United Nations
GENERAL ASSEMBLY
THIRTY-FIRST SESSION
Official Records *

SIXTH COMMITTEE
13th meeting
held on
Thursday, 7 October 1976
at 3 p.m.
New York

SUMMARY RECORD OF THE 13th MEETING

Chairman: Mr. MENDOZA (Philippines)

CONTENTS

Distr. GENERAL
A/C.6/31/SR.13
19 October 1976

ORIGINAL: ENGLISH

The meeting was called to order at 3.20 p.m.

AGENDA ITEM 111: RESPECT FOR HUMAN RIGHTS IN ARMED CONFLICTS: REPORT OF THE SECRETARY-GENERAL (A/31/163 and Add.1; A/C.6/31/L.3/Rev.1) (continued)

1. The CHAIRMAN announced that Madagascar and Senegal had become co-sponsors of draft resolution A/C.6/31/L.3/Rev.1.

2. Mr. SERUP (Denmark) said that his Government had always attached great importance to the problem of protection of human rights in armed conflicts. It had participated actively both in the Conferences of Government Experts in 1971 and 1972 and in the three sessions of the Diplomatic Conference. Substantial progress had been made towards the ultimate objective of establishing definite rules of law applicable in all types of armed conflicts. His delegation was particularly gratified that agreement had been reached on various important articles of the draft Protocols, concerning wounded, sick and shipwrecked persons, medical transport, information on victims of a conflict and the remains of deceased. His delegation also considered it important that agreement had been reached on the annex containing detailed regulations concerning the identification and marking of medical personnel, units and means of transport, and civil defence personnel, equipment and means of transport.

3. Much remained to be done, however, at the forthcoming session of the Diplomatic Conference on such matters as reprisals, new categories of prisoners of war, humanitarian actions, mercenaries and international inquiry commissions. His delegation, together with the delegations of Sweden, Norway and New Zealand, had submitted a proposal on the latter question.

4. His delegation attached great importance to the question of the prohibition or restriction of the use of certain conventional weapons and felt that the time had come for careful studies to be made of concrete proposals which were meaningful from a humanitarian point of view, realistic from an international point of view and applicable from a practical point of view.

5. Mr. PANCARCI (Turkey) said that his delegation attached importance to the question of the protection of journalists engaged in dangerous missions; it had therefore welcomed the resolution on that subject adopted by the Diplomatic Conference at its second session and hoped that adequate provisions for the protection of journalists would be included in the final version of Protocol I. His delegation favoured the adoption of draft resolution A/C.6/31/L.3/Rev.1 by consensus.

6. Mr. KOLESNIK (Union of Soviet Socialist Republics) said that the question of respect for human rights in armed conflicts should be considered within the general context of United Nations efforts to strengthen international peace and protect human rights. As the Soviet Minister for Foreign Affairs had pointed out in his recent statement to the General Assembly, international détente had had a beneficial impact on the activities of the United Nations as a whole and, in particular, on its efforts to develop humanitarian law. Most of the work in the latter field was, of course, carried out outside the framework of the United Nations with the active support of the Government of Switzerland, which traditionally took the initiative in that regard. The successful conclusion of the Diplomatic Conference would constitute a further contribution to détente. The development of humanitarian law was, however, by no means the only or most urgent requirement in that connexion. Vigorous action was needed to ensure that existing rules were faithfully complied with by all. Events of the recent past had shown that those rules were constantly flouted by those resorting to the use of force in international relations. Mass violations of human rights had been perpetrated against civilian populations, including non-combatants by Nazi Germany during the Second World War and had occurred more recently in Viet Nam and in the Middle East as a result of Israeli aggression. The practice of apartheid resulted in violations of humanitarian law, as the colonial and racist régime brutally repressed the just struggle of the African people for freedom and independence. The world community had responded to fascism by perfecting the system of humanitarian law which existed at the time and by drafting the Geneva Conventions of 1949. The additional Protocols being prepared to supplement the Geneva Conventions would reflect the experience of the recent past. His delegation attached great importance to provisions in those Protocols aimed at suppressing such serious breaches of the Geneva Conventions as apartheid and the mass deportation of civilian populations, which should be considered war crimes.

