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**Report on the session of the Inter-American Juridical Committee held in January and February 1976, by Mr. A.H. Tabibi, Observer for the Commission**

Topic:  
**Cooperation with other bodies**

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## CO-OPERATION WITH OTHER BODIES

(Agenda item 9)

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**Report on the session of the Inter-American Juridical Committee held in January and February 1976, by Mr. A. H. Tabibi, observer for the Commission**

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[11 June 1976]

1. The Inter-American Juridical Committee held a session in Rio de Janeiro (Brazil) during the months of January and February 1976. In accordance with the decision taken by the International Law Commission at its twenty-seventh session,<sup>1</sup> I attended the session, in my capacity as Chairman of the International Law Commission, as an observer.

2. The Committee met under the Chairmanship of Mr. Reynaldo Galindo Pohl (El Salvador). A list of participants is to be found in annex I.

3. The statement which I delivered to the meeting, which was warmly received and commented upon by the members of the Committee, is contained in annex II.

4. During the meeting the main work of the Committee was concentrated on the study of the legal problems resulting from the presence and activities of transnational enterprises in developing countries, and particularly in Latin America. On the basis of the report and conclusions proposed by the Rapporteur, Mr. R. Galindo Pohl, the Committee approved a 130-page report on transnational enterprises (*Dictamen sobre Empresas Transnacionales*). The issue of transnational enterprises has been on the agenda of the Committee for two years and has been the subject of eight previous reports. The Committee will continue the study of this matter with the aim of achieving an agreement on more precise and effective rules to govern regional co-operation regarding transnational enterprises.

5. The Committee also approved a resolution concerning the situation prevailing, from a juridical point of view, in the Malvinas or Falkland Islands, and called upon the parties to negotiate and to reach a pacific settlement of the problem.

6. The Committee will dedicate its forthcoming session, in July–August 1976, to the final preparation of six draft conventions which will be submitted to the Second Inter-American Specialized Conference on Private International Law scheduled to convene in Montevideo (Uruguay) some time in 1977.

7. The Committee welcomed me warmly and accorded me every consideration and hospitality during my stay in Rio de Janeiro.

8. I want also to thank the Academy of Letters of Brazil, its President, Mr. Austragesilo de Athayde, and its members

for the warm reception they gave me, as well as the family of the late Gilberto Amado who expressed their appreciation for the annual memorial lectures and meetings held in honour of the late Brazilian jurist and poet, Gilberto Amado.

9. The Committee decided to send Mr. Alberto Ruiz Eldredge as its observer to the twenty-eighth session of the International Law Commission.

### ANNEX I

#### List of participants

Mr. Jorge A. AJA ESPIL (Argentina)  
Mr. José Joaquín CAICEDO CASTILLA (Colombia)  
Mr. Reynaldo GALINDO POHL (El Salvador)  
Mr. Antonio GÓMEZ ROBLEDÓ (Mexico)  
Mr. Juan MATERNO VÁSQUEZ (Panama)  
Mr. Kenneth OSBORNE RATTRAY (Jamaica)  
Mr. José Eduardo do PRADO KELLY (Brazil)  
Mr. Américo PABLO RICARDONI (Uruguay)  
Mr. Seymour J. RUBIN (United States of America)  
Mr. Alberto RUIZ ELDRIDGE (Peru)  
Mr. Edmundo VARGAS CARREÑO (Chile)

### ANNEX II

#### Text of the statement delivered by Mr. A. H. Tabibi, observer for the International Law Commission

May I begin by saying how pleased I am to see you Mr. President, as a son of the great region of Latin America—an important part of the third world—and with great juridical and political qualifications, in charge of this important Committee. I am confident, and in fact all the juridical circles share this confidence, that with the great ability, quality and kindness that you possess, the work this year of the Inter-American Juridical Committee, as in the past year, will be crowned with success under your leadership. At the same time my best wishes go to your vice-president and to Mr. Renato Ribeiro, your able secretary, as well as all members of this Committee for the excellent duty which they perform in the interest of law and order. In the meantime I cannot help but confess the fact that I feel extremely happy to find myself among you, and in the heart of Latin America, surrounded with kindness, beauty and hospitality in the best tradition of your great people, a people geographically far from the rest of the third world but close culturally and historically and with many common interests at all times. We in the International Law

<sup>1</sup> See *Yearbook ... 1975*, vol. II, p. 186, document A/10010/Rev.1, para. 159.

