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and (/) of the Vienna Convention on the Law of Treaties would have a restrictive effect, for depositaries might be willing to provide information other than that which was mentioned in those provisions of the Vienna Convention. Accordingly, he suggested that the words "including those" should be inserted at the beginning of the phrase which the Netherlands delegation proposed should be added to the end of the text under consideration.

53. Mr. EUSTATHIADES (Greece) recalled that he had already declared himself sympathetic towards the proposed article 22 *bis* and welcomed the fact that his concern over the scope of the duties of the depositary had led one delegation to propose that the words "the newly independent State" should be replaced by the words "the successor State". It would indeed seem that the depositary's duty to provide information should extend not merely to a newly independent State, but to any successor State, irrespective of the type of succession. Nevertheless, the original intention of the sponsors of the proposed article had been to specify the functions of the depositary with regard to newly independent States. That was clear not only from the wording of the proposal, but also from the position which they wished to give it in the draft. It went without saying that if the proposed article was designed to apply to all types of succession, it would have to be inserted at some other point in the draft convention. Like the representative of France, he thought it should be made clear that the proposed article was intended to apply to States parties to the future convention. It could be expected that, as depositaries of multilateral treaties, international organizations—and particularly the United Nations—could continue to discharge the duties mentioned in the proposed article. Any new organization acting as a depositary of multilateral treaties would undoubtedly follow their practice. In the final analysis, the proposed article should be addressed to States, especially those which had long been depositaries of multilateral treaties.

54. He favoured the deletion of the words "if any", which served no useful purpose. The final phrase of the proposed text was in contradiction with the expression "as far as may be practicable". It was obvious that the depositary would have to provide the newly independent State only with the relevant particulars it had at its disposal. In order to avoid misinterpretation of the provision, it might be advisable to delete the word "all" which now appeared before the words "other relevant particulars".

The meeting rose at 6.05 p.m.

32nd MEETING

Friday, 29 April 1977, at 11 a.m.

Chairman: Mr. RIAD (Egypt)

Consideration of the question of succession of States in respect of treaties in accordance with resolutions 3496 (XXX) and 31/18 adopted by the General Assembly on 15 December 1975 and 24 November 1976 [Agenda item 11] (continued)

PROPOSED NEW ARTICLE 22 *bis* (Notification by a depositary)¹ (continued)

1. Mr. HERNANDEZ ARMAS (Cuba) said that when the United Republic of Tanzania had submitted an oral amendment to article 19 (Reservations), which would fully restore the "clean slate" principle,² his own delegation had refrained from comment because its position was well known and would be shown by its vote in favour of that important amendment. In the present instance, however, he wished to place on record his full support for the important proposal to insert a new article 22 *bis*, which provided for the necessary co-operation with newly independent States. He could not endorse the oral amendments proposed by France³ and the Netherlands,⁴ which ran counter to the intrinsic purpose of the proposed new article.

2. Mr. MEDJAD (Algeria) said he supported the substance of the proposed new article 22 *bis*. But the phrase "as far as may be practicable" implied that it might not, in fact, be entirely practicable to provide the necessary written information to the newly independent State, and it was difficult to see why not. That phrase should be replaced by wording which imposed an obligation on the depositary to inform the successor State in writing.

3. Mr. MARESCA (Italy) said that the discussion on the proposed new article might be described as the revenge of diplomatic law, in other words, of a system which governed not only the organs, but also the forms and the procedures of international relations. That system was also based on rules of international courtesy, to disregard which would be highly detrimental to diplomacy at the multilateral level.

4. With regard to substance, he was grateful that the sponsors of the amendment had been kind enough to consider his suggestions, namely, that the word "notify" should be replaced by the word "inform", and that the information provided to the

¹ For the amendments submitted to the proposed new article 22 *bis*, see 29th meeting, foot-note 3

² See above, 27th meeting, para. 79.

³ See above, 31st meeting, para. 45.

⁴ See above, 31st meeting, para. 44.

newly independent State should not necessarily include "all other particulars relating to the treaty", but only "relevant particulars".⁵

5. Like the representatives of Malaysia⁶ and Algeria, he thought that the provision embodied in the proposed new article should be mandatory. Consequently, it would be advisable to replace the words "as far as may be practicable" by the words "as soon as possible", used in paragraph 2 of the earlier version of the proposal (A/CONF.80/C.1/L.28). It would also be better to say that the treaty "had been", rather than "has been" previously extended.

