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Chairman: Mr. Edvard HAMBRO (Norway).

AGENDA ITEM 85

Report of the International Law Commission on the work of its nineteenth session (A/6709/Rev.1 and Corr.1) (continued)

1. Mr. FRANCIS (Jamaica) said that he wished first of all to welcome to the session the four members of the International Court of Justice. It was important that international judicial institutions should maintain contact with the real sociological and intellectual environment of the world community which they served, and the Sixth Committee, being representative of the main stream of contemporary juridical thought in the world, was a highly appropriate place for that purpose.

2. His delegation wished to record its appreciation of the report of the International Law Commission (A/6709/Rev.1 and Corr.1) and of its very lucid presentation by the Chairman of the Commission. The degree of consistency with which the International Law Commission continued to meet the needs of the United Nations was due not only to the legal expertise of its members but also to the very smooth relationship between the Commission and the Sixth Committee, with some representatives serving successively or concurrently on both bodies. That relationship augured well for the successful accomplishment of the Commission's task, which was "the promotion of the progressive development of international law and its codification".^{1/}

3. Turning to the Commission's work on the draft articles on special missions (*ibid.*, chap. II), he said that his delegation was in general agreement with the underlying principles motivating their formulation, which was of special relevance at the present time for two principal reasons. First, "ad hoc diplomacy" had now become a regular feature of States' practice, side by side with the normal institutions and procedures of diplomatic intercourse. Secondly, at a time when even generally established principles and practices were indiscriminately violated, it was most opportune that rules should be established in an area where none had thus far existed in a clearly defined form.

4. As his delegation had not yet been able to give the draft articles the careful study which they deserved, he wished to reserve his Government's position for the time being, but he would like to make a few preliminary observations. His delegation particularly welcomed the terms of articles 5 and 6, which provided, respectively, for the sending of a joint special mission by two or more States and for the sending of special missions by two or more States in order to deal with a question of common interest. Coming from an area whose countries had an identifiable measure of common international economic interest, his delegation believed that those provisions would do much to facilitate the procedure of regional approach which those countries had at times adopted in particular areas of international trade.

5. His delegation agreed with the representative of Ceylon (959th meeting) that the terms of article 7 should be extended to make it quite clear that the sending of a special mission to a State or its reception by another State in neither case, of itself, constituted recognition. He did not agree, however, that the problems of recognition lay outside the scope of the topic of special missions. The draft articles should not remain silent as to whether or not recognition resulted from the contact of two States through the sending or reception of a special mission; for to do so might have the effect of defeating a particular object of special missions, namely, the furtherance of friendly relations among States, in that a misunderstanding could easily arise between two States as to whether the sending or reception of a special mission did in fact constitute recognition.

6. Some delegations had expressed the view that the scope of the immunities and privileges proposed in the draft articles was too extensive. While Jamaica agreed that special missions should not be endowed with more immunities and privileges than were necessary, there was no clear indication that the limit had been overstepped. Not wishing to prejudge the issue, his delegation reserved that aspect of the matter for further consideration. Nevertheless, he felt that the Commission was justified in enumerating the areas of immunities and privileges since in matters of that kind generalities might raise more problems than they solved. Moreover, once the Commission had considered it desirable not to distinguish between special missions, in terms either of functional character or of levels of rank, it could not very well have produced a draft in which immunities and privileges were too narrowly circumscribed. The real issue was not whether the immunities and privileges proposed were too extensive, since they were expected to operate on a basis of reciprocity, but whether they would be abused, and it was not

^{1/} See Statute of the International Law Commission (United Nations publication, Sales No.: 62.V.2), art. 1, para. 1.

possible to reach any decisive conclusion on that point at the present stage.

7. With regard to the procedure to be followed for the incorporation of the draft articles in a multilateral convention, both the suggestion that that task should be performed in the Sixth Committee and the suggestion that a special conference should be convened for the purpose had advantages and disadvantages. In addition to the two arguments already adduced by previous speakers against the convening of a conference—namely, the very crowded calendar of conferences and the expenditure involved—there was the equally important factor of convenience. In the circumstances, his delegation felt that the Sixth Committee should be assigned the task, and it would give serious consideration to any proposal to that end, based on the establishment of a widely representative working group, which should start its work well in advance of a designated session of the General Assembly.

