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Summary record of the 288th meeting

Topic:
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14. The CHAIRMAN called for nominations for a rapporteur.

15. Mr. SALAMANCA said that, as the Commission was going to devote a considerable amount of time at the present session to Mr. François' two reports, he should be asked to serve as rapporteur.

Mr. François was elected Rapporteur by acclamation.

Filling of casual vacancies in the Commission (item 1 of the agenda)

16. The CHAIRMAN announced that the Commission had decided at a private meeting to elect Sir Gerald Fitzmaurice to the casual vacancy caused by Mr. H. Lauterpacht's election to the International Court of Justice.

17. The Commission had also to fill a casual vacancy caused by Mr. Córdova's election to the International Court of Justice.

18. Mr. GARCÍA AMADOR moved that the Commission defer filling the second casual vacancy until the following meeting, since it was desirable that unanimity be achieved.

It was so agreed.

Request by the Japanese Government concerning the appointment of observers

19. Mr. LIANG (Secretary to the Commission) announced that he had received a telegram from United Nations Headquarters to the effect that the Japanese Permanent Observer to the United Nations had informed the Secretary-General of his Government's intention to send two observers in succession to attend the Commission's seventh session, and asking that appropriate facilities be granted them. He thought the Commission would probably wish to take a similar decision to that it had taken in the matter of the Polish observer.¹

20. Mr. SANDSTRÖM proposed that the Commission grant the request in the same terms as in the case of the Polish observer.

After some discussion, *it was so agreed.*

The meeting rose at 4.55 p.m.

288th MEETING

Tuesday, 10 May 1955, at 10 a.m.

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* The number within brackets indicates the article number in the draft contained in Chapter II of the Report of the Commission (A/2934).

Chairman: Mr. Jean SPIROPOULOS

Rapporteur: Mr. J. P. A. FRANÇOIS

Present:

Members: Mr. Gilberto AMADO, Mr. Douglas L. EDMONDS, Mr. Shuhsi HSU, Mr. S. B. KRYLOV, Mr. Carlos SALAMANCA, Mr. A. E. F. SANDSTRÖM, Mr. Georges SCELLE, Mr. Jaroslav ZOUREK.

Secretariat: Mr. LIANG, Director of Codification Division, Office of Legal Affairs, Secretary to the Commission.

Request by the Japanese Government concerning the appointment of observers (*continued*)

1. The CHAIRMAN invited the Commission to continue the discussion of the request by the Japanese Government concerning the appointment of observers to the present session, which the Secretary had brought to the Commission's notice at the end of the previous meeting.

2. Mr. ZOUREK pointed out that in view of the special interest which Japan, an essentially maritime country, took in the questions concerning the régime of the seas which were on the Commission's agenda, it was entirely appropriate to grant the Japanese Government's request to send two observers to the present session and he fully agreed with the decision adopted.

3. However, since certain members had referred to the admission of an official observer for the People's Republic of Poland as a precedent for admitting the Japanese observers he wished to make it clear that from the legal point of view there was an essential difference between the two cases, which were consequently not at all comparable. Mr. Jan Balicki represented a Member State of the United Nations and Member States had the right, if they so wished, to send observers to meetings of United Nations organs. Japan, on the other hand, was not a Member of the United Nations¹ and admission of its observers to meetings of the Commission was a favour which could be granted or withheld. The Commission could not therefore base its decision on the fact that a Member State was already represented by an

¹ Japan became a Member of the United Nations on 18 December 1956.

¹ See *supra*, 283rd meeting, paras. 44-54.

official observer. Nor could the admission of Japanese observers constitute a precedent for the future admission of observers from non-member States.

4. He asked for clarification of Press Release No. L/53, of 9 May 1955, in which, referring to the Japanese Government's request, it was stated that it had been granted "... it being understood that any observer's right to address the meeting was reserved."

5. Mr. LIANG (Secretary to the Commission) pointed out that in his statement at the previous meeting he had not quoted the Commission's decision on the Polish request as a precedent, but had implied that the decision taken by the Commission in respect of the right to make oral statements would necessarily be adhered to in the case of the Japanese request. If precedent there were, it could apply only to oral statements. The Commission's attitude in such matters had hitherto been that any State was at liberty to send observers to its sessions without, however, the implication of the enjoyment of any special status. The question of the full admission of observers as such had not been raised.

