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Summary record of the 1136th meeting

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76. Mr. AGO, speaking on behalf of the Working Group, said that article 79 merely consolidated the former articles 49 *bis*, 77 *bis* and 116 *bis*.

77. The CHAIRMAN put article 79 to the vote.

Article 79 was adopted by 17 votes to none.

ARTICLE 80

78.

Article 80

Non-discrimination

In the application of the provisions of the present articles no discrimination shall be made as between States.

79. Mr. AGO, speaking on behalf of the Working Group, said that no changes had been introduced in the text of article 80, which merely consolidated the former articles 44, 75 and 111.

80. The CHAIRMAN put article 80 to the vote.

Article 80 was adopted by 17 votes to none.

The meeting rose at 11.5 a.m.

1136th MEETING

Wednesday, 14 July 1971, at 10.20 a.m.

Chairman: Mr. Senjin TSURUOKA

Present: Mr. Ago, Mr. Alcívar, Mr. Bartoš, Mr. Castañeda, Mr. Castrén, Mr. Elias, Mr. Eustathiades, Mr. Kearney, Mr. Reuter, Mr. Rosenne, Mr. Ruda, Mr. Sette Câmara, Mr. Tabibi, Mr. Tammes, Mr. Ushakov, Mr. Ustor, Mr. Yasseen.

Relations between States and international organizations

(A/CN.4/221 and Add.1; A/CN.4/238 and Add.1 and 2; A/CN.4/239 and Add.1 to 3; A/CN.4/240 and Add.1 to 7; A/CN.4/241 and Add.1 to 6; A/CN.4/L.162/Rev.1; A/CN.4/L.174/Add.3)

[Item 1 of the agenda]

(continued)

THIRD REPORT OF THE WORKING GROUP

1. The CHAIRMAN invited Mr. Kearney, Chairman of the Working Group, to introduce its third report (A/CN.4/L.174/Add.3). He suggested that articles 81 and 82 and the proposed new sub-paragraph (3) *bis* of article 1, paragraph 1, be considered together.

ARTICLES 81 and 82, and new sub-paragraph (3) *bis* of article 1, paragraph 1

2.

Article 81

Consultations between the sending State, the host State and the Organization

If any dispute between one or more sending States and the host State arises out of the application or interpretation of the present articles, consultations between: (i) the host State, (ii) the sending State or States concerned, and (iii) the Organization or, as the case may be, the Organization and the conference, shall be held upon the request of any such State or of the Organization itself.

3.

Article 82

Conciliation

1. If the dispute is not resolved through the consultations referred to in article 81 within three months from the date of their inception, it may be submitted by any State party to the dispute to such procedure applicable to the settlement of the dispute as may be established in the Organization. In the absence of any such procedure, any State party to the dispute may bring it before a conciliation commission to be constituted in accordance with the provisions of this article by giving written notice to the other States participating in the consultations and to the Organization.

2. A conciliation commission will be composed of three members, of whom one shall be appointed by the host State, and one by the sending State. Two or more sending States may agree to act together, in which case they shall jointly appoint the member of the conciliation commission. These two appointments shall be made within two months of the written notice referred to in paragraph 1. The third member, the Chairman, shall be chosen by the other two members.

3. If either side has failed to appoint its member within the time limit referred to in paragraph 2, the Executive Head of the Organization shall appoint such member within a further period of one month. If no agreement is reached on the choice of the Chairman within four months of the written notice referred to in paragraph 1, either side may request the Executive Head of the Organization to appoint the Chairman within a further period of one month.

4. Any vacancy shall be filled in the same manner as the original appointment was made.

5. The Commission shall establish its own rules of procedure and shall reach its decisions by a majority vote. With the authorization of the General Assembly of the United Nations the Commission may request an advisory opinion from the International Court of Justice regarding the interpretation or application of these articles.

6. If the Commission is unable to secure agreement among the participating States on a resolution of the dispute within six months of its initial meeting, it shall prepare as soon as possible a report of its proceedings and transmit it to the parties and to the Organization. The report shall include the Commission's findings upon the facts and the law and its recommendations as to the course of action that should be followed to achieve an amicable settlement of the difference. The time limit for the preparation of the report may be extended by decision of the Commission. The report shall not be binding upon the participating States or upon the Organization.

7. Nothing in the preceding paragraphs shall preclude a conference from adopting any other appropriate procedure for the settlement of a dispute arising in connexion with the conference.

