

Document:-
A/CN.4/SR.627

Summary record of the 627th meeting

Topic:
Other topics

Extract from the Yearbook of the International Law Commission:-
1961 , vol. I

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The commentary to article 37 was adopted as amended, subject to drafting changes.

Commentary to article 38 (Levying of consular fees and charges and exemption of such fees and charges from taxes and dues)

77. Mr. JIMÉNEZ de ARÉCHAGA suggested that the fourth and fifth sentences in paragraph (1) of the 1960 commentary should be retained, the reference to article 4 being replaced by a reference to article 55 in conformity with the action taken at the current session.

It was so agreed.

78. Mr. JIMÉNEZ de ARÉCHAGA considered that the statement made in the first sentence of paragraph (2) of the 1960 commentary went too far and should be deleted.

It was so agreed.

The commentary to article 38 was adopted as amended.

Commentary to article 39 (Special protection and respect due to consular officials)

79. Mr. JIMÉNEZ de ARÉCHAGA proposed that paragraph (3) of the 1960 commentary should be amended to refer to "appropriate" instead of "reasonable" steps, in keeping with the wording of the article itself.

80. Mr. ŽOUREK, Special Rapporteur, accepted the proposed amendment.

The amendment was approved.

The commentary to article 39 was adopted as amended.

Commentary to article 40 (Personal inviolability of consular officials)

81. Sir Humphrey WALDOCK pointed out that the new text adopted for article 40 did not make it clear that the provision did not apply to nationals of the receiving State. It was therefore necessary to insert the appropriate explanation in the commentary.

82. Mr. ŽOUREK, Special Rapporteur, agreed to the addition of such an explanatory remark.

The commentary to article 40 was adopted, subject to the addition of that explanation.

Statement by the Secretary concerning the control and limitation of documentation

83. Mr. LIANG, Secretary to the Commission, said that he had been instructed by the Secretary-General to bring to the Commission's attention the General Assembly's injunction to exercise vigilance in regard to the volume of documentation. Members would be aware that it was customary for the Secretariat at each session to recall the terms of General Assembly resolution 1272 (XIII) on that subject. The matter did not present any particular problems for the Commission itself.

The Commission took note of the Secretary's statement.

The meeting rose at 1.15 p.m.

627th MEETING

Friday, 7 July 1961, at 9.30 a.m.

Chairman: Mr. Grigory I. TUNKIN

Consideration of the Commission's draft report covering the work of its thirteenth session (A/CN.4/L. 95 and Add. 1, Add.1/Corr.1 and Add. 2)

(concluded)

CHAPTER II (Consular intercourse and immunities)

1. The CHAIRMAN invited the Commission to continue its consideration of chapter II of the draft report (A/CN.4/L.95/Add.1 and Add.1/Corr.1).

Commentary to article 41 (Duty to notify in the event of arrest, detention pending trial or the institution of criminal proceedings)

The commentary to article 41 was adopted subject to drafting changes.

Commentary to article 42 (Immunity from jurisdiction)

The commentary to article 42 was adopted.

Commentary to article 43 (Liability to give evidence)

2. Sir Humphrey WALDOCK, referring to paragraph (1) of the commentary, proposed that the words "or any other penalty" should be replaced by "and no penalty", for the expression "coercive measures" meant measures other than a penalty.

3. Mr. ŽOUREK, Special Rapporteur, agreed with the proposed amendment.

The amendment was adopted.

4. Sir Humphrey WALDOCK proposed that paragraph (4) should read: "...; the similar rules governing honorary consular officials are contained in articles 54 and 60 of the present draft".

5. Mr. ŽOUREK, Special Rapporteur, accepted the amendment.

The commentary to article 43 was adopted as so amended.

Commentary to article 44 (Exemption from obligations in the matter of registration of aliens and residence and work permits)

6. Mr. JIMÉNEZ de ARÉCHAGA proposed that the last sentence in paragraph (2) of the 1960 commentary should be restored.

7. Mr. ŽOUREK, Special Rapporteur, supported the proposal for inasmuch as the Commission had not added a provision concerning special cards to be issued to members of the consulate and their families the 1960 comment had to be restored.

The proposal was approved.

8. Sir Humphrey WALDOCK said the drafting of the proposed new paragraph to follow paragraph (4) was unsatisfactory because the exemption it referred to was not contingent upon the clause contained in the opening phrase. It should be redrafted in simpler form.

