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Chairman: Mr. Manfred LACHS (Poland).

AGENDA ITEM 52

Arbitral procedure: comments of Governments on the draft on arbitral procedure prepared by the International Law Commission (A/2456, para. 57, A/2899 and Corr.1 and A/2899/Add.1 and 2, A/CN.4/92, A/C.6/L.369/Rev.1) (*continued*)

CONSIDERATION OF DRAFT RESOLUTION SUBMITTED BY COLOMBIA, CUBA AND THE UNITED STATES OF AMERICA (A/C.6/L.369) AND AMENDMENTS THERETO (*continued*)

1. Mr. ROBINSON (Israel) said that his delegation, although not opposed to the text in principle, would be unable to support the revised draft resolution submitted by Colombia, Cuba and the United States (A/C.6/L.369/Rev.1). That might appear surprising to other delegations, in view of the fact that, in 1953, Israel had suggested a solution along similar lines. The course of events had, however, demonstrated that the earlier suggestion had been, and remained, premature.

2. In 1953, the Israel delegation had believed that Governments would be reluctant to respond to a second request for comments. That pessimism had proved unjustified; the second response had indeed been more productive, both in quantity and in quality, than the first. A compilation, which he had prepared, of amendments suggested by Governments not opopsed to the basic philosophy of the draft showed that, since the second request, changes had been proposed to nearly 60 per cent of the International Law Commission's text. In those circumstances, it might be slighting to those Governments which had sought to make useful contributions if their proposals were completely ignored and buried in the archives of the United Nations. Governments should be given an opportunity to associate with the Commission in making further improvements in the texts. Moreover, a total disregard of their communications would be contrary to Assembly resolution 797 (VIII), which implied that comments by Governments would receive attention.

3. Unless the texts were referred back to the Commission, all the labours of Governments would have been in vain, with the consequence that Governments would hardly be encouraged to co-operate with the Commission in the future. That such encouragement was needed had been demonstrated by Professor Herbert W. Briggs in an article, published in *The American Journal of International Law, entitled* "Official Interest in the Work of the International Law Commission: Replies of Governments to Requests for Information or Comment";[1] no more than twelve Member States had been characterized by the author as having "a good record".

4. The contention that the International Law Commission had done its duty and could not be expected to do any more seemed untenable. A comparison between the two drafts prepared by the Commission at its fourth and fifth sessions showed that only eighteen out of sixty paragraphs had not been changed. There was consequently no reason to suppose that the Commission would not introduce further changes in the light of the comments received since 1953.

5. Another important point was the need for co-operation between the Commission and the Sixth Committee. As yet, the Commission had taken no note of the Committee's deliberations on the subject of arbitral procedure. Now, after a two-session debate, it would not be unreasonable to request the Commission to review the draft in the light of the views expressed in Committee discussions. The argument that the Commission was an academic body, divorced from the realities of life, could best be answered by inviting the Commission to take into account the views of Government representatives. By contrast, the adoption of the joint draft resolution would perpetuate the Commission's isolation from the General Assembly.

6. The French representative had suggested (468th meeting) that it would not be proper to refer the draft back to the International Law Commission, because it was a body of experts and not a drafting committee. Drafting, however, was the final stage of any work of codification or development and could not be separated from the earlier stages of the process. There was no intention of imposing on the Commission the task of drafting texts against its convictions; nevertheless, the redrafting of a text was no less the function of an expert committee than was the original drafting.

7. Operative paragraph 3 of the revised joint draft resolution raised a fundamental question: was the draft on arbitral procedure, with its supporting documentation, in a proper shape for recommendation to some eighty States? The answer seemed to be clearly in the negative; the draft was manifestly "unfinished business". The total documents on the subject, including both printed and mimeographed records and reports, amounted to some 250,000 words. It would hardly be helpful to refer Governments to such a legal jungle.

[1] *The American Journal of International Law*, vol. 48, No. 4, 1954, published by the American Society of International Law, Washington 6, D.C., p. 603 ff.

