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**Report on the seventh session of the Asian-African Legal Consultative Committee, by
Roberto Ago, Observer for the Commission**

Topic:
Cooperation with other bodies

Extract from the Yearbook of the International Law Commission:-
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Matters of organization and functioning

22. The Inter-American Juridical Committee was asked to study the following topics: subjects of international law; territorial sea; differences between intervention and collective action; preliminary studies on space law; protection of industrial property; and a comparative study of the organization of the public ministry in the American States.

23. To this end it was recommended that members of the Committee should devote themselves exclusively to this work during the period of meetings.

24. It was decided that the sixth meeting of the Council should take place in Caracas, Venezuela.

Co-operation with the International Law Commission

25. The Council expressed, in a formal resolution, its pleasure at the presence of an observer from the International Law Commission and recommended that measures be taken to make possible attendance by a member of the Inter-American Juridical Committee at the sessions of the International Law Commission.

26. In thanking the Council for this resolution I took occasion to reiterate the deep interest of the International Law Commission in maintaining the closest relationship with both inter-American juridical bodies and, through them, with the successful work of codification of international law which they carry on at the regional level.

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**Report on the seventh session of the Asian-African Legal Consultative Committee (Baghdad, 22 March - 1 April 1965)
by Roberto Ago, Observer for the Commission**

[Original text: English]
[11 May 1965]

1. The seventh session of the Asian-African Legal Consultative Committee took place at Baghdad (Iraq) from 22 March to 1 April 1965. The session was attended by the delegations of Ceylon, Ghana, India, Iraq, Japan, Pakistan and the United Arab Republic. Burma, Indonesia and Thailand were not represented. On the other hand, observers were sent by Cameroon, Malaysia and the United Republic of Tanzania. The Arab League, the International Law Commission, the United Nations and the Office of the United Nations High Commissioner for Refugees were also represented by observers. Mr. Hafez Sabeq, President of the sixth session of the Committee, ex-President of the Court of Cassation of the United Arab Republic, legal adviser to the Ministry of Justice of Iraq, was specially invited to attend the Committee's session.

2. The Prime Minister of the Republic of Iraq, H. E. Tahir Yehya, in his capacity as the personal representative of the President of the Republic, made an address to the Committee at the inaugural meeting. Referring to the Committee's earlier resolutions and recommendations concerning nuclear tests, the Prime Minister suggested that it would be advisable for the Committee to study and make recommendations also on the harmful effects resulting from underground nuclear tests. Referring to the agenda of the session, he mentioned, particularly, the United Nations Charter, the law of treaties and refugees.

3. The leader of the delegation of Iraq (Mr. Shaker Al Ani) was elected President of the Committee. The leader of the delegation of Ceylon (Hon. T. S. Fernando) was elected Vice-President.

4. The agenda of the session comprised the following items:

I. ADMINISTRATIVE AND ORGANIZATIONAL MATTERS

1. Adoption of the agenda
2. Election of the President and Vice-President of the session.

3. Admission of observers to the session.
4. Consideration of the Secretary's report.
5. Consideration of the Committee's programme of work for 1965-1966.
6. Question of extending the term of the Committee after November 1966.
7. Date and place of the eighth session.

II. MATTERS ARISING OUT OF THE WORK DONE BY THE INTERNATIONAL LAW COMMISSION UNDER ARTICLE 3 (a) OF THE STATUTES

1. Consideration of the report on the work done by the International Law Commission at its sixteenth session.
2. Law of treaties.