It was so agreed.

The commentary to article 44 was adopted subject to drafting changes.

Commentary to article 45 (Social security exemption)

The commentary to article 45 was adopted, subject to drafting changes.

Commentary to article 46 (Exemption from taxation)

9. Mr. JIMÉNEZ de ARÉCHAGA said that the passage reading "Unlike the corresponding provision of the Vienna Convention..." at the end of paragraph (4) seemed to imply a criticism of a decision taken by the Vienna Conference; he thought that such a criticism was undesirable.

10. Mr. ERIM disagreed. The passage in question simply indicated what course had been taken by the Commission in the draft on consular intercourse.

11. Mr. ŽOUREK, Special Rapporteur, confirmed that the statement was not in any way a criticism. The very great differences which existed in certain respects between the consular and the diplomatic institution justified some departures from the Vienna Convention in the draft under discussion.

12. The CHAIRMAN suggested that the passage should be slightly modified so as to indicate that the Commission had adopted the provision in question by reason of the position of consuls, which differed from that of diplomatic agents.

It was so agreed.

The commentary to article 46 was adopted, subject to drafting changes.

Commentary to article 47 (Exemption from customs duties)

The commentary to article 47 was adopted, subject to drafting changes.

Commentary to article 48 (Estate of a member of a consulate or of a member of his family)

The commentary to article 48 was adopted.

Commentary to article 49 (Exemption from personal services and contributions)

The commentary to article 49 was adopted.

Commentary to article 50 (Question of the acquisition of the nationality of the receiving State)

13. Mr. AGO, referring to paragraph 1(c) of the commentary, said that the reinstatement in the nationality of origin was quite distinct from the acquisition of nationality.

14. Mr. BARTOŠ disagreed; it was generally held that reinstatement was a form of acquisition of nationality.

15. Mr. YASSEEN said that, in order to reflect the law of some countries, the passage should be amended by the addition of the words "more or less" before the word "prolonged".

16. Mr. BARTOŠ suggested that the word "prolonged" should be omitted, for a person who returned to his country of origin with the *animus manendi* might be reinstated in his nationality quickly.

17. Mr. YASSEEN agreed with Mr. Bartoš. The reinstatement in nationality might depend on the acquisition of domicile, and under the law of some countries a person became domiciled by the simple fact of entering with the *animus manendi*. Furthermore, under the law of some countries reinstatement in the nationality of origin might depend on arrival in the country of origin.

18. Mr. ŽOUREK, Special Rapporteur, said that for the sake of accuracy he would prefer to retain the word "prolonged", if necessary qualified by the words "more or less". Obviously, a very brief stay was not sufficient for reinstatement in the nationality of origin.

19. Sir Humphrey WALDOCK said it was hardly appropriate to deal in the commentary with a matter governed by the law of the receiving State.

20. Mr. BARTOŠ emphasized that the decisive factor was not the duration of residence but the *animus manendi*. Some explanation was necessary in order to indicate that reinstatement in the nationality of the receiving State was not automatic.

21. Mr. JIMÉNEZ de ARÉCHAGA proposed the insertion of the words "for example" after the words "in cases where".

22. Mr. ŽOUREK, Special Rapporteur, agreed to the amendment.

The amendment was adopted.

The commentary to article 50 was adopted, as amended, subject to drafting changes.

Commentary to article 51 (Beginning and end of consular privileges and immunities)

The commentary to article 51 was adopted.

Commentary to article 52 (Obligations of third States)

The commentary to article 52 was adopted.

Commentary to article 53 (Respect for the laws and regulations of the receiving State)

The commentary to article 53 was adopted.

Introduction to chapter III of the draft articles

23. Mr. AGO suggested that some modification was necessary in the introduction to chapter III so as to reflect the Commission's decision to place career consuls who carried on a private gainful occupation on a footing of equality with honorary consuls.

24. Mr. ŽOUREK, Special Rapporteur, said that it was necessary to indicate that the Commission had abandoned its efforts to formulate a definition of "honorary consuls". The statement was all the more indispensable because some governments had asked for such a definition. In

order to give a complete account of the course of discussion, he could add a paragraph explaining that at the current session it had defined the status of an intermediate category, that of career consular officials who carried on a private gainful occupation.

That suggestion was adopted.

Subject to that amendment, the commentary forming the introduction to chapter III was adopted.

