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COMMITTEE ON THE PEACEFUL USES OF THE SEA-BED AND THE OCEAN FLOOR BEYOND THE LIMITS OF NATIONAL JURISDICTION

SUB-COMMITTEE I

PROVISIONAL SUMMARY RECORD OF THE SEVENTIETH MEETING*/

held at the Palais des Nations, Geneva,
on Tuesday, 9 July 1973, at 3.20 p.m.

Chairman:	Mr. ENGO	Cameroon
Rapporteur:	Mr. MOTT	Australia

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The CHAIRMAN, after expressing regret for his inability to attend the initial meeting of the Sub-Committee on 3 July 1973, said that it was his intention to continue to hold periodic meetings of the Sub-Committee to keep delegations informed on the progress of the work in the working groups and on other points of general concern. He called on the Chairman of Working Group I to present his report.

REPORT BY THE CHAIRMAN OF WORKING GROUP I

Mr. PINTO (Sri Lanka), speaking as the Chairman of Working Group I, said that, by the end of the Spring Session, the Working Group had completed a first reading of article XXII entitled "Establishment of International Machinery", and had commenced its consideration of article XXIII, entitled "Status of the Authority". In the course of its discussion of article XXII, the Working Group had decided to supplement the original text of article XXII. Paragraph 1 in its present version contained three different names for the new organization. Two of them, "International Sea-Bed Authority" and "International Sea-Bed Resource Agency" reflected alternative concepts regarding the degree of supervision or control to be possessed by the new organization, as well as differences regarding the actual physical area or subject matter, in respect of which it would have functions and responsibility. A third name, "International Ocean Space Institutions" reflected a radically different, comprehensive approach to the functions of the new body, and in that connexion he drew attention to the Introductory Note, which preceded the draft texts in the Group's working paper (Working Group I, Doc.4). Although the word "Authority" was used in the articles for the sake of brevity and convenience, it was to be interpreted throughout in the light of the alternatives set out in that paragraph.

The Working Group had decided to include for further consideration provisions specifying that all Contracting Parties would be members of the Authority (paragraph 3) and anticipating a list of the principal organs of the Authority (paragraph 4), as well as a provision on the seat of the Authority (paragraph 5). Paragraph 2 would eventually specify to which States the Articles would be open for signature and ratification. It had been recognized that the actual location of the provisions of paragraph 2, on ratification, and of paragraph 4, on principal organs, might have to be reconsidered at a later stage, while paragraph 5, on the location of the seat

of the Authority, might be completed either by naming the actual location, or by words that might empower the appropriate organ of the Authority to decide upon the location, thus avoiding entrenchment of any particular location in the constituent instrument of the organization itself and offering greater flexibility.

During the discussion of article XXIII on the "Status of the Authority" it had been recognized that the Group had to deal with the legal personality of the organization both in the international sphere and under the internal laws of States. There did not appear to have been any disagreement among the members of the Working Group that the Authority should possess the degree of legal personality and legal capacity necessary for the exercise of its functions and the fulfilment of its purposes. However, some had wished to achieve that by the very general wording of alternative (A) appearing on page 40 of the working paper (Doc. 4, article XXIII B), while others had preferred to be more specific in providing for the autonomy and international legal personality of the organization, as well as for its legal capacity under the internal laws of its members, as was done in alternative (B) on the same page.

In the view of some members of the Group an article on the legal status of the Authority ought to be supplemented by another, which would establish with greater clarity the political nature of the new organization and the broad essentials of its functioning. After some discussion it had been decided that, rather than combine "nature" with "legal status" in the same provision, a new article (article XXIII A) should be added, and that text appeared on page 39 of the Working Group's document No. 4. Other members had not been convinced of the need for that provision, and in any event had preferred the subject to be taken up in connexion with article XXVI (Fundamental principles of the functioning of the Authority) or article XXVII (Purposes of the Authority). In their view, if the political "nature" of the organization had to be dealt with in connexion with "status" in that manner, a provision of that type ought to be given greater precision by reference to Article 7, which was entitled "Benefit of Mankind as a whole". This view was reflected in alternative (B) of article XXIII A. Although the Working Group had completed its first reading of article XXIII A and article XXIII B, it had as usual taken no decision as to the final location of those provisions. It had been suggested that some members of the Group might wish to return to a discussion of article XXIII A, when articles XXVI and XXVII were taken up.