7. Other important questions considered at the Diplomatic Conference were the granting of appropriate status to freedom fighters and the protection of those struggling against racist and colonial régimes. Mercenaries, who were used by certain States to carry out acts of aggression without resorting to an actual declaration of war, were a vestige of feudal times and had been widely used in recent years to repress national liberation movements. Contemporary international law, as exemplified by article 3 of the Definition of Aggression adopted by the General Assembly in 1974, prohibited the use of mercenaries and considered them international criminals. States were obligated not only to refrain from using mercenaries but also to prohibit their citizens from participating in acts of aggression as mercenaries of third countries. The entire question of mercenaries was one requiring further consideration at the Diplomatic Conference.

8. The Diplomatic Conference was not the appropriate forum for the consideration of the question of prohibition or restriction of the use of specific categories of

(Mr. Kolesnik, USSR)

conventional weapons, as that matter was essentially an aspect of the over-all question of disarmament. It should, therefore, be dealt with by the bodies specifically concerned with disarmament issues.

9. Draft resolution A/C.6/31/L.3/Rev.1 was on the whole acceptable. However, his delegation had difficulties with the last preambular paragraph as it stood since it seemed to be an appeal to the Diplomatic Conference to deal with the question of the prohibition or restriction of the use of certain types of conventional weapons. If the Conference were to deal with that question, it might be difficult for it to reach agreement on other important issues with which it would deal. Further efforts should be made to frame a draft resolution on agenda item 111 which would meet with general approval.

10. Mr. EL ARABY (Egypt) said that the efforts of the international community to reaffirm and develop international humanitarian law applicable in armed conflicts had been prompted by events which had occurred since 1949 and which had revealed a number of lacunae in the Geneva Conventions. The importance of those efforts had been highlighted by the serious breaches which had been committed in armed conflicts, particularly by Israel in 1967. Such serious infringements of humanitarian law were not matters of concern to the victims alone, but to all the contracting parties to the Geneva Conventions, which were collectively responsible for ensuring that their provisions were respected. The United Nations had played an important role in promoting international efforts to make the Geneva Conventions more effective and could play an even more substantial role by performing the functions of the Protecting Power as set out in the fourth Convention. An unsuccessful effort had been made at the Diplomatic Conference to have a text adopted which would enable the United Nations to perform such functions. Objections had been raised on the ground that the United Nations had not indicated a desire to assume those functions. There would, however, be an opportunity at the next session to consider that question once again.

11. Israel, as a contracting party to the Geneva Conventions, must observe their provisions, in particular, the provisions of the fourth Geneva Convention relating to the populations in occupied territories.

12. Mr. OLOGOUDU (Benin) said that ideally all recourse to the use of force should be banished from international relations. As yet, however, there did not seem to be any political will on the part of the super-Powers to do so, as a deadly arms race was proceeding apace and in various parts of the world the super-Powers were stoking the fires of war. In the absence of effective disarmament measures and an end to all war, his delegation appreciated the efforts made at the first three sessions of the Diplomatic Conference to mitigate the suffering which occurred in armed conflicts.

(Mr. Ologoudu, Benin)

13. With regard to the forthcoming session, his delegation believed that the success of the two Protocols to be finalized would depend on achieving a satisfactory definition of prisoners of war. In that connexion, his delegation considered the definition proposed by the International Committee of the Red Cross (ICRC) to be a valuable contribution. All restrictions relating to members of liberation movements must be eliminated from article 42 of draft Protocol I. As self-determination was one of the sacred principles of the United Nations, the provisions of the Protocols relating to prisoners of war should be applied to freedom fighters, whom the forces of reaction were only too ready to label as terrorists. The notion of prisoner of war must be defined with accuracy in order to ensure the protection of civilian populations.

14. In the view of his delegation, mercenaries should be considered war criminals and not prisoners of war under article 42 of draft Protocol I. In that connexion, the United Nations should take into account the measures envisaged by the Organization of African Unity which was currently considering the question of mercenaries.

15. Mr. EL HUNI (Libyan Arab Republic) said his delegation favoured denying all mercenaries the benefit of special provisions relating to combatants. The discussions of the Working Group on that point should assist the fourth session of the Diplomatic Conference in reaching an acceptable text relating to the question of mercenaries.

16. His delegation welcomed the decision taken by the Diplomatic Conference to establish Arabic as a working language.

17. Mr. KUMI (Ghana) said that draft resolution A/C.6/31/L.3/Rev.1 provided the Committee with an opportunity to reaffirm its commitment to respect of human rights in armed conflicts. His delegation supported efforts to up-date the international conventions and protocols in force relating to international humanitarian law applicable in armed conflicts, particularly in the light of recent events which underscored the fact that armed conflict was still far from being eliminated. The rules and principles of international law relating to the treatment of prisoners of war should be brought into line with modern trends and realities.

