

THE INTERNATIONAL LAW COMMISSION AT THE TIME OF CRISIS: ITS UNUSUALLY SHORT SESSION IN 2025

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1. Introduction

In 2025, the UN International Law Commission met in Geneva at its 76th session. In its 2024 report, the Commission proposed that its next session would be held, as usual, in two parts: from 14 April to 30 May and from 30 June to 30 July 2025. This was approved by GA Resolution 79/121 of 4 December 2024. Nevertheless, the session did not take place as planned. Due to the serious financial crisis affecting the United Nations system, the original programme of work of the ILC was reduced by more than 50%, from 12 to 5 weeks.¹ Consequently, the session was held at the United Nations Office in Geneva (UNOG) from 28 April to 30 May 2025.

At its first meeting, on 28 April 2025, the Commission elected the Chairpersons of the ILC and other officers of the Bureau of the seventy-sixth session.²

2. The topics on the Agenda of the ILC

In 2025, the Commission had a total number of seven topics on the agenda. During the 5-week session, the ILC was able to discuss, albeit very shortly in some cases, the following topics: ‘Immunity of State officials from foreign criminal jurisdiction’, ‘Sea-level rise in relation to international law’, ‘General principles of law’, ‘Subsidiary means for the determination of rules of international law’, ‘Settlement of disputes to which international organizations are parties’, ‘Non-legally binding international agreements’, ‘Prevention and repression of piracy and armed robbery at sea’, and ‘Succession of States in respect of State responsibility’.

The Commission continued but not completed the second reading of the oldest topic on its agenda, Immunity of State officials from foreign criminal jurisdiction. Another topic, namely ‘General principles of law’, entered into its second reading that was not completed either. The only finalized outcome this year was the Final report of the Study Group on Sea-level rise in relation to international law. This topic, unlike classical codification topics, did not require the discussion in both plenary and the Drafting Committee.

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¹ See also AMOROSO, Mario Pasquale, *Codify and progressively develop in times of (liquidity) crisis: The importance of time for the International Law Commission*, *EJIL Talk!* (5 August 2025); at: www.ejiltalk.org/codify-and-progressively-develop-in-times-of-liquidity-crisis-the-importance-of-time-for-the-international-law-commission/.

² Chairperson: Mr. Mārtiņš Paparinskis (Latvia), First Vice-Chairperson: Mr. Masahiko Assada (Japan), Second Vice-Chairperson: Mr. Giuseppe Nesi (Italy), Chair of the Drafting Committee: Mr. Mario Oyarzábal (Argentina), Rapporteur: Mr. Ahmed Amin Fathalla (Egypt).

In view of the limited timeframe for this session, most topics were discussed in the format of working groups. Therefore, the Commission established on 28 April 2025 the following Working Groups of the Whole: (a) WG on ‘Settlement of disputes to which international organizations are parties’, (b) WG on ‘Non-legally binding international agreements’, (c) WG on ‘Prevention and repression of piracy and armed robbery at sea’, and (d) WG on ‘Succession of States in respect of State responsibility’. The first three of the working groups covered the topics with Special Rapporteurs who served as chairs of these working groups.

In addition, as usual, the Planning Group established the Working Group on the long-term programme of work and the Working Group on methods of work and procedures of the Commission. However, owing to time constraints, the second group did not meet during the 2025 session.

2.1 Immunity of State officials from foreign criminal jurisdiction

Draft articles adopted on the first reading in 2022 are the result of the long and complicated debate within the Commission. Based on this experience, it has been expected that the second and final reading might last two rather than one session. However, it appears that finalization of the topic will come even later, although the Special Rapporteur Mr. Claudio Grossman submitted his second report that completes the revision of the draft articles.³ The second report addressed the comments and observations made by governments on draft articles 7 to 18 and the draft annex, adopted on the first reading. It also included some proposals for their consideration on the second reading. In particular, the Special Rapporteur proposed the addition of the crimes of aggression, slavery, and the slave trade to the list of crimes in draft article 7 (Crimes under international law in respect of which immunity *ratione materiae* shall not apply).