6. The oral amendment by the Netherlands to add the words "referred to in article 77, paragraph 1, subparagraphs (e) and (f) of the 1969 Vienna Convention on the Law of Treaties", would greatly clarify the text of the proposed article, which, as he had pointed out at the 29th meeting,⁷ was very closely linked with article 77 of the Vienna Convention. He fully endorsed the French proposal to delete the words "if any", since multilateral treaties required at least one depositary, if not more. Similarly, the French proposal⁸ to insert the words "A State party to the present Convention" before the word "depositary" was entirely logical from the legal point of view. If treaties were to be respected by the States parties thereto, obligations could be imposed only on those Parties.

7. It had been said that the Conference had no right to impose obligations on international organizations. Nevertheless, the Vienna Convention on the Representation of States in their Relations with International Organizations of a Universal Character⁹ provided that its codification of international law was binding on such organizations, and it would therefore be advisable to include a reference to article 90 of that Convention.

8. Mr. STEEL (United Kingdom) said his delegation was grateful to the sponsors of the proposal under discussion for the manner in which they had sought, with some success, to meet criticisms of the earlier text. Objections could, however, be made regarding principle, in so far as the article sought to impose obligations on States which might not be parties to the Convention, and regarding practicability, in so far as the obligations in question might be difficult for a depositary to discharge. Those difficulties could perhaps be overcome if the Drafting Committee was instructed to modify the article in the light of the views that had been expressed, and also to consider the question of its position in the draft convention—for example, the preamble—or in a document

forming part of the Final Act. In such an accompanying document, it might be possible to give more faithful expression to the sponsors' intentions.

9. Needless to say, if the text was to stand as an article of the convention itself, it would be imperative to consider very carefully the precise wording, the precise extent of the obligations and the precise conditions under which the obligations were to be fulfilled. At present, the proposed new draft article met with his delegation's general approval, on the understanding that the Drafting Committee would have greater freedom than was usual in considering its formulation, its position and its general status.

10. Mr. YANGO (Philippines) said that, although he favoured the purpose of the proposed new article, which was to assist newly independent States in deciding whether or not a treaty should be applicable to their territory, he thought the phrase "as far as may be practicable" might defeat that purpose.

11. He could support the logical proposal made by the representative of France. On the other hand, the proposal by the Netherlands to include a reference to article 77, paragraph 1, subparagraphs (e) and (f) of the Vienna Convention on the Law of Treaties would place limitations on the discretion of the depositary.

12. He had some doubts about the suggestion that the Drafting Committee should be given more freedom than usual in dealing with the text. The element of substance should be decided by the Committee of the Whole.

13. The CHAIRMAN observed that the questions which had arisen in connexion with the proposed new article 22 *bis* (A/CONF.80/C.1/L.28/Rev.1) had been thoroughly discussed. He suggested that the text of the article, together with all the oral amendments proposed, should be referred to the Drafting Committee, which should be instructed to formulate a new text calculated to command the widest possible support. The Committee of the Whole would decide on both the substance and the wording after the Drafting Committee had submitted its text.

*It was so decided.*¹⁰

ARTICLE 26 (Multilateral treaties)¹¹ (resumed from the 30th meeting)

14. Mr. GILCHRIST (Australia) expressed his appreciation of the tolerance and patience shown by delegations in allowing consideration of article 26 to be deferred until the Australian amendment could

⁵ See above, 29th meeting, para. 36.

⁶ See above, 31st meeting, para. 48.

⁷ See above, 29th meeting, para. 35.

⁸ See above, 31st meeting, para. 45.

⁹ *Official Records of the United Nations Conference on the Representation of States in Their Relations with International Organizations*, vol. II, *Documents of the Conference* (United Nations publication, Sales No. E.75.V.12), p. 207.

¹⁰ See the statement by the Chairman of the Drafting Committee concerning the proposed insertion of an article 22 *bis*, at the 35th meeting, para. 89.

¹¹ For the amendments submitted to article 26, see 30th meeting, foot-note 2.

be revised. The revised version (A/CONF.80/C.1/L.34/Rev.1), now co-sponsored by the delegation of Ireland, was unchanged in purpose, namely, if an individual party to a multilateral treaty did not agree to provisional application of a treaty between itself and a newly independent State, to require that party to give express notice in writing of its rejection of such application of the treaty.

