

**Preparatory Committee for the Review Conference
of the Parties to the Treaty on the Prohibition of
the Emplacement of Nuclear Weapons and Other
Weapons of Mass Destruction on the Sea-Bed and
the Ocean Floor and in the Subsoil Thereof**

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PREPARATORY COMMITTEE OF THE REVIEW CONFERENCE OF THE PARTIES
TO THE TREATY ON THE PROHIBITION OF THE EMPLACEMENT OF NUCLEAR
WEAPONS AND OTHER WEAPONS OF MASS DESTRUCTION ON THE SEA-BED
AND THE OCEAN FLOOR AND IN THE SUBSOIL THEREOF

First session

SUMMARY RECORD OF THE THIRD MEETING (CLOSED)

held at the Palais des Nations, Geneva,
on Tuesday, 8 February 1977, at 10.40 a.m.

Chairman: Mr. WYZNER (Poland)
later, Mr. di BERNARDO (Italy)

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BUSINESS PERTAINING TO THE SEA-BED TREATY REVIEW CONFERENCE

(d) FINANCING (SBT/PC.I/CRD.3)

1. The CHAIRMAN drew attention to the formal proposal on financing (SBT/PC.I/CRD.3) submitted by the delegations of Australia, Canada, Belgium, Denmark, the Federal Republic of Germany, Finland, Italy and Sweden. He noted that New Zealand had also asked to be a co-sponsor.
2. Mr. GRISHCHENKO (Ukrainian Soviet Socialist Republic) said that it would be useful if the Secretariat could prepare a table giving an approximate idea of the number of Governments which would participate in the Conference. The proposal in document SBT/PC.I/CRD.3 appeared to modify the system of sharing costs adopted at the preceding Conference.
3. The CHAIRMAN said that the Secretariat would provide the necessary information.

(a) RULES OF PROCEDURE (NPT/CONF/2) (continued)

CHAPTER VI - Voting and elections (continued)

4. The CHAIRMAN invited the Committee to resume its discussion of rule 28 of the rules of procedure.
5. Mr. JAY (Canada) said that the wisest course would be to leave the rule as it stood, since it was perfectly obvious that no one could expect a vote to be deferred for 48 hours on the last day of the Conference.
6. Mr. SCHØN (Denmark) supported that view.
7. Rule 28 was approved.

Rules 29-33

8. Rules 29-33 were approved.

Chapter VII - Committees

9. The CHAIRMAN said that chapter VII presented the same problems as those which had arisen in connexion with rule 5. He suggested, therefore, that consideration of chapter VII should be deferred.

10. It was so decided.

Chapter VIII - Languages and records

Rule 38

11. Mr. van der KLAUW (Netherlands) asked whether Chinese would be an official language of the Conference. He did not object to its inclusion; it was simply a question of the need for economy.
12. Mr. ALKHUDAIRY (Iraq) suggested that Arabic might also be an official language.

13. Miss SEGARRA (Secretary of the Committee), said that during informal consultations with the States Parties in New York, the Secretariat had been informed that there would be only four official languages, namely English, French, Russian and Spanish.
14. Mr. TUDOR (Romania), Mr. FERRETTI (Italy) and Mr. MEYERS (United States of America) said that they would not oppose the inclusion of Arabic as an official language if that proved to be the general view in the Committee.
15. The CHAIRMAN said that the question of the inclusion of Arabic could be decided later. He suggested that rule 38 should be tentatively approved, on the understanding that English, French, Russian and Spanish would be the only official languages.
16. It was so decided.

Rules 39-41

17. Rules 39-41 were approved.

Rule 42

18. Mr. OGISO (Japan) said he wondered whether it would not be of advantage to the participants to have summary records of the meetings of the General Committee, and whether such a procedure was customary.
19. The CHAIRMAN said that, at the Review Conference of the Non-Proliferation Treaty, the only summary records prepared had been of the plenary meetings and of the meetings of the main committees.
20. Mr. van der KLAUW (Netherlands) said that the reference to meetings of the main committees might have to be revised later.
21. The CHAIRMAN suggested that rule 42 should be approved, subject to the usual reservations with respect to committees.
22. It was so decided.