8. With respect to chapter III of the Commission's report, his delegation was in general agreement with the programme of work adopted for the future. It approved the top priority given to work on the topic of succession in respect of treaties, which had become more urgent in view of the fact that the draft articles on the law of treaties were now ready for final consideration. The Commission's decision to make a general review of its programme and methods of work at its twentieth session was an indication of its very progressive outlook, and its active co-operation with regional juridical committees reflected its awareness that international law must continue to develop out of the experiences of all representative regions of the world community. His delegation appreciated the Commission's co-operation in the organization of the third session of the Seminar on International Law for students from developing countries and its decision to continue such assistance.

9. Mr. ESPEJO (Philippines) paid a tribute to the memory of Mr. de Luna, and requested the representative of Spain to convey to his family the sincere condolences of the Philippine delegation.

10. He joined previous speakers in welcoming those members of the International Court of Justice who were attending the session and said he hoped that their attendance would become a precedent for future sessions.

11. He commended the Chairman of the International Law Commission on his excellent presentation of the Commission's report, and the Commission on the valuable work done at its nineteenth session. The chapter of the report on special missions represented a step forward in the development of international law. The Philippines, which in the past had sent special missions to different countries, welcomed the formulation of the draft articles and was giving them careful consideration and study. He would confine himself for the time being to a few preliminary observations.

12. He noted that, in the formulation of the draft articles, the Commission had taken into account the comments and suggestions of Governments. At the fifteenth session of the General Assembly, when the Commission's report on the work of its twelfth

session^{2/} had been under consideration in the Sixth Committee, the Philippine delegation had suggested a definition for the term "special mission" (663rd meeting), from which certain ideas of substance, such as the temporary and representative character of the special mission and the specificity of the task to be performed by it, had now been incorporated in the Commission's definition.

13. His delegation shared the views, expressed by other delegations, that a special mission should be accorded only such privileges and immunities as were strictly necessary for the performance of the task entrusted to it. The Commission had rightly recognized the special circumstances attending "high-level" mission, whose members might include a Head of State or Government or a Minister for Foreign Affairs.

14. The draft articles were a good basis for the conclusion of a multilateral convention on special missions. For reasons of economy and practicality, the task of drafting such a convention might well be entrusted to the Sixth Committee at a future session. Nevertheless, his delegation appreciated the arguments advanced by the United Kingdom, in particular, in favour of holding a conference of plenipotentiaries to draft a convention (960th meeting), and its mind remained open to that alternative. Work on a convention should, however, begin as soon as possible, and preferably before 1970.

15. His delegation commended the Commission on its decision to divide the topic of succession of States and Governments into three headings, assigning a Special Rapporteur to each, which would no doubt advance its study more rapidly.

16. As a developing country, the Philippines greatly appreciated the value and importance of the three successful sessions of the Seminar on International Law which had been held; it hoped that the practice would be continued and that countries able to do so would continue to subsidize the Seminar.

17. Mr. ENGO (Cameroon) welcomed to the session the four members of the International Court of Justice, whose presence demonstrated a growing awareness of the necessity of co-operation in the process of progressive development and codification of international law and of the need for developing juridical procedures to ensure its effective application.

18. His delegation regretted that the Special Rapporteur on relations between States and inter-governmental organizations had been unable to be present throughout most of the Commission's session. The topic was one in which his delegation had a special interest, and it hoped that due attention would be given to the development of the procedures and practice now emerging from inter-State and international activities in Africa. The International Law Commission must survey the general practice of nations throughout the world, for the European experience alone provided an inadequate picture.

19. He wished to express his delegation's thanks to the Chairman of the Commission for his presen-

^{2/} Official Records of the General Assembly, Fifteenth Session, Supplement No. 9.

tation of the report and to Mr. Milan Bartoš, Special Rapporteur on the topic of special missions, for his valuable work. It was difficult for his delegation to make any detailed comments on the draft articles at the present stage. At first sight, it did not find the draft articles fully satisfactory, but it would reserve its comments for a later stage.