The Working Group had preserved a functional approach when discussing article XXIV, on the privileges and immunities of the Authority. There had been general agreement that the Authority, as well as representatives of its members and its officials, should enjoy in the territory of its members, such privileges and immunities as might be necessary for the independent exercise of their respective functions, or the exercise of those functions free from the influence of individual governments or groups of governments. It had been recalled that that kind of "independence" was called for under Article 100 of the Charter of the United Nations. A proposal to reword paragraphs 2 and 3, so as to follow closely the wording of paragraphs 2 and 3 of Article 105 of the Charter had been adopted and article XXIV, redrafted accordingly, would be taken as the basis for the second reading of that article. The Working Group had acknowledged that, if the new organization were to be conceived eventually as a specialized agency of the United Nations, i.e. an agency brought into relationship with the United Nations under Articles 57 and 63 of the Charter, the only provision needed, on the subject of privileges and immunities might be an appropriate reference to the Convention on the Privileges and Immunities of the Specialized Agencies. However, as a decision on whether or not the organization would be a specialized agency could not be reached immediately, the two options, viz. (1) incorporation by reference, as appropriate, to the Convention on the Privileges and Immunities of the Specialized Agencies in conjunction with steps to participate in that Convention and (2) elaboration of a separate Convention on the Privileges and Immunities of the Authority, tailored to its needs, would both remain in the text and would be the subject of a second reading.

Article XXV would require the Authority to enter into one or more relationship agreements with the United Nations and other organizations whose work was related to that of the Authority. On one view, that provision was superfluous, since article XXIII B, in sub-paragraph (b) of alternative (B), clearly endowed the Authority with the capacity to conclude international agreements. It would be unwise in another article to appear to restrict or modify the exercise of that capacity. Others had pointed out that article XXV was relevant primarily in the context of the question whether or not the new organization was to be a specialized agency. If it was decided to make it a specialized agency of the United Nations, then article XXV in its present or in some more explicit form might be necessary, in order to ensure that the Authority did in fact conclude agreements with the United Nations establishing its status as a specialized agency. In view of that difference of opinion and pending a decision on the question of whether or not the

Authority should be a specialized agency, it had been decided to place article XXV in square brackets at that stage and, as an exceptional measure, to replace the present text of footnote 5 with a text summarizing the main opinions expressed concerning that article.

On conclusion of its first reading of article XXV, the Working Group had decided (1) to defer discussion of article XXVI, entitled "Fundamental Principles of the Functioning of the Authority", and article XXVII, entitled "Purposes of the Authority", (2) to take up immediately consideration of important points of substance in articles XXVIII to XXXII, dealing respectively with the powers and functions of the Authority, the Assembly and its powers and functions, and the Council and its powers and functions, and (3) to reformulate the texts of those articles in such a manner as to reflect, in separate alternative texts identifiably linked to indicate their internal relationship, the several trends of opinion in the Working Group on those subjects. Some speakers had suggested three such main trends, others two. Significantly, some had related the number of possible trends to the four alternative formulations of article 9 of the working paper, entitled "Who may exploit the Area". It had been suggested that a reformulation and grouping of texts along those lines might be facilitated if a comparative table were prepared, showing the powers and functions of the Authority (article XXVIII) and its principal organs, the Assembly (article XXX) and the Council (article XXXII). Such a table, prepared in collaboration with the Secretariat, was being circulated to the Working Group.

At its fifty-fifth and fifty-sixth meetings, the Working Group had had a general discussion of articles XXVIII to XXXII with reference to specific powers and functions of the Authority and its principal organs. In general, the discussion had tended to centre around article XXVIII, which appeared to cover, in more or less detail, the powers and functions of the new organization.

On one view, article XXVIII, which enumerated the powers and functions of the new organization, was not necessary and had few precedents among existing organizations. The powers and functions listed in the article ought to be assigned to an appropriate organ of the Authority and the Article itself suppressed. On another view, however, it would be useful to list the powers and functions of the Authority, while on a third view those powers and functions ought to be set out in broad terms either in a separate Article or in general provisions, like those relating to the principles and purposes of the organization, such as articles XXVI and XXVII.

