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*Chairman: Mr. Juliusz KATZ-SUCHY (Poland).*

**Report of the International Law Commission on the work of its fifth session: (A/2466, A/C.6/L.311)**

[Item 53]\*

*At the invitation of the Chairman, Mr. François, Chairman of the International Law Commission, took a seat at the Committee table.*

1. Mr. FRANÇOIS (Chairman of the International Law Commission) said that he would be glad to give the Committee any information about the Commission's work at its fifth session.
2. The CHAIRMAN laid before the Committee the report of the International Law Commission on the work of its fifth session (A/2456). Action by the General Assembly was required on chapters II and III and on certain parts of chapter V.
3. He called for suggestions as to the method of considering the report.
4. Mr. ROBINSON (Israel) proposed that there should not be a general discussion on the report as a whole, and that chapters II and III, which dealt with quite different subjects, should be discussed separately and in the order of their appearance in the report.
5. He was doubtful whether it lay within the Committee's competence to consider the Cuban draft resolution (A/C.6/L.311), since its subject, State responsibility, was not on the General Assembly's agenda.
6. Mr. GARCIA AMADOR (Cuba) pointed out that at its fourth session the General Assembly had adopted a similar resolution (374 (IV)) on the subject of the régime of territorial waters, which had not been on the agenda of that session. It had considered itself entitled to do so because article 18 (3) of the Statute of the International Law Commission required the Commission to give priority to requests of the General Assembly to deal with any question, and the régime of territorial waters was one of the fourteen topics the Commission had, at its first session, selected for codification.

\* Indicates the item number on the agenda of the General Assembly.

State responsibility was also included among the fourteen topics, so that the same argument applied in that case.

7. Mr. LOUTFI (Egypt) thought that the Committee would save time if it held a general debate on chapters II and III together, as it might wish to take the same kind of action on both.
8. Mr. SALAMANCA (Bolivia) and Mr. COLLIARD (France) supported the Egyptian representative's proposal, but felt that the discussion should be limited to those parts of the two chapters on which the International Law Commission recommended action by the General Assembly. That would leave out the section on the contiguous zone (paragraphs 105 to 114).
9. Mr. VALLAT (United Kingdom) supported the Israel representative's proposal.
10. He further suggested that it would make for more orderly debate if the various sections of chapter III, which dealt with different topics and required different action—the question of fisheries, for example, might have to be referred to the Food and Agriculture Organization—were examined separately.
11. He regretted that his delegation was not prepared to take a definite stand on chapters II and III of the International Law Commission's report, and hoped that most questions contained therein would be deferred until the following session.
12. Mr. FERRER VIEYRA (Argentina), Mr. SPIROPOULOS (Greece), Mr. AMADO (Brazil), Mr. MACNAUGHTON (Canada) and Mr. WYNES (Australia) supported the Israel representative's proposal.
13. Mr. MOROZOV (Union of Soviet Socialist Republics) agreed with the Israel representative that the Committee should discuss chapters II and III of the report separately. The only logical reason for discussing them together would have been the submission of a procedural proposal suggesting that the same action should be taken with regard to both. He also agreed that the section of chapter III dealing with the contiguous zone should not be discussed. The Committee should debate only those parts of the Commission's report which called for definite action by the General Assembly at the present session.
14. As the Cuban draft resolution (A/C.6/L.311) did not apply to the report itself, that question, and the question whether it was in order, should be considered after the Committee had dealt with the report.
15. After a further exchange of views, Mr. LOUTFI (Egypt) withdrew his proposal for considering chapters II and III together.

16. The CHAIRMAN said that, in the absence of any objection, he would consider the Israel representative's proposal, that chapters II and III should be discussed separately, as adopted.

*It was so agreed.*

17. Mr. CASTAÑEDA (Mexico) proposed that, since it had been decided to discuss chapters II and

III separately, the decision on whether to deal with chapter III as a whole or in parts, and which parts of it should be considered, should be postponed until the Committee had completed its discussion of Chapter II.

*It was so agreed.*

The meeting rose at 4.50 p.m.