their duties. The point at issue was what the Conference would do at its next session but that was so obvious that it did not need new documents because the present session had been fruitful. The Second Committee had caught up with its backlog and the three Committees could now work along parallel lines since the subjects with which they were dealing were interrelated. He did not believe that there should be a general debate at the next session and no time should be lost in preparing a real report. The Chairman's proposal should be accepted provided that his account was not too long and did not try to go too far. That would enable the Committees to go on working a little longer.

Date and venue of the next session

46. The CHAIRMAN said that the Austrian Government had stated that it could host the next session at Vienna between 15 February 1975 and 15 April 1975 or, as had already been contemplated, between 1 July and 15 September. The session could also be held at Geneva between 24 February and 25 April but that would entail serious difficulties because other conferences were to be held concurrently both by the United Nations and by the Swiss Government. It could also be held at Geneva after 1 September but that would not appear to be practical. Another possibility would be to hold it between 7 July and 29 August in New York.

47. It would therefore be most convenient if the spring session were to take place from 3 March to 25 April and the summer session from 1 July to 22 August 1975. If there were to be two sessions, perhaps the first could be held at Geneva and the second at Vienna. However, since many delegations would wish to return to Caracas in the summer, the spring session could be held at Vienna. The host country should be able to install a system of mechanical voting. A document setting out the possible dates and venue of the next sessions would be distributed.¹

The meeting rose at 11.20 a.m.

¹ Subsequently circulated as document A/CONF.62/BUR/2.

5th meeting

Wednesday, 21 August 1974, at 9.05 a.m.

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

Nature and form of final documents of the session (concluded)

1. The CHAIRMAN recalled that the Committee had before it five proposals relating to the final document: the Rapporteurs of the three Main Committees would prepare a statement or an account of the work of those bodies; the Chairmen of the Committees would prepare a general statement outlining the

work done thus far; the Rapporteur-General would prepare a document on the work carried out in plenary meetings; the President of the Conference would make a statement summarizing the activities of the Conference and indicating what was proposed for the future, and would then address a letter to the President of the General Assembly requesting one or two further sessions and recalling the recommendation concerning the representation of the national liberation movements at the Conference.

2. Mr. YANKOV (Bulgaria), speaking as Chairman of the Third Committee, said that, if the document was to be termed a "statement of activities" or an "account of work carried out", instead of a "report", he would prefer the expression "statement of activities", which was more accurate. He hoped that that title would also be accepted by the Third Committee and its Officers.

3. Mr. ZEGERS (Chile) said he thought that in any case an assessment, in one form or another, of the way in which the work of the following session should be conducted was essential. It was also necessary to inform Governments and the General Assembly; since it was the latter that would ultimately decide on the organization and financing of one or more sessions, it should not be presented with a mere statement with annexes. The reports prepared by the Chairmen of the Committees and the President of the Conference were very important and should contain a general assessment of the work carried out; that would make it possible to give direction to the activities of the following session, which would be particularly useful since a decision had been taken by consensus not to hold a general debate at that session.

4. However, if there was to be no actual report dealing with matters of substance, the Secretariat should prepare, in the form of an index, a document summarizing the statements made in the plenary Conference and in the Committees; each agenda item should be accompanied by an index of references to the summary records containing statements on that item; thus, the positions adopted by over 100 States on the various questions relating to the law of the sea would be kept in mind. Such a document would assist both delegations and Governments in assessing the work carried out by the Conference.

5. The CHAIRMAN said that, if he heard no objection, he would request the Secretariat to draw up an index of statements, item by item, and would take it that the Committee wished to adopt the five proposals before it.

It was so decided.

**Date and venue of the next session
(A/CONF.62/BUR/2) (continued)**

6. Mr. ARIAS SCHREIBER (Peru) said that, in any decision on the venue of a meeting, account should be taken of the majority view, as well as the administrative and technical difficulties that each possibility might entail for the participants. He would have no objection to the convening of two sessions, one at Vienna and the other at Caracas, but would accept the majority view.

7. Mr. NJENGA (Kenya) said that the holding of two sessions would present some awkward problems for Kenya and the group of African States: as developing countries, they would find it difficult, mainly for budgetary reasons, to agree to the holding of two sessions. Furthermore, it would be pointless to hold two sessions in 1975, for the first would be merely a continuation of the current session, at which no real negotiations had taken place, there being an inveterate tendency to defer that task to the following session.

