

Dual DistributionSixth session
Agenda items 49 (a) and 50REPORT OF THE INTERNATIONAL LAW COMMISSION COVERING
THE WORK OF ITS THIRD SESSION:

(a) RESERVATIONS TO MULTILATERAL CONVENTIONS

RESERVATIONS TO THE CONVENTION ON THE PREVENTION AND
PUNISHMENT OF THE CRIME OF GENOCIDE: ADVISORY
OPINION OF THE INTERNATIONAL COURT OF JUSTICENetherlands: Amendment to the draft resolution of the
Sixth Committee (A/2047)I Preamble

Add the following two paragraphs after the second paragraph of the preamble:

"Considering that during the discussion in the Sixth Committee on the topic of reservations to multilateral conventions widely divergent views were expressed and that there was a strong desire to find rules which might be acceptable to the great majority of States,

"Considering that it is therefore desirable that the International Law Commission, while codifying the law of treaties, should re-examine the topic of reservations, with due regard to the opinions expressed during the said discussion, in order to formulate new rules which could be adopted for the future".

II. Operative part

1. In paragraph 3, after sub-paragraph (a), insert the following new sub-paragraph (b):

"(b) Pending further action by the General Assembly, to follow his prior practice with respect to the receipt of reservations to conventions and with respect to the notifications and solicitations of approval thereof, all without prejudice to the legal effect of objections to reservations to conventions".

2. Renumber sub-paragraph 3(b) to read 3(c).

3. In the new sub-paragraph 3(d) after the word "depository" add the following:

"in the absence of any contractual provisions to the contrary".

4. In sub-paragraph 3(c), (i) delete the words:

"to continue".

5. After paragraph 3 add the following two new paragraphs:

"4. Requests the International Law Commission to give further examination to the topic of reservations to multilateral conventions, in the light of the foregoing considerations, when preparing its codification of the law of treaties,

"5. Resolves to give further consideration to the report of the International Law Commission on reservations to multilateral conventions when the whole report of the law of treaties is submitted to the General Assembly".