6. With regard to Press Release No. L/53, the Commission's secretariat had no control over those communiqués, for which the Information Centre of the European Office of the United Nations was solely responsible. The sentence referring to the Commission's decision on the Japanese request was not accurate, and he would request the Director of the Information Centre to issue a correction to the effect that the Commission, in conformity with its decision on the Polish request, had declared that observers had no right to make oral statements.

7. Mr. SANDSTRÖM recalled that an observer from Japan had attended meetings at the Commission's sixth session; he wondered whether observers from non-member States were admitted to sessions of the General Assembly.

8. Mr. LIANG (Secretary to the Commission) was not aware of any written regulations governing the attendance of observers. In the General Assembly, seats were reserved for them as a matter of courtesy; but the question of their precise status had never arisen. No requests for observers to address the Commission had been received at its sixth session.

9. Mr. SCELLE said that the incident had raised the question of the rights of observers. He was convinced that to allow them to make oral statements would be contrary to the spirit, and a threat to the very existence, of the Commission as a body of scholars and experts who came together in order to discuss, as individuals, problems of the development of international law. If representatives of governments were invited to attend as such, the whole character of the Commission's meetings would be changed. Political issues would be introduced, and that would profoundly affect the nature of the Commission's work. He felt strongly that, although it would be a good thing for observers to attend the Commission's sessions and to receive relevant documents, the Commission should firmly reject any

suggestion that they be permitted to speak, since otherwise it would find itself transformed into an arbitral or conciliation body.

The CHAIRMAN declared the discussion closed.

Filling of casual vacancies in the Commission (item 1 of the agenda)

(resumed from the 287th meeting)

10. The CHAIRMAN had read out a telegram from Faris Bey el-Khoury announcing his impending arrival.

11. Mr. SCELLE suggested that it would be not only courteous but also the correct procedure to defer filling the remaining vacancy in the Commission until 16 May, when it was hoped that the three absent members, Sir Gerald Fitzmaurice, Mr. Radhabinod Pal and Faris Bey el-Khoury, would all be present.

Mr. Scelle's suggestion was put to the vote and adopted by 9 votes to none, with 2 abstentions.²

Régime of the high seas (item 2 of the agenda) (A/CN.4/79, A/CN.4/L.53)

(resumed from the 286th meeting)

DRAFT ARTICLES (A/CN.4/79, SECTION II) (resumed from the 286th meeting)

Article 21 [21]: Policing of the high seas (resumed from the 286th meeting)

12. Mr. FRANÇOIS (Special Rapporteur) said that the problem of the policing of the high seas was both complex and difficult. It was generally accepted that warships had the right to demand that merchant vessels at sea should show their flag upon request. Such a request for identification was perfectly natural, because it was not the usual practice for merchant vessels continually to fly their flags at sea. It was also widely recognized that, if the merchant vessel refused to show her flag or gave an evasive reply, the warships had the right to investigate her identity. That, again, was an essential condition for the control of piracy. Several authors went even further, and would allow in addition the right to board in doubtful cases. In that respect, the Harvard draft articles³ did not make a definite pronouncement, and he himself had followed their example.

13. Sanctions for unjustified verification had previously been provided in the form of damages, the award of which was to be made by one of two methods. The first, and more severe, was that whereby, if the suspicion proved to be unfounded, compensation must be rendered for any loss due to the stoppage. The second, and less stringent, provided for compensation to be paid if it could be shown that the vessel had been stopped for insufficient reason. He had chosen the first of those alternatives because of the liability to abuse in the application of the second owing to the difficulty of judging motives.

² See *infra*, 292nd meeting, para. 1.

³ Harvard Law School, *Research in International Law* (Cambridge, 1932), p. 745.

14. With regard to the manner of verification, Mr. Scelle had suggested that the verification of the merchant vessel's flag should take place on board the investigating warship.⁴ That proposal was neither wise in itself nor in the interests of sea-borne trade. It was true that that procedure had been followed in past centuries, but it had eventually been abandoned because of its proved inconvenience. Indeed, one of the provisions of the Treaty of the Pyrenees concluded in 1659 had stipulated that it should be the investigating warships that should send a boat to the merchant vessel. Without mentioning the risk to the crew, he need hardly stress the danger in even a moderate sea of carrying the ship's papers—the loss of which would be a most serious matter—to and from the investigating warship in a small open boat. Although there had been a departure from that earlier provision in some eighteenth century treaties, the practice of investigation on board the merchant vessel had been followed throughout the nineteenth century until, during the first world war, an exception had been made in the case of submarines, which carried no ship's boat. The practice of restricting to submarines the right to verify the flag on board the warship had since continued.