8. His delegation also felt that the time was not ripe for convening a diplomatic conference. Despite the condition contained in the relevant amendment (A/C.6/L.371), the proposal remained wholly speculative: it was impossible to predict which States would participate, what would be their intentions, or what sort of convention might indeed emerge. The real problem, however, was that there seemed to be no pressing need for a convention on arbitral procedure to take its place beside the regional, and potentially universal, instruments which already existed. On the one hand, Governments which had not yet acceded to existing conventions would hardly bind themselves by a convention as far-reaching as the one proposed by the International Law Commission. On the other hand, if the proposed conference were to produce an instrument weaker than existing treaties, the results would be merely harmful. The hesitation shown in 1949 in the Secretary-General's memorandum, entitled *Survey of International Law* (A/CN.4/1/Rev.1) regarding the advisability of codifying the law of arbitral procedure seemed to have been strikingly confirmed.

9. A further argument against a conference could be drawn from General Assembly resolution 896 (IX), which had proposed a conference on statelessness. Only thirteen States, including four non-Members of the United Nations, had so far communicated their willingness to co-operate. Yet the need in the case of statelessness was far more urgent, as there was no international law on the elimination of that evil, while the volume of existing usage, treaties and case-law relating to arbitral procedure was vast. The case for a diplomatic conference had consequently not been made out.

10. The amendments submitted by Afghanistan, Mexico, Netherlands and Yugoslavia (A/C.6/L.370/Rev.1) seemed more helpful and realistic. They took into account the present imperfections of the draft on arbitral procedure, encouraged Governments to co-operate with the International Law Commission, called for an end of the Commission's isolation from the General Assembly and did not prejudge the Sixth Committee's final decision. For those reasons, the Israel delegation would support those proposals.

11. Mr. TAMMES (Netherlands) thanked the Israel representative for his support of the four-Power draft amendments (A/C.6/L.370/Rev.1).

12. The revised three-Power draft resolution (A/C.6/L.369/Rev.1), although presented in a spirit of compromise, represented no improvement on the original. It might even be said that the original proposal had been less objectionable, as the final operative paragraph of the revised version was merely prolix without being constructive.

13. With reference to the six-Power draft amendment (A/C.6/L.371), he said his delegation still favoured a more careful approach. The fate of the proposed diplomatic conference on statelessness, which the Israel representative had mentioned, showed that attempts to speed international legislation were apt to prove negative. It would be more prudent to give the question of arbitral procedure further study. A further defect of the six-Power proposal was that it lacked clarity: a conference should not be convened "to consider the conclusion" of a convention but "to conclude" such an instrument. The proposed wording was too hesitant and his delegation still favoured the four-Power draft amendments (A/C.6/L.370/Rev.1).

14. At the 469th meeting, the Salvadorian representative had criticized the words "for final consideration", in the new operative paragraph 3 proposed by four Powers (A/C.6/L.370/Rev.1, para. 2), on the grounds that the current session of the General Assembly could not bind its successor to take "final" action. By those words, the sponsors of the draft amendments had only intended to express the hope that the question would not be postponed indefinitely. His delegation would nevertheless not insist on the retention of those words, if the other sponsors agreed to their deletion.

15. Mr. CANAL RIVAS (Colombia) said that, as a joint sponsor of the revised joint draft resolution (A/C.6/L.369/Rev.1), he agreed with the opinion expressed by the United States representative (470th meeting) that the contents of the six-Power amendment (A/C.6/L.371) should be incorporated as an integral part of the revised proposal. He hoped that the six Powers would also agree to that course. The principle of convening a conference was most welcome, especially to those who like his delegation, believed in the great blessings to be obtained from arbitration.

16. In the Spanish text of the six-Power amendment, the words *la posibilidad de concertar* should be changed to *la conclusión*; the text would thus be brought into line with the English original.

17. Mr. MOROZOV (Union of Soviet Socialist Republics) speaking on a point of order, said that the incorporation of the six-Power amendment as an integral part of the revised joint draft resolution raised a procedural issue. If the six-Power proposal had remained an amendment, it would have been put to the vote after the four-Power amendment (A/C.6/L.370/Rev.1), which had been presented earlier. Now that the latest proposal had undergone such a drastic change of status, difficulties might arise when the Committee came to vote on the different texts. He would be grateful if the sponsors of the four-Power amendment would state how they themselves viewed that change of status.