18. Mr. MONTENEGRO (Nicaragua) said that the question of the protection of human rights in armed conflicts was relevant in the light of the current world situation. For that reason, the Diplomatic Conference should pursue its work in ensuring the protection of the human person. His delegation supported draft resolution A/C.6/31/L.3/Rev.1 and agreed that the item should be included in the provisional agenda of the thirty-second session of the General Assembly. Efforts to protect human rights would come to nought unless the root causes of violations of human rights were eliminated, namely aggression and the proliferation of both conventional and nuclear weapons.

19. Mr. ISRASENA (Thailand) said that he shared the view expressed by the representative of Algeria that, in considering such complex questions as the treatment of prisoners of war, the use of certain weapons and the question of mercenaries, account should be taken of new legal norms.

20. He supported draft resolution A/C.6/31/L.3/Rev.1 and, on behalf of his Government, thanked the Swiss Government for its willingness to host the fourth session of the Diplomatic Conference, in which his delegation would participate. He expressed the hope that the fourth session of the Conference would be its last.

21. Mr. BOSCO (Italy) thanked the Swiss Government for organizing the Diplomatic Conference and expressed appreciation for the work of ICRC.

22. His delegation supported article 20 bis of draft Protocol II regarding the protection of cultural objects and of places of worship. It appeared very expedient to extend to such objects the same protection afforded them by The Hague Convention of 14 May 1954 on the Protection of Cultural Property in the Event of Armed Conflict.

23. Articles 78 and 79 of draft Protocol I relating to extradition and mutual assistance in cases of grave breaches of Conventions or the Protocol, and in particular, article 78, paragraph 2, appeared very worth while. However, although article 78, paragraph 1, referred specifically to extradition treaties to be concluded between Contracting Parties, article 79 contained no such reference, although many bilateral and multilateral treaties were concluded in the area of mutual assistance. Such a reference might therefore be included in article 79.

24. His delegation supported draft resolution A/C.6/31/L.3/Rev.1. The United Nations must give its attention to international laws relating to armed conflicts, with a view to eliminating unnecessary suffering. Every possible effort must be made to codify those laws, to adapt them to modern technology and to strengthen their role and their importance.

25. Mr. HOSNI (Palestine Liberation Organization), speaking at the invitation of the Chairman, congratulated those who had participated in the Conference on the progress that had been achieved. He also paid tribute to ICRC for its humanitarian efforts in dealing with the untold calamities which the Palestinian people had been suffering daily for almost a third of a century.

26. His delegation felt duty bound to correct some misconceptions which might detract from the work of the Diplomatic Conference and from the progress achieved thus far in the field of international humanitarian law. In that connexion, one important legal concept referred to at a previous meeting of the Committee by the representative of the Byelorussian Soviet Socialist Republic had been flagrantly distorted by the representative of an entity which had consistently committed

the most brutal atrocities in the history of international or non-international armed conflict.

27. It was a well-established fact that international humanitarian law, in its current form, protected victims of so-called non-international conflicts, including civil wars, internal disorders, political unrest and tensions caused by the violent policies and practices of occupying or colonial Powers. That rule had been recognized in article 3 of the 1949 Geneva Conventions, and any other interpretation of that article would be a denial of the consistent and continuous practice of ICRC. As a result of the patient and consistent humanitarian efforts of ICRC, the moral right of victims of so-called internal conflicts to be given relief in accordance with humanitarian principles had become an accepted fact. The reports of ICRC were replete with instances in which the established authorities, against whom the activities of so-called rebel movements had been directed, had accepted - and in some cases had even called for - the intervention and assistance of ICRC. That principle of humanitarian law was based on the fact that so-called non-international conflicts generated more suffering and were more frequent than international conflicts.

28. His delegation shared the view held by the overwhelming majority of experts in international law that humanitarian law was first and foremost the law of human conscience. Certainly the representative of the racist inhuman régime did not subscribe to that view.

29. Any doubt remaining as to the correct interpretation of the applicability of the rules of international humanitarian law to non-international conflicts should have been dispelled by the provisional adoption of article 7 of draft Protocol I at the second session of the Diplomatic Conference. However, with or without that article, the established rule that so-called non-international conflicts were subject to the principles of international humanitarian law was not only confirmed but promoted by the provisions of the draft Protocol adopted thus far.

