



Friday, 14 December 1951, at 3.30 p.m.

Palais de Chaillot, Paris

CONTENTS

Page

Reservations to multilateral conventions (*continued*)

- (a) Report of the International Law Commission covering the work of its third session (A/1858) (chapter II : Reservations to multilateral conventions) 109
- (b) Reservations to the Convention on the Prevention and Punishment of the Crime of Genocide : advisory opinion of the International Court of Justice (A/1874) 109

Chairman : Mr. Manfred LACHS (Poland).

Reservations to multilateral conventions (*continued*)

(a) Report of the International Law Commission covering the work of its third session (A/1858) (chapter II : Reservations to multilateral conventions)

[Item 49 (a)] *

(b) Reservations to the Convention on the Prevention and Punishment of the Crime of Genocide : advisory opinion of the International Court of Justice (A/1874)

[Item 50] *

1. Mr. RÖLING (Netherlands) recalled that the question of reservations had been referred to the Sixth Committee for consideration at the request of the Secretary-General as the depositary of multilateral conventions and in particular of the Convention on the Prevention and Punishment of the Crime of Genocide. The question of the Genocide Convention's entry into force had resolved itself and the problem before the depositary of the Convention was now limited to the registration of ratifications, reservations and objections to reservations. The Netherlands delegation hoped that the Secretary-General would be directed, as the representative of Israel had proposed in his draft resolution (A/C.6/L.193), to conform to the opinion of the International Court of Justice¹ in the case of the Convention on Genocide.

2. But the Netherlands delegation did not consider that that solution should be extended to other multilateral conventions. There were several types of multi-

lateral conventions. Some were intended to form models for bilateral conventions. Others set up an agency or established rules of law. The solution might depend on the type of reservations contemplated. The Court had indicated, on page 22 of its opinion, that the possibility of making reservations depended on the nature of the convention. He doubted whether the Court had succeeded in devising a practical solution. It had laid down a rule of conduct which was to guide each State in determining the admissibility of reservations. That rule seemed to abridge the right to make reservations and objections to them. The Court, however, did not draw any inference from it. The notion of the compatibility of reservations was, however, of some importance, yet the essential factor was the opinion of the parties with regard to compatibility. Their opinions might well differ. The Court did not reach any conclusion except concerning the opinion of States with regard to the problem whether another State should or should not become a party to the Convention. But the question put to the Court had been : could the reserving State be regarded as being a party to the Convention ? The Court had not made that point clear. He also noted certain contradictions in the answers given by the Court.

3. The solution recommended by the Court should be limited to the Convention on Genocide. His delegation would therefore be unable to vote for the United States draft resolution (A/C.6/L.188), which proposed that that solution should be extended to other multilateral conventions. It would vote for the Israel draft resolution (A/C.6/L.193) if its paragraph 3 were deleted, thus restricting reservations to the Genocide Convention only.

4. The International Law Commission in its report (A/1858)² had laid down rules to be followed for reser-

* Indicates the item number on the General Assembly agenda.

¹ See *Reservations to the Convention on Genocide, Advisory Opinion* : C. J. Reports 1951, page 15.

² See *Official Records of the General Assembly, Sixth Session, Supplement No. 9*, chapter II.

vations, in the absence of contrary provisions in a convention. As they were not rules of existing law, the Netherlands delegation felt, however, that they could not be applied to the conventions of which the Secretary-General was already depositary. With regard to such conventions, the Secretary-General should be requested to continue until further notice to follow the practice he had adopted in the past.

5. With regard to future multilateral conventions, the Netherlands delegation supported the suggestion made by the United Kingdom representative in his amendment (A/C.6/L.190, point 3) to paragraph 3 of the United States draft resolution, recommending that a clause relating to the admissibility or non-admissibility of reservations should be inserted in conventions.

6. The Netherlands delegation could not at present accept the suggestions made by the International Law Commission in paragraph 34 of its report.

7. The members of the Sixth Committee were divided as to the rules to apply to reservations. Some representatives, for the sake of universality, advocated the Pan-American system, whereas others, for the sake of uniformity, preferred the solution proposed by the International Law Commission. He hoped that it would be possible to find a compromise solution. The United Kingdom representative's suggestion (267th meeting) that the majority rule should be followed in the matter of reservations deserved to be considered by the International Law Commission within the general scope of its study of the law of treaties, as likely to contribute to the development of international law. The Commission might reconsider the contents of paragraph 34 of its report and suggest a combination of the two systems proposed. If it did so, he hoped that it would also reconsider sub-paragraph (5) (b) of paragraph 34 with a view to limiting the period within which States could make reservations.

