

Third United Nations Conference on the Law of the Sea

1973-1982

Concluded at Montego Bay, Jamaica on 10 December 1982

Document:-

A/CONF.62/116

Programme of work for the eleventh 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)*

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/BUR.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).

Drafting Committee's report and its processing by plenary Conference will be completed by 12 April.

Third Stage (6-12 April)

7. During this stage the Conference will decide the date on which rule 33 will become operative. Delegations could also use this period to consult their respective governments on the decision-making stages of the session.

Fourth Stage (13-22 April)

8. Should delegations at this point of time feel it necessary to submit formal amendments to the draft convention, such amendments would have to be submitted to the secretariat by 6 p.m. on Tuesday, 13 April. Should the President, in accordance with rule 37, defer the taking of a vote on amendments, the plenary Conference will give an opportunity to delegations, during the interval, to make statements on the amend-

ments. During that period, the President, assisted by the General Committee, will make every effort conducive to the attainment of general agreement.

Fifth Stage (23-30 April)

9. By Friday, 23 April, the Conference will have to determine whether all efforts at reaching general agreement have been exhausted.

10. During the last week that will end on 30 April, the Conference will adopt the convention, the text of the draft resolution on the establishment of the Preparatory Commission, the final act and any other pertinent decisions.

11. Should the fifth stage have started and more time be needed to complete the work of the Conference, it shall, in consultation with the Secretary-General, be authorized to extend its formal work beyond 30 April exclusively for that purpose.

DOCUMENT A/CONF.62/L.65

Potential financial implications for States parties to the future convention on the law of the sea: Report of the Secretary-General

*[[Original: English]
[18 February 1981]*

Introduction

1. During the resumed ninth session of the Third United Nations Conference on the Law of the Sea, the First Committee at its 49th meeting¹⁰ requested that the Secretary-General prepare a concise study showing how each State party would have to contribute to the administrative budgets of the International Sea-Bed Authority, the International Tribunal for the Law of the Sea and other organs to be established under the future convention, and also to determine each State's contribution to the budget of the Enterprise. Accordingly, in response to that request, the Secretary-General now presents such a study.

2. The draft convention on the law of the sea (informal text) (A/CONF.62/WP.10/Rev.3 and Corr.1 and 3) has been used as the main basis for this study, but the report of the President on the work of the informal plenary meetings of the Conference on the Preparatory Commission (A/CONF.62/L.55),¹¹ has also been taken into account. Particular reference, as appropriate, has been made to other previous reports such as those on the costs of the Authority and contractual means of financing its activities¹² and alternative means of financing the Enterprise.¹³ The draft Convention does not contain provisions in respect of all factors bearing significantly on the magnitude of future costs, for instance under Part XI, sections 5 and 6, especially in regard to the location, number and duration of the meetings of the various organs and other subsidiary bodies established or which might be established thereunder and the volume of documentation which might emanate therefrom. Perforce, and especially until some experience has been gained, certain assumptions have had to be made in regard to these important elements of potential costs. Similarly, until decisions are made as to the ultimate location of the International Sea-Bed Authority, the Enterprise and the International Tribunal for the Law of the Sea, some broad assump-

tions have had to be taken to facilitate the preparation of cost estimates on the establishment of a headquarters for these activities. In order to provide as much information as possible, the study shows in such instances, where this is practical and meaningful, a range of possible costs depending upon whether the meetings are held or the activity located in a country having a relatively low, medium or high cost of living index. Furthermore, the draft resolution for the establishment of a Preparatory Commission contained in the annex of document A/CONF.62/L.55 has yet to be given more detailed consideration by the Conference. Consequently, the cost estimates presented in this study for the Preparatory Commission and any subsidiary bodies it may establish are confined to those related to the servicing of its meetings and therefore do not reflect the full extent of the administrative expenses likely to arise in regard to this Commission.

3. For all these reasons, it is clear that the study at this stage can give only a forecast of the possible order of magnitude of the cost involved and is subject to considerable revision in the light of future developments and experience. Furthermore, the general world economic trends will have a bearing on the costs, particularly since many of these may not arise until some time after the convention comes into force. Nevertheless, considerable effort has been made to provide estimates of cost that are as realistic as possible under present circumstances. The unique experience of the appropriate departments and offices of the organizations of the United Nations has been drawn upon extensively in the preparation of these estimates. Where the text of the draft convention leaves matters still to be decided upon and therefore it has proved necessary to make certain assumptions, these have been of a conservative nature. In some cases only partial estimates are possible at this stage. Thus, for the guidance of the Conference the costs shown should be regarded as being on the low rather than the high side.

4. The study is presented in two parts. Part I gives a costing of the administrative expenses of the organs to be established together with the broad assumptions used, where applicable, in assessing these costs. Part II deals with the contributions of States parties to the financing of the Enterprise, including the financial implications related to the exploration and exploitation of one mine site in the Area.

¹⁰ See *Official Records of the Third United Nations Conference on the Law of the Sea*, vol. XIV (United Nations publication, Sales No. E.82.V.2).

¹¹ *Ibid.*, vol. XIII (United Nations publication, Sales No. E.81.V.5).

¹² *Ibid.*, vol. VII (United Nations publication, Sales No. E.78.V.3), document A/CONF.62/C.1/L.19.

¹³ *Ibid.*, vol. VI (United Nations publication, Sales No. E.77.V.2), document A/CONF.62/C.1/L.17.