4. *New sub-paragraphs 3 bis of article 1, paragraph 1*
Use of terms
- ...
(3 bis) "Executive Head" means the principal executive official of the Organization, whether designated "Secretary-General", "Director-General" or otherwise.
5. Mr. KEARNEY (Chairman of the Working Group) said that article 81 was a revision of the former article 50;¹ it preserved the structure and context of article 50 but brought it into line with article 82. In the introductory phrase, for example, the words "any dispute between one or more sending States and the host State" was a slightly more precise formulation than in article 50 and made it possible to move into the conciliation procedure in article 82 without the need to distinguish between a difference, a question and a dispute.
6. The phrase beginning with the words "the Organization or, as the case may be, the Organization and the conference" had been introduced in order to make it possible for the officers of a conference to participate in the consultations.
7. Article 82 had been drafted by the Working Group on the basis of the discussions in the Commission on the question of consultations.² Those discussions had revealed a fairly wide range of opinion: some members had thought that all disputes should be referred to the International Court of Justice, while others had taken the view that some provision for consultations would be sufficient. The Working Group had reached the conclusion that the majority view was probably in favour of a conciliation procedure which would not be unduly formal or burdensome.
8. In drafting article 82, the Working Group had been influenced by the provisions on conciliation in the Vienna Convention on the Law of Treaties,³ as well as by the relevant provisions of the recent draft convention on international liability for damage caused by space objects,⁴ although neither of those conventions provided the precise model needed.
9. Paragraph 1 of article 82 set the time pattern which was essential in any conciliation procedure. Moreover, it limited the right to bring a dispute before a conciliation commission to the States parties to the dispute; the organization and the conference itself would not be entitled to do so.
10. Paragraph 2 dealt with the composition of the conciliation commission, which was based on the standard practice followed in setting up arbitration panels. Since more than one sending State was likely to be involved in a dispute, it was provided that two or more sending States, acting together, might jointly appoint their member of the conciliation commission. The Working Group had decided to leave it open to the sending States whether to act separately or jointly. While that solution had the disadvantage of making it more difficult to achieve uniformity of views, it had the advantage of a simpler procedure.
11. Paragraph 3 was a safeguard clause which provided that: "If either side has failed to appoint its member within the time-limit referred to in paragraph 2, the Executive Head of the Organization shall appoint such member within a further period of one month". The Working Group had deliberately chosen the term "Executive Head", which already appeared in one or more international conventions, in preference to the term "chief administrative officer, which was used in Article 97 of the Charter. It accordingly proposed a new sub-paragraph (3) bis of article 1, paragraph 1, which would define the term "Executive Head".
12. Paragraph 4 was a standard clause which called for no comment.
13. Paragraph 5 provided that the Commission could request an advisory opinion from the International Court of Justice with the authorization of the General Assembly, but did not specify whether the authorization would be general or whether a special authorization would have to be obtained in each case. In view of the time factor, the Working Group thought that a general authorization would be desirable, but the question was one which should be decided by the General Assembly. A reference to that point should be included in the commentary.
14. Paragraph 6 was based largely on the corresponding provision in the Vienna Convention on the Law of Treaties. The last sentence in that paragraph had been included by mistake, the Working Group having already decided to delete it.
15. Lastly, paragraph 7 was a final safeguard clause required because decisions taken by the conference were not covered by the general saving clause concerning the rules of the organization.
16. Mr. USHAKOV said that the words "among the participating States" in article 82, paragraph 6 seemed unnecessary and were not very clear; he proposed that they be deleted. In any case, the words "*de la part*", used in the French version, were an unsatisfactory translation of the English word "among".
17. A number of other drafting changes were needed in the French version. In paragraph 5 of article 82, the words "*Avec l'autorisation de*" should be substituted for the words "*Moyennant d'y être autorisée par*"; in paragraph 6, in addition to the point he had already mentioned, a more suitable verb than "*obtenir*" should be found for the English word "secure" in the first sentence; and in paragraph 7 the words "*à l'occasion de*" were an unsatisfactory translation of the English expression "in connexion with".
18. In the new sub-paragraph (3) bis of article 1, paragraph 1, the expression "*fonctionnaire le plus élevé*" departed too far from the English text, while the phrase

¹ See 1100th meeting, para. 45 and 1119th meeting, para. 81.

² See 1119th meeting, paras. 81-86, 1120th and 1121st meetings.

³ *United Nations Conference on the Law of Treaties, Official Records, Documents of the Conference*, pp. 298 and 301 (United Nations publication, Sales No.: E.70.V.5).