15. During the earlier discussion, questions had been raised as to the effective date of a notice of intention to apply a treaty provisionally, the effective date of rejection of provisional application, and the addresses of notices of intention. It had also been suggested that a time-limit should be prescribed for rejection of provisional application. In his view, the answers to those questions lay largely in the general law of treaties.

16. Draft article 26 was concerned with multilateral treaties, which almost always had a depositary. While doubts might exist about the functions of depositaries in regard to notification and communications concerning provisional application of multilateral treaties, his country, as a contracting party to the Vienna Convention on the Law of Treaties, took the view that the provisions of articles 76, 77 and 78 of that Convention were sufficiently broad to cover the questions that had been raised, with the exception of the time-limit for rejection of provisional application. But it would not have been sufficient to include in the draft convention some reassuring generalizations about the general law on treaties, the Vienna Convention and the principles of law and equity. The Committee had been reminded several times that article 73 of the Vienna Convention provided that that Convention did not "prejudge any question that might arise in regard to a treaty from a succession of States".¹² That fact did not necessarily obviate the application, to treaties which were the subject of a succession of States, of the procedures which, in the Vienna Convention, were specified as applying to treaties in general.

17. Draft articles 21 and 37, as prepared by the International Law Commission, contained miniature codes of procedure concerning addressees and dates of notifications. Following that approach, which the Committee had endorsed by provisionally adopting article 21, the amendment now before the Committee specified that notices of intention to apply a treaty provisionally should be given in writing.

18. The reason for the changes proposed in paragraphs 1 and 3 of the revised amendment was that the sponsors believed that the subject matter of a notice of intention provisionally to apply a treaty was so important that the notice must be given in writing. It was proposed in paragraphs 2 and 4 of the

amendment that a time-limit should be set for the rejection by a party or contracting State of the provisional application of a treaty as between itself and the successor State. He formally proposed that that limit be 12 months from the date of receipt of the notification.

19. The purpose of paragraph 5 of the amendment was to identify the initial addressee of notice by a newly independent State of its intention provisionally to apply a treaty; the procedure suggested was in accordance with article 78 of the Vienna Convention on the Law of Treaties. The proposed new paragraph also stipulated the date on which that notice would take effect. His delegation remained open to all suggestions which would make the language of the proposed new paragraph more precise, including the suggestion that the end of the paragraph should read: "on the date of its receipt by a party or contracting State".

20. In the new paragraph proposed in paragraph 6 of the amendment, the words "or contracting State" should be inserted after the word "party" in the third, sixth and seventh lines. The aim of the proposed paragraph was to define the effect of a notice of rejection given by a party or contracting State. The sponsors' intention was that such a rejection would, unless there had already been reliance on the treaty, eliminate completely the effect of a notice of provisional application given to the party making the rejection. Had there already been provisional reliance on the treaty, the notice of rejection would take effect from the date of its receipt by the newly independent State.

21. His delegation hoped that the revised version of the amendment took sufficient account of the criticisms which had been made of its original proposal. The amendment, as it stood, in no way represented a derogation from the "clean slate" principle or provided that there should be, by virtue of the fact of succession, and automatic presumption of the provisional application of multilateral treaties. The amendment concerned only the modalities whereby the newly independent State could exercise the right conferred on it by the International Law Commission, in paragraphs 1 and 3 of draft article 26, to make arrangements for the provisional application of only such multilateral treaties as it wished.

22. Mr. AMLIE (Norway) observed that article 26 concerned the provisional application of multilateral treaties, which was a far from infrequent phenomenon and one for which it was therefore very important to establish a correct procedure. The amendment proposed by Australia and Ireland caused him great misgivings in that respect, because article 26 had to be read in conjunction with article 22.

23. The scheme which the International Law Commission had devised in those two articles was a very simple and practicable one. Thus, article 22 began by

¹² *Official Records of the United Nations Conference on the Law of Treaties, Documents of the Conference* (United Nations publication, Sales No. E.70.V.5), p. 299.

providing that a newly independent State which made a notification of succession would be considered as a party to a treaty of the predecessor State, but went on to state, in order to avoid giving retroactive effect to a legal situation, that the operation of the treaty "shall be considered as suspended" unless certain conditions were met. The statement that the operation of the treaty "shall be considered as suspended" established an objective régime. In the International Law Commission's draft, cancellation of the suspension was permitted by the provisions of article 26.