8. His delegation would submit a draft resolution the object of which was to prevent a decision accepted by a small majority from being imposed on the minority, in the manner mentioned by the Chilean representative (270th meeting), and to make it possible to devise a compromise solution likely to be acceptable to the majority of States.

9. He asked the delegations of the United States, Sweden and Israel to agree to such a Netherlands draft resolution being considered first in view of its procedural character.

10. Mr. MOUSSA (Egypt) opposed the Netherlands proposal to refer the question of reservations back to the International Law Commission. In view of the full discussion in the Sixth Committee, that was unnecessary. Nevertheless he regretted that the question had not been considered from the natural angle, that of the legitimacy and desirability of reservations.

11. In his opinion, the legitimacy of reservations was founded on the principle of the parties' freedom to give or withhold consent, rather than on the sovereignty of States. When States negotiated in good faith, reservations were already known in the course of the negotiations and were only maintained if they were absolutely vital. Accordingly he urged the Committee to face international realities and to think in terms of negotiation.

12. With regard to the desirability of reservations, a State making a reservation did so with the desire that

it should be accepted by all the other States. The majority rule applied in the preparation of treaties, the reservation being a legitimate means of protection against the right of the majority. The question of the desirability of reservations was a question of circumstances: the more reservations there were, the more complex the convention became; that might impair the integrity of the text, but the danger was a minor one or, more exactly, dependent on circumstances.

13. All conventions could, nevertheless, because of their nature, admit reservations; that applied even to the Covenant of the League of Nations and the United Nations Charter. For example, a special clause had had to be inserted in the Covenant barring reservations to the League of Nations system. Similarly, the 1909 Declaration of London contained a clause stating that the text was an indivisible whole and that no reservations could be made. The sole reason why conventions concluded under the auspices of the International Labour Organisation did not allow for reservations was that they were concluded with the participation of non-governmental delegations. Since, if reservations were admitted, governments alone could make them, the balance would be weighted in their favour. That was explained in a memorandum by the Director of the International Labour Office, submitted to the Council of the League of Nations on 15 June 1927.³

14. In actual fact, a country made reservations because, for instance, its domestic legal system differed from that of the other States. In such cases, reservations provided practical machinery enabling a State to adapt its legal order gradually and with due caution to that of the international community.

15. He did not consider the opinion given by the International Court of Justice any more limited than that of the International Law Commission. The Court had been unable to deal with the special question of genocide submitted to it without studying the general principle. Its opinion was therefore complete and self-contained, and described the state of positive law.

16. The International Law Commission, on the other hand, had studied the question from the aspect of the progressive development of law, but had omitted to examine the state of existing positive law, and to use that as the basis for its formulation of the progressive development of law. That was why the Egyptian delegation could not agree to its conclusions being followed.

17. He agreed with the United States draft resolution as it would be amended by the joint amendment (A/C.6/L.191). He appreciated the intention of the compromise solution proposed by the United Kingdom (A/C.6/L.190), but was doubtful whether it could be applied in practice.

18. Mr. BUNGE (Argentina) wished to clarify a number of important points. The representative of Peru (268th meeting) had said that all conventions could be the subject of reservations. The representative of Mexico (270th meeting) had said that conventions should be classified according to the rule applicable to the different types of conventions. Very thorough study would be required to achieve such perfection. What was needed was a flexible system. And Mr. Bunge felt that the Pan-American system was at once flexible and capable of improvement.

³ See *League of Nations, Official Journal*, July 1927, pages 882-884.

19. Many representatives had confused the ideas of integrity and indivisibility. Certain conventions formed an indivisible whole which could only be accepted or rejected *en bloc*; but that was not the same thing as integrity, which was a subjective concept.

20. The League of Nations procedure should be applied in exceptional cases only. In one of his statements (267th meeting) the United Kingdom representative had agreed to the application of the majority rule; that was half-way towards surrendering the notion of integrity, which required unanimity. Perhaps the United Kingdom representative could be persuaded to abandon the notion of integrity completely and to accept the Pan-American system.

21. There was nothing peculiarly Pan-American in the reservations procedure followed by the American States. As the USSR representative had said (269th meeting), the Latin-American States had merely adapted an existing system, which Mr. Bunge felt should become the United Nations practice.

