

sion completed its current work on the subject and further study of it was made by the Secretary-General and the UN members themselves. The discussion in Committee clearly did not exhaust the subject, and perhaps there was no need for an immediate decision once the problem of India's instrument of acceptance of IMCO had been disposed of by the Committee. The majority felt, indeed, that they were not prepared to take a hasty decision on such a complex problem. A draft resolution along these lines was tabled by a group of eleven nations, including Canada. It called *inter alia* for the General Assembly to request the Secretary-General to circulate to member states a report on his current practice; it invited the International Law Commission to expedite that part of its work on the law of treaties relating to the question of reservations; and it requested that the question of reservations be placed on the provisional agenda of the sixteenth session<sup>(12)</sup>. In addition to this proposal, the Committee received, from a group of seven nations, a draft resolution seeking to amend Assembly Resolution 598 (VI), mentioned above, so that the Secretary-General should take, in respect of all conventions of which he was depositary and which did not contain provisions to the contrary, the action authorized in 1952 for "future conventions"<sup>(13)</sup>. Although the two proposals were not considered strictly incompatible in their substance, and some delegates had, in fact, indicated they could vote for both, it was generally thought that they could usefully be worded so as to supplement one another. A consolidated resolution then emerged, which had the same sponsors as the two original drafts, which, by common agreement, were then withdrawn. The joint resolution was the result of compromise and was said to represent the minimum acceptable to both groups, but it was based primarily on the earlier seven-nation proposal. Its second paragraph reflected, though in a telescoped form, the ideas of further study contained in the eleven-nations proposal. The resolution was approved in Committee by 62 votes in favour (including Canada), none against, with one abstention (Ethiopia),<sup>(14)</sup> and in plenary by 74 votes in favour with one abstention (Ethiopia). It reads as follows:

*The General Assembly,*

*Recalling its resolution 598 (VI), Reservations to Multilateral Conventions,*

1. *Decides* to amend paragraph 3(b) of resolution 598 (VI) by requesting the Secretary-General to apply to his depositary practice, until such time as the General Assembly may give further instructions, the aforesaid paragraph 3(b) in respect of all conventions concluded under the auspices of the United Nations and which do not contain provisions to the contrary;
2. *Requests* the Secretary-General to obtain information from all depositary States and international organizations with respect to depositary practice in relation to reservations, and to prepare a summary of such practices including his own for use by the International Law Commission in preparing its reports on the law of treaties and by the General Assembly in considering these reports.

<sup>(12)</sup> See Doc. A/C.6/L. 450 of October 29, 1959. During the debate, the Chairman of the International Law Commission, Sir Gerald Fitzmaurice, announced that the Commission was already half-way through the section on reservations in its study of the law of treaties and proposed to complete the remaining half next year. He hoped that, in the not too distant future, the matter would come before the General Assembly on the occasion of the report of the work of the Commission.

<sup>(13)</sup> See Doc. A/C.6/L. 449 of October 27, 1959.

<sup>(14)</sup> The Ethiopian delegate felt that in the absence of prior study, "it would not be wise" to amend Assembly resolution 598 (VI). He said he was not in favour of paragraph 1, but he would support paragraph 2. He would abstain on the draft as a whole.