Commentary to article 54 (Régime applicable to honorary consular officials)

The commentary to article 54 was adopted, subject to drafting changes.

Commentary to article 55 (Special provisions applicable to career consular officials who carry on a private gainful occupation)

The commentary to article 55 was adopted, subject to drafting changes.

Commentary to article 56 (Inviolability of consular premises)

25. Mr. AGO suggested that the commentary proposed by the Special Rapporteur might need some amplification so as to explain that, under the draft, an honorary consul engaged in some activity on behalf of the sending State which was not incompatible with but was not strictly part of the consular function was not thereby deprived of the benefit of article 56. He was anxious that the word "exclusively" in the second sentence of the commentary should not be interpreted too rigidly.

26. Mr. ŽOUREK, Special Rapporteur, pointed out that the Commission had deliberately introduced the proviso in the first sentence of article 56 because, since most honorary consuls engaged in a gainful private occupation, that condition was necessary if the article were to be acceptable to governments. A like condition was stipulated in article 60 in respect of the inviolability of the consular documents and archives.

27. The CHAIRMAN observed that it would be preferable to use the exact wording of the article itself in the second sentence of the commentary.

28. Mr. AMADO, disagreeing with Mr. Ago, said that the Commission had been excessively liberal in the provisions adopted for honorary consuls.

The commentary to article 56 was adopted, subject to drafting changes.

Commentary to article 57 (Exemption from taxation of consular premises)

29. Mr. AMADO said that the statement in paragraph (2) of the commentary was too candid. The Commission's decision would certainly come under fire in the Sixth Committee, and it was not advisable to advertise the fact that the exemption did not conform with general practice.

30. Mr. AGO suggested that paragraph (2) be deleted.

31. Mr. ŽOUREK, Special Rapporteur, said that, although he would not oppose the deletion of the paragraph, he had regarded it as his duty to insert the passage

for the sake of objectivity and in order to lay the fullest information before governments. The proposed rule certainly did not correspond to existing practice. The commentary had, however, some positive value, for it defended the Commission's decision. The deletion of the paragraph was unlikely to forestall objections to the article itself, particularly as some governments had already expressed the view that the Commission had been too liberal in regard to honorary consuls.

32. In any event, few consular premises used by an honorary consul fulfilled the conditions imposed in article 57, and consequently not many would qualify for the exemption which it conferred.

33. Mr. AMADO said it was surprising that the Commission should seek to introduce an innovation on a relatively secondary matter when its main task was to reflect practice. He suggested that the phrase "although it is not in conformity with general practice" be deleted.

It was so agreed.

34. Sir Humphrey WALDOCK proposed that it should be explained in the commentary that the exemption did not apply to nationals of the receiving State.

It was so agreed.

The commentary to article 57 was adopted as amended.

Commentary to article 58 (Inviolability of consular archives and documents)

The commentary to article 58 was adopted, subject to drafting changes.

Commentary to article 59 (Special protection)

The commentary to article 59 was adopted, subject to drafting changes.

Commentary to article 60 (Exemption from obligation in the matter of registration of aliens and work permits)

The commentary to article 60 was adopted, subject to drafting changes.

Commentary to article 61 (Exemption from taxation)

35. Mr. AGO drew attention to the statement in the commentary that the provision contained in the article was "not in accordance with the general practice of States". It was perhaps desirable to omit that statement, as had been done in the commentary to article 57.

36. Mr. AMADO said that, in the case of the commentary to article 61, unlike that of article 57, a full and adequate explanation was given in the commentary of the reasons for the innovation embodied in the article.

37. Sir Humphrey WALDOCK proposed that the passage under reference should be toned down, to read "although it goes beyond the existing general practice of States".

38. Mr. ŽOUREK, Special Rapporteur, accepted that amendment, which in no way changed the substance.

The proposal was adopted.

The commentary to article 61 was adopted as amended.

Commentary to article 62 (Exemption from personal services and contributions)

39. Mr. ŽOUREK, Special Rapporteur, said that, in the second sentence of paragraph (1) of the commentary, the words "the application of this article" should be replaced by "the scope of this article".

40. Mr. AGO said that a commentary along the lines of paragraph (2) should be attached either to all the articles or to none of them.