22. It was interesting to note, he added, that the American authors cited by the representatives of Chile and Brazil had not been followed by their Ministries of Foreign Affairs or by the International Court of Justice.

23. Mr. SASTROAMIDJOJO (Indonesia), noting that his delegation had followed the discussion on reservations to multilateral conventions with great interest, wished to make a few general observations.

24. Four views had emerged in the course of the discussion. The first favoured the conclusions of the International Law Commission; the second inclined to the procedure advocated by the United States; the third also supported the conclusions of the International Law Commission, subject to certain qualifications, and the fourth was the opinion held by the USSR.

25. In a study of the report of the International Law Commission covering the work of its third session it should be remembered that there were two types of multilateral conventions: those concluded under the auspices of the United Nations and those not so concluded. The first category consisted of two sub-divisions: conventions relating to humanitarian and social questions, and conventions dealing with other subjects. In General Assembly resolution 478 (V) the International Law Commission had been asked to study the question of reservations to multilateral conventions both from the point of view of codification and from that of the progressive development of international law. And what the General Assembly meant by "codification" of international law and "the progressive development of international law" could be gathered from Article 15 of the Statute of the International Law Commission. Two practices were observed in connexion with reservations: the League of Nations practice, which was also the Secretary-General's practice, and that applied by the Pan-American Union.

26. The solutions advocated by the International Law Commission were in keeping with Article 15 of its Statute. He agreed with the Commission's suggestion of inserting provisions relating to the admissibility or non-admissibility of reservations and to the effect to be attributed to them. He also agreed with the Commission's suggestion that in the absence of contrary provisions the practices outlined by the Commission, which were procedural in nature, should be adopted. Still, though his delegation accepted the International Law Commission's suggestions, particularly those

concerning multilateral conventions concluded under the auspices of the United Nations, it felt that the rule should be more flexible. He proposed that the majority rule should be applied.

27. He did not consider that the infringement of State sovereignty entailed by the application of the procedure proposed by the International Law Commission was very serious in comparison with the advantages it would bring.

28. With regard to the Convention on Genocide, he did not share the opinion of the International Court of Justice, which was inconsistent with the principle of universality that was the goal of the United Nations. The Convention in question was the very archetype of all conventions concluded under United Nations auspices, and reservations to that type of convention were actually amendments. Accordingly his delegation considered that the practice recommended by the International Law Commission should, subject to minor qualifications, apply to that case, as indeed to all humanitarian or social conventions concluded under United Nations auspices.

29. The same practice should also serve as a guide in questions of procedure, particularly in cases where the Secretary-General was the depositary of the convention.

30. The system recommended by the International Court of Justice was suitable either for conventions concluded independently of the United Nations or for conventions not dealing with humanitarian or social questions concluded under United Nations auspices, since in both cases flexibility was essential.

31. Mr. ABDON (Iran) said the question before the Committee was what action should be taken on the opinion of the International Court of Justice that a State which had made a reservation to the Convention on Genocide could become a party to the Convention if the reservation was compatible with the object and purpose of the Convention; the Committee had also to take a decision on the conclusions of the International Law Commission that a State which made a reservation could only become a party to a convention if the other parties had no objection.

32. Various solutions had been proposed. The United States delegation had submitted a draft resolution suggesting that the solution recommended by the Court in the case of the Convention on Genocide should become generally applicable. The United Kingdom delegation, in an amendment (A/C.6/L.190) to the United States draft resolution, proposed that the International Law Commission's conclusions should be followed in the case of multilateral conventions other than the Convention on Genocide. Some Latin-American delegations had submitted a draft resolution (A/C.6/L.191) proposing that the Pan-American system should be adopted. Lastly, the delegations of Israel and Sweden had each submitted a draft resolution (A/C.6/L.192 and A/C.6/L.194) suggesting that the question should be referred back to the International Law Commission for reconsideration and that the latter should include its conclusions in its report on the law of treaties.

33. The Iranian delegation was prepared to support the last-mentioned solution. Before going into the reasons for that decision, he wished to make some general observations.

