

Message Text

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ACTION EB-11

INFO OCT-01 CIAE-00 COME-00 DODE-00 DOTE-00 FMC-04 INR-11

NSAE-00 RSC-01 CG-00 COA-02 DLOS-07 SWF-02 AF-10

ARA-16 EA-11 EUR-25 NEA-14 ISO-00 OIC-04 FRB-03

OMB-01 TAR-02 SP-03 AGR-20 AID-20 IO-14 LAB-06 SIL-01

STR-08 TRSE-00 CIEP-03 CEA-02 DRC-01 /203 W

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TO SECSTATE WASHDC PRIORITY 7552

INFO AMEMBASSY LONDON

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PASS MARAD FOR ARMSTRONG AND DOT FOR REDDING

E.O. 11652: N/A

TAGS: UNCTAD, ETRN

SUBJECT: UNCTAD COMMITTEE ON SHIPPING, 6TH SESSION: NEW AGENDA ITEM-
ECOSOC DECISION 6 (LVI) ON REVIEW OF ISO CONTAINER
STANDARDS FOR INTERNATIONAL MULTIMODAL TRANSPORT

1. AGENDA OF 6TH SESSION, UNCTAD COMMITTEE ON SHIPPING,
TO INCLUDE DISCUSSION TO DOCUMENT TD/B/C.4/118 AND DECISION
THEREON RE PROCEDURE TO BE FOLLOWED BY UNCTAD IN IMPLE-
MENTING ECOSOC DECISION 6 (LVI) ON CONVENING AD HOC GROUP
TO REVIEW OF ISO CONTAINER STANDARDS WORK. MATTER WILL
BE TAKEN UP IN PLENARY SESSION WEDNESDAY, AUGUST 7.

2. DOCUMENT TD/B C.4/118 POUCHED DEPARTMENT. PARA 1,4
AND 5 ARE ECOSOC RESOLUTIONS 6 (LVI) OF 14 MAY 1974, FINAN-

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CIAL IMPLICATIONS STATEMENT AND IMCO COUNCIL RESOLUTION C.57

(XXXII) ON IMCO'S ROLE IN WORK ON CONTAINER STANDARDS OF 24 MAY 1974, RESPECTIVELY. FYI TEXT OF PARA 2, 3, 5, AND 6 OF DOCUMENT FOLLOW:

QUOTE

(I) PARA 2-THE UNCTAD SECRETARIAT, AFTER CAREFUL CONSIDERATION OF THE MATTER, SUGGESTS TWO POSSIBLE MEANS WHEREBY THE OBJECTIVE OF THE COUNCIL'S DECISION MAY BE ACHIEVED, AND INVITES THE COMMITTEE ON SHIPPING TO CONSIDER THESE TWO MEANS AND MAKE APPROPRIATE RECOMMENDATION TO THE TRADE AND DEVELOPMENT BOARD. WHICHEVER OF THE COURSES IS ADOPTED, THE PREPARATORY WOULD WOULD# BE THE SAME, AND THE SECRETARIAT CONSIDERS IT NECESSARY TO ESTABLISH AN EXPERT GROUP TO MEET IN THE SPRING TO REVIEW CONTRIBUTIONS SUBMITTED BY THE DEPARTMENT OF ECONOMIC AND SOCIAL AFFAIRS (ESA), BY THE INTERNATIONAL ORGANIZATION FOR STANDARDIZATION (ISO), BY THE INTER-GOVERNMENTAL MARITIME CONSULTATIVE ORGANIZATION (IMCO), BY THE INTERNATIONAL CIVIL AVIATION AOGANIZATION (ICAO) AND BY THE UNCTAD SECRETARIAT AND WOULD PREPARE A REPORT IN ACCORDANCE WITH THE TERMS OF THE DECISION OF THE COUNCIL. IT IS ENVISAGED THAT THE GROUP WOULD CONSIST OF TWELVE EXPERTS APPOINTED IN THEIR PERSONAL CAPACITY IN ACCORDANCE WITH THE PRINCIPLE OF GEOGRAPHICAL DISTRIBUTION AND AFTER CONSULTATION WITH THE ORGANIZATIONS MENTIONED ABOVE, TO MEET FOR A PERIOD OF TEN WORKING DAYS. THE COMPOSITION OF THE GROUP WOULD REFLECT THE FACT THAT INLAND TRANSPORT AND AIR TRANSPORT, AS WELL AS OCEAN TRANSPORT INTERESTS ARE INVOLVED. UNQUOTE
COMMENT: 12 EXPERTS AS ENVISAGED WOULD BE APPORTIONED 6, 4, AND 2 FROM GROUPS OF 77, B AND D RESPECIVELY.

