UNITED NATIONS MODEL RULES
FOR THE CONCILIATION OF DISPUTES BETWEEN STATES
GENERAL ASSEMBLY RESOLUTION 50/50

On 6 July 1990, Guatemala requested by letter to the Secretary-General that the item “Conciliation rules of the United Nations” be included in the provisional agenda of the forty-fifth session of the General Assembly and attached a draft resolution with rules to this effect (A/45/143). On 21 September 1990, the General Assembly decided to include the item on the agenda of its forty-fifth session and allocated the matter to its Sixth Committee for consideration (A/45/PV.3).

On 15 October 1990, during the debate on the matter in the Sixth Committee, Guatemala submitted a revised draft resolution (A/C.6/45/L.2) entitled “United Nations rules for the conciliation of disputes between States”. On 28 November 1990, following the recommendation of its Sixth Committee (A/45/742), the General Assembly adopted decision 45/413 by which it requested the Secretary-General to circulate the draft conciliation rules, together with the amendments submitted during the forty-fifth session, to all Member States, United Nations bodies and competent specialized agencies, regional intergovernmental organizations and international legal bodies interested in the draft conciliation rules and to invite them to send to him their observations, comments and suggestions thereon. The General Assembly further requested the Secretary-General to submit a report containing the replies received to the Assembly at its forty-sixth session. Finally, the Assembly decided that the question of the United Nations rules for the conciliation of disputes between States should be examined as part of the programme of the United Nations Decade of International Law and in the Special Committee on the Charter of the United Nations and on the Strengthening of the Organization, as appropriate.

By note verbale dated 11 March 1991, the Secretary-General invited Member States to communicate to him any observations, comments and suggestions on the draft conciliation rules of the United Nations. A similar request was transmitted by a letter dated 19 February 1991 from the United Nations Office of the Legal Counsel to relevant United Nations bodies and specialized agencies, the Presidents of the General Assembly and the Security Council, as well as various regional organizations and non-governmental organizations. From August to November 1991, several replies were received by the Secretary-General from Member States, United Nations bodies and specialized agencies, which were contained in a report submitted to the General Assembly at its forty-sixth session (A/46/383 and Add.1).

At its forty-sixth session, the General Assembly adopted resolution 46/58 of 9 December 1991, by which it requested the Special Committee on the Charter of the United Nations and on the Strengthening of the Organization, at its 1992 session, to continue its work on the question of the peaceful settlement of disputes between States and, in this context, to consider, inter alia, the proposal on United Nations rules for the conciliation of disputes between States. The resolution further requested the Special Committee to report on its work to the General Assembly at its forty-seventh session under the ongoing item of its agenda related to the annual report of the Special Committee.

At its 1992 session, the Special Committee held a series of meetings from 3 to 21 February during which it considered the matter entrusted to it under General Assembly resolution 46/58. At these meetings, the Special Committee had before it the draft resolution submitted by Guatemala to the Sixth Committee during the forty-fifth session of the General Assembly. The draft resolution served as the basis for a detailed preliminary discussion in the Special Committee (Report of the Special Committee, A/47/33).
At its forty-seventh session, following the recommendation of its Sixth Committee (A/47/588), the General Assembly adopted resolution 47/38 of 25 November 1992, by which it took note of the report of the Special Committee and requested the Committee, at its next session, in 1993, to continue its consideration of the proposal on United Nations rules for conciliation of disputes between States. The resolution further requested the Special Committee to report on its work on the matter to the General Assembly at its forty-eighth session.

At its 1993 session, during a series of meetings held between 1 and 5 March, the Special Committee considered a revised document submitted by Guatemala which contained the text of the draft articles entitled “United Nations rules for the conciliation of disputes between States” and the text of a draft resolution under the same title (A/AC.182/L.75). The revised proposal, which took into account the majority of comments made during the 1992 session of the Special Committee, provided a useful basis for a detailed further discussion but delegations considered that it could still be improved in certain respects (Report of the Special Committee, A/48/33).

At its forty-eighth session, following the recommendation of its Sixth Committee (A/48/615), the General Assembly adopted resolution 48/36 of 9 December 1993, by which it took note of the report of the Special Committee and again requested the Special Committee to continue its consideration of the proposal on United Nations rules for the conciliation of disputes between States and to report on its work to the Assembly at its forty-ninth session.

At its 1994 session, during a series of meetings held between 18 and 23 March, the Special Committee considered a further revised document (A/AC.182/L.75/Rev.1) submitted by Guatemala, which contained the text of the draft articles entitled “United Nations Model Rules for the Conciliation of Disputes between States” and the text of a draft resolution under the same title. There was widespread support for the proposal among delegations, but further work was still deemed necessary in light of the comments received before final agreement could be reached (Report of the Special Committee, A/49/33).

At its forty-ninth session, following the recommendation of its Sixth Committee (A/49/741), the General Assembly adopted resolution 49/58 of 9 December 1994, by which it took note of the report of the Special Committee and yet again requested the Special Committee to continue its consideration of the proposal on United Nations rules for the conciliation of disputes between States and to report on its work to the General Assembly at its fiftieth session.

At its 1995 session, during a series of meetings held from 1 to 8 March, the Special Committee considered certain amendments to the draft model rules submitted by Guatemala (A/AC.182/L.83). After a detailed discussion, the Special Committee recommended that the General Assembly bring to the attention of States the text of the United Nations Model Rules for the Conciliation of Disputes between States by annexing it to a decision or resolution to be adopted by the Assembly at its fiftieth session (Report of the Special Committee, A/50/33).

At the fiftieth session of the General Assembly, the Sixth Committee discussed the text proposed by the Special Committee at several meetings (A/C.6/50/SR.31-32, 34-37 and 45-46). On 21 November 1995, a draft resolution (A/C.6/50/L.11) was submitted by Guatemala which, as revised on behalf of ten other Member States some days later (A/C.6/50/L.11/Rev.1), was based on the proposal of the Special Committee and approved by the Sixth Committee on 27 November 1995. On 5 December 1995, in its report to the General Assembly (A/50/642), the Sixth Committee thus recommended the Assembly to adopt a resolution to this effect. On 11 December 1995, the General Assembly accordingly
adopted, without a vote, resolution 50/50 (United Nations Model Rules for the Conciliation of Disputes between States).