

RESOLUTIONS ADOPTED ON THE REPORTS OF THE SIXTH COMMITTEE

CONTENTS

	<i>Page</i>
1262 (XIII). Question of arbitral procedure (14 November 1958) (item 57)	53
1288 (XIII). Diplomatic intercourse and immunities (5 December 1958) (item 56)	53
1289 (XIII). Relations between States and inter-governmental organizations (5 December 1958) (item 56)	54
1290 (XIII). Report of the International Law Commission covering the work of its tenth session (chapter V) (5 December 1958) (item 56)	54
1291 (XIII). Question of the publication of a United Nations juridical yearbook (5 December 1958) (item 56)	54
1306 (XIII). Question of initiating a study of the juridical régime of historic waters, including historic bays (10 December 1958) (item 58)	54
1307 (XIII). Convening of a second United Nations conference on the law of the sea (10 December 1958) (item 59)	54

1262 (XIII). Question of arbitral procedure

The General Assembly,

Recalling its resolutions 797 (VIII) of 7 December 1953 and 989 (X) of 14 December 1955,

Considering that arbitration is one of the means for the pacific settlement of disputes referred to in the Charter of the United Nations,

Having considered chapter II, on arbitral procedure, of the report of the International Law Commission covering the work of its tenth session,¹

Taking note of the comments in that report to the effect, in particular, that the draft articles on arbitral procedure contained therein would have no binding effect on States unless accepted by them and save to the extent that each one is accepted by them in treaties of arbitration or in a *compromis*,

Taking into consideration the observations of Governments and the statements made in the Sixth Committee at the thirteenth session of the General Assembly,

1. Takes note of chapter II of the report of the International Law Commission covering the work of its tenth session;

2. Expresses its appreciation to the International Law Commission and the Secretariat for their work on arbitral procedure;

3. Brings the draft articles on arbitral procedure contained in the report of the International Law Commission to the attention of Member States for their consideration and use, in such cases and to such extent as they consider appropriate, in drawing up treaties of arbitration or *compromis*;

4. Invites Governments to send to the Secretary-General any comments they may wish to make on the draft, and in particular on their experience in the draw-

¹Official Records of the General Assembly, Thirteenth Session, Supplement No. 9 (A/3859 and Corr.1).

ing up of arbitral agreements and the conduct of arbitral procedure, with a view to facilitating a review of the matter by the United Nations at an appropriate time.

*780th plenary meeting,
14 November 1958.*

1288 (XIII). Diplomatic intercourse and immunities

The General Assembly,

Having considered chapter III of the report of the International Law Commission covering the work of its tenth session¹ which contains draft articles and commentaries on diplomatic intercourse and immunities,

Recalling that the General Assembly, in its resolution 685 (VII) of 5 December 1952, requested the International Law Commission to undertake the codification of the topic "Diplomatic intercourse and immunities", and to treat it as a priority topic,

Taking into account paragraph 25 of the report of the International Law Commission covering the work of its ninth session² wherein it is stated that the Commission decided to present a final report on the subject of diplomatic intercourse and immunities to the General Assembly at its thirteenth session, after reviewing the subject in the light of the comments of Governments,

Taking into account also paragraph 50 of the report of the International Law Commission covering the work of its tenth session wherein it is stated that the Commission decided to recommend to the General Assembly that the draft articles on diplomatic intercourse and immunities should be recommended to Member States with a view to the conclusion of a convention,

1. Expresses its appreciation to the International Law Commission for its work on diplomatic intercourse and immunities;

²*Ibid.*, Twelfth Session, Supplement No. 9 (A/3623).

2. *Invites* Member States to submit their comments on the draft articles concerning diplomatic intercourse and immunities not later than 1 June 1959;

3. *Requests* the Secretary-General to circulate such comments so as to facilitate the discussion of the subject at the fourteenth session of the General Assembly;

4. *Decides* to include the item entitled "Diplomatic intercourse and immunities" in the provisional agenda of its fourteenth session with a view to the early conclusion of a convention on diplomatic intercourse and immunities;

5. *Decides* to consider at its fourteenth session the question to what body the formulation of the convention should be entrusted.

