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CONTENTS

Chairman: Mr. César A. QUINTERO (Panama).

AGENDA ITEM 77

Enlargement of the International Law Commission (A/4805, A/C.6/L.481 and Add.1, A/C.6/L.482, L.483 and Add.1) (continued)

1. Mr. YASSEEN (Iraq) said that, although members of the International Law Commission were not representatives of their Governments in a technical sense, it was necessary for them to reflect those trends of ideas in their respective countries which might influence international life. One of their most important tasks, for example, was to prepare draft conventions, but such drafts could not become conventions until they had been signed and ratified under international law. To obtain ratification, those drafts must reflect the realities of international life; otherwise they would be a dead letter. Life was a process of continuous change which called for continuous adaptation. In his opinion, the Commission's work could be greatly facilitated if its composition was such as to ensure a just balance of votes. Many representatives had mentioned the need for a redistribution of seats; that was a question which he was not prepared to discuss in detail, but his delegation did feel that the gentleman's agreement of 1956 should be revised in the light of present conditions. In conclusion, he said that the problem was one which should be solved, if possible, by a unanimous decision, since an imposed solution would be contrary to the very nature of the Commission's purpose.

2. Mr. VAN PANHUYS (Netherlands) said that the Czechoslovak representative had branded all European writers on international law, as contrasted with communist authors in the same field, as colonial and unprogressive (693rd meeting, para. 4). He felt obliged to take a firm stand against any attempt to detract from the value of European legal thinking. Conceptions about world law, about international litigation, about a world organization for the peaceful settlement of international disputes and about such things as self-determination and the international protection of human rights had, for a long time, been well-known tenets of European legal thinking and were to be found in the writings of European publicists long before any communist State was in existence. Thanks to the freedom of the expression of thought which had been generally recognized in most western countries, it had been possible for European thinkers on matters concerning law and the State to proclaim principles and ideas which were sometimes far ahead of their time. To substantiate that statement, it was only necessary to give a long list of names, from Grotius and Vitoria up to such enlightened modern thinkers as Politis and Scelle.

3. What he wished to stress, however, was that thinkers on the law of nations should have full opportunity to develop their thinking in a manner free from any political influences. The question might well be asked to what extent that consideration applied to the members of the International Law Commission, which, in turn, led to the question of what the exact nature and character of that body really was. In his view, the Commission's task was twofold: to codify existing rules of international law and to promote the progressive development of that law. In the latter respect, the Commission partook of the nature of a law-creating agency, or at least the character of an advisory body to the General Assembly, which itself possessed quasi law-making functions. It was precisely that quasi law-making element that justified Governments in taking political factors into consideration when electing members of the International Law Commission. In determining the representation of the main forms of civilization and the principal legal systems of the world, therefore, it was natural that they should take into consideration the composition of the United Nations as a whole. That did not mean, of course, that members of the Commission should be elected by some purely mathematical formula or that they should be justified in regarding themselves as the representatives of Governments or, what was even worse, as the representatives of blocs. Such a conception would be entirely contrary to the Commission's Statute.

4. He could not agree with the view of the representative of Nigeria (692nd meeting, paras. 21 and 22) that the Committee should entirely ignore the gentleman's agreement of 1956. Together with many other rules, customs and understandings, that agreement was part and parcel of the United Nations system as a whole as it had evolved in the course of its existence. That agreement must be altered, of course, in so far as events had occurred which had not already existed in 1956, but, at that time, it had been considered to reflect more or less accurately the composition of the United Nations as a whole. Apart, of course, from the admission of a great number of African States, he had not been able to discover any new facts occurring after 1956 which would justify a redistribution of seats.

5. In that connexion, some representatives had hinted at an alleged shift in the power relationship between States Members of the United Nations. He doubted, however, whether the increase of military power qualified any State, or any group of States, to claim more seats in a body called upon to codify and promote the development of international law. For

those reasons, his delegation would be prepared to support, and even go beyond, the United States proposal that the Commission's membership should be increased by two, but it was unwilling to agree to any alteration in the gentleman's agreement of 1956.

