

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.77

Letter dated 20 August 1981 from the Chairman of the group of Eastern European States to the President of the Conference

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)

decentralized structures of the United Nations system, continue to be the responsibility of the specific organizations or entities concerned, though necessarily guided by coherent approaches and common goals. Also, it is clearly essential that full use be made of the resources of existing institutions—the various departments and units of the United Nations Secretariat and of the agencies and organizations of the United Nations system—in accordance with their mandates and with the requirements of the convention.

43. The general subject of the implications of a new convention for the United Nations system and for international co-operation at global, regional and sub-regional levels, deserves the most careful consideration and possibly extensive

consultations, preferably on the basis of guidance which only the Law of the Sea Conference itself is in a position to give. Clearly, a common understanding must be reached on the future roles of the international organizations concerned in the implementation of the convention. It may be expected that the "cross-organizational programme analysis" on marine affairs to be conducted for the Committee on Programming and Co-ordination in 1983 will be helpful in this respect, as will the various studies that have been made or are planned by individual organizations with respect to the effects of a new legal régime on their technical co-operation activities and the effects of the relevant provisions of the draft convention on their functions.

DOCUMENT A/CONF.62/L.77

Letter dated 20 August 1981 from the Chairman of the group of Eastern European States to the President of the Conference

[Original: English]
[20 August 1981]

In accordance with your suggestion, the group of Socialist Countries of Eastern Europe has considered at its meeting on 18 August 1981 the proposal of the Group of 77 presented at the 152nd meeting of the plenary Conference held on 17 August 1981 concerning the completion of negotiations on all outstanding issues and on formalizing the draft convention before the end of the present session.

In the annex attached to this letter, I have the honour to convey to you the opinion of the group and its proposal on this question.

I kindly request that this letter as well as the annex be circulated as a document of the Conference.

(Signed) A. OLSZÓWKA
Representative of Poland to the
Third United Nations Conference on the Law of the Sea
and Chairman of the group of
Socialist countries of Eastern Europe

ANNEX

Decision by the group of Socialist countries of Eastern Europe adopted at its meeting on 18 August 1981 regarding the position of the group on the question of the future programme of work of the tenth session

1. The group of Socialist countries of Eastern Europe is in full solidarity with the Group of 77 which comes out for strict implementation of the programme of work for the tenth session of the Conference that was adopted on 28 August 1980 and provided for an earliest completion of the negotiations on all outstanding issues and adoption, before the end of this year, of a law of the sea convention on the basis of the existing draft.

The group of Socialist countries of Eastern Europe deems it advisable that, in accordance with the above-mentioned decision of the Conference, the programme for the final stage of this session should provide not only for completion of the negotiations on all outstanding issues and formalization of the draft convention but also for its adoption immediately following formalization. In doing so, the group continues to come out for the adoption of the convention by consensus. However, if some delegations continue to oppose adopting the convention on the basis of the existing draft and thus to impede achieving a consensus, the group of Socialist countries of Eastern Europe will be prepared to co-operate with the majority in the Conference and to adopt the convention as a whole by a vote.

2. The group of Socialist countries of Eastern Europe can agree with the proposal by the Group of 77 made at the 152nd meeting of

the plenary Conference held on 17 August 1981 concerning an extension of this session for a fifth week, i.e., till 4 September 1981, in case this is needed to complete the negotiations on all outstanding issues and formalize the draft convention.

Therefore, in agreeing to the extension of the session for a fifth week, the group of Eastern European Socialist countries, like the Group of 77, proceeds from the assumption that the main and only objective of such an extension is precisely to complete the negotiations and formalize the draft convention.

However, should it appear that the extension of the session till 4 September does not lead to this objective, then the group will strongly object to such an extension.

3. In the case of formalization of the draft convention at this session the group of Socialist countries of Eastern Europe would not object to providing the Drafting Committee, upon the conclusion of this session, an additional five weeks to definitively complete the drafting work on the draft convention on the understanding that this time the Conference would establish the last and final dead-line for concluding the drafting work on the text. Upon the expiration of this time, the Secretariat should communicate to the Governments of all participating countries the report of the Drafting Committee and the final text of the draft convention.

4. With regard to the final stage of the Conference to be devoted to the adoption of the convention, the signing of the final act and the opening of the convention for signature, it would, in the opinion of the group of Socialist countries of Eastern Europe, be advisable to fulfil the tasks set before that stage at the Caracas session whose date will be agreed upon with the Government of Venezuela.

Of course the position of the group of Socialist countries of Eastern Europe is flexible with regard to the organization of work of the final stage of the Conference and it is ready to discuss possible proposals by other regional groups on this question.

5. Taking into account the decision of the Conference on the programme of work of the tenth session and the position of the Group of 77 on this question set forth in its statements in the plenary meetings on 5 and 17 August, as well as the above-mentioned considerations, the group of Socialist countries of Eastern Europe makes the following proposal concerning the programme of work of this session for the remaining period of time:

"To fix the following time-table for completing the discussions on the outstanding issues by the organs of the Conference in accordance with document A/CONF.62/62,⁵⁸ of 13 September 1978 and for considering the questions of formalizing the draft convention, its adoption and holding the final session of the Conference: to complete negotiations on all pending issues and to present the reports on the results of these negotiations before the end of the

⁵⁸Official Records of the Third United Nations Conference on the Law of the Sea, vol. X (United Nations publication, Sales No. E.79.V.4).

fourth week of the session; to consider, during the fifth week, in the Collegium and in the plenary Conference, the results of the above-mentioned negotiations as well as the questions concerning the com-

pletion of the work of the Drafting Committee, formalization of the draft convention, its adoption and the holding of the final session of the Conference.”

DOCUMENT A/CONF.62/L.78*

Draft convention on the law of the sea

[Original: English]
[28 August 1981]

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*Incorporating documents A/CONF.62/L.78/Corr.6, of 13 October 1981 and A/CONF.62/L.78/Corr.7, of 24 November 1981.