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Chairman: Mr. K. Krishna RAO (India).

AGENDA ITEM 88

Report of the United Nations Commission on International Trade Law on the work of its first session (*continued*) (A/7216; A/C.6/L.648 and Add.1, A/C.6/L.673)

1. Mr. TSURUOKA (Japan) noted three successive stages in the history of international trade law. First, medieval times had seen the birth of lex mercatoria, which had been universally recognized as customary law governing commercial transactions operating beyond territorial boundaries. In the second stage, marked by the establishment of modern nations, lex mercatoria had been absorbed in the systems of positive commercial law applicable in the territory of individual States and differing from one State to another. As a result of that evolution, in each international transaction one was obliged to choose a specific system of commercial law, which was usually the law of one of the parties concerned. The third stage had now been reached, in which a more satisfactory régime based on the progressive harmonization of divergent systems and their ultimate unification should be established.

2. That goal was not at all easy to attain. However, the establishment in 1967 of the United Nations Commission on International Trade Law was a noteworthy event, for if the problems were approached with sufficient determination and wisdom, it should make possible substantial progress in that field.

3. His delegation approved of the choice of priority topics decided on by the Commission, as shown in chapter IV of its report (A/7216), i.e., international sale of goods, international payments and international commercial arbitration. All three topics were of a fundamental character, and they covered spheres in which not only were there ample previous accomplishments by other organizations, but also the work of progressive harmonization and unification had the greatest prospect of success.

4. His delegation also welcomed the step taken by the Commission towards the establishment within the Secretariat of a register of organizations and a regis-

ter of texts. Although due consideration should naturally be given to the financial implications of that proposal, the field covered by the registers should not be too restricted, since their value would lie in their completeness.

5. Reference had been made in the course of the present discussion to the legal problems in the field of international maritime shipping. There was no doubt that a harmonious relationship and close partnership should be maintained between the Commission and the United Nations Conference on Trade and Development, in accordance with paragraph 10 of General Assembly resolution 2205 (XXI). But it must be borne in mind that the Commission was not a mere legislative organ in the service of the Conference. In his delegation's view, the Commission's need for independence was more keenly felt in the field of the legal problems concerning maritime shipping than elsewhere; the choice of methods to deal with those problems should be left entirely to its judgement. The Commission would carry out its task better by playing a co-ordinating role than by undertaking the work of legislation.

6. Lastly, his delegation shared the Commission's view that it should, in principle, proceed by way of consensus. Hence, his delegation welcomed the statement in paragraph 35 of the report.

7. In conclusion, he reminded the Committee of the position taken by his delegation at the twenty-first session of the General Assembly, upon the establishment of the Commission. That position was that practicability and prudence should be the guiding principles of whatever attempt was to be made. His delegation hoped that in that spirit the Commission would tackle its work with scientific objectivity and exclusively from a juridical and technical angle.

8. Mr. DEVENDRA (Nepal) said that his country's interest in the work of the Commission stemmed from the fact that it had recently begun to diversify its international trade. For developing countries, and more so for countries still at the lower stages of development, international trade played a vital role in economic development. Bilateral trade relations should not establish impediments to multilateral trade, and mutual understanding among neighbouring countries should lead to regional and interregional trade expansion.

9. His delegation was pleased to note that the Commission had been able to determine priorities and that it had wisely decided to concentrate, at the beginning, on the study of the following topics: international sale of goods, international payments, and international commercial arbitration.

10. It could not be denied that the law of the international sale of goods was the most important law

relating to international trade. The harmonization of provisions in that field would usefully complement the Commission's work.

11. His delegation approved of the Commission's decision to take stock of the attitude of States in respect of the conventions on the international sale of goods, particularly the Hague Conventions of 1955 and 1964. The analysis of the replies and studies received from Governments, which was to be prepared by the Secretary-General in consultation with the International Institute for the Unification of Private Law (UNIDROIT), would be very useful for countries which were still in the embryonic stage of development of their international trade. Likewise, the preliminary report to be submitted by the Secretary-General to the Commission at its second session on the possibility of promoting the wider use of the existing general conditions of sale and standard contracts would also be of great interest to those countries.

