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Letter dated 26 March 1982 from the Chairman of the Third Committee to the President of the Conference and the Chairman of the Drafting Committee

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Letter dated 26 March 1982 from the Chairman of the Third Committee to the President of the Conference and the Chairman of the Drafting Committee

[Original: English]
[26 March 1982]

1. I have the honour to transmit the attached list of drafting changes relating to Parts XII and XIII of the draft convention which should be incorporated in the next version of the draft convention.

2. These changes reflect:

(a) The recommendations of the Drafting Committee relating to articles 194, 196, 201 and 242;

(b) Drafting amendments suggested by me after considering the recommendations of the Drafting Committee with a view to achieving the necessary harmony and uniformity of the text. These changes relate to articles 204, 207, 209, 210, 211, 212, 213, 214, 216, 217, 222, 226 and 242.

3. I wish to recommend further that in order to attain harmonization amongst the different parts of the draft convention, when referring to the protection and preservation of the marine environment, the phrase "protection and preservation of the marine environment" be used in article 145, title and chapeau, article 155, paragraph 2, article 165, paragraphs 1 and 2 (e), annex III, article 2, paragraph 1 (b), article 13, paragraph 6 (k), article 14, paragraph 2, article 17, paragraph 1 (b) (xii), article 17, paragraph 2 (f).

4. I would also like to bring to your attention that there are some other matters of a drafting nature which I consider should be deferred until the Chairmen of the other Committees have had an opportunity to examine them.

5. I would appreciate if these suggestions could be brought to the attention of the Conference, when appropriate, in accordance with its programme of work.

(Signed) A. YANKOV
Representative of Bulgaria
to the Third United Nations
Conference on the Law of the Sea,
Chairman of the Third Committee

LIST OF DRAFTING CHANGES TO BE INCORPORATED IN THE
NEXT VERSION OF THE DRAFT CONVENTION

Part XII

Article 194, para. 1

The phrase "individually or jointly as appropriate" should appear after the word "take" in the beginning of the paragraph.

Article 194, para. 4

Rephrase the last part of the paragraph to read "activities carried out by other States in exercise of their rights and in pursuance of their duties in conformity with this Convention".

Article 196, para. 1

Replace "under their jurisdiction or control" by "within the limit of their jurisdiction or under their control".

Article 201, title

Replace "and" by "for".

Article 204, para. 1

Insert "scientific" before "methods".

Article 207, para. 2

Insert "such" between "control" and "pollution" and delete "of the marine environment from land-based sources".

Article 209, para. 2

Replace "international rules, standards, recommended practices and procedures" by "international rules, regulations and procedures".

Article 210, para. 4

Delete "endeavour to".

Article 211, para. 1

Replace "for the prevention, reduction" by "to prevent, reduce".

Article 212, para. 1

Replace "vessels or aircraft flying their flag or of their registry" by "vessels flying their flag or vessels or aircraft of their registry".

Articles 213, 214

Replace "for the protection and preservation of the marine environment from pollution" by "to prevent, reduce and control pollution of the marine environment".

Article 216, para. 1 (b)

Replace "vessels and aircraft flying its flag or of its registry" by "vessels flying their flag or vessels or aircraft of their registry".

Article 216, para. 2

After "instituted proceedings" add "in accordance with article 218".

Article 217, para. 1

Add "general" before "diplomatic".

Article 222

Redraft as follows:

"States shall enforce their laws and regulations adopted in accordance with article 212, paragraph 1, and shall adopt laws and regulations and take other measures necessary to implement applicable international rules and standards established through competent international organizations or diplomatic conference to prevent, reduce and control pollution of the marine environment from or through the atmosphere".

Article 226, para. 1 (a)

Add "or proceedings" after "investigations".

Part XIII

Article 242, para. 2

Add "marine" before "environment".

*Incorporating document A/CONF.62/L.88/Corr.1 of 29 March 1982.