24. The amendment, however, took an entirely different course from that proposed in draft article 22, by providing that there would be not suspension, but provisional application of the treaty. Furthermore, the amendment gave retroactive effect to a legal situation, since, however long it came after the notification by the newly independent State of its intention to apply the instrument, the rejection of a treaty by a third State would revive the situation which had existed prior to that notification. The attempt made to overcome that objection by the inclusion in the proposed new paragraph 7 of the words "unless the treaty was provisionally applied" was unsuccessful, because those words were ambiguous.

25. For those reasons, his delegation would vote against the Australian amendment.

26. Mr. KRISHNADASAN (Swaziland) said that his objection to the amendment proposed by Australia and Ireland was based on a question of principle. While he could agree that the amendment did not necessarily infringe the "clean slate" principle in so far as newly independent States were concerned, it appeared to deny freedom of choice to third States, which his delegation believed should have equal rights with newly independent States. He supported the retention of article 26 in its present form.

27. Mr. BRECKENRIDGE (Sri Lanka) endorsed the comments of the representatives of Norway and Swaziland. He was convinced that, despite the great efforts made by the delegations of Australia and Ireland to reduce the difficulties which could arise for newly independent States, the International Law Commission's approach to the provisional application of treaties was far more acceptable than that adopted in the amendment.

28. Mr. MANGAL (Afghanistan), referring to the amendment submitted by Australia and Ireland, said it was the view of his delegation that the notice to be given by a newly independent State could take effect only if the status of that State as a party to the treaty had been established in conformity with the principles of international law, and if no other party to the treaty had expressly given notice of its rejection of provisional application. Subject to that understanding, his delegation had no difficulty in accepting the amendment proposed by Australia and Ireland.

29. Mr. SATTAR (Pakistan) said he would be very happy to support the amendment submitted by Australia and Ireland, since it took account of the points he had raised¹³ in regard to the original Australian proposal (A/CONF.80/C.1/L.34).

30. Mr. MARESCA (Italy) recalled that his delegation had expressed support¹⁴ for the original proposal made by Australia, because it had met the need for clarity regarding the régime for the provisional application of treaties. His support for the joint proposal by Australia and Ireland was all the stronger, because the new document went still further in that direction. His only objection related to the appearance in the proposed new paragraph 6 of the phrase "if there is no depositary" for, as he had already said, it was difficult to imagine a multilateral treaty which did not have a depositary.

31. The CHAIRMAN invited the Committee to vote on the proposal submitted by Australia and Ireland in document A/CONF.80/C.1/L.34/Rev.1.

There were 23 votes in favour, 23 against, and 29 abstentions.

The proposal was rejected.

32. The CHAIRMAN said that, if there was no objection, he would take it that the Committee of the Whole provisionally adopted draft article 26 and referred it to the Drafting Committee for consideration, together with the Finnish amendment thereto (A/CONF.80/C.1/L.31), as orally revised.

*It was so decided.*¹⁵

ARTICLE 27 (Bilateral treaties)¹⁶ (resumed from the 30th meeting)

33. Mr. MANGAL (Afghanistan) said that, while his delegation found the clear statement made in subparagraph (a) of article 27, reassuring, it wished to reiterate the concern it had already expressed regarding the ambiguity of subparagraph (b). Under the terms of that subparagraph it was impossible to determine with confidence whether the newly independent State and the other State concerned had in fact agreed to the provisional application of a bilateral treaty. His delegation believed that, even if the newly independent State and the predecessor State expressly agreed that it should so apply, a bilateral treaty could not apply provisionally either before or after the succession if the other original party to the treaty had objected to the instrument, since that objection could have related to the continuance in force of the treaty once succession became imminent or had occurred;

¹³ See above, 30th meeting, paras. 23-24.

¹⁴ See above, 30th meeting, para. 11.

¹⁵ For resumption of the discussion of article 26, see 35th meeting, paras. 53-55.

¹⁶ For the amendments submitted to article 27, see 30th meeting, foot-note 2.

or if the other original party to the treaty had not specifically agreed to its provisional application, since its attitude to such application would then be unknown.

