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32nd meeting of the First Committee

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statements by representatives. The week before, representatives of many developing countries had clearly urged that there should be safeguards for the international sea-bed as the common heritage of mankind and had stressed that the Authority was entitled to exercise all rights over that area and had definite rights with respect to the conclusion of contracts. A majority of delegations had also stated that the new law of the sea convention should reflect the interests of the majority of countries, especially developing countries, and should be a component part of the new international economic order. Those views, however, had been only partially reflected in the report, while a minority opinion had been given fuller treatment. Her delegation believed that the views of the majority should be fully reflected.

13. Mr. RATNER (United States of America) asked whether it

was possible for the Representative of the Secretary-General to provide a status report on the study concerning the Enterprise that was currently being made. Many delegations felt that that study was relevant because there was a direct relationship between the Enterprise and the exploitation system.

14. Mr. LEVY (Secretary of the Committee) said that different units of the Secretariat had been requested to co-operate in preparing the study and that although the work had already begun, he could not as yet state precisely when the study would be completed. He was confident, however, that it would soon be available.

The meeting rose at 11.05 a.m.

32nd meeting

Tuesday, 7 September 1976, at 3.55 p.m.

Chairman: Mr. P. B. ENGO (United Republic of Cameroon).

Weekly report by the Co-Chairmen on the activities of the workshop

1. The CHAIRMAN, explaining that Mr. Jagota, Co-Chairman of the workshop, was to leave New York that evening at the request of his Government, expressed deep gratitude to him on behalf of the Committee for the tireless manner in which he had tackled a very difficult task.
2. He invited Mr. Sondaal, also Co-Chairman of the workshop, to introduce the fourth weekly report on the activities of the workshop (A/CONF. 62/C.1/WR.4).
3. Mr. SONDAAL (Netherlands) read out the text of the weekly report. He expressed regret at Mr. Jagota's impending departure. Although the circumstances in which the Co-Chairmen had operated had not been easy ones and there had been difficulties to overcome, they had succeeded in reaching a working understanding.
4. Mr. JAGOTA (India) thanked delegations for their co-operation and for the confidence they had reposed in the Co-Chairmen. He also expressed his gratitude to Mr. Sondaal.
5. Summing up the progress achieved by the workshop and the negotiating group, he said that one positive element which had emerged was the establishment of a framework for a free exchange of views. Clearly, any international legal text dealing with sea-bed exploitation, if it was to be durable, would have to meet the essential requirements of all States. The informal deliberations of the current session had revealed three sets of views. First, there were the developing States, which had no operators themselves but which attached importance to the creation of an appropriate legal framework for sea-bed exploitation. Those States might be called the "framework States." Secondly, there were the technologically advanced countries, with financial capability, which would be able to engage in sea-bed production as soon as a convention was signed. They were the "operator States", without which exploitation of the sea-bed could not proceed, at least in the foreseeable future. Thirdly, there was a group of countries which were unwilling either to compete with the private corporations of Western States or to give the Authority full latitude in determining the conditions of sea-bed exploitation. That group was composed of socialist States.
6. During the current session, the essential demands of those three groups of States had crystallized. It now remained to

devise a system which would meet those demands. He himself was optimistic that during the next few months a concrete solution would emerge on the basis of the framework which had now been created.

Study by the Secretariat on alternative means of financing the Enterprise (A/CONF.62/C.1/L.17)

7. Mr. ZULETA (Special Representative of the Secretary-General) introduced the document entitled "Alternative means of financing the Enterprise" (A/CONF.62/C.1/L.17), which had been prepared by the Secretariat at the request of the Committee.
8. The comments made in the study were of a preliminary character. All the calculations were based on working assumptions, which would have to be revised as more comprehensive information became available. The sources of information were very limited, in some cases speculative in character, and in general focused on aspects of the problem which were not always applicable to the Enterprise as it was defined in the revised single negotiating text.

Organization of work

9. The CHAIRMAN, noting that the President of the Conference had ruled that the Committees should conclude their work by Friday, 10 September, and that the Chairman of each of the Committees should report on the progress achieved during the session to the plenary Conference on Monday, 13 September, outlined the following programme of work: the workshop would meet for the remainder of the afternoon and on Wednesday, when it would conclude its debates. On Thursday, Mr. Sondaal, if members wished him to continue to preside over the deliberations of the workshop, would make his final report to the Committee and members would have an opportunity to make comments. At that time, too, or on Friday, delegations would have an opportunity to comment on the relations between the Assembly and the Council, a topic which unfortunately the Committee had not had an opportunity to take up earlier.
10. On Wednesday morning, in compliance with a request made by the President of the Conference, the workshop would

discuss the procedural aspects of the dispute settlement system. He would welcome delegations' views on how duplication of effort as between the First Committee and the plenary Conference could be avoided and how the articles to be discussed in the First Committee would fit into the settlement dispute system as a whole.

