



THE GENERAL ASSEMBLY

GA 6/II/1

SUBJECT OF RESOLUTION: Report of the International Law Commission on the Work of its Fifty-Fourth Session

SUBMITTED TO: The General Assembly

The General Assembly

Recalling resolution 57/10 on the Report of the International Law Commission on Work of its Fifty-Fourth Session,

Reaffirming Article 13 of the United Nations Charter that allows the General Assembly to “initiate studies and make recommendations for the purpose of: (a) [...] encouraging the progressive development of international law and its codification,”

Bearing in mind that Article 15 of the Statute of the International Law Commission defines progressive development as “the preparation of draft conventions on subjects which have not yet been regulated by international law or in regard to which the law has not yet been sufficiently developed in the practice of States,”

Also bearing in mind that Article 15 of the Statute of the International Law Commission defines codification as “the more precise formulation and systematization of rules of international law in fields where there already has been extensive State practice precedent and doctrine,”

Guided by the Vienna Convention on the Law of Treaties Between States and International Organizations or Between International Organizations, which defines “international organizations” as “an intergovernmental organization” and does not include non-governmental or municipal organizations,

Recognizing that the accepted definition of “responsibility” under the current Statute of the International Law Commission has been adopted from the Articles on State Responsibility and is described as an international obligation resulting from harmful effects of internationally wrongful acts,

Seeking to strengthen the understanding and interpretation of international law as applied through the United Nations,

Approving of more detailed study and analysis by the International Law Commission on the issue of responsibility of States to international organizations,

1. *Congratulates* the work done by the International Law Commission in order to strengthen international law and maintain international peace and stability as outlined in the Charter of the United Nations;

37 2. *Calls upon* the International Law Commission to consider more specifically the allocation of
38 responsibility to memberstates for conduct attributed to international as recommended in the work of
39 the Fifty-Fourth Session;
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41 3. *Draws the attention* to the problem of holding members of international organizations
42 responsible for operations viewed as violations of international law and performed under the
43 international organization and;
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45 4. *Considers necessary* a more detailed description of responsibility to delineate among members
46 who have provided direct aid and/or assistance to an operation of an international organization viewed
47 as a violation of international law and those who have not provided such aid and/or assistance;
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49 5. *Notes* that the Commission will also have to develop a standard criteria for direct aid and/or
50 assistance;
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52 6. *Encourages* the International Law Commission to further analyze this topic and report back
53 to the Sixth Committee of the General Assembly within one year.

Final Vote: 55 in favor / 13 opposed / 17 abstaining