6. Mr. SUPHAMONGKHON (Thailand) said that the main issue before the Committee was not whether the International Law Commission should be enlarged but whether its composition should be revised. In the view of his delegation, the Committee would not have had to face such an intricate problem if, from the beginning, the General Assembly had clearly defined the terms of article 8 of the Statute of the International Law Commission, which were used as the criteria of representation in the Commission, namely, "the main forms of civilization and of the principal legal systems of the world". The meaning of that expression having been left undetermined, recourse had been had to a geographical distribution of seats through the so-called gentleman's agreements, the last of which had been reached in 1956. Arguments which had been advanced in favour of the last agreement of that kind were of a rather superficial nature. It had been contended that the 1956 agreement should not be revised because, if it was not observed, there would be no point in entering into a new one. Such reasoning could not be serious; no gentleman's agreement could be expected to last to eternity, and even international treaties, with all their inherent sanctity, were subject to modification in the event of some vital change of circumstances.

7. It had also been argued that any reallocation of the seats in the Commission at that time would meet with serious difficulties and would only result in a dead-lock. His delegation could not subscribe to such a pessimistic conclusion. If men were prepared to journey to outer space, then surely the Sixth Committee should be able to agree on a new composition of the International Law Commission. The only question before the Committee was whether the present distribution of seats in the Commission was just and equitable. The fact of the matter was that the gentleman's agreement, whether intentionally or not, had emphasized the distinction between great and small Powers and the distinction, in a political and ideological sense, between Western and Eastern Europe. It had also given special consideration to one particular group of nations, the British Commonwealth. In 1947, Europe, with its comparatively homogeneous form of civilization and legal systems, had been given seven seats; in 1956, that number had been raised to ten. How could that change be explained? Had the forms of civilization or the legal systems in Europe increased in number during that period of time? Why were Asia and Africa, with their diversity of civilizations and legal systems, only entitled first to three and later to six seats in the Commission? Certain delegations had said that quality in the Commission was to be preferred to quantity. If that should be the rule, it was difficult to understand why Europe, which had already given such eminent jurists to the Commission, would need more representatives.

8. Other delegations had emphasized that, in the selection of members of the Commission, special consideration should be given to their contribution to the development of international law. His delegation believed, on the contrary, that more opportunity should be offered to new nations to become members of the Commission, so as to permit them to take an active part in the Commission's work. Those new nations would bring with them new ideas and new conceptions which were so essential in the progressive development of international law. Modern international law, unlike in the past, should apply to all States, without distinction as to their size, their political complexion or their geographical location. All Members of the United Nations, being equal under the Charter, should have equal access to and equal representation in the International Law Commission.

9. With regard to the membership of the Commission, there were two possible solutions: either to return to the criteria stipulated in the Commission's Statute which meant that the main forms of civilization and of the principal legal systems should be determined and the allocation fixed accordingly, or to accept the geographical distribution with certain modifications in order to achieve a balanced composition of the Commission. For that purpose, it could be fairly argued that, since the United Nations was at present composed of twenty-eight members from Europe, twenty-two from the Americas and fifty from the African-Asian areas, membership in the Commission should be equally divided between Europe and the Americas on the one hand and Africa and Asia on the other.

10. If the Commission had a membership of twenty-five, Europe should be represented by seven members, the Americas by five and one-half and Africa and Asia by twelve and one-half. Such a composition of the Commission would take into consideration the sovereign equality of Members without any political distinction. The final allocation of seats within each area could then be made according to the form of civilization and principal legal systems existing in that area.

11. His delegation would accept a reduction in the Commission's membership provided that the apportionment between the three areas were preserved. However, as certain delegations objected to a reallocation of the seats or a reduction of the number of the seats already allocated, his delegation had agreed to co-sponsor the amendment (A/C.6/L.483 and Add.1) to the joint draft resolution (A/C.6/L.481 and Add.1) whereby the membership of the International Law Commission would be increased to twenty-five in order to improve the representation of Africa and Asia.

12. Mr. IBRAHIM (Ethiopia) expressed his delegation's deep appreciation for the initiative that had been taken by the United States in proposing the inclusion of the item in the agenda (A/4805). He hoped that all would agree that it was necessary to correct the glaring and quite unjustifiable imbalance in the representation of the African and Asian countries in all United Nations bodies.

