

to increase the term of office of the members of the Commission from three to five years,

1. *Invites* the International Law Commission to communicate its opinion concerning the amendment of article 11 of the Statute of the Commission relating to the filling of casual vacancies in its membership;

2. *Decides* to include in the provisional agenda of the eleventh session of the General Assembly the question of amending article 11 of the Statute of the International Law Commission.

*550th plenary meeting,
3 December 1955.*

987 (X). Publication of the documents of the International Law Commission

The General Assembly,

Recalling the terms of its resolution 176 (II) of 21 November 1947,

Considering paragraph 35 of the report⁴ of the International Law Commission on the work of its seventh session and the study⁵ prepared by the Secretary-General in pursuance of General Assembly resolution 686 (VII) of 5 December 1952 concerning ways and means for making the evidence of customary international law more readily available,

1. *Requests* the Secretary-General to arrange as soon as possible for the printing of the following documents relating to the first seven sessions of the International Law Commission:

(a) The studies, special reports, principal draft resolutions and amendments presented to the Commission, in their original languages;

(b) The summary records of the Commission, initially in English;

2. *Requests* the Secretary-General also to arrange for the printing each year, in English, French and Spanish, of the documents mentioned in the preceding paragraph relating to future sessions of the Commission;

3. *Invites* the International Law Commission to express its views for the guidance of the Secretary-General with respect to the selection and editing of the documents to be printed and, if necessary in its opinion, to resubmit to the General Assembly the question of the printing of the documents of the Commission.

*550th plenary meeting,
3 December 1955.*

988 (X). Establishment of an Italian-Libyan Mixed Arbitration Commission

The General Assembly,

Recalling its resolution 388 A (V) of 15 December 1950 on economic and financial provisions relating to Libya, article X of which set up a United Nations Tribunal in Libya and defined its functions, and resolution 792 (VIII) of 23 October 1953, by which the United Nations Tribunal in Libya was continued in existence and the Secretary-General was requested to report to the General Assembly at its tenth session after consulta-

⁴ *Official Records of the General Assembly, Tenth Session, Supplement No. 9 (A/2934).*

⁵ *Ibid.*, Tenth Session, Annexes, agenda item 50, document A/C.6/348.

tion with the Governments concerned regarding the future of the Tribunal,

Noting that the negotiations between Italy and Libya for the conclusion of the various special agreements provided for in resolution 388 A (V) have not yet been concluded, but that the parties have indicated that the said negotiations have reached an advanced stage,

Noting that the Governments of Italy and Libya have manifested, through their representatives at the tenth session of the General Assembly, their acceptance of such measures as the Assembly will adopt for the purpose of terminating the present United Nations Tribunal in Libya upon condition of the simultaneous establishment of an Italian-Libyan Mixed Arbitration Commission vested with the functions, powers and jurisdiction provided for in article X of resolution 388 A (V),

Resolves:

1. That the United Nations Tribunal in Libya shall be terminated on 31 December 1955, and on that date its functions, powers and jurisdiction, under the terms of reference of article X of resolution 388 A (V) shall be transferred to, and vested in, the Commission established under paragraph 2 of the present resolution;

2. That there shall be established an Italian-Libyan Mixed Arbitration Commission consisting of three members, one of whom shall be appointed by the Government of Italy, one by the Government of Libya and the third by the Secretary-General of the United Nations. The Governments of Italy and Libya shall notify the Secretary-General of the United Nations and each other of the names of their respective arbitrators not later than 15 December 1955; the Secretary-General shall appoint not later than 27 December 1955 the umpire, upon joint designation by Italy and Libya, the said designation to take place not later than 15 December 1955 or, in the event of failure by the parties jointly to submit the name of the umpire by that date, the umpire shall be chosen by the Secretary-General;

3. That the Commission shall come into existence upon the appointment of the umpire and at least one of the other members of the Commission, that two members of the Commission shall constitute a quorum for the performance of its functions, and that for all deliberations of the Commission the favourable vote of two members shall be sufficient;

4. That the expenses of the Commission shall be borne exclusively by Italy and Libya in equal shares;

5. That the rules of procedure of the Commission, including the designation of the place or places where its work shall be conducted, shall be determined by the Commission itself in accordance with paragraph 3 above.

*551st plenary meeting,
6 December 1955.*

989 (X). Arbitral procedure

The General Assembly,

Having considered the draft⁶ on arbitral procedure prepared by the International Law Commission at its fifth session and the comments⁷ thereon submitted by Governments,

⁶ *Ibid.*, Eighth Session, Supplement No. 9 (A/2456), para. 57.

Recalling General Assembly resolution 797 (VIII) of 7 December 1953, in which it was stated that this draft includes certain important elements with respect to the progressive development of international law on arbitral procedure,

Noting that a number of suggestions for improvements on the draft have been put forward in the comments submitted by Governments and in the observations made in the Sixth Committee at the eighth and current sessions of the General Assembly,

Believing that a set of rules on arbitral procedure will inspire States in the drawing up of provisions for inclusion in international treaties and special arbitration agreements,

¹ *Ibid.*, Tenth Session, Annexes, agenda item 52, document A/2899 and Add.1 and 2.

1. *Expresses* its appreciation to the International Law Commission and the Secretary-General for their work in the field of arbitral procedure;

2. *Invites* the International Law Commission to consider the comments of Governments and the discussions in the Sixth Committee in so far as they may contribute further to the value of the draft on arbitral procedure, and to report to the General Assembly at its thirteenth session;

3. *Decides* to place the question of arbitral procedure on the provisional agenda of the thirteenth session, including the problem of the desirability of convening an international conference of plenipotentiaries to conclude a convention on arbitral procedure.

*554th plenary meeting,
14 December 1955.*