QUOTE

(II) PARA 3-THEREAFTER, THE MATTER COULD EITHER BE DEALT WITH BY THE ESTABLISHMENT OF AN AD HOC INTER-GOVERNMENTAL GROUP AS PROPOSED IN THE COUNCIL'S DECISION 6(LVI), OR BY A SESSIONAL COMMITTEE OF THE SEVENTH SESSION OF THE COMMITTEE ON SHIPPING IN NOVEMBER 1975, EITHER OF WHICH COULD CONSIDER THE REPORT OF THE EXPERT GROUP. UNQUOTE

QUOTE

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(III) PARA 5-THE UNCTAD SECRETARIAT HAS CONCLUDED THAT THE OBJECTIVE AIMED AT MAY BE BETTER ACHIEVED BY REFERRING THE MATTER TO THE SEVENTH SESSION OF THE COMMITTEE ON SHIPPING, FOR THE FOLLOWING REASONS:

(A) A SPECIAL MEETING OF AN AD HOC INTER-GOVERNMENTAL GROUP WOULD ADD TO THE ALREADY HEAVY PRESSURE ON THE LIMITED RESOURCES OF GOVERNMENTS

FOR MEETINGS IN THE FIELD OF SHIPPING;

(B) THE COMMITTEE COULD TRANSMIT ITS REPORT TO THE ECONOMIC AND SOCIAL COUNCIL WELL BEFORE THE SIXTY-FIRST SESSION OF THE COUNCIL IN THE SUMMER OF 1976, WHEREAS THE NUMBER OF MEETINGS ON SHIPPING ALREADY SCHEDULED FOR THE 1974-76 PERIOD WOULD MAKE IT DIFFICULT TO SCHEDULE A SPECIAL MEETING OF AN AD HOC INTERGOVERNMENTAL GROUP IN TIME FOR IT TO COMPLETE ITS WORK BEFORE THE DEADLINE SET BY THE COUNCIL IN ITS DECISION 6(LVI);

(C) AS SHOWN ABOVE, THE ESTIMATED FINANCIAL COST IS SMALLER IF THE MATTER IS DEALT WITH BY THE COMMITTEE ON SHIPPING; AND

(D) THE WORK BEING OF A HIGHLY SPECIALIZED AND TECHNICAL NATURE, IT WOULD BE MORE ECONOMICAL FOR GOVERNMENTS TO ADD TO THEIR DELEGATIONS TO THE COMMITTEE ON SHIPPING, TAKING INTO ACCOUNT FULLY THAT THE INTERESTS INVOLVED GO BEYON SEA-TRANSPORT, THAN TO PROVIDE FULL DELEGATIONS TO A SEPARATE MEETING. UNQUOTE
QUOTE

(IV) PARA 6-IF IN THE LIGHT OF THE FOREGOING CONSIDERATIONS, THE COMMITTEE ON SHIPPING AGREES WITH THE CONCLUSION OF THE SECRETARIAT, THE COMMITTEE MAY WISH TO RECOMMEND TO THE BOARD THAT AT THE FIRST PART OF ITS FOURTEENTH SESSION IT SHOULD:

(A) REQUEST THE SECRETARY-GENERAL OF UNCTAD TO SET UP AN EXPERT GROUP TO MEET IN THE SPRING OF 1975 AND TO PREPARE A REPORT, WITHIN THE TERMS OF REFERENCE GIVEN IN THE DECISION OF THE ECONOMIC AND SOCIAL COUNCIL, FOR CONSIDERATION BY THE COMMITTEE ON SHIPPING AT ITS SEVENTH SESSION;

(B) REQUEST THE SECRETARY-GENERAL OF UNCTAD TO ENLIST THE CO-OPERATION OF THE DEPARTMENT OF ECONOMIC AND SOCIALS AFFAIRS OF THE UNITED NATIONS, THE APPRO-
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PRIATE REGIONAL BODIES AND OTHER INTERESTED INTERNATIONAL ORGANIZATIONS, IN PARTICULAR THE INTERNATIONAL ORGANIZATION FOR STANDARDIZATION AND THE INTERNATIONAL CIVIL AVIATION ORGANIZATION, IN THE SETTING UP OF THE EXPERT FROUP AND IN HELPING THE EXPERT GROUP TO PREPARE ITS REPORT;

