

Third United Nations Conference on the Law of the Sea

1973-1982

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Document:-

A/CONF.62/113

Report of the Credentials Committee (tenth session)

Extract from the *Official Records of the Third United Nations Conference on the Law of the Sea, Volume XV (Summary Records, Plenary, General Committee and First Committee, as well as Documents of the Conference, Tenth and Resumed Tenth Sessions)*

further enhance progress in the field of environmental law, in particular with regard to the interests of developing countries;

(b) Sets out a programme, including global, regional and national efforts, towards this end;

2. *Also requests* the Executive Director, in order to ensure that developments within the United Nations system and the related work of other international forums and organizations as well as regional and bilateral agreements are taken fully into account in preparing for the *ad hoc* meeting of senior Government officials, in accordance with the time-table annexed hereto:

(a) To consult with Governments and appropriate regional governmental and non-governmental bodies with a view to reflecting particular recommendations on regional concerns, interests and priorities in the field of environmental law;

(b) To prepare the necessary documentation, noting *inter alia* material published by leading authors in the field of environmental law;

(c) To transmit such documentation, including the in depth review of environmental law referred to in his introductory report,⁶ to the Working Group of Experts on Environmental Law for examination prior to its consideration by the *ad hoc* meeting of senior Government officials;

3. *Invites* States with a special interest in participating in the *ad hoc* meeting of senior Government officials to so inform the Executive Director not later than the end of September 1980;

4. *Decides* to determine the size of the meeting at its ninth session;

5. *Further requests* the Executive Director to report to the Governing Council at its ninth session on progress in the implementation of the present decision.

⁶UNEP/GC.6/2.

ANNEX

Proposed sequence of events regarding senior level meeting

1. April 1980—Decision to convene the meeting (Governing Council, eighth session).

2. April–September 1980—Consultations among Executive Director and interested Governments concerning (a) participation in and (b) timing and venue of the meeting.

3. September 1980—Preparation of first draft of in-depth review by UNEP secretariat.

4. September–November 1980—Consultations among UNEP secretariat and other international agencies on in-depth review and preparation of second draft.

5. November–December 1980—Consultations with selected Governments on in-depth review and preparation of final draft, initiation of consultations between Secretariat and regional groups to ascertain particular regional concerns, interests and priorities.

6. December 1980—Circulation to Governments and international agencies of final draft of in-depth review and commentary on regional consultative process.

7. May 1981—Governing Council at its ninth session to receive comments on in-depth review, set out general objectives and strategy for future work in environmental law, and note state of regional input leading towards the meeting.

8. June 1981—Executive Director transmits documentation, including in-depth review, comments thereon, regional input, relevant material from the ninth session of the Governing Council and pertinent collated published material or specific references to same, to members of working group of experts.

9. June 1981—Working Group of Experts meets as preparatory committee for the meeting to consider documentation, synthesize material relating to (a) global, and (b) regional environmental legal issues, prepare draft agenda for the meeting and guidelines for eventual recommendations of the meeting.

10. September 1981—Meeting convenes, report submitted to Executive Director for the system-wide medium-term environmental programme.

11. April–May 1982—Governing Council at its tenth session considers the system-wide medium-term environment programme on environmental law.

DOCUMENT A/CONF.62/113

Report of the Credentials Committee (tenth session)

[Original: English]
[13 April 1981]

1. The Credentials Committee held its 14th meeting on 9 April 1981. Representatives of all the members of the Committee except Chad were present.

2. The Committee had before it a memorandum by the Executive Secretary of the Conference, dated 8 April 1981, indicating that as of that date communications had been received concerning 152 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 120 States: Albania, Algeria, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Bhutan, Bolivia, Botswana, Brazil, Bulgaria, Burma, Burundi, Byelorussian Soviet Socialist Republic, Canada, Cape Verde, Chile, China, Colombia, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic People's Republic of Korea, Democratic Yemen, Denmark, Dominican Republic, Ethiopia, Fiji, Finland, France, Gabon, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guatemala, Guyana, Holy See, Honduras, Hungary, Iceland, India, Indonesia, Iran, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Kenya, Lao People's Democratic Republic, Lebanon,

Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Malta, Mexico, Monaco, Mongolia, Morocco, Mozambique, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Papua New Guinea, Peru, Poland, Qatar, Republic of Korea, Romania, Saint Lucia, San Marino, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Solomon Islands, Somalia, Spain, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, Trinidad and Tobago, Tunisia, Turkey, 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 Republic of Tanzania, United States of America, Upper Volta, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia and Zimbabwe.

4. The appointment of the representatives of eight States: Afghanistan, Chad, Haiti, Nauru, Pakistan, Panama, Paraguay and Togo has been communicated to the Executive Secretary by telegram from the Ministries for Foreign Affairs concerned.