8. First of all, a date should be decided upon which would suit all participants, after which the venue of the meeting could be chosen. The months of February and March were too close to the end of the General Assembly; furthermore, the Council of Ministers of the Organization of African Unity would be meeting in February. The months of July and August would likewise be too close to the General Assembly: delegations would not have time to report to their Governments before proceeding to New York. Nevertheless, if it was decided to hold only one session, the African countries could accept that date. The ideal period would be the months of April and May.

9. The CHAIRMAN said that it would be entirely out of the question to hold the next session in May, since adequate language services would not be available at that time. It would be

necessary to choose one of the dates that he had suggested, and to ensure that the session was held as soon as possible, if the momentum gained was not to be lost.

10. Mr. EVENSEN (Norway) said that, while he fully understood the view of the representative of Kenya, he could not share it. The Conference should meet as early as possible in 1975 in order to ensure—as the Chairman had said—that momentum was not lost, and that Governments and world public opinion were not discouraged. The session could be divided into two: in the first part, held from mid-March to mid-April, general statements could, under a gentleman's agreement, be omitted in favour of actual negotiations in committee. The resumed session, lasting from six to eight weeks, would be devoted to the drafting and adoption by consensus of the articles of the convention. Failing a consensus, it would be necessary to have recourse to voting even though Governments were not in favour of that method, which was moreover, very time-consuming. As to the venue of the meeting, if the Government of Venezuela should be kind enough to invite the Conference to reconvene at Caracas, that offer should be accepted.

11. Mr. ZEGERS (Chile) said that his delegation would agree to one or two sessions, but that it was above all necessary to take the views of the African countries into account. If the Venezuelan Government offered to act as host to the Conference at Caracas, it would have the support of Chile.

12. Mr. ENGO (United Republic of Cameroon) said that the Secretariat should not take lightly the views held by one third of the members of the Conference: the Declaration of Principles stated that particular consideration should be taken of the interests and needs of the developing countries, and for those countries the financial question was of the highest importance. The next session could and should be the last, since there was really nothing further that could be placed before the Conference, and a convention could be ready in 1975. He was convinced that the Conference on the Law of the Sea was the most important conference ever held, and he was greatly disturbed at the off-hand manner in which its organization was being treated. In view of its historic character, there was really no need to take into account the goodwill of one delegation or another, which should be subordinate to the needs of the Conference.

13. The next session of the General Assembly would last for three months, and the majority of the representatives from the developing countries would participate in its deliberations; further, the Organization of African Unity would be meeting in February. Decisions which might have repercussions on the work of the Conference would be taken at those two meetings. Moreover, if meetings were held between the current session and the next one, it would perhaps not be necessary to hold two sessions in 1975, especially if those meetings were of groups that represented opposing interests. He did not understand why the months of May and June were being completely ruled out solely on the ground that interpreters could not be found: it was absolutely essential for the Conference to be provided with adequate linguistic staff at the time when it was going to meet. However that might be, it was necessary to take into account the possibility that the Venezuelan Government might offer to act as host to the next and last session of the Conference, in which case the proposal should be gratefully accepted. In any event, the interests of the Conference must take priority over all other considerations.

14. The CHAIRMAN pointed out that, in accordance with the agreements concluded between the United Nations and certain of the specialized agencies, the latter could meet in May and June of each year at the Palais des Nations at Geneva. It was therefore certain that the Conference could not be held during that period, owing to the shortage of qualified Secretariat staff.

15. With regard to considerations of a financial nature, which could not be overlooked, the Conference might recommend

that the General Assembly should consider the next session of the Conference as constituting a session of the General Assembly and defray the travel expenses of between three and five members of each delegation.

16. Mr. ABDEL HAMID (Egypt) stressed the importance of the next session of the Conference, which would be devoted to negotiations and which might possibly culminate in voting. For that reason, it was essential that delegations should be able to prepare themselves adequately for the session, in particular by holding consultations at the regional level. As far as the African group was concerned, those consultations would not be concluded until the end of April.

17. It was also essential to provide delegations with first-class telecommunications facilities so that they could request and obtain instructions from their Governments concerning negotiations and voting.

