



INTERNATIONAL CONFERENCE ON  
SAFETY OF LIFE AT SEA, 1974

IMCO

SUMMARY RECORD OF THE SEVENTH MEETING

held at IMCO Headquarters, 104 Piccadilly, London, W.1,  
on Thursday, 31 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/E/2, SOLAS/CONF/WP.4, SOLAS/CONF/WP.6, SOLAS/CONF/C.2/9) (concluded)

#### Article X

The PRESIDENT drew attention to the text of Article X (Entry into Force) (SOLAS/CONF/D/2, page 8) which the plenary had been discussing the previous evening. He invited the representative of Greece to read out his proposed amendments.

Mr. MITROPOULOS (Greece) said his delegation proposed, in paragraph (a) of the Article, to substitute the phrase "the aggregate of whose merchant fleet constitutes" for the phrase "the combined merchant fleets of which constitute". It also proposed to substitute the word "fleet" for "shipping" in the penultimate line of the paragraph.

The PRESIDENT commented that since there appeared to be no support for the Greek proposal, it could be considered as rejected.

Mr. GRAVES (Canada) recalled that the Greek representative had also put forward a proposal the previous day relating to paragraph (b).

Mr. MITROPOULOS (Greece) said that his proposal was to amend paragraph (b) to read as follows "Any ratification, acceptance, approval or accession deposited after the date on which the present Convention enters into force shall take effect three months after the date of its deposit". That wording would bring the paragraph into line with the text already approved for paragraph (b) of Article IX.

Mr. SRIVASTAVA (Secretary-General) asked if the Greek representative would accept the insertion of the words "instrument of" before "ratification" to bring the text fully into conformity with the corresponding paragraph of Article IX.

Mr. MITROPOULOS (Greece) said he could accept that wording.

The Greek amendment, thus modified, was adopted.

Article X, as amended, was adopted.

#### Articles XI, XII and XIII

##### Adopted.

Mr. UCHIDA (Japan) in reply to a question from the PRESIDENT, said that he would withdraw his proposal for a revised text of Article VIII bis (SOLAS/CONF/WP.6).

The PRESIDENT recalled that Committee II had agreed that in the 1974 Convention, the metric as well as the imperial system of units should be used. However, the Committee had felt strongly that the question of units should be further pursued by the Organization. He invited the Chairman of Committee II to comment.

Mr. ERIKSSON (Sweden), Chairman of Committee II, referring to paragraph 22 of his Committee's Report (SOLAS/CONF/C.2/9) said that the Committee had felt that, in future, IMCO should direct its efforts towards the utilization of a system of metric units only, and should also study the "Système International d'Unités" with a view of its possible adoption. One delegate had raised the question of problems that might arise if the two systems were retained side by side in the Convention, but the Committee had considered that that would not lead to difficulties in operation (paragraph 23 of the Report).

Regarding the Committee's proposals for Chapters I - VIII, it had been agreed to recommend that the Conference refer those proposals to the Organization for consideration. The Secretariat of the Conference could submit the Report and relevant parts of the summary record to the Organization, which would then circulate them to all Members. Those countries which had been the authors of proposals would be invited to submit the relevant papers direct to the Organization.

The PRESIDENT suggested that the IMCO Secretariat be requested to proceed as proposed by the Chairman of Committee II.

It was so decided.

The PRESIDENT drew attention to the statement by the delegation of Cuba (SOLAS/CONF/WP.4) which he understood was for notification, not for action. He also pointed out that in the second line of the second paragraph, the last four words should be replaced by the word "misunderstanding".

AGENDA ITEM 8 - ADOPTION OF THE INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974 AND OF RESOLUTIONS AND RECOMMENDATIONS  
(SOLAS/CONF/D/13, SOLAS/CONF/WP.5, SOLAS/CONF/WP.7-8) (concluded)

Mr. UNKLES (Australia), Chairman of the Drafting Committee, said his Committee had done its best to meet the wishes of Committee II in drafting the Resolutions. The draft texts (SOLAS/CONF/D/13) were essentially unanimous, with the exception of a few points regarding Recommendation 11 of Resolution 1, an alternative text for which was set out in SOLAS/CONF/WP.7.

The PRESIDENT suggested that the Conference consider the draft texts paragraph by paragraph.

SOLAS/CONF/D/13 - Attachment IIResolution 1

Mr. MITROPOULOS (Greece) proposed that the date 1974 be added after "SEA" at the end of the title.

Resolution 1 thus amended, was adopted.

Appendix to Resolution 1

Paragraphs 1-10 were adopted.

Paragraph 11

Mr. LAMPE (Federal Republic of Germany) drew attention to his delegation's proposed amendment (SOLAS/CONF/WP.7), to insert, in the second paragraph, the word "regional" after "national"; to delete, in the third paragraph, the phrase "efforts concerning the work which has been undertaken" and substitute "work"; to insert, in the third paragraph, the phrase "and in particular The United Nations Committee of Experts on the Transport of Dangerous Goods" after "concerned"; and finally, to add "at the earliest practicable opportunity" at the end of that paragraph.

Mr. ERIKSSON (Sweden) said that his delegation was in full support of that amendment.