12. The Commission had been constituted by General Assembly resolution 2205 (XXI) to promote the progressive harmonization and unification of the law of international trade, *inter alia*, by promoting wider participation in existing international conventions and establishing and maintaining a close collaboration with the United Nations Conference on Trade and Development. It would be remembered that the first positive and concrete result of the Conference had been the adoption, by a conference of plenipotentiaries convened by the United Nations, of the Convention on Transit Trade of Land-locked States. His delegation hoped that the Commission, in view of its terms of reference, would consider ways to promote the active participation of the States concerned in that Convention. His delegation was of the opinion that, both from the standpoint of law and from that of international trade, the transit trade problems of more than twenty land-locked countries could not be divorced from the Commission's basic purpose, which was the progressive harmonization and unification of international trade law.

13. Mr. MUTUALE (Democratic Republic of the Congo), whose country was a member of the Commission, said firstly that the Commission had approached the preparatory phase of its work very modestly and had been content to draw up a programme comprising topics for which there were already legal formulas and instruments in existence. It had avoided setting itself up as a legislative organ and had simply requested the co-operation of the appropriate organizations for each particular question and the co-operation of all Governments. Such an attitude was in keeping with the task of harmonization and co-ordination entrusted to it by the General Assembly.

14. That task of harmonization and co-ordination was not, however, its only one. The Commission should not be simply a collection centre and play only a co-ordinating role. It was natural that, in carrying out its terms of reference, it should take an active part in reducing or eliminating the legal barriers to international trade; but it should not stop there. It must actively seek formulas and solutions which might stimulate the development of the trade of the many under-developed countries. One of the most painful paradoxes of the international community was the fact

that those countries which supplied the largest share of the raw materials on the world market were still stagnating in want and poverty. The under-developed countries expected the Commission not only to bring equitable solutions to conflict of laws in the field of trade law but also to breathe a new vitality into international trade. Only in that way would the Commission give international trade law its true shape by endowing it with a universal character and at the same time serve the cause of social progress, to which every nation had an inalienable right. By eliminating the existing technical or legal barriers to international trade, the law governing international trade could assume that universal character. But by keeping constantly in mind the fact that men had a burning faith in justice and that they would never submit to the law being unjust, one could advance the cause of social progress. It was a matter of justice, not in the sense of benevolence or charity, but in the sense of the equity and fairness which should govern international trade among all nations, small and large, industrialized and non-industrialized. The Committee was in duty bound to direct the Commission to endeavour, in its task of co-ordinating and developing international trade law, to work out precise and practical solutions which would make it possible to wage an effective struggle against the egoism of States.

15. Those considerations led him to refer to the principle of consensus, an important question because it concerned the Commission's way of expressing its will. A proper understanding of that principle was essential because it could prove a two-edged sword. The Commission should strive not so much for massive or enthusiastic support but rather to work out fair legal solutions which would take account of the requirements of justice and social progress. Otherwise, it ran the risk of adopting decisions which, although disguised as valid agreements, would in fact be real unconscionable bargains. As the Iraqi representative had said (1083rd meeting), consensus should be used, not abused. In his delegation's view, it was not the subject of general agreement as such which deserved to become a rule of law; rather, it was the compatibility of its content with the profound aspirations of the community which conferred its legal character on the agreement.

16. In conclusion, he invited the members of the Committee to do their utmost to persuade their respective Governments to take a greater interest in the Commission's work. Only recently established, the Commission needed general support in order to be able to contribute to achievement of the aims of the Charter of the United Nations.

17. Mr. MLÁDEK (Czechoslovakia) said that his delegation attached great significance to the harmonization, unification and codification of international trade law because trade relations were of great economic importance for countries like Czechoslovakia which were endeavouring to develop their international trade. Anxious to simplify the law on that subject, Czechoslovakia had adopted a code of international trade which regulated relations with foreign countries in cases when the Czechoslovak law was applicable. The experience thus gained had not only confirmed the positive aspects of that codification

but had also proved its advantages for Czechoslovakia's trade partners.