III. MATTERS REFERRED TO THE COMMITTEE BY THE GOVERNMENTS OF THE PARTICIPATING COUNTRIES UNDER ARTICLE 3 (b) OF THE STATUTES

1. Status of aliens (referred by the Government of Japan)
 - (a) Diplomatic protection of aliens by their home States; and
 - (b) Responsibility of States arising out of maltreatment of aliens.
2. The rights of refugees (referred by the Government of the United Arab Republic)
3. United Nations Charter from the view of Asian-African countries (referred by the Government of the United Arab Republic)
4. Law of the territorial sea (referred by the Governments of Ceylon and the United Arab Republic)
5. Enforcement of judgments, the service of process and recording of evidence among States both in civil and criminal cases (referred by the Government of Ceylon)
6. Law of outer space (referred by the Government of India)

7. Codification of the principles of peaceful co-existence (referred by the Government of India)

IV. MATTERS OF COMMON CONCERN TAKEN UP BY THE COMMITTEE UNDER ARTICLE 3 (c) OF THE STATUTES

1. Relief against double taxation (referred by the Government of India).

5. The Committee agreed that items 4, 5, 6 and 7 of part I of the agenda be referred to a Sub-Committee consisting of one member for each delegation for consideration and report. It was also agreed to refer for consideration and report to two Sub-Committees item 1 (a) of part III and item 1 of part IV of the agenda. It was further decided that the order of discussions in the Committee should be as follows:

- (i) Part III, item 6—for preliminary discussion
- (ii) Part III, item 7—for preliminary discussion
- (iii) Part III, item 2
- (iv) Part III, item 5
- (v) Part III, item 3

It was agreed that the items in part II of the agenda (Matters arising out of the work done by the International Law Commission), would be taken up on 29 March after the arrival of Professor Roberto Ago, observer for the International Law Commission.

6. *Law of outer space (preliminary discussion)*

This item had been referred to the Committee by India. The delegates of Ceylon, Ghana, India and Japan made preliminary statements, and the observer for Malaysia made some observations. The Committee decided that the Secretariat should be directed to prepare a detailed study on the subject and to place the study before the next session of the Committee for its consideration. The Committee further decided to request the Governments of the participating States to send their views and observations on the subject to the Secretariat for inclusion in the brief of documents for the eighth session.

7. *Codification of the principles of peaceful co-existence*

The delegates of Ceylon, India, Japan, Iraq and the observer for Malaysia made general statements on the subject, referred to the Committee by India. The Committee decided that the Secretariat should be directed to collect the relevant material on the subject and to draw up a report for consideration of the Committee at its next session. The delegate of Ghana suggested that the report of the Special Committee of the General Assembly on Principles of International Law concerning Friendly Relations and Co-operation among States (A/5746), which met in Mexico, should be made available to the Committee.

8. *The rights of refugees*

This was the principle subject discussed by the Committee at its seventh session. It had been referred to the Committee by the Government of the United Arab Republic. Before opening the discussion the United Nations Deputy High Commissioner for Refugees, Prince Sadruddin Aga Khan, was invited to deliver a statement on the subject.

9. The members of the Committee had before them a set of draft articles on "General principles concerning the

status and treatment of refugees" which the Secretariat had prepared as "basis for discussion". After an introductory statement by the delegate of the United Arab Republic, the delegates of India, Ghana, Iraq, Pakistan, Ceylon, Japan and the observer for the United Republic of Tanzania took part in the general debate. The Deputy High Commissioner and Dr. E. Jahn, legal adviser to the High Commissioner, also took part in the discussion. As a conclusion of this debate the Chairman indicated that: (1) the Committee was not drafting a new convention; and (2) the Committee should formulate the general principles on the subject and, in the light of those principles, should examine the text of the 1951 Convention in order to consider whether it was necessary to suggest any amendment to that Convention, particularly as the situation had greatly changed since the year 1951 when the Convention was drawn up, and the Convention itself contemplated changes being made in its provisions.

10. The Committee next proceeded to discuss in detail the draft articles prepared by the Secretariat. A Drafting Committee was also appointed to undertake drafting of the Committee's conclusions on the subject. The draft articles prepared by the Secretariat dealt with the definition of a refugee (art. 1), the right of asylum (art. 2), the right of repatriation (art. 3), the right of indemnification (art. 4), personal and property rights (art. 5), and expulsion and deportation (art. 6). The Drafting Sub-Committee, for its part, presented ten Articles of Principles concerning the Treatment of Refugees. The discussion of these articles and of several amendments presented by various members of the Committee took four meetings of the session and gave rise at a certain moment to political difficulties. Finally, the text of eleven articles incorporating the principles concerning treatment of refugees was adopted. The articles are set out in annex B.