15. He could not share Mr. Scelle's fears, and, moreover, saw no chance of his proposal finding general favour. Mr. Scelle's point that the French Government had always objected to the existing practice—an objection which derived from traditional Anglo-French maritime rivalry—was of historical interest only. Under modern conditions diplomatic procedures were fully adequate to deal with possible abuse. He would urge the Commission to reject Mr. Scelle's proposal, and, for the time being, to restrict its consideration of the article to cases where there was suspicion of piracy, leaving the question of the slave trade for subsequent discussion.

16. Mr. SCELLE said that, after reflexion, he was of the opinion that article 21 was not a fitting context in which to deal with the issues of piracy or the slave trade, for in modern times both were exceptional. It was essential first to solve the main problem, that had been touched on in the discussion of article 9, namely, verification of the flag, concerning which he had reserved the right of further comment at the second reading. Merchant vessels should be restricted to the right to fly one flag only, and, if the vessel acquired a new nationality, it should be on the understanding that the original nationality be withdrawn. It was an essential condition of the policing of the high seas that a warship should be entitled to verify the flag of a merchant vessel in order to make sure that the latter was sailing under its own and only flag. It was paradoxical, it seemed, that the smaller the country the larger and more important its merchant navy. Consequently for economic reasons, there was a possibility of abuse of the process of verification by a powerful State. He did not deny that and was not defending the policy of Louis Philippe, but the interests of contemporary small

States. He did not in any way deny that to divert a vessel from her course was a serious act which inevitably caused loss. He considered that verification of the flag was necessary, but was ready to admit that it should not be carried out on board the merchant vessel, and that if a boat had to be sent it was for the warship to send it. In that case, however, why could not verification take place in that boat midway between the warship and the merchant vessel? He proposed re-drafting the article in a text which he would communicate to the Secretariat so as to make it clear that the warship was entitled only to approach, and not to board or search, the merchant vessel. After the merchant vessel had hove to her papers could be examined either on board the warship or, preferably in the warship's boat between the two vessels. Disputes concerning the payment of compensation in cases of abuse or unfounded suspicion could be referred to the Permanent Court of Arbitration, which in minor cases would be a more convenient court of appeal than the International Court of Justice.

17. The CHAIRMAN pointed out that the Commission had already decided to defer the question of verification of the flag.⁵ It was article 21 that was under consideration.

18. Mr. SCELLE urged that the provisions relating to investigation and search of merchant vessels suspected of being engaged in piracy or the slave trade be restricted to certain seas.

19. Mr. SANDSTRÖM said that clarification was still needed of the precise meaning of the terms "warship" and "merchant vessel".

The Commission's decision to delete from article 12 the words "and non-commercial" carried the implication that in the context of article 21 a state merchant vessel could have the function of policing the high seas. For that reason, he doubted its wisdom.

21. Mr. LIANG (Secretary to the Commission) agreed that article 12, as amended, certainly gave government yachts and similar craft, even if engaged in commerce, the right of policing the high seas.

22. The CHAIRMAN suggested that there was a discrepancy between the English and French texts.

23. Mr. FRANÇOIS (Special Rapporteur) said that there had been no desire to extend the right of policing to State vessels other than warships. He thought there was no difference that could not be resolved by the Drafting Committee.

24. The CHAIRMAN pointed out that article 11 had established the extra-territoriality of warships on the high seas, a concept which had been more specifically determined in article 12.

25. Mr. SANDSTRÖM welcomed the Chairman's explanation, which met the point he had raised.

⁴ 286th meeting, para. 12.

⁵ 284th meeting, para. 53.

⁶ 285th meeting, para. 17.

26. Mr. LIANG (Secretary to the Commission) said that, although the comment on article 12 made the situation clear, the text of the article left the matter in some doubt. It might be wiser to re-draft article 12 and to introduce the idea of immunity embodied in article 11.

27. Mr. EDMONDS agreed and thought that article 12 had been amended in error.

28. Mr. AMADO pointed out that article 12 was irrelevant in the context of the right of warships to police the high seas.