Following the debate in plenary, the ILC referred draft articles 7 to 18 and the draft annex to the Drafting Committee. At the 2025 session, the Commission adopted draft articles 1, 3, 4, and 5, which had been discussed last year, and commentaries thereto. In addition, the ILC received and took note of the report of the Drafting Committee on draft articles 7, 8, and 9, as provisionally adopted by the Committee on the second reading.⁴ The adoption of these draft articles by the Commission was postponed to the next session. They deal respectively with exceptions to immunity *ratione materiae*,⁵ application of Part Four,⁶ and examination of immunity by the forum state.⁷

³ See UN doc. A/CN.4/780 (2025).

⁴ See UN doc. A/CN.4/L.1017 (2025).

⁵ Draft article 7: ‘Immunity *ratione materiae* from the exercise of foreign criminal jurisdiction shall not apply in respect of the following crimes under international law, as defined according to the applicable rules of international law:

(a) crime of genocide; (b) crimes against humanity; (c) war crimes; (d) crime of apartheid; (e) torture; (f) enforced disappearance; (g) crime of aggression; (h) slavery; (i) slave trade.’

⁶ Draft article 8:

‘1. The procedural provisions and safeguards in the present Part shall apply in any situation that may involve the exercise of criminal jurisdiction by the forum State over an official of another State.

2. The present Part is applicable to the draft articles contained in Part Two and Part Three of the present draft articles, including to the determination of whether immunity applies or does not apply under any of the present draft articles.’

⁷ Draft article 9:

‘1. When the competent authorities of the forum State become aware that an official of another State may be

2.2 *Sea-level rise in relation to international law*

Concerning this topic, the Commission reconstituted the Study Group on sea-level rise in relation to international law. The Study Group had before it the final consolidated report of the co-chairs of the Study Group, prepared by Ms. Patrícia Galvão Teles, Ms. Nilüfer Oral, and Mr. Juan José Ruda Santolaria, which addressed all three subtopics: law of the sea, statehood, and the protection of persons affected by sea-level rise.⁸ In this report, they provided a summary of the preliminary observations of the issues papers and the additional papers regarding the three subtopics; a summary of the statements made by States during the most recent debates in the Sixth Committee and of the submissions by States to the Commission; and an overview of recent relevant developments at the international level. They also presented the following cross-cutting issues and interlinkages between the three subtopics: stability, predictability and certainty; preservation of existing rights; self-determination; permanent sovereignty over natural resources; equity and solidarity; international cooperation; and international law as adaptation.

The Study Group also had a draft final report, proposed by the co-chairs. It was discussed during six meetings of the Study Group. At its meeting on 26 May 2025, the Commission adopted the final report of the Study Group and concluded its consideration of the topic. The report of the Commission only includes a summary of the exchange of views in the Study Group. The final report of the Study Group is contained in Annex I to the ILC's report. From the formal point of view, this is a difference from the up-to-now most known and influential non-traditional outcome of the work of the Commission, which was the Study on fragmentation of international law (2006). In that case, the report of the Commission included at least certain conclusions,⁹ while the full and extensive document of the Study Group, finalized by its Chair, Mr. Martti Koskenniemi, was in an annex (separate document).¹⁰ Similarly, in the topic Most-favoured-nation clause, the Commission adopted and included in its 2015 report at least five Summary conclusions¹¹ and the full report of the Study Group was published separately.¹²

From the point of view of substance, the topic itself and the Final report of the Study Group differs significantly from usual outcomes of the work of the ILC. It is hardly possible to say that the outcome represents codification of international law or its progressive development. As the report puts it,

the mandate of the Study Group was to undertake a mapping exercise concerning the legal questions raised by sea-level rise and interrelated issues, in order to assist States in developing practicable solutions to respond effectively to the legal issues arising from sea-level rise.¹³

affected by the exercise of its criminal jurisdiction, they shall examine the question of immunity without delay.

2. Without prejudice to paragraph 1, the competent authorities of the forum State shall always examine the question of immunity: (a) before initiating criminal proceedings against an official of another State; (b) before taking coercive measures that may affect an official of another State, including those that may affect any inviolability that the official may enjoy under international law.'

⁸ See UN doc. A/CN.4/783 (2025).

⁹ See Yearbook of the International Law Commission, 2006, vol. II, Part Two, pp. 177–184, § 251.

¹⁰ UN doc. A/CN.4/682 and Corr.1.

¹¹ See Report of the International Law Commission, 2015 (GAOR, Suppl. A/70/10), § 42.

¹² See Report of the International Law Commission, 2015, Annex I.