13. It was now clear that two additional seats for the African countries in the International Law Commission would not be sufficient to satisfy Africa's requirement for full participation in that body in accordance with article 8 of its Statute. The amendment, co-sponsored by Ethiopia, did greater—if not full—justice to the requirement regarding equitable distribution. Many representatives who favoured the United States proposal had warned of the danger that the Commission might become an unwieldy body if its membership was further increased. No one, however, had so far been able to show how the Commission would be encumbered by the small addition proposed. It had also been said that the 1956 agreement should

be maintained subject only to the addition of two seats. It must, nevertheless, be realized that any agreement must satisfy certain basic conditions, and it could not be denied that the circumstances in which the agreement had been concluded had been considerably altered by the increased African and Asian participation in United Nations work. Ethiopia therefore favoured both an increase in the membership of the International Law Commission and, in principle, a redistribution of seats. As no agreement was possible without mutual understanding, his delegation hoped that such an understanding would be reached.

14. Mr. MUSTAFA (Pakistan) wished to express his appreciation for the genuine concern regarding the African-Asian representation in the International Law Commission which had been exhibited by all delegations. The United States representative had rightly observed that international law could develop more soundly if States with varied social and legal experiences were encouraged to share in the processes of formulating that law. It had been pointed out, in addition, that the International Law Commission was a highly technical body responsible for performing highly technical functions. It had also been argued, quite properly, that, since the conclusion of the 1956 gentleman's agreement, the only new development relevant to the problem of the composition of the International Law Commission had been the admission of nineteen African States to the United Nations. Furthermore, the Nigerian representative had asserted that the representatives of States that had not been Members of the United Nations in 1956 were not bound by the gentleman's agreement concluded at that time.

15. All the members of the Committee had joined in supporting the legitimate claim of a resurgent Africa to be heard in the forum of the International Law Commission. While international law in its present form was substantially western in concept, the realities of a new world made it imperative that international law should become genuinely international in spirit and universal in character. The African-Asian region had been the home of some of the most ancient civilizations in the world and of the great religions, whose universal concepts and values had supplied the foundation for modern humanism and had provided the basic concepts of the international society. Although that region had lost its sense of purpose and destiny for some time, it had now re-entered the main stream of history and was eager to contribute to the codification and development of international law. The sympathetic response among the members of the Committee to the aspirations of the African-Asian countries was, therefore, most gratifying.

16. On the other hand, his delegation shared the views of the United States and other delegations that the Commission should have a size appropriate to its functions and that the members of the Commission should be individual experts in the field of international law rather than representatives of States in a political sense.

17. To give due weight to all those considerations, his delegation suggested that the Commission should consist of twenty-five members who would be persons of recognized competence in the field of international law. The four additional seats should be allocated to the African-Asian States, on the understanding that they would agree among themselves on the distribution of the seats. He was convinced that the enlargement of the Commission to that extent would not make it unwieldy or ineffective. His suggestion would have the advantage of leaving the pattern established by the 1956 gentleman's agreement intact, while at the same time meeting the demands of the African-Asian States. In that connexion, his delegation wished categorically to oppose the proposals for a redistribution of the seats allocated to the geographical regions other than the African-Asian area which had been made by the Ghanaian representative and other sponsors of the amendment to the joint draft resolution. No independent States had come into existence and no new legal systems had evolved in the regions of Western Europe, North America, Latin America and Eastern Europe since 1956. All the States in those regions had been parties to the gentleman's agreement and it was up to them to honour the agreement. Only the new States, which had not been parties to the 1956 agreement, were entitled to ask for an enlargement of the Commission.

18. At the present time, there were forty-eight African-Asian States in the United Nations, twenty Latin American States, ten Eastern European States and twenty-two Western Powers, including New Zealand and Australia. Hence, the present representation of four and one-half, three and seven and one-half seats for the latter three groups of States, respectively, was clearly proportional to their total numerical strength. If four additional seats should be allotted to the African-Asian States, the forty-eight States of that region would then have ten seats in the Commission, namely, one seat for every five African-Asian States; the ten Eastern European States would have three seats, or one seat for each 3.3 States; and the Western and Latin American Powers, forty-two States in all, would have twelve seats, or one seat for each 3.5 States. If, therefore, any change was to be made in the Commission's composition, it should favour the African-Asian region exclusively.

19. While the formula he had suggested was far from ideal, he hoped that it would find favour with the sponsors of the draft resolution and of the amendment thereto as a basis for a compromise solution. Traditionally, the Sixth Committee had always tried to reach decisions which were generally acceptable. Indeed, a draft resolution which did not command broad support in the Committee might not receive the approval of the General Assembly.

