

INTERNATIONAL OIL POLLUTION
COMPENSATION FUND

OPCF/A.I/SR.7
30 March 1979

ASSEMBLY - 1st session

Original: ENGLISH

SUMMARY RECORD OF THE SEVENTH PLENARY MEETING

held at IMCO Headquarters, 104 Piccadilly, London, W.1,
on Thursday, 16 November 1978 at 9.40 a.m.

Chairman:	Mr. J. BREDHOLT (Denmark)
Director designate:	Mr. R.H. GANTEN
Secretary-General of IMCO:	Mr. C.P. SRIVASTAVA
Secretary:	Mr. T.S. BUSHA (IMCO Secretariat)

A list of participants is given in OPCF/A.I/INF.1

CONTENTS

	<u>Page</u>
<u>Agenda item 13</u> - Determination of Headquarters State (continued)	2
<u>Agenda item 14</u> - Consideration of the question of Headquarters premises and matters connected thereto	2
<u>Agenda item 10</u> - Determination of initial contributions	3
<u>Agenda item 11</u> - Preparation of Budgets for 1978 and 1979	4
<u>Agenda item 12</u> - Determination relating to the replacement of instruments enumerated in Article 5(3)	5
<u>Agenda item 15</u> - Appointment of Auditors	9
<u>Agenda item 16</u> - Establishment of Executive Committee	9
<u>Agenda item 6</u> - Appointment of Director (continued)	10
<u>Agenda item 17</u> - Increase of maximum liability of the Fund	11

AGENDA ITEM 13 - DETERMINATION OF HEADQUARTERS STATE
(OPCF/A.I/10, 10/1 and 10/2) (continued)

Mr. DOUAY (France) recalled that the representatives of Tunisia and Yugoslavia, supported by the representative of the Federal Republic of Germany, had proposed deferment of the choice of the Headquarters State until the next session of the Assembly, so as to give delegations more time to consider the matter. He thanked the delegations that had supported the French proposal to establish the Headquarters of the Fund in Paris.

However, since most delegations would clearly not have time to request amended instructions in the course of the present Assembly, his delegation would not press its proposal at that stage. None the less he regretted that it had not been possible to postpone the decision until the Assembly's next session. He hoped that his delegation's gesture would be appreciated and that the other proposals it intended to make would be given favourable consideration.

The CHAIRMAN thanked the French delegation for its co-operation, and announced that the Headquarters of the Fund would therefore be in London.

It was so decided.

Mr. HALL (United Kingdom) warmly thanked the French delegation for its generous gesture, which allowed the Assembly to take an immediate decision without a vote. His Government was greatly honoured by the Assembly's decision and would do everything possible to facilitate the establishment of the Fund and its work.

AGENDA ITEM 14 - CONSIDERATION OF THE QUESTION OF HEADQUARTERS PREMISES
AND MATTERS CONNECTED THERETO (OPCF/A.I/11)

The SECRETARY-GENERAL of IMCO expressed IMCO's good wishes for the success of the Fund in its new Headquarters and renewed IMCO's offer of every possible co-operation.

Mr. HALL (United Kingdom) said that his Government had already drafted a Headquarters Agreement. A number of technical matters still needed to be solved, but his Government would ensure that they did not hamper the work of the Director designate and they would be cleared up as soon as possible.

He proposed that the terms of reference of the Working Group already established should be extended to include consideration of the Headquarters Agreement, which could then be submitted to the Assembly at its next session.

Mr. NAKAYAMA (Japan) endorsed that proposal.

The proposal was adopted.

The CHAIRMAN enquired whether the United Kingdom Government would be able to make a firm commitment concerning privileges and immunities for the Director designate before the next Assembly.

Mr. HALL (United Kingdom) replied that his Government would make the necessary arrangements in that regard in order to ensure that nothing would hamper the Director at the start of his work.

AGENDA ITEM 10 - DETERMINATION OF INITIAL CONTRIBUTIONS
(OPCF/A.I/18 and Add.1, OPCF/A.I/WP.1, OPCF/A.I/INF.2)

The CHAIRMAN drew attention to documents OPCF/A.I/18 and Add.1. The matter was connected with Article 11.2 of the Convention.

Mr. NILSSON (Sweden) said that the Assembly must ensure that the method of conversion from Poincaré francs to sterling was in conformity with the method used to convert Poincaré francs to national currency raised in connexion with the internal regulations, and now the subject of a draft resolution (OPCF/A.I/WP.6).