18. The Chairman's suggestion that the General Assembly should be asked to bear the travel expenses of five members per delegation would not significantly reduce the costs of representation at the Conference for the economically weak countries. The best way of relieving that burden would be to hold a fairly short session. At the present session the Conference had spent about a month on the general debate; when it resumed work, it should start immediately on negotiations which should not continue for more than six or seven weeks.

19. He assumed that the European delegations hoped that the next session would be held in Europe, but they did not appear to have taken an official line on that question.

20. He hoped that the Secretariat would be able to deal with the problem of technical services as successfully as it had done at the present session.

21. Mr. STAVROPOULOS (Special Representative of the Secretary-General) said that the summer season had been chosen for the present session because it had been impossible to organize the session at any other time. He emphasized that it would not be possible to hold the next session in Geneva in the May-June period because four specialized agencies might be meeting in Geneva at that time and would need large numbers of Secretariat staff.

22. The CHAIRMAN said that the Special Representative of the Secretary-General had consulted Headquarters on the possibility of holding a session in May and June 1975 but had received a negative reply. Provision would therefore have to be made for a session of between six and eight weeks and if necessary a further session to enable the Conference to complete its work.

23. Mr. ENGO (United Republic of Cameroon) said that he had not meant to criticize the Secretariat or any host State in his earlier statement. The recommendation on travel expenses that the Chairman suggested should be sent to the General Assembly would be nothing more than a recommendation. He hoped that Governments would recognize the importance of the Conference and would take steps at the General Assembly and in the specialized agencies to ensure that it was held in the best conditions possible.

24. The CHAIRMAN said that his proposal was only to send the General Assembly a recommendation that it defray the travel costs of three, not five, members of each delegation.

25. Mr. TREDENNICK (Bolivia) endorsed the views of the representatives of Egypt, the United Republic of Cameroon and Kenya. The first thing was to decide whether the Conference should have one or two more sessions—or perhaps one session in two parts. His delegation would prefer one session and as it seemed difficult to organize it in a European country, it would be in favour of holding the session in Caracas. However, it seemed very difficult to take a firm decision at the present time, and therefore it might be better to reconsider the matter at the end of the year.

26. Sir Roger JACKLING (United Kingdom) said that he attached a great deal of importance to telecommunications facilities. In that respect, United Nations Headquarters and its Office at Geneva offered certain advantages.

27. He shared the concern both of those who wished to complete the work of the Conference in a single session and of those who doubted whether that would be possible. It should be remembered, however, that a number of basic documents would be available to the Conference at the end of the current session.

28. Since the dates proposed for a spring session did not appear to suit many delegations, for which the ideal time would be from 1 April to 30 May, he suggested that delegations should ask those of the specialized agencies which were due to hold meetings at that time in Geneva to consider whether it would not be possible to do so a little later. In the meantime, the Conference could recommend to the General Assembly that it should plan to hold the next session in 1975 before the end of April, while at the same time pointing out that later in the year would be a more satisfactory period. That solution was admittedly a complicated one and, in any event, it was up to the Governments to decide whether to intercede with the specialized agencies concerned.

29. His delegation was in favour of a single, final session in 1975 and believed that it was neither necessary nor desirable to convene a fourth session.

30. Mr. YANKOV (Bulgaria) expressed his concern that if there was to be only one more session, the participants might feel from the outset that they would not achieve any positive results within the allotted period. As it was, the press seemed to be surprised that the current session had not culminated in a convention. He cautioned the African group against deluding itself that it would be possible, through redoubled efforts, to complete the drafting of the future convention in a relatively short space of time. In fact, negotiations were merely in the initial stage and many divergent viewpoints had to be reconciled. While it was true that a number of subjects had been covered in the First and Third Committees, many problems had still to be resolved, particularly as far as the legitimate claims of the land-locked countries were concerned. In any event, the negotiations would take time and would have to be followed by the final drafting of the future Convention.

31. He recalled that in a plenary meeting his delegation had expressed its preference for convening a session in April, thereby allowing sufficient time to elapse from the end of the second session. His delegation would not, however, object to the holding of that session one month earlier. As to the site of the Conference, it should be borne in mind that telecommunications channels would be of the greatest importance when it came to adopting the articles of the Convention. Although the Venezuelan Government had organized the current session excellently, there was no disputing the fact that the telecommunications facilities offered by the United Nations in New York or at Geneva were more satisfactory.