34. The various solutions put forward had been supported by theoretical and practical arguments. The

Iranian delegation, believing the matter to be more practical in nature, felt that the theoretical arguments were not likely to help the Committee to find a solution. The two extreme approaches could be equally well supported by arguments based on the idea of the sovereignty of the State and on the principle of the parties' freedom to give or withhold consent. Different solutions would be reached according to whether the emphasis was laid on the sovereignty of States which made reservations or on that of States which lodged objections to the reservations. If a multilateral convention was considered simply as an aggregate of bilateral agreements, it could be concluded that a State could become a party to a convention in relation to those countries which had accepted its reservations, in spite of the non-concurrence of one or more States. On the other hand, if a multilateral convention was regarded as not merely a collection of bilateral agreements, it was to be inferred that a State which agreed to become a party to a multilateral convention did so because other States were prepared to assume all the obligations contained in the convention.

35. The Pan-American system had the great practical advantage of enabling the largest possible number of States to become parties to a convention; but some States undertook to apply only part of the convention and that only *vis-à-vis* a limited number of States. That was not desirable for conventions concluded under United Nations auspices, particularly for law-making conventions, as many of them were, although many conventions deposited with the Secretary-General were in a different category. The importance of those conventions as sources of international law was due to the fact that they were accepted in their entirety. Under the Pan-American system, as the Chilean representative (270th meeting) had recognized with impartiality, reservations could be made which were likely to destroy the essence of those conventions, to the detriment of the codification of international law, for codification presupposed the existence of almost unanimously accepted rules. But the supporters of that system were right in arguing that no single State should have the power, by its objection, to prevent a State making a reservation from becoming party to a convention. In those circumstances, the best solution would be to try to devise a system which offered the greatest possible number of the advantages and the smallest possible number of the disadvantages of both systems. Perhaps the solution was to be found in the United Kingdom representative's suggestion (267th meeting) that objection by a certain majority of the contracting States could prevent the reserving State from becoming a party to the convention. The Argentine representative had asked the United Kingdom representative, who had in part abandoned the principle of unanimity, to abandon it completely. Mr. Abdoh felt that that was impossible and that the solution suggested by the United Kingdom representative was a compromise which still preserved the principle of the integrity of the convention; for if two-thirds or three-quarters of the parties accepted a reservation, it could be presumed that it was compatible with the object of the convention.

36. He then remarked that the Court should have based its opinion on existing law and that the International Law Commission, pursuant to its Statute, should have studied the matter from the point of view both of codification of international law and of its progressive development. But the Court, by taking

into account a new need for flexibility in multilateral conventions, had invaded the province of the progressive development of law; its opinion contained a new conception of reservations. It could be pointed out that the Court's opinion probably conflicted with the presumed intention of the parties since, in the absence of any specific provision on reservations, the parties doubtless intended to follow the established practice of the United Nations Secretariat. On the other hand, the International Law Commission, in its conclusions, had merely formulated existing law without taking into consideration the need for flexibility which the Court had recognized. Hence, contrary to Mr. Abdoh's expectations, the Court had shown itself to be too liberal, whereas the International Law Commission had turned out to be rather conservative.

37. With regard to the extent to which the Sixth Committee should adopt the Court's opinion, the Iranian delegation was prepared to accept the opinion in so far as it applied to the Convention on Genocide. To apply the compatibility test to other conventions was rather a solution to contemplate for the future, and hence should be considered by the International Law Commission.

38. With regard to the extent to which the Committee should adopt the conclusions of the Commission, his delegation felt that the International Law Commission had not fully discharged its duty; accordingly the question should be referred back to it for study, not only from the point of view of the codification but also from that of the progressive development of international law. The Commission should devote a chapter to the matter in the report which it would submit to the Assembly.

39. With regard to the extent to which the Secretary-General should be guided by the advisory opinion of the Court and the conclusions of the International Law Commission, his delegation thought that the Secretary-General should be requested to abide by the practice which he had so far followed, until the General Assembly, after studying the next report of the International Law Commission, instructed him otherwise.

40. He then submitted his delegation's amendment (A/C.6/L.195) to the Israel draft resolution (A/C.6/L.194). He supported paragraphs 1, 2 and 3 of the operative part of that draft. He also supported paragraph 4, but felt that it would be necessary, before requesting the International Law Commission to reconsider the matter, to explain the reason for referring the question back to it. That was the purpose of his amendment, which would add the following paragraph after paragraph 3 of the operative part:

"4. Requests the International Law Commission to re-examine the question of the rights and duties of the depositary of multilateral conventions, taking into account all the opinions expressed during the proceedings of the sixth session of the General Assembly, more especially with regard to the advisory opinion of the International Court of Justice on reservations to the Convention on the Prevention and Punishment of the Crime of Genocide;".

