

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/SR.175

175th Plenary meeting

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)*

175th meeting

Monday, 26 April 1982, at 12 noon

President: Mr. T. T. B. KOH (Singapore)

Consideration of the subject-matter referred to in paragraph 3 of General Assembly resolution 3067 (XXVIII) of 16 November 1973 (continued)

STATEMENTS ON AMENDMENTS (continued)

1. The PRESIDENT drew attention to rules 38 to 49 of the rules of procedure, which dealt with the voting process. With regard to rule 42, the Collegium had decided that delegations other than the sponsors of a particular draft amendment would be allowed to explain their vote on it, but that statements in explanation of vote would be limited to 5 minutes each.
2. In the eight long years in which the Conference had been working on the draft convention, it had never taken a vote on a matter of substance. He respected the right of States to submit amendments, but appealed to them to consider carefully and seriously what the consequences of their actions might be. If a controversial and divisive amendment were put to the vote and adopted, it could jeopardize the Conference's hopes of adopting the convention by consensus. He therefore appealed to all sponsors of draft amendments not to press for their amendments to be put to the vote.
3. Some members had already responded to that appeal, notably the sponsors of the amendments in documents A/CONF.62/L.97, L.100, L.103 and L.118. In addition, the Spanish delegation had stated that it would not press for a vote on the second part of its amendment to article 42, or on its amendments to articles 221 and 233 and to draft resolution III (A/CONF.62/L.109). He thanked those delegations for their co-operation.
4. Mr. MAKEKA (Lesotho) and Mr. NAKAGAWA (Japan) said that they would not press for a vote on their draft amendments in documents A/CONF.62/L.99 and L.105, respectively.
5. Mr. MALONE (United States of America) said that his delegation and the other sponsors of the amendments in documents A/CONF.62/L.121 and L.122 were prepared not to press for a vote on their amendments provided that the sponsors of other amendments did likewise.
6. Mr. de SOTO (Peru) said that, since the President had recommended in his report (A/CONF.62/L.132) that the first two amendments in document A/CONF.62/L.116¹ should be incorporated in the draft convention and in draft resolution I of A/CONF.62/L.94 respectively, the sponsors would not press for a vote on those amendments nor on the third paragraph of A/CONF.62/L.116.
7. Mr. EVENSEN (Norway) said that the sponsors of the amendments in A/CONF.62/L.104 would not press for a vote if the sponsors of other amendments did likewise.
8. Mr. KALONJI TSHIKALA (Zaire) said that his delegation would not press for a vote on the amendments relating to articles 62 and 69 to 71, contained in document A/CONF.62/L.107. Nor would it press for a vote on the amendment to article 151 in paragraph 6, provided that the sponsors of other amendments did likewise.
9. Mr. BRENNAN (Australia) said that Australian and Canadian delegations would not press for a vote on the amendment to article 150 in document A/CONF.62/L.98, on the understanding that there were to be further negotiations on a suitable wording for inclusion in Part XI.
10. Mr. CHAYET (France) said that his delegation would not press for a vote on the amendments to annex III and draft resolution II in document A/CONF.62/L.106.
11. Mr. MARINESCU (Romania) said that his delegation would not press for a vote on the amendment in document A/CONF.62/L.96.
12. Mr. AKYAMAC (Turkey) said that his delegation had no difficulty with the text of Part XI and annexes I to VIII as they stood. It would not, however, withdraw its proposal (A/CONF.62/L.120) to delete article 309.
13. Mr. MALONE (United States of America) said that as all the other sponsors of amendments to Part XI had agreed not to press for a vote, his delegation and the other co-sponsors would do likewise with regard to documents A/CONF.62/L.121 and L.122.
14. Mr. BEESLEY (Canada) said that the sponsors of the amendment in A/CONF.62/L.114 were prepared to withdraw the second and third sentences of the proposal for paragraph 2 of article 63. His delegation was also prepared to withdraw the amendment in A/CONF.62/L.113.
15. Mr. KOZYREV (Union of Soviet Socialist Republics) said that his delegation had agreed to withdraw the amendments in A/CONF.62/L.124 only if all other amendments to the draft convention were also withdrawn. So far, however, no amendment dealing with matters of particular importance to his delegation had in fact been withdrawn.
16. Mr. AL-WITRI (Iraq) said that his delegation was prepared to withdraw the amendment to article 123, contained in document A/CONF.62/L.110, provided that all amendments to article 21 were withdrawn.
17. Mr. BEESLEY (Canada), supported by Mr. LUPINACCI (Uruguay), suggested that the meeting should be adjourned in order to allow time for further informal consultations and negotiations before the next meeting.
18. Mr. YANKOV (Bulgaria) asked the President to provide a list of the amendments which had not yet been withdrawn.
19. The PRESIDENT said that such a list would be prepared in time for the next meeting.

¹ See *Official Records of the Third United Nations Conference on the Law of the Sea*, vol. XV (United Nations publication, Sales No. E.83.V.4).

The meeting rose at 12.45 p.m.