



INTERNATIONAL CONFERENCE ON
SAFETY OF LIFE AT SEA, 1974

IMCO

SUMMARY RECORD OF THE FIRST MEETING

held at IMCO Headquarters, 104 Piccadilly, London, W.1,
on Monday, 21 October 1974 at 11.10 a.m.

President: Rear-Admiral R.Y. EDWARDS (USA)
Secretary-General: Mr. C.P. SRIVASTAVA (Secretary-General of IMCO)
Executive Secretary: Captain A. SAVELIEV (IMCO)

A list of participants is given in SOLAS/CONF/INF.1/Rev.1 and Corr.1 thereto

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OPENING OF THE CONFERENCE

Mr. SRIVASTAVA (Secretary-General) welcomed delegates to the Conference, in particular Mr. Clinton Davis, Parliamentary Under-Secretary at the United Kingdom Department of Trade, and those personages who had played an important part in the 1960 Conference.

In the past 45 years, three conferences had been held on safety of life at sea - in 1929, 1948 and 1960. Their task had been to up-date the Convention for the Safety of Life at Sea in the light of technical developments in shipping.

Since the last Conference, held in 1960, IMCO had, through its various organs, provided a standing machinery for keeping the Convention up to date. However, its work had not been as successful as had been hoped, since the numerous amendments had not entered into force because they had not been accepted by the requisite number of governments.

For IMCO's work to be effective, a new amendment procedure had to be devised, so that amendments could be adopted and brought into force speedily but without any encroachment on the sovereign rights of the various States. He therefore hoped that the Conference would succeed in working out a new formula whereby the Convention could be up-dated quickly, and that it would use the present opportunity to incorporate into the text of the Convention for the Safety of Life at Sea those amendments adopted since 1960 which had not yet entered into force. The Conference would also have before it draft resolutions which would serve as a basis for the future work of IMCO.

There was a question to which he wished to draw the attention of the Conference. It would be recalled that at its eighth regular session, the Assembly had decided to convene the present Conference and to invite States which were Members of the United Nations or its Specialized Agencies or the International Atomic Energy Agency or Parties to the Statute of the International Court of Justice. At its thirty-second session in May 1974, the Council had decided to follow the formula for invitations laid down by the Assembly. However, in view of the United Nations General Assembly Resolution 3067 (XXVIII) by which, inter alia, Guinea-Bissau and the Democratic Republic of Viet-Nam had been invited to the Conference on the Law of the Sea, Council had requested him to bring the UN General Assembly Resolution to the attention of the present Conference. The Conference might wish to decide whether it wanted to invite other countries to participate in its deliberations.

In conclusion, he said that an exhibition, consisting of documentary and other material provided by the Government of the USSR, had been arranged in the entrance hall of the IMCO building and he hoped that exhibitions of that kind would be held in the future with the help of other countries.

Mr. CLINTON DAVIS (Parliamentary Under-Secretary, United Kingdom Department of Trade) said that he was glad to welcome participants to London. The United Kingdom Government attached the highest importance to the work of the Conference, which should help to diminish the number of tragedies at sea. Safety measures had clearly to be accepted by all countries in order to be effective, otherwise they would be utterly meaningless. The United Kingdom Government was therefore a strong supporter of IMCO and wished its effectiveness to increase.

Before the creation of IMCO in 1959, the United Kingdom had taken the initiative in convening diplomatic conferences on maritime safety and in preparing conventions. During the last 14 years, IMCO had endeavoured, through its various organs, to keep the 1960 International Convention for the Safety of Life at Sea up to date. That far-reaching instrument, which covered among other things the construction of vessels, life-saving appliances, radio, radar, and the carriage of cargoes, now required amendment to take account of technological needs. There were consequently new Chapters on fire protection and grain transport, and new requirements for radio and radar.

The procedures for bringing amendments into force, however, left much to be desired, as evidenced by the fact that no amendments to the 1960 Convention had yet come into force. The Conference should therefore devise methods whereby speedy effect could be given to future provisions. In that connexion, his Government believed that amendments should take effect after a specified period. He hoped that the Conference would accept that new procedure in the interests of all concerned.

He wished the Conference success, for thousands of human lives depended on its outcome.

Mr. SRIVASTAVA (Secretary-General) thanked Mr. Clinton Davis for having honoured the Conference with his presence, and for his kindness in addressing it.

