



UNITED NATIONS

GENERAL
ASSEMBLY



Distr.
GENERAL

A/35/730
11 December 1980

ORIGINAL: ENGLISH

Thirty-fifth session
Agenda item 104

REVIEW OF THE MULTILATERAL TREATY-MAKING PROCESS

Report of the Sixth Committee

Rapporteur: Mr. Wolfgang HAMPE (German Democratic Republic)

I. INTRODUCTION

1. The item entitled "Review of the multilateral treaty-making process: report of the Secretary-General" was included in the provisional agenda of the thirty-fifth session of the General Assembly pursuant to Assembly decision 34/402 of 21 September 1979.
2. On the recommendation of the General Committee, the General Assembly decided, at its 3rd plenary meeting, on 19 September 1980, to include the item in its agenda and to allocate it to the Sixth Committee.
3. The Sixth Committee had before it the report submitted by the Secretary-General (A/35/312 and Add.1 and 2 and Add.2/Corr.1) pursuant to Assembly resolution 32/48 of 8 December 1977.
4. The Sixth Committee considered the item at its 55th, 60th to 64th, 73rd and 75th meetings, held on 20 and 24 to 26 November and 4 and 5 December 1980. The summary records of these meetings (A/C.6/35/SR.55, 60-64, 73 and 75) contain the views of representatives who spoke during the consideration of this item.

II. CONSIDERATION OF DRAFT RESOLUTION A/C.6/35/L.22

5. At the 73rd meeting, on 4 December, the representative of Australia introduced a draft resolution (A/C.6/35/L.22) sponsored by Australia, Egypt, Indonesia, Kenya, Mexico, the Netherlands and Sri Lanka (see para. 8).
6. At its 75th meeting, on 5 December, the Committee adopted draft resolution A/C.6/35/L.22 without a vote.

7. The representatives of France and the Union of Soviet Socialist Republics explained their positions in respect of this decision.

III. RECOMMENDATION OF THE SIXTH COMMITTEE

8. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

Review of the multilateral treaty-making process

The General Assembly,

Bearing in mind that multilateral treaties are an important primary source of international law,

Conscious, therefore, that the process of elaboration of multilateral treaties, directed towards the progressive development of international law and its codification, forms an important part of the work of the United Nations and of the international community in general,

Recalling its resolution 32/48 of 8 December 1977, by which it requested the Secretary-General to prepare a report on the techniques and procedures used in the elaboration of multilateral treaties, taking into consideration the observations of Governments and of the International Law Commission on the subject,

Aware of the heavy burden which active involvement in the process of multilateral treaty-making places upon Governments,

Convinced that the most rational use should be made of the finite resources available for the elaboration of multilateral treaties,

Taking into account statements made in the debate at the current session in the Sixth Committee, 1/

1. Takes note of the report of the Secretary-General, 2/ and of the views of Governments and of the International Law Commission contained in the addenda thereto, on the review of the multilateral treaty-making process;

2. Invites Governments and international intergovernmental organizations to submit by 31 July 1981 their observations on the report of the Secretary-General taking into account the specific questions contained in section IV thereof, as well as their comments on any other aspect of the subject, as they consider desirable;

1/ See A/C.6/35/SR.55, 60-64, 73 and 75.

2/ A/35/312 and Add.1 and 2 and Add.2/Corr.1.

3. Requests the Secretary-General to make his report and its addenda widely available to other interested organizations which are active in the preparation and study of multilateral treaties, and to invite them to comment on the subject of the report;

4. Requests the Secretary-General to collate and arrange the material received pursuant to General Assembly resolution 32/48, with a view to its possible publication;

5. Also requests the Secretary-General to prepare and publish new editions of the Handbook on Final Clauses 3/ and the Summary of the Practice of the Secretary-General as Depositary of Multilateral Treaties; 4/

6. Further requests the Secretary-General to submit to the General Assembly at its thirty-sixth session a report containing the replies received pursuant to paragraphs 2 and 3 above, as well as a topical summary of the debate at its thirty-fifth session;

7. Decides to include in the provisional agenda of its thirty-sixth session the item entitled "Review of the multilateral treaty-making process".

3/ ST/LEG/6.

4/ ST/LEG/7.