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Summary record of the 247th meeting

Topic:
Nationality including statelessness

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shall extend to the children of the persons concerned and to their wives, if the latter so desire". That was tantamount to depriving the children of stateless persons of political rights in all cases in which States availed themselves of the right given to them by article II of Mr. Lauterpacht's draft, which provided: "The parties may, instead of granting nationality to the persons referred to in article I, confer upon them the status of protected citizens assimilating them in respect of all rights, except those of a political character, to their own nationals. . ."

46. Another difference was that Mr. Lauterpacht's draft convention contained no provision similar to article 4 of the draft Convention on the Reduction of Present Statelessness contained in document A/CN.4/81, annex II, covering *de facto* stateless persons. That provision relating to *de facto* stateless persons he was not prepared to give up and he would defend it until it was adopted or else defeated by an actual vote of the Commission.

47. The CHAIRMAN said that Mr. Lauterpacht's draft was a substitute for the Special Rapporteur's and the Commission could not vote on the new proposed draft unless members were given time to consider its implications.

48. Mr. CORDOVA, Special Rapporteur, invited the members of the Commission to compare the draft Convention on the Reduction of Present Statelessness (A/CN.4/81, annex II) to Mr. Lauterpacht's draft; he drew attention especially to the fact that, whereas the latter made its benefits subject to a ten-year residence qualification, his own draft did not contain such a provision, but enabled contracting States to exclude undesirable persons from the benefit of the provisions of the convention.

49. Mr. LAUTERPACHT inquired whether it was suggested that a stateless person residing in a country for ten days should acquire the nationality of that country.

50. Mr. CORDOVA, Special Rapporteur, said that he agreed that an applicant for naturalization should prove a connexion with the country of his adoption, but he felt that a ten-year period was far too long compared to that of five years which was considered sufficient for naturalization in most countries. It was true that there were some countries like the United States which considered that a person was entitled to naturalization as of right after satisfying the residence qualification; most of them always reserved the right of the authorities to reject an application for naturalization. But whatever system prevailed, it was true to say that a period of ten years' residence was in excess of what most countries considered satisfactory evidence of permanent settlement and presumed assimilation.

51. Faris Bey el-KHOURI said he did not think that it was impossible to eliminate statelessness; if the relevant convention were adopted by States and its provisions carried out by them in good faith, the problem of future statelessness would be disposed of.

Existing statelessness was a temporary problem, for the children of persons now stateless would not be stateless if the Commission's proposals were adopted; as the present generation died out, the whole problem of statelessness would be solved.

52. Until such time as the stateless persons were granted a nationality, it was desirable to solve the interim problem by giving them the status of protected persons.

53. He felt that the ten-year residence qualification was most unfair, but was inclined to leave it to the States concerned to provide for such periods as their municipal law stipulated for the grant of naturalization.

54. Stateless persons were not all in the same category; there should be more than one remedy for statelessness so that in each case the remedy corresponded to the cause of the evil. Some persons had become stateless through failure to avail themselves of an option within the legally specified time limit, others because they had failed to register; those persons should be given the right to opt or to register. Certain other persons had been made stateless through deprivation of nationality by way of penalty and, in their case, a full and general pardon was the answer to the problem.

55. Mr. CORDOVA, Special Rapporteur, said, in conclusion, that he would follow the plan he had suggested earlier in the meeting, namely, to drop the draft protocols on present statelessness (A/CN.4/81, annex I) as well as the draft alternative Convention on the Elimination of Present statelessness (A/CN.4/81, annex II on the left column) and concentrate on the draft alternative Convention on the Reduction of Present Statelessness (A/CN.4/81, annex II, right column) and Mr. Lauterpacht's proposed draft convention.

The meeting rose at 6 p.m.

247th MEETING

Tuesday, 15 June 1954, at 9.30 a.m.

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Chairman: Mr. A. E. F. SANDSTRÖM

Present:

Members: Mr. G. AMADO, Mr. R. CORDOVA, Faris Bey el-KHOURI, Mr. F. GARCÍA-AMADOR, Mr. S. HSU, Mr. H. LAUTERPACHT, Mr. R. PAL, Mr. C. SALAMANCA, Mr. G. SCELLE, Mr. J. SPIROPOULOS.

Secretariat: Mr. Yuen-li LIANG (Director of the Division for the Development and Codification of International Law, and Secretary to the Commission).

