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Report of the Sixth Committee	

President: Miss Angie E. BROOKS (Liberia).

In the absence of the President, Mr. Mbekeani (Malawi), Vice-President, took the Chair.

AGENDA ITEMS 86 AND 94

Report of the International Law Commission on the work of its twenty-first session

Declaration and resolutions adopted by the United Nations Conference on the Law of Treaties:

(b) Resolution relating to article 1 of the Vienna Convention on the Law of Treaties

REPORT OF THE SIXTH COMMITTEE (A/7746)

AGENDA ITEM 90

Report of the United Nations Commission on International Trade Law on the work of its second session

REPORT OF THE SIXTH COMMITTEE (A/7747)

1. The PRESIDENT: I would request the Rapporteur, Mr. Houben of the Netherlands, to present in one intervention the two reports of the Sixth Committee.
2. Mr. HOUBEN (Netherlands), Rapporteur of the Sixth Committee: On behalf of the Sixth Committee I have the honour to report to the General Assembly on the work of the Committee relating to agenda items 86 and 94 (b) and agenda item 90.
3. At its 1102nd meeting, on 24 September 1969, the Sixth Committee decided to consider sub-heading (b) of item 94, entitled "Resolution relating to article 1 of the Vienna Convention on the Law of Treaties", together with the report of the International Law Commission on the work of its twenty-first session, agenda item 86.
4. The Sixth Committee devoted ten meetings to the consideration of both items and the Committee's report is now before the General Assembly [A/7746]. The draft

resolution which the Committee wishes the Assembly to adopt is contained in paragraph 118 of the report. It covers both the report of the International Law Commission and the resolution relating to article 1 of the Vienna Convention on the Law of Treaties. By adopting the draft resolution the General Assembly would recommend that the International Law Commission should continue its work on four topics of international law specified in paragraph 4. In accordance with the recommendations made by the Vienna Conference on the Law of Treaties, the Sixth Committee proposes in paragraph 5 that the General Assembly recommend that the International Law Commission should study the question of treaties concluded between States and international organizations or between two or more international organizations, as an important question. In recommending the adoption of the draft resolution proposed, the Sixth Committee would like to clarify that the text may not be interpreted in such a way as to detract in any manner from the independence of the Commission or as to prejudice the result of the study referred to in paragraph 5.

5. The draft resolution as a whole was adopted by the Sixth Committee unanimously. Following its adoption the Committee agreed to record in the present report the following passage:

"The Committee has taken note of the proposal concerning the extension of the term of office of the Commission's members. After having carefully considered the question, it has thought it inappropriate to take a decision at the present session of the General Assembly, although it will do so at a later session. Meanwhile, it invites the International Law Commission to give further consideration to the various possible solutions that might be applied concerning the duration of its members' term of office. The Sixth Committee, while expressing the hope that the International Law Commission can complete its work at its regular session, wishes to postpone until the twenty-fifth session of the General Assembly any decision as to whether the Commission should hold an extended or additional session in 1971." [Ibid., para. 117.]

6. I also have the honour to report to the General Assembly on the work of the Committee in regard to agenda item 90. In examining the report of the United Nations Commission on International Trade Law on the work of its second session, the Sixth Committee had a useful exchange of views, the main trends of which are summarized in the report now before the Assembly [A/7747]. The Sixth Committee recommends that the General Assembly should adopt the draft resolution contained in paragraph 38 of the report, which, as a whole, was adopted in the Committee by 84 votes to none, with 2 abstentions.

7. The financial implications of paragraphs 7 and 8 of the draft resolution concerning the establishment in principle of a yearbook of the United Nations Commission on International Trade Law were considered by the Fifth Committee [A/7761], which in fact decided to accept the recommendations by the Advisory Committee on Administrative and Budgetary Questions [A/7748]. Thus, by adopting the draft resolution the General Assembly would be authorizing the Secretary-General to establish the Yearbook in accordance with the decisions and recommendations to be adopted by the United Nations Commission on International Trade Law at its third session.

Pursuant to rule 68 of the rules of procedure, it was decided not to discuss the reports of the Sixth Committee.

8. The PRESIDENT: Statements will be limited to explanations of vote. I invite the Assembly to consider first the report of the Sixth Committee on agenda items 86 and 94 (b).

9. As there are no explanations of vote, the Assembly will now proceed to vote. Since the draft resolution

recommended by the Sixth Committee in paragraph 118 of its report [A/7746] was adopted unanimously by the Committee, may I take it that the General Assembly also adopts it unanimously?

The draft resolution was adopted unanimously [resolution 2501 (XXIV)].

10. The PRESIDENT: We now turn to the report of the Sixth Committee on agenda item 90. As there are no explanations of vote, the Assembly will proceed to vote on the draft resolution recommended by the Sixth Committee in paragraph 38 of its report [A/7747]. The report of the Fifth Committee on the financial implications of this draft resolution is contained in document A/7761.

11. I now put the draft resolution to the vote.

The draft resolution was adopted by 52 votes to none, with 3 abstentions [resolution 2502 (XXIV)].

The meeting rose at 11.5 a.m.