Commission are aware of the great practical task that you perform, and it is a source of great pleasure for our Commission to hear every year from your observer on the noble task that you perform in building modern international law. Indeed Mr. Ricaldoni delivered an impressive report last summer, which we all admired and praised.

May I add also that I myself have witnessed in the last thirty years, during my participation in the Sixth (Legal) Committee of the General Assembly and in the International Law Commission, as well as in United Nations plenipotentiary conferences, the great contribution which has been made by Latin-American jurists to the progressive development of international law and its codification, and we in Asia and Africa consider your work as a model of legal achievements.

In our Commission we have always admired and respected the Latin-American jurists who have served in the last twenty-seven years as our colleagues, some of whom have made the common journey to eternity, and some of whom are now among the distinguished judges of the International Court of Justice, while others are still with us pursuing the noble task of fashioning the new law of nations, which once was the monopoly of western chancelleries and European jurists.

It is in line with this feeling that our Commission, after the passing of our late dear friend, Gilberto Amado of Brazil, the dean of the Sixth Committee of the General Assembly, as well as the dean of the International Law Commission, has, in the last four years, held memorial lectures by prominent jurists and has published those lectures for the benefit of jurists.

Let me turn now to the progress in the work of our Commission during its past (twenty-seventh) session. Although our annual report,<sup>9</sup> which you have, explains the details of our activities and was received with great satisfaction and appreciation by the Assembly, I will nevertheless try to report to you its salient and important points.

May I add that when the Commission began its work in 1975, it shaped its programme and established the priority to be given to the topics to be considered in line with a draft resolution of the Sixth Committee, which was adopted on 14 December 1974 by the General Assembly as resolution 3315 (XXIX).

It is in the order in which the topics are set forth in that resolution that I shall report the progress in the Commission's work. In this connexion, I should mention that we made considerable progress in all the items last year. The Commission adopted a total of thirty-five draft articles plus additional provisions to two already existing articles. This is the largest number ever to be adopted in first reading in one single session. Fourteen of those draft articles concerned the most-favoured-nation clause. The Commission has set the goal of completing the first reading of the draft on that topic this year for consideration by the Sixth Committee and Governments, as is explained in paragraph 141 of the 1975 report.

Although our report covers the activity of the Commission and needs no repetition by me, I will try briefly to indicate the main points in the consideration of the topics and other activities of the Commission during its twenty-seventh session.

### 1. State responsibility

Chapter II of the Commission's report, which deals with the topic of State responsibility, begins with a useful historical review of the work done hitherto by the Commission, followed by general remarks concerning the conclusions reached so far by the Commission concerning the form, scope and structure of the draft articles in preparation. In this connexion, allow me to recall that the draft articles are limited to the responsibility of States for internationally wrongful acts and do not extend to the international liability of States for any injurious consequences arising out of the performance of certain activities that are not prohibited by international law. This latter question has become a separate topic on the general programme of work of the Commission, as recommended in General Assembly resolutions 3071 (XXVII) and 3315 (XXIX),

The draft articles—and this is another point that should be underlined—deal with the international responsibility of the State for the breach of any international obligation, and are not limited to responsibility for the breach of obligations belonging to a particular sector of international law. This does not mean, of course, that the importance attached by the international community to respect for some obligations—for instance,

for obligations relating to the maintenance of international peace and security—is to be overlooked in the draft. Insofar as distinctions between different categories of international obligations may be relevant, they will be fully studied by the Commission. In this respect, I would like to draw your attention to chapter III of the table reproduced in paragraph 45 of the Commission's report and, particularly, to article 17, entitled "Breach of a legal obligation essential to the international community. International crimes", a provision which the Commission will examine at its next session. That having been said, it should be added that the draft is not intended to define the obligations whose violation may be a source of international responsibility—the so-called "primary rules"—but is exclusively devoted to the codification of the general rules concerning the international responsibility of States for internationally wrongful acts as such, namely, the rules governing all the new legal relationships that follow from an internationally wrongful act of a State as a consequence of the failure to fulfil an international obligation.