Nationality, including statelessness (item 5 of the agenda)
(continued)

REPORT ON THE ELIMINATION OR REDUCTION OF PRESENT STATELESSNESS (A/CN.4/81) (continued)

DRAFT CONVENTION ON THE REDUCTION OF PRESENT STATELESSNESS (continued)

1. The CHAIRMAN invited the Commission to continue the study of the draft Convention on the Reduction of Present Statelessness as contained in the third report of the Special Rapporteur (A/CN.4/81, annex II, second column).¹ He recalled that at the 246th meeting of the Commission Mr. Lauterpacht had also submitted a shorter draft on the same question.²

2. Mr. LAUTERPACHT said that if the Special Rapporteur maintained his draft, he would agree to take it as a basis for discussion and propose his own draft as an amendment to it.

3. Reduction of existing statelessness was very different from the elimination or reduction of statelessness in the future. In the latter case the Commission's task was to develop international law and to formulate, with some completeness, the new rules. The documents so drafted might require a measure of rigidity—it was impossible to eliminate statelessness without some such measure of completeness—even at the risk of initial repudiation by Governments. With regard to existing statelessness, however, the Commission was faced with a *de facto* situation; its purpose was to help certain persons by inducing Governments to adopt a more humanitarian attitude towards them, and by providing those Governments with a legal basis for their action. To achieve that aim, the Commission should avoid lengthy and involved documents.

4. The CHAIRMAN inquired what would happen in the case of a country where a fixed period of time was not laid down by law as a condition for naturalization, but where the law merely stipulated the condition of a minimum period of residence.

5. Mr. LAUTERPACHT replied that in such a case article 1 of his text would refer to that minimum period.

6. Mr. CORDOVA, Special Rapporteur, wished to retain as it stood only the draft contained in the second column of annex II of his third report (A/CN.4/81). In that connexion he referred to paragraph 39 of that report. His draft of article 1, paragraph 1, as supplemented by article 2, was identical in substance with the first sentence of Mr. Lauterpacht's draft article II.

¹ In *Yearbook of the International Law Commission, 1954*, vol. II.

² *Vide supra*, 246th meeting, para. 19.

Mr. Lauterpacht's amended version of article I coincided with article 2 (iii), as proposed in the third report. And Mr. Lauterpacht's draft article III corresponded to article 3 in that document, in which he (Mr. Córdova) was prepared to insert a clause regarding the wife of a stateless person.

7. Mr. Lauterpacht's draft contained nothing to the effect that the stateless person had the right to acquire a nationality or the status of a protected subject; nor did it contain any reference to the tribunal mentioned in article 5 as given in the third report. Article 1, paragraph 2, as it stood in that document, contained a reservation intended to allay the fears of Governments and make it easier for them to ratify the convention. The Commission would also have to decide if the scope of the convention should be extended to cover *de facto* statelessness.

8. In conclusion he said that it was premature to submit the draft convention to Governments for approval. The Commission should merely circulate the draft convention to Governments and obtain their views.

9. Mr. LAUTERPACHT pointed out that annex II of the third report, which was the only part of the document retained by the Special Rapporteur, only dealt with the status of "protected subjects", and did not refer to any obligation for the States to confer their nationality on a stateless person or even to a possibility of their doing so.

10. The CHAIRMAN thought that none of the provisions contained in the Special Rapporteur's draft corresponded to article I of Mr. Lauterpacht's draft.

11. Mr. CORDOVA, Special Rapporteur, remarked that under article 2 (iii) of his draft a stateless person's right to naturalization was subject to the same conditions as those applied to foreigners.

12. The CHAIRMAN pointed out that article I in Mr. Lauterpacht's text had the advantage of giving a stateless person who fulfilled certain conditions, the right to naturalization without any discrimination.

13. Mr. CORDOVA, Special Rapporteur, said that on that point his text was identical in substance with that of Mr. Lauterpacht.

14. The CHAIRMAN said the Commission's study of the proposals made by the Special Rapporteur and Mr. Lauterpacht might to some extent be duplicating the work of the Economic and Social Council with regard to refugees and stateless persons, referred to in paragraphs 15-18 of the third report (A/CN.4/81).

15. Mr. CORDOVA, Special Rapporteur, did not think that the Council's and the Commission's work overlapped. The Commission's main task was to formulate rules of law to prevent statelessness, while the Council's object was to improve the circumstances of stateless persons. It was true that if the Commission succeeded in eliminating statelessness in law, the practical problem of the plight of stateless persons would be solved at the same time.