¹³ See Report of the International Law Commission, 2025 (GAOR, Suppl. A/80/10), p. 112, § 10.

The conclusion contained in the paper are based on issues papers by the Co-Chairs, the discussions in the Study Group, comments and observations by States, and other developments, such as regional declarations, regional and bilateral initiatives, and discussions in the United Nations bodies. However, it seems that the main sources for conclusions have been the papers and ideas of the Co-Chairs. To sum-up the main ideas, regarding the law of the sea, it is the preservation of baselines and maritime entitlements notwithstanding sea-level rise.¹⁴ Concerning the chapter of statehood, they assert that there is strong support among States for the continuity of statehood and sovereignty (despite submerging territory) and the maintenance of international legal personality and membership of international organizations.¹⁵ With respect to the protection of persons affected by sea-level rise, conclusions also remain at a high level of generality. They admit that, while the current general legal frameworks are potentially applicable, there is a need to develop legal and practical solutions to better protect persons affected by sea-level rise, including those who remain *in situ* and those who are internally or externally displaced.¹⁶

When it comes to a kind of recommendations (called “possible ways forward”), they rely on both interpretation and development of instruments and rules of international law to take into account the adverse impact of sea-level rise. Indeed, states, the General Assembly, and other international organizations may adopt binding or non-binding instruments in relation to the legal issues discussed in the report (see above).¹⁷ All in all, the Final report of the Study Group does not bring any practical solutions.

2.3 General principles of law

At the 2025 session, the Commission had before it the fourth report of the Special Rapporteur Mr. Marcelo Vázquez-Bermúdez,¹⁸ the bibliography thereto,¹⁹ as well as comments and observations obtained from Governments.²⁰ The Special Rapporteur made proposals for consideration on the second reading.

On 27 May 2025, the Chair of the Drafting Committee introduced the report of the Committee. At the same meeting, the Commission took note of the report of the Drafting Committee, containing draft conclusions 1 to 12, provisionally adopted by the Committee on the second reading.²¹ The draft conclusions basically confirm the conclusions 1 to 11 provisionally adopted on the first reading. The new draft conclusion 12, proposed by the Special Rapporteur and provisionally adopted by the Drafting Committee, concerns ‘General principles of law with a limited scope of application’.²² The adoption of the draft conclusions by the Commission was postponed to the next session, owing to the lack of time for preparation, translation, and consideration of commentaries.

¹⁴ *Ibid.*, § 34.

¹⁵ *Ibid.*, § 35.

¹⁶ *Ibid.*, § 43.

¹⁷ *Ibid.*, § 58.

¹⁸ UN doc. A/CN.4/785 (2025).

¹⁹ UN doc. A/CN.4/785/Add.1 (2025).

²⁰ UN doc. A/CN.4/779 and Add.1.

²¹ See UN doc. A/CN.4/L.1018 (2025).

²² Draft conclusion 12: ‘The present draft conclusions are without prejudice to general principles of law with a limited scope of application.’

2.4 *Subsidiary means for the determination of rules of international law*

Concerning this topic, the Commission had before it the third report of the Special Rapporteur Mr. Charles Jalloh²³ and the bibliography thereto.²⁴ The third report addressed such issues as teachings, the works of expert bodies, resolutions of international organizations and intergovernmental conferences, the questions of unity and coherence of international law, the relationship between *subsidiary means* for determining the rules of international law and *subsidiary means* of interpretation, the structure of the draft conclusions, and the future programme of work. After the plenary debate, the ILC referred draft conclusions 9, 10, 11, 12, and 13, as presented in the third report, to the Drafting Committee.

This year, the Commission received and only took note of the report of the Drafting Committee containing draft conclusions 1 to 13, as provisionally adopted by the Drafting Committee on the first reading.²⁵ Although the adoption of the draft conclusions by the Commission was postponed to the next session, due to the lack of time, the report of the Drafting Committee already gave a clear picture how the outcome of the work would appear.