32. Finally, although it was true that inter-sessional activities could play an essential role, the Conference was not officially concerned with them.

33. Mr. STEVENSON (United States of America) said that the Conference should complete its work in 1975, since, if it did not, the chances of reaching an agreement would be seriously weakened. Furthermore, it would be eminently desirable to allow inter-sessional activities to take place normally.

34. He understood the concerns of the African group: if two sessions were scheduled, it was quite possible that the earlier one would be wasted and that negotiations would not begin meaningfully until the later session. Furthermore, it was essential to have adequate telecommunications facilities.

35. The Committee had been told that the Conference could meet at Geneva from 24 February to 25 April 1975. This

seemed the best alternative, but since many delegations would prefer to meet later in the year, it would be desirable to attempt to delay that session. It would also be desirable to provide for the signing of the Treaty in the summer at Caracas with the option of completing any necessary final work at that time. In that connexion, he wished to associate himself with the tribute already paid by other delegations to the Venezuelan Government.

36. Mr. BEESLEY (Canada) said that while the financial implications and the role which regional consultations could play had to be taken into consideration, the fact remained that the availability of Secretariat staff was an important consideration. It would be desirable for delegations which had already held consultations in regional groups to re-examine their position with due regard to that point. It would certainly be very difficult to modify the calendar of the conferences to be held at Geneva.

37. Of course, the Conference could meet in the summer, but it seemed that many representatives did not wish to be separated from their families at that time. His delegation would prefer that short sessions be organized, the first at Vienna or Geneva and the second at Caracas. It was not worth while to hold long sessions because experience indicated that efficiency dropped after five or six weeks.

38. Since the cost of representation was a heavy burden on some countries, the General Assembly should be requested to take over responsibility for the travel costs of five representatives per delegation. In any event, the Conference could only make recommendations. Adequate telecommunications was one of the factors that also had to be taken into consideration.

39. Mr. KEDADI (Tunisia) pointed out that whenever two sessions were organized during the same year, the first was not very productive, particularly if it was not properly prepared. The African group was unanimously in favour of a single session, to be organized not too early in 1975.

40. The representatives of both the United Kingdom and Bulgaria had drawn attention to the different points to be taken into consideration and had attempted to find practical solutions. The Conference was sovereign; it should bear that fact in mind in resolving the question of its next session. It was entrusted with the task of preparing an extremely important convention and should not make haste to the detriment of its work.

41. Despite the fears expressed by the Special Representative of the Secretary-General with respect to technical services, he believed that it should be possible to make the necessary arrangements if the Conference decided to meet in April and May 1975. If nevertheless the third session could not be organized in Europe in the spring of 1975, it should be arranged for the summer. Nor should the possibility of a spring session followed by a summer session for the signing be excluded.

42. The CHAIRMAN reminded the Committee that there was nothing to prevent the third session from being held at Geneva before 25 April 1975.

43. Mr. JEANNEL (France) said that the situation should be considered in the light of certain concrete information and of the concerns of most delegations.

44. The experience of the sea-bed Committee and the present session seemed to indicate that a session should not be longer than six weeks if there was not to be a drop in the efficiency of the work. On the other hand, there seemed to be some danger in providing for two sessions: delegations, knowing they could count on a second session, would hesitate to commit themselves at the first, which would thus produce no positive results. Furthermore, the multiplication of sessions would be too much of a strain for delegations which did not have sufficient funds.

45. Whatever palliatives might be found, such as requesting the General Assembly to pay some of the travel costs for each delegation, the fact remained that the protraction and multipli-

cation of sessions increased the financial burden not only of the Organization but also of delegations. In addition to that financial burden, which was particularly hard on the poorer countries, there were also staff costs, which countries that did not have a large civil service or a sufficient number of experts found difficult to meet: a number of officials had to be taken off their usual jobs and their absence sometimes created serious problems.

46. Moreover, prolonged sessions meant considerable expense for the host country. The Conference would have difficulty in finding a country that was prepared to grant for an extended period such generous facilities as those made available to it by the Venezuelan Government.