18. The Commission had acted very wisely in selecting the international sale of goods, international payments and international commercial arbitration as priority topics. Czechoslovakia, which had supported that selection, hoped that the question of the most-favoured nation clause, which was on the International Law Commission's agenda, would also be considered in the near future, in order that an important legal instrument for non-discrimination in international trade might be perfected.

19. Likewise, the Commission's decision to study the topics selected separately was, in his delegation's opinion, correct from the point of view of methodology. As to the international sale of goods, Czechoslovakia had volunteered to study the problems of limitations and would shortly submit the results of its study to the Secretary-General.

20. In the opinion of his delegation, the Commission's decision to invite States to indicate their position with respect to the Hague Conventions of 1955 and 1964 was an initial, partial measure. For its part, Czechoslovakia was contemplating acceding to the Hague Convention of 1955 on the Law Applicable to International Sale of Goods. The Hague Convention of 1964 relating to a Uniform Law on the International Sale of Goods and the Hague Convention of 1964 relating to a Uniform Law on the Formation of Contracts for the International Sale of Goods were causing Czechoslovakia some problems, because, although those Conventions included some of the principles contained in Czechoslovakia's Code of International Trade, their scope was nevertheless narrower. The question should therefore be studied further by the Commission, for which the Conventions constituted an excellent working basis.

21. His delegation considered that to prepare and keep up to date a register of international governmental and non-governmental organizations would be useful for the Commission's work. Because of the financial implications, the establishment of a register of texts, which would contain existing international conventions, model and uniform laws and customs and usages of a multilateral character, posed certain problems. His delegation, which in principle favoured the publication of such a register, considered nevertheless that the Commission should at its second session deal again with the question of registers and examine their financial implications. It suggested in that connexion that initially the register of texts should be only a register of legal sources of international trade law containing the publication dates of those texts. Later, the texts could, if the occasion arose, be reproduced and sold as United Nations publications. Income from those sales might cover the cost of publishing the registers.

22. In conclusion, he hoped that the Commission would successfully continue the important work entrusted to it, which would contribute to the development of international trade and thereby to peaceful co-operation among nations.

23. Mr. BREWER (Liberia) said that his delegation welcomed the initiative which had led to the estab-

lishment of the Commission. It thanked the Chairman of the Commission at its first session for his very lucid report on the work already done (1082nd meeting) and hoped that the fact that he was the representative of a developing country was an indication of the role such countries would play in the work of the Commission.

24. The Liberian delegation approved of the way in which the Commission had organized its work. It considered, however, that it would have been preferable, bearing in mind the essential role of the harmonization and progressive unification and modernization of international trade law in development, if the Commission, before deciding on priority topics, had circulated a list of subjects to all interested States in order that they might indicate their preferences. The fact that only twenty-nine Governments had submitted comments in response to the questionnaire sent to Member States by the Secretariat in accordance with General Assembly resolution 2205 (XXI) could not lead to the conclusion that the majority of States were not interested in the harmonization and unification of international trade law. In many instances, Governments' silence was explained by the amount of work to be done and the shortage of trained staff.

25. As to the Commission's operations, the Liberian delegation considered that, given the structural and functional differences between the two bodies, the International Law Commission's practices should not, unless absolutely necessary, be adopted. The United Nations Commission on International Trade Law should have its own procedure, established on the basis of new trends. In that connexion, the Liberian delegation fully supported the principle of consensus proposed for the adoption of the Commission's decisions and hoped that the Commission would rarely resort to a vote.

26. Supporting the opinion expressed in paragraph 39 of the report, he considered that it might be necessary, in the harmonization and unification of international trade law, both to unify substantive rules of law and to establish rules to regulate the conflict of laws. His delegation considered that collaboration with other organizations was essential at the current stage but hoped that when the proposed registers had been established and the research work undertaken by those organizations had been completed, they would cease to deal with the harmonization and unification of international trade law, unless specifically requested by the Commission to do so. By undertaking new research with the Commission's approval, the organizations in question, whatever they might be, would contribute greatly to achievement of the Commission's objectives.