*782nd plenary meeting,
5 December 1958.*

1289 (XIII). Relations between States and inter-governmental organizations

The General Assembly,

Taking note of paragraph 51 of the report of the International Law Commission covering the work of its tenth session,¹ which refers to *ad hoc* diplomacy and, in particular, to diplomatic conferences, and of paragraph 52 of the same report, which refers to relations between States and international organizations,

Considering the importance and development of international organizations,

Considering the observations made by Governments at the twelfth and thirteenth sessions of the General Assembly, particularly on the question referred to in paragraph 52 of the report,

Invites the International Law Commission to give further consideration to the question of relations between States and inter-governmental international organizations at the appropriate time, after study of diplomatic intercourse and immunities, consular intercourse and immunities and *ad hoc* diplomacy has been completed by the United Nations and in the light of the results of that study and of the discussion in the General Assembly.

*782nd plenary meeting,
5 December 1958.*

1290 (XIII). Report of the International Law Commission covering the work of its tenth session (chapter V)

The General Assembly,

Having considered the questions dealt with in chapter V of the report of the International Law Commission covering the work of its tenth session,¹

Takes note of chapter V of the said report.

*782nd plenary meeting,
5 December 1958.*

1291 (XIII). Question of the publication of a United Nations juridical yearbook

The General Assembly,

Considering that it is a function of the General Assembly to take appropriate measures to encourage the development of international law,

Considering that the publication of a United Nations juridical yearbook may constitute a useful measure for that purpose,

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

Having considered the discussion in the Sixth Committee on the question of the publication of a juridical yearbook,

1. *Requests* the Secretary-General to prepare a report on the question of the publication of a United Nations juridical yearbook, covering in addition the technical and financial implications of such a publication, taking into account the suggestions made during the discussion in the Sixth Committee, and to circulate the report to Member States before the fourteenth session of the General Assembly;

2. *Decides* to place this question on the provisional agenda of its fourteenth session.

*782nd plenary meeting,
5 December 1958.*

1306 (XIII). Question of initiating a study of the juridical régime of historic waters, including historic bays

The General Assembly,

Having received the resolution adopted on 27 April 1958 by the United Nations Conference on the Law of the Sea³ requesting the General Assembly to arrange for the study of the juridical régime of historic waters, including historic bays, and for the communication of the results of such study to all States Members of the United Nations,

Decides to place the question of initiating a study of the juridical régime of historic waters, including historic bays, on the provisional agenda of its fourteenth session.

*783rd plenary meeting,
10 December 1958.*

1307 (XIII). Convening of a second United Nations conference on the law of the sea

The General Assembly,

Having received the resolution adopted on 27 April 1958 by the United Nations Conference on the Law of the Sea,⁴ requesting the General Assembly to study at its thirteenth session the advisability of convening a second international conference of plenipotentiaries for further consideration of questions left unsettled by the Conference,

Recalling that the Conference made an historic contribution to the codification and progressive development of international law by preparing and opening for signature conventions on nearly all of the subjects covered by the draft articles on the law of the sea drawn up by the International Law Commission,⁵

Noting that no proposal concerning the breadth of the territorial sea or fishery limits received the two-thirds majority required for adoption by the Conference,

Believing that the desire for agreement on these two vital issues continues, and that agreement thereon would contribute substantially to the lessening of international

³ United Nations Conference on the Law of the Sea, *Official Records, Volume II: Plenary Meetings* (United Nations publication, Sales No.: 58.V.4, Vol. II), annexes, document A/CONF.13/L.56, resolution VII.

⁴ *Ibid.*, resolution VIII.

⁵ *Official Records of the General Assembly, Eleventh Session, Supplement No. 9 (A/3159)*, para. 33.