34. Mr. MIRCEA (Romania) said he continued to believe that there must be some expression of intent, on the part of either the successor State or the other State concerned, to be bound provisionally by a bilateral treaty after an occurrence of succession; tacit consent, as provided for in subparagraph (b) of the draft article 27 was insufficient. He reiterated the hope he had expressed the previous day that the Drafting Committee would consider rewording the article in a manner closer to that of draft article 26.

35. Mr. MBACKÉ (Senegal) said that his delegation would reserve its position on subparagraph (b) of article 27 until a decision had been reached on the Netherlands amendment to article 22 *bis* concerning the functions of the depositary of a treaty, for it would not be appropriate to assess the conduct of a newly independent State until it had been informed of the extension to its territory of a treaty previously applicable thereto.

36. The CHAIRMAN said that, if there was no objection, he would take it that the Committee of the Whole provisionally adopted the text of draft article 27 and referred it to the Drafting Committee for consideration, together with the Finnish amendment thereto (A/CONF.80/C.1/L.31), as orally revised.

*It was so decided.*¹⁷

ARTICLE 28 (Termination of provisional application) (*resumed from the 30th meeting*)

37. Miss WILMSHURST (United Kingdom) said that paragraph 1, subparagraph (b) dealt with a multilateral treaty to which, by reason of the limited number of parties thereto, a newly independent State could accede only with the consent of all the parties concerned, as provided for in article 16, paragraph 3. Similarly, under article 26, paragraph 2, the consent of all the parties to a multilateral treaty was required for that treaty to be provisionally applied to a newly independent State. Since, under article 26, paragraph 2 one party alone could prevent the inception of provisional application, it would be logical further to provide, in article 28, that one party alone could terminate the provisional application of such a treaty. Her delegation would therefore suggest that the words "one of" should be inserted before the words "the parties" and "the contracting States" in paragraph 1, subparagraph (b).

38. Mr. MUSEUX (France) said that the suggestion made by the United Kingdom representative was logical and had the full support of his delegation, al-

though the change suggested was more one of substance than of form. It seemed essential to provide that a single party could terminate the provisional application of a multilateral treaty, although it was not, of course, conceivable that one party could similarly terminate the definitive application of such an instrument.

39. Mr. RANJEVA (Madagascar) said his delegation feared that the 12 months' notice provided for in paragraph 3 might be too short a period for a newly independent State; it might perhaps be desirable to provide for the possibility of that notice being extended, at least for a further period of 12 months.

40. His delegation would have some difficulty in accepting the suggestion made by the United Kingdom representative. It was necessary to distinguish between the provisional application of treaties in general, a matter to which the United Kingdom suggestion could justly apply, and the provisional application of treaties to successor States in particular. For a successor State just beginning its independent existence, the mechanisms of provisional application should be regarded as a device to facilitate its integration into international legal life. It would be a serious and perhaps inequitable step to provide for the termination of provisional application by a single party.

41. Sir Francis VALLAT (Expert Consultant) said that the International Law Commission had taken the view that, if the consent of all the parties to a restricted multilateral treaty was required for it to be provisionally applied, then the same rule should apply to the termination of provisional application. In paragraph (3) of its commentary to article 28, the International Law Commission had expressed the view that "in principle the termination of provisional application of a restricted multilateral treaty vis-à-vis a successor State was a matter that concerned all the parties, or contracting States", but that "it was not necessary to specify that the notice should be given by all of them (A/CONF.80/4, p. 87)."

42. Mr. MIRCEA (Romania) said he found the clause "Unless the treaty otherwise provides or it is otherwise agreed", in paragraphs 1 and 2 of article 28, somewhat in conflict with the substance of those paragraphs, and in particular with the ability of the newly independent State to terminate the provisional application of a multilateral treaty by giving reasonable notice. The conflict was perhaps even more marked in the case of paragraph 4, which dealt with two quite separate matters: the treaty as such and the notice by the successor State of its intention not to become a party to the treaty. The question arose whether the notice of intention or the provisions of the treaty or other collateral agreement would be considered to prevail.

43. He saw no reason why paragraph 4 should not cover bilateral as well as multilateral treaties. The dif-

¹⁷ For resumption of the discussion of article 27, see 35th meeting, paras. 56-58.

ferences between those two types of treaty did not affect the question of provisional application, and it should be provided that the provisional application of a bilateral treaty could be terminated if either party gave notice of its intention not to become a party to that treaty.