30. The state of war initiated by the opening of hostilities on the part of the inhuman racist régime still continued. The incessant recurrence of hostilities demonstrated the existence of a state of active international conflict to which the rules of international humanitarian law should apply.

31. In the view of his delegation, the inhabitants of Territories subjected to such oppressive and brutal conflicts had a right to participate in the work of the Diplomatic Conference and in the Convention which would eventually emerge from it. There were a number of precedents for such participation, the most recent of which was provided by the United Nations Conference on the Law of the Sea.

32. He supported draft resolution A/C.6/31/L.3/Rev.1.

33. Mr. BLUM (Israel), speaking in exercise of the right of reply, said that the representative of the Union of Soviet Socialist Republics had gone beyond what was permissible in his comparison between Israel and Nazi Germany. The entire world knew that the Jewish people had been the principal target of the Nazis before and during the Second World War and the Soviet representative's comparison was a grave affront to the memory of the 6 million Jewish victims of Nazi tyran ny. The Soviet representative should perhaps turn his attention to the question of human rights in the Soviet Union.

34. The statements by Egypt and the so-called Palestine Liberation Organization were attempts to divert the attention of the world from a situation in which Arabs had been killing Arabs for the past 18 months. The so-called Palestine Liberation Organization had been the prime mover of the grave developments in Lebanon, and Israel had been providing medical treatment and hospitalization for the victims of the Lebanese blood bath.

35. He assured the Egyptian representative that the Shield of David was an emblem which antedated the State of Israel and was an ancient and universally recognized symbol of Judaism. Israel was therefore entitled to demand that while it afforded full recognition, protection and inviolability to other recognized emblems, its own emblem should receive similar treatment.

36. Mr. KOLESNIK (Union of Soviet Socialist Republics) said that the essence of his statement had been that Israeli troops in occupied territories had committed crimes which were a gross violation of human rights. He referred specifically to operative paragraph 3 of resolution 2 (XXXII) of the Commission on Human Rights, which had reaffirmed the condemnation of Israel for the deliberate destruction and devastation of the town of Quneitra and had considered those acts as a grave breach of the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949. Operative paragraph 10 of the same resolution called upon all States to do their utmost to ensure that Israel respected the provisions of that Convention.

37. Mr. EL ARABY (Egypt) noted that the Israeli representative had deliberately omitted to assure the Committee that his country would carry out the obligations of the Geneva Convention, particularly those for the protection of civilians in time of war, in connexion with his contention that the Shield of David should be recognized as a symbol by ICRC.

38. Mr. BLUM (Israel) said that his delegation's views on the resolution to which the Soviet representative had referred had been fully set out in the relevant Committee. To raise it on the present occasion confirmed his view that the Sixth Committee was being abused for purposes unconnected with the topics on its agenda.

AGENDA ITEM 106: REPORT OF THE INTERNATIONAL LAW COMMISSION ON THE WORK OF ITS TWENTY-EIGHTH SESSION (A/31/10)

39. The CHAIRMAN invited the Chairman of the International Law Commission to introduce the report of the Commission on the work of its twenty-eighth session (A/31/10).

40. Mr. EL-ERIAN (Chairman of the International Law Commission) said that in accordance with General Assembly resolution 3495 (XXX), the Commission had completed the first reading of the draft articles on the most-favoured-nation clause and had decided to transmit those provisional draft articles to Governments of Member States for their observations. The first reading of the articles had been completed on the basis of the seventh report submitted by the Special Rapporteur, the contents of which were described in paragraph 32 of the Commission's report. The Commission had re-examined the draft articles adopted at previous sessions in the light of the comments and suggestions made during the relevant debates of the Sixth Committee and had also considered the new draft articles submitted by the Special Rapporteur.

41. Details of the Commission's position regarding the general character and scope of the draft articles could be found in paragraphs 44 to 48 of the Commission's reports. He noted that, at its twenty-eighth session, the Commission had decided that it would not be useful to include a provision on the settlement of disputes in the articles and had decided that the question should be referred to the General Assembly and Member States and, ultimately, to the body to be entrusted with the task of finalizing the draft articles. However, some members of the Commission had believed that a provision should be included specifying that, failing settlement by other means, a party to a dispute arising out of the application of a most-favoured-nation clause and involving the interpretation and application of the articles had the right to refer the matter for judicial settlement, for example to the International Court of Justice. Finally, the Commission had decided not to include an article on a customs union exception. It had noted that customs unions and similar associations of States were always established on the grounds of a bilateral or a multilateral agreement and that the question of whether a most-favoured-nation clause did or did not attract benefits accorded within customs unions and similar associations of States had been dealt with briefly by the Commission in the course of its twenty-seventh session. In that connexion, he drew the Committee's attention to paragraph 26 of the Commission's commentary on draft article 15. In the course of the Commission's discussion, economic arguments had been put forward for and against an exception. Whereas advocates of including such a provision had alluded to the trend towards economic integration, those opposed to an exception had said that to establish the exception as a rule would only create additional barriers. Consequently, the Commission had agreed not to include an article on a customs union exception. While some members had considered that that decision signified implicit recognition of the fact that such a rule did not exist and that its