According to DC 1, the present draft conclusions concern the use of subsidiary means for the determinations of rules of international law. DC 2 sets the categories of subsidiary means. They include '(a) decisions of courts and tribunals; (b) teachings; (c) any other means generally used to assist in determining rules of international law.' DC 3 deals with the nature and function of subsidiary means.²⁶ Then, DC 4 addresses general criteria for the assessment of subsidiary means for the determination of rules of international law.²⁷

In the next Part (Three), draft conclusions deal with decisions of courts and tribunals, while making difference between international and national courts (DC 5).²⁸ DC 6 points out the absence of legally binding precedent. Decisions of international courts and tribunals

may be followed on points of law where those decisions address the same or similar issues as those under consideration. Such decisions do not constitute legally binding precedent unless otherwise provided for in a specific instrument or rule of international law.

Very importantly, DC 7 provides the criteria of weight of decisions of courts and tribunals.²⁹

²³ UN doc. A/CN.4/781 (2025).

²⁴ UN doc. A/CN.4/781/Add.1.

²⁵ See UN doc. A/CN.4/L.1019 (2025).

²⁶ '1. Subsidiary means are not a source of international law. The function of subsidiary means is to assist with the determination of the existence and content of rules of international law.

2. The use of materials as subsidiary means for the determination of rules of international law is without prejudice to their use for other purposes.'

²⁷ 'When assessing the weight of subsidiary means for the determination of rules of international law, regard should be had to, *inter alia*: (a) their degree of representativeness; (b) the quality of the reasoning; (c) the expertise of those involved; (d) the level of agreement among those involved; (e) the reception by States and other entities; (f) where applicable, the mandate conferred on the body.'

²⁸ '1. Decisions of international courts and tribunals, in particular of the International Court of Justice, are a subsidiary means for the determination of the existence and content of rules of international law.

2. Decisions of national courts may be used, in certain circumstances, as a subsidiary means for the determination of the existence and content of rules of international law.'

²⁹ 'When assessing the weight of decisions of courts or tribunals, regard should be had to, in addition to the criteria set out in draft conclusion 4, *inter alia*: (a) whether the court or tribunal has been conferred with a specific competence with regard to the application of the rule in question; (b) the extent to which the decision is part of

In Part Four, two draft conclusions concern the role and assessment of teachings. In comparison with Article 38(1)(d) of the Statute of the ICJ, DC 8 pays greater attention to the representativeness of teachings.³⁰ Regarding the weight of teachings, DC 9 refers to the general criteria set in DC 4.

The most innovative for the topic of subsidiary means seems to be Part Five dealing with other means generally used to assist in determining rules of international law. They include works of expert bodies and resolutions of international organizations or intergovernmental conferences. DC 10 says that ‘the works of bodies consisting of experts serving in their personal capacity may serve as a subsidiary means for the determination of existence and content of rules of international law.’ DC 11 provides additional criteria how to assess the weight of the works of expert bodies.³¹ DC 12 sets forth that ‘resolutions and other texts produced by international organizations or at intergovernmental conferences may be used as subsidiary means for the determination of existence and content of rules of international law.’ In turn, DC 13 addresses the issue of those resolutions and other texts.³²

This set of conclusions is another interpretative outcome of the work of the ILC, different from traditional codification and progressive development of international law. It is supposed that the Commission, in 2026, will adopt all 13 draft conclusions together with commentaries on the first reading.

2.5 Settlement of disputes to which international organizations are parties

Regarding this topic, Special Rapporteur (Mr. August Reinisch) submitted his third report³³ and the bibliography thereto.³⁴ The third report focused on disputes between international organizations and private parties, outlined plans for the future work, and proposed five draft guidelines. They concern the scope of the relevant part of the draft guidelines; resort to means of dispute settlement;³⁵ the jurisdictional immunity of international organizations;³⁶ access to justice;³⁷ and dispute settlement and procedural

a body of concurring decisions; and (c) the extent to which the reasoning remains relevant, taking into account subsequent developments.’

³⁰ ‘Teachings, especially those generally reflecting the coinciding views of persons with competence in international law from the various legal systems and regions of the world, are a subsidiary means for the determination of the existence and content of rules of international law. In assessing the representativeness of teachings, due regard should also be had to, inter alia, gender and linguistic diversity.’

³¹ ‘When assessing the weight of the works of expert bodies, regard should be had to, in addition to the criteria set out in draft conclusion 4: (a) the character and normative value of the works produced by the expert body concerned; (b) the methodology used in producing its works on a particular issue; (c) the extent to which the works remain relevant, taking into account subsequent developments; (d) the extent to which the body is comprised of experts with competence in international law; and (e) the process and basis of selection of the experts.’

