

Document:-
A/CN.4/L.77

Co-operation with inter-American bodies: proposal submitted by Mr. Alfaro, Mr. Amado and Mr. García Amador

Topic:
Cooperation with other bodies

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in two years. For administrative and technical reasons, they could not usually be held concurrently with either the meetings of the Assembly or of the Commission itself. This meant that, in practice, the only time of the year at which such conferences could be held, unless they were very short, was between January and April. In these circumstances, the Commission came to the conclusion that it should adhere to its policy of taking enough time to ensure that any final draft it produced would be good, and such as could in substance be adopted by an international conference—a policy that had been fully vindicated by the results of the recent Conference on the Law of the Sea. Added to this, there was the important consideration that the whole of international law and international relations was now going through a period of adjustment. In such a situation speed was not necessarily the most important consideration. Time spent in endeavouring to reconcile different points of view and different types of outlooks and ideas was not time wasted. In the course of the years what would matter was the quality of the work, not whether a greater or lesser period had been spent in producing it.

69. The foregoing observations in no way imply that the Commission is not fully aware of the necessity of proceeding as fast as is reasonably possible with its work—and it intends to do so. But it has thought it useful to try and place the matter in its wider perspective.

III. Co-operation with other bodies

70. In 1956 the Commission adopted a resolution requesting the Secretary-General to authorize the Secretary of the Commission to attend the fourth meeting of the Inter-American Council of Jurists, scheduled to be held at Santiago, Chile, in 1958. At the next session in 1957, the Secretary informed the Commission of the postponement until 1959 of the meeting of the Inter-American Council.

71. During the present session the Commission had before it a joint proposal (A/CN.4/L.77) by Mr. R. J. Alfaro, Mr. G. Amado, and Mr. F. V. García Amador, which would renew the request to the Secretary-General in view of the convening of the fourth meeting of the Inter-American Council of Jurists early in 1959.

72. The Commission adopted this proposal unanimously in the following terms:

"The International Law Commission,

"Recalling article 26 of its statute and the resolutions adopted at its sixth, seventh and eighth sessions regarding co-operation with inter-American bodies and, in particular, that at its eighth session it requested the Secretary-General of the United Nations to authorize the Secretary of the Commission to attend, in the capacity of an observer, the fourth meeting of the Inter-American Council of Jurists to be held in Santiago, Chile, in 1958,

"Noting that this meeting has been postponed until early in 1959,

"Considering that, since the subject of State responsibility will be discussed at the eleventh session of the Commission and is also the principal item on the agenda for the fourth meeting of the Inter-American Council of Jurists, there exists again a real opportunity for co-operation between the International Law Commission and the Inter-American Council of Jurists,

"Decides:

"1. To request the Secretary-General to authorize the Secretary of the International Law Commission to attend, in the capacity of an observer for the Commission, the fourth meeting of the Inter-American Council of Jurists to be held early in 1959 at Santiago, Chile, and submit a report to the Commission at its next session regarding such matters discussed by the Council as are also on the agenda of the Commission;

"2. To communicate this decision to the Inter-American Council of Jurists and to express the hope that the Council may be able, for a similar purpose, to request its Secretary to attend the next session of the Commission."

73. The Commission also had before it a communication received from the Asian-African Legal Consultative Committee informing it of the holding of a second session at Colombo, Ceylon, from 14 to 26 July 1958, during which session the Committee proposed to consider certain items also of interest to the Commission. In view of the closeness of the date of this second session, the Commission was unable to consider the question of sending an observer. It authorized the Secretary to inform the Asian-African Legal Consultative Committee of this fact and, at the same time, to express its interest in the work of the Committee and its hope that the Committee would transmit to it such records and other documents as related to matters falling within the scope of the work of the Commission.

IV. Control and limitation of documentation

74. Resolution 1203 (XII) of the General Assembly concerning this question had been placed on the agenda of the Commission for the present session and was duly brought to the attention of the Commission. The Commission took note of the resolution.

V. Date and place of the next session

75. The Commission decided to hold its eleventh session in Geneva from 20 April to 26 June 1959.

VI. Representation at the thirteenth session of the General Assembly

76. The Commission decided that it should be represented at the next (thirteenth) session of the General Assembly, for purposes of consultation, by its Chairman, Mr. Radhabind Pal.