(C) AUTHORIZE THE COMMITTEE, AFTER HAVING CONSIDERED THE REPORT OF THE EXPERT GROUP AT ITS SEVENTH

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SESSION, TO REPORT AS IT DEEMS APPROPRIATE, TO BE THE
ECONOMIC AND SOCIAL COUNCIL AT ITS SIXTY-FIRST SESSION.
UNQUOTE

3. DEPARTMENT WILL RECALL BASIS FOR ESTABLISHMENT OF
AD HOC GROUP TO REVIEW WORK OF ISO ON CONTAINER STANDARDS
CONTAINED IN RESOLUTION OF 1972 UN/IMCO CONTAINER
CONFERENCE. WE WOULD HAVE PREFERRED NO SUCH REVIEW,
BUT ALONG WITH OTHER DEVELOPED COUNTRIES ACQUIESCED TO
RESOLUTION AT INSISTENCE OF GROUP OF 77 LED BY BRAZIL
AND OTHER. MOREOVER, US EFFORT AT MAY 1974 ECOSOC
SESSION IN NEW YORK TO HAVE REVIEW CARRIED OUT UNDER
AEGIS OF UN/IMCO AND KEEP IT OUT OF UNCTAD WERE UNSUC-
CESSFUL ALTHOUGH WE DID SUCCEED IN AMENDING TERMS OF
REFERENCE AND AGENDA. WHILE WE DISLIKE MATTER BEING
CONSIDERED IN UNCTAD FORUM, WE HAVE LITTLE CHOICE AT
THIS LATE DATE. UNEXPECTED NOTE BY SECRETARIAT RE
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SUGGESTED PROCEDURE TO IMPLEMENT ECOSOC RESOLUTION, HOWEVER, PRESENTS NEW POSSIBILITY FOR US AND OTHER LIKE-MINDED GROUP B COUNTRIES TO ATTEMPT TO UNDERCUT AND DIMINISH IMPACT THIS GROUP OF 77 INITIATIVE AND TRY TO PREVENT FINAL OUTCOME (I.E. A CONVENTION ON CONTAINER STANDARDS) WHICH MAY ADVERSELY AFFECT OUR INTERESTS. MAJOR OBSTACLE TO SECRETARIAT'S SUGGESTION APPEARS TO BE DESIRE ON PART OF GROUP OF 77 FOR SEPARATE AD HOC GROUP AND POSSIBLE LEGAL QUESTION AS TO WHETHER UNCTAD SECRETARIAT SUGGESTION FOR SESSIONAL MEETING TO REVIEW EXPERTS REPORT WITHIN UNCTAD COMMITTEE ON SHIPPING CONSISTENT WITH ECOSOC DECISION. ACTION REQUESTED: IO REQUESTED TO REVIEW MATTER AND ADVISE MISSION RE ACCEPTABILITY OF THIS SOMEWHAT "UNORTHODOX" APPROACH SUGGESTED BY SECRETARIAT AND ANY PROCEDURAL ARGUMENTS OR PRECEDENTS IN SUPPORT THEREOF AS THE CASE MAY BE.

4. IF AGREEABLE, WE PROPOSE THE FOLLOWING TACTIC. US DELEGATION IN COORDINATION WITH OTHER LIKE-MINDED B COUNTRIES SHOULD SUPPORT SECRETARIAT'S RECOMMENDATIONS RE ESTABLISHMENT OF GROUP OF EXPERTS, SESSIONAL MEETING REVIEW AND REPORT BY COMMITTEE ON SHIPPING TO ECOSOC AS OUTLINED ABOVE. BY DOING SO WE WOULD INSURE AN ADDITIONAL OPPORTUNITY (IN COMS PLENARY WHEN CONSIDERING REPORT OF THE SESSIONAL GROUP ON ITS REVIEW OF THE REPORT OF THE SEVENTH SESSION) TO POSSIBILITY WATER-DOWN OR DETER UNACCEPTABLE RECOMMENDATIONS THAT MAY BE PROPOSED PRIOR TO THE FORWARDING OF A REPORT TO ECOSOC. SUCH WOULD NOT BE THE CASE UNDER THE AD HOC GROUP SET-UP WHEREIN 48 COUNTRIES WOULD REVIEW THE REPORT OF THE EXPERTS AND REPORT DIRECTLY TO ECOSOC.