Regarding the actual powers and functions of the Authority, it had been argued that the text of article XXVIII as it stood seemed weighted against the Authority's carrying out direct exploitation of the Area, and that the idea of joint ventures was barely reflected in the text. It would be necessary to supplement references to direct exploitation and joint ventures by incorporating the substance of Article 15 of the 13-power draft. There had also been suggestions for supplementing the powers and functions of the Authority with regard to (1) operating ships and installations under its flag, (2) adoption of rules on the subject of non-appropriation, (3) adoption of rules on the discovery, preservation and disposal of archaeological treasures in the Area, (4) sharing among the developing countries of taxes, imposed by a State in connexion with exploitation of the resources of the Area, and (5) expansion or more detailed elaboration of sub-paragraph (4) of paragraph 1 of article XXVIII, on regional arrangements and of sub-paragraph (8) on transfer of technology. It had also been suggested that the powers of the Authority to carry out direct exploitation (currently sub-paragraph (12) of the same paragraph) and to regulate scientific research in the Area (sub-paragraph (6)) should be covered in a single text, to appear as the first sub-paragraph. On one view, the organization, conceived as dealing exclusively with resource exploitation in the Area, should be given no role in relation to the use of the open sea. Consequently, the power to adopt rules regarding non-interference with use of the high seas, specified in sub-paragraph 3 (f), was inappropriate and should be deleted.

There had been considerable discussion of the rule-making power of the Authority. On one view there might be three "levels" of rules: (1) the most basic rules, requiring adherence by all Contracting States, would be included in the new treaty itself, either in its main provisions or in annexes; (2) other general rules might be adopted or approved by the Assembly, perhaps on the basis of drafts prepared by a technical body and recommended to the Assembly by the Council; and (3) a third set of rules of a more detailed and technical character, and rules relating to individual projects, might be adopted by the Council on the recommendation of a technical body. It had been further suggested that it might be useful to specify the weight and binding force of one set of rules in relation to another. The importance of working

out basic operating rules for adoption at the same time as the treaty itself had been emphasized, and there had been a proposal to incorporate the full text of Chapter V of the United States draft treaty.

A distinction had been drawn between rules and recommended practices. As far as the application of rules was concerned, it had been pointed out that paragraph 2 of Article XXVIII, in its first version based on a provision from the Statute of ICAO, left room for the non-application of rules by some members, while the second version of that paragraph provided for compulsory application of rules. On one view, the procedure in the first version might result in some States applying a set of rules while others did not, and that would not be satisfactory in the field of sea-bed exploitation. On another view, the procedure in the first version of paragraph 2 would be appropriate for certain types of rules, while other types of rules should be made generally and automatically applicable. In particular, rules relating to the subjects listed in paragraph 1 (3) of article XXVIII seemed to belong to the category of automatically applicable rules. It would be important to decide which rules might be open to non-application in certain circumstances, and which should be automatically and generally applicable.

On one view, it might be necessary to give the Assembly, as the plenary organ with full representation, a role to play, at least in the adoption of all rules that would be automatically binding. The adoption of such rules could not be left to any organ on which all members were not represented.

It had been pointed out that in the working paper certain powers of the Authority had been assigned both to the Assembly and to the Council. It would be necessary to decide, as a matter of policy, to which organ a particular power should be assigned and to amend the draft accordingly. For example sub-paragraph (11) of paragraph 1 required the Authority to ensure the observance and implementation of the articles and to bring about by peaceful means adjustment or settlement of disputes arising with respect to the Area. In implementation of that function, a tribunal was contemplated under article XXXIII, but at the same time paragraph 3 (22) of article XXXII gave the Council a role in the dispute settlement procedure. Again, the Authority's pollution control functions under sub-paragraph (3) (e) of paragraph 1 of article XXVIII might be exercised by the Assembly under paragraph 2 (16) of article XXX, or by the Council under paragraph 3 (9) of article XXXII. It would be necessary to re-examine those texts and modify them to the extent that they resulted in any unnecessary overlap of functions.

As to Article XXX, on the powers and functions of the Assembly, it had been urged that the draft should make it clear at the outset that the Assembly was supreme. On that view, any suggestion that the Assembly might relinquish its supremacy in relation to subjects that might fall within the competence of the Council would not be acceptable. Consequently, it had been suggested, the last phrase in paragraph 1 of article XXX ".... unless it comes within the competence of the Council" should be deleted. No "duality of competence" should be permitted and the Assembly should always be able to modify or vary the decisions of the Council, even though in practice it might not wish to interfere in areas, assigned to the Council or other organ. However, that view had not been accepted by some, who had argued that to permit the Assembly the right to intervene in the day-to-day operation of the Council would undermine its authority, introduce uncertainty and adversely affect its efficiency.

