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Summary record of the 635th meeting

Topic:
Programme of work

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porteur was the fourth one to be appointed and, like his predecessors, he had found it necessary to submit his own report on the topic.

The meeting rose at 1 p.m.

635th MEETING

Thursday, 3 May 1962, at 10 a.m.

Chairman: Mr. Radhabinod PAL

Future work in the field of the codification and progressive development of international law (General Assembly resolution 1686 (XVI)) (item 2 of the agenda) (A/CN.4/145) (continued)

1. The CHAIRMAN invited the Commission to continue its discussion of item 2 of the agenda.
2. Mr. TUNKIN said that Mr. Gros had misunderstood him at the previous meeting. He had never suggested that the traditional doctrine of state responsibility had developed exclusively under the influence of cases concerning the responsibility of the state for damage to the life and property of aliens. What he had said was that the concept of state responsibility had developed on the assumption that its main field of application was the matter of damage to aliens.
3. On the basis of that misunderstanding, Mr. Gros had suggested that he (Mr. Tunkin) favoured the complete rejection of the traditional rules of state responsibility. Nothing could be further from his mind; he had merely called for a re-examination of those rules in the light of new circumstances, without prejudice to the results of that re-examination.
4. Mr. BRIGGS said he agreed with the view expressed earlier by Mr. Tunkin that the Commission should confine its formal action to dealing with a limited number of topics. It should not go beyond the appointment of special rapporteurs on the topics of state responsibility, succession of states and possibly special missions, and relations between states and intergovernmental international organizations.
5. He recalled the statement by Mr. Tunkin in the 729th meeting of the Sixth Committee of the General Assembly that four topics were the maximum number with which the International Law Commission could effectively deal. He was certain that the committee on the future programme, which the Commission had set up at its previous meeting, would take that important point into consideration.
6. With regard to state responsibility, he noted the important statement by Mr. Jiménez de Aréchaga that the question of the treatment of aliens raised such issues as expropriation, nationalization and compensation, on which other United Nations organs expected leadership from the Commission. Those problems were thorny, but the Commission could not evade its responsibility in regard to them.
7. He disagreed with Mr. Tunkin that the whole concept of state responsibility had changed. Assertions to that effect were mere speculation and no evidence had yet been put forward to substantiate them. In reality, the only change that had taken place in regard to the law of state responsibility was the emergence of new fields for its application.
8. It had been mentioned that certain rules on the subject were in the process of formation. That was tantamount to saying that there was an element of progressive development in the study of the topic of state responsibility, which was incidentally an argument in favour of appointing a special rapporteur in accordance with the statute of the Commission.
9. There had been many references to the practice of the Institute of International Law. The practice of the Institute was, first, to appoint a special rapporteur for each chosen topic and then to appoint a commission to assist him; the rapporteur then made a preliminary statement to the commission, received its comments, decided which of those comments he would take into account, and finally prepared his report for submission to the plenary meeting of the Institute. Although he did not suggest that the Commission should follow that practice in every respect, it was clear that it did not involve a departure from the system of appointing a rapporteur who was responsible for the report.
10. The preliminary study of the special rapporteur should — as Mr. Tunkin had said — be circulated to all the members of the Commission and not merely to a few of them. If, however, other members of the Commission preferred to set up a committee of ten members to conduct the preliminary survey, he would not object, though his consent on that point would depend on the terms of reference of the committee. It was essential, for example, that it should in no sense be a standing committee.
11. Moreover, he was opposed to the idea of a collective rapporteur. If the committee were to be asked to report as a body, there could only be one of two results. Either the committee presented a majority report and a minority report, thus referring in effect the issues back to the Commission, or else it presented a compromise solution with the suggestion that the compromise was too delicate for the Commission to upset. Neither result would be satisfactory.
12. He urged the Commission to appoint a single rapporteur for each topic who would be responsible to the Commission; the report should not be the work of the majority in a committee. Nor did he favour the appointment of multiple rapporteurs. He recalled that a single rapporteur had dealt with the immense subject of the law of the sea, including the régime of the high seas, that of the territorial sea, the problem of the continental shelf and the question of fisheries.
13. The CHAIRMAN said that until the 631th meeting there had appeared to be general support for Mr. Tunkin's proposal that a special working group or committee

of some ten members should be appointed to consider the scope of the topic of state responsibility and report to the Commission at its next session. Subsequently, after the Secretary had spoken on the financial implications, a divergence of views had developed on two questions: first, whether the committee should report to the Commission at the present or at its next session, and secondly, whether the special rapporteur should be appointed immediately.

