

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.90

Report to the plenary Conference on the recommendations of the Drafting Committee by the Chairman of the Drafting Committee on behalf of the President and the Chairman of the First Committee

Extract from the Official Records of the Third United Nations Conference on the Law of the Sea, Volume XVI (Summary Records, Plenary, First and Second Committees, as well as Documents of the Conference, Eleventh Session)

DOCUMENT A/CONF.62/L.89

Report of the Chairman of the Drafting Committee

[Original: English]
[26 March 1982]

1. During the first stage (8-26 March) of the eleventh session the Drafting Committee continued its article-by-article textual review of the draft convention on the law of the sea (A/CONF.62/L.78).²¹

2. During this stage of the Conference there were 61 meetings of the language groups, 3 meetings of the co-ordinators of the language groups under the direction of the Chairman of the Drafting Committee and 1 meeting of the Drafting Committee.

3. The language groups have worked intensively on annexes III and IV. The review of these provisions has posed some serious problems for the Drafting Committee. One such difficulty is that the provisions of these annexes are of a detailed and complex nature. In reviewing these provisions the Committee was faced with the necessity of making choices between terms such as: "areas" and "sites"; "plans of work" and "contracts"; "operator" and "contractor"—all of which entailed substantive implications, both technical and legal. The absence from the Drafting Committee of many of the delegates who participated in the negotiations of these articles has impeded the progress of the Committee.

4. A further difficulty is that the Drafting Committee is now being requested to hasten the pace of its work just when

it is reviewing some of the most novel, technical and complex provisions of the draft convention. It should be recalled that in my capacity as Chairman of the Committee I stated *inter alia* at the 14th meeting of the General Committee at the fourth session of the Conference that I hoped "that every effort would be made to avoid referring drafting problems to the Committee at the last moment under great pressure. The Drafting Committee should not be asked to accomplish its work hurriedly".²¹

5. It is recommended that the work of the Drafting Committee continue during the second stage of the Conference (29 March-1 April) with a view to the early completion of its work on annexes III, IV, VI, VII and VIII, Parts XVI and XVII, preamble, article I and the transitional provision followed by the necessary meetings of the co-ordinators of the language groups and the Drafting Committee.

6. It should be noted that, pursuant to the decision taken by the Conference on 28 August 1981 (A/CONF.62/116),²² it is required that the plenary Conference process the Drafting Committee's report by 12 April. This will clearly require further intensive work by the Drafting Committee under severe time constraints.

²¹ *Ibid.*, vol. XV (United Nations publication, Sales No. E.83.V.4).

²² *Ibid.*, vol. V (United Nations publication, Sales No. E.76.V.8).

DOCUMENT A/CONF.62/L.90

Report to the plenary Conference on the recommendations of the Drafting Committee by the Chairman of the Drafting Committee on behalf of the President and the Chairman of the First Committee

[Original: English]
[26 March 1982]

At two informal meetings of the plenary Conference held on 12 and 15 March 1982, consideration was given to the recommendations of the Drafting Committee on articles 147 to 185 of the draft convention on the law of the sea (A/CONF.62/L.78).²¹

The recommendations of the Drafting Committee approved during the informal plenary meetings at the eleventh session of the Conference are set out in the addenda to the report of the Drafting Committee (A/CONF.62/L.85/Add.1 to 8), as amended by document A/CONF.62/L.85/Add.9, together comprising approximately 1,100 recommendations.

DOCUMENT A/CONF.62/L.91

Report of the Chairman of the First Committee

[Original: English]
[29 March 1982]

1. The programme of work adopted by the Conference at its 154th plenary meeting on 28 August 1981, contained in document A/CONF.62/116,²¹ prescribed that the first three weeks of the session be dedicated to continuing consultations and negotiations on pending issues. It was clear that every effort must be made to terminate the existing systems of negotiations with a view to facilitating the process of final decision-making and the adoption of a convention on the law of the sea.

2. At this critical juncture in our long and arduous endeavours, I feel duty-bound to present a report that clearly illuminates the results of our negotiating effort, in order to promote rational decisions by this Conference.

3. I should like to state from the outset that since the tenth session, no time or effort has been spared in a collective search for compromises, especially on outstanding issues, to widen still further the existing consensus contained in the present draft convention. The main driving motivation has