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RESOLUTIONS ADOPTED ON THE REPORTS OF THE SIXTH COMMITTEE

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596 (VI). Draft Declaration on Rights and Duties of States

The General Assembly,

Bearing in mind

That the General Assembly by resolution 375 (IV) of 6 December 1949 took note of the draft Declaration on Rights and Duties of States¹ prepared by the International Law Commission, and expressed to the Commission its appreciation for its work on the draft Declaration,

That by the same resolution the General Assembly resolved to transmit to Member States, for consideration, the draft Declaration together with the docu-

mentation relating thereto, and to request them to furnish their comments and suggestions,

That, furthermore, Member States were requested to furnish at the same time comments on the questions whether any further action should be taken by the General Assembly on the draft Declaration, and if so, what should be the nature of the document to be aimed at, and what procedure should be adopted in relation to it,

Considering that the number of States which in pursuance of the said resolution have given their comments and suggestions is too small to base thereon any definite decision,

1. *Decides* to postpone for the time being consideration of the draft Declaration on Rights and Duties of States until a sufficient number of States have transmitted their comments and suggestions, and in any case to undertake consideration as soon as a majority of the Member States have transmitted such replies.

¹ See *Official Records of the General Assembly, Fourth Session, Supplement No. 10*, page 8.

2. *Urges* the Member States which have not yet done so to reply as soon as possible to the questions put by the General Assembly in paragraph 4 of resolution 375 (IV);

3. *Requests* the Secretary-General to publish the comments and suggestions which will be furnished by Member States, for such use as the General Assembly may find desirable at any later stage.

*352nd plenary meeting,
7 December 1951.*

597 (VI). Consideration of the methods and procedures of the General Assembly for dealing with legal and drafting questions

The General Assembly,

Considering that various ideas were expressed during the debate on the methods and procedures for dealing with legal and drafting questions, and in the draft resolutions and amendments submitted to the Sixth Committee concerning the scope of the problems, the methods for their solution and the nature of these methods, all of which testify to the complexity of the problems raised,

Believing that in the circumstances further study of all the problems involved is necessary,

1. *Establishes* a special committee of fifteen members consisting of one representative of each of the following Member States: Belgium, Canada, Chile, Czechoslovakia, Egypt, El Salvador, France, Indonesia, Iran, Israel, Sweden, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Venezuela, to meet at the Headquarters of the United Nations;

2. *Requests* the Special Committee to consider the documents, draft resolutions and amendments submitted to the Sixth Committee, as well as the records of its debates, to study the question further and to report thereon to the General Assembly at its seventh session;

3. *Requests* the Secretary-General to carry out appropriate studies, to collaborate closely with the Special Committee and to submit to it, as he may consider appropriate, proposals for the handling of the problems dealt with in the present resolution.

*356th plenary meeting,
20 December 1951.*

598 (VI). Reservations to multilateral conventions

The General Assembly,

Bearing in mind the provisions of its resolution 478 (V) of 16 November 1950, which (1) requested the International Court of Justice to give an advisory opinion regarding reservations to the Convention on the Prevention and Punishment of the Crime of Genocide and (2) invited the International Law Commission to study the question of reservations to multilateral conventions,

Noting the Court's advisory opinion² of 28 May 1951 and the Commission's report,³ both rendered pursuant to the said resolution,

1. *Recommends* that organs of the United Nations, specialized agencies and States should, in the course of preparing multilateral conventions, consider the insertion therein of provisions relating to the admissibility or non-admissibility of reservations and to the effect to be attributed to them;

2. *Recommends* to all States that they be guided in regard to the Convention on the Prevention and Punishment of the Crime of Genocide by the advisory opinion of the International Court of Justice of 28 May 1951;

3. *Requests* the Secretary-General:

(a) In relation to reservations to the Convention on the Prevention and Punishment of the Crime of Genocide, to conform his practice to the advisory opinion of the Court of 28 May 1951;

(b) In respect of future conventions concluded under the auspices of the United Nations of which he is the depositary:

(i) To continue to act as depositary in connexion with the deposit of documents containing reservations or objections, without passing upon the legal effect of such documents; and

(ii) To communicate the text of such documents relating to reservations or objections to all States concerned, leaving it to each State to draw legal consequences from such communications.

*360th plenary meeting,
12 January 1952.*

599 (VI). Question of defining aggression

The General Assembly,

Considering that, under resolution 378 B (V) of 17 November 1950, it referred the question of defining aggression, raised in the draft resolution⁴ of the Union of Soviet Socialist Republics to the International Law Commission for examination in conjunction with matters which were under consideration by that Commission,

Considering that the International Law Commission did not in its report⁵ furnish an express definition of aggression but merely included aggression among the offences defined in its draft Code of Offences against the Peace and Security of Mankind,

Considering that the General Assembly, on 13 November 1951, decided⁶ not to examine the draft Code at its sixth session but to include it in the provisional agenda of its seventh session,

Considering that, although the existence of the crime of aggression may be inferred from the circumstances peculiar to each particular case, it is nevertheless pos-

² See document A/1874.

³ See *Official Records of the General Assembly, Sixth Session, Supplement No. 9.*

⁴ *Ibid.*, Fifth Session, Annexes, agenda item 72, document A/C.1/608.

⁵ *Ibid.*, Sixth Session, Supplement No. 9.

⁶ *Ibid.*, Plenary Meetings, 342nd meeting, para. 42.