

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/L.67/Rev.1

Report of the Chairman of the Drafting Committee

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)*

Case Fc: year of the earliest commercial production 1991

Year for which the production ceiling is calculated	Year in which the production ceiling is calculated (Same for cases A-F)	15-year period from the data of which original trend line is derived (Same for cases A-F)	Annual rate of increase of the original trend line (per cent)	Value on the original trend line for the first year of the relevant 15-year period (thousand metric tons)	Value on the original trend line for the year prior to the commencement of the interim period, i.e., for 1985 (thousand metric tons)	Value on the original trend line for the year prior to the earliest commercial production, i.e., for 1989 (thousand metric tons)	Value on the original trend line for the year for which the production ceiling is calculated (Same for cases Fc-Fd) (thousand metric tons)	Production ceiling if the annual rate of increase of the original trend line is \geq 3.0 per cent (Col. 7-Col. 8) \geq 60 per cent (Col. 8-Col. 9) (thousand metric tons)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1991	1986	1970-1984	3.9	540.7	959.6	1161.7	1207.0	229.3
1992	1987	1971-1985	4.2	549.6	978.4	1202.2	1305.5	285.8
1993	1988	1972-1986	4.2	577.1	981.0	1203.1	1359.8	316.1
1994	1989	1973-1987	4.3	597.9	988.8	1219.4	1442.0	364.2
1995	1990	1974-1988	4.7	605.5	999.2	1254.6	1575.3	477.8
1996	1991	1975-1989	5.2	606.1	1004.7	1293.6	1752.0	563.9
1997	1992	1976-1990	5.0	646.5	1004.0	1282.2	1805.7	592.3
1998	1993	1977-1991	5.1	673.6	1002.8	1285.9	1914.5	660.3
1999	1994	1978-1992	4.9	717.2	1005.5	1280.0	1976.4	697.3
2000	1995	1979-1993	4.9	757.0	1007.7	1279.1	2066.7	740.4
2001	1996	1980-1994	5.0	786.4	1003.7	1281.0	2190.8	823.2
2002	1997	1981-1995	5.0	825.7	1003.7	1281.0	2300.2	888.8
2003	1998	1982-1996	5.0	867.0	1003.7	1281.0	2415.0	957.7
2004	1999	1983-1997	5.0	910.4	1003.7	1281.0	2535.8	1030.2

Case Fd: year of the earliest commercial production 1995

Year for which the production ceiling is calculated	Year in which the production ceiling is calculated (Same for cases A-F)	15-year period from the data of which original trend line is derived (Same for cases A-F)	Annual rate of increase of the original trend line (per cent)	Value on the original trend line for the first year of the relevant 15-year period (thousand metric tons)	Value on the original trend line for the year prior to the commencement of the interim period, i.e., for 1989 (thousand metric tons)	Value on the original trend line for the year prior to the earliest commercial production, i.e., for 1994 (thousand metric tons)	Value on the original trend line for the year for which the production ceiling is calculated (Same for cases Fc-Fd) (thousand metric tons)	Production ceiling if the annual rate of increase of the original trend line is \geq 3.0 per cent (Col. 7-Col. 8) \geq 60 per cent (Col. 8-Col. 9) (thousand metric tons)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1995	1990	1974-1988	4.7	605.5	1198.8	1505.2	1575.3	348.5
1996	1991	1975-1989	5.2	606.1	1229.9	1583.5	1752.0	458.7
1997	1992	1976-1990	5.0	646.5	1221.0	1559.3	1805.7	486.1
1998	1993	1977-1991	5.1	673.6	1223.5	1569.1	1914.5	552.8
1999	1994	1978-1992	4.9	717.2	1219.7	1552.6	1976.4	587.2
2000	1995	1979-1993	4.9	757.0	1219.5	1547.9	2066.7	636.1
2001	1996	1980-1994	5.0	786.4	1220.0	1556.9	2190.8	717.2
2002	1997	1981-1995	5.0	825.7	1220.0	1556.9	2300.2	782.9
2003	1998	1982-1996	5.0	867.0	1220.0	1556.9	2415.0	851.8
2004	1999	1983-1997	5.0	910.4	1220.0	1556.9	2525.8	918.2

* Since the annual rate of increase of the original trend line is less than 3 per cent, the production ceiling for this year (in all cases Ba-Bd) has been calculated in accordance with article 151, paragraph 2 (b)(iv).

DOCUMENT A/CONF.62/L.67/REV.1

Report of the Chairman of the Drafting Committee

[Original: English]
[2 March 1981]

1. An informal intersessional meeting of the Drafting Committee was held in New York from 12 January to 27 February 1981 in accordance with the decision taken by the Conference at its 141st meeting on 29 August 1980³⁵ and on the basis of the time-table proposed by the Conference. The meeting was extended to 2 March 1981. The Drafting Committee conducted an article-by-article textual review of the draft convention on the law of the sea (informal text) (A/CONF.62/

³⁵See *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).

WP.10/Rev.3, and Corr.1 and 3) and directed its attention in particular to continuing the process of harmonization of words, expressions and terminology recurring in the draft convention, considering drafting and editorial points relating to the draft convention and improving concordance of the Arabic, Chinese, English, French, Russian and Spanish texts of the draft convention.