20. Turning to the more pressing problem of the procedure to be adopted in the formulation of a convention on special missions, he said that he appreciated the advantages presented by each of the two possibilities, namely, the assigning of the task to the Sixth Committee or to a conference of plenipotentiaries. His delegation had not yet been instructed on the final choice it should make between the two alternatives, but it wished to propose that a final decision should be postponed until the twenty-third session of the General Assembly. The work on special missions required considerable preparation, and the procedure must be carefully considered. Moreover, since the comments of Governments on the draft articles would probably not be submitted before 1968, it would be difficult, if not impossible, to begin work on a convention in the coming year. The comments submitted by Governments might well influence the Committee's decision on the procedure to be followed. A further reason for the Committee to postpone its decision on procedure was that considerable difficulties would be created for the developing countries if two important conventions had to be considered in 1968, in addition to the regular work of the Sixth Committee at the twenty-third session and the task awaiting the attention of representatives in their own States.

21. He would be grateful if those delegations which favoured assigning the drafting of the convention to the Sixth Committee would give some clarification of their views on the method of work the Committee should adopt. It might be useful to outline approximately the time-table and procedure to be adopted in dealing with that task along with the other items which normally appeared on the agenda. His delegation would also like to have an estimate of the time that would be required for the completion of a convention on special missions. Although his delegation favoured the suspension of any decision on procedure until the following year, it was still open to a change of mind.

22. With respect to chapter III of the Commission's report, he welcomed the continued attention paid to the teaching, study and dissemination of international law. The Seminar on International Law served to stimulate the interest of the youth of the world in a field which was vital to peace and friendly relations among States. He hoped that States would continue to make resources available for that purpose.

23. He paid a tribute to Mr. de Luna, and expressed his delegation's condolences to the representative of Spain on the loss of an eminent and dedicated jurist.

24. Mr. YAKIMENKO (Ukrainian Soviet Socialist Republic) commended the International Law Commission, and especially Mr. Bartoš, on the original and useful work accomplished in preparing the draft articles on special missions, which represented an important contribution to the codification and progressive development of international law. The Ukrainian

delegation welcomed the inclusion of a provision whereby special missions could exist in the absence of diplomatic or consular relations or recognition. Indeed, in the absence of recognition and in difficult circumstances, special missions provided the most effective, and often the only, means of enabling a sovereign State to exercise its right to maintain negotiations and contacts with other States.

25. The commentary on article 1 (a) stated that special missions could not be considered to include missions sent by political movements to establish contact with a particular State, or missions sent by States to establish contact with a political movement. In practice, however, States as such were not the only recognized subjects of international law; nations struggling for their liberation, and sometimes actually controlling a particular territory, also needed to be taken into account. Members of the Committee might recall the special mission sent by the Provisional Government of the Algerian Republic—and received by the Swiss Government—to negotiate with the Government of France at Evian in 1962. The inclusion of a clear provision recognizing the right to send such missions was not only necessary but would also accord with the wishes and aspirations of peoples struggling for their independence.

26. Concerning article 25, paragraph 1, his delegation considered it quite right to state that the premises of a special mission should be inviolable and that the authorities of the receiving State should not be allowed to enter the premises without the consent of the head of the special mission. However, there had been no agreement in the Commission concerning the last sentence, which provided that such consent might be assumed in case of fire or other disaster requiring prompt protective action. The views of those who disagreed with the inclusion of that provision should be given serious attention, for although the concept of abuse was not elaborated on in the commentary it was quite clear that the adoption of article 25 as it stood could lead to violations of the principle of inviolability. A number of delegations, including that of the United Kingdom, favoured the provision, but he recalled the different position adopted by representatives of the United Kingdom at the United Nations Conference on Diplomatic Intercourse and Immunities at Vienna in 1961. He also recalled the case of a fire at the British Embassy in Moscow a few years previously, when the members of the mission had been reluctant to allow access to the premises.

27. In essence, a special mission performed tasks quite as important as those of an embassy and should be entitled to the same rights and privileges as a permanent diplomatic mission. His delegation therefore considered that article 25 should be drafted in terms that would make it clear that entry to the premises of special missions should at all times be allowed only with the consent of a representative of the sending State. Only thus could the inviolability of premises be genuinely guaranteed. Article 25, paragraph 1, also indicated that consent could be sought from the head of the permanent diplomatic mission of the sending State. That provision was designed to cover cases where a dispute concerning

access arose between the head of a special mission and the authorities of the receiving State, and it required no comment in so far as it concerned special missions having a lower status than, or equal status with, permanent diplomatic missions, since the latter were political missions entitled to settle such questions themselves. However, the new convention would also apply to so-called "high level" missions, the head of which would be higher in rank than the head of a permanent diplomatic mission. In such cases, it would be wrong for matters of that kind to be settled by the head of the permanent diplomatic mission, and a provision to take account of that circumstance should therefore be included in the draft articles.