11. *Enforcement of judgments, the service of process and recording of evidence among States both in civil and criminal cases*

The Committee took up for consideration the report on this question, originally referred to the Committee by Ceylon, presented by the Sub-Committee appointed at the Cairo Session. Mr. H. L. de Silva (Ceylon), rapporteur of the Sub-Committee, introduced the report and presented to the Committee two draft agreements prepared by the Sub-Committee. After a general discussion it was agreed that the Committee would consider the provisions of the articles as being model rules on the subject. A Drafting Sub-Committee was appointed to redraft the articles in the light of the decisions taken in the Committee. After a detailed discussion of the various articles, the final text of the two drafts was adopted.

12. *Consideration of the report on the work done by the International Law Commission at its sixteenth session. Law of Treaties*

The Committee took up for consideration the report on the work done by the International Law Commission at its sixteenth session submitted by Mr. Hafez Sabeq, who attended the session as an observer on behalf of the Committee. In introducing his report, Mr. Sabeq drew attention to the subjects considered by the Commission,

namely, Special Missions, Relations between States and Inter-Governmental Organizations and the Law of Treaties. Mr. Sabeq also referred to his efforts for enlargement of membership of the Committee and suggested that French and Arabic be introduced as official languages of the Committee in order to attract more members. The delegates of Ceylon, Ghana, India, Iraq, Japan, Pakistan and the United Arab Republic expressed their thanks to Mr. Sabeq and their appreciation for his action.

13. At the request of the Chairman of the Committee, Professor Roberto Ago, Chairman of the International Law Commission and observer for the Commission, made a statement on the work of the International Law Commission during its sixteenth session. He said that the Commission had dealt principally with the item on the law of treaties. He explained to the Committee that the Commission's main efforts were now concentrated on codifying the law on the subjects of Treaties, State Succession and the International Responsibility of States. If the Commission succeeded in its task of codifying the law of the world society on these three essential subjects, it would go a long way in transforming customary international law into treaty law. He said that codification was a delicate matter, and the Commission would like to know the trend of thinking on the aforesaid questions, particularly in the newly independent countries, so that the drafts prepared by the Commission would be found acceptable to a great majority of States. Professor Ago felt that the Committee could be of considerable help to the Commission if it concentrated on the items which the Commission was studying and made constructive suggestions before the Commission finalised its drafts. When requested to give some instances of topics to which the Committee might give special attention, he mentioned, as an example, the question of reservations and of interpretation of treaties. In order to perform the important task already mentioned, Professor Ago felt that the Committee should encourage participation of more countries, as suggested by Mr. Sabeq. The statement of Professor Ago is attached as annex C.

14. The delegates of all the participating member States thanked Professor Ago for his statement elucidating the programme of work of the International Law Commission. They looked forward to continued co-operation between the Committee and the International Law Commission. Some delegates expressed particular satisfaction that the International Law Commission was prepared to take into account the views of the Asian and African countries; and suggested that the Committee should make efforts to make a constructive contribution to the work of the International Law Commission.

15. As to the specific subject of the law of treaties, on which the Secretariat had prepared a draft, the Committee, on the proposal of the delegates of Iraq and the United Arab Republic, decided that the discussion on the subject should be postponed until the next session. The subject was vast, and the Committee did not have sufficient time to give adequate consideration to the 73 articles drawn up by the International Law Commission. It was decided that the Committee should appoint Dr. Hassan Zakariya (Iraq) as Special Rapporteur to prepare a report in order to assist the Committee in its study of the matter.