20. Mr. PLIMPTON (United States of America) said that, when the USSR representative had asked him at the preceding meeting how many seats the United States delegation was prepared to have added to the International Law Commission for the benefit of the African-Asian States, he had been unable to reply immediately, as the United States was only one of the co-sponsors of the draft resolution. The figure "two" in that proposal had been employed because two candidates had been nominated to the Commission by the new African States.

21. His delegation had been particularly impressed by the contention in the Committee's debates that the newer States should have a greater share in the Commission's work. As he had been unable as yet to discuss the matter fully with all the other sponsors of the draft resolution, he could make only a tentative statement. It was his impression, however, that the sponsors of the draft resolution would be willing to allocate four additional seats to the African-Asian States exclusively, but only on the understanding that the distribution established by the 1956 gentleman's

agreement would continue in effect in respect of the existing twenty-one seats. The retention of the present allocation of the existing seats in the Commission would be an essential condition for the addition of four seats, as otherwise the enlargement of the Commission might serve to increase the number of members from regions other than those of Africa and Asia, which were already well represented. He would consult further with the co-sponsors of the draft resolution and with other delegations to determine whether a general agreement might be reached on the formula he had suggested.

22. Mr. SPERDUTI (Italy) said that his delegation had welcomed the initiative taken by the United States Government to provide adequate representation in the International Law Commission for forms of civilization and legal systems which could not previously have been given consideration, since the States concerned had not been Members of the United Nations. When the nations south of the Sahara had attained independence and joined the United Nations, the question of enlarging the Commission had become urgent. As two candidates from that region had been put forward, his delegation had felt that the proposal to add two African members to the Commission was reasonable and wise. International law was based on certain fundamental principles which existed by reason of their moral force, but it was a legal system that adapted itself, in a spirit of justice and realism, to contemporary needs and conditions. The great task of adapting international law to contemporary life would undoubtedly be advanced by the contributions of the new nations, which valued the dignity of man and recognized the need for an international legal order capable of ensuring peace and guaranteeing respect for human rights and fundamental freedoms. He was unable, however, to share the view that the States which had not been Members of the United Nations in 1956 when the gentleman's agreement had been concluded, might disregard that agreement. While recognizing that the aspirations of the new States for an enlargement of the Commission were entirely just, his delegation felt that, in turn, those States should recognize that the Commission had performed its duties competently, impartially and authoritatively and that the only reform required in that body was an enlargement to satisfy their need for representation.

23. He wished to stress that the International Law Commission had shown that it could, with its present composition, perform its functions properly. If the Commission was to continue to function effectively, it must not become a political instrument or a meeting place for the spokesmen of various States and groups of States, but it must rather be a forum for the exposition of universal international law. The members of the Commission must be jurists chosen for their ability and technical competence and for that special knowledge which was derived from training in the principal legal systems of the world; they must not be called on to play a political role. Political judgements concerning the codification and development of international law were and would continue to be the responsibility of States, and would find expression in the Sixth Committee and in diplomatic conferences for the conclusion of multilateral treaties. While the Sixth Committee was properly a political organ, the International Law Commission was not.

24. His delegation had supported the proposal to add two African members to the Commission, which already included one African member. It had done so because only two candidates had been proposed officially and because it felt that three African members in the Commission would adequately represent, in the present situation, the forms of civilization and legal systems of Africa. It had not been intended that the Commission should represent all forms of civilization, for, in that case, each State having its own traditions, forms of society and legal institutions would have one or more representatives in the Commission. On the other hand, representation of the "main forms of civilization" had to be assured. Many factors had to be taken into account in determining which were the main forms of civilization, and, in that connexion, the size of the communities representing particular forms of civilization could not be ignored. Since the African continent had a relatively small population, his delegation felt that at present, two additional members would give Africa adequate representation in the Commission. It did not wish, however, to adopt a rigid attitude. As the African and Asian States insisted on being regarded as a single group with respect to the representation in the Commission, and as other African-Asian nations might soon attain independence, his delegation would be prepared to vote for the addition of four members, to be elected from the new African-Asian countries, on the understanding that the distribution of the existing twenty-one seats would continue to be governed by the 1956 gentleman's agreement.

25. Mr. DONOSO (Chile) said that the statement just made by the United States representative had simplified the debate, since there were now only two positions: the one side proposing that four additional seats should be granted to the new African-Asian States, and the other urging the total abrogation of the 1956 gentleman's agreement and a redistribution of the seats in the Commission. His delegation was prepared to accept the proposal that four additional seats should be allocated to the African-Asian States, provided that the terms of the 1956 gentleman's agreement were observed in respect of the existing twenty-one seats, and that the representation now granted to Latin America was not diminished. He urged the African-Asian delegations to accept that solution, since it would benefit their nations and at the same time would not injure other regions.

