

Third United Nations Conference on the Law of the Sea

1973-1982

Concluded at Montego Bay, Jamaica on 10 December 1982

Document:-

A/CONF.62/115

Report of the Credentials Committee (resumed 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)

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.

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

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).

Secretary by the following States: Afghanistan, Algeria, Angola, Australia, Bahamas, Bahrain, Bangladesh, Belgium, Bolivia, Botswana, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Canada, Cape Verde, Chile, China, Cuba, Cyprus, Czechoslovakia, Democratic People's Republic of Korea, Democratic Yemen, Denmark, Ecuador, Fiji, Finland, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Guatemala, Haiti, Holy See, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Kenya, Liberia, Liechtenstein, Malawi, Malaysia, Malta, Mauritania, Mexico, Monaco, Mongolia, Mozambique, Netherlands, New Zealand, Nicaragua, Niger, Norway, Oman, Peru, Philippines, Qatar, Republic of Korea, San Marino, Sao Tome and Principe, Senegal, Sierra Leone, Singapore, Somalia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, 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, Uruguay, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia and Zimbabwe.

4. The following States had submitted credentials which remained valid for the tenth session in New York and the resumed tenth session in Geneva: Burundi, Congo, Democratic Kampuchea, Ethiopia, Guyana, Lesotho, Madagascar, Morocco, Papua New Guinea, Poland and Saint Lucia.

5. The appointment of the representatives of Albania, Barbados, Colombia, Dominica, Luxembourg, Mali, Saint Vincent and the Grenadines, and Uganda had been communicated to the Executive Secretary by telegram from the Ministries for Foreign Affairs concerned.

6. The appointment of the representatives of the following States had been communicated to the Executive Secretary by letter, cable or note verbale: Argentina, Austria, Bhutan, Chad, Costa Rica, Dominican Republic, Egypt, El Salvador, France, Gabon, Grenada, Guinea-Bissau, Honduras, Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Nigeria, Pakistan, Panama, Portugal, Romania, Saudi Arabia, Syrian Arab Republic, United Republic of Tanzania, Upper Volta and Venezuela.

7. In addition, the delegations of Iran, Mauritius and Nepal had signed the Register of the Conference in accordance with rule 40 of the rules of procedure.

8. The Executive Secretary informed the Committee that, subsequent to the preparation of his memorandum, credentials in due form had been received from France, a telegram had been received from the Ministry of Foreign Affairs for Austria, and a letter had been received from Iran.

9. 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 paragraphs 5 and 6 above in lieu of formal credentials.

10. 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.

11. 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. The representative of Chad added that the decision of the General Assembly on this issue should be followed.

12. 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 10 and 11 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 paragraphs 6 and 7 of the Executive Secretary's Memorandum of 26 August 1981 in lieu of formal credentials."

DOCUMENT A/CONF.62/116

Programme of work for the eleventh session

*[Original: English]
[28 August 1981]*

1. At its 154th meeting on 28 August 1981, the Conference adopted the following programme of work on the basis of recommendations made by the Collegium (A/CONF.62/L.80) in accordance with paragraphs 4 and 5 of A/CONF.62/HUR.14, for the eleventh, final decision-making session of the Conference for the adoption of the convention.

First Stage (8-26 March 1982)

2. During the first three weeks of the session, the Conference will continue consultations and negotiations on pending issues.

3. The informal plenary Conference will meet to process the recommendations of the Drafting Committee resulting from its final intersessional meeting.

Second Stage (29 March-1 April)

4. Beginning Monday, 29 March, the plenary Conference will meet for three days (29-31 March) to discuss the results of

the consultations and negotiations. In accordance with A/CONF.62/L.46,⁸ statements will be limited to 15 minutes.

5. In the light of the plenary debate and taking into account the criteria established in document A/CONF.62/62,⁹ the President of the Conference, the Chairmen of the Committees, the Chairman of the Drafting Committee and the Rapporteur-General will meet on Thursday, 1 April, and decide on the incorporation of the results of the consultations and negotiations into the draft convention.

6. In order to enable delegations to prepare themselves for the next stage, the Collegium will issue a memorandum containing all the changes that will be incorporated in the draft convention. These changes will be referred to the Drafting Committee for its consideration and recommendations. The

⁸ *Ibid.*, vol. XIII (United Nations publication, Sales No. E.81.V.5).

⁹ *Ibid.*, vol. X (United Nations publication, Sales No. E.79.V.4).