14. Since the Commission clearly could not take up the topic at the present session owing to lack of time, there should be no difficulty in agreeing that the committee should report at the next session. Mr. Tunkin ought to be a member of the committee but had said that he could not serve on it during the present session owing to the volume of other work in the Commission.

15. In his view, the special rapporteur on the topic of state responsibility should be appointed from among the members of the proposed committee and he would prefer that the chairman of the committee should undertake that duty.

16. Mr. JIMÉNEZ de ARÉCHAGA, referring to his earlier statement that fully representative committees should be appointed to consider the topics of state responsibility and succession of states, said that each committee would draw up a table of contents for the study of its topic and decide on the priority of the various sub-topics. The reports, however, should be prepared by the special rapporteurs. Of course, more than one rapporteur could be appointed for one topic, if the appropriate committee so recommended.

17. The remaining divergence of views in the Commission concerned the timing of the report and the designation of the special rapporteur for state responsibility. He thought that the time when the report should be submitted might be decided by the committee itself in the light of its deliberations.

18. Mr. LIANG, Secretary to the Commission, said that he wished to dispel any impression that it was his remarks on the financial implications that had led to the divergence of views in the Commission. He recalled, in that connexion, Mr. Tunkin's statement that every effort should be made to minimize the expense involved.

19. As he had pointed out earlier, committee meetings with limited language services would involve no expense if held during the session. It would also be possible to arrange for committee meetings a day or two before the next session; in that case, if given notice, the Secretariat could make arrangements to add to the budget of the Commission the small additional expense involved.

20. Mr. TABIBI suggested that informal consultations might constitute the best means of reconciling the views of the members of the Commission regarding the committee which was to consider the scope of the topic of state responsibility. The views of all members were on record, and there appeared to be no need to prolong the formal discussion.

21. Mr. CADIEUX said that his own choice would be that no committee should be set up at all. As a

compromise, he would be prepared to agree to a committee, provided other members were prepared to make concessions on other points.

22. The CHAIRMAN said that if members considered that their views had been sufficiently expressed in the discussion and placed on record, it might be appropriate to close the discussion on the question of the proposed committees; the officers of the Commission would meet to agree on nominations for the membership of the two committees.

23. Mr. GROS, speaking on a point of order, complained that, for most of the meetings of the current session, the French version of the summary records had not yet been distributed. He said he could not accept the summary records in English as authentic; they were not based on what had been said in French, and they only gave a rough and often wrong idea, at any rate so far as his own views were concerned, of what had been said, because they reproduced only the views that the English interpreter attributed to the speaker. The summary records in English, the only ones available so far, could not be used as a guide to the views of the French-speaking members of the Commission; those members would therefore have to wait until they received the summary records in French in order to submit their corrections. Now it must be remembered that statements made in French were not reproduced direct in the summary record drafted in English. That meant that there were two successive translations and that thereby any real value the summary record in French might have possessed was effectively destroyed.

24. As regards the appointment of a consultative committee, he said that he could only accept it with reservations. In particular, it was essential to define very clearly the manner in which the committee would function.

25. He had no objection to informal discussions among members with a view to reconciling opinions—for it could not be denied that there were differences of opinion on the substance—indeed, it was generally the most effective method of settling such differences.

26. A committee should not be appointed unless it was made perfectly clear that it would not be a standing committee and that it would disband upon completing the preliminary survey of the approach to the topic referred to it, but in any case not later than the opening of the 1963 session; it would not have power to give instructions to the special rapporteur, only to supply him with information on the various standpoints in order to assist him in his work.

27. Mr. LIANG, Secretary to the Commission, said that he also was very concerned at the delay in the production of the summary records in French. With regard to the fundamental problem, the reporting of statements made in French, it had been raised with Mr. Palthey, the Deputy-Director of the European Office, but no solution had yet been found. The problem of the reporting of statements in a language other than that of the speaker was a far-reaching one. If all statements had to be taken down in the original language for the purposes of the

summary record, a substantial increase in the number of précis-writers provided would be needed. In fact, the whole United Nations practice in regard to summary records would have to be changed, and such a change could only be effected in the General Assembly by the action of delegations of Member States.