26. Mr. BREIVIK (Norway) said that, in principle, his delegation supported the proposal that the Commission should be enlarged so as equitably to reflect the recent increase in the membership of the United Nations.

27. With regard to a possible reallocation of the seats in the Commission, those in favour of that course had expressed the view that an additional seat should be allocated to Eastern Europe at the expense of Western Europe, North and South America and the old Commonwealth countries. According to the 1956 agreement, Eastern Europe, which consisted of ten States, was at present represented in the Commission by three members, whereas Western Europe, the Americas and the Commonwealth countries, comprising a total of forty States, were represented by twelve members. Thus, the representation of Eastern Europe and that of those other countries was of exactly the same relative strength. Apart from geographical considerations, however, the most important factor to be considered in allocating the seats was the equitable representation of the different legal systems of the world. In addition to the different

Western European legal systems that had been mentioned in the debate, account should also be taken of the Scandinavian system, which had many distinctive features and a long tradition of its own.

28. The Norwegian delegation felt that the 1956 gentleman's agreement duly reflected and ensured the equitable representation of the different legal systems of the world and that no change was required in the distribution of the seats decided upon at that time. However, there was now a group of States whose legal systems were not represented at all on the International Law Commission, namely, the States of central and southern Africa. That deficiency should, of course, be remedied and, to that end, the sponsors of the draft resolution had proposed that the membership of the Commission should be increased by two seats. A further proposal had been made to enlarge the Commission through the addition of four members, on the grounds that the legal systems of Africa and Asia as a whole were under-represented. Norway felt that those countries were entitled to a larger proportional representation in the Commission and that their claims were fully justified. Hence, on the understanding that there would be no change in the 1956 gentleman's agreement, his delegation would support the proposal that the membership of the Commission should be increased to twenty-five, provided that the four new seats should be allocated to African and Asian States.

29. Mr. PERALTA (Guatemala) said that his country viewed most sympathetically the remarkable emergence of the new African countries; it had consistently been opposed to any form of colonialism and upheld the right to self-determination. Hence, the Guatemalan delegation had agreed from the outset to give priority to the discussion of the current item and was ready to vote in favour of the increased African representation in the Commission.

30. Although Guatemala had had no difficulty in agreeing to an increased representation for the African countries in conjunction with an increase in membership of the Commission, the situation had been suddenly altered by the introduction of a proposal that the membership of the Commission should be increased to twenty-five with a corresponding redistribution of the seats that would certainly benefit the African and Asian group, but would at the same time work to the detriment of the Latin American countries. The somewhat unconvincing explanation given for that proposal was that Latin America had only one legal system, while the Western countries had Common law and the continental tradition, and Africa and Asia represented great civilizations. For his part, he found the concept embodied in article 8 of the Commission's Statute very hard to define; a civilization and a legal system could not be contained within geographical boundaries, since they might be shared by various nations or groups of nations or even by parts of a nation. For instance, the "Latin" system of law derived from Roman law and, consequently, had 2,000 years of development behind it. Its ramifications extended to the most disparate regions of the world. To name an example, the institution of the notary was to be found not only in Latin America but in many European countries, in parts of the United States and Canada and even in Turkey. It was possible that some elements of the Latin system of law were to be found in African countries that had been under Spanish or French influence. The essential point, therefore, was that the law of nations itself had developed as a result of the evolution of Roman law with the spread of Roman influence. Thus, while there might be different trends in legal thought representing the outlook of political and social institutions, the fact remained that international law in itself would always be a universal concept. Its study should accordingly be viewed from a broad standpoint and not made subject to political factors or geographical frontiers, which were purely coincidental. In determining the composition of the International Law Commission, the criteria should therefore not be political or geographical but such as to ensure the development and codification of international law in keeping with its true nature.