18. Mr. BIHIN (Belgium) said that his delegation, not wishing actually to oppose the four-Power amendments (A/C.6/L.370/Rev.1), would abstain from voting on it. He found it difficult to approve of referring the draft on arbitral procedure back to an organ which, in its report, had described the text as a "final draft". Furthermore, the Commission—a body of experts—had evolved, with an eye both to the codification and to the development of international law, a draft which was logical and well-constructed. It also clearly regarded precisely that part of the draft which was not acceptable to many delegations as an essential element of the instrument. To refer it back to the Commission would be to insinuate that that body was quite capable of reversing its decisions. He doubted, however, whether it would be willing to do so and feared, moreover, that the impression would be given that the Committee had misunderstood the draft and the spirit behind it.

19. The six-Power amendment (A/C.6/L.371), on the other hand, did not make it clear whether the draft was to serve as a basis for the work of the proposed conference. Because it did not regard the Commission's draft as practical enough to serve as a useful basis for an international convention, the Belgian delegation would abstain from voting on the proposed new operative paragraph 4. If necessary, it would request a separate vote on the paragraph. Should the provision be adopted, however, Belgium would reserve the right to

participate in any international conference that might be convened.

20. In short, though prepared to support the revised joint draft resolution (A/C.6/L.369/Rev.1) as it stood, his delegation would be unable to vote for it if the six-Power amendment was incorporated as an additional paragraph.

21. Mr. TABIBI (Afghanistan) said that his delegation's objection to the revised joint draft resolution as it stood was that it tended in effect to pigeon-hole the draft on arbitral procedure. Yet the draft, though in need of further study and amendment, constituted a useful contribution to the subject. To shelve it would not do justice to the importance of arbitration as a matter of intense concern to all mankind.

22. Since the draft did not reflect the views of a large majority of the Commission's members, having been carried by only one vote, it would not be unreasonable to refer the draft back to the Commission or to assume that it might reconsider its opinion.

23. He did not see how the convening of an international conference at that stage, as proposed in the six-Power amendment (A/C.6/L.371), could resolve the existing conflict of views. While not ruling out the possibility of an international conference, his delegation could not support the amendment, because the condition placed on the convening of the conference did not reflect the views of a majority of the Assembly.

24. The four-Power amendment (A/C.6/L.370/Rev.1) co-sponsored by his delegation would not defer settlement of the question indefinitely, but would, on the other hand, allow ample time for further thought. It offered a flexible solution which should satisfy all shades of opinion in the Assembly.

25. He saw no objection to the proposal of the representative of El Salvador (469th meeting) that the words "for final consideration" should be dropped from the new operative paragraph 3 of the amendment.

26. Mr. CASTANEDA (Mexico) speaking on a point of order, said that, since the six-Power amendment (A/C.6/L.371) had been accepted by the sponsors as an additional paragraph 4 of the revised joint draft resolution (A/C.6/L.369/Rev.1), paragraph 2 of the four-Power amendments (A/C.6/L.370/Rev.1) should be amended to read "Replace operative paragraphs 2, 3 and 4 . . ." instead of "Replace operative paragraphs 2 and 3.".

27. Mrs. BASTID (France) remarked that the six-Power amendment had been criticized on a variety of counts: that it was amorphous and showed that its sponsors did not know where they were going, that it gave evidence of undue haste to adopt a convention, that it would appeal to nobody, apart from one State which had expressed willingness to sign a convention modelled on the draft as it stood, and, finally, that it was a mere manœuvre designed to shelve the question indefinitely.

28. In reply to those criticisms she said that, though a diplomatic conference could not, of course, be bound by any draft prepared by a body of experts, the object of those participating would undoubtedly be to render arbitral procedure more effective.

29. It was difficult to see how the sponsors of the amendment could be accused of undue haste in seeking to settle a question which had been subjected to serious consideration and reconsideration over a number of years.

30. As to lack of interest in the proposal, the mere fact that the amendment already had six co-sponsors rather suggested that some States were interested in holding an international conference.

31. The description of the amendment as a manœuvre for shelving the question indefinitely was quite unwarranted. The sponsoring States were among those whose consistent practice it was to resort to arbitration whenever the occasion required and which wished to have some systematic rules of procedure for a day-to-day problem. Although out of respect for the sovereignty of the States participating in the conference the Commission's draft could not be expressly mentioned in the proposed paragraph 4, it would be a perfectly normal course for the draft to be used as a basis for a convention on arbitral procedure, should any States express that wish.