27. In view of the administrative and financial implications of establishing the registers mentioned in chapter V of the report, his delegation hoped that the Committee would defer a decision on that matter until the twenty-fourth session of the General Assembly. A similar approach should be adopted to the inclusion of the question of maritime transport in the Commission's programme. In any case, his delegation reserved the right to speak again during the debate if the need arose.

28. Mr. ANDRIAMISEZA (Madagascar) said that the increase in trade made the need for a harmonization, standardization and unification of international trade

law ever more urgent. His delegation associated itself with those delegations which had already congratulated the Commission on the work it had done at its first session and on the report submitted to the Sixth Committee. The Commission had acted wisely in deciding provisionally not to tackle the definition of the concept of international trade law before the various questions it intended to examine, although such a definition was necessary. His delegation also supported the Commission's decision to request Governments and international organizations concerned to comment on those questions and to maintain close relations with the United Nations Conference on Trade and Development, whose work should provide it with valuable information on existing practical difficulties, commercial practices and the obstacles resulting from various regulations. The list of topics given in the programme of work was not, of course, exhaustive, because the debates might reveal the importance or special urgency of other questions. The registers mentioned in chapter V of the report would constitute useful working instruments and it would be desirable to establish them as soon as possible, subject to the availability of financial resources.

29. Mr. SONAVANE (India) said that his delegation, which had taken part in the Commission in the decisions relating to the selection of topics and priorities and the organization of work, looked forward to hearing the views expressed on those questions in the Sixth Committee.

30. The Trade and Development Board, which had examined the report of the Commission, had commended the programme of work which had been drawn up. The Board had rightly stressed that the needs of the developing countries should be duly taken into consideration in the Commission's work and that full co-operation should be established between the Commission and the United Nations Conference on Trade and Development at the governmental and secretariat levels; any draft resolution to that effect should receive the support of the Sixth Committee and the General Assembly. Many members of the Board had echoed the view already expressed by the Indian delegation in the Commission that the purpose of the new body should be not merely to recommend the removal of legal obstacles to the flow of international trade but also to place at the disposal of the international community the juridical means of stimulating trade, particularly with the developing countries. They had felt that the Commission should ensure the full participation of those countries, which had played little part in the past in the formulation of trade law, in the dynamic task of elaborating a new lex mercatoria.

31. The Commission should determine the extent to which the rules applied in international trade were consistent with the principles already recommended by the United Nations Conference on Trade and Development. In considering the topics it had selected, the Commission should consider how its work could contribute to the expansion of international trade and the reduction of the gap between the developed and the developing countries. It must also take account of the realities of international trade and its long-term prospects.

32. With regard to the Chilean proposal for the inclusion in the work programme of questions relating to legislation on shipping, referred to in paragraph 69 of the report, the Indian delegation, although it had agreed in principle, had felt that the proposal had come at too late a stage to justify reopening the lengthy debate which had taken place on the question of priorities. However, it hoped that the Secretariat would complete the paper it had promised to prepare on that question, in time for consideration by the Commission at its second session. He recalled that the Trade and Development Board had recommended that the Commission should take the necessary measures to give priority treatment, in its work on international shipping legislation, to subjects referred to it by the Conference Committee on Shipping on the recommendation of its competent working group (see A/C.6/L.673, para. 4); his delegation hoped that the Commission would duly consider the matter at its second session and would take appropriate steps towards the progressive harmonization of legislation in that field.

33. The financial implications (see A/C.6/L.648 and Add.1) of the establishment of the two registers referred to in chapter V of the report were by no means negligible. Nevertheless, in view of the potential value of the registers, it would be advisable for the Sixth Committee at its current session to endorse the Commission's decision in principle and to ask the Secretariat to take preliminary steps for their establishment. At its second session, the Commission was to review the cost of the project and determine the scope of the registers in the light of that review, without reopening the discussion of the actual principle involved.

