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INTERNATIONAL LAW COMMISSION
Seventeenth session
Committee of Exchange and Distribution
of the Documents of the Commission

CO-OPERATION WITH OTHER BODIES

Report of the Committee on exchange and distribution of
the documents of the Commission

1. The report of the International Law Commission on the work of its fifteenth session^{1/} states:

"The Commission expressed the hope that the relevant regulations of the United Nations would be adapted so as to ensure a better exchange of documentation between the Commission and the bodies with which it co-operates. The Commission further recommended that the Secretariat should make whatever arrangements were needed for the purpose".

2. At the sixteenth session of the Commission the Secretariat submitted a memorandum^{2/} intended to inform the Commission about existing arrangements for distribution of its documents and to provide a basis for a further study of the problems concerning co-operation with other bodies through exchange of documentation. The Commission took note of the memorandum at its 768th meeting, and the report on the work of its sixteenth session states^{3/}:

1/ Official Records of the General Assembly, Eighteenth Session, Supplement No. 3, (A/5509, para.70).

2/ A/CH.4/171.

3/ Official Records of the General Assembly, Nineteenth Session, Supplement No. 3, (A/5809, para.49).

"After an exchange of views, the Commission considered the possibility of establishing at its next session a small committee to study the problems involved."

3. During its seventeenth session, at the 777th meeting on 5 May 1965, the Commission established a committee consisting of Mr. Ago, Mr. Lachs, Mr. Pessou, Mr. Rosenne and Mr. Ruda, and requested it to study the problems involved in the distribution of the documents of the Commission. The Committee met on 25 May 1965, and approved the present report.

4. The Committee studied first the distribution of documents in accordance with paragraph 2 of article 26 of the Statute of the Commission^{4/}, which provides:

"For the purpose of distribution of documents of the Commission, the Secretary-General, after consultation with the Commission, shall draw up a list of national and international organizations concerned with questions of international law. The Secretary-General shall endeavour to include on this list at least one national organization of each Member of the United Nations."

5. The Committee recommended that all the mimeographed and printed documents and records of the Commission should be distributed to all members of the Commission. The Committee desired to stress the need of the members of the Commission to receive volume II of the printed Yearbooks of the International Law Commission, which they had not received for some years past. The members, for the purposes of study and research in connexion with their functions, had to have the Commission's documents in permanent, edited form. The same distribution should also be made to all former members of the Commission who so requested, and to all members and former members of the International Court of Justice, likewise upon their request.

^{4/} Details on this distribution are given in paragraphs 14-17 of document A/CN.4/171.

6. Apart from members and former members of the Commission and of the International Court, the Committee considered that the Yearbooks and documents should not normally be sent to individuals by name, but should rather be confined to organizations, institutes and libraries, in particular law school libraries. Names of such bodies should be placed on the list at the request of members of the Commission, or of permanent missions to the United Nations. The Secretariat should be requested to review the present distribution list in the light of these principles.

7. As far as concerns scientific institutions such as the Institut de Droit international and the International Law Association, the Committee's view was that, when such bodies are studying questions related to those before the International Law Commission, a limited number of copies of the relevant documents and records of the Commission should be placed at their disposal if their Secretariats so requested; they should be asked in exchange to supply a limited number of their documents and records for the use of the Commission.

8. The Committee, while recognizing that the sending of review copies of the Commission's publications is the responsibility of the Secretariat in connexion with its efforts to promote the sale of United Nations publications, nevertheless considered that the number of review copies sent out should be increased to a minimum of 10, so as to allow one copy for each of the principal legal periodicals of the world. This step would make the work of the Commission better known, and thereby would serve the basic objectives of General Assembly resolution 1968 (XVIII) on Technical Assistance to promote the teaching, study, dissemination and wider appreciation of international law. The members of the Commission could suggest periodicals to which review copies should be sent.

9. The Committee also examined the question of exchange of publications with bodies which the Commission co-operates. It considered that in principle it was desirable, when such bodies were working on topics related to those before the Commission, that sufficient copies of the documents and reports of the Commission and of the other body should be exchanged to permit distribution of one copy to each member of the Commission and to each member of the other body. The Secretariat should be requested to explore the possibility of making such arrangements with the bodies of the Organization of American States which deal with international law, and with the Asian-African Legal Consultative Committee. The desirability of making such arrangements should also be borne in mind in connexion with the establishment of co-operative relationships under article 26 of the Commission's Statute with any additional bodies.
