

Third United Nations Conference on the Law of the Sea

1973-1982

Concluded at Montego Bay, Jamaica on 10 December 1982

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A/CONF.62/WS/26

Statement by the delegation of Greece dated 30 April 1982

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to an improvement of the legal instruments which we have just adopted, unfortunately by voting and not by consensus as was the wish of the overwhelming majority of delegations.

This is also an opportunity for my delegation to thank all delegations that supported the proposals we introduced in our statement at the 161st plenary meeting of 31 March 1982.

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Statement by the delegation of Greece dated 30 April 1982

[Original: English]
[4 May 1982]

The present declaration concerns the provisions of Part III entitled "Straits used for international navigation" and more especially the application in practice of articles 36, 38, 41 and 42 of the draft convention on the law of the sea. In areas where there are numerous spread out islands that form a great number of alternative straits which serve in fact one and the same route of international navigation, it is the understanding of the Greek delegation that the coastal State concerned has the responsibility to designate the route or routes, in the said alternative straits, through which ships and aircraft of third countries could pass under the transit passage régime, in such a way that, on the one hand, the requirements of international navigation and overflight are satisfied and, on the other hand, the minimum security requirements of both the ships and aircraft in transit as well as those of the coastal State are fulfilled.

DOCUMENT A/CONF.62/WS/27

Statement by the delegation of Saint Lucia dated 30 April 1982

[Original: English]
[7 May 1982]

My delegation has studiously refrained from making any statement or seeking any amendments within the body of the negotiated text, not because we are pleased with every aspect of the said text, but because we recognized that, in the main, what lay before us was a monumental work of effort, negotiation and compromise. To say the least, it represents a proper base from which further developments may be projected.

Through the good offices of international maritime organizations and bilateral arrangements and through conversations with interested delegations, we sought to alleviate the impact of omissions or areas of little emphasis or pertinent thrust. In fact, we were most concerned with the provisions for pollution control and innocent passage in territorial waters. Moreover we considered that the régime of developing island States did not have adequate treatment in the body of the text and proper provision should have been made not unlike that concerning archipelagic States. This point is emphasized in that in 1958, when conventions on the law of the sea were adopted, only two island developing States participated whereas in 1982 approximately 30 similar States are represented in the Conference. To accommodate those States under the general label of "disadvantaged States" does not meet the peculiar circumstances of their maritime situation. It demands separate consideration.

We have not altogether succeeded in obtaining the maximum representation for our claims, since our late appearance

in the negotiations, through no omission on our part, has compromised most of our attempts in stating our case plausibly.

We have understood the spirit of the exercise, yet from the outset we had serious misgivings on the adopted methodology. This has crystallized to the point where we have been frustrated both in the timing of the statement of amendments and the procedures for tabling such amendments. Further we have a profound legal disagreement with the adoption by the Conference of a text without provision for reservations, as we feel that this is not in conformity with the jurisprudence embodied in the Vienna Convention on the Law of Treaties of 1969.⁴ Notwithstanding these observations, we are prepared to play our part in recognizing the accomplishment of the Conference.

We have voted in favour of the adoption of the Convention and ancillary resolutions but we are considering whether we will make certain declarations at the session devoted to signing the Convention. A great deal will depend on what has been accomplished relating to the accommodation of our interests in other forums outside the Conference. We will also have to consider the meaningfulness of the said Convention in the light of the stand taken by the leading maritime States and the reflection of their attitude on the significance of the Conference and its final adopted texts.

DOCUMENT A/CONF.62/WS/28

Statement by the delegation of the Dominican Republic dated 5 May 1982

[Original: Spanish]
[14 May 1982]

The delegation of the Dominican Republic to the Third United Nations Conference on the Law of the Sea presents its compliments to the President of the Conference and wishes to