16. Mr. LIANG, Secretary to the Commission, recalled that on 28 July 1951 the United Nations Conference of Plenipotentiaries held at Geneva had adopted the convention relating to the status of refugees, but referred back to the appropriate United Nations bodies for study a protocol providing for the extension of some of the provisions of the convention to stateless persons.³ On 26 April 1954 the Economic and Social Council had decided (resolution 526 (XVII) A)⁴ to call a second conference of plenipotentiaries to adopt, for the protocol relating to the status of stateless persons, a text revised in the light of the comments received from Governments. The second conference of plenipotentiaries would probably be held in September 1954. He also drew attention to part B of resolution 526 (XVII) which defined the Commission's terms of reference with regard to statelessness.

17. Faris Bey el-KHOURI preferred Mr. Lauterpacht's text as it required the States concerned to confer their nationality on persons who satisfied the residence qualifications; the Special Rapporteur's draft article 2 (iii) gave States, in the matter of the naturalization of stateless persons, the same discretionary powers as those applicable to aliens generally.

18. The CHAIRMAN inquired if the Convention relating to the status of refugees, certain clauses of which the Economic and Social Council proposed to extend to stateless persons, included the right to work which, for all practical purposes, was one of the most important rights of nationals.

19. Mr. CORDOVA, Special Rapporteur, said in reply that the convention in question extended to refugees the treatment granted to the nationals of the most favoured nation.

20. Mr. PAL preferred Mr. Lauterpacht's draft because it required the contracting parties to confer their nationality on stateless persons; under Mr. Córdova's draft, Governments could discriminate against them.

21. Mr. LAUTERPACHT thought it reasonable for Governments to require stateless persons to satisfy the same standards of morality, education, etc. as those applied to other applicants for naturalization. To avoid misinterpretation it might be provided expressly that Governments should not discriminate in any way against stateless persons.

22. Mr. CORDOVA, Special Rapporteur, thought that the Commission would probably meet considerable opposition if it began by proposing that signatory States should confer their nationality on stateless persons without any reservations whatsoever. If, in addition, a stateless person, to become naturalized, had also to fulfil all the conditions imposed on aliens generally, he would probably have to wait ten or fifteen years. Furthermore, in Mr. Lauterpacht's draft the grant of the status of protected subject remained at the arbitrary

discretion of States. It was preferable that, with the exception of political rights, a State should be under a duty to grant to a stateless person immediately all individual rights including the right to work, and that it thereafter should give him the possibility of obtaining naturalization in accordance with existing laws.

23. Mr. SALAMANCA thought that the work of the Commission and of the conference of plenipotentiaries which was being convened by the Economic and Social Council should be co-ordinated.

24. Mr. SCALLE noted that Mr. Lauterpacht proposed that States should be under a duty to grant naturalization to stateless persons, and Mr. Córdova was prepared to accept that. But in the various countries all aliens had a right to be naturalized if they fulfilled the necessary conditions, and they could appeal to the courts if the administrative authorities denied them that right.

25. Mr. LAUTERPACHT thought on the contrary that the State frequently had discretionary powers in the matter and was free to refuse naturalization even if the applicant fulfilled all the conditions prescribed by law.

26. Mr. SCALLE remarked that the adoption of Mr. Lauterpacht's proposal would in that respect place stateless persons in a privileged position as compared with other aliens.

27. Secondly, the Commission should decide if it wished to extend the scope of the convention to *de facto* stateless persons. He, personally, was in favour of that solution which was both bold and novel.

28. Thirdly, Mr. Lauterpacht's draft contained no reference to the tribunal referred to in Mr. Córdova's draft article 5, paragraph 2. The Commission should settle those important points without delay.

29. He agreed with Mr. Salamanca that the work of the Commission might partially duplicate the work of the Economic and Social Council. It was indeed true that the position of stateless persons could not in practice be improved without modifying their legal status.

30. If the Commission was of the opinion that the status of protected subjects should include the right to work, it should say so expressly.

31. Mr. CORDOVA, Special Rapporteur, remarked that a stateless person's right to work was implied in article 2 (i) of his draft.

32. The CHAIRMAN wished to give his personal opinion. There was a considerable difference between future statelessness and existing statelessness. The cause of the former was frequently some legislative provision and it was very proper to attempt to apply purely legal remedies. The latter case, on the contrary, presented certain social, racial and political aspects in the broadest sense of those terms; for the solution of the problems involved it would be necessary to consider the situation in various regions and carefully follow its evolution. The Office of the High Commissioner for Refugees of the United Nations was at the moment engaged in that

³ See Final Act of the Conference (United Nations publication, Sales No. 1951.IV.4), p. 7.

