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Note by the Secretariat

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QUESTION OF AMENDING ARTICLE 11 OF THE STATUTE OF THE INTERNATIONAL LAW COMMISSION

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1. At its tenth session the General Assembly, by resolution 985 (X) of 3 December 1955, decided to extend, as from 1 January 1957, the term of office of the members of the International Law Commission from three to five years. In view of this increase in the length of the term of office the representative of the United States of America proposed in the Sixth Committee that article 11 of the Commission's Statute should be amended so that casual vacancies would be filled by the General Assembly instead of by the Commission itself. The sponsor of the proposal later replaced it by a proposal to postpone the matter until the eleventh session of the General Assembly. The representatives of Costa Rica and India submitted an amendment to the latter proposal, inviting the International Law Commission to express its opinion on the matter.¹

¹ *Official Records of the General Assembly, Tenth Session, Sixth Committee, 452nd-454th meetings, and Annexes, agenda item 50.*

2. The Sixth Committee recommended and the General Assembly, on 3 December 1955, adopted the following resolution 986 (X):

“The General Assembly,

“Having regard to the fact that article 10 of the Statute of the International Law Commission has been amended to increase the term of office of the members of the Commission from three to five years,

“1. Invites the International Law Commission to communicate its opinion concerning the amendment of article 11 of the Statute of the Commission relating to the filling of casual vacancies in its membership;

“2. Decides to include in the provisional agenda of the eleventh session of the General Assembly the question of amending article 11 of the Statute of the International Law Commission.”