

CHANGES IN INTERNATIONAL LAW REQUIRED

Now you state on page 8 of your testimony, in the second paragraph, beginning with "These recommendations would necessitate substantial changes in the present system of international maritime law." You state further along, "that it is the legal opinion in many countries that as the law presently stands there is grave doubt in many cases as to whether any government has the right to recover such costs."

I am very surprised and just a little disappointed in some of the staff work that has been done by those in the legal part of the Department of Interior that helped to draw up this legislation, or these proposals.

It would be our thought, certainly, that there should be some double-checking with the people experienced in this extremely complicated field of maritime law and especially international maritime law.

We are deeply indebted for your thoughtful presentation and a presentation based on obviously considerable international experience.

I do want to emphasize that you have made a very, very important contribution and we shall explore this in much greater detail and see that we do come up with language that will be realistic and pertinent and practical in its application.

Mr. SHEARER. The question of the change of law which would be recommended by the committee, said that it is doubtful that the law as it stands, it is no more doubtful than in the case of the *Torrey Canyon*, and with the extent and the right of the British Government to recover is a question which has given lawyers in many countries very, very considerable food for thought. And this paragraph which I put in here was put in at the suggestion of one of my senior partners, Mr. Miller, who is not only a partner of the firm, but he is also the vice president of the Comité Maritime International, and before I came here Monday I discussed this very point with him, and he said not only in Britain but also in France, and many other countries, the position is very, very unclear; and any recommendation by the Devlin committee on this point would clarify the international law, not only the national law in this respect, because the convention would be put forward, which was accepted by the signatory countries and would make the position absolutely clear, which it is not at present.

Mr. EDMONDSON. Has testimony already been given? I was out of the committee for a few moments. Has any testimony been given as to when the Devlin committee report would be available to this committee?

Mr. SHEARER. You will see in my statement, sir, that they meet on May 2 and 3.

Mr. EDMONDSON. You mentioned May 2 and May 3, I believe, is the report expected to be forthcoming immediately after May 3?

Mr. SHEARER. It is going to be considered by the CMI on the 2d and 3d of May, but I understand that IMCO is not meeting to consider those recommendations until the autumn.

Mr. EDMONDSON. I see.

Mr. SHEARER. But the actual recommendation which I have set out in this document here, they are the recommendations; but they will be made public around the 2d and 3d of May.