41. Mr. ŽOUREK, Special Rapporteur, said that the commentary in question was extremely useful in order to explain the scope of the articles on honorary consuls. He therefore proposed that in the commentaries on all the articles of chapter III the following sentence should be added: "It should be noted that, by virtue of article 66, this article does not apply to honorary consular officials who are nationals of the receiving State".

It was so agreed.

The commentary to article 62 was adopted as amended.

Commentary to article 63 (Obligation of third States)

42. Mr. JIMÉNEZ de ARÉCHAGA proposed that the words "As certain governments expressed doubt concerning the application of that article [Article 52] in full to honorary consular officials" should be replaced by a reference to the duty of third States to accord to the correspondence and other official communications of consulates headed by honorary consular officials the same freedom and protection as were accorded to them by the receiving State.

43. Mr. ŽOUREK, Special Rapporteur, accepted that proposal.

The commentary to article 63 was adopted as amended.

Commentary to article 64 (Respect for the laws and regulations of the receiving State)

44. Mr. JIMÉNEZ de ARÉCHAGA proposed the deletion from paragraph (2) of the commentary of the last two sentences, reading: "It may happen that an honorary consular official obtains certain advantages by reason of his official position. The prohibition laid down in this article is intended to prevent an honorary consular official from seeking advantages in his private occupation by making use of his official position".

45. The CHAIRMAN, speaking as a member of the Commission, supported that proposal.

The proposal was adopted.

The commentary to article 64 was adopted as amended.

Commentary to article 65 (Optional character of the institution of honorary consular officials)

46. Mr. FRANÇOIS said that the words "each State is free to decide whether it will make use of the institution of honorary consular officials" were ambiguous. They could be read to mean that the sending State was free to appoint honorary consuls without reference to the wishes of the receiving State.

47. The CHAIRMAN, speaking as a member of the Commission, agreed that the language used in the commentary was ambiguous.

48. Mr. ŽOUREK, Special Rapporteur, proposed that the passage in question be replaced by the words of the article itself: "each State is free to decide whether it will appoint or receive honorary consular officials".

It was so agreed.

The commentary to article 65 was adopted as amended.

Commentary to article 66 (Members of the consulate, members of their families, and members of the private staff who are nationals of the receiving State)

49. Mr. AGO noted that paragraph (3) of the commentary referred to article 38 of the Vienna Convention, which granted only a limited measure of immunity to diplomatic agents who were nationals of the receiving State. However, it was not correct to say that article 38 of that Convention granted to such officials "immunity from jurisdiction and inviolability solely in respect of official acts performed in the exercise of their functions". The correct statement was that such a diplomatic agent "shall enjoy only immunity from jurisdiction, and inviolability, in respect of official acts performed in the exercise of his functions". The French text of the relevant clause of the Vienna Convention (originally drafted in English) was in that respect inaccurate. It should have read "ne bénéficie que de l'immunité de juridiction et de l'inviolabilité pour les actes officiels..." instead of "ne bénéficie de l'immunité de juridiction ou de l'inviolabilité que pour les actes officiels...".

50. He proposed accordingly that both the English and the French texts of paragraph (2) of the commentary should be rectified, to ensure that the conference of plenipotentiaries which would consider the draft would not repeat the error in the French text of the Vienna Convention.

51. Mr. ŽOUREK, Special Rapporteur, said that the English text of article 38 of the Vienna Convention was undoubtedly the correct one and that the French text should therefore be construed in the same way. He proposed that the commentary to the article under discussion should reflect that interpretation.

It was so agreed.

52. Mr. JIMÉNEZ de ARÉCHAGA expressed a preference for paragraph (3) of the 1960 commentary to article 50. The passage which the Special Rapporteur proposed to add contained a discussion of difficult theoretical issues which it would be better to avoid.

53. Mr. ŽOUREK, Special Rapporteur, replied that he had introduced the passage in question because a number of governments had noted the difference between articles 41 and 50 of the 1960 draft and had requested an explanation of the meaning of the term "official acts" in the expression "official acts performed in the exercise of their functions". Besides, during the debate at the current session, some members of the Commission, in particular Mr. Verdross, had asked him to explain the difference between the two provisions in the commentary.

54. Mr. FRANÇOIS proposed that only the first sentence of the proposed addition be included. That sentence explained that the expression "official acts" was more restricted in scope than that used in article 42. The remaining sentences should be dropped: they gave an interpretation of the expression "acts performed in the exercise of consular functions" which was not accepted by all States.