(Mr. El-Erian)

future adoption was not desirable, others felt that it should be interpreted as meaning that the ultimate decision was of a political nature and must be taken by the States to which the draft would be submitted.

42. On the basis of the Special Rapporteur's fifth report, the Commission had been able to adopt provisionally chapter III of its draft articles on State responsibility. The chapter began with a provision specifying when it might be considered that there was a breach of an international obligation, and stating the principle that the essence of such a breach consisted in the difference between the actual conduct of the State and the conduct required by the obligation incumbent upon it. The other provisions of the chapter were devoted to specifying how that concept applied to various possible situations and cases.

43. The chapter then took up a range of questions relating to the way in which the subject-matter of the international obligation breached affected the existence and characterization of an internationally wrongful act. The rules on the objective element of an internationally wrongful act stated in chapter III must be understood in the light of all the provisions which were to appear in the draft articles. Thus, the finding that a breach of an international obligation existed might be negated by one of the various circumstances excluding wrongfulness (force majeure and fortuitous event, state of emergency, self-defence, legitimate application of a sanction, consent of the injured State, and so on) with which chapter V of the draft would deal. In preparing the material which was the subject-matter of chapter III the Commission had kept in mind the fact that the progressive development of international law sometimes had to take precedence over codification in the strict sense.

44. With regard to succession of States in respect of matters other than treaties, the Commission had provisionally adopted articles 12 to 16 and expected at a future session to adopt provisions concerning archives, and had thus completed its study of succession to State property in part I. In pursuance of the instructions of the General Assembly in its resolution 3315 (XXIX), the Special Rapporteur intended to proceed directly in the ninth report, which he would submit to the Commission's next session, to the study of succession to public debts, and might also submit a report on archives. The Commission would decide later in what order the other questions concerning public property and the other matters included in the topic (e.g., the question of the procedure for the peaceful settlement of disputes arising out of the application or interpretation of the draft articles) were to be considered.

45. With regard to the choice of types of succession in respect of treaties, the Commission in its 1972 provisional draft had recognized four separate types of succession of States: (i) transfer of part of a territory; (ii) newly independent States; (iii) uniting of States and dissolution of unions; (iv) secession or

separation of one or more parts of one or more States. In its work of codification and progressive development of the law relating to succession of States in respect of treaties and the law relating to succession of States in respect of matters other than treaties, the Commission had constantly borne in mind the desirability of maintaining some degree of parallelism between the two sets of draft articles and in particular, of using common definitions and common basic principles as far as possible. In formulating, for each type of succession, general provisions applicable to all kinds of State property, the Commission had found it necessary to introduce a distinction between immovable and movable State property.

46. As had been indicated in the introductory commentary to the draft articles, the principle of equity was one of the underlying principles in the rule regarding the passing of movable State property from the predecessor State to the successor State when that property was connected with the activity of the former in respect of the territory to which the succession of States related. In that context the principle of equity, although important, did not occupy a pre-eminent position since if it did, the whole rule would then be reduced to a rule of equity and at the limit, that rule would make any attempt at codification unnecessary. It must be noted also that the principle of equity was called upon to play a greater role in connexion with the rules established for certain specific types of succession concerning the passing from the predecessor State to the successor State or States of movable State property other than that connected with the activity of the former in respect of the territory to which the succession of States related.

47. Finally, with regard to special provisions relating to newly independent States, the Commission had found it necessary, in view of the adoption at first reading of article 13, which concerned succession to State property by a newly independent State, to include a definition of the term "newly independent State". Although the question might be raised whether it was useful for the Commission to include special provisions relating to newly independent States in view of the fact that the process of decolonization was practically finished, the Commission had had no doubt as to the necessity of including such provisions in its draft. A draft of articles on a topic which necessarily presupposed the existence of a right which was basic to United Nations doctrine, namely the right of self-determination of peoples, could not ignore the most significant and expanded form of realization of that right in the recent history of international relations, namely the process of decolonization following the Second World War.