The CHAIRMAN agreed. However, the Assembly could return to the question of the internal regulations at its next meeting.

Mr. DOUAY (France), referring to OPCF/A.I/INF.2 which contained information submitted by CRISTAL, asked for clarification concerning the potential amounts of the indemnity.

Ms BRUZELIUS (Norway) pointed out that the issue was covered by Article 11 of the Convention. The Assembly's task was merely to check that the figures put forward by the Secretary-General of IMCO were correct; if they were, the Assembly should agree that contributions were to be paid on the basis of 0.04718 francs per ton of contributing oil and request the Director designate to convert that sum into the pound sterling via SDR's.

The SECRETARY-GENERAL of IMCO agreed that the Convention indeed laid down specific provisions. In determining the total volume of oil movements, the Organization had relied on the figures provided by OCIMF, whose observer could of course confirm the veracity of those figures. The purely mathematical calculation of 90 per cent of the tonnage of persistent oils carried by sea in 1977 had been determined as 1,589.7 million, and the fixed sum for each ton of contributing oil as approximately 0.04718 francs.

Mr. WALDER (Observer, OCIMF), speaking at the invitation of the Chairman, said that OCIMF had used the BP Annual Review in determining the world oil movement figures and its own figure for the coastwise movements. Details of the calculations were available for examination, but he assured the Assembly that they were correct.

The CHAIRMAN invited the Assembly to approve the fixed sum for each ton of contributing oil of 0.04718 francs.

The sum was approved.

AGENDA ITEM 11 - PREPARATION OF BUDGETS FOR 1978 and 1979 (OPCF/A.I/8)

The SECRETARY-GENERAL of IMCO said that the IMCO secretariat had found it hard to suggest any budget without knowing the size of the Fund secretariat. Now, however, the Director designate could be asked to prepare a budget for consideration at the next session of the Assembly, and meanwhile might be given authority to start operations. The IMCO Council had authorized the advance of \$300,000 on a repayment basis. There no longer seemed any point in imposing a \$100,000 ceiling as suggested in document OPCF/A.I/8, if a certain degree of flexibility was considered desirable.

Mr. WALDER (Observer, OCIMF), speaking at the invitation of the Chairman, said that he took it that the first budget would cover the period from the time the Director designate took up office to the end of 1979, slightly more than a year.

Ms BRUZELIUS (Norway) endorsed that view and proposed that a single budget for 1978/79 should be adopted. It should also include the debts incurred by the Fund for expenditure by IMCO in 1978 and even earlier.

The proposal was adopted.

AGENDA ITEM 12 - DETERMINATION RELATING TO THE REPLACEMENT OF
INSTRUMENTS ENUMERATED IN ARTICLE 5(3) (OPCF/A.I/9)

The CHAIRMAN drew attention to document OPCF/A.I/9 dealing with Article 5(3) of the Fund Convention, which provided that, in case of an incident, the Fund might be exonerated wholly or partly from its obligations under Article 5(1) if the ship in question did not comply with the requirements in a number of instruments listed in that paragraph and the incident was caused wholly or partially by such non-compliance. One of the instruments referred to in Article 5(3) was the International Regulations for Preventing Collisions at Sea, 1960, which since 15 July 1977 had been replaced by the Convention on the International Regulations for Preventing Collisions at Sea, 1972. The Assembly had to decide a date on which the 1972 Convention was to replace the 1960 Collision Regulations for the purpose of Article 5(3).

The SECRETARY-GENERAL of IMCO added that Article 5(4) of the Fund Convention provided that, upon the entry into force of a new convention designed to replace any of the instruments specified in Article 5(3), the Assembly might decide at least six months in advance a date on which the new convention would replace any such instruments. It might now, therefore, be appropriate to consider the question of replacement. All the States at present parties to the Fund Convention were also parties to the 1972 Convention.

Mr. WALDER (Observer, OCIMF) speaking at the invitation of the Chairman, pointed out that the International Convention for the Prevention of Pollution of the Sea by Oil, 1954, as amended in 1962, had been amended again in 1969 and that the amendments had entered into force in January 1978. Would it not also be appropriate to replace the 1954 Convention mentioned in Article 3(a) by the latest version? Moreover, perhaps the Secretary-General of IMCO could indicate when the 1960 Convention on the Safety of Life at Sea was likely to be replaced by the 1974 Convention.