The structure of the draft articles corresponds to the plan for studying the international responsibility of States adopted by the Commission on the basis of the proposals made by Mr. Roberto Ago of Italy, the Special Rapporteur. Part I of the plan, namely, the one now under consideration, is concerned with the origin of international responsibility, and part 2 with the content, forms and degrees of international responsibility. Once these two essential parts are completed, the Commission might decide to add a part 3 to the draft, in which certain problems concerning the settlement of disputes and the "implementation" of international responsibility would be considered. To facilitate the understanding of the draft as a whole and of the specific provisions already adopted, the Commission decided to include, in paragraphs 42 to 44 of its report, a general description of the matters to be studied within each of the parts of the draft to which I have just referred.

As you can see from our report, part I will contain about thirty-one articles, divided into the following five chapters: General principles (chapter I); The act of the State under international law (chapter II); Breach of an international obligation (chapter III); Participation by other States in the internationally wrongful act of a State (chapter IV) and, Circumstances precluding wrongfulness and attenuating or aggravating circumstances (chapter V). At its last session, the Commission completed its consideration of chapter II (The act of the State under international law), dealing with the determination of the conditions in which a particular kind of conduct must be considered as an "act of the State" under international law, i.e. the subjective element of the internationally wrongful act. Chapter I having been completed previously, two chapters of the draft have thus been adopted. Provisions relating to the breach of an international obligation (chapter III) will be examined at the next session of the Commission. I will refer later—in connexion with the programme and organization of future work—to the concrete conclusions reached by the Commission with regard to the best way of completing, as early as is reasonably possible, the study of this delicate and difficult topic, which is at the core of international law.

In addition to the nine articles which were adopted during the twenty-fifth and twenty-sixth sessions on the basis of the scholarly reports of Mr. Ago, the Commission succeeded, as I said, in adopting at its twenty-seventh session the remaining provisions of chapter II, namely, articles 10 to 15, together with the corresponding commentaries. These articles are as follows:

Article 10: Attribution to the State of conduct of organs acting outside their competence or contrary to instructions concerning their activity

Article 11: Conduct of persons not acting on behalf of the State

Article 12: Conduct of organs of another State

Article 13: Conduct of organs of an international organization

Article 14: Conduct of organs of an insurrectional movement

Article 15: Attribution to the State of the act of an insurrectional movement which becomes the new government of a State or which results in the formation of a new State.

In articles 5 to 7 of the draft articles, provision has been made for the attribution of the State, *qua* subject of international law as a possible source of international responsibility, of the conduct of organs which form part of the State machinery proper, and of the conduct of organs of territorial governmental entities or other entities also empowered by internal law to exercise elements of the governmental authority. These provisions apply, of course, only to the conduct which the persons

<sup>9</sup>Yearbook . . . 1975, vol. II, p. 47, document A/10010/Rev.1.

constituting the organ have adopted in performing their functions as members of those organs and not as private individuals.

Article 10, adopted at the twenty-seventh session, provides that such conduct is attributed to the State even if the perpetrators have exceeded their competence under internal law or contravened instructions received concerning their activities—in other words, even if they have acted *ultra vires* with regard to internal law. For reasons developed in the commentary, the Commission considered that there is no exception to this rule even in the case of “manifest incompetence” of the organ and even if other organs of the State have disowned the conduct of the offending organ. On the other hand, under the system adopted by the Commission, the actions of human beings constituting the organs in question and performed in their capacity as private individuals are not regarded as acts of the State and do not as such incur international responsibility. Acts performed in a purely private capacity by persons having the status of organs are entirely on the same footing as acts of the “private individuals” dealt with in article 11 and consequently are not considered as “an act of the State” for the purposes of the draft articles.

Articles 12, 13 and 14 provide respectively that the conduct of an organ of a State, of an international organization or of an insurrectional movement, acting respectively in that capacity, remains an act of the State, international organization or insurrectional movement to which the organ in question belongs and is not considered an act of the State in the territory of which such conduct may have been adopted. Those provisions presuppose that the organ concerned is not under the control of the territorial State, this latter case having been dealt with in article 9 of the draft. The same basic principle inspires articles 12, 13 and 14. However, for reasons related to the scope of the draft, which is limited to State responsibility, and to the particularities of the legal personality and status in international law of international organizations and insurrectional movements, which are carefully explained in the commentary, the Commission decided to formulate in three separate articles the rules corresponding to the conduct of organs of another State (article 12), the conduct of organs of an international organization (article 13) and the conduct of organs of an insurrectional movement (article 14). This approach allows a more accurate solution.