The proposal was adopted.

The commentary to article 66 was adopted as amended

Commentary to article 67 (Waiver of immunities)

55. Mr. JIMÉNEZ de ARÉCHAGA proposed that in the second sentence of paragraph (1) of the commentary the last words "and by international law in general" should be omitted. He further proposed the redrafting of the concluding portion of paragraph (3)

The proposal was adopted.

The commentary to article 67 was adopted as amended, subject to drafting changes.

Commentary to article 68 (Non-discrimination)

56. Mr. LIANG, Secretary to the Commission, suggested that a passage be included in the commentary indicating the reasons for not following the corresponding text of the Vienna Convention.

57. Mr. ŽOUREK, Special Rapporteur, agreed to that suggestion and said that he would include in the commentary a statement to the effect that in 1960 the Commission had adopted a text differing from the corresponding one in the draft on diplomatic intercourse and that the reasons which had led it to adopt that change were still valid.

The commentary to article 68 was adopted, subject to drafting changes.

Commentary to article 69 (Relationship between the present articles and international conventions or other agreements)

58. Mr. JIMÉNEZ de ARÉCHAGA proposed that the second part of the first sentence should be redrafted and that the sentence reading "This article does not prevent the conclusion of future conventions concerning consular relations" should be deleted.

59. Mr. YASSEEN supported that proposal. It was not necessary to reiterate in the commentary general principles of international law.

60. Mr. AMADO pointed out that it was inaccurate to say "The purpose of this article is to maintain in force international conventions...". The purpose, as expressed in the article itself, was to specify that the multilateral convention would not affect international conventions already in force.

61. Mr. AGO proposed that the first part of the first sentence be redrafted to read: "The purpose of this article is to specify that the provisions of the present articles do not affect conventions or other international agreements in force as between the States parties to them."

62. The second part of the sentence would be redrafted along the following lines: "Obviously, in that case, the multilateral convention will apply to those questions which are not governed by the pre-existing conventions."

63. As proposed by Mr. Jiménez de Aréchaga, the last sentence would be deleted.

64. Mr. ŽOUREK, Special Rapporteur, said that the second sentence contained the perfectly correct proposition that the article did not prevent the conclusion of future conventions concerning consular relations. He was surprised by the suggestion that the sentence should be dropped. Nevertheless, for the sake of agreement, he was prepared to omit the sentence.

The amendments proposed by Mr. Ago were approved.

The commentary to article 69 was adopted as amended.

Commentary to article 70 (Exercise of consular functions by a diplomatic mission)

The commentary to article 70 (A/CN.4/L.95/Add.1/Corr.1) was adopted, subject to drafting changes.

Preamble

65. The CHAIRMAN drew attention to the preamble proposed by the Drafting Committee.

66. Mr. JIMÉNEZ de ARÉCHAGA suggested that the Commission should not adopt a preamble, but should leave it to the future conference of plenipotentiaries to draft one.

67. Mr. YASSEEN said that a preamble would be appropriate in a convention on consular relations but that it was not for the Commission to adopt it. The preamble did not formulate any rules of international law and should be left to the future conference.

68. In reply to a question by Mr. PAL, Mr. LIANG, Secretary to the Commission, said that only in the case of its draft on the elimination and reduction of future statelessness had the Commission adopted a preamble (A/2693, chapter II). The 1959 Conference on the subject had not, however, adopted the preamble proposed by the Commission.

69. Mr. ŽOUREK, Special Rapporteur, said that the preamble in the short form proposed by the Drafting Committee was unlikely to meet with any objections, because it followed very closely the preamble adopted by the Vienna Conference. In his opinion it would be regrettable if the Commission left the draft without a preamble altogether. It was wrong to say that the preamble would not constitute a statement of international law and that it was not the Commission's responsibility to draft the preamble.

70. Mr. AGO proposed that the preamble should be included in an introductory commentary to the draft articles. In that manner, while not presented as part of the draft articles, it would still be made available to the future conference as a suggested text.

71. Mr. ŽOUREK, Special Rapporteur, supported the proposal.

The proposal was adopted.

Draft articles on consular relations

72. The CHAIRMAN invited the Commission to consider the adoption of the draft articles as a whole.

73. Mr. ŽOUREK, Special Rapporteur, drew attention to the need to correct article 7 concerning the exercise of consular functions on behalf of a third State, which made no reference to the sending State. The exercise of consular functions on behalf of a third State required the consent of the three States concerned.