AGENDA ITEM 1 - ELECTION OF PRESIDENT

Mr. SRIVASTAVA (Secretary-General) invited nominations for the office of President of the Conference.

Mr. LONGE (Nigeria) proposed Rear-Admiral Edwards (United States). Rear-Admiral Edwards was Consultant to the Commandant of the United States Coast Guard; he had discharged various functions at IMCO since 1968 and was eminently qualified to preside over the Conference.

Mr. TARDANA (Indonesia) and Mr. KOLESNITCHENKO (USSR) supported the proposal.

Rear-Admiral Edwards (United States) was unanimously elected President of the Conference and took the Chair.

STATEMENTS BY DELEGATIONS

Mr. SUNG CHIH-KUANG (China) said that the international situation had undergone far-reaching changes since the conclusion of the 1960 Convention for the Safety of Life at Sea. The adoption by the United Nations General Assembly of the Declaration and Programme of Action on the Establishment of a New International Economic Order bore witness to the new trend towards economic development which characterized the struggle of the peoples of the world against imperialism. At the third United Nations Conference on the Law of the Sea, the developing countries had united against the maritime hegemony of the great powers, so as to safeguard the sovereignty of States over their natural resources and the development of their national economies.

In the revision of the 1960 Convention, account must be taken of that new evolution; the sovereignty of States must be respected and full consideration must be given to each country's political, economic and technical situation and natural characteristics. The technical provisions of the Convention must not be imposed uniformly and every State must be able to enter reservations on provisions inappropriate to its actual circumstances, or be exempt from applying them. The provisions in question should take particular account of the relationship between men and equipment. With respect to safety, the Convention should stress preventive measures such as strengthening crews' sense of duty, rational safety procedures and the correct use of equipment.

A very wide basis should be laid down for the entry into force of the Convention, since the safety of life at sea could not be fully ensured until the developing countries and all small and medium-sized States applied it. If amendments were to come into force swiftly and universally, they must correspond to the needs of the majority of countries and pay regard, among other things, to the level of development of the shipping firms and shipyards of the developing countries. The amendment procedure must respect national sovereignty and all States must be able to give full expression to their views.

In conclusion, he said that China had long been subjected to colonial oppression and exploitation, and was resolutely at one with the countries of the third world in their fight against imperialism, colonialism and neo-colonialism, and hegemony. The Chiang Kai-shek régime's acceptance and signature of the 1948 and 1960 Conventions for the Safety of Life at Sea were unlawful and invalid, since that régime had had no right to conduct international activities on behalf of China.

Mr. KOLESNITCHENKO (USSR) firmly believed that the Conference, under the leadership of Admiral Edwards, would successfully produce international safety principles and justify the hopes of all delegations.

He wished to state officially that the Soviet delegation appreciated the useful and important work done by the organs of IMCO headed by Mr. C.P. Srivastava, the Secretary-General. Providing for safety of life at sea and navigation were urgent and important questions requiring solution. The raising of the Soviet people's living standards included improvement of crew safety and working conditions on board. The Soviet Government considered that safety of life at sea and navigation could be achieved if all States, on a basis of equality, worked out means for the uniform application of appropriate regulations and standards. The highest scientific and engineering achievements should serve that worthwhile purpose. Soviet experts participated actively in IMCO's work, the value of which was beyond question.

In conclusion, Mr. Kolesnitchenko said that the Soviet Union was ready to collaborate in working out up to date international safety principles on a basis of equality.

Mr. STRATIGIS (Greece) extended his delegation's warmest congratulations to the President. His Government wished the Conference success and pledged its support.

Greece had served world trade for at least five thousand years. Because of its geographical position, Greece had contributed to world-wide understanding of which shipping was an essential element. Over 3,100 vessels were under the Greek flag, totalling some 23 million gross tons; Greek nationals controlled 1,400 ships under foreign flags totalling 22 million gross tons and over 120,000 Greek seamen were employed.

His country attached great importance to IMCO as a forum for the discussion and solution of common problems and the formulation of maritime policy, especially as related to safety. The IMCO sub-committees, assisted by various maritime bodies, had done excellent work in revising the 1960 Safety Convention. Greece believed that the new SOLAS would prove a valuable instrument and intended to co-operate in achieving the aims of the Conference. His Government hoped that all delegations would co-operate in a spirit of mutual understanding.