34. His delegation noted with satisfaction the co-operation already initiated with organizations concerned with the harmonization and unification of trade law. In that connexion, it hoped that the Commission would establish working relations with the Asian-African Legal Consultative Committee and make adequate use of the studies and resources of that body, which took an interest in international trade law and whose Secretariat had already initiated a study of laws and regulations relating to investment, imports and exports, industrial undertakings and exchange control and was also considering various questions relating to industry and commerce and connected labour problems, measures for avoiding double taxation, transport law and the rules of international private law relating to sale and purchase transactions between States and their nationals.

35. His delegation hoped that the day would come when the Commission would issue a yearbook similar to that of the International Law Commission, as had been suggested during the debate (see 1083rd meeting, para. 4). At the present stage, however, there was no need to take a decision on the matter, and it was for the Commission to determine the desirability of such a step.

36. Mr. BEN LAMIN (Libya) expressed appreciation of the important work done by the Commission, which had been characterized by a spirit of co-operation of which some examples might be cited. Firstly, there had been general agreement on the decision not to attempt to formulate a definition of international trade law at the present time in view of the controversies to which it might give rise. Secondly, the members of

the Commission had agreed at its first session on the topics which were to be given priority consideration. His delegation felt that study of the three topics selected, namely international sale of goods, international payments and international commercial arbitration, could play a remarkable role in eliminating divergencies between national systems of law. Thirdly, the members of the Commission had agreed that decisions would, in principle, be based on consensus.

37. His delegation generally endorsed the methods and programme of work chosen by the Commission and appreciated particularly its programme for co-operation with the United Nations Conference on Trade and Development and other organizations active in the field of international trade. The presence of the Chairman of the Commission at the second session of the Conference had been a valuable first step in that direction.

38. His delegation hoped that all Governments would respond to the appeal made by the Chairman of the Commission in his introductory statement (1082nd meeting) and that the Commission would be able, in particular, to obtain the information requested in the questionnaires relating to the Hague Conventions of 1955 and 1964. With regard to international commercial arbitration, his delegation felt that two of the instruments mentioned in the report, namely the 1958 Convention on the Recognition and Enforcement of Foreign Arbitral Awards and the Convention on the Settlement of Investment Disputes between States and Nationals of Other States, were particularly important, since they had been drafted at the international level and all States Members of the United Nations had had an opportunity to participate in their preparation. The Commission could also derive great advantage from the establishment of a collection of important arbitral awards handed down by commissions of arbitration in the field of international trade.

39. Finally, his delegation felt that the Commission should give due consideration to the requirements for training and assistance in the field of international trade law in its contacts with the competent organizations and institutions and thought it advisable that, in accordance with the Chilean proposal, the Secretariat should draw up for the Commission a paper on shipping legislation.

40. Mr. SIDDIQ (Afghanistan) stressed the importance his country attached to the Commission's task, which was the progressive harmonization and unification of international trade law. In order to achieve that goal, the Commission should try to eliminate all international and national barriers to the normal development of international trade. To that end it would have to co-operate closely with other United Nations bodies, particularly the United Nations Conference on Trade and Development, which had as its task the development of international trade. The Commission should also maintain close relations with non-United Nations bodies active in the same field, in order to avoid overlapping and take advantage of their accumulated experience.

41. Regarding the collection and dissemination of information concerning international trade law, his delegation agreed that it was of the utmost importance that the Commission should have a clear picture

of what had already been accomplished. The collection and dissemination of such information would unquestionably enable all the organizations concerned with international trade to avoid wasteful duplication of efforts.

42. His delegation approved of the Commission's programme of work and of the list of priority topics which it had drawn up. With regard to the organization of its work, his delegation agreed that its decisions should, in principle, be based on consensus. As for the question of training and assistance in the field of international trade law, his delegation shared the Commission's view that opportunities for the training of experts in that field should be increased, particularly in the developing countries. There, again, it would be useful for the Commission to maintain close contacts with United Nations organizations concerned with the training of personnel. With regard to the establishment of a register of organizations and a register of texts, his delegation, while recognizing that such registers would be most valuable, felt that, in view of the financial implications of the proposal, the Commission should reconsider the matter before taking a final decision.