Mr. SRIVASTAVA (Secretary-General) said that the wording read out by the Federal Republic of Germany representative ("RECOMMENDS that the Organization should continue its work in co-operation ...") was preferable from IMCO's point of view to the wording that appeared in SOLAS/CONF/WP.7.

Mr. ARCHER (UK) pointed out that, in the text given in SOLAS/CONF/D/13, the word "storage" should read "stowage". If the word "stowage" were used, as in the version proposed in SOLAS/CONF/WP.7, the phrase "by all nodes of transport" should read "in all nodes of transport".

The Federal German amendment, as modified by the Secretary-General and by the United Kingdom representative, was adopted.

Paragraph 11 (SOLAS/CONF/WP.7), as amended, was adopted.

Resolutions 2-4

Adopted.

Resolution 5

Mr. ERIKSSON (Sweden), Chairman of Committee II, in reply to a question from the President, confirmed that the Committee believed it would be advisable to refer the problem of a system of units to IMCO for further study.

Mr. ARCHER (UK) pointed out that the word "DRAFT" in the title of the Resolution should be deleted.

Mr. GHAFAR (Pakistan) pointed out that the date 1974 should be added after "Life at Sea" in the last paragraph.

Resolution 5, as amended was adopted.

Attachment III

Mr. ERIKSSON (Sweden), Chairman of Committee II, recalled that one of the members of Committee II had proposed that the Drafting Committee entitle the attachments to the Final Act "Annexes" as had been done in the 1960 Convention.

Mr. HAREIDE (Norway) said his delegation would have preferred that the same title be used in both Conventions in order to avoid any confusion between the original and the revised texts. However, he would have no objection if the Drafting Committee considered that there was no alternative to the title "attachment".

Attachment III was adopted.

SOLAS/CONF/WP.5 and SOLAS/CONF/WP.8

The PRESIDENT drew attention to SOLAS/CONF/WP.5, containing the text of the draft Resolution on the universal application of the Convention submitted by the United Kingdom delegation and referred to at the previous meeting.

Mr. HAREIDE (Norway) introduced SOLAS/CONF/WP.8, containing a draft Resolution on the same subject. In the discussion at the previous meeting, several representatives had expressed the view that there was no need for such a Resolution, since all States would implement the minimum requirements of the Convention. A number of important provisions had been adopted by the Assembly and other IMCO bodies which only a few States had implemented, and he referred to casualties which might have been prevented if regulations had been complied with. Because of experience in his country, his delegation felt there was a need to encourage and remind States to implement decisions.

Mr. ARCHER (UK) said that he would withdraw his draft Resolution (SOLAS/CONF/WP.5) and support the Norwegian draft Resolution (SOLAS/CONF/WP.6). The latter was more concise and moreover, avoided certain references in his own Resolution, which had been commented on at the previous meeting.

Mr. GRAVES (Canada) supported the Norwegian proposal. He particularly welcomed the reference to "all human beings" on board a ship.

Mr. MITROPOULOS (Greece) supported the Norwegian proposal and endorsed the views of the United Kingdom representative. He suggested, however, that a reference to the Vienna Convention on the Law of Treaties should be inserted; and that the third paragraph should be redrafted on the following lines:

"RECOGNIZING that all necessary provisions in respect of safety should be fulfilled on board a ship irrespective of the flag carried."

Mr. QUARTEY (Ghana) said that the draft resolution was unnecessary, in view of the Conference's decision concerning reservations to the Convention. He would vote against the resolution.

Mr. LAMPE (Federal Republic of Germany) said that the Norwegian proposal seemed to express the basic feeling in the present meeting. He did not agree with the views of the representative of Ghana.

Mr. COOPER (Liberia) said his delegation felt that the Conference had achieved its purpose, but that it was nevertheless essential to reflect the views of a number of delegations which were in favour of having no reservation clause in the Convention. He supported the Norwegian proposal, which achieved that purpose without implying any restriction on States' powers.

He suggested, however, that a new paragraph on the following lines should be inserted between the first and second paragraphs: "MINDFUL of the importance of achieving uniformity in giving effect to the Regulations within the Convention."; and that in the last paragraph the words "in respect of technical Regulations" should be replaced by the words "in respect of the Annex which goes beyond the meaning of Regulation 5 of Chapter I." He would vote for the Norwegian proposal, with or without his amendments.

Mr. GHAFAR (Pakistan) said that the question of reservations to the Convention had already been dealt with, and there was no need for any resolution on the subject. He supported the views of the representative of Ghana, and would oppose any such resolution.

Mr. ~~BERNKERT~~ (USA) endorsed the views of the Liberian representative. He fully supported the Norwegian proposal.

Mr. ~~TARDANA~~ (Indonesia) supported the views of the representative of Ghana. The Norwegian proposal was unnecessary.

Mr. ~~UCHIDA~~ (Japan) supported the Norwegian proposal and endorsed the views of the Liberian representative. He fully supported the principle of uniformity in applying the Convention. The only opposition to the inclusion of an Article on reservations had been on the grounds that it would conflict with national sovereignty; but if every Government entered reservations, the Convention would be pointless.