It was decided that the Special Rapporteur of the Committee would take the draft articles prepared by the International Law Commission as the basis for his study, that he should prepare a report containing specific points arising out of the Commission's draft which required consideration by the Committee from the Asian-African viewpoint, and that he would make suggestions for amendment of the draft articles in that light if he found it necessary. It was further decided to request Governments to send their comments on the draft articles to the Rapporteur by the end of August 1965; and that the subject would be taken up at the next session of the Committee for consideration on the basis of the report of the Special Rapporteur, and would be given priority. The text of Resolution No. 9, concerning this item of the agenda of the Committee, is attached as annex D.

16. *Diplomatic protection of aliens by their home States—Responsibility of States arising out of maltreatment of aliens*

Considering that these two subjects, referred to the Committee by Japan, are closely related, the Committee decided that they should be studied together at some future session. The Committee had before it a set of draft articles prepared by the Secretariat before 1961, as well as the Harvard Draft Convention of 1961 on the International Responsibility of States for Injuries to Aliens. The Secretariat was asked to redraft some of the aforesaid articles, taking into account subsequent developments.

17. *Relief against double taxation*

The Committee decided to place this item, referred to the Committee by India, on the agenda of its next session.

18. *United Nations Charter from the view of Asian-African countries*

This was the last big item to be taken up by the Committee. The subject had been referred to the Committee by the United Arab Republic. The Secretariat had prepared a report, based on the considerations developed at the Cairo Session. The report analysed United Nations practices so far as regards: membership, size, composition, voting, power and functions of the Security Council in relation to the General Assembly, peace forces, permanent neutrality and the United Nations, and provisions concerning regional arrangements and enemy States. The United Arab Republic had presented a memorandum.

19. After a general debate, the Committee decided to postpone until a more propitious time—to be decided in consultation with Governments—any question concerning the revision of the Charter. In the meantime the Secretariat would continue its study. On the proposal of the United Arab Republic, a resolution was adopted in which the Committee, considering the present position of the United Nations and the present international situation, expressed its full confidence in the United Nations and appealed to all Members of the Organization to faithfully live up to their obligations under the Charter and to spare no effort in the maintenance of peace and justice in the world. The United Nations observer, Mr. Dik Lehmkühl, in a statement presented at the final meeting of the session, expressed appreciation by the United Nations for

the confidence in the Organization expressed by the Committee.

20. *Law of the territorial sea*

The Committee did not take up this subject, referred by Ceylon and the United Arab Republic, at its seventh session.

21. *Report on the Inter-American Council of Jurists*

The Committee took note of the report on the Fifth Session of the Inter-American Council of Jurists, presented by Dr. Sampong Sucharitkul (Thailand), observer of the Committee.

22. *Administrative decisions*

The Committee adopted certain resolutions and adopted certain administrative measures proposed in the report of the Sub-Committee created for the consideration of these matters. It was particularly recommended to the member Governments that the Committee, whose mandate is to expire in November 1966, be established on a permanent basis. The Committee decided to extend the term of the present Secretary, Mr. B. Sen, for a further period of two years. The Committee decided also to nominate Dr. Hassan Zakariya to represent it at the next session of the International Law Commission in the capacity of observer.

23. In concluding this report, the observer of the International Law Commission wishes to extend the expression of his deepest gratitude to the Chairman, the members and the Secretary of the Asian-African Legal Consultative Committee for the warm welcome they gave to him; to the authorities of the Government of Iraq and to Professor M. K. Yasseen for their many kindnesses during his stay in Baghdad; and to Mr. Dik Lehmkuhl, Director of the United Nations Information Centre, for his friendly and valuable assistance.

ANNEX A

List of delegates and observers at the seventh session of the Asian-African Legal Consultative Committee

[not reproduced]

ANNEX B

Principles concerning treatment of refugees

Article I—Definition of the term "refugee"

A refugee is a person who, owing to persecution or well-founded fear of persecution for reasons of race, colour, religion, political belief or membership of a particular social group:

- (a) Leaves the State of which he is a national, or, if he has no nationality, the State of which he is a habitual resident; or,
- (b) Being outside such State, is unable or unwilling to return to it or to avail himself of its protection.