In the future, IMCO should continue to focus attention on safety at sea, and should draw the developing countries closer so that their problems could be solved through discussion.

ATTENDANCE OF OBSERVERS AT THE CONFERENCE

Mr. SRIVASTAVA (Secretary-General) asked the Conference to decide whether the Democratic Republic of Viet-Nam should be invited to send an observer to the Conference.

Mr. PIETRASZEK (Poland) proposed that the Secretary-General be requested to issue the invitation in question.

Mr. MESA CRESPO (Cuba) supported that proposal. He proposed that Portugal should also be invited. In accordance with the principle of universality, all governments truly representing their peoples, such as the Provisional Revolutionary Government of South Viet-Nam and the Democratic People's Republic of Korea, should be invited.

Mr. CHOI (Republic of Korea), in exercise of his right of reply, said that it was inappropriate to raise political questions at the Conference, for that could only weaken the spirit of friendly co-operation.

His Government was not opposed to participation by North Korea if it contributed to détente and had made proposals to that effect several times, but they had been rejected. He believed that the Secretariat had in fact sent the Government in question an invitation to the Conference, but it had been declined.

The PRESIDENT confirmed that that was the case; consequently the Conference need not deal with the question of an invitation to the Democratic People's Republic of Korea.

Mr. BACH (Republic of Viet-Nam), for the benefit of those representatives who had not been present at the meeting of heads of delegation, said that the question of the invitation of the Democratic Republic of Viet-Nam had been raised at that meeting. His delegation had reminded the heads of delegation that, as a result of the 1954 Geneva Conference and Agreements, it had been decided to divide Viet-Nam into two zones, North Viet-Nam and South Viet-Nam, each with its own administration; the outcome had been the Democratic Republic of Viet-Nam in the north and the Republic of Viet-Nam in the south. His delegation had no objection to the participation of the Democratic Republic of Viet-Nam; but as regards any intention to invite the so-called Provisional Revolutionary Government of South Viet-Nam, it wished to reiterate that its Government was the sole lawful representative of South Viet-Nam. It was by virtue of that very principle of universality which was so often mentioned that the international community had been led to exclude from participation in major international conferences the so-called Provisional Revolutionary Government, which was nothing more than an instrument established by the Government of North Viet-Nam to help it conquer South Viet-Nam by force. His delegation therefore called upon the Conference to reject any request to invite the so-called Provisional Revolutionary Government of South Viet-Nam to participate.

The PRESIDENT, in the absence of objections, asked the Secretary-General to invite the Democratic Republic of Viet-Nam to take part in the Conference.

Mr. SUNG CHIH-KUANG (China) said that the 1973 Paris talks had established the existence of two administrations in South Viet-Nam, namely the Provisional Revolutionary Government of South Viet-Nam and the Saigon administration. It was therefore unacceptable for the latter alone to be represented at the Conference. His delegation accordingly proposed that the Provisional Revolutionary Government of South Viet-Nam should be invited as well.

The PRESIDENT asked for opinions on the question of an invitation to Portugal, requested by the Cuban representative.

Mr. YANKOV (Bulgaria) thought that the Conference should keep two considerations in mind in deciding whether an invitation should be sent to the Government of Portugal. Portugal was indeed a member of the United Nations and many Specialized Agencies and deserved to be invited in that capacity; but the IMCO

Assembly, at its last regular session in November 1973, had decided to exclude the Portuguese Government from the Assembly and all IMCO conferences and meetings (Resolution A.310(VIII)). However, very important changes had since taken place with regard to the specific matters which had been responsible for that resolution. IMCO needed to be recognized throughout the world, and the Conference should not be deprived of the contribution of a maritime power which had recently revised its colonial policy. His delegation therefore supported the Cuban proposal to invite Portugal to participate in the Conference.

It sufficed to say, with regard to the participation of the Provisional Revolutionary Government of South Viet-Nam, that it had taken part in the Paris Conference and that, in accordance with the principle of universality and the sovereignty of all States on a basis of equality, there was no justification for not inviting it.

Mr. JACQUIER (France) and Mr. CUENCA (Spain) endorsed the Cuban proposal to invite Portugal to participate in the Conference.

The PRESIDENT, in the absence of objections, requested the Secretary-General to invite the Portuguese Government to take part in the Conference.

The meeting rose at 12.25 p.m.