Chapter IX - Public and private meetings

Rule 43

23. Mr. TUDOR (Romania) proposed that consideration of rule 43 should be postponed.
24. It was so agreed.

RULES OF PROCEDURE: SECOND READING

25. The CHAIRMAN invited the Committee to begin a second reading of the draft rules of procedure. At the previous meeting, the Committee had approved rules 1 and 2 and reformulated rule 3, which now read as follows:

"The Conference shall establish a Credentials Committee composed of the Chairman and one Vice-Chairman elected in accordance with rule 5, and five members appointed by the Conference on the proposal of the President. The Committee shall examine the credentials of representatives and report to the Conference without delay".

26. The Committee had then approved rule 4 and left rule 5 pending. He would welcome the Committee's views on rule 5, which concerned the general structure of the Conference.
27. Mr. NIKOLOV (Bulgaria) said that his delegation considered it would be unnecessary and uneconomical to set up a committee of the whole, which would only duplicate the work done in the plenary meetings; but it was in favour of having a credentials committee and a small drafting committee.
28. Mr. TUDOR (Romania) said he would like two points to be clarified: the proposed division of time between the general discussion in plenary and the analysis of individual Treaty provisions, so as to prevent a disproportionate number of meetings from being devoted to the former; and the composition of the drafting committee. He suggested that its membership should reflect that of the Bureau.
29. The CHAIRMAN said that it was assumed that there would be two plenary meetings or meetings of the committee of the whole each day. If the number of meetings was increased, or night meetings were held, costs would increase significantly. The officers had not considered in detail the question of the membership of the drafting committee.
30. Mr. SCHLAICH (Federal Republic of Germany) said he wondered whether it would not be better for drafting to be done in closed meetings of the plenary Conference, with about 30 participants, rather than in a formal drafting committee.
31. Mr. JAY (Canada) said that several aspects of the question under discussion were not clear to him. For instance, would adequate facilities be available for the Review Conference? The fact that it had been suggested that the Committee of the Conference on Disarmament (CCD) should not meet at the same time as the Conference showed that a problem existed. Again, at other conferences on a similar scale, delegations from the smaller countries had had difficulty in attending more than one meeting at a time, and might be in the same predicament at the Review Conference. The structure of the Review Conference should therefore be kept as simple as possible.
32. Much also depended on the way in which the Conference would approach its task. Would it consider the Treaty article by article, in which case a general debate would be unnecessary, or would it undertake a general review of the Treaty and prepare its final act in the light of the suggestions made? He himself would prefer the second approach.
33. Mr. van der KLAUW (Netherlands) said that he, too, thought it would be unnecessary to have a committee of the whole in addition to the plenary meetings. He was undecided about the need for a drafting committee. The cost of sending a larger delegation so that various meetings could be attended simultaneously was an important consideration for smaller countries. Drafting was best done by informal working groups, whose work was then submitted to the plenary for approval.
34. Mr. di BERNARDO (Italy) said that a small Drafting Committee was necessary so as to avoid the difficulties and delays that would inevitably occur if its membership comprised a large number of participants in the Conference. It was true that; if membership was limited, the election of the members might give rise to certain problems, but the basic intention should nevertheless be to keep it very small.

35. Mr. van der KLAAUW (Netherlands) agreed that Drafting Committees should have a limited membership. With regard to rule 36, he wondered whether the rule that the same countries should be represented on both the Drafting and the General Committees would be followed in the case of the Review Conference on the Sea-Bed Treaty.

36. Mr. ALLEN (United Kingdom) said that the Non-Proliferation Treaty (NPT)'s rules of procedure seemed to make two distinctions between the Drafting Committee and the General Committee: they did not have the same Chairmen, and the Drafting Committee could be expanded, when appropriate, to include representatives of delegations which had proposed the texts referred to it. That was obviously a wise measure, and a similar arrangement should be made for the Review Conference.

37. The CHAIRMAN asked the Preparatory Committee to state whether it approved the ideas that had been put forward, beginning with the suggestion that there should be no committee of the whole, but only plenary meetings.

38. Mr. TUDOR (Romania) said that the matter merited more detailed consideration. He would suggest that discussion should begin with straightforward questions, such as the composition of the drafting committee and the credentials committee, and then go on to the more complex issue of whether a committee of the whole would be needed.

39. The CHAIRMAN said he agreed that the discussion should begin with the drafting committee. The officers were of the opinion that it would be advisable to have a drafting committee, and the United Kingdom representative had suggested that that committee should function in accordance with rule 36 of the draft rules of procedure (NPT/CONF/2).