32. The four-Power amendments (A/C.6/L.370/Rev.1), though undoubtedly inspired by the desire to find a compromise solution, were ambiguous on many points. There appeared, for instance, to be some misunderstanding, particularly on the part of the Soviet Union representative, regarding the role of the International Law Commission. Much had been made of the allegation that the draft had been carried by one vote only, though she herself understood that there had been only two opposing votes and one abstention. In any case it would be a very odd procedure for drafts to be referred back to a commission in the hope that whenever it changed its membership it would also change the text. Reference back, by implying that the Commission had not acted according to instructions, would strike at the very principles on which it was founded. The Assembly had deliberately set up the Commission as an independent body, with members appointed in a personal capacity, in order to have the benefit of views other than those of the legal advisers of delegations. The Soviet Union representative's agreement accordingly went far beyond the limited question of what to do with the draft and revealed a fundamental divergence of views regarding the role of the Commission in general.

33. A further ambiguity in the joint amendment was that it gave the Commission no indication of what was desired: whether a new draft to serve as a basis for an international convention or merely a general statement of principles. Incidentally, the latter would be of doubtful practical value.

34. A third ambiguity was to be found in the phrase "to consider the comments of Governments and the discussions in the Sixth Committee in so far as they may contribute further to the value of the draft". Since not all the observations would necessarily contribute to the value of the draft, the Commission might well wonder on what criterion it should base its selection.

35. Lastly, the statement that the draft was "to be understood as a set of rules on arbitral procedure" was hardly very illuminating. What exactly was the difference between such a set of rules and the draft convention?

36. In short, the four-Power amendment, despite its deceptive simplicity, could only serve to confuse the Commission, even if that body were prepared to resume study of its final draft.

37. The six-Power amendment, on the other hand, being addressed only to those States interested in concluding a convention on arbitral procedure, should pro-

duce a positive contribution to the development of international law.

38. Mr. PEREZ PEROZO (Venezuela) said that his delegation would not have been able to approve a draft convention which had been so heavily criticized in so many quarters. Since, however, the joint draft resolution in its revised form avoided the objection that the Commission's draft had not received the approval of the Assembly, his delegation could now support the proposal.

39. Similarly, Venezuela was not in favour of an international conference to conclude a convention, if not enough support was forthcoming, but, as the six-Power amendment made such a conference conditional on the participation of twenty States, its objections were not of sufficient weight to justify opposing the amendment.

40. It would accordingly vote for the revised joint draft resolution (A/C.6/L.369/Rev.1) and the six-Power amendment (A/C.6/L.371) incorporated in it, but would oppose the four-Power amendment (A/C.6/L.370/Rev.1).

41. Mr. HSU (China), speaking on a point of order, observed that the draft on arbitral procedure had in fact been adopted by a large majority, the voting in the Commission in 1953 having been: ten in favour, two against, and one abstention.

42. Mr. VALOIS (Canada) said that he was opposed to referring the draft back to a body which had already deliberated on it at very great length. In any case, whatever changes in form or substance the Commission might make, it was unlikely that Member States would be any closer to agreement than before.

43. If the four-Power amendment were adopted, the draft would have to pass through two further stages of consideration before the desirability of convening a conference was even envisaged. He doubted, however, whether the text that ultimately emerged would be any more satisfactory than the existing one.

44. His delegation had pleasure in co-sponsoring the six-Power amendment, and hoped that the possibility of convening a conference would be considered at the earliest opportunity.

45. Mr. BUVAILIK (Ukrainian Soviet Socialist Republic), speaking on a point of order, explained that he had merely stated, on the authority of a previous speaker, Mr. Amado (Brazil), who was a member of the Commission, that the Commission's report containing the draft on arbitral procedure had been adopted by a majority of only one vote.

46. Mr. MAURTUA (Peru), while reaffirming his country's attachment to the principle of arbitration and, indeed, of compulsory arbitration, said he could not support the six-Power amendment (A/C.6/L.371) on the grounds that the International Law Commission's draft was not suitable for consideration by an international conference of plenipotentiaries. The Commission had introduced into its draft on arbitral procedure rules which were more pertinent to judicial settlement, which violated the principle of the autonomy of the will of the parties and which in some cases even infringed the principle of State sovereignty regarding matters of exclusive domestic jurisdiction.