31. Nevertheless, the realities of international life made it necessary to reach political agreements within the Organization, with the result that, in determining the composition of the International Law Commission, the various interests of the groups represented must be taken into account. It should be possible, however, to ensure adequate representation in the Commission without departing from the 1956 agreement or redistributing the seats to the detriment of Latin America. While there was no doubt that the African and Asian countries were accomplishing valuable work in many fields of international law, such as the conclusion of conventions on diplomatic immunities and the like, it should not be forgotten that a substantial contribution had also been made to the development of international law by Latin America. That group of countries had developed not only orthodox concepts of international law but had its own characteristic institutions. One of those was the right of asylum, which was one of the basic human rights guaranteed under Latin American Constitutions and was rapidly becoming a world-wide institution. Moreover, a considerable impulse had been given in the matter of codification with the adoption of Havana, in 1928, of the Convention on Private International Law (Bustamante Code). The last-mentioned example clearly illustrated the relationship between politics and law and how that affected the Commission's work. A legal expert, especially if engaged in the work of codification, must naturally have good political judgement in order to discern current trends of thought and ensure that they contributed to the development of law. However, a technical body responsible for assisting in the codification of international law, which was a static process, could not be so constituted as to become an ideological battleground devoted to politics, which were necessarily dynamic.

32. It had been said that the Commission's present composition had not permitted the development of new ideas in international law because its members appeared to be too orthodox and that, therefore, new ideas were needed. However, new ideas, and particularly good ideas, in international law would gain acceptance even if their author or country of origin was not represented on the International Law Commission. The essential point was that those ideas should be taken into account by the Commission, which should accordingly be composed of persons of recognized competence, sound political judgement and intellectual integrity. Codification should not be a hasty process but a process of judicious selection from among the most promising modern trends. If that were not so, codes of law would have to be changing continually to suit the explosive dynamics of politics.

33. In conclusion, his delegation did not feel that any of the proposals before the Committee were fully satisfactory. He hoped that a solution would be found that would give increased representation to the new Member States while not diminishing, but rather increasing, the participation of the Latin American countries. His delegation would vote in favour of the draft resolution unless a better alternative was forthcoming, such as the United States suggestion to give four new seats to the African and Asian countries without altering the gentleman's agreement in respect of the existing twenty-one seats.

34. Mr. GARBER (Liberia) said that Liberia had co-sponsored the draft resolution in the firm conviction that provision must be made for additional seats in the Commission and that those seats should be allocated to the African countries. Even though the draft resolution sought to provide only two additional seats for Africa, the Liberian delegation keenly appreciated the initiative taken by the United States in having been the first to put forward such a proposal. There seemed to be no basic conflict whatever between the United States proposal and the amendment sponsored by Ghana and other countries. Indeed, since both were designed to enlarge the membership of the Commission and to give increased representation to the African countries, the amendment appeared to be in harmony with the spirit and intent of the draft resolution. A number of representatives seemed to hold the view that, on account of their youth, the African nations were not in a position to nominate candidates with the qualifications required for membership in the Commission. The fact was that, when discussing the enlargement of the Commission and the allocation of the additional seats, considerations as to competence were premature and were likely to prejudge the issue, for they only became relevant when the actual candidates came to be considered.

35. Having listened carefully to the discussion and given additional thought to the matter under consideration, the Liberian delegation now shared the feeling that two seats were inadequate for the areas of Africa not already represented in the Commission. It therefore continued to support the draft resolution with the addition of the amendments proposed thereto.

36. Mr. MOROZOV (Union of Soviet Socialist Republics) said that he was gratified to note that some slight progress had been made in the discussions. The United States delegation now partially supported the proposal that had been put forward by Ghana and other delegations. The Soviet Union, which had energetically supported a larger allocation of seats to the African and Asian countries, was pleased that, with the attainment of a general agreement on the need for allocating a minimum of ten seats to those countries, the Committee was nearing agreement on the entire question. A slight obstacle in that regard was the untimely insistence by the United States that a condition should be attached to such an increased representation. It was to be hoped that, in a spirit of co-operation, that condition would be withdrawn, since, in any case, it was unlikely to achieve its purpose in view of the fact that the majority was strongly in favour of according at least ten seats to the African and Asian countries.

37. In the light of the favourable turn the discussion had taken, there was reason to hope that the members of the Committee would come quickly to realize the justification of the claims by other groups of countries that were inadequately represented in the Commission. He appealed in particular to the representatives of the African, Asian and Latin American countries to give equally sympathetic consideration to the need for increasing the representation of the socialist countries. In that way, it would not be difficult to reach a gentleman's agreement concerning the distribution of the remaining fifteen seats, out of the twenty-five, in the International Law Commission.

The meeting rose at 5.20 p.m.

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