Exceptions: (1) A person having more than one nationality shall not be a refugee if he is in a position to avail himself of the protection of any of the States of which he is a national.

(2) A person who has committed a crime against peace, a war crime, or a crime against humanity or a serious non-political crime or has committed acts contrary to the purposes and principles of the United Nations shall not be a refugee.

Explanation: The dependants of a refugee shall be deemed to be refugees.

Explanation: The expression "leaves" includes voluntary as well as involuntary leaving.

NOTES

(i) The Delegations of Iraq, Pakistan and the United Arab Republic expressed the view that, in their opinion, the definition of the term "refugee" includes a person who is obliged to leave the State of which he is a national under the pressure of an illegal act or as a result of invasion of such State, wholly or partially, by an alien with a view to occupying the State.

(ii) The Delegations of Ceylon and Japan expressed the view that in their opinion the expression "persecution" means something more than discrimination or unfair treatment but includes such conduct as shocks the conscience of civilized nations.

(iii) The Delegation of Japan expressed the view that the word "and" should be substituted for the word "or" in the last line of paragraph (a).

Article II—Loss of status as refugee

A refugee shall lose this status as refugee if—

- (i) He voluntarily returns to the State of which he is a national or, if he has no nationality, to the State of which he is a habitual resident; or
- (ii) He voluntarily acquires the nationality of another State and is entitled to the protection of that State.

NOTE: The Delegations of Iraq and the United Arab Republic reserve their position on paragraph (ii).

Article III—Asylum to a refugee

A State has the sovereign right to grant or refuse asylum to a refugee in its territory.

Article IV—Right of return

A refugee shall have the right to return, if he so chooses, to the State of which he is a national and in this event it shall be the duty of such State to receive him.

Article V—Right to compensation

1. A refugee shall have the right to receive compensation from the State which he left or to which he was unable to return.
2. The compensation referred to in paragraph 1 shall be for such loss as bodily injury, deprivation of personal liberty in denial of human rights, death of dependants of the refugee or of the person whose dependant the refugee was, and destruction of or damage to property and assets, caused by the authorities of the State, public officials or mob violence.

NOTES

(i) The Delegations of Pakistan and the United Arab Republic were of the view that the word "also" should be inserted before the words "such loss" in paragraph 2.

(ii) The Delegations of India and Japan expressed the view that the words "deprivation of personal liberty in denial of human rights" should be omitted.

(iii) The Delegations of Ceylon and Japan suggested that the words "in the circumstances in which the State would incur state responsibility for such treatment to aliens under international law" should be added at the end of paragraph 2.

(iv) The Delegations of Ceylon, Japan and Pakistan expressed the view that compensation should be payable also in respect of the denial of the refugee's right to return to the State of which he is a national.

Article VI—Right of movement and residence

1. Subject to the conditions imposed for the grant of asylum in the State and subject also to the local laws, regulations and orders, a refugee shall have the right—

- (i) To move freely throughout the territory of the State; and
- (ii) To reside in any part of the territory of the State.

2. The State may, however, require a refugee to comply with provisions as to registration or reporting or otherwise so as to regulate or restrict the right of movement and residence as it may consider appropriate in any special circumstances or in the national or public interest.

Article VII—Personal rights

Subject to local laws, regulations and orders, a refugee shall have the right—

- (i) To freedom from arbitrary arrest;
- (ii) To freedom to profess and practise his own religion;
- (iii) To have protection of the executive and police authorities of the State;
- (iv) To have access to the courts of law; and
- (v) To have legal assistance.

Article VIII—Right to property

Subject to local laws, regulations and orders, and subject also to the conditions imposed for the grant of asylum in the State, a refugee shall have the right to acquire, hold and dispose of property.

Article IX—Expulsion and deportation

1. Save in the national or public interest or on the ground of violation of the conditions of asylum, the State shall not ordinarily expel a refugee.

2. Before expelling a refugee, the State shall allow him a reasonable period within which to seek admission into another State. The State shall, however, have the right to apply during the period such internal measures as it may deem necessary.