47. The Conference must therefore programme its work in accordance with financial, material and human possibilities. The French delegation noted that all the conditions required for positive results to be obtained in 1975 were now present. The session that was drawing to a close had been fruitful. The Second Committee had made up for lost time. The essential basis for the opening of real negotiations had finally been laid, and progress in those negotiations would be all the quicker since there seemed to be general agreement that the general debate should not be reopened.

48. His delegation was therefore in favour of holding a single session in the spring, lasting six weeks at the most. For psychological reasons, it would be better not to envisage either another session or a possible extension of the session itself. If necessary, the Conference itself could decide at the end of six weeks whether it needed more time to finish its work.

49. Delegations agreed that the best period for the next session would be April-May. It had been stated that that would be impossible for technical reasons. He wondered, however, whether it was reasonable to put forward such difficulties—which had been raised in the sea-bed Committee also—in the face of the almost unanimous wish of the participants in the Conference, which was universally recognized as being of major importance. The question of interpretation did not appear to be an obstacle. In Caracas itself, there were for example several people who had volunteered to serve as interpreters or translators but had not been recruited. All such possibilities had probably not been exhausted.

50. With respect to the place of the meeting, his delegation would prefer Geneva because of convenience of communication. It noted, however, that the Conference had not been informed of the attitude of the Venezuelan Government, although the most elementary courtesy demanded that account be taken of it.

51. The CHAIRMAN pointed out that a very good knowledge of several languages did not mean that the person concerned could necessarily work as an interpreter at such a high-level conference.

52. Mr. MOTT (Australia) said that he had come to the meeting without preconceived ideas on the question under discussion. He had listened with great interest to the arguments put forward by his colleagues but, taking them all into account, he considered that the smooth running of the Conference's work must be the major guiding factor in taking any decisions. The first question to be answered was how many sessions there were to be, because that would decide the other questions.

53. It seemed likely that harder work would be done at a single session. It was also a fact that it was not advisable to extend a session beyond six or seven weeks. But would a single session of that length be enough for the Conference to finish its work? The possibility of two sessions would then have to be considered, a solution which would suit many representatives for personal reasons, would obviate the risk of any loss of efficiency resulting from too long a session, and would give Governments a breathing space which would be very useful since they had difficult decisions to take. On the other hand, the

prospect of a second session would certainly not encourage delegations to speed up their discussions at the first. The formula suggested by the United States delegation and supported by Canada might perhaps provide a workable solution.

54. The CHAIRMAN said in answer to a question from Mr. KOH (Singapore) that he would not ask the Committee to take a final decision at the present meeting. He would consult the different regional groups after the meeting closed.

55. Mr. KOH (Singapore) said that it was not merely a question of deciding on the number, length and venue of the sessions, but also of knowing whether or not the Conference wished to complete its work in 1975. Very reasonable arguments had been put forward to support the holding of a single session. However, in view of all that remained to be done—serious negotiations, votes, lengthy drafting work—it hardly seemed possible to reach the stage of signing a convention at the end of a single session. If the Conference really wished to complete its work in 1975, the two session solution must be envisaged, despite the obvious disadvantages.

56. For his delegation, as for many others, the ideal period would be April-May, in view of the time needed to draft the reports and prepare for the General Assembly. However, it would reluctantly consider other dates if those were technically impossible. As to the venue of the Conference, it had no preference between Geneva, Vienna and Caracas. If it was decided to hold two sessions, it would like one of them to be held at Vienna, but would be happy to return to Caracas in either the spring or the summer. His delegation had greatly appreciated Venezuelan hospitality but would have liked to have an office and access to telex facilities during the session which was coming to an end.

57. Mr. KNOKE (Federal Republic of Germany) said that his delegation fully appreciated the arguments put forward by the African countries in favour of a single session. It might be scheduled to last six weeks, with a possible two weeks' extension.

58. However much delegations might want to hold that session in May or June, they must be realistic and understand the technical difficulties and realize that the success of any efforts to change the dates of other meetings was very uncertain. There remained the possibility of holding the session in early spring or summer. On that point, his delegation was willing to accept the decision of the General Committee and the Conference. It merely wished to point out that it would prefer the second solution because the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts was to be held at Geneva from February to April. Moreover, it would not be very polite to refuse the invitation of the Austrian Government, but his delegation had been very satisfied by the welcome given to the Conference by Venezuela and would be happy to return to Caracas if the dates decided upon were impossible for Austria.