5. The appointment of the representatives of the following 24 countries has been communicated to the Executive Sec-

retary by letters, cables or notes verbales: Angola, Argentina, Benin, Central African Republic, Djibouti, Ecuador, Egypt, Iraq, Jordan, Kuwait, Lesotho, Liberia, Libyan Arab Jamahiriya, Mali, Mauritania, Mauritius, Nepal, Nicaragua, Philippines, Portugal, Rwanda, Samoa, Sao Tome and Principe and Sri Lanka.

6. The Executive Secretary informed the Committee that, subsequent to the preparation of his memorandum, a communication had been received from Guinea-Bissau.

7. The Chairman proposed that, in the light of past practice, the Committee should accept the credentials referred to in paragraphs 3 and 4 above and that, as an exceptional measure and subject to later validation, it should accept the communications referred to in paragraph 5 above in lieu of formal credentials.

8. The representative of Hungary recorded his delegation's objection to the acceptance of the credentials of the delegation of Democratic Kampuchea, stating that, in the view of the Hungarian delegation, these credentials were null and void.

9. The representatives of China and Japan objected to the statement by the representative of Hungary, stating that, in the view of their delegations, the credentials of Democratic Kampuchea were valid.

10. The Chairman noted that the views and reservations expressed would be reflected in the report of the Committee. Subject to these views and reservations, summarized in paragraphs 8 and 9 above, the Committee decided to approve the following draft resolution:

"The Credentials Committee,

"Taking into account the views expressed during the debate,

"Accepts the formal credentials of the representatives that have been received;

"Accepts as an exceptional measure and subject to later validation, the communications referred to in paragraph 6 of the Executive Secretary's Memorandum of 8 April 1981 in lieu of formal credentials."

DOCUMENT A/CONF.62/114

Recommendations of the General Committee

[Original: English]
[25 August 1981]

1. The General Committee recommends that the present text of the draft convention contained in A/CONF.62/WP.10/Rev.3 and Corr.1 and 3 be revised at the end of this session. In accordance with A/CONF.62/62,⁷ the revision will incorporate the recommendations of the Drafting Committee approved by the Informal Plenary and the decisions taken by the informal plenary Conference on the sites of the International Sea-Bed Authority and the International Law of the Sea Tribunal. In addition, the revision will take into account the results of the consultations and negotiations conducted during this session and which, when presented to the plenary Conference, satisfy the criteria in A/CONF.62/62.

2. The General Committee recognizes that the revised text should now have a higher status than the present text. Therefore, the General Committee proposes to delete the words "informal text" and the revised draft convention will bear the symbol A/CONF.62/L.78. The implication of the General Committee's proposal is that the revised draft convention would no longer be an informal text. It will be the official draft convention on the Law of the Sea of the Conference subject, however, to the following three conditions: *Firstly*, the door would be kept open for the continuation of consultations and negotiations on certain outstanding issues. The results of these consultations and negotiations, if they satisfy the criteria in A/CONF.62/62, will be incorporated in the draft convention

by the Collegium without the need for formal amendments. *Secondly*, the Drafting Committee will complete its work and its further recommendations, approved by the informal plenary Conference, will be incorporated in the text. *Thirdly*, in view of the fact that the process of consultations and negotiations on certain outstanding issues will continue, the time has, therefore, not arrived for the application of rule 33 of the rules of procedure of the Conference. At this stage, delegations will not be permitted to submit amendments. Formal amendments may only be submitted after the termination of all negotiations.

3. The General Committee recommends that the Drafting Committee hold a final intersessional meeting to complete its work. The meeting will be from 18 January to 26 February 1982, a period of six weeks, in New York.

4. The General Committee also recommends that the Conference hold its final decision-making session for the adoption of the Convention, from 8 March to 30 April 1982, a period of eight weeks, in New York. The General Committee recommends that the Conference request the Secretary-General of the United Nations to consult the Government of Venezuela in order to arrange for the signature of the final act and the opening of the convention for signature in Caracas in early September 1982.

5. The General Committee took note of the Collegium's intention to submit to the Conference, before the end of this session, a proposed programme for the completion of the work of the Conference at its next and final session.

⁷See *Official Records of the Third United Nations Conference on the Law of the Sea*, vol. X (United Nations publication, Sales No. E.79.V.4).

DOCUMENT A/CONF.62/115

Report of the Credentials Committee (resumed tenth session)

[Original: English]
[26 August 1981]

1. The Credentials Committee held its 15th meeting on 26 August 1981. Representatives of all members of the Committee were present.

2. The Committee had before it a memorandum by the Executive Secretary of the Conference, of 25 August 1981,

indicating that, as of that date, communications had been received concerning 146 States participating in the session.

3. For the purposes of the resumed tenth session, credentials in the form provided for by rule 3 of the rules of procedure of the Conference had been submitted to the Executive