It had been suggested that article XXX might be redrafted in a more rational manner. Its functions might, for example be grouped in broad categories like (a) discussion (b) recommendation and (c) approval. There had also been suggestions for supplementing the provisions of the article. Thus, it had been proposed that the provisions of paragraph 2 (6), on benefit-sharing, should be elaborated by specifying actual criteria of fundamental importance, and possibly by using some of the wording of article 7, and that the Assembly should be given a specific power to vary the decision of the Council.

As to article XXXII, on the powers and functions of the Council, it had been suggested that those powers and functions might be grouped in broad categories, as in the case of the Assembly. There had also been specific proposals for supplementing the Council's powers, for example by making special provision that the Council should be charged with the "management of the Area"; and other proposals for limiting the Council's powers, as by omitting the power (contemplated in paragraph 3 (20) of article XXXII and originally in paragraph 1 (6) of article XXXVIII) to "authorized scientific research in the Area" and still others for subjecting the Council's rule-making and supervisory powers, contemplated in paragraphs 3 (7) and 3 (8) of article XXXII to approval or review by the Assembly.

With regard to the composition of the Council (article XXXI), it had been urged that the system proposed in the seven-Power draft, which contemplated grouping States by reference to whether they were "coastal" or "essentially non-coastal", should be included in the working paper as offering an alternative to the systems set out in the working paper.

It had also been urged that the system of voting proposed by Malta should be more fully reflected, as offering an alternative to the other systems set out in the working paper.

Finally, the Working Group had heard statements in elaboration of the concept of the "Enterprise" (proposed in the 13-Power draft), in response to a request for clarification on the question whether the "Enterprise" was to be an independent business enterprise, or part of the Authority itself. According to the supporters of the "Enterprise" concept, that body would have an independent legal personality, but would nevertheless be the arm of the Authority, charged with the responsibility of implementing its function of direct exploitation of the resources of the Area. It would undertake all technical, industrial or commercial activities by itself or in joint ventures with juridical persons duly sponsored by States. The "Enterprise" would have a monopoly of exploiting the resources of the Area. No other system of exploitation was contemplated, nor did it seem desirable to provide for an open competitive system in which the "Enterprise" might not be permitted to survive.

Some speakers had been critical of the direct exploitation power of the Authority and of the "Enterprise" concept, while others favoured a system that would comprehend a licensing system, side by side with direct exploitation and joint ventures conducted through the "Enterprise" or a similar arm of the Authority.

The Working Group would proceed at its next meeting to reformulate the working paper's provisions on those subjects, identifying areas of agreement and at the same time setting out alternative texts reflecting fundamentally different approaches.

He emphasized that his report, which had been submitted at the request of the Chairman of the Sub-Committee, was essentially a personal view and as such could not be binding on any delegation.

STATEMENT BY THE CHAIRMAN

The CHAIRMAN thanked the distinguished Chairman of the Working Group for his statement and encouraged him to press on with the task with the same degree of dedication he continued to show.

At the conclusion of the Spring Session, he (the Chairman) had made certain comments (contained in document A/AC.138/SC.1/L.23) which he had hoped would prevail on each delegation present to prepare for the current session, the final lap of a long and tedious race. He had called upon delegations to make that extra effort to understand the nature of the historic task before them and consequently of the grave outstanding problems. He did not believe that they could afford to ignore the former as they faced the latter.

A lull in the intensity of cold as well as hot wars gave the illusion of peace. That was part of the great danger that haunted mankind as history imposed its terms on a complacent generation. He did not risk much criticism in observing the greater difficulty there appeared to be in negotiating the codification of conditions of peace in the absence of belligerency or active war. The Charter of the United Nations Organization had been born of the nightmare of global conflict. Its ideals had not, he would submit, been adopted because of their revolutionary nature. He was of the opinion that collective fear in the international community had driven man's thinking into idealism.

Delegations were now contemplating a new document - a convention to regulate man's activities in ocean space, which was perhaps man's very last hope for survival. In that document, they committed themselves to new concepts, like, for instance, that of attaching to nearly three-quarters of the globe a joint and collective heritage for all mankind. It would appear to him, however, that while all declared the excellent fellowship of a common awareness of the pressing necessities of the times, they did not seem to demonstrate a common motivation in the attempt to document the rudiments for the very survival of the generation. Was it because they were victims of the illusion of peace at the present time? Must mankind depend on the devastations of warfare to bully it into productive attitudes of mind? Was the current generation not endowed with adequate knowledge of the waste and terror that throve where international co-operation in the construction and maintenance of peace was frail or non-existent?