⁴ A/AC.105/94.

"*désigné sous le nom de*" was inelegant and perhaps inappropriate.

19. Mr. USTOR said that the texts of articles 81 and 82 drafted by the Working Group were a good compromise, in the best tradition of the Commission.

20. Mr. KEARNEY said he could agree to the deletion of the words "among the participating States" in the first sentence of paragraph 6 of article 82.

21. Mr. TAMMES proposed that the phrase "between one or more sending States and the host State" in article 81 be deleted, as the article was sufficiently clear without it.

22. The CHAIRMAN suggested that, in order to save time, the Commission consider first the new sub-paragraph (3) *bis* of article 1, paragraph 1.

23. Mr. AGO said that the English expression "Executive Head" was taken from article I, section 1 (vii) of the Convention on the Privileges and Immunities of the Specialized Agencies,⁵ the English and French versions of which read, respectively: "The term 'executive head' means the *principal executive official* of the specialized agency in question, whether designated 'Director-General' or otherwise"; and "*Le terme 'directeur général' désigne le fonctionnaire principal de l'institution spécialisée en question, que son titre soit celui de directeur général ou tout autre*".

24. Thus, in the Convention, the words "executive head" were translated by "*directeur général*", a title appropriate for some specialized agencies, but not for others, or for the United Nations, which was administered by a Secretary-General. The Working Group had therefore translated "Executive Head" by "*Chef de l'administration*". That difference apart, however, there was nothing to prevent the Commission from using the words employed in the Convention and, in the French version of the sub-paragraph, replacing the words "*fonctionnaire le plus élevé*" by the expression "*fonctionnaire principal*".

25. Mr. SETTE CÂMARA said that in his opinion the use of the term "Executive Head" in paragraph 3 of article 82 was an unwarrantable departure from the language of Article 97 of the Charter. That Article read: "The Secretariat shall comprise a Secretary-General and such staff as the Organization may require. The Secretary-General shall be appointed by the General Assembly upon the recommendation of the Security Council. He shall be the chief administrative officer of the Organization". The Secretary-General therefore, was not the head of the Organization, but the head of the Secretariat of the Organization.

26. Mr. ROSENNE said that if the Commission decided to retain the term "Executive Head", the commentary should include an explanation of the deliberate lack of concordance between the English and French versions of that expression.

27. Mr. Ushakov's difficulty with the proposed new sub-paragraph (3) *bis* of article 1, paragraph 1, might be

overcome by using the expression "howsoever designated".

28. Mr. ELIAS suggested that the Commission retain the expression "Executive Head", but define it as the "chief administrative officer", in accordance with Article 97 of the Charter. The words "whether designated 'Secretary-General', 'Director-General' or otherwise" should, however, be retained.

29. Mr. KEARNEY, replying to Mr. Sette Câmara, said that the Working Group had adopted the expression "Executive Head" deliberately, both because it had been used in the 1947 Convention on the Privileges and Immunities of the Specialized Agencies, and because it appeared to have a somewhat broader scope than the term used in Article 97 of the Charter.

30. Mr. RUDA said that the term "*jefe ejecutivo*", used in the Spanish version, had a very different meaning from the English term "Executive Head". The word "*ejecutivo*" implied a person who was in command, while the word "executive" implied a person who obeyed orders. He suggested that the Spanish term be brought more closely into line with the French version by using some such wording as "*el principal funcionario administrativo*".

31. Mr. ALCÍVAR supported that suggestion.

32. Mr. REUTER suggested that in the French version the words "*qu'il soit désigné sous le nom de*" be replaced by the words "*qu'il porte le titre de*", since the term "*nom*" was inappropriate in that context.

33. Mr. CASTRÉN said he thought the Commission might take a decision on Mr. Elias' suggestion for the English version, after which the other versions would merely have to be brought into line with the English wording.

34. Mr. KEARNEY said he could accept the expression "principal executive official", though he found the words "chief administrative officer" equally acceptable and perhaps in some ways preferable.

35. Mr. ELIAS, supported by Mr. ROSENNE, said that the Commission should follow the language used in the Charter.

36. Mr. YASSEEN said he found the French version of sub-paragraph (3) *bis* perfectly satisfactory. The word "*fonctionnaire*" had a precise meaning in French. It was not the first time it had been used, and therefore translated, in an international convention. There was nothing against employing a time-honoured translation once again.

