

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/C.1/SR.33

33rd meeting of the First Committee

Extract from the *Official Records of the Third United Nations Conference on the Law of the Sea, Volume VI (Summary Records, Plenary, General Committee, First, Second and Third Committees, as well as Documents of the Conference, Fifth Session)*

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

Chairman Mao Tsetung was an irreparable loss for the whole world but that his vigour, his thought, his doctrine and his message would endure throughout time. He expressed his condolences to the delegation, people and Government of China.

11. Mr. ROSALES (El Salvador) said that his delegation had the honour of being Chairman of the group of Latin American States for the month of September, but that that honour had been overshadowed by the sad news of the death of Chairman Mao Tsetung, whose work as statesman, fighter, visionary and revolutionary would serve as a source of inspiration and an example to be followed.

12. Mr. KAPLLANI (Albania) said that his delegation was saddened by the death of the great leader of the Chinese Communist Party, of China and of the Chinese people, which was a loss for all revolutionary peoples throughout the world and especially for Albania, since China had always been its most valuable ally.

13. Mr. ALOUANE (Algeria) said that on such an occasion words could not reflect the depth of one's feelings. The world had just lost one of its most important men. The people of Algeria, who had experienced difficult times, had always followed his advice and had received his support during and after the war of liberation. The achievement of Mao Tsetung was without precedent: it had been and would continue to be a source of inspiration in the political sphere and elsewhere, since it had truly been a revolutionary achievement and one of justice and peace.

14. Mr. BOOH BOOH (United Republic of Cameroon) associated himself with the tribute paid by the Chairman of the Committee and by other delegations to Chairman Mao Tsetung, founder of the Republic of China and great revolutionary leader. He himself had visited China three times and had been able to see the place that Chairman Mao occupied in the hearts of his people and the changes that had come about under his leadership. His work had been an inspiration to all peoples, especially the African peoples, in their struggle for freedom, human dignity and independence.

15. Mr. HYERA (United Republic of Tanzania) said that his country would at a later date officially express its condolences on the death of Chairman Mao Tsetung. The world had lost one of its greatest leaders in the political and economic spheres and in the defence of human dignity. Chairman Mao had devoted all his life to serving his people and had been a truly great man, so that his death was an immeasurable loss for the Chinese people. Chairman Mao's achievement had been a stimulus to all the oppressed peoples of the world, and his spirit would continue to imbue the struggle for respect for human dignity. The United Republic of Tanzania was grateful for the assistance that it had received from Mao and China, and it shared the feelings of the people of China at such a sad time.

16. Mr. PERIŠIĆ (Yugoslavia) said that the Chinese people had lost one of its greatest sons, whose personality symbolized the long struggle for liberation and independence. The Marxist thought of Chairman Mao was an inspiration for the Chinese people, and his contribution to international relations had served to improve co-operation among all countries. Through the Chairman, he expressed his sincere condolences to the delegation, people and Government of China.

17. Mr. KOIKE (Japan) said that Chairman Mao had dedicated his life to the cause of peace, justice and progress; that dedication, together with the friendly relations prevailing between Japan and the people of China, had earned him the respect of the Japanese people.

18. Mr. HUSSAIN (Pakistan) expressed his deep distress at the news of the death of Mao Tsetung. The people of Pakistan shared the grief of the Chinese people on the loss of their great Chairman, whose death was an irreparable loss for the people of Pakistan and all the peoples of the third world.

19. Mr. SOBHI (Egypt) said that Chairman Mao had been the chief champion of the cause of peoples and of the struggle against imperialism, and on that account he would not be forgotten by the people of Egypt. His ideas and principles would serve to strengthen the links of friendship between the two peoples.

20. Mr. FONSECA-TRUQUE (Colombia) said that the personality and work of Chairman Mao constituted a fundamental contribution to the spiritual heritage of all peoples.

21. Mr. M'BOOB (Gambia) said that his delegation had felt profound grief and sorrow at the news of an event which was a loss not only for China but for all mankind.