74. Mr. AGO proposed that, in the article in question, the words "and by virtue of an agreement between the sending State and the receiving State" should be inserted.

The proposal was adopted.

75. Mr. AGO noted that article 45 (Waiver of immunities) had been placed in chapter II, dealing with career consular officials. In fact, immunities could be waived also in the case of honorary consular officials. The article should therefore be moved to chapter IV (General provisions).

76. Mr. JIMÉNEZ de ARÉCHAGA said that, without moving article 45, the desired result could be achieved by adding the article to the list, given in article 57, paragraph 1, of articles the provisions of which were applicable to honorary consular officials.

77. Mr. AGO supported that suggestion.

78. Mr. ŽOUREK, Special Rapporteur, accepted the suggestion of Mr. Jiménez de Aréchaga.

The amendment to article 57 was adopted.

The draft articles on consular relations, as a whole, as amended, were adopted unanimously.

Chapter II of the Commission's draft report, as a whole, as amended, was adopted unanimously, subject to drafting changes.

The Commission's report covering the work of its thirteenth session, as a whole, as amended, was adopted unanimously, subject to drafting changes.

Closure of the session

79. The CHAIRMAN thanked the Commission for the honour it had done him in electing him. He expressed his appreciation to all the members for the assistance and co-operation extended to him. He thanked the officers of the Commission for their co-operation and paid a special tribute to the work of the Special Rapporteurs and of the Chairman and members of the Drafting Committee. Lastly, he expressed his gratitude to the secretariat for the efficient services provided for the Commission.

80. Mr. PAL asked the Secretary of the Commission whether any action would be called for from the Commission in order to ensure the Special Rapporteur's presence at the future conference to prepare a convention on consular relations. He recalled that, at the two United Nations Conferences on the Law of the Sea, Mr. François, who had been the Commission's Special Rapporteur on that topic, had attended.

81. Mr. LIANG, Secretary to the Commission, said that Mr. François had attended the two Conferences

on the Law of the Sea as a consultant on the invitation of the Secretariat, and not as a member of the International Law Commission. In the case of those Conferences the budgetary allocations had made the invitation possible.

82. Mr. MATINE-DAFTARY paid a tribute to the authority and courtesy with which the Chairman had conducted the meetings of the Commission. It was largely owing to the Chairman's leadership that the Commission had been able to complete its work on the important topic of consular relations.

83. The codification of the law of the sea, of diplomatic relations and of consular relations would stand as a monument to the work of the Commission, which was greatly indebted to the Special Rapporteurs for those three subjects.

84. Mr. BARTOŠ, Mr. AGO, Mr. JIMÉNEZ de ARÉCHAGA, Mr. EDMONDS, Mr. FRANÇOIS, Mr. HSU, Mr. PAL, Mr. AMADO, Mr. SANDSTRÖM, Sir Humphrey WALDOCK, Mr. YASSEEN and Mr. TSURUOKA associated themselves with the tributes paid by the previous speaker.

85. Mr. JIMÉNEZ de ARÉCHAGA, Mr. EDMONDS, Mr. FRANÇOIS, Mr. PAL, Mr. AMADO, Mr. SANDSTRÖM, Sir Humphrey WALDOCK and Mr. YASSEEN paid a tribute to Mr. Žourek for his outstanding work as Special Rapporteur on the topic of consular intercourse and immunities.

86. Mr. ŽOUREK said that he likewise wished to thank the Chairman for so excellently guiding the Commission's proceedings. He was grateful to all the speakers who had expressed themselves in such kind terms concerning his contribution to the codification of the international law relating to consular intercourse and immunities. He thanked the officers of the Commission and the secretariat for their assistance, and extended his warm wishes to all the members of the Commission.

87. The CHAIRMAN said that the close of a session of the Commission always caused him some regrets. At the close of the current session, his sentiments were the more poignant because there were bound to be some changes in the membership of the Commission. He thanked the members of the Commission for their kind words and expressed the hope and confidence that the spirit of friendship and co-operation which was such a characteristic feature of the work of the Commission would endure and that the Commission would continue to make its contribution to the maintenance of peace and good international relations.

88. He declared the thirteenth session of the International Law Commission closed.

The meeting rose at 1.25 p.m.