

During the discussions in the Sixth Committee the *French* delegation submitted a draft resolution approving the protocols. Amendments were submitted by the *Soviet Union* to the effect that the application of the agreements should be extended to all the territories administered by a signatory State. The amendments were rejected. The resolution was approved by 35 votes (N.Z.) with 8 abstentions and adopted by the Assembly without objection.

Reparation for Injuries Suffered in the Service of the United Nations

In his statement at the opening meeting of the third session of the General Assembly, the Secretary-General mentioned the agents of the United Nations who had been killed or injured while performing official duties in Palestine. The deaths of Count Bernadotte and Colonel Serot, he said, raised more urgently than ever before the question of what the United Nations should do to make certain that its representatives enjoyed a maximum amount of protection while performing their duties in areas of physical danger.

The sixth Committee was later asked to consider--

(1) Whether a State may have a liability towards the United Nations for injury to or death of an agent of the United Nations.

(2) What should be the general policy with respect to the reparations or measure of damages which should be claimed.

(3) What should be the procedure for the presentation and settlement of claims.

In the Committee discussion it became clear that considerable doubt existed concerning the right of the United Nations to prosecute a claim at international law against a State on whose territory a United Nations agent had suffered injury. The *United Kingdom* representative argued that the United Nations had not been given international personality and that, moreover, since there was no United Nations nationality, the grounds on which a State has the right to take legal action on behalf of its nationals did not exist in the case of the United Nations. It had been agreed that the United Nations had the right to present a claim against a State under municipal law, but it had *not* been agreed that it had such a right under international law. Since Article 34 of the Statute of the International Court of Justice established that only States could appear before the Court (and therefore by implication excluded the United Nations), the Court should be asked for an advisory opinion on the question.

The *United States* representative considered that there was no principle of international law which prevented the United Nations, which can enter into treaty obligations, from claiming for loss suffered by its agents,