29. The CHAIRMAN suggested that article 12 be re-drafted by the Drafting Committee.

It was so agreed.

30. Mr. ZOUREK said that article 21 was of capital importance. It was interesting to trace the evolution of the Special Rapporteur's thought on the subject through his various draft reports. In his second report, for instance, which he would quote, the right of approach had been included. In article 21, however, that right was not mentioned, despite the fact that that was its proper place, but the rights to board and search—quite a different matter—were contemplated. It seemed to him, therefore, that the Special Rapporteur's mind had not moved in a direction favourable to the enjoyment of the right of freedom of the seas. It must not be forgotten that the rights to board and search had been claimed unilaterally, and had not been generally recognized. That concept, however, should be the point of departure for ultimate acceptance by all States. If, as had been argued, the rights to board and search had been introduced only to cover a vessel suspected of being engaged in piracy or the slave trade, they had no place in a general provision. Moreover, as the result of technical progress, and in particular of the use of wireless telegraphy, the claim to board and search was an anachronism, and would entail unnecessary loss to the merchant vessel concerned. Cases of piracy or slaving were exceptional and, generally speaking, were covered by specific treaties or by international custom.

31. Any article placed at the beginning of the section on the policing of the high seas should set forth two principles: the first, that merchant vessels should not be stopped on the high seas by the warships of any State other than the flag State; the second, that State vessels had the right to verify the nationality of foreign merchant vessels by requesting them to hoist their flag. Boarding and searching should be forbidden unless specifically provided for by treaty or international convention.

32. Mr. FRANÇOIS (Special Rapporteur) replying to Mr. Zourek, said that he had not changed his mind since writing his first and second reports (A/CN.4/17, A/CN.4/42),⁷ in which he had pointed out that in time of peace the only police measure allowed in a general way by international law was the right of approach,

that was to say, the right to ascertain the identity and nationality of the vessel, but where piracy was suspected there was a right to verify nationality by examining the ship's papers. Most authorities agreed that a warship was justified in boarding a merchant vessel and checking its nationality by examining its papers, provided there was reasonable ground for suspecting it to be engaged in piracy or the slave trade. Mr. Zourek appeared to think that such a provision went too far, that it would be enough for warships to require such vessels to show their flag, and that powers of verification should be exercised only by virtue of a special agreement between the States concerned. For his part, he felt that, particularly in view of the importance of suppressing piracy, by accepting his article the Commission would be fulfilling one of its tasks, which was to develop existing international law, though, of course, he recognized that, like any other legal provision, his article was open to abuse.

33. The case of slavery was, perhaps, slightly different, and article 21 might therefore be provisionally restricted to piracy. The Commission would note that there was no reference to the right to check nationality by examination of a ship's papers. That omission was deliberate, and was due to earlier criticism of his draft on the ground that it was too explicit. The present text might now be found too imprecise, and if the Commission thought fit he would be pleased to expand it.

34. Mr. SANDSTRÖM asked whether the Special Rapporteur intended to deal with such questions as verification of the flag in article 21 only, or whether Mr. Scelle was going to propose a separate article on the verification of the nationality of the vessel.

35. Mr. FRANÇOIS (Special Rapporteur) replied in the affirmative to the first part of Mr. Sandström's question.

36. Mr. SCELLE recalled that he had maintained from the outset that a separate article on the verification of the flag was indispensable, and that the omission of a general article concerning the general policing of the high seas, as distinct from provisions concerning the special cases of piracy and slavery, would be not only serious but also incomprehensible, because in the absence of any international body with police powers, order must be protected if anarchy was to be averted. The prevalence at the present time of fraudulent practices in the registration of ships further substantiated his thesis. G. Gidel had wisely called attention, in connexion with the policing of the seas, to Kelsen's theory about the possibility of having two or more jurisdictions existing concurrently in the same areas.⁸

37. Mr. AMADO thought it would be useful if Mr. Zourek would embody his views in a precise text. For his part, he was extremely puzzled by the Special Rapporteur's omission from article 21 of any mention of the right of approach, particularly since the possibility of cases of piracy and slavery was diminishing.

⁷ *Yearbook of the International Law Commission, 1950 and Yearbook of the International Law Commission, 1951, respectively.*

⁸ *Le droit international public de la mer* (Châteauroux, 1952), tome I.