59. Mr. KHARAS (Pakistan) expressed his appreciation to Venezuela for the facilities provided for the Conference. He was in favour of holding a six-week session with a possible two weeks' extension, in the spring, at Geneva or Vienna. If the work was successfully completed, the convention might be officially opened for signature in Caracas. Why was it necessary to plan for two sessions at the present time? If delegations could not agree on the text of a convention at one session, what assurance was there that they would be able to do so in two sessions and would not need many more?

60. His delegation requested that account be taken of the financial difficulties that participation in the Conference entailed for many delegations.

61. Mr. ABDEL HAMID (Egypt) said that he was sure that the Venezuelan Government was fully aware of the appreciation felt by all participants at the present session for its efforts and would quite understand the reasons why they were hesitant

about the venue and date of the next session. He suggested that the President adjourn the debate and consult the regional groups with a view to drafting the General Committee's decision.

62. Mr. MESLOUB (Algeria) said that he stood with the group of African countries and was in favour of holding a single session in Caracas. He wanted the name of Caracas to be linked with the future convention, which would be a well-deserved tribute to the Government and people of Venezuela. If the regional groups reconsidered their positions however, his delegation would favour two sessions, the first in March, or in any event in April, bringing all delegations together to settle all the problems of substance, and the second in Caracas to put the finishing touches on the text with a view to opening it for signature.

63. Mr. TUNCEL (Turkey) said he agreed with the African countries that one session should be enough. Since the best time was April to May, and since the Austrian Government was unable to host the Conference then, it would have to consider meeting in Geneva. As the representative of France had observed, the technical difficulties should not be considered insurmountable: Mr. Stavropoulos would certainly be able to iron them out.

64. If the work advanced sufficiently during the single session in 1975, a recommendation could be made to hold a further session at the very beginning of May 1976 that would not be much of a delay compared with the summer 1975 period previously envisaged. Provision would then have to be made for one session for the signing of the Final Act. It was impossible to fix the date at the present stage, but the session must of necessity be held in Caracas. In so saying, his delegation was not moved just by considerations of courtesy. The Conference was establishing a system of law different from the Geneva system; the countries of Latin America had contributed a great deal to the development of maritime law in recent years and it was logical for the convention to be signed in a Latin American country.

65. Mr. ZULETA TORRES (Colombia) said he was in favour of one six-week session in April and May, with a possibility of extension. If the spring session was not held in Caracas arrangements should be made to hold a session there for the ceremonial signing of the Final Act, which would be the least that could be done as a tribute to the Government of Venezuela. He asked for a recommendation to be made to the General Assembly to take into account the difficulties of certain countries and to facilitate transportation for certain delegations.

66. Referring to the communications difficulties mentioned by some delegations, he pointed out that similar problems arose in Europe but had never been put forward as a reason for opposing the choice of a European city as the venue for a conference.

67. The CHAIRMAN said that it was certainly not the fault of the Government of Venezuela if there had been communications difficulties in Caracas. He expressed his appreciation to the Venezuelan authorities for the hospitality they had offered the Conference and for the installations they had made available to it. He had taken careful note of the proposal by the United States delegation to reserve Caracas for the preparation of the Final Act and for signature of the future convention.

68. It seemed clear that most delegations wanted the next session to be held in April-May 1975. He invited representatives to cable their Governments—to find out whether they were prepared to request the specialized agencies to postpone the meetings they had planned to hold during that period. If the general response of Governments was favourable, the Conference could specify that period in the proposals it was to make to the General Assembly. Otherwise it would have to go back to the period 3 March to 17 April originally envisaged.

69. There seemed to be a majority in favour of a session of six weeks with a possible extension of one or two weeks. The General Committee also seemed to be in agreement to ask the General Assembly to make an effort to facilitate the transportation of a certain number of representatives—three or five—from each delegation.

70. He hoped to be able to get a clearer idea about those various considerations during his forthcoming consultations with the regional groups and to be in a position to submit more precise conclusions at the next meeting of the General Committee at 9 a.m. on Friday, 23 August.

71. Since several representatives had said that they were sure that Mr. Stavropoulos would be able to remove the technical obstacles to holding a session May and June—which he, personally, doubted—he gave the floor to the Special Representative of the Secretary-General to explain the point.

