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NSULTATIVE ORGANIZATION

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INTERNATIONAL CONFERENCE ON
SAFETY OF LIFE AT SEA, 1974

IMCO

SUMMARY RECORD OF THE SIXTH MEETING

held at IMCO Headquarters, 104 Piccadilly, London, W.1,
on Wednesday, 30 October 1974 at 2.35 p.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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AGENDA ITEM 7 - CONSIDERATION OF A DRAFT INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974 (SOLAS/CONF/D/2 and Corr.1, SOLAS/CONF/WP.3 and SOLAS/CONF/6/5) (continued)

The PRESIDENT drew attention to SOLAS/CONF/WP.3 containing the proposal for a new article on reservations made by the United Kingdom representative at the previous meeting.

Mr. TARDANA (Indonesia) said that, while appreciating the United Kingdom representative's clarification concerning the provisions of the Vienna Convention on the Law of Treaties, 1969, concerning reservations, his delegation considered that no such provision should be interpreted as prejudicing the principles of national sovereignty as governed by international law and set forth in the United Nations Charter. His delegation accordingly shared the views of the representatives of Ghana, Peru, the United Republic of Tanzania and France.

Mr. DELARDINELLI (Italy) supported the proposal by the representative of France, which offered the best solution and ensured respect for the principle of universality.

Mr. LAIPE (Federal Republic of Germany), referring to doubts as to the consistency of a reservation clause with the sovereign rights of States, said that many international Conventions adopted recently included such clauses. The real issue was whether States were willing to be bound by Conventions. His country was ready to be bound by international standards drawn up by expert bodies.

Mr. GHAFFAR (Pakistan) agreed with the representatives of Ghana, the United Republic of Tanzania and Peru.

Mr. ERIKSSON (Sweden) endorsed the views of the representatives of the United Kingdom, Liberia and Japan. His delegation was strongly opposed to any reservations except concerning Chapter I of the Annex.

Mr. GRAVES (Canada) appreciated the reasons for the United Kingdom and French proposals, but would prefer an Article in the Convention which permitted reservations to the Articles and to Chapter I of the Annex but prohibited reservations to the remaining Chapters of the Annex.

Mr. TING CHI-CHUNG (China) supported the views of the representatives of France, Ghana, Pakistan, Peru, the United Republic of Tanzania and other countries, which strongly reflected the aspirations of the developing countries concerning safeguarding their sovereignty and developing their national shipping services and shipbuilding industries. The Convention should be given a broad basis, and it should be recognized that its requirements would not be universally fulfilled or the safety of life at sea fully assured until the third world countries went into action. The inclusion of an Article which prohibited reservations on technical provisions would undermine the Convention. The provisions and Regulations of the Convention should respect and not encroach upon the sovereignty of all countries.

Uniformity should not be imposed in respect of the development of national shipping services and shipbuilding industries, since conditions differed from country to country. In accordance with international practice, States should be permitted to make reservations on parts of the Articles and Regulations which were not appropriate to national conditions, provided such reservations were not in conflict with the purposes and principles of the Convention. That would ensure that all Contracting States took practical and effective measures to promote the safety of life at sea.

Article I of the present Convention clearly stated that the provisions of the Convention and the Annex thereto constituted an integral part of the Convention. They should not be separated in respect of reservations or sovereignty.

His delegation supported the decision of Committee I not to recommend the inclusion of a reservation clause.

Mr. HELANIEMI (Finland) endorsed the views of the United Kingdom representative and the representatives who had supported him. There should be no possibility of entering reservations to the technical part of the Convention.

Mr. LUNDDAHL (Denmark) supported the United Kingdom proposal.

Mr. ROZENTAL (Mexico) was surprised that the question of an Article on reservations had been discussed in Committee II and raised in the Drafting Committee, in spite of Committee I's decision against the inclusion of such an Article. In accordance with Rule 13(a)(iv) of the Rules of Procedure (SOLAS/CONF/2), he moved the closure of the discussion and proposed that the United Kingdom proposal should be put to the vote. In accordance with Rule 17(a) of the Rules of Procedure, he assumed that a two-thirds majority would be required.

His delegation did not consider that the French representative had made a proposal, since Committee I had decided against the inclusion of an Article on reservations.

The PRESIDENT remarked that Committee II had, in fact, discussed the question of reservations in the context of its own terms of reference.

Mr. JACQUIER (France) supported the Mexican proposal.

The United Kingdom proposal (SOLAS/CONF/WP.3) was rejected by 29 votes to 19, with 13 abstentions.