The CHAIRMAN called for comments first of all on the replacement of the 1960 Collision Regulations by the 1972 Convention.

Mr. HALL (United Kingdom) said that since during part of the coming year the Fund could in theory seek to exonerate itself from its obligations to a shipowner if an offending ship was in compliance with the 1960 Regulations but not with the 1972 Convention, the Assembly should perhaps adopt a resolution to the effect that during the interim period the Fund would not seek so to exonerate itself.

Mrs POLSON (Observer, ICS) speaking at the invitation of the Chairman, drew attention to Article 5(5) of the Fund Convention, which seemed to cover the point raised by the United Kingdom representative.

Ms BRUZELIUS (Norway) said that the Assembly merely had to take a decision as to when the 1972 Convention would replace the old 1960 Regulations. She agreed with the last speaker that the Convention itself covered the question of the transitional period.

Mr. NAKAYAMA (Japan) thought that there would indeed be an awkward situation, since the Fund Convention was already in operation. If an accident were caused by a ship complying with the 1960 Collision Regulations but not the 1972 Convention, the Fund could be exonerated from its obligations with respect to that ship during the period until June 1979, when the decision to replace the 1960 Regulations by the new Convention for the purposes of the Fund Convention would take effect. An understanding on that matter must be reached by the Assembly.

Mr. HALL (United Kingdom) asked whether the Japanese representative considered that Article 5(5) covered the situation.

Mr. NAKAYAMA (Japan) said that he did not.

Mr. BUSHUA (IMCO Secretariat) pointed out that under Article 5(4) of the Fund Convention it was foreseen that the 1972 Convention could enter into force. That article allowed the Assembly to act at least six months in advance of the date on which the 1972 Convention was to replace the 1960 Regulations to fix a date for such replacement for the purposes of Article 5(3). Under Article 5(5) it was inevitable that during that period the 1972 Convention should be regarded as replacing the old one for the parties which, also contracting States to the Fund Convention, were bound by the newer instrument. For those States the 1960 Collision Regulations were defunct. That seemed practically and logically to meet the problem raised by the Japanese representative.

Mr. DOUAY (France) thought that all the Assembly had to do was to set the earliest possible date on which the 1972 Convention would replace the 1960 Regulations for the purpose of Article 5(3). He wondered what other steps the Japanese representative proposed to take.

Mr. NAKAYAMA (Japan) said that his delegation thought that the Assembly should adopt a resolution. There would then be no problem if a collision did occur before the 1972 Convention replaced the 1960 Regulations for the purposes of the Fund Convention.

Ms BRUZELIUS (Norway) insisted that, as parties to the 1972 Convention, all Contracting States were under an obligation to implement its provisions. In her own country sanctions had already been introduced to implement those provisions to ensure that ships complied with them. In a case where a shipowner met the standards set by the 1960 Regulations, but not those of the 1972 Convention, the Fund could not claim exemption from damages, even though the shipowner would be liable to all manner of penalties in his own country. It seemed to her that the Convention's rules were very clear on the point.

The CHAIRMAN entirely agreed. The rules seemed to him so clear that it might be unwise if the Assembly appeared to introduce changes in them by a resolution.

Mr. HERBER (Federal Republic of Germany) also agreed. The 1972 rules were in fact superseding those of 1960. He pointed out that under Article 5(4), the Assembly was empowered to "decide at least six months in advance a date on which the new Convention [would] replace such Instrument or part thereof for the purpose of paragraph 3".

Taking that date to be 1 July 1979, a number of possibilities emerged. A ship might comply with the 1972 Convention, thereby coming within the scope of Article 5(5). Alternatively it might meet the standards of the 1960 Regulations, in which event it was covered up to 1 July 1979 only. For a ship to meet the standards of the 1960 Regulations only and not comply with those of the 1972 Convention after 1 July 1979 would require a special exemption procedure. The position with regard to domestic legislation was another issue altogether and need not enter into the Assembly's calculations.

The CHAIRMAN said that there appeared to be a definite majority in favour of replacing 1960 by 1972, and of fixing the date as 1 July 1979.

Mrs POLSON (Observer, ICS) speaking at the invitation of the Chairman, recalled the proposal made earlier in the meeting by the representative of OCIMF, concerning the need to include the 1969 amendments to the 1954 Convention in the list of instruments given in Article 5(3)(a). She endorsed that proposal and hoped that the replacement of the 1960 SOLAS Convention by the 1974 SOLAS Convention could also be covered.