3. A refugee shall not be deported to a State where his life or liberty would be threatened for reasons of race, colour, religion, political belief or membership of a particular social group.

Article X—Conflict with treaties or conventions

Where the provisions of a treaty or convention between two or more States conflict with the principles set forth herein, the provisions of such treaty or convention shall prevail as between those States.

Article XI

Nothing in these articles shall be deemed to impair any higher rights and benefits granted by a State to refugees.

NOTES

- (i) The Delegation of Ghana reserved its position on all the articles.
- (ii) The question whether any provision should be made for ensuring the implementation of the right to return and the right to compensation was left over for consideration at the next session.
- (iii) The question whether the State should endeavour to accord to the refugee treatment also in conformity with the principles contained in the U.N. Convention on Refugees, 1951, was left over for consideration at the next session after a study of that Convention.
- (iv) The consideration of the following draft article proposed by the Delegation of India was held over till the next session:

"A refugee shall lose his status as a refugee if he does not return to the State of which he is a national, or, if he has no nationality, to the State of which he was a habitual resident, or fails to avail himself of the protection of such State even after the circumstances in which he became a refugee cease to exist."

ANNEX C

Statement by Professor Roberto Ago, Chairman of the International Law Commission, Observer, March 28, 1965

First of all I would like to thank His Excellency Judge Hafez Sabeq for the kind words which he addressed to me, and to thank you all, Gentlemen, for your expressions of appreciation for the work of the International Law Commission. I am sure that Mr. M. K. Yasseen is sharing with me this feeling of satisfaction and gratitude towards you. May I first of all tell you, Mr. Chairman, that you had a first class representative to the last session of the International Law Commission in the person of Judge Sabeq. His participation in the work of the International Law Commission last year can be cited as an excellent example of such participation and representation. And now, Gentlemen, allow me to take five minutes of your time to explain our activity, our goal and what we expect from you.

Judge Sabeq told you that this year the Commission was able to deal with only three items. May I add that, as a matter of fact, the Commission dealt primarily with one item—"Law of Treaties". This was decided on as a matter of principle. The Commission has now decided to concentrate its attention on certain major items. You will have noticed probably that the Commission in previous years has sometimes dealt with marginal subjects. With the exception, of course, of the Law of the Sea and of Diplomatic and Consular Relations, the International Law Commission has frequently treated matters which were outside the central theme of general international law. Now, the decision has been taken to concentrate our efforts above all on two or three basic items of general international law: the law of treaties, State responsibility and State succession. Of course, we continue to deal with some other matters like special missions and relations between States and international organizations; these items are in some way complementary to what the Commission has already done in the diplomatic field. But really, the main work is concentrated on these three main items, which may of course take many, many years of work by the International Law Commission. Why have we taken this decision?

Well, many of us are convinced, Gentlemen, that codification is something which has become necessary in the present circumstances of international life. In municipal law the great codifications have always taken place in connexion with exceptional upheavals like social revolutions, unification of countries, etc. Now the international society at present is experiencing a revolution which is probably greater than any other revolution which has happened within any particular country. The membership of the international community is today practically three times larger than it was at the beginning of this century. The lapse of time in which this change has taken place is very brief indeed. Such an important expansion has inevitably had its consequences in the field of the law. Many of the new political entities have sometimes an attitude of distrust toward the general international law which they found in existence when they became members of the international community. They feel they have not participated directly in the formation of this general international law. This is just the moment when codification is needed—when it is necessary to try to transform the unwritten law of the international society into a written law. Thus the old traditional rules of the international legal order may find a new youth and all the new member States of the international community can contribute their legal concepts to the definition of these rules. This is an urgent matter because, Mr. Chairman, around this table we are all jurists, and we know what it means when a society has doubts about the existing law. Law is in a certain way like health; nobody cares about health when you are in good health, but when you are not, you know what a precious thing it is, and how necessary it is to re-establish it. So we know how important it is to reach the goal of certainty in the field of international law. Some people probably do not realize what it means when a society does not rest on a solid basis of law. This was the reason, Gentlemen, why we took the decision to leave aside for the moment marginal matters and assumed the main task of codifying the major

subjects of international law. If we succeed in the course of a certain number of years in codifying subjects like the Law of Treaties, State Responsibility and State Succession, we can say that the great bulk of international law will have been transformed from unwritten to written law—from custom to general conventions.