Mr. ARCHER (UK) said he had noted the high proportion of world tonnage represented by the votes in favour of his proposal. He hoped that the vote would not give the impression that many countries represented at the Conference were eager to make reservations. Nevertheless, he would like to raise the possibility of submitting to the plenary meeting a draft resolution - which would not be binding on Parties to the Convention - stressing the importance of achieving uniformity in giving effect to the Regulations of the Convention; recognizing that Article 19 of the Vienna Convention on the Law of Treaties prohibited reservations that were incompatible with the object and purpose of the Treaty in question, and that Regulation 5 to Chapter I of the present Convention provided for equivalent standards to be allowed and to be communicated to the Secretary-General; urging Contracting Governments to use their best endeavours to limit any departure from the Regulations; and suggesting a procedure for notifying reservations which went beyond the meaning of Regulation 5 of Chapter I.[1/] Such a resolution would, he felt, represent a compromise position which might be more in keeping with the position in the plenary meeting. He suggested submitting it to the Drafting Committee for submission to the plenary meeting along with other draft resolutions.

Mr. QUARTEY (Ghana) said that he was opposed to any attempt at resolutions that, although not binding, would extend the Convention. It would be better to leave the decision on reservations as it stood.

Mr. ROZENTAL (Mexico) agreed with the representative of Ghana. In any case, any resolution should be submitted to the plenary meeting direct, not to the Drafting Committee.

Mr. JACQUIER (France) said that he would be prepared to consider a resolution if necessary, although he did not see the need for it.

Mr. BENKERT (USA) agreed with the representative of France.

1/ Circulated as SOLAS/CONF/WP.5

The PRESIDENT said that if the United Kingdom representative submitted a comprehensive document embodying his proposal, it would be considered by the plenary meeting.

It was so decided.

Article VIII (SOLAS/CONF/D/2 and Corr.1)

Article VIII, paragraphs (a) and (b)(i) - (v) were adopted.

Sub-paragraph (b)(vi)(1)

Mr. VAN DER WOUDEN (Netherlands) said that the insertion of a whole new Chapter should require the explicit acceptance procedure as was proposed in his delegation's amendment (SOLAS/CONF/6/5). The same result could be achieved by amending sub-paragraph (b)(vi)(1) by the deletion of the words "or to" and the insertion of the words "or a new Chapter" after the word "Annex". The same amendment would be needed in sub-paragraph (b)(vii)(1).

Mr. WISWALL (Liberia) considered that the original Netherlands proposal was preferable.

Mr. JACQUIER (France) said that only substantially new provisions should require the explicit acceptance procedure.

Mr. ARCHER (UK) said that any new Chapter would have been fully considered within the Organization, and therefore the tacit acceptance procedure would be appropriate. However, in order to ensure flexibility, the question of which procedure should be applied might be determined on a case-by-case basis by a two-thirds majority of Contracting States in the Maritime Safety Committee.

Mr. YAFAI (Democratic Yemen) said that as the SOLAS Convention was very comprehensive, any new provisions would fit into the existing chapters.

Mr. VAN DER WOUDEN (Netherlands) understood that there was a possibility of incorporating the Load Line Convention in the SOLAS Convention, and that would require an entirely new Chapter.

Mr. GRAHAM (ICS), speaking at the President's invitation, observed that Regulations might be needed for submersibles and offshore installations, which would probably require new Chapters. It would be best for the Maritime Safety Committee to decide whether they required the explicit or the tacit acceptance procedure.

Mr. QUARTEY (Ghana) believed that any new amendments could be accommodated in the existing Chapters.

Mr. JACQUIER (France) did not favour the Netherlands amendment.

Mr. DENKERT (USA) said that the addition of any new Chapter would be regarded as an amendment to the Annex and subject of the same procedure as such amendments. If any change was needed to meet the Netherlands point, the tacit acceptance procedure could be used unless the Maritime Safety Committee decided otherwise.

The PRESIDENT said that it was clearly understood that the term "amendment" would embrace any addition of a new Chapter in the Annex.

Paragraph (b)(vi)(1) and (2) (SOLAS/CONF/D/2/Corr.1) was adopted.

Sub-paragraph (b)(vii)(1) was adopted.

Sub-paragraph (b)(vii)(2)

Mr. UCHIDA (Japan) said that no provision was made for a country which, having objected to an amendment, subsequently decided to accept it. Accordingly, he proposed that the words "have objected ...of this paragraph" be replaced by the phrase "before the date of entry into force of the amendment have made a declaration that they do not accept the amendment,". That would require a dual notification on the part of that government.