The SECRETARY-GENERAL of IMCO said that 50 per cent, which was the required percentage of tonnage for entry into force of the 1974 SOLAS Convention, had now been reached. There had however only been 17 acceptances, still leaving a further 8 necessary to make up the required 25. The Secretariat was urging States to expedite acceptance.

With regard to the 1969 amendments to the 1954 Convention, they were now incorporated in the earlier Convention. Their position in relation to Article 5(3) merited careful examination, and if after such examination action appeared to be called for, an appropriate paper would be submitted to the next Assembly.

The CHAIRMAN said that a Secretariat paper on the subject would be helpful.

Ms BRUZELIUS (Norway) expressed concern at the postponement to a later session of the Assembly of a decision on the 1969 Amendments to the 1954 Oil Pollution Convention which were in force. She would have preferred the matter to be resolved at the present Assembly.

The CHAIRMAN suggested that the only solution would be to ask the IMCO Secretariat to produce a paper for discussion later in the day.

Mr. BUSH (IMCO Secretariat) said that the Secretariat would be pleased to prepare a paper as requested and try to have it available in the afternoon. It seemed to him that the provisions of Article 5(5) were intended to take into account the situation between the entry into force of a new convention or set of amendments and the replacement date in paragraph 4, which he had mentioned before.

The problem when dealing in this context with amendments was that the only amendments referred to in paragraph 3(a)(v) were those which had been subject to the provision in some conventions on "important nature" (i.e. amendments which were determined to be so important that they would apply to all parties after entry into force, irrespective of non-acceptance). That meant that no replacement provision of the kind under discussion for a new convention was available for a new set of amendments such as the 1969 Amendments to the 1954 Oil Pollution Convention, because those amendments were not in the "important nature" category, and because Article 5(4) was silent on the subject of an Assembly decision for replacement where the amendments fell outside that category.

The Secretariat would endeavour to elucidate the matter in its paper.

The CHAIRMAN suggested that discussion of the item be adjourned until the paper was available.

It was so decided.

AGENDA ITEM 15 - APPOINTMENT OF AUDITORS (OPCF/A.I/12)

The SECRETARY-GENERAL of IMCO suggested that, the decision as to the Headquarters State having now been taken, it would be appropriate to proceed to the appointment of the external Auditor to the Fund. It was customary in such matters to appoint the person performing the duties of the Comptroller and Auditor-General of the United Kingdom, a precedent followed not only by IMCO but also by INMARSAT. He suggested taking similar action.

Mr. HALL (United Kingdom) welcomed that suggestion.

It was so decided.

AGENDA ITEM 16 - ESTABLISHMENT OF EXECUTIVE COMMITTEE (OPCF/A.I/13)

The CHAIRMAN said that with only 14 Contracting States, the Fund Assembly was not yet in a position to establish an Executive Committee.

Mr. NILSSON (Sweden) agreed that under Article 21 the Assembly was prevented from establishing its Executive Committee. The item should be carried over to the next Assembly.

It was so decided.

Mr. NAKAYAMA (Japan) said that his delegation noted that certain member States had still not reported their oil import figures for 1977. He urged the IMCO Secretariat to take the necessary action.

The CHAIRMAN agreed that such action should be taken.

It was so decided.

AGENDA ITEM 6 - APPOINTMENT OF DIRECTOR (OPCF/A.I/WP.4) (continued)

The CHAIRMAN asked the United Kingdom representative to report to the Assembly on the findings of the Working Group set up to consider terms of contract between Mr. Ganten and the Fund.

Mr. HALL (United Kingdom) said that the Group had used the draft letter contained in OPCF/A.I/WP.4 as a basis for its discussion. In addition, it had relied on IMCO conditions of service, and had endeavoured to accommodate the Director's personal arrangements.

The Group recommended that the effective commencement date to be inserted in numbered paragraph 1 should be 16 December 1978.

It further recommended a period of four years, rounded up to take account of the last fortnight of 1978. The figure to insert in numbered paragraph 4 would then be 31 December 1982.

In arriving at a recommendation as to salary, the Group had been guided by the salary scales of the IMCO staff and the different duties performed by heads of divisions at IMCO. The recommended grading was a mid-way point between D.1 and D.2 with annual increments of US \$700. Numbered paragraph 6 line 2 would then read, "... a salary of US \$31,400 plus a representation allowance of US \$2,250". That would amount to a total of slightly above the regular D.2 salary.