41. The International Law Commission should, as required by its Statute, consider the need—admitted by the Court—for flexibility in multilateral conventions. At all events, it would be advisable to request the International Law Commission to study the matter again, because it would be difficult at the moment to

reach a solution which would command a strong majority. Even if the Committee decided in favour of the Pan-American system, there would still be a considerable minority and the solution adopted would not be regarded as final.

42. Mr. MAKOTOS (United States of America) wished to make a few comments on the proposal to refer the matter back to the International Law Commission.

43. The Swedish and Iranian representatives had taken the view that the United States delegation's single objection to the traditional practice concerned the principle of unanimity, which gave a State the right to veto the accession of another State to a multilateral convention. But the United States delegation had over twenty objections to that practice. Those objections could not therefore be removed by substituting the majority principle for the principle of unanimity.

44. The majority principle, moreover, presented serious disadvantages. He quoted the example of a convention which, like the Geneva Conventions of 1949 on the Protection of War Victims, had sixty signatories, and which came into force upon ratification by two States. One State, A, ratified the convention without reservation; one State, B, ratified it with a reservation which was accepted by State A. The convention came into force, and States A and B were parties to it. If two further States, C and D, ratified the convention, and objected to the reservation made by State B, State B thereupon ceased to be a party to the convention because its reservation was not accepted by the majority of the States parties to the convention. That meant there was no rule whereby the position of contracting States could be precisely defined.

45. Accordingly the Committee should not approve the proposal of the Israel, Swedish and Iranian delegations, but should settle the question itself. If the question were referred back to the International Law Commission, that body, which had hitherto supported the unanimity system, would perhaps, in the light of the observations submitted, pronounce in favour of the majority principle with its manifest disadvantages. It would therefore be preferable for the Assembly to decide against the majority principle forthwith.

46. Mr. AMADO (Brazil) recalled that, when speaking (267th meeting) on the report of the International Law Commission, he had reserved the right to speak again in order to give his delegation's view on the advisory opinion of the International Court of Justice. First of all he wished to reply to the representative of Egypt, who had stated that to judge by the report of the International Law Commission and the records of the proceedings of its third session, the Sixth Committee had studied the question of reservations to multilateral conventions more thoroughly than had the International Law Commission.

47. Without posing as a champion of the International Law Commission, Mr. Amado wished to point out that it had had only three months in which to study several very important questions—the definition of aggression, the question of reservations to multilateral conventions, the code of offences against the peace and security of mankind, the law of treaties, and the régime of the high seas, all of them very delicate questions and some, like that of the continental shelf, completely new topics. The task of the International Law Commission was not easy. Moreover, since the debates in that Commis-

sion were entirely informal, it was not surprising that the records of its proceedings were not more comprehensive. The International Law Commission had concentrated on the study of the question of reservations and scrupulously studied all the texts placed at its disposal. Accordingly he felt bound to point out that the remark made by the Egyptian representative was unjustified; if, as had been suggested, the question of reservations to multilateral conventions were referred back to the International Law Commission, that Commission would still have only a short time in which to study the question, with the result that its findings might once again not satisfy certain members of the Sixth Committee.

48. Not wishing to return to the substance of the question, he merely stated that the arguments of the supporters of the practice followed by the Organization of American States had not convinced him. He was still sure that if that practice were applied to the conventions concluded under the auspices of the United Nations, the effect would be to shake the international structure. The issue was whether the United Nations wished to prepare workable conventions—in other words, permit reservations at the negotiating stage—or whether it wished to abolish all the regulations hitherto observed and allow States which would, in some cases, not even have participated in the negotiations to tender reservations to certain provisions after the text had been prepared.

49. Referring to the advisory opinion of the International Court of Justice, he explained that the Brazilian delegation accepted the procedure whereby the General Assembly confined itself to taking note of the advisory opinions of the Court; accordingly his delegation was prepared to accept the findings of the Court on the reservations to the Convention on the Prevention and Punishment of the Crime of Genocide. That, incidentally, accorded with the traditional policy of the Brazilian delegation to respect the Court, on all matters, as the principal judicial organ of the United Nations. However, his delegation was not in entire agreement with certain jurisprudential points contained in the Court's opinion.