37. Mr. AGO said that the difficulty might be overcome by simply omitting the new definition and, in the two places in which they appeared in article 82, paragraph 3, replacing the words "the Executive Head" by the words "the chief administrative officer", in the English version, and the words "*chef de l'administration*" by the words "*le plus haut fonctionnaire*" in the French version.

38. Mr. ELIAS said that he could accept Mr. Ago's suggestion.

⁵ United Nations, *Treaty Series*, vol. 33, p. 266.

39. Mr. KEARNEY said that in that case it should be made clear in the commentary that the Commission was using the term in the sense in which it was used in the Charter.

40. Mr. USHAKOV asked whether the precedent established by the Convention on the Privileges and Immunities of the Specialized Agencies was not an obstacle to the solution proposed by Mr. Ago, since it might be asked why the definition contained in that Convention had been disregarded in the present draft.

41. Mr. RUDA said he could agree to Mr. Ago's suggestion. He would like to ask the Secretariat, however, to replace the words "*jefe ejecutivo*" in the Spanish version of article 82, paragraph 3 by something closer to the French text, such as "*el más alto funcionario*".

42. Mr. REUTER said that he thought the Commission ought to discuss substantive issues before spending time on drafting points. For instance, he himself was opposed to the intervention by the chief administrative officer of the organization provided for in article 82, paragraph 3; that was a question which should be settled first.

43. Mr. AGO said that most of the constituent instruments of the specialized agencies, particularly those of later date than the Charter, used the same terminology as the Charter. Consequently, the expression "the chief administrative officer of the Organization", used in Article 97 of the Charter, did not refer only to the Secretary-General of the United Nations.

44. He therefore proposed that the new sub-paragraph (3) *bis* should not be inserted in article 1, paragraph 1, and that the words "the Executive Head of the Organization" in the English version of article 82, paragraph 3, and the corresponding words in the other language versions, should be replaced by the expressions used in the respective versions of Article 97 of the Charter.

45. The CHAIRMAN said that if there were no objection he would take it that the Commission accepted Mr. Ago's proposal.

It was so agreed.

46. The CHAIRMAN invited the Commission, now that sub-paragraph (3) *bis* had been disposed of, to consider articles 81 and 82.

47. Mr. REUTER said the Working Group had produced an admirable draft for articles 81 and 82, but there were a number of points of substance which he wished to place before the Commission.

48. The first point was that the two articles envisaged a two-stage procedure, with article 81 providing for a stage of prior negotiations, possibly bilateral, but in all likelihood multilateral, since the organization would almost certainly intervene in many cases, although it was not obliged to do so. It was right that that should be so, since practice showed that the organization could play an important role at that stage, and article 81 could prove to be of great value in the future.

49. A serious difficulty could arise, however, in the operation of the conciliation procedure. For during the prior consultations, not only would the organization naturally offer material assistance, but it would also take up a position, primarily through its chief administrative officer. Yet it was the organization itself which, although committed, would be required to appoint an umpire, so that if the present formula was retained, the organization's chief administrative officer might deliberately refrain from participating in the prior consultations in the knowledge that he might be called upon to play a fundamental role in the conciliation procedure. That was most regrettable, since although consultation procedure was not perfect, it had proved its worth and become indispensable. If these premises were accepted, the appointment of the third member of the conciliation commission should be made in a different way.

50. To those who said the precedent established by the Vienna Convention on the Law of Treaties had been followed, he would reply, first, that the solution chosen at Vienna had been adopted for reasons which had since lost their force, for example, certain opinions which had been held regarding the intervention of the president of the International Court of Justice. But his principal reply would be that in the machinery provided for in the Vienna Convention on the Law of Treaties, the organization was not a party to the dispute, whereas under the draft articles, if the consultation machinery was to function in the way it should, the organization should participate and make known what it considered to be the best and most reasonable way of settling the dispute.

51. The second point was that paragraph 7 of article 82 appeared to endow a conference with legal personality. He saw no objection to the president of a conference taking part in consultations as its representative, under article 81, but the adoption of a procedure for the settlement of a dispute presupposed the existence of legal personality, which the law did not yet accord to conferences. Moreover, the settlement of a dispute under a procedure adopted by a conference clearly lay beyond the usual competence of a conference. Surely it could not be the intention that a conference should become a party to an international agreement or, to go even further, that it should impose the method of settling a dispute through its internal rules.