11. Mr. ALOUANE (Algeria) suggested that before work began on the dispute settlement system a formal meeting of the First Committee should be held to enable delegations to comment on aspects of the negotiations on articles 22 and 23 and the related provisions in annex I. He would like an assurance that the report to be prepared by the Co-Chairman would cover the discussions in detail so that delegations would be able to place their views on record.

12. The CHAIRMAN said that the debate on the dispute settlement system would be purely procedural and would be concerned with dovetailing the First Committee's work with that of the plenary Conference. Delegations would have ample opportunity to record their views on Thursday, when the final report on the activities of the workshop was submitted. He was sure that the report would be sufficiently detailed to give a full idea of what had been discussed and of what the controversial issues were.

13. Mr. RATINER (United States of America) said that any proposals introduced during the proceedings of the workshop had been submitted on the understanding that they were purely informal documents. His delegation would take serious exception to any suggestion that they should become part of the formal documentation of the First Committee.

14. Mr. ALOUANE (Algeria) said that his delegation could not accept a situation in which the proposals would be treated as confidential, since that would debar delegations from making comments on them. It had been generally agreed that formal meetings of the Committee would be held in order to enable delegations to place their views on record. He very much hoped that the Chairman would use his authority to ensure that that procedure was adhered to.

15. Miss MARTIN-SANE (France) said that no one questioned the right of any delegation to express whatever views it chose. However, the debates in the workshop and the negotiating group had been complex, and it would therefore be too much to expect the Co-Chairman to prepare an exhaustive report.

The meeting rose at 4.35 p.m.

33rd meeting

Thursday, 9 September 1976, at 12.05 p.m.

Chairman: Mr. P. B. ENGO (United Republic of Cameroon).

Tribute to the memory of Mao Tsetung, Chairman of the Central Committee of the Communist Party of China

1. The CHAIRMAN announced the death of Mao Tsetung, Chairman of the Central Committee of the Communist Party of China, whose name symbolized militancy for freedom and the survival of subject peoples.

2. Few mortals had been granted the unique opportunity that Mao had had to change the course of history. Educated in the hard school of life and human suffering, he had not allowed himself to be tempted into arrogance when he reached power. Instead, he had exploited power to fight for the well-being of his people and had actively promoted revolution of thought and action, treating cultural and economic imperialism and political imperialism with equal contempt. His work had transcended the boundaries of the People's Republic of China through his identifying himself with the struggles of peoples to rid themselves of the evils of colonialism, especially the most stubborn and ultra-conservative supporters of that decadent institution in Africa.

3. He asked the delegation of the People's Republic of China to convey to the Government and people of China and to the family of Chairman Mao the condolences of the Committee and its officers on the irreparable loss they had suffered.

On the proposal of the Chairman, the representatives observed a minute of silence in tribute to the memory of Mao Tsetung, Chairman of the Central Committee of the Communist Party of China.

4. Mr. PINTO (Sri Lanka) said that his delegation was deeply grieved by the death of Chairman Mao Tsetung who

had triumphantly led the Chinese people in the struggle against the forces exploiting their country. The name of Mao Tsetung was already part of history, but his thought would endure for ever as a symbol of the fight against hegemonism and of concern for the oppressed peoples of the world.

5. Mr. DE SOTO (Peru) said that Chairman Mao Tsetung had been a symbol of the developing countries' cause. His delegation was deeply grieved by the news of his death.

6. Mr. AL-WITRI (Iraq), speaking on behalf of the group of Asian States and the group of Arab States, expressed their condolences on the irreparable loss suffered by the Chinese people and all the peoples of the world. Chairman Mao Tsetung had fought all forms of dependency and exploitation and had in the process changed historical concepts and become an inspiration for all peoples.

7. Mr. WEHRY (Netherlands), speaking on behalf of the States members of the European communities, conveyed their condolences to the delegation of the People's Republic of China on their sad loss. The name of Chairman Mao Tsetung would be engraved in the pages of history.

8. Mr. ESKIN (United States of America) said that his country's official condolences would be expressed later; in the meantime, however, he expressed his personal condolences and those of his delegation on the death of Chairman Mao Tsetung.

9. Mr. GAYAN (Mauritius) said that the world had lost one of its greatest leaders, Chairman Mao Tsetung, who would be remembered not only as the architect of modern China but as the champion of many just causes. On behalf of his delegation and of the group of African States, he expressed condolences to the people and Government of China.

10. Mr. SEVILLA-BORJA (Ecuador) said that the death of