

485 (V). Amendment to article 13 of the Statute of the International Law Commission

The General Assembly,

Having regard to paragraph 21 of the report¹⁴ of the International Law Commission on the work of its second session,

Noting the inadequacy of the emoluments paid to the members of the International Law Commission,

Bearing in mind the importance of the Commission's work, the eminence of its members and the method of their election,

Considering that the nature and scope of the work of the Commission are such as to require its members to devote considerable time in attendance at the necessarily long sessions of the Commission,

1. *Decides* to amend as follows article 13 of the Statute¹⁵ of the International Law Commission:

"Members of the Commission shall be paid travel expenses, and shall also receive a special allowance, the amount of which shall be determined by the General Assembly";

2. *Fixes* the special allowance for members of the International Law Commission at \$35 per day.

*320th plenary meeting,
12 December 1950.*

486 (V). Extension of the term of office of the present members of the International Law Commission

The General Assembly,

Having noted that the present three-year term of office¹⁶ of members of the International Law Commission is not sufficient to enable the Commission to achieve the tasks on which it is engaged before the current period of office expires,

Considering that, in order to enable positive results to be achieved, the term of office of the present members should be extended,

Resolves that, subject to any modifications which the General Assembly may make in the Statute of the International Law Commission, and without prejudice to such modifications, the term of office of the present members of the Commission shall be extended by two years, making a total period of five years from their election in 1948.

*320th plenary meeting,
12 December 1950.*

487 (V). Ways and means for making the evidence of customary international law more readily available

The General Assembly,

Noting part II (Ways and means for making the evidence of customary international law more readily

available) of the report¹⁷ of the International Law Commission on the work of its second session,

Appreciating the work of the International Law Commission on this subject,

Invites the Secretary-General, in preparing his future programme of work in this field, to consider and report to the General Assembly upon the recommendations contained in paragraphs 90, 91 and 93 of part II of the report of the International Law Commission, in the light of the discussion¹⁸ held and the suggestions made thereon in the Sixth Committee.

*320th plenary meeting,
12 December 1950.*

488 (V). Formulation of the Nürnberg principles

The General Assembly,

Having considered part III (Formulation of the Nürnberg principles) of the report¹⁹ of the International Law Commission on the work of its second session,

Recollecting that the General Assembly, by its resolution 95 (I) of 11 December 1946, unanimously affirmed the principles of international law recognized by the charter and judgment of the Nürnberg Tribunal,

Considering that, by its resolution 177 (II) of 21 November 1947, the General Assembly directed the International Law Commission to formulate those principles, and also to prepare a draft code of offences against the peace and security of mankind,

Considering that the International Law Commission has formulated certain principles recognized, according to the Commission, in the charter and judgment of the Nürnberg Tribunal, and that many delegations have made observations²⁰ during the fifth session of the General Assembly on this formulation,

Considering that it is appropriate to give the governments of Member States full opportunity to furnish their observations on this formulation,

1. *Invites* the governments of Member States to furnish their observations accordingly;

2. *Requests* the International Law Commission, in preparing the draft code of offences against the peace and security of mankind, to take account of the observations made on this formulation by delegations during the fifth session of the General Assembly and of any observations which may be made by governments.

*320th plenary meeting,
12 December 1950.*

489 (V). International criminal jurisdiction

The General Assembly,

Recalling that, in its resolution 260 B (III) of 9 December 1948, it considered "that, in the course of development of the international community, there will be an increasing need of an international judicial organ

¹⁴ *Ibid.*, Sixth Committee, 230th and 231st meetings.

¹⁴ See *Official Records of the General Assembly, Fifth Session, Supplement No. 12.*

¹⁵ See resolution 174 (II), Annex.

¹⁶ See resolution 174 (II), annex, article 10.

¹⁷ See *Official Records of the General Assembly, Fifth Session, Supplement No. 12.*

¹⁸ See *Official Records of the General Assembly, Fifth Session, Supplement No. 12.*

²⁰ See *Official Records of the General Assembly, Fifth Session, Sixth Committee, 231st-239th meetings.*

for the trial of certain crimes under international law", and that, in the same resolution, it invited the International Law Commission "to study the desirability and possibility of establishing an international judicial organ for the trial of persons charged with genocide or other crimes over which jurisdiction will be conferred upon that organ by international conventions",

Having given preliminary consideration to part IV of the report²¹ of the International Law Commission on the work of its second session,

Bearing in mind article VI of the Convention²² on the Prevention and Punishment of the Crime of Genocide,

Bearing in mind, further, that a final decision regarding the setting up of such an international penal tribunal cannot be taken except on the basis of concrete proposals,

1. *Decides* that a committee composed of the representatives of the following seventeen Member States, namely, Australia, Brazil, China, Cuba, Denmark,

Egypt, France, India, Iran, Israel, the Netherlands, Pakistan, Peru, Syria, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Uruguay, shall meet in Geneva on 1 August 1951 for the purpose of preparing one or more preliminary draft conventions and proposals relating to the establishment and the statute of an international criminal court;

2. *Requests* the Secretary-General to prepare and submit to the committee referred to above one or more preliminary draft conventions and proposals regarding such a court;

3. *Requests* the Secretary-General to make all necessary arrangements for the convening of the committee and for its meetings;

4. *Requests* the Secretary-General to communicate the report of the committee to the governments of Member States so that their observations may be submitted not later than 1 June 1952, and to place the question on the agenda of the seventh session of the General Assembly.

²¹ See *Official Records of the General Assembly, Fifth Session, Supplement No. 12*.

²² See resolution 260 A (III), annex.

*320th plenary meeting,
12 December 1950.*