47. The draft clearly needed improvement. The revised joint draft resolution (A/C.6/L.369/Rev.1) and the six-Power amendment (A/C.6/L.371) would, if adopted, establish a most dangerous precedent. They would in effect recommend a particular procedure for arbitration, although that procedure had not been approved by the majority of States. Methods for the pacific settlement of disputes required almost unanimous acceptance in order to be effective; methods of a controversial nature could even be detrimental to international understanding.

48. Before an international conference could be contemplated it was necessary to prepare a draft acceptable, as a basis of discussion, to all participating States; it would perhaps be a rather eclectic draft, but it was essential that there should be agreement on it. Because an international conference was the last stage of collective negotiation, the text it took as the basis of discussion should not contain any provisions that conflicted with principles considered as fundamental by a large number of States. He referred to the practice of the Organization of American States which never arranged an international conference until the subject to be dealt with had been thoroughly discussed by the Organization's own bodies and by national bodies.

49. His delegation supported the four-Power amendments (A/C.6/L.370/Rev.1), because they recommended a reasonable course of action; they provided first for the reconsideration by the International Law Commission of its draft in the light of comments by Governments and of the discussions in the Sixth Committee. It was not until after such re-examination that the convening of an international conference of plenipotentiaries was to be considered.

50. Unless the ground were thus carefully prepared, an international conference could only lead to the adoption of a text unacceptable to a great many States; it would only be signed by them, if at all, with many and important reservations. The rules of international law thus established would be undermined by the operation of reservations.

51. It was difficult to reconcile the six-Power amendment (A/C.6/L.371) with the provisions of operative paragraph 3 of the draft resolution (A/C.6/L.369/Rev.1), for whereas the former suggested an international conference to consider the conclusion of a convention on arbitral procedure, the latter in effect treated the Commission's draft as a source of international law on the subject of arbitration. If a conference was to meet, it had to be free of any preconceived ideas concerning the opinion of Governments on the Commission's draft.

52. Mr. HORVAT (Yugoslavia) said his delegation had the same objection to the revised version (A/C.6/L.370/Rev.1) of the four-Power amendments as to the original text (A/C.6/L.370). The new text, like the earlier one, suggested that States should take the International Law Commission's draft into consideration when drawing up arbitration treaties, although during the general debate it had become clear that a great number of delegations had various reservations and had made some suggestions on the draft.

53. If the six-Power amendment (A/C.6/L.371) were to be adopted and a conference held in a too near future, the result could be a text that few States would sign. Another possible consequence of the adoption of that proposal might be that so few Governments would respond to the suggestion to an international conference that no conference would be held. Such a result would be detrimental to the progress of the international law relating to arbitration.

54. The only course open to the Committee was to refer the draft back to the International Law Commis-

sion for reconsideration in the light of comments by Governments and of discussion in the Sixth Committee. The Commission might then produce a new text which would be considered at the thirteenth session and which would be more acceptable to a larger number of Governments.

55. Mr. MOROZOV (Union of Soviet Socialist Republics) said his delegation was prepared to support the revised four-Power amendments (A/C.6/L.370/Rev.1), which referred the draft back to the International Law Commission.

56. The French representative had been at great pains to rebut a thesis which, she thought, had been put forward by the USSR delegation. In fact, the views of the USSR had not been accurately described by the French representative, so that the latter's argument were no reply to the USSR delegation's earlier submissions.

57. The French representative had stated that the International Law Commission could not be asked to re-examine each of its drafts every time its composition changed. But the USSR delegation had never suggested that: his delegation had suggested simply the reconsideration of the draft on arbitral procedure, a suggestion based on substantive reasons.

58. The French representative had defended the independence of the International Law Commission, as though the USSR delegation had made some suggestion infringing that independence. There had obviously been a misunderstanding. The independence of the Commission was ensured by its mode of election as a body of experts and not of government representatives—and no one questioned that independence. The real issue concerned rather the relations between the Commission and the General Assembly. The Commission was undoubtedly in a subordinate position *vis à vis* the General Assembly. A question of principle was involved: the Sixth Committee of the General Assembly was entitled to express opinions on international law and those opinions were expressed in the names of Governments of Member States of the United Nations. It was the duty of the International Law Commission to take those views into consideration.

59. The International Law Commission, as a subsidiary organ of the General Assembly, was entrusted with the task of helping the General Assembly to formulate rules of international law in accordance with the Charter. The Assembly had to decide whether drafts prepared by the International Law Commission were in agreement with the principles of the Charter.