Now codification in itself is a delicate matter. We cannot achieve codification of matters like the law of treaties in one year. If you remember that the German codification took a century, you can imagine how long the codification of international law might take. At the same time, we know that we cannot wait a century; we need to codify international law much faster. So we have to concentrate all our efforts on this.

The work of committees like your own, Gentlemen, may be exceptionally useful in our task, because one of the elements we need in our work is to know the thinking of all countries, and particularly of the new ones, on the various problems we have before us. For this purpose, your Committee is probably more important than any other committee of this kind, because I think that the great majority of the new political entities represent the Asian-African region. For this reason I particularly welcome the idea of Dr. Sabeq to try to enlarge this Committee and to have this Committee as representative as possible of the two regions. I would really welcome the presence of the French-speaking African countries and of other nations in order to achieve the widest possible participation. The contribution of your studies to our work would be that much more helpful if the Commission could benefit from your work before, rather than after, our drafts have reached their final stage. Similarly, the more concrete your work, the more helpful it would be to the Commission. We have not enough time for philosophical discussions; it would be better to tackle concrete problems: here we suggest a change, here we would like to have another conception adopted. Please let us have your observations, if possible, before our final draft has been prepared, and above all, before the United Nations General Assembly has convoked a diplomatic conference to deal with the Law of Treaties. If we want the goal of codification to be reached, it is necessary that the result of the Conference be accepted by the greatest possible majority of States.

Please excuse me, Gentlemen, if I have taken too much of your time to tell you, on behalf of the Commission, how deeply we appreciate the co-operation of a body like yours, and how we look forward to your continued co-operation.

Our task is probably ambitious, but if all of us around the world join in these efforts, we can finally succeed and achieve the important goal of codifying the main subjects of international law. This will bring into existence the modern universal law which is demanded by the present international society.

ANNEX D

Asian-African Legal Consultative Committee Seventh Session Baghdad, 1965

RESOLUTION No. 9 (VII)

Considering that the Report on the work done by the International Law Commission at its Sixteenth Session has been placed before the Committee under Clause (5) of Rule (6) of the Statutory Rules, together with the Report of Mr. Hafez Sabeq, Observer on behalf of this Committee,

And considering the views expressed by the Delegations present at this session for a postponement of consideration of the subject of the Law of Treaties and the appointment of a Special Rapporteur to prepare a Report on the subject,

Taking note of the observations made by the Chairman of the International Law Commission on the functions and scope of the work of the Commission and his suggestions regarding the field of co-operation between the Commission and this Committee,

The Committee decides to take up the subject of the Law of Treaties for consideration at its next session with a view to formulating proposals and suggestions from the Asian-African viewpoint for consideration of the Commission;

The Committee further decides to appoint Dr. Hassan Zakariya, Alternate Member for Iraq, as Special Rapporteur on the subject of the Law of Treaties, with the request that he may prepare a report on the specific points arising out of the International Law Commission's draft on the subject which require consideration from the Asian-African viewpoint, together with his suggestions for any amendment to the Draft Articles that may be considered necessary;

The Committee decides to request the Governments of the participating countries to send their comments on the Draft Articles to the Rapporteur through the Secretariat of the Committee before the end of August 1965;

The Committee requests the Rapporteur to complete this report by the end of October 1965 and to transmit the same to the Secretariat of the Committee;

The Committee directs the Secretariat to send the report of the Rapporteur to the Governments of the participating countries for their views and to place the same before the Committee at its next session together with the comments and observations that may be received from the Governments of the participating countries;

And the Committee further decides to give priority to this subject at its eighth session.