I will conclude my remarks on chapter II of the Commission's report by referring briefly to the last article so far adopted, namely, article 15, relating to the attribution to the State of the act of an insurrectional movement which becomes the new Government of a State or which results in the formation of a new State. The question of attribution contemplated in the article arises solely in the case where the insurrectional movement, having triumphed, has substituted its structures for those of the previous government of the State in question or where the structures of the insurrectional movement have become those of a new State, constituted by succession or decolonization in part of the territory which was previously subject to the sovereignty or administration of the pre-existing State. The article, which is essentially based on the continuity principle, is divided into two paragraphs. It provides that in both hypotheses the act of an insurrectional movement shall be considered an act of the State with which the insurrectional movement identified itself after its triumph. With regard to the case of an insurrectional movement which becomes the new government of a State, the second sentence of paragraph 1 specifies that the attribution to the State in question of the acts of the insurrectional movement shall be without prejudice to the attribution to that State of any conduct which would have been previously considered as an act of the said State by virtue of articles 5 to 10 of the draft. The attribution to the State in such a case of the behaviour of the organs of the insurrectional movement in no way excludes, therefore, the parallel attribution to that State of the actions carried out, during the conflict, by the organs of the government then established.

## 2. Succession of States in respect of matters other than treaties

The Commission continued to make progress in its work on an important, yet difficult and complicated topic, that of succession of States in respect of matters other than treaties. Members of the Committee will recall that on the basis of various scholarly and detailed reports submitted by the Special Rapporteur, Mr. Mohammed Bedjaoui of Algeria, the Commission had, at its twenty-fifth session, adopted eight articles on the topic, concentrating for the time being on succession to State property. One of the important new articles provisionally adopted by the Commission at its twenty-seventh session is article 9 entitled

“General principle of the passing of State property”. That general principle provides that:

“Subject to the provisions of the articles of the present Part and unless otherwise agreed or decided, State property which, on the date of the succession of States, is situated in the territory to which the succession of States relates shall pass to the successor State.”

The Commission also provisionally adopted an article X spelling out the absence of effect of a succession of States on third State property, and a new sub-paragraph to be included in the article on use of terms, defining the term “third State”. I would like to draw your attention in particular to the text of and commentary to article 11, entitled “Passing of debts owed to the State”. During the discussion of this article in the Commission, several members expressed reservations on the text. The view was expressed, *inter alia*, that the article was not relevant to the topic, that its wording was not adequate to express the desired rule and that the article's effect might be to make more difficult negotiations between the predecessor and successor States. For these and other reasons noted in the commentary, the Commission decided to place the entire article in square brackets for further consideration.

The Commission intends to continue its work on State property, upon which considerable progress has already been made, and then proceed to the consideration of “public debts”, possibly confining its study to State debts.

## 3. The most-favoured-nation clause

The chapter of the report dealing with the most-favoured-nation clause (chapter IV) explains how this question has been dealt with by the Commission since 1964, when the draft articles on the law of treaties were under discussion in the Commission, and what the position of the Commission has been since 1967, when a Special Rapporteur, Mr. Endre Ustor of Hungary, was appointed for the subject. In his first two reports, the Special Rapporteur discussed the historical evolution of this topic and analysed three relevant cases dealt with by the International Court of Justice, as well as the replies from international organizations to a questionnaire on the matter sent by the Commission. It was during the twenty-fourth and twenty-fifth sessions of the Commission, in 1972 and 1973 that the Special Rapporteur submitted his third and fourth reports, containing a first set of eight draft articles on the most-favoured-nation clause, with commentaries. On the basis of those reports the Commission adopted in 1973 articles 1 to 7 as the initial stage of its work in the preparation of final draft articles, and submitted them to the General Assembly for its information during its twenty-eighth session. In 1975 the Commission considered the fourth, fifth and sixth reports submitted by the Special Rapporteur, which contained a further series of draft articles, and adopted fourteen additional articles, giving a total thus far of twenty-one articles, the text of which you will find in the Commission's report on its twenty-seventh session. Since the background, the scope, character and other general aspects of the draft articles are dealt with in the report, I wish to draw your attention to only a few salient points.