The Group recommended that leave arrangements should follow IMCO practice.

The question whether it would prove possible to sign the letter in the course of the present Assembly was contingent on the Director's need to consult his current employers and to discuss some aspects with the host Government.

Mr. GANTEN (Director designate) said that in preliminary discussions his employers, the Government of the Federal Republic of Germany, had shown great understanding and flexibility. He did not anticipate any difficulty in signing the contract before the end of the present session of the Assembly.

The effect of such flexibility must be to enable him to devote some time to the Fund's affairs before his official starting date in December.

The CHAIRMAN wondered whether since the Headquarters were in London, it might not be better to express the salary in sterling, rather than in US dollars.

Mr. HALL (United Kingdom) replied that dollars had been used throughout in accordance with IMCO practice.

The CHAIRMAN pointed out that since the Fund would be an independent body, he saw no reason why pounds sterling should not be used rather than dollars.

It was so decided.

The SECRETARY-GENERAL of IMCO reminded the Assembly that it was the rule to express the post adjustment to which he understood the Director would be entitled, in US dollars. If it were to be expressed in pounds sterling it would need to be converted at the prevailing rate each month.

This was noted by the Assembly.

AGENDA ITEM 17 - INCREASE OF MAXIMUM LIABILITY OF THE FUND
(OPCF/A.I/14 and OPCF/A.I/14/1)

At the invitation of the Chairman, the SECRETARY-GENERAL of IMCO introduced document OPCF/A.I/14, drawing particular attention to the fact that Article 4(4) of the Convention limited the aggregate amount of compensation payable by the Fund in respect of any one incident to 450 million Poincaré francs, and that Article 4(6) empowered the Assembly to increase that limit up to 900 million Poincaré francs, having regard to the experience of incidents which had occurred and in particular the amount of damage resulting therefrom and to changes in the monetary values.

Mr. DOUAY (France), introducing document OPCF/A.I/14/1, said that there had been a great deal of discussion on the grounding of the "Amoco Cadiz" and the disaster it had represented, and the sum of 450 million Poincaré francs was wholly inadequate to deal with pollution on such a scale. France had published provisional figures which showed that the approximate cost of combating the pollution caused by the grounding of the "Amoco Cadiz" was at least 415 million French francs, and that did not take account of the most recent information gathered by the French Treasury. The pollution caused by the grounding of the "Amoco Cadiz" had led to a series of unforeseeable expenses: there were, among other things, the costs of transferring oyster

beds and of destroying the oil. The economic damage suffered by sea-related economic activities was impossible to estimate. Clearly there was an alarming disproportion between the estimated total cost of 415 million French francs and the maximum amount of compensation payable by the Fund of 165 million French francs. The Government of France had found the 1969 Civil Liability and 1971 Fund Conventions to be inadequate, and had therefore had recourse to the courts in the United States in order to recover a sum of 300 million dollars. In the event of a similar catastrophe to that of the "Amoco Cadiz" it should be possible to call for an extraordinary contribution from the contracting States. All parties should be aware of the responsibilities they bore if there were another pollution disaster on that scale, and so the delegation of France proposed that the maximum amount payable in compensation in respect of any one incident should be doubled, and that that action be taken by the present session of the Assembly.

Mr. HALL (United Kingdom) shared the view that the issue was an extremely important one. It was impossible to forecast the extent of future incidents and when they would occur, but it was quite probable that there would be incidents the costs of compensating which would exceed the maximum amount available from the Fund. It was not sensible to seek unlimited liability, but the present session of the Assembly had the power to double the compensation ceiling, and the opportunity should be taken to do so. It might be argued that an increase in the maximum amount of compensation could encourage excessive claims but the United Kingdom delegation did not share that fear. The present session was strongly urged not to pass over the opportunity of doubling the compensation ceiling.

Mr. NAKAYAMA (Japan) said he had been instructed by his Government to oppose the taking of such a decision at the current session. However, the question should remain on the agenda for the next session. He said that he sympathized with the French Government and people over the damage caused by the grounding of the "Amoco Cadiz", but he wondered whether the sum of 155 million French francs spent on the use of military facilities and manpower was a legitimate claim against the Fund, since that sort of expenditure was incurred in the normal course of duty of the military. It was the experience of Japan that exaggerated claims were sometimes made as a result of an emotional response on the part of the public: Japanese fishermen, for example,

occasionally submitted astronomical claims for compensation. He pointed out that Japanese contributors to the Fund consisted of a large number of small companies many of which received quantities of oil that were near the minimum mentioned in the Convention. Those companies were under heavy pressure from the Japanese Government, from consumers, and from the recent rise in the cost of crude oil, and were experiencing difficulty in passing on their increased costs to consumers.