28. He stressed, however, that the summary records were never intended to be an authentic reflection of the decisions of the Commission. They were first produced in provisional form, and were subject to correction by members. When all corrections had been received and incorporated, the records were printed in the *Yearbook* of the Commission; even then, however, he did not think that they could be regarded as authentic or binding. It was the decisions adopted by the Commission which were binding. The summary records merely served to show the trend of the discussions in the Commission.

29. Mr. AGO said that it was not only for delegations to the General Assembly to take up the question of improving the material organization of the Commission's work; it was first of all for the Commission to remedy a situation to which attention had been drawn on many occasions in the past. Members who spoke in French were undoubtedly at a disadvantage when their statements were recorded in English and subsequently translated back into French. It was true that members could send in corrections for the purposes of the final printed record, but during the Commission's day-to-day work, the only records to which it was possible to refer were the provisional uncorrected summary records. He urged, therefore, that action should be taken to remedy the situation, and invited the Secretary of the Commission to take steps in that direction.

30. Turning to the question of the appointment of a committee to make a preliminary study of the topic of state responsibility, he said that if a committee were to report to the Commission that would represent an innovation. He asked the Secretary whether there was any precedent in the history of the Commission for the appointment of a committee as rapporteur instead of a member.

31. Mr. LIANG, Secretary to the Commission, on the question of the summary records, said that what he had pointed out was that the method of preparing the summary records was part of the whole United Nations system, and that in view of the financial implications involved that system could only be changed by the Fifth Committee of the General Assembly. For the time being, the Secretariat could only conform to existing regulations and practice.

32. He agreed, however, that for a scientific body like the Commission, the system of recording statements in a language different from that in which they were made might not be the best. If the Commission so wished, a reference to the question could be included in the report on the session.

33. In reply to the question by Mr. Ago, he said that there was one occasion on which a committee had been appointed to report back to the Commission. That was at the 404th meeting, during the ninth session in 1957,

in the course of the discussion on arbitral procedure. At the 418th meeting, however, the Commission had reversed its decision and agreed itself to reconsider the draft. That unsuccessful experiment had sometimes been mentioned as an argument against the appointment of committees to report to the Commission.

34. Mr. AMADO said that, like the other French-speaking members, he objected to the practice of drafting the original records entirely in English. He had a very personal style in French, which reflected his Brazilian background, and the English summaries of his statements did less than justice to it.

35. Mr. BARTOŠ said that in the past he had found the summary records satisfactory. At the present session, however, he had noted an unfortunate tendency to summarize statements excessively. Statements so mutilated lost all point and distorted the speaker's meaning. In at least one instance his own standpoint had been completely misrepresented because of the excessive brevity of the record. The position of French-speaking members was even more difficult, because the method of drafting the summary records confronted them with a language problem as well. Readers of the summary records might get the impression that the speaker had abandoned his underlying idea and taken up a position opposed to that which he had actually upheld. It must be realized that the Commission dealt with legal arguments and that subtle changes or excessive abridgement could render the record worthless. The summary records should serve as a documentary record of the reasoning of members of the Commission, particularly of their legal arguments.

36. Mr. VERDROSS, while supporting the suggestion for improvements in the production of records and documents, paid a tribute to the work of the secretariat; in particular, he commended the Secretary and his staff for the excellent working documents which they had provided for the Commission.

37. The Commission was about to undertake the study of extremely complex problems. The topics of state responsibility and succession of states were in process of development; they could not be studied on the basis of a fairly consistent practice, as had been possible in the case of the topics of diplomatic relations and consular relations. There were few post-Second World War books on state responsibility and state succession based on current practice; there were none on the subject of relations between states and intergovernmental international organizations. It was, therefore, very important for the future work of the Commission that the research services of the secretariat should be expanded in order to be able to prepare working papers on the topics on the Commission's agenda.

38. The CHAIRMAN pointed out that when, in the past, the summary records had been drafted entirely in French, it was the English-speaking members of the Commission who had found themselves at a disadvantage.

39. Sir Humphrey WALDOCK said he agreed with his French-speaking colleagues that their reasoning ought to be reproduced as fully as possible in the summary

records, not only as a matter of importance for the personal reputation of members but also for the prestige of the Commission as a whole. The summary records of its proceedings ought to be extremely accurate because they were closely studied and even sometimes quoted in courts.

