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UNITED NATIONS OPIUM CONFERENCE  
Agenda item 6

CONSIDERATION OF THE DRAFT PROTOCOL FOR REGULATING  
THE PRODUCTION OF, INTERNATIONAL AND WHOLESALE  
TRADE IN AND USE OF OPIUM (E/2186, ANNEX)

Reservations

Note by the Secretary-General

53-16833

• 4 p.

The Secretary-General has the honour to draw the attention of the Conference to resolution 598 (VI), adopted by the General Assembly on 12 January 1952, the text of which is attached herewith.

It will be noted that in paragraph 1 of this resolution the General Assembly recommended that "States should, in the course of preparing multilateral conventions, consider the insertion therein of provisions relating to the admissibility or non-admissibility of reservations and to the effect to be attributed to them."

Accordingly, it is suggested that the Conference give further consideration to the insertion in the Protocol of an article relating to reservations.

The following alternative texts are submitted for consideration:

Alternative A

1. A State may, at the time of signature or deposit of its instrument of ratification or accession, make reservations with respect to the following articles of the Protocol: .....
2. At any time thereafter the Party concerned may notify the Secretary-General of its withdrawal of any reservation thus made, in which case the reservation shall cease to have effect as from the thirtieth day after the receipt by the Secretary-General of such notification.
3. No reservation other than those made in accordance with paragraph 1 of this article shall be permitted.

Alternative B

No reservation shall be permitted to any provision of this Protocol.

ANNEX

General Assembly Resolution 598 (VI), adopted on  
12 January 1952

The General Assembly,

Bearing in mind the provisions of its resolution 478 (V) of 16 November 1950, which (1) requested the International Court of Justice to give an advisory opinion regarding reservations to the Convention on the Prevention and Punishment of the Crime of Genocide and (2) invited the International Law Commission to study the question of reservations to multilateral conventions,

Noting the Court's advisory opinion <sup>1/</sup> of 28 May 1951 and the Commission's report, <sup>2/</sup> both rendered pursuant to the said resolution,

1. Recommends that organs of the United Nations, specialized agencies and States should, in the course of preparing multilateral conventions, consider the insertion therein of provisions relating to the admissibility or non-admissibility of reservations and to the effect to be attributed to them;
2. Recommends to all States that they be guided in regard to the Convention on the Prevention and Punishment of the Crime of Genocide by the advisory opinion of the International Court of Justice of 28 May 1951;
3. Requests the Secretary-General:
  - (a) In relation to reservations to the Convention on the Prevention and Punishment of the Crime of Genocide, to conform his practice to the advisory opinion of the Court of 28 May 1951;

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<sup>1/</sup> See document A/1874

<sup>2/</sup> See Official Records of the General Assembly, Sixth Session, Supplement No.9

(b) In respect of future conventions concluded under the auspices of the United Nations of which he is the depositary:

(i) To continue to act as depositary in connexion with the deposit of documents containing reservations or objections, without passing upon the legal effect of such documents; and

(ii) To communicate the text of such documents relating to reservations or objections to all States concerned, leaving it to each State to draw legal consequences from such communications.