If the maximum amount were increased from 36 million to 72 million dollars and a catastrophe occurred after February 1979 in which the pollution damage were in excess of the increased figure, the shipowners would be required to pay 10 million dollars and the Fund would have to meet the remainder of the bill - more than 62 million dollars - half of which, in the case of Japan, would be met by small oil companies some of which were barely making a living. This seemed unfair. The same point had, in fact, been raised by the French delegation to the thirty-fifth session of the IMCO Legal Committee; its remarks had been very thoughtful: "A review of the shipowner's limitation established by the Civil Liability Convention of 1969 might also be made, since an increase of the amounts available from the Fund would lessen the burden on the shipowner and the latter might then be expected to assume higher amounts of limitation" (LEG XXXV/4, paragraph 46; C XLI/7(a), page 4).

The Assembly should consider doing away with the indemnification of the shipowner who has caused the damage, and consider raising the present limits of the 1969 Liability Convention and the limits of small tankers as in the 1976 Limitation Convention. The delegation of Japan urged the Assembly to defer consideration of raising the limits, and to postpone at least until the next session consideration of whether the distribution of the burden between the Fund and the shipowners was a fair one.

Mr. HERBER (Federal Republic of Germany) shared that view. He too appreciated the efforts being made by France and the United Kingdom to improve the compensation to be paid out by the Fund, but felt that it would be premature to take such a decision at the first session of the Assembly. In the seven years since 1971 there had been a decrease in monetary values and an increased fear of pollution accidents, and he was convinced that the maximum amount would have to be increased anyway. But the French figures were only provisional, and more time was required to get precise costs. In any case the danger of another incident on the scale of that of the "Amoco Cadiz"

occurring in the meantime was not great. Under Article 35(1) of the Convention, the Fund should incur no obligation in respect of incidents occurring within a period of 120 days after the entry into force of the Convention. That meant that the Fund would be paying out only on damage arising from incidents occurring from the middle of February 1979. If the next session of the Assembly were in April 1979, the lower sum of 450 million Poincaré francs would be applicable only to incidents occurring between the middle of February and April - a period of two months in which any higher figure that might be set by the next session could not be applied. As for the Japanese proposal of an improvement in the system of indemnification that would require a change in the Convention itself, something that was not within the powers of the Assembly. It was important to restrict the activities of the Assembly to bringing the Fund into operation, and not to think of revising existing conventions.

The CHAIRMAN agreed that it was not for the Assembly to change the 1969 Civil Liability Convention. IMCO would have to convene a conference if one third of the contracting States requested one, in order to achieve this.

Mr. STALIO (Yugoslavia) also felt that it was not the right moment to take a decision to increase the maximum amount of compensation payable. The matter should be dealt with at the next session of the Assembly.

The CHAIRMAN offered advice on a procedural question, pointing out that Article 33 of the Convention laid down that increasing the maximum amount of compensation payable required a three-fourths majority. Three States had already spoken against taking a decision to increase the amount at the present session, and so it would not be possible to get the necessary eight States voting in favour.

Mr. DOUAY (France) agreed that participants were not meeting in order to amend existing conventions. However, he would like to assure the delegate of Japan that the figures presented by France on the costs incurred by the grounding of the "Amoco Cadiz" were not based on emotion. Ten thousand people had been involved in combating the pollution produced, and that number did not include military personnel. There had already been sufficient reflection on the matter, and he could see no argument for postponement. There was no point in the Convention entering into force with a figure that was far from adequate. The United Kingdom had been fortunate not to suffer more serious

damage as a result of the "Christos Bitas" incident, but it was quite possible that there would be another accident of that kind, and no more time should be wasted in merely thinking about the possibility. All delegates should take a position, and eight of them should be prepared to face up to their responsibilities before world opinion. He asked for a roll-call vote, not on whether to increase the maximum amount but on whether such a decision should be taken at the present session, or postponed to the next one.

The CHAIRMAN gave an assurance that the matter would be put to a vote.

The meeting rose at 12.30 p.m.