Mr. ROSBANI (Indonesia) wished to reintroduce his delegation's proposal to increase the period for entry into force of an amendment from six to twelve months. That proposal had narrowly missed being adopted in Committee I. A longer period was needed by developing countries, many of which faced difficulties in adapting to new technical developments and in implementing the requirements laid down in IMCO's Conventions.

Mr. JACQUIER (France) said that the Japanese amendment was unacceptable and failed to indicate what should be the procedure if a Contracting Government that had objected to an amendment wished to withdraw that objection several years later. No provision of the kind being proposed had been included in the Marine Pollution Convention.

Mr. KAMAT (India), Mr. QUARTEY (Ghana) and Mr. CANER (Turkey) supported the Indonesian amendment.

Mr. ROZENTAL (Mexico) was opposed to the Japanese amendment.

Mr. WISWALL (Liberia) said that it was not clear anywhere in the text that a country which had lodged an objection might withdraw it prior to the coming into force of the amendment. It was not the intent that that country would be absolutely bound by the objection under the tacit acceptance procedure.

The Japanese point would be met by the insertion of the words "and which have not withdrawn such objection" before the words "six months after the date".

Mr. UCHIDA (Japan) withdrew his amendment in favour of that proposed by the Liberian representative.

Mr. LAMPE (Federal Republic of Germany) and Mr. MITROPOULOS (Greece) supported the Liberian amendment.

Mr. JACQUIER (France) considered that the Liberian amendment would serve no purpose.

Mr. QUARTEY (Ghana) saw no need for a State to notify the withdrawal of an objection.

The Liberian amendment was adopted by 16 votes to 6 with 36 abstentions.

Mr. ROZENTAL (Mexico) said that he had voted against the amendment which had been pointless and did not cover the Japanese representative's point.

Mr. JACQUIER (France) appreciated the arguments of the representatives of Indonesia and Ghana, but felt that the change they proposed was unnecessary, since the last sentence of (vii)(2) already provided that any Contracting Government might give notice to the Secretary-General that it required a longer period before giving effect to an amendment.

Mr. YAFAI (Democratic Yemen) supported the Indonesian proposal. To extend the period from six to twelve months would make it easier for developing countries to overcome the technical obstacles which might prevent them from accepting amendments.

Mr. TING CHI-CHUNG (China) also supported the proposal.

Mr. ARCHER (UK) agreed with the French representative that the sub-paragraph already provided sufficient leeway for those countries which might wish for more time in which to consider amendments before accepting them.

Mr. QUARTEY (Ghana) supported the Indonesian proposal. It was vital to ensure that amendments were brought into force by as many countries as possible, and therefore the Convention should avoid creating a kind of second class acceptance category which might reflect unfavourably on the countries that belonged to it. He did not think six months was sufficient to allow developing countries to prepare themselves for acceptance of an amendment.

Mr. GHAFFAR (Pakistan) supported that view.

Mr. HAREIDE (Norway) pointed out that the six months period under discussion was in addition to the two year period specified in (vi)(2), making the total period allowed a very considerable one. He therefore supported the view of the French representative.

Mr. WISWALL (Liberia) also supported it. The Convention already provided for a two year period for acceptance; there was then a further period of six months after that acceptance before an amendment could enter into force, and States were in addition being given the opportunity to exempt themselves unilaterally for a further year from giving effect to the amendment. That made a total period of 3½ years, which should be more than enough, in view of the fact that the objective of the present Conference was to develop accelerated procedures for the entry into force of an amendment. He pointed out that, in any event, paragraph (e) provided that any amendments made under Article VIII would apply only to new ships and not to existing ships.

Mr. UCHIDA (Japan) said he was satisfied with the text as it stood.

The Indonesian amendment was rejected by 30 votes to 19, with 10 abstentions.

Sub-paragraph (b)(vii)(2) was adopted.

Sub-paragraph (c)(i)

Mr. TARDANA (Indonesia) said that when the sub-paragraph had been discussed in Committee I, his delegation had proposed that all Members of the Organization, whether or not Contracting Governments, should be invited to take part in any Conference convened by the Organization to consider amendments to the Convention. It might be that only a few States were in fact Contracting Governments, whereas the results of the Conference they were attending might affect the interests of a large number of Members of the Organization. He asked the plenary to reconsider his proposal, which was to insert in the third line of the sub-paragraph, after the word "Governments" the phrase "and all Members of the Organization". He thought that an effective quorum for the convening of such a Conference would be one-half or one-third of the membership.