60. It had also been suggested that certain States were interested in arbitral procedure and certain others were not. That was not an accurate statement of fact: all States were interested in arbitral procedure as a means for the pacific settlement of disputes.

61. The six-Power amendment (A/C.6/L.371) to the revised joint draft resolution (A/C.6/L.369/Rev.1) proposed the convening of an international conference as soon as twenty States had expressed willingness to participate. That constituted an elegant and clever manœuvre to ensure the convening of such a conference when only a minority wanted it, despite the opposition of a majority of Member States of the United Nations to such a conference. At the moment, however, it would be wrong to express approval in any form whatsoever for a draft the provisions of which conflicted with fundamental principles of international law.

62. The issue before the Committee had narrowed down to the question whether the draft should be sent back to the International Law Commission or not. Actually, however, the overriding consideration was that the draft as it stood could not be used as a basis for convening a conference.

63. He added that the convening of an international conference at the request of only twenty States was also undesirable from the financial point of view. It was certainly inappropriate that twenty States (possibly including States not Members of the United Nations) should hold a conference at the expense of the Organization; such a conference naturally had to be the financial responsibility of the participants.

64. The only proper course of action for the Committee was to adopt the revised version of the four-Power amendments (A/C.6/L.370/Rev.1).

65. Mr. EL ERIAN (Egypt), speaking as one of the co-sponsors of the six-Power amendment (A/C.6/L.371), pointed out that operative paragraph 3 of the draft resolution (A/C.6/L.369/Rev.1) was not fully compatible with the new paragraph 4 proposed in the six-Power amendment.

66. The Egyptian delegation could not vote in favour of paragraph 3 as it stood in document A/C.6/L.369/Rev.1, because it contained an implied expression of opinion concerning the International Law Commission's draft. As the United Kingdom representative had stated at the 470th meeting, the agreement given by a State to participate in a conference did not bind it to accept any given text.

67. Mr. GABRE-EGZY (Ethiopia) said that his delegation could not accept the revised joint draft resolution (A/C.6/L.369/Rev.1), because his delegation believed that the International Law Commission should reconsider its draft in the light of discussions in the Sixth Committee.

68. His delegation could not support the six-Power proposal (A/C.6/L.371) for an international conference at that stage. Not wishing, however, to stand in the way of such a conference, his delegation would abstain from voting on that proposal.

69. The revised four-Power amendments (A/C.6/L.370/Rev.1) were on the whole acceptable to the Ethiopian delegation. He suggested, however, the deletion of the words "which is to be understood as a set of rules on arbitral procedure" in the new operative paragraph 2 and of the words "for final consideration" in the new operative paragraph 3. Those two phrases implied some sort of approval of the draft prepared by the International Law Commission or of the draft which that Commission might prepare later.

70. The CHAIRMAN announced that the Afghan, Mexican, Netherlands and Yugoslav delegations had agreed to the deletion of the words "for final consideration" from the new operative paragraph 3 of their joint amendment (A/C.6/L.370/Rev.1), but not to the deletion of the words "which is to be understood as a set of rules of arbitral procedure" from operative paragraph 2. The four-Power text (A/C.6/L.370/Rev.1) would thus be voted upon without the words "for final consideration".

71. Furthermore, as the six-Power amendment (A/C.6/L.371) for the inclusion of a new operative paragraph 4 had been accepted by the Colombian, Cuban and United States delegations and had so become an

integral part of the revised joint draft resolution (A/C.6/L.369/Rev.1), the four-Power proposal (A/C.6/L.370/Rev.1) should, in its paragraph 2, refer to operative paragraphs 2, 3 and 4 of that draft resolution.

72. Mr. BIHIN (Belgium) requested a separate vote on the new operative paragraph 4 (A/C.6/L.371).

73. Mr. EL ERIAN (Egypt) requested a separate vote on operative paragraph 3 of document A/C.6/L.369/Rev.1.

74. Mr. MOROZOV (Union of Soviet Socialist Republics) requested a separate vote on the preamble of the draft resolution (A/C.6/L.369/Rev.1) and also separate votes on its four operative paragraphs.

75. Mr. CANAL RIVAS (Colombia) moved the adjournment under rule 119.

The motion was adopted by 21 votes to 15, with 6 abstentions.

The meeting rose at 5.50 p.m.

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