22. Mr. BARNES (Liberia) expressed his sadness at the news and paid tribute to Chairman Mao's outstanding contribution to the cause of peace.

23. Mr. HAGARD (Sweden) associated himself, on behalf of the Nordic countries, with the condolences expressed by other speakers and said that the personality of Chairman Mao had served and would continue to serve as a guide for all men in the struggle for freedom.

24. Mr. OULD SIDI (Mauritania) associated himself with the statements of the Chairman, the African and Arab delegations and the Group of 77. The death of the greatest man of his time was an enormous loss not only for the Chinese nation but for the whole world, and in particular for the third world; his name and his work would not die.

25. Mr. LAUTERPACHT (Australia) said that, apart from what Mao Tsetung represented for China, for other countries the dead leader had been, above all, the creator of the new Chinese State. The struggle which Chairman Mao had waged against hunger, oppression and injustice pursued the same objectives as members of the Committee.

26. Mr. THOMAS (Trinidad and Tobago) said that Mao Tsetung had been a great and noble leader, whose image and ideals would continue to inspire all the peoples of the world.

27. Mr. RAJAONARIVELO (Madagascar) said that the death of Chairman Mao was a loss for all peoples which loved freedom and justice; the dead leader had been the incarnation of the desire for liberation of oppressed peoples.

28. Mr. SIDDIQ (Afghanistan) said that Chairman Mao had devoted his whole life to serving his country and people and the cause of peace and justice selflessly.

29. Mr. BOROS (Italy), speaking on behalf of his own delegation and those of the other Western European countries, said that the great statesman who had just died had put into practice the highest aspirations of the Chinese people.

30. Mr. MONSHEMVULA (Zaire) associated himself with the eulogies of earlier speakers and said that Chairman Mao had rightly been considered the greatest statesman of the age.

31. Mr. DALI (Libyan Arab Republic) expressed his delegation's great sorrow at the death of one who had been the leader of China and of all developing countries; Mao had devoted his life to the fight for liberation and against reactionary forces. He therefore associated himself with the condolences that the other delegations, especially those of the Arab nations, expressed to the Chinese delegation through the Chairman.

32. Mr. LI In Gyu (Democratic People's Republic of Korea) expressed his delegation's condolences on the death of Chairman Mao Tsetung, which was an enormous loss for the sister nation of China and for the progressive and peace-loving peoples of the entire world.

33. Mr. REVERDIN (Switzerland) expressed his sincere condolences on the death of Chairman Mao Tsetung, founder of the People's Republic of China.

34. Mr. BAVAND (Iran) said that Chairman Mao Tsetung had carried on a heroic struggle for the restoration of justice and for progress in the People's Republic of China and that his life had been a milestone in the history of mankind.

35. Mr. KASEMSRI (Thailand) conveyed the condolences of his delegation to the Government of the People's Republic of China. Under the leadership of Chairman Mao Tsetung relations between the People's Republic of China and Thailand had grown strong on the basis of peaceful coexistence and mutual interests; he was convinced that those relations would continue to be excellent.

36. Mr. ZEGERS (Chile) expressed his delegation's deep sorrow at the death of Chairman Mao Tsetung. Not only had the people of the People's Republic of China lost a great statesman, but the whole developing world had lost a great defender of its cause.

37. Mr. VANDERPUYE (Ghana) expressed the condolences of his delegation on the death of Chairman Mao Tsetung, whose name had been an inspiration for the people of his country.

38. Mr. HERMAN (Canada) associated himself with the sincere condolences expressed by previous speakers.

39. Mr. SORIANO (Philippines) expressed his sincere condolences at the news of the death of Chairman Mao Tsetung.

40. Mr. HOUNGAVOU (Benin) associated himself with the condolences expressed to the Chinese delegation on the death of Chairman Mao. The work of that great leader in the struggle of peoples for justice and national liberation would endure.

41. Mr. BENNANI (Morocco) said that Chairman Mao had undoubtedly been one of the outstanding figures of the age and that his work had been a source of inspiration to all.