His delegation supported the views of the Indian representative on Chapter I, Regulation 8 and Chapter V, Regulation 12.

Mr. ARCHER (UK) said there were merits in the Indonesian proposal, since a situation could arise in which there were only a limited number of Contracting Governments to a Convention, whereas the amendment that was the subject of the Conference called for discussion in a wider forum which would include all Members of the Organization. Although only Contracting Governments would have the right to vote, it would be advantageous to include Members of the Organization in the Conference. A preferable wording might be: "and Members of the Organization which are not Contracting Governments".

Mr. JACQUIER (France) thought the amendment was unnecessary, since the Article already provided for two possible procedures for amendment: firstly through the Organization (including Members which were not Contracting Governments), and secondly through a Conference of Contracting Governments. There was also a third possibility - a conference of all States Members of the United Nations; but there was no need to specify that in the text.

Mr. YAFAI (Democratic Yemen) recalled that the Indonesian proposal had already been discussed in Committee I and eventually withdrawn by Indonesia. He agreed with France that the method of amendment by a Conference should not be confused with the method of amendment under the IMCO Convention.

Mr. SENGHOR (Senegal) supported the Indonesian proposal. He suggested that an alternative amendment would be to delete the word "Contracting" before "Governments" in the third line.

The Indonesian amendment was rejected by 27 votes to 4, with 23 abstentions.

Sub-paragraphs (c)(i), (c)(ii), and (c)(iii) were adopted.

Sub-paragraphs (d)(i) and (d)(ii)

Mr. JACQUIER (France) proposed that the whole of paragraph (d) be deleted. The effect of (d)(i) would be that a ship of a State which had not accepted an amendment would, on entering a port of a State in which the amendment was in force, be prevented from enjoying the benefits of the unamended Convention as far as its Certificate was concerned. That amounted to a sanction, and ran counter to the spirit of the whole amendment procedure.

Mr. GHAFFAR (Pakistan) supported that view.

Mr. FORSYTH (Peru) said that the word "may" in (d)(i) was significant, since it implied that one country might penalize another which, for reasons beyond its control, could not give effect to an amendment within the period normally allowed. The case of countries which intended to implement the amendment but had requested a longer period of grace in which to do so was covered by an Article already adopted. He agreed with the French representative that the whole paragraph should be deleted.

Mr. WISWALL (Liberia) said that it should not be overlooked that paragraph (d) referred only to Certificates. In practice, that meant that it was intended as guidance for government administrations charged with the enforcement of the Convention on such issues as whether or not they should recognize Certificates of ships of countries which had not accepted amendments. The paragraph in no way altered international law, but merely clarified the obligations of sovereign governments, and he supported its retention.

Mr. ROZENTAL (Mexico) thought that the paragraph might give rise to confusion. There was no justification for applying sanctions against countries which had not accepted an amendment or which, for internal reasons, had requested a further period before accepting it. There had been no problems over the application by administrations of the provisions of the 1960 Convention, and he felt the paragraph was unnecessary.

Mr. ARCHER (UK) recalled that Committee I had been told by the Organization's Legal Adviser that paragraph (d) was necessary in order to make it possible for a Contracting Government to refuse to extend the benefits of a Convention in the case of a government which had not agreed to a specific amendment. His delegation favoured the retention of sub-paragraph (d)(i) but thought that the word "may" in sub-paragraph (d)(ii) left the position too vague.

Mr. MENSAH (Legal Adviser) said that it was of course legally permissible for a Convention to provide that a Party to the Convention might apply amendments duly adopted and accepted by it to other Parties, including those Parties which had not accepted the amendment. In the absence of such a provision, however, the normal international law rule would apply, under which the relationship between the Party which had accepted an amendment and another Party which had not accepted that amendment would be regulated by the unamended Convention. The necessity of the proposed provision depended, therefore, on what the Conference wanted. If the desire was to enable Parti... apply amendments to others which had not accepted those amendments, then it would be necessary to have a clause along the lines of sub-paragraph (d)(i), as proposed.

Mr. UCHIDA (Japan) supported the inclusion of paragraph (d), since without it governments would be forced to apply the unamended Convention to ships of States which had not yet accepted amendments.

Mr. MATO (Spain) agreed with the French representative that the paragraph was unnecessary and should be deleted. The text of sub-paragraph (d)(ii) had been unacceptable to the majority of Members of Committee I, and for that reason it had been decided to bring it up again in plenary.