72. Mr. STAVROPOULOS (Special Representative of the Secretary-General) said that representatives should of course realize that the Secretariat would be the first to want a session

in May. Unfortunately, experience showed that it was very difficult to find enough interpreters for all the international meetings planned for May and June. Three and a half teams of interpreters had been laid on for the current session, and that had proved insufficient. Representatives had complained that they had had no interpreters for the meetings of the regional groups. The Secretariat had arranged to recruit enough interpreters to service six meetings held concurrently and had had to bring in interpreters from all over the world to do so. Interpreters available in Venezuela had not been forgotten, of course. The Chief of the interpretation service had tested quite a number of local candidates. Five per cent of those taking the test had demonstrated that they could qualify as interpreters; 2½ per cent had met United Nations standards. It was not sufficient to know several languages well to meet those standards. Representatives would be the first to complain if the interpretation services provided them were not as efficient as they had a right to expect.

The meeting rose at 11.45 a.m.

6th meeting

Monday, 26 August 1974, at 9.15 a.m.

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

*Date and venue of the next session
(A/CONF.62/BUR.2) (concluded)*

1. The CHAIRMAN recalled that document A/CONF.62/BUR.2 had set out the various possibilities with regard to the date and venue of the next session or sessions of the Conference. Since the last meeting of the General Committee, he had held talks with the chairmen of the regional groups and had obtained additional information.

2. It would not be possible to hold a session of the Conference in April–May 1975 at Geneva unless the opening of the World Health Organization Assembly, scheduled to meet at Geneva from 6 to 27 May, was put off. For that to be done, the Conference would have to request the United Nations General Assembly to take appropriate measures. In accordance with the agreement between the United Nations and the Organization, the General Assembly would have to make a recommendation to that effect, which would be transmitted to the Executive Board of the World Health Organization. The Board was scheduled to meet in the latter part of January 1975 but could be called into special session within 30 days after receipt of a request from eight of its members. Alternatively, the Director-General of the Organization could poll the members of the Board by written communication.

3. The Conference could not be accommodated at United Nations Headquarters in the spring of 1975.

4. In the circumstances, he suggested that the Conference should decide, subject to approval by the General Assembly, to hold an eight-week spring session. In view of the objections by a number of States to a meeting earlier in the year, the session might be held from 10 March to 3 May or from 17 March to 10 May 1975. The session would be held at Geneva and, if it were to be extended beyond 3 May, the United Nations General Assembly would have to make a recommendation to the World Health Organization to postpone the opening of its Assembly from 6 May to 12 May. Even without embarking on that formal procedure, it might be possible to secure an informal agreement with the World Health Organization to delay the initial proceedings of its Assembly in order to enable the

Conference to complete its work in plenary meeting, bearing in mind possible difficulties with regard to meeting rooms.

5. The fact that a spring session of the Conference on the Law of the Sea would be held concurrently with the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, which would not be over until 18 April, might entail serious difficulties with regard to staffing, office space and accommodation. He had consulted the Swiss Government to determine whether those difficulties could be overcome and, if not, whether the Swiss Government would be prepared to take the necessary measures to postpone the Conference on Humanitarian Law.

6. He was also expecting a reply from the Director-General of the World Health Organization as to whether it would be feasible to have their Assembly begin its work on 12 May instead of 6 May.

7. If all those difficulties should prove insurmountable, there would be only one option left, namely to convene the Conference in July and August 1975 in Vienna.

8. Mr. ENGO (United Republic of Cameroon) pointed out that, in his delegation's opinion, the importance of the Conference on the Law of the Sea justified giving priority to its requirements over those of other meetings. He would like to know why the possibility of holding a spring session at United Nations Headquarters was excluded *a priori*.

9. Mr. HALL (Executive Secretary) said that it would not be possible to use the Conference rooms at Headquarters for quite a long time because of the work required to install a system of interpretation into Arabic.

10. Mr. KNOKE (Federal Republic of Germany) said that he did not think it was possible to request a postponement of the Diplomatic Conference on Humanitarian Law in view of the importance and urgency of that Conference from the political point of view. Any concessions in favour of the Conference on the Law of the Sea would have to be sought from the World Health Organization, whose May 1975 Assembly would be dealing with current business. In any event a decision would