2. There were 240 meetings of the language groups open to all delegations, 33 meetings of the co-ordinators of the language groups under the direction of the Chairman of the Drafting Committee and 14 meetings of the Drafting Commit-

tee as a whole. Representatives of 50 delegations participated in the meetings. The Drafting Committee maintained its previously established, informal working methods, but altered the procedures for the meeting of the co-ordinators of the language groups under the direction of the Chairman of the Drafting Committee by opening such meetings to all members of the Drafting Committee and all members of the language groups.

3. The Drafting Committee had before it the draft convention on the law of the sea (informal text); it also was aided by a concordance text of the draft convention in the six official languages of the Conference: Arabic, Chinese, English, French, Russian and Spanish (A/CONF.62/DC/WP.2), a series of informal papers prepared by the Secretariat; a series of papers embodying proposals of a drafting nature arising out of the consideration by the respective language groups of the draft convention; and a series of documents outlining the recommendations of the co-ordinators of the language groups under the direction of the Chairman of the Drafting Committee. The availability of a computerized text greatly facilitated the task of identifying and dealing with recurring words and phrases. The documentation prepared during the intersessional meeting was extensive, and the pace of work and volume of documentation were without precedent in the history of the Conference. A list of the informal papers and language group recommendations is set out in document A/CONF.62/L.67/Add.2 and Corr.1. The text of a letter dated 25 February 1981 from the co-ordinator of the Arabic language group indicates the work still to be done on the Arabic language text (see annex). The Drafting Committee expresses its appreciation to the Special Representative of the Secretary-General, the Secretary of the Committee and the other members of the Secretariat for their truly remarkable and tireless efforts throughout the intersessional meeting.

4. The complexity and importance of the task of the Drafting Committee, coupled with the extraordinary volume of documentation, made it necessary from the opening days of the meeting for the language groups, the co-ordinators and the Drafting Committee to maintain an intensive schedule of meetings in the early morning hours, evenings, week-ends, holidays and luncheon periods in addition to the regular meetings during United Nations working hours. As a consequence, the Drafting Committee was able to carry out an article-by-article textual review of Parts II to X and annexes I and II, and Parts XII to XIV. The recommendations on these parts which the Drafting Committee has adopted in the course of this meeting are set out in document A/CONF.62/L.67/Add.1. Other matters regarding these parts are still under review. During the final two weeks of the session, the Drafting Committee began its article-by-article textual review of Part XI, in accordance with the time-table proposed by the Conference. Progress has been made by the language groups in the preparation for the article-by-article textual review of Part XI and annexes III and IV thereto by the Drafting Committee. For lack of time it did not prove possible to commence an article-by-article textual review of the Preamble, Part I, Parts XV to XVII and the related annexes, nor was consideration given to the transitional provision.

5. Because of the large volume of work, the Drafting Committee concentrated on those drafting suggestions that

could be prepared and considered most expeditiously. The fact that the Committee decided to propose or not to propose a drafting change does not imply either agreement or disagreement with reasons proffered therefor orally or in writing, nor does it imply any conclusion regarding the meaning of any existing text. Moreover, the decision to propose, or not to propose, harmonization of or a distinction between terms used in different provisions implies no conclusion as to whether the terms have the same or a different meaning.

6. In order to ensure that the consideration of drafting changes not give rise to substantive implications or interpretative records, the Committee and its organs have followed the practice of avoiding records of discussion of drafting changes and the reasons therefor.

7. It should be noted that a number of recommendations made in this report are applicable to the texts prepared in more than one main committee of the Conference. Agreement to such recommendations was premised on their application to all relevant parts of the draft convention and not on a partial or selective basis.

8. It should also be noted that, with respect to the requirement for concordance of the six official language texts of the draft convention, the Drafting Committee sought to improve linguistic concordance, to the extent possible, and to achieve juridical concordance in all cases.

9. It is recommended that the Drafting Committee meet during the tenth session of the Conference with a view to early completion of its work.

ANNEX

Letter dated 25 February 1981 from the co-ordinator of the Arabic language group addressed to the Chairman of the Drafting Committee

The Arabic language group has asked me to convey to you the following observations concerning its programme of work.

First the group has made every possible effort to ensure optimum utilization of the time allocated to it during the present intersessional meetings. However, in view of the fact that no Arabic translation of the law of the sea conventions has previously been made, the group felt that part of its programme of work should be devoted to a meticulous examination of the Arabic text in order to bring it to the highest level of accuracy. Consequently, the group found it necessary to engage in performing this task in addition to the drafting exercise that it has been mandated to perform.

Secondly while the group appreciates the great effort of the secretariat and the Arabic translation division, it has noted that some of the informal working papers did not incorporate all the group's proposals. Thus, the group intends to issue, at a future date, addenda containing its proposals which have not been incorporated in the papers issued during these meetings.

In view of the above-mentioned considerations, the group is of the view that it needs to hold special meetings, at an appropriate time according to what the Drafting Committee may decide, to be devoted solely to a comprehensive examination relating only to the Arabic text.

It will be highly appreciated if this matter is brought to the attention of the Drafting Committee as early as possible and that this note be issued as an official document of the Drafting Committee.

(Signed) M. K. YASSEN
Co-ordinator of the Arabic language group