Mr. HAREIDE (Norway) supported the Liberian representative. In view of the requirements recently introduced by IMCO concerning tankers and the carriage of dangerous goods, deletion of paragraph (d) would lay open the territorial sea and ports of his country to considerable danger from foreign ships which might be carrying hazardous cargoes.

Mr. FORSYTH (Peru) agreed with the views of the representatives of Mexico and Spain and supported the French amendment.

Mr. LAMPE (Federal Republic of Germany) was in favour of the existing wording of paragraph (d) for operational purposes. He proposed, however, that in the second line of sub-paragraph (ii) the word "may" should be replaced by the word "shall", in the interests of reaching a compromise.

Mr. GRAVES (Canada) said that he had never regarded the provisions as sanctions. He opposed the deletion of paragraph (d), especially sub-paragraph (i).

Mr. TING CHI-CHUNG (China) supported the French amendment. States had the right to enter reservations to the Convention and the Regulations. Moreover, in the interests of promoting the safety of navigation, there should be mutual respect between governments which had accepted amendments and those which had not yet accepted them.

Mr. MITROPOULOS (Greece) said that he was in favour of including paragraph (d)(i), but had no strong views regarding sub-paragraph (ii). He endorsed the views of the representatives of the United Kingdom and Canada.

Mr. TARDANA (Indonesia) said that, in the light of the legal opinion, he agreed with the views of the representative of Norway.

The PRESIDENT put to the vote the French proposal to delete paragraph (d).

There were 28 votes in favour, 20 against, with 9 abstentions. The proposal was rejected having failed to obtain a two-thirds majority.

The PRESIDENT recalled the proposal of the representative of the Federal Republic of Germany that, in the second line of sub-paragraph (ii), the word "may" should be replaced by the word "shall".

The amendment was adopted.

Mr. WISWALL (Liberia) proposed that in sub-paragraph (d)(i), the phrase "and has not withdrawn such objection" should be inserted in the penultimate line after the word "amendment".

The amendment was adopted.

Paragraph (d), as amended, was adopted.

Paragraphs (e), (f) and (g) were adopted.

The PRESIDENT informed the plenary that the Chairman of the Drafting Committee indicated that a sentence should be added at the end of sub-paragraph (d)(ii) as follows: "....that it exempts itself from giving effect to the amendment".

The addition was approved.

Article VIII, as amended, was adopted.

Article IX

Mr. QUEGUINER (Deputy Secretary-General), speaking on behalf of the Secretary-General, referred to the Organization's role as depositary, which IMCO had fulfilled for a number of Conventions. In performing that function, IMCO followed the practice of the United Nations and the other organizations of the United Nations system, based on the principle that no international civil servant had the competence to take decisions regarding the definitive character of any political entity. Such competence could be exercised only by individual governments, or by the appropriate governing bodies of organizations, or by plenipotentiary conferences.

The Secretary-General of the United Nations had carefully examined the question of opening multilateral instruments to acceptance by States, and the position assumed by him was the position which had to be assumed by the Secretary-General of IMCO and by the heads of the organizations in the United Nations system - namely, that an international secretariat was not competent to decide whether any political entity was or was not a State. In that connexion, he read out the statement made by the United Nations Secretary-General to the 1250th meeting of the United Nations General Assembly on 18 November 1963: "When the Secretary-General addresses an invitation, or when an instrument of accession is deposited with him, he has certain duties to perform in connexion therewith. In the first place, he must ascertain

that the invitation is addressed to, or the instrument emanates from, an authority entitled to become a Party to the treaty in question. Furthermore, where an instrument of accession is concerned, the instrument must, inter alia, be brought to the attention of all other States concerned and the deposit of the instrument recorded in the various treaty publications of the Secretariat, provided it emanates from a proper authority. There are some areas the exact political status of which is unclear. If I were to invite or to receive an instrument of accession from any such area, I would be in a position of considerable difficulty unless the General Assembly gave me explicit directives on the areas coming within the 'any State' formula. I would not wish to determine on my own initiative the highly political and controversial question whether or not the areas, the status of which was unclear, were States within the meaning of the provision in question. Such a determination, I believe, falls outside my competence. In conclusion, I must therefore state that if the 'any State' formula were to be adopted, I would be able to complement it only if the General Assembly provided me with the complete list of States coming within that formula, other than those which are Members of the United Nations or the specialized agencies, or Parties to the Statute of the International Court of Justice".

