

SIXTH COMMITTEE: ORGANIZATION

SUB-COMMITTEE ON CHAPTER VIII (SETTLEMENT OF DIFFERENCES - INTERPRETATION)

NOTES ON THE TWENTY-SECOND MEETING

Held 25 February 1948 at 10.30 a.m.

Chairman: Mr. COUILLARD (Canada)

The Sub-Committee had before it a document prepared in the light of consultations between various delegations containing a suggested annex to Article 95 and a redraft of the resolution previously prepared which it was thought might resolve the division in the Sub-Committee over the amendment presented by the delegations of France and Colombia (document E/CONF.2/C.6/T2/Add.23 and E/CONF.2/C.6/W.113).

The representative of France explained that if the solution proposed in this document were acceptable he would be able to withdraw the amendment in question although his delegation was still of the same opinion.

The representative of Colombia pointed out that the solution which was suggested in the paper merely postponed the issue until the first regular session of the Conference. He did not have any objection to this course of action. However, insofar as the first proviso to the annex to Article 95 limited the competence of the International Court under paragraph 2(c) of Article 36 of the Statute, he would have to reserve his position regarding this proviso pending the receipt of further instructions.

The representatives of Mexico and India said that they could accept the solution proposed subject to confirmation by their governments, whilst the representative of the United Kingdom reserved his position pending the receipt of instructions.

The representative of Poland said that the solution was acceptable to him in principle but that he regarded the first proviso to the proposed annex to Article 95 as limiting the competence of the International Court.

Subject to the reservations above mentioned, the Sub-Committee found the annex to Article 95 and the redraft of the resolution generally acceptable. (For the text of the suggested annex to Article 95 and for the new text of the resolution, see the Report of the Sub-Committee, document E/CONF.2/C.6/83).

-----