³² ‘When assessing the weight of resolutions and other texts produced by international organisations or at intergovernmental conferences, regard should be had to, as appropriate, in addition to the criteria set out in draft conclusion 4, the circumstances surrounding their production.’

³³ UN doc. A/CN.4/782 (2025).

³⁴ UN doc. A/CN.4/782/Add.1.

³⁵ See draft guideline 8: ‘Disputes between international organizations and private parties should be settled in good faith and in a spirit of cooperation by the means of dispute settlement referred to in draft guideline 2, subparagraph c, that may be appropriate to the circumstances and the nature of the dispute.’

³⁶ See draft guideline 9: ‘The jurisdictional immunity of international organizations, serving the purpose of ensuring their independent functioning, should be respected.’

³⁷ See draft guideline 10: ‘Arbitration, judicial settlement or other reasonable alternative means of dispute settlement

rule of law.³⁸ The long and rich analysis of the practice of settling such disputes, as contained in the report, contrasts with the relatively modest and brief draft guidelines.

Owing to the reduced length of the 2025 session, the Commission was unable to consider the third report in plenary. Instead, the Commission established a Working Group of the Whole on the topic, chaired by the Special Rapporteur. The Working Group had one meeting that allowed only a preliminary exchange of views on the report. One of the most discussed issues was the jurisdictional immunity of international organizations. The Commission expects to continue with the consideration of the topic and conclude the first reading of the draft guidelines next year.

2.6 *Non-legally binding international agreements*

Concerning this topic, the Commission had before it the second report of Special Rapporteur Mr. Mathias Forteau.³⁹ The Special Rapporteur addressed general elements of the topic, its purpose, the terminology used, the scope of the project and the form of the outcome. The report also analysed the distinction between treaties and non-legally binding agreements based on jurisprudence, practice and doctrine, and the next steps to taken in future work. In his second report, the Special Rapporteur proposed six draft conclusions. The draft conclusions in the first part concern the purpose,⁴⁰ the use of terms,⁴¹ and the scope.⁴² The most interesting are the two last draft conclusions that address the distinction between treaties and non-legally binding agreements. They seem to be based

shall be made more widely accessible for the settlement of disputes between international organizations and private parties.'

³⁸ See draft guideline 11: 'The means of adjudicatory dispute settlement made available shall conform to procedural rule of law as well as human rights requirements, including the independence and impartiality of adjudicators and due process.'

³⁹ UN doc. A/CN.4/784 (2025).

⁴⁰ Draft conclusion 1: '1. The present draft conclusions concern non-legally binding international agreements.
2. The present draft conclusions are not intended to be prescriptive. They are intended to provide elements of clarification with regard to non-legally binding international agreements.
3. The present draft conclusions do not affect the role played by non-legally binding international agreements in international cooperation, and the flexibility that characterizes their negotiation and adoption.
4. The present draft conclusions do not affect the binding force of treaties under the principle *pacta sunt servanda* or their regime.'

⁴¹ Draft conclusion 2: '1. For the purposes of the present draft conclusions, the term "non-legally binding international agreement" is used in a general sense to refer to any mutual commitment entered into at the international level which, as such, does not create any rights or obligations or has no binding legal effect.
2. The use of the term "agreement" in the present draft conclusions is without prejudice to: (a) the use of this term and the meaning which may be given to it in the internal law or the practice of a State; (b) the meaning given to this term in any specific international instrument.'

⁴² Draft conclusion 3: '1. The present draft conclusions cover bilateral and multilateral agreements: (a) in writing; (b) of an international nature; (c) between States, States and international organizations or between international organizations.
2. Agreements entered into by sub-State authorities are covered by the present draft conclusions to the extent that they are adopted at the international level.'

on combination of *intent* and *objective* approach.⁴³ However, the existence of an express indication is sufficient.⁴⁴

Neither in this topic was the Commission able to consider the report in plenary, owing to the reduced length of the session. The Commission established a Working Group of the Whole for this topic to allow at least for a preliminary exchange of views. Like in other topics, the Commission expects to continue with the consideration of the topic at its next session.