28. He agreed with those speakers who had recommended that the conclusion of a convention on special missions by the General Assembly, for financial reasons and because of the heavy schedule of conferences planned for the future. Such a task could not but enhance the role and prestige of the Sixth Committee.

29. Mr. BEAULIEU (Canada) said that his delegation approved of the decisions taken by the International Law Commission concerning the organization of its future work. It especially favoured the suggestion that the complex question of succession of States and Governments should be divided into separate but related sub-topics to be considered by several Special Rapporteurs. It welcomed the very suitable choice of Special Rapporteurs to deal with the topics of succession in respect of treaties and succession in respect of rights and duties resulting from sources other than treaties. It also thought it very wise to postpone consideration of a number of suggested additional topics, in view of the Commission's heavy commitments for the coming year. It was suggested in paragraph 47 of the Commission's report that a topic "of limited scope" might be added to the Commission's programme for consideration at times when broader topics had to be laid aside temporarily. However, he feared that to place a topic in such a category might have the effect of belittling its importance, since its chief characteristic seemed to be merely that it lent itself to more leisurely study than the other problems before the Commission.

30. As the Commission was planning to review its methods of work at its next session, it might be timely to recall Canada's earlier suggestion that the Commission should hold two short regular sessions each year, in preference to extending its summer session and holding a special winter session, as it had had to do recently. He wished to express his delegation's appreciation to the United Nations Office at Geneva and to the members of the International Law Commission for the continued success of the sessions of the Seminar on International Law.

31. His delegation wished especially to commend Mr. Bartoš on the work he had done in preparing the draft articles on special missions over the past four years. Although Canada had arrived at some preliminary views on the draft articles, he did not feel that the time was ripe to discuss each article, as now drafted, in detail.

32. Judging from the statements that had been made in the Sixth Committee, opinion seemed to be divided between two fundamental approaches to the range of privileges and immunities that should be afforded to special missions. Canada agreed with those who felt that the status of special missions should not be too closely assimilated to that of permanent missions and that, accordingly, the immunities granted to the latter under the 1961 Vienna Convention on Diplomatic Relations^{3/} should not *ipso facto* be granted to special missions. The granting of privileges and immunities to special missions should be governed strictly by considerations of functional necessity and should not go beyond the minimum required to ensure the efficient performance of the tasks assigned to such missions. The opposing view was that special missions should enjoy a very wide range of privileges and immunities.

33. His delegation doubted whether it was necessary for the Committee to discuss that question at the present time. Nevertheless, those basic differences of opinion would have to be resolved before an adequate and generally acceptable code of rules governing special missions could be drawn up. In the light of those considerations, and since the draft articles were very full and detailed, some consideration should be given to the manner in which they should eventually be embodied in a convention and to the forum best suited to perform that task. His delegation thought that it would be wrong to take a hasty decision on the subject and saw no compelling reasons for doing so at the present session. Accordingly, Canada hoped that any draft resolution on the subject would contain a paragraph appealing to all Member States to submit more extensive comments on the articles by June, or at the latest July, and asking the General Assembly not to decide until its twenty-third session whether a special conference should be convened. That procedure should enable all members to be in a position, at that session, at least to assess the measure of disagreement that still needed to be dissipated before a convention could be adopted. The intervening period would allow time for consultations on the procedure for adopting the convention and would also enable the Secretariat to prepare detailed documentation on the feasibility of holding a conference or of adopting an alternative programme whereby the Sixth Committee could deal with the problem itself at the twenty-fourth session of the General Assembly. He hoped that that suggestion would be supported by the Committee, as an alternative to any decision that would not command unanimous support.

34. Mr. KHASHBAT (Mongolia) said that the role of international law in the modern world was to regulate relations between States having different political and social orders, to promote the development of those relations on the basis of peaceful coexistence, and thus to serve as an important instrument for the maintenance and strengthening of peace. In that context, his delegation attached paramount importance to the codification and progressive development of international law, including the law of special mis-

^{3/} See United Nations Conference on Diplomatic Intercourse and Immunities, Official Records, vol. II (United Nations publication, Sales No.: 62.X.1), p. 82.

sions, which it considered a very important means of improving mutual understanding and establishing friendly relations among States.

