



**General Assembly**

Distr.  
LIMITED

A/CN.4/L.697  
10 July 2006

Original: ENGLISH

---

INTERNATIONAL LAW COMMISSION  
Fifty-eighth session  
Geneva, 1 May-9 June and 3 July-11 August 2006

**DRAFT REPORT OF THE INTERNATIONAL LAW COMMISSION  
ON THE WORK OF ITS FIFTY-EIGHTH SESSION**

**Rapporteur: Ms. Hanqin XUE**

**CHAPTER IX**

**UNILATERAL ACTS OF STATES**

**CONTENTS**

	<i>Paragraphs</i>	<i>Page</i>
A. Introduction .....	1 - 7	

## A. Introduction

1. In the report on the work of its forty-eighth session (1996), the Commission proposed to the General Assembly that the law of unilateral acts of States should be included as a topic appropriate for the codification and progressive development of international law.<sup>1</sup>
2. The General Assembly, in paragraph 13 of resolution 51/160, *inter alia*, invited the Commission to further examine the topic “Unilateral Acts of States” and to indicate its scope and content.
3. At its forty-ninth session (1997), the Commission established a Working Group on the topic which reported to the Commission on the admissibility and feasibility of a study on the topic, its possible scope and content and an outline for a study on the topic. At the same session, the Commission considered and endorsed the report of the Working Group.<sup>2</sup>
4. Also at its forty-ninth session, the Commission appointed Mr. Victor Rodríguez Cedeño, Special Rapporteur on the topic.<sup>3</sup>
5. The General Assembly, in paragraph 8 of its resolution 52/156, endorsed the Commission’s decision to include the topic in its work programme.
6. From its fiftieth session (1998) to its fifty-seventh session (2005), the Commission received and considered eight reports from the Special Rapporteur.<sup>4</sup>

---

<sup>1</sup> *Official Records of the General Assembly, Fifty-first Session, Supplement No. 10 (A/51/10)*, para. 249 and pp. 328-329.

<sup>2</sup> *Ibid.*, *Fifty-second Session, Supplement No. 10 (A/52/10)*, para. 194 and paras. 196-210.

<sup>3</sup> *Ibid.*, paras. 212 and 234.

<sup>4</sup> *Yearbook ... 1998*, vol. II (Part Two), document A/CN.4/486 (first report); *Ibid.* 1999, vol. II (Part Two), document A/CN.4/500 and Add.1 (second report); *Ibid.*, 2000, vol. II (Part Two), document A/CN.4/505 (third report); A/CN.4/519 (fourth report); A/CN.4/525 and Add.1 and Corr.1 and Corr.2 and Add.2 (fifth report); A/CN.4/534 (sixth report); A/CN.4/542 and Corr.1 (French only) and Corr.2 and Corr.3 (seventh report) and A/CN.4/557 (eighth report).

7. The Commission also reconvened the Working Group on Unilateral Acts of States from its fiftieth session (1998) to its fifty-third session (2001) and from its fifty-fifth session (2003) to its fifty-seventh session (2005). The Working Group in its report at the fifty-sixth session (2004) established a grid which would permit it to use uniform analytical tools.<sup>5</sup> Individual members of the Working Group took up a number of studies, which were effected in accordance with the established grid. These studies were transmitted to the Special Rapporteur for the preparation of his eighth report. The Commission requested the Working Group at the fifty-seventh session (2005) to consider the points on which there was general agreement and which might form the basis for preliminary conclusions or proposals on the topic.

-----

---

<sup>5</sup> The Grid included the following elements: (a) Date; (b) Author/Organ; (c) Competence of author/organ; (d) Form; (e) Content; (f) Context and Circumstances; (g) Aim; (h) Addressees; (i) Reactions of Addressees; (j) Reactions of third parties; (k) Basis; (l) Implementation; (m) Modification; (n) Termination/Revocation; (o) Legal scope; (p) Decision of a judge or an arbitrator; (q) Comments; (r) Literature.