42. Mr. CAMILLERI (Malta) said that the death of Chairman Mao meant the loss of a great leader to China and the loss of a great man to mankind. Through his work Chairman Mao had been able to shape historical events and influence them; he had helped to change the contemporary world and to build a better world for the future.

43. Mr. RATRAY (Jamaica) said that the expressions of grief in the Committee reflected the admiration which Chairman Mao had been able to arouse. His life had been a symbol of freedom and hope and, despite his death, his thought and example would endure throughout the ages.

44. Mr. RAO (India) expressed his condolences to the people, Government and delegation of China. Chairman Mao had been one of the great Chinese leaders whose work had shaped the Chinese State.

45. Mrs. HO Li-liang (China) said that the death of the great leader and teacher, the founder of the Communist Party, of the liberation army and of the People's Republic of China, was an incalculable loss for the Chinese people. In its great sadness, her delegation had listened to the condolences expressed by the Chairman of the Committee and by the representatives, and thanked them sincerely. She was convinced that the grief of the Chinese people would be transmuted into the courage to continue the work of Chairman Mao until China was transformed into a great socialist country, for the benefit of mankind.

The meeting rose at 1.25 p.m.

34th meeting

Thursday, 9 September 1976, at 4.15 p.m.

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

Final report by the Co-Chairmen on the activities of the workshop (A/CONF.62/C.1/WR.5 and Add.1)

1. Mr. SONDAAL (Netherlands), speaking on behalf of the other Co-Chairman of the workshop and himself, read out the final report by the Co-Chairmen on the activities of the workshop from 9 August to 8 September 1976, the first part of which (A/CONF.62/C.1/WR.5) dealt with the organization of work, papers presented to the workshop and further suggestions made in discussions in the workshop, while the second part (A/CONF.62/C.1/WR.5/Add.1) contained the Co-Chairmen's assessment of the discussions.

2. Mr. MAZILU (Romania) expressed his delegation's deep sorrow and sympathy to the Chinese delegation, Government and people on the occasion of the death of Chairman Mao Tsetung.

3. Referring to the report submitted by the Co-Chairmen, he said that the debate during the past few weeks had demonstrated the great importance attached by all States to the setting up of efficient and equitable procedures for the exploitation of the resources of the sea-bed. That discussion had been both interesting and useful. His delegation, while appreciating the efforts made to elaborate the points to be considered by the Authority when entering into negotiations and into contracts with applicants, felt that it would be more useful to consider the basic aspects of the system before taking up the practical issues. Those two categories of issues were closely interrelated and were both of major significance.

4. To ensure better progress in its work, the Committee should endeavour to find solutions to major issues, such as the

organization of the process of exploration and exploitation and equipping the Enterprise with the technology necessary for initiating the process of exploitation. Future negotiations should emphasize the steps which the Authority should take for the efficient exploitation of the mineral resources of the sea-bed for the benefit of all States, in particular the developing countries. In that connexion, three questions were of major importance: first, the provision of the Enterprise with modern equipment and machinery on the best possible terms, on the basis of the principles of the transfer of technology, as discussed at the previous session; secondly, the hiring for the Enterprise of qualified personnel and the securing of practical means for training such personnel to a level commensurate with world-wide requirements; thirdly, the achievement of a rate of production which would meet the requirements of all States, particularly the developing countries. A thorough discussion of those questions and of all the issues raised by the Co-Chairmen and delegations during the current session would contribute to the establishment of a joint system of exploitation and would ensure the maintenance of the unique and indivisible character of the common heritage of mankind.

5. Mr. GONZÁLEZ DE LEÓN (Mexico) said that the Co-Chairmen's report reflected accurately the differences of opinion existing among delegations. The existing text of article 22 of part I of the revised single negotiating text (see A/CONF.62/WP.8/Rev.1)¹ clearly did not constitute a basis for

¹See *Official Records of the Third United Nations Conference on the Law of the Sea*, vol. V (United Nations publication, Sales No. E.76.V.8).