44. Mr. BRECKENRIDGE (Sri Lanka) said that his delegation preferred the text of draft article 28 as it stood, and would object to the inclusion of the words "one of", suggested by the United Kingdom representative.

45. Miss WILMSHURST (United Kingdom), replying to a question by the CHAIRMAN, said that her proposal should be viewed as a formal amendment of substance and put to the vote.

The United Kingdom amendment was rejected by 34 votes to 13, with 30 abstentions.

46. The CHAIRMAN said that, if there was no objection, he would take it that the Committee provisionally adopted the text of draft article 28 and referred it to the Drafting Committee for consideration.

*It was so decided.*¹⁸

ARTICLE 29¹⁹ (Newly independent States formed from two or more territories)

47. The CHAIRMAN invited the delegations of Swaziland, Finland and Malaysia to introduce their amendments to article 29.

48. Mr. KRISHNADASAN (Swaziland) said that the reasons why the delegations of Swaziland and Sweden had proposed the deletion of article 29, paragraph 3, were similar to those which had prompted them to propose the deletion of article 18 (A/CONF.80/C.1/L.23).

49. During the discussion on the latter article,²⁰ it had been argued that the proposed deletion would deprive the successor State of a right. He did not think that the question of a right arose, either in article 18 or in article 29, paragraph 3. The appropriate procedure in both those cases was that of accession. The representative of Portugal had observed that, under article 18, the successor State would at best be succeeding to an intention, and had pointed out that there were many cases in which States signed treaties that were not subsequently approved. The United Kingdom representative had also expressed scepticism about article 18 and had said that it was the practice of his country not to infer an intention from

the signature of a predecessor State, but to consult the Government of the successor State as to its participation in a treaty.

50. Parts of the International Law Commission's commentary to article 18 (A/CONF.80/4, pp. 61-62) were equally relevant to article 29.

51. Mr. FREY (Finland) said that his delegation's amendment (A/CONF.80/C.1/L.32) was essentially concerned with drafting. The insertion of the words "multilateral or bilateral" at the points indicated in paragraph 2 and subparagraph (a) of that paragraph, would make it clear to what type of treaty those provisions applied. His delegation had also proposed the deletion of the word "multilateral" in subparagraphs (b) and (c) of paragraph 3, because it was clear from the opening phrase of paragraph 3 that those subparagraphs applied only to multilateral treaties.

52. Mr. CHEW (Malaysia) said that his delegation's amendment (A/CONF.80/C.1/L.43) was consequential upon its amendment to article 17 (A/CONF.80/C.1/L.42 and Corr.1); as a suggestion relating only to drafting, it might appropriately be referred to the Drafting Committee for consideration.

53. Mr. SETTE CÂMARA (Brazil) said that, like the representative of Swaziland, he had some misgivings about the reference to "signature" in paragraph 3. Sir Humphrey Waldock, the first Special Rapporteur on succession of States in respect of treaties, had himself expressed doubt as to whether the signature of the predecessor State constituted a sufficient legal nexus between a treaty and the territory of the successor State to allow that State to treat the signature as if it were its own. The formula used in paragraph 3 was not very felicitous.

The meeting rose at 12.55 p.m.

33rd MEETING

Friday, 29 April 1977, at 4.35 p.m.

Chairman: Mr. RIAD (Egypt)

Consideration of the question of succession of States in respect of treaties in accordance with resolutions 3496 (XXX) and 31/18 adopted by the General Assembly on 15 December 1975 and 24 November 1976 [Agenda item 11] (continued)

ARTICLE 29 (Newly independent States formed from two or more territories)¹ (continued)

1. Mr. MIRCEA (Romania) supported the proposal submitted by Swaziland and Sweden (A/CONF.80/

¹⁸ For resumption of the discussion of article 28, see 35th meeting, paras. 59-85.

¹⁹ The following amendments were submitted: Swaziland and Sweden, A/CONF.80/C.1/L.23; Finland, A/CONF.80/C.1/L.32, and Malaysia, A/CONF.80/C.1/L.43.

²⁰ For the discussion of article 18, see 27th meeting, paras. 27-58.

¹ For the amendments submitted to article 29, see 32nd meeting, foot-note 18.