50. It would be remembered that one reason why the General Assembly, in its resolution 478 (V), had asked both the International Court of Justice and the International Law Commission to give a ruling on the question of reservations had been the fear of certain delegations that the Court might study the question solely on the basis of the principles of positive international law in force. Those delegations, which had their own reasons for not desiring a solution based on existing law, had expressed a preference for the International Law Commission, which dealt with questions on a broader basis.

51. However, the result had been surprising: the Court had departed from all precedent and authority to formulate an entirely new theory, that of the compatibility of reservations with the object and purpose of the convention as a condition of their validity. The advisory opinion did not state the source of that principle. Indeed, the judges who had expressed a dissenting opinion (published with the Court's advisory opinion, page 31 ff.) considered that it lacked legal foundation; they explained that neither in law nor in practice was there any evidence to confirm the existence, with respect to reservations, of a distinction of that kind between the provisions of a treaty, nor was there any evidence to show that a State was competent to draw such a

distinction and to make it the basis of a reservation. The Court had found no precedent for the theory in the sources of international law mentioned in Article 38 of its Statute: either in international conventions, in international custom, in the general principles of law recognized by civilized nations, in judicial decisions or, finally, in publications by jurists. Furthermore, it could not be inferred from the silence maintained by the parties to the Convention on Genocide that they had had the intention of removing the doubts concerning the reservations to that Convention by a test so remote from the practice followed in the past by the Secretary-General.

52. If the Court's opinion were followed, certain technical difficulties were sure to result. If it were the responsibility of the contracting parties to determine the compatibility or the incompatibility of a reservation with the object and purpose of the Convention, it was not difficult to foresee that political or other interests might distort the purely subjective judgment based on a formula as vague as the "object and purpose of the Convention". In addition, the Secretary-General's task would become considerably more complicated when it became a matter of accepting the ratification with reservations of a State which certain contracting parties, accepting the reservation, regarded as a party to the Convention, but which other parties, having judged the reservation incompatible with the object and purpose of the Convention, would not regard as a party.

53. In spite of the doubts he had voiced, the Brazilian delegation was prepared to accept the Court's opinion, but wished to make it clear that that opinion should be restricted to the Convention on Genocide and should not serve as basis for creating a rule to be applied in solving the problem of reservations to multilateral conventions.

54. Mr. VANGLABBEKE (Belgium) assured Mr. Amado that the Belgian delegation, while not invariably approving the conclusions of the International Court of Justice, fully realized the difficulties which the latter had to face in the performance of a task the scale and scope of which were not always fully appreciated.

55. He considered that the Sixth Committee did not dispose of all the positive data required to solve the problem before it. The Assistant Secretary-General (264th meeting) had spoken of a number of conventions deposited with the Secretary-General, adding that of those conventions approximately forty had been concluded under the auspices of the League of Nations and

forty under those of the United Nations. Later in the discussion, the Assistant Secretary-General had stated that altogether about 100 conventions were involved. Mr. van Glabbeke would like to know the exact number of the conventions concluded under League of Nations auspices and also how many of them were not in force; he believed the numbers were forty-three and six respectively. He also inquired whether the thirty-seven remaining conventions were actually in force, and, with respect to each of them, how many States had ratified or acceded to them.

56. Further, with reference to the conventions concluded under United Nations auspices, the Assistant Secretary-General might state whether there was in actual fact a total of sixty-one such conventions, of which three were no longer in force owing to their purpose having ceased to exist; also whether it was correct that fourteen of those conventions were not in force, and lastly, with respect to each of the remaining forty-four, how many States had ratified or acceded to them.

57. In addition, the Assistant Secretary-General might inform the Committee how many reservations had been made to each of those conventions, in so far as they did not contain clauses relating to reservations. He believed the number was eighteen, of which one had subsequently been withdrawn. It would also be interesting to know what tests the Secretary-General had applied to determine what observations or objections constituted reservations proper. Since the question had come before the Secretary-General in numerous cases, it might be useful to know how he had solved it.

58. Finally, he asked whether it was correct that in the course of his long experience the Secretary-General had encountered only a single case of an objection to reservations made by a contracting State and whether that had been precisely in connexion with the ratification of the Convention on Genocide.

59. He was convinced that the information would clarify the situation and would allow the Sixth Committee to draw practical conclusions.

60. Mr. KERNO (Assistant Secretary-General in charge of the Legal Department) pointed out that much of the documentary material which he would require to answer the Belgian representative's questions was at Headquarters. However, he would do his best to meet the Belgian representative's wishes.

The meeting rose at 6.5 p.m.