35. The International Law Commission had done substantial work at its nineteenth session, particularly in the preparation of the draft articles on special missions, which dealt with a new and relatively unstudied topic of international law. The prime merit of the draft articles was that they offered a solution based on the criterion of general acceptability. His delegation considered that they might serve as an acceptable basis for the elaboration and adoption of a separate international convention on special missions, with the headings already proposed, subject to some necessary changes. The draft articles contained many useful propositions which, if applied consistently, would greatly help to strengthen legality in international relations and to develop friendly co-operation among States.

36. With respect to draft article 7, paragraphs 1 and 2, his delegation fully shared the Commission's view that non-recognition was not a bar to the sending and reception of special missions. Experience had shown that, even in such cases, special missions played a particularly useful role in improving relations between States, thus removing obstacles to recognition. His delegation considered that in most cases the very fact of exchanging special missions implied, in a way, mutual recognition by the sending and receiving States. Furthermore, such an act often indicated the willingness of the Governments concerned to establish official relations, or at least to promote mutual understanding between their countries. That interpretation was increasingly supported by practice in contemporary international relations. An example of the improvement of relations between States through the exchange of special missions was provided by the diplomatic mission, headed by the First Deputy Foreign Minister, which his Government had sent early in 1967 to eight countries in Africa and the Middle East. That mission, which had been accorded a hearty welcome at the governmental level, had resulted in the establishment of diplomatic relations with three of the countries concerned and had opened the way for the exchange of parliamentary and Foreign Ministry delegations, cultural groups and exhibitions with most of those countries.

37. With regard to the procedure for concluding a convention on special missions, his delegation supported the proposal that the convention should be adopted at the twenty-third session of the General Assembly, as that would be most practical and convenient for everyone.

38. His delegation thanked the Chairman, the Special Rapporteur and members of the Commission for their contribution to the preparation of the final draft articles on special missions. It hoped that the Commission would continue its work on succession of States and Governments and on the other questions before it, and that it would be able to consider the topic of succession in respect of treaties before the conference on the law of treaties concluded its work.

39. Mr. BREWER (Liberia) thanked the Chairman of the International Law Commission for his compre-

hensive and scholarly presentation of the Commission's report (A/6709/Rev.1 and Corr.1), and the members of the Commission for their continued efforts to find solutions to many of the vexing international legal problems of the day.

40. While all items referred to the Commission for its consideration were extremely important, it was necessary to give preferential treatment, in terms of time, to some items, on the basis of their immediacy and relative importance. In view of current developments in world affairs, his delegation felt that the Commission had acted correctly in giving the topic of succession of States and Governments a prominent position in its future programme of work. As that topic would entail a substantial amount of work, his delegation hoped that the Commission would devote as much of its twentieth session as possible to the consideration of it. It seemed preferable to complete one item of considerable importance, rather than to have two or three items partially considered, with the result that no action could be taken. The Commission's decision to divide the topic into three main headings and to appoint a Special Rapporteur for each heading was practical and would expedite its work. As the topic was of immense importance to developing States, which would like to see the work on it concluded as soon as possible, his delegation suggested that heading (c)—succession in respect of membership of international organizations—should be deleted and that the subject should be considered as a part of the topic of relations between States and inter-governmental organizations. That arrangement would make it possible for the Commission to complete the study of succession of States and Governments as soon as possible.

41. The Seminar on International Law had been so successful and useful to developing countries that it should have a session each year until the purposes which it served had been satisfied.

42. While all delegations recognized the need for a set of rules regulating the immunities and privileges of special missions, they had different views concerning the urgency of that need. His delegation considered the subject an important one, as special missions were being used more frequently in all types of situations than they had been in the past. Furthermore, prompt action by the Committee and by Governments on that topic, which had been considered by the Commission for over seven years, would show appreciation to the Commission for its efforts and would encourage it to continue its work.

43. Regarding the procedure for concluding a convention on special missions, his delegation suggested, as a compromise, that a conference of plenipotentiaries should meet in New York at the beginning of the twenty-third session of the General Assembly and should use the time allotted to the Sixth Committee for the first five or six weeks of the session. When the conference had adjourned, in or about the first week of November, the Sixth Committee could begin consideration of the items assigned to it by the General Assembly. His delegation was not aware of any fixed rule which made it mandatory for all the Main Committees of the General Assembly to begin consideration of the items allocated to them at the beginning of each

session. His delegation's suggestion took into consideration the costs involved in convening a plenipotentiary conference outside New York and the problem of time created by the crowded conference schedule for 1968 and 1969.