40. Mr. MEYERS (United States of America) said that the United Kingdom representative had already made a useful proposal about the approximate size of the drafting committee. That would lead the Committee to the basic question of the practicable number of vice-presidents.

41. The CHAIRMAN suggested that in view of the general support for having a drafting committee functioning on the lines laid down in rule 36 of the draft rules of procedure, that rule should be adopted, subject to any subsequent decisions on the general structure of the conference.

42. It was so decided.

43. The CHAIRMAN said that the United States delegation had proposed, in regard to rule 5 of the draft rules of procedure (NPT/CONF/2), that there should be ten vice-presidents. The officers of the Committee, however, tentatively proposed that there should be twelve, including the president of the conference, the chairman of the drafting committee and the chairman of the credentials committee.

44. Mr. van der KLAAUW (Netherlands) said that, in his opinion, the question of the number of vice-presidents should be considered in terms of the composition of the general committee. Rule 5 was based on the system used in the United Nations General Assembly and that factor should be taken into account. The chairman of the credentials committee

need not necessarily be included as his duties were technical rather than political. Regional distribution would also have to be considered and the Secretariat would no doubt be in a position to inform the Committee on what basis that distribution would be determined. He proposed that there should be nine or ten vice-presidents, in addition to the president of the conference and the chairman of the drafting committee.

45. The CHAIRMAN agreed that the geographical distribution would have to be taken into account when determining the number of officers. When the NPT Review Conference was being prepared, formal agreement had been reached on the number of officers, but agreement on geographical distribution had been reached informally on the basis of a proposal by one delegation, and after consultation with the others. As the Netherlands representative had pointed out, the two issues were linked, but he thought that a procedure similar to the one he had just outlined could be adopted.

46. Mr. LALOVIC (Yugoslavia) said it would be very difficult to determine the number of vice-presidents before working out a formula; various methods were used even within the United Nations system. The most prudent course would be to use the system adopted for the NPT Review Conference namely, to work out the formula first.

47. The CHAIRMAN said that further thought and consultation were required. It might perhaps be possible to decide that the structure would consist of the president, a number of vice-presidents - the exact figure to be determined later - and the chairmen and vice-chairmen of the drafting committee and the credentials committee.

48. He thought that unless there were any proposals to amend it, rule 8 of the draft rules of procedure, on the composition of the general committee, could be dealt with in the same way, the actual figures being inserted later.

49. Mr. di BERNARDO (Italy) took the Chair.

50. Mr. TUDOR (Romania) said that, in his view, paragraph 2 of rule 8 could be adopted. Paragraph 1 could then be left aside until the structure of the general committee had been discussed.

51. The CHAIRMAN said he concurred with that view. He suggested that paragraph 2 of rule 8 should be adopted, subject to any amendment necessary in the light of subsequent discussions on paragraph 1.

52. It was so decided.

53. The CHAIRMAN said he thought that discussion could take place on rule 12 on the basis of the proposal submitted by Australia and seven other States (SBT/PC.1/CRD.3)

54. Mr. LALOVIC (Yugoslavia) observed that it would be difficult to discuss that item before the Committee had had a chance to consider the two documents being prepared by the Secretariat on the estimated costs of the Preparatory Meeting and the Conference, and on the financial implications of the proposal made by Australia and seven other States (SBT/PC.1/CRD.3). He asked when those documents would be available.

55. The CHAIRMAN said that the Secretariat hoped to submit the two documents in question on the following day.

BACKGROUND PAPER ON THE SEA-BED TREATY PREPARED BY THE SECRETARIAT (SBT/PC.I/CRD.2)

56. The CHAIRMAN invited the Committee to comment on the background paper on the Sea-Bed Treaty (SBT/PC.I/CRD.2) which had been prepared by the Secretariat.

57. Mr. DAVIS (Australia) asked whether it would not be possible to make a reference in that paper, to the actual number of signatories of the Sea-Bed Treaty.

58. Miss SEGARRA (Secretary of the Committee) said that the list of participants and signatories had not been included in the Secretariat's paper because the official list was kept by the depositary Governments and was not in the Secretariat's possession.

59. Mr. ALLEN (United Kingdom) said that his Government, as one of the three depositaries, was prepared to furnish its own list of ratifications.

60. The CHAIRMAN suggested that consideration of the Secretariat's background paper should be deferred.

61. It was so decided.

The meeting rose at 12.05 p.m.