

## 32. PROGRESSIVE DEVELOPMENT AND CODIFICATION OF INTERNATIONAL LAW

In the Sixth Committee (Legal) of the Second Session of the General Assembly, five closely related subjects were considered in connection with the progressive development and codification of International Law. These were the establishment of an International Law Commission, the preparation of this Commission's work by the secretariat, a draft declaration of the Rights and Duties of States, plans for the formulation of the principles of the Danubian Charter and Tribunal and the teaching of international law. These matters were first examined by a sub-committee of which Mr. Liu (China) was the Chairman. The sub-committee's report was adopted by the 24th Committee, which then reported to the General Assembly.

### Legal Questions

On November 21, 1947, the Assembly decided by a vote of 48 in favour and none against, with 9 abstentions, to establish an International Law Commission of fifteen persons to promote the development and codification principally of public international law. The Commission will operate in accordance with a statute annexed to the Assembly resolution.<sup>1</sup>

The members of this Commission elected will serve for three years in a manner analogous to those of the International Court of Justice, will receive salary, expenses and a per-diem allowance on a scale comparable to those of members of the Economic and Social Council. Each government may nominate one of its nationals and two other persons of free and independent opinion. The first election will take place at the Third Session of the Assembly.

There was a strong feeling among members of many delegations that the Interim Committee on Codification, which had been established at the First Session to recommend measures which the Assembly could discharge its obligations to promote the realization

<sup>1</sup> The text of the statute is given in Appendix I, p. 20. It is also in a separate document on the subject of Appendix II, p. 20.