43. In conclusion, he stressed that, in its efforts for the development of international trade, the Commission should give particular attention to the interests of the developing countries, since those countries had played virtually no part in formulating the important branch of law which related to international trade.

44. Mr. BONNEFOY (Chile) recalled that, when the Commission had been set up, his delegation had supported the proposal and had expressed the view that the new body should not only "promote the progressive harmonization and unification of the law of international trade" but also take concrete measures to promote the economic development of the less favoured peoples; in other words, it should be an instrument not only for stimulating the development of international trade as a whole but also for narrowing the widening gap between the developed countries and those which were fighting poverty. He would like to examine the implications of that approach.

45. Firstly, with regard to its relationship with other United Nations bodies, his delegation hoped to see a strengthening of the close working relationship which must exist, at the intergovernmental and secretariat levels, between the Commission and the United Nations Conference on Trade and Development.

46. Secondly, his delegation agreed with the list of priority topics drawn up by the Commission but felt that it should have added a fourth, namely shipping, at its first session. The Sixth Committee should therefore indicate in its draft resolution that it was absolutely necessary to include shipping among the topics to be given priority consideration. The Commission's programme of work should be kept constantly under review, so that other topics could be included if circumstances required. The question of the selection of topics was closely bound up with one of the most important points mentioned by the Chairman of the Commission when he had presented its report, namely the constant support which Governments should give to its work. The Chilean Government had amply demonstrated its support by replying before the prescribed

deadline to the various questionnaires which had been sent to it with regard to the Commission's activities. If it wished to retain that support, however, the Commission would have to achieve concrete results in the near future, for public opinion in the developing countries expected it—in contrast to the International Law Commission—to obtain rapid results which would have a tangible effect on those countries' most immediate interests. There was therefore some reason for concern that the Commission might waste valuable time studying dry, not to say academic, questions like the effects of statutes of limitations or the theory of contingency, whereas a solution of the shipping question would not only improve the position of the developing countries but also enable Governments, reflecting public opinion in their countries, to renew their unconditional support of the Commission.

47. His delegation's conception of the role of the Commission was reflected in its opinion of the Commission's methods of work. Thus, his delegation agreed that decisions should, in principle, be based on consensus; however, it could not associate itself with those delegations which regarded consensus as the only means of reaching a decision or which insisted on that method in order to retain a sort of veto. In matters involving unification and codification, a vote taken in proper form was preferable to scraping together a consensus.

48. His delegation supported the Commission's recommendation that a register of organizations and a register of texts should be established and published in English, French, Russian and Spanish. It also supported the ideas outlined in chapter VI of the report, which dealt with training and assistance in the field of international trade law.

49. Mr. SECARIN (Romania), noting that his country was a member of the Commission, said he thought that the Commission had got off to a good start. The results achieved at the first session were reassuring, in that they demonstrated the constantly growing interest of States Members of the United Nations, the Organization itself, the specialized agencies and various other international bodies in the harmonization and unification of international trade law, which they regarded as a means of removing the legal obstacles that often impeded the development of international trade. It was particularly gratifying that those first results were being achieved in an area that had been given priority by those seeking to develop economic co-operation between nations, which was an essential factor in satisfying the universal desire for prosperity and progress.

50. His delegation supported the Commission's programme of work and the list of priority topics which it had drawn up; the topics listed were areas in which prevailing practice required legal instruments to ensure that transactions were speedily concluded and, for that purpose, to promote confidence, strengthen credit, give close protection to the interests of partners and spare them needless wasted time and worry through the speedy settlement of disputes arising between them. His delegation also endorsed the methods of work adopted by the Commission, which could, in any event, be improved in the light of the results achieved.