40. With regard to the Chairman's proposal concerning the appointment of a committee on state responsibility, he said that the committee's function should be precisely defined. Personally, he felt it would be difficult to draw up a report unless a special rapporteur had already been appointed.

41. Mr. CADIEUX said that, coming from a country in which both French and English were official languages, he was familiar with the problems of bilingual proceedings. Requests for more staff were bound to compete with other claims on the resources of the United Nations. It was for representatives in the Sixth Committee of the General Assembly and not for the secretariat to press the Commission's claims, and it should be remembered that budgetary processes were necessarily slow.

42. Mr. BRIGGS said he shared the view expressed by Sir Humphrey Waldoock that it might be unfortunate to appoint a committee on state responsibility without having appointed a special rapporteur. He accordingly proposed that the Commission decide to appoint a special rapporteur for the topic of state responsibility and that he be assisted until the next session by a consultative committee of ten members whose function would be to make an exploratory study of the scope of the topic with him. The special rapporteur would be expected to submit a preliminary report to the next session on the scope of the topics, after consulting that committee; the committee's functions would then cease.

43. Mr. TABIBI said that the secretariat had no authority to argue the case for higher appropriations for the work of the International Law Commission in the Sixth Committee. The Commission's reputation was so great that no proposal affecting its method of work had ever been rejected by the General Assembly. The wisest course would therefore be to put forward definite proposals for consideration at the General Assembly's seventeenth session.

44. In answer to a question by Mr. TUNKIN, Mr. BRIGGS explained that the committee he had in mind would meet a few times during the present session to examine with the special rapporteur, in the light of the discussions of the past few days, the scope of the study to be undertaken. The special rapporteur would then prepare the report for the next session. If he so wished he could, of course, continue to consult members of the committee by correspondence.

45. Mr. TUNKIN said that members of the Commission had now had ample opportunity to state their general views and he doubted whether anyone in the committee would have anything new to say during the present session.

46. In view of the complexity of the subject, the Commission should not be over-hasty in appointing a special

rapporteur; the preliminary work should preferably be undertaken by a group of joint rapporteurs who would have time to ponder the whole topic and how it should be approached. The outcome of their examination would be a preliminary report, on the basis of which the Commission could decide at its next session whether one or more special rapporteurs should be chosen and what instructions it should give.

47. The CHAIRMAN said that he had been thinking of a committee of, say, ten members which would prepare a report that would enable the Commission to decide how to delimit the subject of state responsibility. It was relatively immaterial which member of the committee presented its report at the next session, but it should preferably be the Chairman.

48. Mr. BRIGGS pointed out that the Chairman's proposal differed radically from his own proposal by which the special rapporteur himself would be responsible for the preliminary report.

49. Mr. TUNKIN said that although the Chairman's plan differed from his own he could support it because he considered that the preliminary report should come from a committee rather than from an individual.

50. Sir Humphrey WALDOCK said that he had even more serious doubts about how the kind of committee envisaged by the Chairman would operate than about Mr. Briggs' proposal. The special rapporteur should be appointed by the Commission itself at a very early stage; only in that way could the latter proposal be made workable. After some discussion with such a committee the special rapporteur would have a fairly clear idea of the lines which his provisional draft should follow, and there would be nothing to stop members of the committee or, indeed, of the Commission itself from circulating memoranda to assist him in his work, as was done in the Institute of International Law.

51. The CHAIRMAN said he had gathered that the Commission felt it necessary to depart from its usual practice because of the special difficulties of the topic of state responsibility. It seemed appropriate that the preliminary study on the scope of the topic should be undertaken by a committee, whose report would be discussed at the next session and would form the basis for the Commission's ultimate decision. It would be necessary at that stage to consider the appointment of a special rapporteur. What mattered was that the Commission should have something on paper in front of it; a discussion *in vacuo* would lead nowhere.

52. Mr. de LUNA said it would be putting the cart before the horse to appoint a special rapporteur before a committee was set up and had given him directives. For if the special rapporteur found himself in fundamental disagreement with the committee's ideas about how the subject should be approached, he would be obliged to withdraw. On the other hand, if the proper sequence was followed and they started with a committee, once it had drawn up its directives, a special rapporteur could be appointed who would be agreeable to following those directives in his work.