⁴ Official Records of the Economic and Social Council, Seventeenth Session, Resolutions, Supplement No. 1, E/2596.

work. Statelessness was only one aspect of a much vaster problem, and if it brought hardship to a great number of persons, the reasons were only partly legal. To what extent, for example, did such legal considerations affect the fate of the million refugees in Hong Kong or the Arab refugees from Palestine? If the Commission kept to its intention, the conference of plenipotentiaries meeting in September might have before it several drafts, among which there would be one satisfactory draft offering a legal solution but which it would not be easy to put into effect. It was indeed much more difficult to solve a problem if it involved legal questions; the question of the right to work, for example, could be much more easily solved at the purely practical level. For the reasons he had given, he abstained from voting on the Convention for the Reduction of Present Statelessness, whichever draft was finally adopted.

33. Mr. AMADO said he had been impressed by the Chairman's remarks. The Commission, having been asked to deal with the legal problem of statelessness, had been surprised two years previously to receive from the Special Rapporteur a draft convention on the essentially political problem of existing statelessness. The Commission had agreed in principle to study the question but he was not at all sure that it might not be necessary to reverse that decision. As a member of his country's delegation to the General Assembly, he had often heard members of the delegation express doubt whether a particular item or proposal really fell within the scope of the Commission's terms of reference.

34. Mr. CORDOVA, Special Rapporteur, said that when in 1949 the Commission had begun to discuss statelessness⁵ it had decided not to limit its work to future statelessness but rather to consider the problem in its entirety. The resolution later adopted by the Economic and Social Council (resolution 526(XVII) (A))⁶ also referred to "statelessness" without further qualification, and Mr. Hudson's report (A/CN.4/50)⁷ as well as the Secretary-General's study of statelessness (E/1112, E/1112/Add.1)⁸ dealt both with future and with existing statelessness. When, two years before, the Commission had appointed him Special Rapporteur on the question, he had followed the same course. The Commission had been unable to consider his report at its fifth session, but he had understood that the Commission, in requesting him to prepare a third report, had confirmed its intention of attempting to solve the painful problem of statelessness.

35. Mr. LAUTERPACHT agreed that there was a great difference between the elimination of future statelessness and the reduction of existing cases of statelessness; the latter was first and foremost a political

problem. Nevertheless, it was within the Commission's terms of reference to draft rules of law which would improve the status of persons who were at present stateless. The draft to be adopted should be as simple as possible, so as not to discourage governments, but the Commission should not abandon a task it had been pursuing for two years. Accordingly, the time had come to discuss the Special Rapporteur's draft article by article and he hoped that Mr. Córdova would concur with his view that the effective reduction of existing statelessness by naturalization should be considered first.

36. Faris Bey el-KHOURI said, with reference to the remarks of the Chairman and Mr. Amado, that the draft protocols and conventions contained in annexes I and II of document A/CN.4/81 were not intended to solve the problem of political refugees, a problem which came under the jurisdiction of other bodies, such as the Economic and Social Council and possibly of the Security Council. He hoped that that point would be explicitly mentioned in the final text.

37. Mr. PAL said that the remarks made by the Chairman and Mr. Amado had drawn his attention to the fundamental difference between existing cases of statelessness and the problem of future statelessness. Contrary to the opinion of Mr. Lauterpacht, he did not think that existing statelessness came within the Commission's terms of reference. When considering future statelessness, the Commission had been dealing with the case of human beings yet unborn, concerning whom no question of responsibility arose. If the Commission wished to deal also with existing statelessness, it would inevitably have to consider the cause of statelessness and even remark on the measures taken by certain Governments, a course which the Commission should avoid. Accordingly he thought that the draft convention on the reduction of existing statelessness should be dropped.

38. Mr. AMADO stressed that it had not been his intention to bring about a last-minute failure of the draft; he would not object to its adoption. The Commission, having started the study of statelessness, had in a sense been carried away by the subject and even tackled the problem of existing statelessness. That problem was not outside the scope of its terms of reference but it was a secondary issue. When submitting the draft conventions to Governments, the Commission should stress that point.