Firstly, I wish to mention the relationship between the most-favoured-nation clause and the national treatment clause. Because of the interaction between the operation of the most-favoured-nation clause and the national treatment clause, which often appear in treaties side by side and are sometimes combined, the Special Rapporteur in his fifth report proposed several draft articles dealing with national treatment and national treatment clauses. In his sixth report he reaffirmed his belief in the need to mention explicitly both the most-favoured-nation clause and national treatment clauses in the articles applicable to the two clauses. After a general discussion in which divergent views were expressed, the Commission agreed to concentrate its work at its twenty-seventh session on rules concerning most-favoured-nation clauses and most-favoured-nation treatment. Nevertheless, it adopted two provisions (articles 16 and 17) touching upon national treatment.

A second point which I wish to emphasize concerns the relationship between the most-favoured-nation clause and the different levels of economic development, a question of great importance to the third world and developing nations. According to the increasingly predominant trends in the General Assembly and in UNCTAD, the application of the most-favoured-nation clause to all countries regardless of their level of economic development involves implicit discrimination against the countries of the third world. For the purposes of economic development, it is necessary that for a certain period of time the most-favoured-nation

clause should not apply to certain types of international trade relations. General Principle Eight of the recommendations adopted by UNCTAD at its first session supports this view.

Since this question has a significant bearing on the final codification of the topic, the Commission, recognizing its importance, began at its last session to examine the question of exceptions to the operation of the clause, and provisionally adopted a first article (article 21) concerning most-favoured-nation clauses in relation to treatment under a generalized system of preferences.

The Commission intends to study the question of the application of the most-favoured-nation clause to developing countries further at its next session so as to determine whether some additional provisions may be necessary in order to provide adequate protection for their interests and, within that context, it intends to review article 21 with a view to its possible improvement.

According to members of the Commission who, for the most part, belong to the third world, article 21, which should be the first step in a series of draft articles devoted to the question, is not sufficient. I personally favour a carefully-drafted set of articles to cover the interests of the third world and the economically weaker nations.

A third point on which I wish to draw the attention of the Committee relates to the question whether a most-favoured-nation clause does or does not attract benefits granted within customs unions and similar associations of States. The Commission held a preliminary discussion on the matter at its last session, in connexion with article 15 and on the basis of a short study submitted by the Special Rapporteur in his sixth report. The Commission, however, did not take a definite stand partly because it wishes to take into account the reactions of the representatives of States when it considers the matter again in the course of its next session. To this end, the Commission deemed it useful to include in paragraphs 25 to 65 of the commentary to article 15 some of the materials contained in the Special Rapporteur's report as well as a summary of his findings and conclusions on the subject. Although some members of the Commission supported the position taken by the Special Rapporteur, several other members expressed reservations to his approach, as is indicated in paragraphs 67 to 70 of the commentary to article 15.

Finally, it must be emphasized that the articles on the most-favoured-nation clause are designed as supplementary to the Vienna Convention on the Law of Treaties. Since the general rules pertaining to treaties have been stated in the Vienna Convention, the draft articles contain particular rules applicable to a certain type of treaty provision, namely, most-favoured-nation clauses. The draft articles are in general without prejudice to the provisions which the parties may agree to in the treaty containing the clause or otherwise. To emphasize this residual character, two alternative approaches may be adopted: either to introduce in each individual article, as appropriate, an opening clause such as that included in brackets at the beginning of article 16: "Unless the treaty otherwise provides, or it is otherwise agreed"; or to insert in the draft an article expressly recognizing that residual character, which will be of general application to all those provisions which are of the same nature. The Commission will take a decision at its next session on which of these two approaches to follow.

#### 4. *Question of treaties concluded between States and international organizations or between two or more international organizations*

As the historical background on this topic in chapter V of the report reveals, the Commission, as in 1974, made substantial progress in its study of this question at its twenty-seventh session, on the basis of the reports of Mr. Paul Reuter of France. The chapter reviews in detail the work done so far in this field and explains the scope and character of the draft articles; it also explains the close relationship between the draft articles and the Vienna Convention on the Law of Treaties as a whole, as well as specific articles of that Convention.