53. Mr. GROS said he did not think that the possibility which Mr. de Luna seemed to envisage could arise. Any work of codification or progressive development of law called for the reconciliation of differing views. He could not see why a special rapporteur who found himself in a minority in the Commission in part of his draft should have to withdraw. The rapporteur should in any event indicate in his report the various trends of opinion, and his first report would have to be in the nature of a working paper outlining the various solutions. There should be no real objection in the Commission to the immediate appointment of a special rapporteur, particularly as an immediate appointment would mean that he would have an extra year at his disposal.

54. The Commission should have no illusions about the usefulness of a committee of ten. Once its composition were announced it would be easy to guess what the pattern of opinion would be, and it was unlikely that its members, as men of settled views with a long familiarity with the subject, would revise their views to any extent as a result of its deliberations.

55. Mr. VERDROSS said that, although the Institute of International Law was a private body, the Commission might with advantage copy its method of work. Experience had shown that discussions in the Commission on preliminary reports by special rapporteurs greatly influenced the form and content of subsequent reports. Any special rapporteur was bound to take into account the comments made on his preliminary draft, or if he was unable to do so, should relinquish his task. As in the Institute, the ultimate aim was to obtain a collective expression of opinion.

56. Mr. JIMÉNEZ de ARÉCHAGA said that the appointment of a consultative committee should help to avoid the pitfalls of asking a special rapporteur to set to work before the question of the scope of his study had been settled. That task could be better accomplished by a representative group than by an individual acting in his personal capacity, but he agreed with Mr. Briggs that the special rapporteur should be appointed forthwith so that he could begin work as soon as possible.

57. Mr. ELIAS said he was in favour of the proposal for a committee to discuss the scope of the study on state responsibility so as to give the special rapporteur some guidance before the end of the session; further assistance could be given him in the form of memoranda or by correspondence. It was important, however, to decide when the preliminary report should be submitted.

58. Mr. LACHS said that Mr. Gros seemed to be moving away from the agreement that appeared to be emerging on the need for a committee to discuss the scope and method of the study on state responsibility. He (Mr. Lachs) did not believe either that the attitude of members of such a committee could be predicted, or that its creation would in any way prejudice the Commission's own responsibility for choosing the special rapporteur and issuing final directives.

59. The committee might meet two or three times during the session, draw up a list of subjects and discuss how they might be studied; a further exchange of ideas could be carried out by correspondence. If necessary, the

committee could also meet for a few days before the opening of the fifteenth session. After the Commission had discussed the committee's report, a final decision could be taken.

60. Mr. AGO said that the problem of procedure had not been sufficiently clarified and a number of points still remained in doubt. There were two distinct schools of thought: some members seemed to favour a committee to decide on the content of the different chapters under which state responsibility might be treated; others held that the committee should consider very thoroughly the substance of the topic.

61. If a committee of ten were set up, one of its members would have to be designated to report to the Commission; however, he (Mr. Ago) categorically opposed the idea that the Commission should delegate to a subsidiary body its prerogative of the appointment of the Commission's special rapporteur for a given subject. A clear decision on that point was imperative. There would, however, be no objection if the committee chose a spokesman to present its report to the Commission.

62. Mr. AMADO said he had been among the first to urge that the special rapporteur should receive strict and precise instructions, so that he would not stray beyond the confines of his proper task. He agreed accordingly with Mr. Ago that the Commission itself should make the appointment, though admittedly there was no reason why a committee should not be established to explore the full scope of the subject. Such a committee could certainly be representative of different trends of opinion. His personal view — which he did not expect Mr. Tunkin, for example, to share — was that the essence of state responsibility was the duty to make reparation and that the source of rules *de lege ferenda* was in the customary law and in the case-law.

63. Sir Humphrey WALDOCK said that not enough attention had been given to the practical problems associated with the writing of a report. Mr. Tunkin had said that he would not be able to participate in the discussions of a committee at the present session. How much, in fact, would a committee be able to accomplish during the coming two months? It would be unrealistic to expect more than a few meetings with the special rapporteur for the purpose of exploratory discussions to guide him in preparing an objective report.

64. In suggesting that a preliminary report would not be needed before the next session, Mr. Lachs had perhaps overlooked the great technical difficulties of producing a report at the last minute.

65. Surely, it was essential to appoint a special rapporteur immediately, if necessary on an interim basis, for otherwise the Commission might have nothing to discuss at its next session; besides, there was no budgetary provision for committee meetings in the interval between the two sessions.

