

DOCUMENTS OF THE CONFERENCE

DOCUMENT A/CONF.62/100

Letter dated 28 July 1980 from the Chairman of the Group of 77 to the President of the Conference

[Original: English]
[28 July 1980]

I have the honour to request that the attached statement on behalf of the Group of 77 be reproduced as an official document of the Conference so that it may be considered at the Plenary meeting specifically called to discuss the subject of the adoption of unilateral legislation affecting the resources of the international area of the sea-bed.

(Signed) E. K. WAPENYI
Representative of Uganda
to the Third United Nations Conference
on the Law of the Sea, and Chairman of the Group of 77

STATEMENT BY THE CHAIRMAN OF THE GROUP OF 77, ON THE UNITED STATES OF AMERICA LEGISLATION AFFECTING THE RESOURCES OF THE INTERNATIONAL AREA OF THE SEA BED WHICH ARE THE COMMON HERITAGE OF MANKIND

1. The position of the Group of 77 on unilateral national legislation or other action relating to the exploration and exploitation of the sea-bed area beyond the limits of national jurisdiction has been put on record on several previous occasions. The Chairman of the Group of 77 expressed the views of the Group to this Conference on 15 September 1978¹ and 19 March 1979.² The ministers of the member States of the Group of 77, at their meeting held in New York, also adopted a resolution on this question on 29 September 1979. The Group of 77 reiterates its position as contained in those statements and in that resolution.

¹ See *Official Records of the Third United Nations Conference on the Law of the Sea*, vol. IX (United Nations publication, Sales No. E.79.V.3), 109th meeting.

² *Ibid.*, vol. XI (United Nations publication, Sales No. E.80.V.6), 110th meeting.

2. The Group views with grave concern the recent enactment of national legislation by the United States of America governing the exploration and exploitation of the sea-bed area beyond the limits of national jurisdiction. Such legislation is contrary to international law and is therefore incapable of giving rise to any rights whatsoever.

3. A comprehensive convention on the law of the sea is being negotiated in the interests of maintaining international peace and security and promoting co-operation and mutual understanding among nations. A régime for the sea-bed area beyond national jurisdiction, established by the international community and based upon the principle that the Area and its resources are the common heritage of mankind is central to these negotiations. Any action taken outside the framework of this conference or the threat of such action is in breach of the principle of good faith in the conduct of negotiations, contrary to the procedure of consensus contained in the gentleman's agreement, seriously jeopardizes the progress achieved so far in the conference and is prejudicial to the prospects of the early adoption of a comprehensive convention.

4. The Group of 77 condemns this illegal assertion of rights by the United States Government over the international area of the sea-bed. The Group protests against the said legislation and urges all Governments to do likewise. The Group calls upon all Governments to reject such legislation and not to recognize any activities it purports to authorize. The Group further calls upon all Governments to refrain from similar action.

5. The Group of 77 reserves the right to take any other appropriate action to repudiate such legislation and to safeguard the resources of the international sea-bed area which are the common heritage of mankind.

DOCUMENT A/CONF.62/101

Letter dated 28 July 1980 from the representatives of Chile, Colombia, Ecuador and Peru to the President of the Conference

[Original: Spanish]
[28 July 1980]

In our capacity as the representatives of Chile, Colombia, Ecuador and Peru to the Third United Nations Conference on the Law of the Sea, we have the honour to transmit herewith the declaration issued on 22 July 1980 by the secretariat of the South Pacific Commission in regard to the enactment by the United States of America of a law concerning the exploitation of the area of the sea-bed beyond the limits of national jurisdiction. We would ask you to arrange for it to be circulated as an official document of the Conference as soon as possible.

(Signed) F. ORREGO VICUNA
Representative of Chile
to the Third United Nations Conference
on the Law of the Sea

(Signed) H. CHARRY SAMPER
Representative of Colombia
to the Third United Nations Conference
on the Law of the Sea

(Signed) L. VALENCIA-RODRÍGUEZ
Representative of Ecuador
to the Third United Nations Conference
on the Law of the Sea

(Signed) A. ARIAS SCHREIBER
Representative of Peru
to the Third United Nations Conference
on the Law of the Sea