38. Mr. SANDSTRÖM wished to know what purpose a general article on the verification of the flag would serve, apart from the special cases of piracy and slavery.

39. Mr. ZOUREK said that the difficulty in which the Commission found itself was due to the Special Rapporteur's having transformed a rule dealing with special cases into a general rule. The Commission should first define the existing rule on the right of approach, and then decide in which particular cases it should apply. Clearly, there was general agreement that some policing of the high seas was necessary, but views differed as to how it was to be carried out. At all events, the importance of the problem should not be exaggerated, since the world had moved beyond the conditions obtaining in the nineteenth century and with present technical facilities it was possible to obtain quickly, and without interminable enquiries on board, information about a vessel suspected of having infringed the rules of navigation on the high seas. It was on that point that he parted company with Mr. Scelle.

40. The CHAIRMAN suggested that the Commission should concentrate on the major issues involved, and first decide the general question of principle—whether it wished to recognize the existence of a right to verify the flag—before taking up the question of specific provisions concerning piracy and slavery.

41. Mr. SCELLE, in reply to Mr. Sandström, said that a general provision of the kind he had in mind could provide means of establishing whether ships were complying with general rules on, for instance, navigation, choice of route, signals, pollution and safety. Such countries as Liberia, Panama and Switzerland possessed no warships, and there was accordingly no means whatsoever of preventing abuse of the regulations by their merchant vessels. In his opinion it would be quite inadequate to deal with the question of verification of the flag in conjunction with piracy alone. Verification was essential to determine responsibility for any damage done by merchant vessels on the high seas.

42. Mr. KRYLOV asked whether he was right in thinking that Mr. Sandström favoured a provision dealing solely with piracy and slavery, and was opposed to a general article of the kind proposed by Mr. Scelle.

43. Mr. SANDSTRÖM said that Mr. Krylov's interpretation was not correct. He had simply asked for clarification, and was fully satisfied with the explanation given by Mr. Scelle.

44. Mr. AMADO said that he would be interested to learn whether the Special Rapporteur considered a general article necessary, and, if so, why.

45. Mr. KRYLOV believed that the general question of verification of the flag should be left aside, and that the Commission should deal only with piracy and slavery.

46. Mr. FRANÇOIS (Special Rapporteur) disagreed with Mr. Scelle, because no right of verification of the

flag obtained in international law unless a vessel was suspected of being engaged in piracy or the slave trade. If the Commission decided to recognize such a right, it would be running counter to the opinion of the authorities. The innovation would inevitably give rise to abuse, and he would oppose it.

47. The CHAIRMAN, speaking as a member of the Commission, asked whether a Netherlands warship which encountered on the high seas a vessel flying the Greek flag would be empowered to board her on suspicion that she was a Netherlands ship.

48. Mr. FRANÇOIS (Special Rapporteur) replied that that was an exceptional case which could be covered. If the suspicion were well-founded, verification of the flag was permissible.

49. Mr. SCELLE pointed out that in the foregoing reply the Special Rapporteur had implicitly accepted his view that unless a warship had the right to verify the flag when suspecting a merchant vessel of flying one to which it was not entitled, anarchy would ensue. He could not admit the Special Rapporteur's affirmation that the right of verification did not exist in international law. It was enough to refer the Commission to a recent work of Charles Rousseau,⁹ whom no one could accuse of being revolutionary, in which the procedure was explained at length.

50. Mr. FRANÇOIS (Special Rapporteur) said that Mr. Scelle had misunderstood him. He had not asserted that all warships had the right to examine the papers of any merchant vessel; that could only be done if there was reasonable ground for suspecting that the laws of the flag State had been violated.

51. Mr. SCELLE said that his view, which was precisely the reverse of the Special Rapporteur's, was shared by several eminent authorities.

52. Mr. GARCÍA AMADOR was uncertain about the scope of article 21, and wondered whether it would apply to cases involving the security of a State, such as that recently considered by the Inter-American Peace Commission of the Organization of American States. It would be remembered that the boarding of a Guatemalan ship on the high seas had been found unjustified, since the charge that it had threatened the security of a State had not been proved.

53. The CHAIRMAN said that the foregoing remarks further confirmed his view that the Commission must first decide on the controversial issue of principle. The Special Rapporteur did not recognize the existence of a right of verification of the flag except in certain limited cases, and considered that the establishment of such a rule would derogate from the principle of the freedom of navigation. In the circumstances, members might like further time for reflexion and study. He therefore proposed that further discussion on the issue be deferred until the next meeting.