52. In any case, it was clear that the present wording of paragraph 7 was unacceptable.

53. His third point was that, under article 82, paragraph 1, the conciliation process was restricted to a procedure instituted within the organization. That might exclude procedures instituted outside the organization, for example, by agreement between the host State and the sending State which were in dispute, seeing that the draft quite rightly assumed that the organization was not a party to the dispute. If so, the text was correct, but that raised a legal problem with regard to the possibility of excluding such procedures, and if it was not intended to exclude them, paragraph 1 should be more broadly worded.

54. Mr. KEARNEY (Chairman of the Working Group)

replying to Mr. Reuter's remarks on article 82 paragraph 6, said that the chief administrative officer of the organization would only be called upon to appoint the chairman of the conciliation commission if the two parties could not agree on the choice of a chairman. It would be slower and more cumbersome to leave his appointment to, say, the President of the International Court of Justice.

55. It had been assumed that the chief administrative officer of the organization would not himself participate in the consultations provided for in article 81, but would be represented by another senior official of the organization—the legal adviser, for example. The chief administrative officer himself would act only if it became necessary for him to appoint the chairman of the conciliation commission because of disagreement between the parties.

56. The provisions of paragraph 7 had been introduced mainly in consideration of the time factor. In view of the short duration of conferences, it would not be possible to set in motion the machinery for conciliation laid down in paragraph 6: the conciliation procedure would not be completed before the end of the conference. It was therefore desirable to give some tolerance to the conference, even at the price of appearing to confer an unusual status upon it.

57. Lastly, in drafting the first sentence of paragraph 1, the Working Group had relied on the effect of article 4. By virtue of that article, an agreement which might exist between the two States concerned for the compulsory jurisdiction of the International Court of Justice would remain valid and would apply to any dispute arising from the application of the draft articles.

58. The CHAIRMAN said that further discussion of articles 81 and 82 would be deferred till the next meeting.

Co-operation with other bodies

[Item 9 of the agenda]

(resumed from the 1124th meeting)

STATEMENT BY THE OBSERVER FOR THE ASIAN-AFRICAN LEGAL CONSULTATIVE COMMITTEE

59. The CHAIRMAN welcomed Mr. Fernando, Chairman of the Asian-African Legal Consultative Committee, and invited him to address the Commission.

60. Mr. FERNANDO (Observer for the Asian-African Legal Consultative Committee,) after thanking the Commission for its standing invitation to the Committee to send an observer, said he was glad to be the observer at a session at which the Commission was dealing with relations between States and international organizations, since his Committee probably satisfied the Commission's definition of an international organization.

61. The Committee owed its origin to the imagination of outstanding Asian jurists who had foreseen the important role which public international law would play in

the world of the future. The usefulness of the work accomplished by the Committee had been recognized by the governments of Asia and Africa, which had renewed its mandate for successive five-year periods; a new period of five years was due to begin in November 1971.

62. As a result of the efforts of the Committee's Secretary-General, Mr. Sen, who was accompanying him, and of the devotion of former members, many countries had been attracted to the Committee, which now had 21 members, 16 from Asia and 5 from Africa. That number was expected to increase, and steps were being taken to translate documents into French in preparation for the introduction of French, in addition to English, as a working language for the Committee's discussions.

63. Through the good offices of the Government of Japan, it had been possible to appoint a Deputy Secretary-General to ease the increasing burden of work falling on the Secretary-General. A director of research would also be appointed.

64. The development of public international law was a means of fostering international co-operation and was therefore necessary for the furtherance of peace. The patient research of the International Law Commission on the law of treaties had made possible the success of the 1969 Vienna Convention on that subject. The Asian-African Legal Consultative Committee had itself devoted two of its sessions to the law of treaties, thereby greatly assisting the representatives of the Asian countries in shaping their contributions to the Vienna Conference.

65. International organizations were playing an increasing role in the life of the world community and the Commission's present discussions were evidence of its importance. As for the Committee, it considered its role to consist in taking note of the more important subjects to be codified by the Commission, assisting the Committee's members by preliminary research and thereafter submitting a generally agreed view to governments.

66. The Committee's role in relation to its member governments was no different from that of the Commission in relation to the General Assembly. Observing the debates of the Commission, he had been impressed by the objective approach displayed by its members and their self-restraint in voluntarily reducing the length of their comments to the minimum compatible with the importance of the subjects. He would convey those impressions to his fellow members of the Committee which perhaps attached too great importance to the views of governments, considering that it was an advisory body. He had also been impressed by the learning and the mature wisdom of the members of the Commission and by their spirit of comradeship. His necessarily brief visit served to show that one of the purposes of the Asian-African Committee was to co-operate with the Commission.