2.7 Prevention and repression of piracy and armed robbery at sea

Regarding this topic, the Commission had before it a note by the new Special Rapporteur (Mr. Louis Savadogo).⁴⁵ In his note, the Special Rapporteur identified the points of law which could constitute the major themes of the work of the Commission on the topic. The note also included the annex containing references to international legal instruments: universal and regional agreements, laws and regulations of States, and international and national case law. The Commission decided to establish a Working Group of the Whole, chaired by the Special Rapporteur. Due to the lack of time, the Working Group had only one meeting. The ILC expects to continue with consideration of the topic at its next session.

2.8 Succession of States in respect of State responsibility

At the beginning of the 2025 session, the Commission established a Working Group of the Whole on the topic and appointed Mr. Bimal Patel as Chair of the Working Group. The Working Group had before it a draft report prepared by its Chair in advance of the present session. However, as a consequence of the reduction of the length of the session, the Working Group held only a single meeting, with a duration of one and half hours. This allowed for a brief introduction of the draft report and a preliminary exchange of views. The Commission expects to continue with the consideration of the topic at its next session in 2026.

3. Conclusions

No doubts, the 2025 session of the ILC was heavily impacted by the reduction of the length of its session from 12 to only five weeks. In such a crisis situation, the Commission tried to use the limited time as much as possible, giving to each topic on its agenda at least one meeting. This shortage of time was clearly inadequate for the traditional methods of work, consisting in debate in plenary, debate in the Drafting Committee, adoption of draft articles (conclusions or other texts) coming from the Drafting Committee, presentation, discussion, and adoption of commentaries to the provisionally adopted draft articles (conclusions etc.). That is why the Commission resorted to the use of working groups for

⁴³ Draft conclusion 5: '1. Whether an agreement is legally binding or not is assessed on a case-by-case basis.
2. Whether an agreement is legally binding or not depends on the intention of the parties to the agreement. In the absence of any intention by the parties to be legally bound by the agreement, it is not legally binding.
3. The intention may be expressly stated.

4. In the absence of any express indication, intention can be established by recourse to the relevant elements identified in draft conclusions [No. XX to XX]. These elements are assessed as a whole.'

⁴⁴ Draft conclusion 6: 'The fact that all the parties to an agreement expressly indicate that it is or it is not legally binding under international law is sufficient to identify their intention.'

⁴⁵ UN doc. A/CN.4/786 (2025).

preliminary exchange of views on most topics. This was certainly a reasonable approach to the exceptional financial crisis of the United Nations. For once, no one should criticize the unusual organization of work.

However, there is a serious risk that the current financial (liquidity) crisis of the UN system may continue. From this highly undesirable but possible perspective, the approach of the Commission does not seem sustainable. In its report, the Commission decided that

its seventy-seventh session would be held in New York, from 20 April to 29 May 2026, and in Geneva, from 29 June to 7 August 2026. In the event that insufficient resources are made available to hold the first part of the seventy-seventh session in New York, then the first part would be held in Geneva from 27 April to 5 June 2026.⁴⁶

Thus, the Commission presents its wishful thinking that the UN budget will allow for 12-week session in 2026 and possibly even with the first part in New York. However, this is very uncertain, to say the least. It seems more likely that financial restrictions will continue across the entire UN system. This could also impact on thus far established practices of the ILC that did not usually have meetings on Monday mornings and Friday afternoons.

Moreover, the Commission also decided to include two new topics, namely ‘Compensation for damage caused by internationally wrongful acts’ and ‘Due diligence in international law’, in its programme of work. In addition, the ILC also decided to include in its long-term programme of work the topics ‘The principle of non-intervention in international law’, ‘Identification and legal consequences of obligations *erga omnes* in international law’, and ‘Legal aspects of accountability for crimes committed against United Nations personnel serving in peacekeeping operations’.

Even under the reduced length of the session, the Commission might be able to complete the current topics on its programme, even if not all of them in the planned year. This also happened in the past that the ILC was not able to discuss all reports during one session and completion of certain topics had to be postponed. Nevertheless, the Commission should prove more reflexion when it comes to expansion of its programme potentially up to five new topics. However intellectually interesting, not all topics correspond necessarily to the mandate of the Commission, which is codification and progressive development of international law. From this point of view, the title of this contribution ‘International Law Commission at the time of crisis’ may also have a meaning other than the mere financial crisis.

⁴⁶ Report of the ILC. Seventy-sixth session, GAOR Supplement No. 10 (A/80/10), p. 108, § 489.