Before the end of the summer session, the Committee on the Peaceful Uses of the Sea-Bed and Ocean Floor had to prepare a report to the United Nations General Assembly on what had been recognized as its final session. It would be a reflection of the extent of the Committee's successes or failures over the past half-decade. A very important portion of the report was to emanate from the Sub-Committee, which was charged with preparing draft articles on an international régime, including an international machinery. It could not and must not fail in its task. It had done too much and gone too far along the road to permit anything amounting to a retreat.

Time demanded urgency; urgency in turn dictated that the members of the Sub-Committee should seek to resolve the broad underlying problems which continued to plague their deliberations. The time had come to face squarely and frankly those frustrating problems. Things must not be left to the very last week of the session, when the pressures of both time and fatigue would breathe their frustrations on the Sub-Committee's endeavours.

As he had indicated in his concluding remarks in April, he would call on each of those present, in both their individual and official capacities, to join in mounting a new assault on the outstanding problems. He would call on them to meet those problems wherever they were - whether they took breath from the Sub-Committee or elsewhere - since the overlapping of considerations in the mandates of the three Sub-Committees might make it inevitable to do so.

He ventured to entertain that course because of his full confidence in the dedication of each member and of each delegation to the strengthening of international peace and their supreme concern for proper preparations for the proposed Conference on the Law of the Sea. Such preparations depended on a successful conclusion of the Sub-Committee's endeavours. His optimism could not be unjustified in the light of his experience working among such a dedicated team.

The time had come for representatives to stop speaking at one another in customary tones and to start speaking to one another in a renewed quest for answers and solutions. As he had urged them in April, sacrifices would have to be made, both in personal comfort and sometimes in proclaimed philosophy.

It was his view that the task of the Working Group, in its current form and mandate - and he emphasized those words - should be concluded within the shortest possible time, perhaps, 10 to 12 days. In the meantime, it might be advisable for

the members of the Sub-Committee to launch a series of consultations to complement the work of the Working Group. That should be at different levels. With the co-operation of the Chairman of the Working Group and the Bureau of the Sub-Committee, he intended to call upon various interested delegations to attempt to solve specific problems. He encouraged individuals or groups of individuals, among whom friendship and communication had found some fraternity, to meet one another in a similar quest. Therefore, he would not depend only on the Chairman of the Working Group and the Bureau. He wanted to be able to rely also on the spirit of initiative of representatives to continue consultations without the Chair. He would hold himself available 24 hours a day, 7 days a week, until success, for any who might have new ideas that could be of help. The Committee's Secretary would give the Chairman's residential telephone number to all interested delegations or delegates. An atmosphere devoid of formality and publicity tended to produce much better results.

Representatives had come together to prepare draft treaty articles. If they were unable to produce a consensus on all of them, they should at least produce it in relation to areas in which there was clearly a large measure of agreement. In cases where that did not apply, they should present alternative drafts in clear terms, reflecting the extent of existing divergencies of view. That would facilitate the political decisions which would have to be made at the Conference. In his view, those alternatives should be much more than a mere reproduction of existing texts proclaimed or proposed by various delegations, groups of delegations, regional organizations or the like. It was imperative that the Sub-Committee should endeavour to remove as many brackets and footnotes as possible. Footnotes were of value only in explanation of concepts, not as instruments of registering dissent.

The report to be submitted by the Sub-Committee should have the value of enhancing the comprehension of the major problems of the Law of the Sea. Shallow gulfs of minor disagreements should not be allowed to divert attention from those major issues.

There were some issues which appeared, strictly speaking, to be outside the universe of the Sub-Committee's mandate. As he had said, to the extent to which they affected its work, the Sub-Committee should hunt them down to their source. Representatives should not create fantasies or encourage procedural myths and

illusions. With the impending Conference in mind, every solution to an outstanding problem was welcome, no matter whence it emanated. Moreover, all the Sub-Committees had the same member States.

In conclusion, he wished to draw attention once again to certain major issues which stared menacingly at the success of the Sub-Committee's work.

The first issue that should remain clear in representatives' minds was the fundamental one of the nature and scope of the common heritage concept. Nothing should be done to water it down, nor to re-open questions which tended to becloud it. The Declaration of Principles contained in resolution 2749 (XXV) proclaimed the area of the sea-bed and ocean floor to be the common heritage of mankind. The Sub-Committee was not the appropriate forum in which to attempt, directly or indirectly, to place that proclamation in doubt.