Mr. ~~LUNDDAHL~~ (Denmark) agreed with the representatives who had supported the Norwegian proposal. He would prefer the reference to "human beings" to be retained, as being consistent with the safety of life at sea.

Mr. van der ~~WOUDEN~~ (Netherlands) supported the Norwegian proposal and agreed with the views of the representative of Japan. The objections to an Article on reservations had been mainly legal.

Mr. ~~ROZENITAJ~~ (Mexico) said that one of the main objectives was to ensure the rapid entry into force of the Convention. He agreed with the views of the representatives of Ghana, Pakistan and Indonesia.

Mr. ~~D'ANGELO~~ (Italy) said that it would be difficult to reintroduce the question of reservations; but a compromise might be found by replacing the words "any reservations in respect of technical regulations" by the phrase "as far as practicable any reservation going beyond the meaning of Regulation 5 of Chapter I" in the operative paragraph of the Norwegian proposal.

Mr. ~~FAWZI~~ (Egypt) agreed with the representative of Ghana that no resolution concerning reservations should be adopted.

Mr. ~~BAYONNE~~ (Congo) agreed with the representative of Ghana that there was no justification for the resolution. There was no reason to expect an avalanche of reservations to the new Convention.

Mr. ~~GRAHAM~~ (ICS), speaking at the President's invitation, said that there were too many maritime casualties and adoption of the Resolution would make a direct contribution to the safety of life at sea. He was sure that seafarers would welcome it.

Mr. LONGE (Nigeria) agreed with the representative of Ghana that it would be inconsistent to adopt a resolution on reservations. However, the attention of Contracting Parties could be drawn to Regulation 5 of Chapter I.

Mr. TING CHI-CHUNG (China) agreed with the representative of Ghana. Reservations were made in the exercise of the sovereign rights of a Contracting State. He was also convinced that those made would not be inconsistent with the fundamental purposes of the Convention.

The PRESIDENT said he was sure that all countries would do their utmost to comply with the provisions of the Convention.

Mr. QUARTEY (Ghana) proposed that the Conference decide that it was unnecessary to adopt a resolution containing any reference to reservations.

Mr. GHIAFFAR (Pakistan) hoped that the opponents of the draft resolution would not be misunderstood. They certainly were in favour of the maximum safety standards. He supported the proposal by Ghana.

Mr. LONGE (Nigeria) also supported the proposal.

The PRESIDENT said that the proposal was not strictly a procedural one because it involved an issue of substance.

" proposal by Ghana was rejected having failed to gain a two-thirds majority. The vote was 28 in favour with 22 against and 11 abstentions.

The PRESIDENT invited the Conference to consider the amendments to the Norwegian draft resolution.

Mr. HAREIDE (Norway) said that the Greek amendment was acceptable, but the reference to human beings in the third paragraph of the preamble should be maintained. He could not accept the Italian amendment.

Mr. COOPER (Liberia) withdrew his amendment to the operative paragraph but suggested that the word "sure" be replaced by the words "assured of".

Mr. ARCHER (UK) said that the opponents of the draft resolution might reconsider their view if the operative paragraph were re-worded to read "BELIEVES that all Contracting Parties will avoid any reservations in respect of the Annex which go beyond the meaning of Regulation 5 of Chapter I ...".

Mr. HAREIDE (Norway) accepted the amendment which ought to allay the misgivings of some delegations.



The Norwegian draft resolution was rejected, having failed to gain a two-thirds majority. The vote was 26 in favour and 25 against with 10 abstentions.

Mr. MITROPOULOS (Greece) said that as there was a general desire to accept uniform rules for the safety of life at sea, he proposed that the Conference recommend Contracting Parties to avoid any action incompatible with the object and purpose of the 1974 SOLAS Convention.

The PRESIDENT said that it would be fruitless to discuss a proposal without a written text and he must, with regret, rule the Greek proposal out of order.

Mr. SRIVASTAVA (Secretary-General) said that the vote on the Norwegian draft resolution must not be interpreted in any sense to mean that any delegation at the Conference was not concerned about the safety of life at sea. The only difference of opinion had been of a procedural nature - as to whether or not a resolution was needed.

Mr. COOPER (Liberia) fully endorsed the Secretary-General's view. His Government intended to abide by the Convention once it had been accepted.

The draft Convention was adopted unanimously.

The PRESIDENT announced that he had been informed by the Chairman of the Credentials Committee that the following countries had been authorized to sign the Convention: Argentina, Bulgaria, Burma, Byelorussian SSR, China, Congo, Czechoslovakia, Democratic Yemen, Denmark, Egypt, France, Ghana, Greece, Hungary, Iceland, Iran, Indonesia, Israel, Mexico, Monaco, Poland, Portugal, Republic of Korea, Republic of Viet-Nam, Singapore, Sweden, Switzerland, USSR, United States, Venezuela, Yugoslavia.

Mr. SAVELIN (Executive Secretary) said that, in accordance with Rule 32 of the Rules of Procedure, the Final Act would be signed by those authorized by the Head of the delegation; the number signing would be at the discretion of the Head of Delegation.

The meeting rose at 5.45 p.m.