It was so agreed.

⁹ *Droit international public* (Paris, Sirey, 1953), pp. 418-421.

54. The CHAIRMAN suggested that in the meantime, as there seemed to be general agreement that a right of verification of the flag existed when there was reasonable ground for suspecting that the vessel was engaged in piracy or the slave trade, the text of article 21 might be referred to the Drafting Committee for re-examination in the light of the discussion.¹⁰

It was so agreed.

*Article 22 [12]: Policing of the high seas*¹¹

55. Mr. FRANÇOIS (Special Rapporteur) observed that, although the practical importance of article 22 was not very great, it did serve a useful purpose in imposing upon States an obligation to co-operate in suppressing the slave trade. The provision might perhaps be extended to cover the suppression of piracy as well.

56. Mr. AMADO expressed doubts about the way in which the last sentence of article 22 was drafted. Any slave finding himself on territory where slavery was not recognized obviously ceased *ipso facto* to be a slave.

57. Mr. FRANÇOIS (Special Rapporteur) explained that the provision was taken from the Slavery Convention of 1926:¹² he would not insist on its retention.

58. Mr. EDMONDS stated that he had been extremely surprised at the memorandum (A/CN.4/L.53) submitted by the Polish Government in connexion with the article under discussion. The memorandum reproduced statements already made in the *Ad hoc* Political Committee of the General Assembly and there found to be without substance. The Commission was a quasi-legislative body, and did not possess either an arbitral or a judicial status. It could in no sense be regarded as the proper tribunal for the submission of assertions that acts of piracy had been committed by certain countries, including the United States of America, and calling for the imposition of sanctions. The Commission must consider article 22 solely in the light of the principles of law involved. It could not take into account allegations of fact, the truth of which it was in no position to determine. He was unable to understand how any government could submit such a memorandum to an international body exclusively engaged in drafting legal texts.

59. The CHAIRMAN wondered whether the Polish Government's observations did not relate more closely to article 23, since to the best of his recollection they did not raise the question of slavery.

60. Mr. EDMONDS said that he had raised the question at the present stage because the fifteenth and sixteenth paragraphs referred to article 22; indeed, the latter contained an amendment to it.

¹⁰ See *infra*, 289th meeting, para. 1.

¹¹ Article 22 read as follows:

"All States are required to co-operate for the more effective repression of the slave trade on the high seas. They shall adopt efficient measures to prevent the transport of slaves on vessels authorized to fly their colours and the unlawful use of their flag. Any slave who takes refuge on board a warship or a merchant vessel shall *ipso facto* be set free."

¹² League of Nations, *Treaty Series*, vol. 60, p. 255.

61. Mr. HSU considered that it was immaterial at what stage of the discussion the Commission took up the Polish Government's observations, since they did not relate to any of the articles before it.

62. Mr. FRANÇOIS (Special Rapporteur) pointed out that, although article 22 might be regarded as in the nature of an introduction to the provisions on piracy, it might be more convenient, for practical reasons, to discuss the Polish observations in conjunction with article 23, when it would be essential to consider such questions as piracy committed on the responsibility of individuals or of States.

63. Mr. EDMONDS said that he would have no objection to that course.

64. The CHAIRMAN said that, in view of Mr. Hsu's remarks, he would put to the vote the motion that the Polish Government's observations be discussed under article 22.

The motion was rejected by 4 votes to 3, with 3 abstentions.

65. Mr. SALAMANCA considered that the Commission had voted too hastily. The question of when the Polish Government's observations should be discussed might be left to the discretion of the Chairman, particularly as the relevant documents and records of the *Ad hoc* Political Committee were not yet in the hands of some members.

66. Mr. SANDSTRÖM, explaining his vote, said that he had supported the motion because the Polish Government had submitted an amendment to article 22.

67. Mr. ZOUREK observed that the Commission could take account of that amendment, since the Special Rapporteur had already said that he was prepared to amplify the scope of article 22 to include piracy.¹³

The meeting rose at 1.07 p.m.

¹³ See *infra*, 289th meeting, para. 43.

289th MEETING

Wednesday, 11 May 1955, at 10 a.m.

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* The number within brackets indicates the article number in the draft contained in Chapter II of the Report of the Commission (A/2934).