The next issue, perhaps the most crucial, related to the powers and functions of the Authority in general, as well as the powers and functions of the organs of which it was to be composed. There appeared to be a comparatively happy consensus as to membership of the Assembly. That did not appear to be the case with the proposed Council. The distribution of powers and functions between the Assembly and the Council seemed, strange to say, to present fundamental problems. It boiled down to the question whether a Council of limited membership, the executive organ of the Authority, should be autonomous or be dependent to a large extent on the Assembly of all members. He was of the opinion that, logical as the arguments might appear to be either way, a speedy political decision must be reached on that issue if success was not to elude their efforts. No amount of general or specific debates could resolve that question. Delegations should begin to grapple with that issue outside the glare of formality and public records. If the Committee failed to find a way, he feared that the Conference, with an increased membership, might meet even graver difficulties. What should be duly warned against at that stage was the effect of dangerous polarization on purely political grounds. Representatives should be fairly frank as to the true nature of their individual or collective interests, if misinterpretation of motivations was to be avoided. Even for those to whom package deals appeared to be the only solution, the truth was surely known that no Convention approved by bullying or blackmail could last. The problem of ratification would present its over-riding effect.

He counselled only that delegations should move with the times, recognizing the writing on the wall and the pattern of change, not only in the balance of economic and political power, but also in the perspective of history's attitudes towards any unthinking generation. If mankind wished to build a strong international community, it must consciously adopt the type of institutions that would ensure its attainment. In the contemporary world, the so-called small Powers collectively wielded the big votes in the international organizations, while the so-called big ones had the small vote, yet neither could do without the other. That balance was perhaps a fortunate one. Neither side should bully the other, and that reality should permeate thinking on every material issue.

He did not, by omitting a reference to it, intend to underestimate the strength of the issue of limits. He had come to the conclusion that a series of other related issues would eventually dictate the definition in that field. Some of the vital ones were being seriously considered in another forum.

In the spring, he had also referred to an issue which the Working Group's paper headlined: "Who may exploit the area". That should not present insurmountable difficulties if intensive consultations were carried out in a free and frank atmosphere. Guarantees on all sides and the acceptance by all of the basic concepts of the Declaration of Principles should yield some generally acceptable results. The issue of scientific research had found at least a common ground: that it should be free. Yet the degree of that freedom was still somewhat in doubt.

Finally, the issue of the "General norms regarding exploitation" had to be faced with some degree of seriousness. The title of that aspect of the Sub-Committee's task hardly gave an adequate reflection of the grave problems which meant so much to the economic life of the international community as a whole, and the developing countries in particular. The question remained whether the Authority should have the power to act with a view to minimizing price fluctuations for relevant minerals - a question of economic considerations and implications relating to the exploitation of the resources of the area, including their processing and marketing. He believed that that aspect of the Sub-Committee's task could be resolved by a frank exchange of views.

He had alluded to those specific issues because of his belief that they were at the root of the Sub-Committee's task. If delegations could solve the fundamental atmospheric problems and then talk frankly to one another, he was confident that the Committee might yet prove to be the most valuable assistance to the proposed

Conference of Plenipotentiaries in Chile in 1974. He appealed to all delegations for maximum co-operation and the highest degree of dedication in the days and weeks ahead. He asked no more of them than what they had already declared by the decision to embark on their historic effort. It was upon the delegations there assembled that the future of mankind would depend. What they did must truly be their response to the threatening forces of the times.

Mr. ZEGERS (Chile) said that, at the previous session, his delegation had suggested that the Bureau should undertake informal consultations to resolve the outstanding problems. He was sure that the Chairman's skilful handling and great experience would bring those negotiations to a successful conclusion.

His delegation requested that the statements by both the Chairman of the Sub-Committee and the Chairman of the Working Group should be reproduced in extenso in the summary record.

Mr. STAVROPOULOS (Under-Secretary-General for Legal Affairs) said that the Chilean proposal would have financial implications. He suggested that the Sub-Committee should request that the summary record be as full as possible.

Mr. ZEGERS (Chile) said that previous periodic reports by the Chairman of the Working Group had been reproduced in extenso, thereby creating a precedent. He, therefore, maintained his proposal.

The CHAIRMAN said that, if there was no objection, he took it that the Chilean proposal was accepted.

It was so decided.

The meeting rose at 4.15 p.m.