44. Mr. SAHOVIC (Yugoslavia) said that the importance of questions concerning the progressive development and codification of international law had become increasingly evident with the recent successful achievements by the United Nations in that work. His delegation considered that the draft articles on special missions adopted by the International Law Commission could be taken as a working basis for the conclusion of an international convention on special missions. It thanked the Chairman and members of the Commission for the efforts they had made to bring the task to a successful conclusion, and assured the members of the Committee that it would transmit their expressions of appreciation to Mr. Bartoš.

45. The inclusion of the topic of special missions in the Commission's agenda had confirmed that the application of the Commission's methods of work offered great possibilities for the development of international law. As a by-product of the study of the rules concerning diplomatic relations in general which had led to the conclusion of the 1961 Vienna Convention on Diplomatic Relations, the draft articles on special missions were an expression of the need to codify the rules relating to a new diplomatic practice. The importance of that practice had been confirmed during the preparation of the 1961 Vienna Convention, but it was fundamentally an outgrowth of the constantly expanding political, economic, social and technological interdependence of all the members of the international community. Since the new diplomatic practice of special missions did not have a great tradition based on generally accepted rules of customary law and was developing through a large number of very diverse cases, the Commission, in studying the legal status of such missions, had had to answer questions for which solutions had not been easy to find. The topic of special missions, which at first glance had seemed rather simple, had required a thorough study of certain basic theoretical aspects of diplomatic law and a detailed knowledge and close analysis of the everyday practice of States, in order to determine the distinctive legal nature of special missions as compared to permanent diplomatic missions, the rules relating to their work, and the facilities, privileges and immunities granted to them by States.

46. His delegation considered that the Commission had succeeded in formulating generally acceptable basic solutions. The fundamental principles on which the draft articles were based—namely, the representative character of special missions, the emphasis laid on the consent of States, the principle of reciprocity, the validity of the rules of customary international law, the priority accorded to permanent missions, and the importance attached to the 1961 Vienna Convention on Diplomatic Relations—showed that the legal status of special missions, as established in the draft articles, came within the bounds of contemporary international diplomatic law. The time

had now come for States to make the necessary improvements in the draft articles, in line with their everyday practice and their wishes. His delegation therefore urged the Committee to decide forthwith on the steps to be taken to secure the prompt conclusion of a convention on special missions. In view of the rapid development of State practice, a postponement of that task might require the Committee to reconsider the study so ably carried out by the Commission. Consequently, his delegation was prepared to accept any proposal concerning the procedure to be followed which was approved by a majority of the members of the Committee and which would open the way to the final adoption of a convention on special missions.

47. The report before the Committee was the first submitted by the Commission since the election of its new members. His delegation had been interested to see how the Commission had approached its work. It endorsed the Commission's decisions on the organization of future work, co-operation with other bodies, the Seminar on International Law and other matters. However, the general questions of the enlargement of the Commission's programme of work and the review of its programme and methods of work deserved special mention. The Commission had made some adjustments in its programme of work after the fifteenth session of the General Assembly; in his delegation's opinion, however, there should be a continuing adjustment of the programme, so that the codification and progressive development of international law might always be responsive to the current needs of the community of States. That goal could be attained through constant improvement of the Commission's methods of work, which would enable it, for instance, to deal with several topics at one session. His delegation was convinced, on the basis of the paragraphs of the report dealing with the new distribution of topics among its members, that the Commission would find solutions that would advance its work as rapidly as possible.

48. The Commission, when considering its methods of work, might perhaps undertake, *inter alia*, an evaluation of its Statute. His delegation was not requesting a revision of the Statute, but it thought that the Commission's appraisal of that text, based on its experience and the experience of the Sixth Committee, would have more than theoretical interest and might serve as the basis for practical conclusions which would clarify the relationship between the methods of codification and the methods of progressive development and would answer some procedural questions, including those relating to the inclusion of new topics in the Commission's programme of work.

49. Lastly, the presence of members of the International Court of Justice in the Committee and at the nineteenth session of the Commission was of significance to all who believed that international law should play a special role in the maintenance of peace and in the peaceful development of relations and co-operation among States.

The meeting rose at 5 p.m.