51. The Commission should establish a close relationship with United Nations bodies and with other intergovernmental and non-governmental organizations active in the field of international trade law and should take suitable steps to increase the opportunities for training experts, particularly in the developing countries. He hoped that the report to be prepared by the Secretary-General on the means of establishing such relationships would simplify the Commission's task. The Commission should keep constantly abreast of developments in international trade, so that it would know what was needed and be able to work out suitable legal solutions. It should also familiarize itself with development problems and consider the possibility of publishing its own legal yearbook.

52. While it endorsed the recommendation to establish a register of organizations and a register of texts, his delegation felt that the Commission should continue its study of that question at its second session with a view to working out methods of implementing the proposal in the light of its financial implications.

53. At the Commission's first session, some members had raised the question of defining international trade law, but the Commission had felt that such a definition was not essential at that preliminary stage of its work. He thought that the Commission had acted wisely in adopting that decision and in taking practical considerations into account when drawing up its programme, in a more general sense it would have to bear in mind Article 1, paragraph 4, of the Charter, i.e., it would have to reflect those tendencies and processes in the modern world which fostered the growth of institutions, arrangements and methods that satisfied the requirements of international co-operation. Such co-operation presupposed international relations based on the free expression of the will of nations in the exercise of their fundamental prerogatives as sovereign entities; co-operation between nations was inconceivable without strict observance of the principles of law and justice, which meant, in the final analysis, the sovereignty of States, equal rights of States, non-interference in the affairs of others, and mutual advantage. International co-operation should, in fact, enable States to strengthen their sovereignty and independence and provide a suitable framework within which nations could assert their personalities. That was the concept underlying the system of international co-operation proclaimed in the Charter, and that concept should be respected by the Commission when it worked for the progressive harmonization and unification of international trade law. It had indeed already adopted it, judging from its decision to employ the consensus method in so far as possible, so that its work would appropriately reflect the different legal and economic systems in the world and, hence, meet with the approval of a large number of States.

54. His country attached very great importance to the development of international trade relations based on mutual advantage and would therefore do everything in its power, as a member of the Commission, to ensure that the work of harmonizing international trade law was successful and served to promote world economic co-operation.

55. Mr. ENGO (Cameroon) said his delegation welcomed the attempt being made to bring justice to the law on international trade, for indeed it was to be hoped that with the regularization of customs and practices, ideas would emerge which would reflect the desire of the present generation for equitable and realistic development. It was also to be hoped that the new Commission would meet with the same degree of success as the International Law Commission; in that respect, he shared the cautious optimism expressed by the Chairman of the Commission in his lucid statement introducing the report on the work of the Commission's first session (1082nd meeting).

56. In view of the complexity of the work facing the Commission, his delegation welcomed the latter's decision to attach priorities to the topics to be considered. The area covered was a very important one which needed harmonization. Under the topic of the international sale of goods it would be possible to assemble the ideas of States with regard to the Hague Convention of 1964 relating to a Uniform Law on the International Sale of Goods and the Hague Convention of 1964 relating to a Uniform Law on the Formation of Contracts for the International Sale of Goods; his delegation therefore approved the decision to send to States Members of the United Nations and members of the specialized agencies a questionnaire designed

for that purpose. It also welcomed the announcement by certain States that they intended to study the subject in depth and to submit documents at a later stage. Study of the Hague Convention of 1955 on the Law Applicable to International Sale of Goods would also be of great value, providing an opportunity for bringing into focus legal problems which had not been solved by practice. As to the question of international payments, the existing systems ought to be changed sufficiently to enable the developing countries to participate easily in international commercial life; the interests of international peace and security would undoubtedly be served if efforts were made to eliminate the unequal treatment suffered by the developing countries in international trade.

57. His delegation viewed with satisfaction the Commission's request for the setting up of a register of organizations and register of texts. It attached particular importance to the register of texts, which would provide easy access to documentation which had in the past had little circulation, owing to financial or language difficulties. He hoped that the financial implications of the proposal would not constitute an insuperable obstacle.

The meeting rose at 1.5 p.m.