In 1974 the Commission approved five articles dealing, in particular, with the scope of the draft, the use of terms, non-retroactivity, and finally and most importantly, the capacity of international organizations to conclude treaties. At its twenty-seventh session, in addition to filling certain gaps in article 2 on the use of terms, the Commission adopted twelve additional articles, as follows: article 7 (Full powers and powers), article 8 (Subsequent confirmation of an act performed without authorization), article 9 (Adoption of the text), article 10 (Authentication of the text), article 11 (Means of establishing consent to be bound by a

treaty), article 12 (Signature as a means of establishing consent to be bound by a treaty), article 13 (An exchange of instruments constituting a treaty as a means of establishing consent to be bound by a treaty), article 14 (Ratification, act of formal confirmation, acceptance or approval as a means of establishing consent to be bound by a treaty), article 15 (Accession as a means of establishing consent to be bound by a treaty), article 16 (Exchange, deposit or notification of instruments of ratification, formal confirmation, acceptance, approval or accession), article 17 (Consent to be bound by part of a treaty and choice of differing provisions), and article 18 (Obligation not to defeat the object and purpose of a treaty prior to its entry into force).

The Commission is largely following the provisions of the Vienna Convention on the Law of Treaties, which is applicable to treaties between States, for those treaties covered by the present topic, namely, (a) treaties concluded between one or more States and one or more international organizations; (b) treaties concluded between two or more international organizations. In doing so, however, the Commission is not overlooking the fact that international organizations cannot, at the present stage of development of international law, be assimilated to States. Consequently, the rules laid down in the Vienna Convention for treaties between States are being adapted by the Commission, whenever it feels it necessary, to international organizations, a task which is not always easy to do given the special features which are frequently present in each organization and the need to introduce some measure of uniformity in a draft devoted to the codification of general rules on the matter. The difficulties involved became apparent in 1975, when the Commission considered some of the draft articles adopted, and in particular when it began to examine the provisions of the Vienna Convention relating to reservations, which will continue to be studied at the Commission's next session. The particular nature of international organizations has also made it necessary, in some instances, for the terms used in the Vienna Convention to be conveniently supplemented by new ones. For instance, in matters relating to "full powers" and "ratification", the Commission preferred to make some distinctions in the present draft between the terms used for States and those used for international organizations.

#### 5. *Other decisions and conclusions of the Commission*

As I have already mentioned, the Commission's twenty-seventh session was one of its most productive ones: thirty-five draft articles were adopted in first reading—a figure never reached at any previous session—and progress was made in the preparation of draft articles relating to four of the topics to which priority had been given in the light of relevant General Assembly recommendations.

In addition, the Commission has paid particular attention to the wish expressed by the General Assembly that an effort should be made to rationalize further the organization of the work of the Commission and, as stated in paragraph 6 of section I of General Assembly resolution 3315 (XXIX), to adopt methods of work well suited to the realization of the tasks entrusted to it. A planning group was established in the Enlarged Bureau to study the functioning of the Commission and formulate suggestions regarding its work, under the chairmanship of Mr. Kearney of the United States of America. The Group undertook a review of the existing work load of the Commission with a view to proposing general goals towards which the Commission might direct its efforts. On the basis of this review, the Commission reached certain important conclusions. It believes that while the adoption of any rigid schedule of operations would be impracticable, the use of the goals in planning its activities would afford a helpful framework for decision-making. It also agreed that the planning group should continue to review the progress of the Commission's work as well as offer suggestions regarding its activities and needs.

The Commission intends, at its twenty-eighth session, to continue consideration of the topics included in its current programme, namely, State responsibility, succession of States in respect of matters other than treaties, the most-favoured-nation clause, the question of treaties concluded between States and international organizations or between two or more international organizations and the law of the non-navigational uses of international watercourses, with a view to attaining the general goals stated in paragraphs 141 to 146 of its report.

Co-operation with regional legal bodies, which is useful both to the

Commission and to the regional legal committees, continued during the past year as in previous years. Observers from the Commission participated in meetings of the regional legal bodies, and the Commission, at its last session, heard statements from the observers for those bodies, including Mr. Ricaldoni.

The International Law Seminar was held, as usual, during the twenty-seventh session of the Commission, and all members of the Seminar attended meetings of the Commission and heard lectures given by many of its members. I am happy to say that during the last Seminar a large number of participants were young jurists from the developing world. I

have a special interest in this Seminar since it was established through my proposal under the item concerning the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law. It trains jurists to carry the torch which we give to them today.

These, then, are the brief remarks on the work of the twenty-seventh session of the International Law Commission which I have had the honour to present to you. Since it is my habit to be brief I tried my best to consolidate as much as possible my report and the voluminous printed report of our Commission, so as not to tax your patience.