5. THE ESTABLISHMENT OF Q GROUP OF EXPERTS, TO BE SELECTED IN CONSULTATION WITH ESA, ISO, INCO AND ICAO IS A WELCOMED SUGGESTION AND SHOULD BE SUPPORTED IN THAT HERETOFORE WE EXPECTED THE TECHNICAL REVIEW TO BE PERFORMED BY THE 48 MEMBERS OF THE PROPOSED AD HOC GROUP. THE GEOGRAPHICAL DISTRIBUTION CONSIDERATION REMAINS A CAUSE FOR CONCERN HOWEVER, WE WOULD SUGGEST THAT DURING DISCUSSION THIS ITEM THAT BECAUSE OF THE HIGHLY SPECIALIZED AND TECHNICAL NATURE OF THE UNDERTAKING AND THE FACT LIMITED OFFICIAL USE

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THAT EXPERTS WILL BE CHOSEN IN THEIR PERSONAL CAPACITY, THEIR SELECTION SHOULD BE MADE ON THE BASIS OF RECOGNIZED EXPERTISE WITH THE GEOGRAPHIC DISTRIBUTION PRINCIPLE A SECONDARY FACTOR SO THAT THE SECRETARIAT IN CONSULTATION WITH THE ORGANIZATIONS WILL NOT HAVE THEIR HANDS TIED IN MAKING THE BEST CHOICES POSSIBLE. IT IS

PROBABLY UNLIKELY THAT THE GROUP OF 77 WILL ACCEPT SUCH A SUGGESTION. NONETHELESS, WE BELIEVE THE SUGGESTION SHOULD BE PRESENTED ON THE CHANCE IT JUST MIGHT SELL CONSIDERING THE TECHNICAL NATURE OF THE EXERCISE.

6. RE A C O N S ESSIONAL COMMITTEE REVIEW OF THE GROUP OF EXPERTS REPORT, WE CAN SEE POSSIBLE ADVANTAGE IN THIS PROCEDURE. IT MAY BE LIKELY THAT BECAUSE OF THE LACK OF THE NECESSARY EXPERTISE A NUMBER OF GROUP A AND C COUNTRIES WILL NOT AUGMENT THEIR DELEGATIONS TO THE 7TH SESSION TO COVER THE SESSIONAL COMMITTEE (AS HAS BEEN THE CASE AT THIS 6TH SESSION) AS SUGGESTED BY THE SECRETARIAT AND WE MIGHT HAVE A SITUATION WHERE LESS THAN 48 MEMBERS, WITH ALL GROUP B COUNTRIES PRESENT, WOULD REVIEW THE REPORT. AT THE SAME TIME, HOWEVER, WE RECOGNIZE THAT THE INITIATIVE FOR MOST GROUP OF 77 POSITIONS ARE THE RESULT OF THE EFFORTS OF FROM 10 TO 12 OF ITS MORE ACTIVE MEMBERS. IN ANY EVENT WE WOULD EXPECT THEIR VIEWS TO PREDOMINATE IN THE 48-MEMBERS AD HOC GROUP ENVISAGED BY THE ECOSOC DECISION WHERE THE GEOGRAPHIC DISTRIBUTION PRINCIPLE WOULD LIMIT PARTICIPATION BY GROUP B AND POSSIBLY THAT OF SOME B NATIONS WHO HAVE SIMILAR VIEWS AS THE US RE THE WORK OF ISO AND THE NEED FOR A CONVENTION ON CONAAINER STANDARS. ALL THINGS CONSIDERED, IT APPEARS THE PROCEDURE AS OUTLINED BY THE SECRETARIAT OFFERS US MORE ROOM FOR MANEUVERING THAN WOULD BE THE CASE IF A SEPARATE AD HOC GROUP IS CONVENED.

7. REQUEST THE DEPARTMENT'S CONCURRENCE RE COURSE OF ACTION SUGGESTED OR ALTERNATE INSTRUCTIONS BY COB FRIDAY, AUGUST 2.
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Message Attributes

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Draft Date: 31 JUL 1974
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TAGS: ETRN, UNCTAD
To: STATE
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