67. He thanked the Chairman and the members of the Commission for the welcome accorded him and renewed the invitation to the Commission to be represented by an observer at the Committee's thirteenth session, to be held at Lagos in 1972.

68. The CHAIRMAN, thanking the Observer for the Asian-African Legal Consultative Committee for his statement, said his Committee had made a valuable contribution to the rule of law and thus to world peace.

69. Mr. TABIBI said he wished to associate himself with the welcome extended to the Chairman of the Asian-African Legal Consultative Committee. An excellent tradition of exchanging observers and keeping in contact had been established by the Committee and the Commission. The close relations between the two bodies meant that the Committee gave high priority to items which appeared on the Commission's agenda.

70. The work of the Committee had been of great help in advancing the work of codification of international law by the Commission. While the Vienna Conference on the Law of Treaties had been in progress in 1968 and 1969, the Asian-African Legal Consultative Committee had continued to study the law of treaties and its work had been of great benefit to the participants in the Vienna Conference. The Committee had thereby contributed to the success of that Conference.

71. Mr. RUDA, speaking also on behalf of Mr. Alcívar and Mr. Sette-Câmara, said he joined in the welcome extended to the Observer for the Asian-African Legal Consultative Committee. Relations between the Committee and the countries of Latin America were getting closer every day. At its Colombo session, in January 1971, the Committee had discussed the law of the sea and several Latin American countries had sent observers to its meetings; those countries had common problems with the countries of Asia and Africa regarding the law of the sea, so that mutual consultation was very useful. He was confident that the interest of Latin American countries in the work of the Committee would continue in the future. He also noted with satisfaction the increase in the membership of the Committee and the proposed introduction of the use of French in its work.

72. Mr. KEARNEY said that there was great interest in the United States in the work of the Asian-African Legal Consultative Committee, as was shown by the fact that the American Society of International Law had sent observers to the Colombo session. He himself had been much impressed by the variety of the Committee's activities and by the depth of exploration of the various subjects it examined.

73. He associated himself with the expressions of appreciation to the Chairman and Secretary-General of the Committee for attending the Commission's present session and expressed the hope that the fruitful co-operation between the Committee and the Commission would continue in the future.

74. Mr. ELIAS, associating himself with the welcome extended to the Chairman and Secretary-General of the Asian-African Legal Consultative Committee, said that the Committee's work was attracting increasing attention; its Colombo session had been attended by no less than five observers from Latin America and five

from the United States, as well as an observer for the Council of Europe and one for the World Intellectual Property Organization. Those observers had been given full freedom to speak on the topics before the Committee, which had included the law of the sea, with special reference to the sea bed. The members of the Committee had been glad to hear the different views expressed by the observers. The independence of mind and the spirit of enquiry shown by all participants in those discussions had made them particularly fruitful. The Committee had set up a working group to study the problems of the law of the sea, which was expected to meet shortly. The outcome of that work was bound to provide another interesting contribution by the countries of Asia and Africa to the consideration of problems of international law.

75. Mr. YASSEEN said that close links and a gratifying measure of co-operation had been established between the Commission and the Committee in the service of the codification and progressive development of international law.

76. Mr. USHAKOV thanked Mr. Fernando for his admirable account of the work and activities of the Committee over which he presided, and which had taken as its main task that of promoting the progressive development not only of Asian and African law, but also of international law in general. He himself had been privileged to represent the Commission at the Committee's eleventh session at Accra in 1970, and had admired the high quality of its work and the very full documentary material prepared on the items on its agenda, which the members of the Commission could study to their advantage.

77. Mr. AGO said he was glad to see the great progress the Committee had made since his first contact with it at Baghdad, shortly after its establishment. He was happy to find that the Committee was pursuing its work as enthusiastically and earnestly as it had then and he wished it every possible success in its future activities.

78. Mr. ROSENNE joined in welcoming the Chairman and Secretary-General of the Asian-African Legal Consultative Committee. He expressed his appreciation of the interesting statement made by the Committee's Observer and of his thought-provoking impressions of the International Law Commission's work.

79. The CHAIRMAN said that the Commission was grateful to the Observer for the Asian-African Legal Consultative Committee for his lucid statement and thanked him for the invitation he had extended to the Commission to send an observer to the Committee's forthcoming session at Lagos.

The meeting rose at 1.10 p.m.