48. With regard to the progress of work on other topics, the Commission had considered a first report of the Special Rapporteur on the non-navigational uses of international watercourses. The report considered government replies to the questionnaire reproduced in the report, and the conclusions that might be drawn therefrom with regard to the scope and direction of the work on international watercourses. The Commission had agreed that the question of determining the range of the term "international watercourses" need not be pursued at the outset; attention should instead be devoted to the formulation of general principles applicable to legal aspects of the uses of those watercourses, endeavouring to

(Mr. El-Erian)

maintain a balance between rules which were so general as to be ineffective, and rules which were too detailed to be generally applicable. The rules should be designed to promote the adoption of régimes for individual international rivers and for that reason they should have a residual character. Efforts should be made to make the rules as widely acceptable as possible, and the sensitivity of States regarding their interests in water must be taken into account. In its future work on the topic the Commission would take into account the various suggestions made by States for additions to or changes in the outline of fresh water uses which the Commission had suggested as the basis for its study, namely agricultural, economic and commercial, and domestic and social. In discussions in the Commission it had been agreed that flood control, erosion problems and sedimentation should be included in the study, as well as the interaction between use for navigation and other uses. Pollution problems should be dealt with in connexion with the particular use that had given rise to it. The Commission through its Special Rapporteur should continue to maintain the relationships that had been established with United Nations agencies. The question of appointing a committee of experts would be decided later by the Commission and the Special Rapporteur after consultation.

49. The Commission had been unable at its twenty-eighth session to consider the question of treaties concluded between States and international organizations, or between two or more international organizations. It would resume consideration of that topic at its next session on the basis of the fourth and fifth reports submitted by the Special Rapporteur. The questions which the Commission would consider related to reservations, entry into force and provisional application of treaties, and the observance, application and interpretation of treaties.

50. At its twenty-eighth session the Commission had also considered the question of resuming work on the topic of relations between States and international organizations. It had requested the Special Rapporteur to prepare a preliminary report to enable it to define its course of action on the second part of the topic, namely the status, privileges and immunities of international organizations, their official experts and other persons engaged in their activities not being representatives of States.

51. The Commission had established a Planning Group to consider its methods of work. It had been suggested that at future sessions the group might study the following possible means of improving the working methods of the Commission: the number of subjects to be discussed at each annual session of the Commission; time of submission of reports by Special Rapporteurs; submission of written comments on reports by members in advance of the annual meeting of the Commission; and methods of preparation of the text of the Commission's report.

52. The Commission had decided to reaffirm the conclusions reached at its twenty-sixth session in connexion with the report of the Joint Inspection Unit, including those relating to the seat of the Commission. In that connexion he drew attention to paragraph 180 of the Commission's report.

53. With regard to regional co-operation, the Commission's report contained details of co-operation with the Asian-African Legal Consultative Committee, the European Committee on Legal Co-operation and the Inter-American Juridical Committee. The Commission had also decided to ask the Secretary-General to publish a revised edition of the handbook The Work of the International Law Commission. Having been informed that the Office of Public Information was willing to include the revised handbook in its 1976/77 publications programme in English, and in 1977 or 1978 in other languages, the Commission expressed its appreciation to the Office for its co-operation.

54. The Commission's report contained information on activities of an academic character conducted during the reporting year, including the delivery of the fourth Gilberto Amado Memorial Lecture and the twelfth session of the International Law Seminar.

55. Finally, he felt it would be useful to indicate the research projects currently being undertaken by the Codification Division in relation to the work of the International Law Commission, namely: research on the most-favoured-nation clauses included in treaties, to be published in the United Nations Legislative Series; with regard to State responsibility, surveys of State practice, treaties, international judicial decisions and doctrine concerning circumstances precluding wrongfulness and aggravating and attenuating circumstances, in particular, force majeure and fortuitous events, necessity, self-defence, application of a legitimate sanction, and consent of the injured States; materials on succession of States in matters other than treaties, to be published in the United Nations Legislative Series, in connexion with treaties concluded between States and international organizations or between two or more international organizations, a study of the main treaty law features in treaties concluded by the United Nations, and finally, a supplementary report on the legal problems relating to the non-navigational uses of international water courses.

56. In conclusion he paid tribute to the spirit of co-operation and mutual assistance which prevailed between the Commission, the Sixth Committee, and the Codification Division of the United Nations Secretariat.

The meeting rose at 6.05 p.m.