39. Mr. SCELLE said that to abandon the draft on the reduction of existing statelessness would be an admission of failure on the Commission's part. The question of statelessness was not, in its legal aspects, exclusively a matter of municipal law. The Conference for the Codification of International Law held at The Hague in 1930 had agreed on the principle that every individual should have a nationality, and should have no more than one nationality; and article 15 of the Universal Declaration of Human Rights embodied the same principle. That principle was the ethical foundation on which the Commission had to build a rule

⁵ *Yearbook of the International Law Commission, 1949*, p. 45.

⁶ *Vide supra*, footnote 4.

⁷ Reproduced in *Yearbook of the International Law Commission, 1952*, vol. II.

⁸ *A Study of Statelessness* (United Nations publication, Sales No. 1949.XIV.2).

of positive law. Under its terms of reference the Commission was to deal with questions of nationality including statelessness and the Commission had to fulfil its duty to the utmost limits. The Commission should not be daunted by the fact that the study of existing statelessness had political implication: law was no more than a set of binding rules or forms for the orderly conduct of political activity; it was a sort of technique of political conduct. It was a fact that Governments were in a position to act arbitrarily; that being so, the Commission should endeavour to find a solution. There was an international legal order above national legal systems, and the Commission should define its principles and make them acceptable to Governments. For the Commission to fail in that duty would be tantamount to encouraging arbitrary behaviour in international relations. He urged the Commission to face squarely the difficulty it had encountered.

40. Mr. SPIROPOULOS shared Mr. Amado's fears. The Commission should not of course be deterred by the political implications of the problem of existing statelessness, but it had to be careful not to link the draft conventions on future statelessness to the draft conventions on present statelessness. It often occurred that the General Assembly rejected a set of drafts because of a single provision which appeared unacceptable. If the Commission wanted its work to have more than a theoretical value, it should draft a separate instrument which could be adopted or set aside without reference to the other draft conventions.

41. The CHAIRMAN agreed that the Commission could give legal form to a political idea. But it was necessary in such an event to clarify that political idea, and he was not altogether satisfied with the drafts which were being discussed by the Commission. Mr. Lauterpacht's draft, for example, would, if adopted, give a privileged status to stateless persons in the matter of naturalization.

42. Mr. LAUTERPACHT replied that it was quite true that to impose a duty on States to grant their nationality to stateless persons while the naturalization of other aliens remained subject to discretion was to place stateless persons in a privileged position. However, there was nothing unduly startling in that result, for, unlike aliens, stateless persons had no nationality at all. In their case, the perpetuation of their statelessness constituted a hardship. There was no such hardship in leaving the naturalization of other aliens to the discretion of the State where they resided for they already had a nationality.

43. The CHAIRMAN invited the Commission to begin the study, one by one, of the articles of the Special Rapporteur's draft Convention on the Reduction of Present Statelessness (A/CN.4/81, annex II, second column).⁹

Article 1

44. Mr. CORDOVA, Special Rapporteur, said he had

made some amendments to his draft. In the first place, he suggested that article 1, paragraph 1, should be amended to read: "The party in whose territory a stateless person habitually resides *at the time of entry into force of this convention* shall grant him the legal status of 'protected subject' upon application."

45. He pointed out that the Commission could not consider article 1, paragraph 1, without taking into account article 2, which enumerated the rights and duties of a "protected subject". States would be no doubt reluctant to grant political rights to stateless persons whose connexion with the host country was not sufficiently strong.

46. With regard to article 1, paragraph 2, of the draft, he said that the comments by Governments on the conventions relating to future statelessness showed that many States were jealous of their right to deprive of nationality any of their citizens whom they considered dangerous to their internal or external security. Hence those States could not be expected to grant their nationality to stateless persons whom they considered similarly dangerous.

47. Mr. LAUTERPACHT said that, in the first place, the definition of the words "habitually reside" was likely to give rise to great difficulties. Secondly, it seemed illogical to insert the words "at the time of entry into force of this convention", for a stateless person who fulfilled the residence qualification after the entry into force of the convention ought not to be excluded from the benefit of its provisions. Finally, the reservation contained in article 1, paragraph 2, of the Special Rapporteur's draft might indeed make the convention more acceptable to Governments but might at the same time make it somewhat ineffectual.