That position was exactly the position consistently taken by the Secretary-General of IMCO, and which must be taken in respect of draft Article IX. If the "any State" or "all States" formula were adopted by the Conference, the Secretary-General would be able to perform depositary functions only if the Conference provided him with a complete list of the States, other than those covered by the "Vienna formula", which were entitled to become Parties to the Convention. Failing such guidance, he would be obliged to request the IMCO Assembly for specific instructions to enable him to perform the required functions without having to make the controversial and political determinations which even the Secretary-General of the United Nations considered to be outside his competence. Moreover, he would be able to perform those functions only in relation to those categories of States with which the United Nations and its related agencies had regularly dealt, namely States Members of the United Nations or of any of its specialized agencies or of the IAEA, or Parties to the Statute of the International Court of Justice.

The PRESIDENT suggested that discussion be deferred to the next regular session of the Assembly. Alternatively, the Conference could postpone discussion of the Article, in order to allow time for consideration of the situation, or adopt the Article as it stood leaving the question of guidance for the Secretary-General to a later stage.

Mr. ROZENTAL (Mexico) asked what solution had been adopted in the case of the International Convention for the Prevention of Pollution from Ships, 1973. Article 13 of that Convention used the formula 'all States" and might thus provide a precedent.

Mr. QUEGUINER (Deputy Secretary-General) replied that at the Marine Pollution Conference, the former Secretary-General had made the same statement as he had just made. If any difficulty arose about whether an entity was or was not a State, the Secretary-General would have to refer to the list of States furnished to him and seek advice.

The PRESIDENT suggested that the Conference could follow the precedent set by the Marine Pollution Conference, and should seek advice from the next regular Assembly.

It was so decided.

Mr. WISWALL (Liberia) said that as there was general agreement which was reflected in the Vienna Convention on the Law of Treaties that only States could become Parties to a Convention, he proposed the deletion of the words "Governments of" in the second sentence of paragraph (a).

The amendment was adopted.

Article IX, as amended, was adopted.

Mr. MUENCH (Israel) asked whether that amendment would require any modification of the wording of Certificates.

Mr. WISWALL (Liberia) replied that the term "Contracting Governments" would continue to be used in Certificates.

Article X

Mr. ARCHER (UK) said that Committee I had discussed two alternatives for the number of States required to bring the Convention into force - namely 15 or 25. His delegation felt that the figure of 25 was unduly high. After all, the object of the Conference was to secure a new Convention that would enter into force as soon as possible so as to ensure that the amendments adopted since 1960 were brought into effect.

The number of States required to become Parties to bring previous Conventions into force had been 15 in the 1960 SOLAS Convention, 15 in the 1966 Load Line Convention, 25 in the 1969 Tonnage Measurement Convention and 15 in the 1973 Marine Pollution Convention. The figures concerning aggregate tonnage varied. Experience seemed to indicate that the requirement of 25 States might lead to greater delay than anyone would wish. He therefore proposed that the figure be reduced to 20.

Mr. HAREIDE (Norway) seconded the proposal.

Mr. ROZENTAL (Mexico) said that Committee I had reached a compromise on the figure of 25, the figure originally proposed having been 30.

Mr. NICOLIĆ (Yugoslavia) said that developed countries had favoured a lower figure, but the interests of developing countries must be taken into account and they needed time to prepare their fleets and to find money for modifications. Article X should be adopted as it stood, because it reflected the wish of many countries which could not comply immediately with the new Convention.

The United Kingdom proposal was rejected by 35 votes to 15, with 5 abstentions.

Mr. MITROPOULOS (Greece) regretted the outcome of that vote, because the Conference had been given a clear mandate from the IMCO Assembly concerning the rapid entry into force of the new convention. Governments with a large percentage of the world's merchant fleet favoured the figure of 20.

Mr. WISWALL (Liberia) proposed the deletion of the words "Governments of" in the second line of paragraph (a).

It was so decided.

Mr. MITROPOULOS (Greece) said that, because of problems of translation into Greek he wished to propose wording from the Collision Regulations whereby the phrase in paragraph (a) "the combined merchant fleets of which" would be replaced by the words "the aggregate of whose merchant fleets". He also proposed that the word "shipping" be replaced by the word "fleet" in the same paragraph, so as to bring it into line with Article VIII.

In paragraph (b), the word "acceptances" should be replaced by the phrase "ratification, acceptance, approval or accession" for the sake of consistency with Article IX. The word "its" should be substituted for the word "their" before the word "deposit".

The Greek representative's proposed amendments were not further considered, the President deciding to adjourn the session.

The meeting rose at 7.0 p.m.