66. Mr. TUNKIN said it would be difficult to prepare clear and precise directives for a special rapporteur on so complex a subject as state responsibility. He was quite unconvinced of the need to appoint a special rapporteur at once and still maintained that the task could be

accomplished by a small group of members who, after thorough study of the topic, would present a report for consideration during the next session.

67. There was no reason why a procedural issue of that kind should not be settled by a vote.

68. Mr. YASSEEN suggested that, in view of the importance of the subject of state responsibility, it should perhaps be approached in stages. During the first stage, the scope of the study and the method to be followed would be determined. Decisions in that regard would certainly greatly influence the final content of the report. That first stage of the study, for which a special rapporteur would be designated by the Commission, could be entrusted to a committee. At the second stage, the Commission would be in a position, in the light of the committee's report, to settle the precise instructions to be given to the special rapporteur, and he agreed with Mr. Amado that the instructions should be very specific. There were obvious drawbacks in deciding forthwith on the special rapporteur for the whole of the study since the one chosen for the preparatory stage might not feel able to undertake the study as ultimately defined after the committee had submitted its report.

It was so agreed.

The meeting rose at 12.25 p.m.

636th MEETING

Friday, 4 May 1962, at 10 a.m.

Chairman: Mr. Radhabinod PAL

Future work in the field of the codification and progressive development of international law (General Assembly resolution 1686 (XVI)) (item 2 of the agenda) (A/CN.4/145) (continued)

1. The CHAIRMAN said that the consensus of opinion appeared to be that a sub-committee on state responsibility should be appointed. Consequently, after consulting the other officers of the Commission, he would at the next meeting submit suggestions for the composition of the sub-committee, which should begin work during the present session and report some time during the next session.

It was so decided.

2. The CHAIRMAN said he believed the Commission would also wish to appoint a similar sub-committee on the succession of states and of governments.

It was so decided.

3. Mr. EL-ERIAN urged that the latter decision should be treated as provisional because it was not clear from the discussions on item 2 whether, in the case of the topic of the succession of states and governments, the Commission would be justified in following the same procedure as in the case of the topic of state responsi-

bility; he would not, however, press the point if the majority took a different view.

The meeting rose at 10.25 a.m.

637th MEETING

Monday, 7 May 1962, at 3 p.m.

Chairman: Mr. Radhabinod PAL

Future work in the field of the codification and progressive development of international law (General Assembly resolution 1686(XVI)) (item 2 of the agenda) (A/CN.4/145) (continued)

1. The CHAIRMAN said that at the previous meeting it had been decided that sub-committees should be appointed to consider the two topics of state responsibility and succession of states and of governments. The officers of the Commission now suggested that the sub-committee on state responsibility should be composed of Mr. Ago as Chairman, Mr. Briggs, Mr. El-Erian, Mr. Gros, Mr. Jiménez de Aréchaga, Mr. Lachs, Mr. de Luna, Mr. Paredes, Mr. Tsuruoka and Mr. Tunkin. They also suggested that the sub-committee on the topic of succession of states and governments should be composed of Mr. Lachs as Chairman, Mr. Bartoš, Mr. Briggs, Mr. Castrén, Mr. Liu, Mr. Elias, Mr. Tabibi, Mr. Tunkin, Mr. Rosenne and Mr. Yasseen.

2. Mr. YASSEEN said that, as a matter of principle, it would have been preferable to consult the Commission as a whole on the composition of the sub-committees, since some members might have special interests. He personally would have preferred to serve on the sub-committee on state responsibility.

3. The CHAIRMAN said that the officers were merely suggesting names; any changes might be made if desired.

4. Mr. AMADO proposed that Mr. Yasseen should serve on the sub-committee on state responsibility rather than on the other sub-committee.

5. Mr. EL-ERIAN said that he was prepared to serve on the sub-committee on succession of states and governments in order to maintain parity of numbers.

It was so agreed.

Co-operation with other bodies (item 4 of the agenda)

6. Mr. LIANG, Secretary to the Commission, said that he had received a letter from Dr. Charles Fenwick, Director of the Department of International Law and Organization, Pan-American Union, dated 24 April 1962, stating that Dr. Hugo Juan Gobbi of Argentina, a member of the Inter-American Juridical Committee, had been designated at the session held from July to September 1961 as its official observer at the 1962 session of the International Law Commission. He had also