48. He therefore suggested that article 1 should be redrafted along the following lines: "The parties agree to confer their nationality upon stateless persons who have been resident within their territory for the minimum period which their law prescribes as a condition of naturalization, provided that such persons fulfil the other conditions which the law lays down for the acquisition of nationality by naturalization". Such a clause would exclude all possibility of arbitrary discrimination against stateless persons. The Commission, pursuant to its terms of reference, should endeavour first and foremost to give a stateless person the normal status of a national of the host country. Only failing that should the Commission consider the alternative of granting him the status of a "protected subject".

49. Mr. CORDOVA, Special Rapporteur, asked with reference to the beginning of Mr. Lauterpacht's draft article II,¹⁰ whether the words "The parties may..." were to stand. They gave the impression that the host State retained the right not to confer upon a stateless person the status of a "protected subject".

⁹ Cf. *supra*, para. 1 and related footnotes.

¹⁰ *Vide supra*, 246th meeting, para. 19.

50. Mr. LAUTERPACHT explained that, as he construed his draft, it implied an obligation for the host State to confer the status of "protected subject" under article II upon those stateless persons to whom it had not granted its nationality under article I of his draft.

The meeting rose at 1 p.m.

248th MEETING

Wednesday, 16 June 1954, at 9.30 a.m.

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Chairman : Mr. A. E. F. SANDSTRÖM

Rapporteur : Mr. J. P. A. FRANÇOIS

Present :

Members : Mr. G. AMADO, Mr. R. CÓRDOVA, Faris Bey el-KHOURI, Mr. F. GARCÍA-AMADOR, Mr. S. HSU, Mr. H. LAUTERPACHT, Mr. R. PAL, Mr. C. SALAMANCA, Mr. G. SCELLE, Mr. J. SPIROPOULOS.

Secretariat : Mr. Yuen-li LIANG (Director of the Division for the Development and Codification of International Law, and Secretary to the Commission).

Nationality, including statelessness (item 5 of the agenda) (continued)

REPORT ON THE ELIMINATION OR REDUCTION OF PRESENT STATELESSNESS (A/CN.4/81) (continued)

REVISED DRAFT OF CONVENTION ON THE REDUCTION OF PRESENT STATELESSNESS

Article I

1. The CHAIRMAN invited the Commission to discuss a revised draft of article I of the alternative Convention on the Reduction of Present Statelessness¹ prepared by the Special Rapporteur :

"1. The party in whose territory a stateless person habitually resides shall, on his application, grant him the legal status of 'protected subject'.

"2. The national law of the party may exclude from the application of paragraph 1 stateless persons

who constitute a danger to public order or national security."

2. At a previous meeting, Mr. Lauterpacht had submitted an amended draft² of article I which he had proposed to modify still further.

3. Mr. LAUTERPACHT proposed that article I should read :

"The parties agree to confer their nationality upon stateless persons who have been resident within their territory for a minimum period which their law prescribes as a condition of naturalization and provided that such persons fulfil the other conditions which the law lays down for acquisition of nationality by naturalization."

4. He also wished to make a general remark concerning the character of the Commission's work on the articles under discussion; he believed that the Commission should pursue the study of the articles, but not that it should do so in terms of drafting a convention. The work in which it was engaged was neither codification nor progressive development of international law. It was not the Commission's business to draft conventions. He believed that it would be acting in keeping with its terms of reference if it submitted two or three articles to the General Assembly and left it to the Assembly to take what action it deemed advisable.

5. Mr. CÓRDOVA, Special Rapporteur, agreed with Mr. Lauterpacht and said that he had not intended that the articles in question should be drafted in the form of a convention. The question under consideration required more detailed study and he therefore proposed that, before being submitted to the General Assembly and the Economic and Social Council, the text of the articles should be circulated to Governments, who should be invited to comment thereon.

6. Mr. LAUTERPACHT thought that as soon as the Commission reached final conclusions on the articles it should consider its work relating to the particular topic completed and not spend any more time on it. The General Assembly and the Economic and Social Council would be free to request the Governments to give their views if they so desired.

7. The CHAIRMAN agreed that there was no need for the Commission to wait for an endorsement of its views; it should proceed with its work as a drafting committee.

8. Mr. CÓRDOVA, Special Rapporteur, pointed out that a diplomatic conference on the status of stateless persons was to meet at Geneva in September and that there was consequently no time to submit the articles to the General Assembly or the Economic and Social Council. If the question was placed on the agenda of the Economic and Social Council, Governments would have insufficient time to study it before the September conference. Governments should also be given the

¹ Cf. *supra*, 247th meeting, para. 1 and related footnotes.

² *Vide supra*, 247th meeting, para. 48.