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Twentieth session  
SIXTH COMMITTEE  
Agenda item 52

CONSIDERATION OF PRINCIPLES OF INTERNATIONAL LAW  
CONCERNING FRIENDLY RELATIONS AND CO-OPERATION  
AMONG STATES IN ACCORDANCE WITH THE CHARTER OF  
THE UNITED NATIONS

Selected background documentation and bibliography  
prepared by the Secretariat

Vol. I\*

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\* For technical reasons this document is issued in two volumes.

85-25598

## INTRODUCTION

1. The present document is submitted to the Sixth Committee pursuant to its request made at the 849th meeting. It contains selected background documentation and bibliography on the three principles of international law concerning friendly relations and co-operation among States in accordance with the Charter of the United Nations, enumerated in paragraph 5 of General Assembly resolution 1966 (XVIII), namely

(a) The duty of States to co-operate with one another in accordance with the Charter;

(b) The principle of equal rights and self-determination of peoples;

(c) The principle that States shall fulfil in good faith the obligations assumed by them in accordance with the Charter.

2. The arrangement of material in the present document follows closely that adopted in document A/C.6/L.537 and Rev.1, containing background documentation on principles enumerated in paragraph 3 of General Assembly resolution 1815 (XVII). The section on each principle is divided as follows:

(a) treaties and international agreements

(b) declarations and other international instruments adopted by States

(c) United Nations resolutions

(d) decisions and proposals of other bodies

(e) travaux préparatoires of the United Nations Charter

(f) selected bibliography

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ABBREVIATIONS

AJIL        The American Journal of International Law

UNTS        United Nations Treaty Series

A. THE DUTY OF STATES TO CO-OPERATE WITH ONE  
ANOTHER IN ACCORDANCE WITH THE CHARTER

(a) Treaties and international agreements

2. Pact of the League of Arab States, Cairo, 22 March 1945

.....

Article 2.- The purpose of the League is to draw closer the relations between Member States and co-ordinate their political activities with the aim of realizing a close collaboration between them to safeguard their independence and sovereignty, and to consider in a general way the affairs and interests of the Arab countries.

It also has among its purposes a close co-operation of the Member States with due regard to the structure of each of these States and the conditions prevailing therein, in the following matters:-

- (a) Economic and financial matters, including trade, customs, currency, agriculture and industry.
- (b) Communications, including railways, roads, aviation, navigation and posts and telegraphs.
- (c) Cultural matters.
- (d) Matters connected with nationality, passports, visas, execution of judgments and extradition.
- (e) Social welfare matters.
- (f) Health matters.

1. Atlantic Charter, 14 August 1941

.....

Fourth, they will endeavor, with due respect for their existing obligations, to further the enjoyment by all States, great or small, victor or vanquished, of access, on equal terms, to the trade and to raw materials of the world which are needed for their economic prosperity;

Fifth, they desire to bring about the fullest collaboration between all nations in the economic field with the object of securing for all improved labor standards, economic advancement and social security;

(A Decade of American Foreign Policy,  
Basic documents, 1941-49, Washington  
1950, p. 2)

2. Pact of the League of Arab States, Cairo, 22 March 1945

.....

Article 2.- The purpose of the League is to draw closer the relations between Member States and co-ordinate their political activities with the aim of realizing a close collaboration between them to safeguard their independence and sovereignty, and to consider in a general way the affairs and interests of the Arab countries.

It also has among its purposes a close co-operation of the Member States with due regard to the structure of each of these States and the conditions prevailing therein, in the following matters:-

- (a) Economic and financial matters, including trade, customs, currency, agriculture and industry.
- (b) Communications, including railways, roads, aviation, navigation and posts and telegraphs.
- (c) Cultural matters.
- (d) Matters connected with nationality, passports, visas, execution of judgments and extradition.
- (e) Social welfare matters.
- (f) Health matters.

(UNTS, Vol. 70, p. 252)



3. Charter of the Organization of American States, Bogota,  
30 April 1948

Part one

Chapter I  
Nature and Purposes

Article 1

The American States establish by this Charter the international organization that they have developed to achieve an order of peace and justice, to promote their solidarity, to strengthen their collaboration, and to defend their sovereignty, their territorial integrity and their independence.....

Article 4

The Organization of American States, in order to put into practice the principles on which it is founded and to fulfill its regional obligations under the Charter of the United Nations, proclaims the following essential purposes:

.....

(e) To promote, by co-operative action, their economic, social and cultural development.

Chapter II  
Principles

Article 5

.....

(i) Economic co-operation is essential to the common welfare and prosperity of the peoples of the continent;

.....

(k) The spiritual unity of the continent is based on respect for the cultural values of the American countries and requires close co-operation for the high purposes of civilization.

.....

Chapter VI  
Economic standards

Article 26

The Member States agree to cooperate with one another, as far as their resources may permit and their laws may provide, in the broadest spirit of good neighborliness, in order to strengthen their economic structure, develop their agriculture and mining, promote their industry and increase their trade.

.....

Chapter VII  
Social standards

Article 28

The Member States agree to cooperate with one another to achieve just and decent living conditions for their entire populations.

.....

Part two

Chapter XII  
The Council

.....

A. The Inter-American Economic and Social Council

Article 63

The Inter-American Economic and Social Council has for its principal purpose the promotion of the economic and social welfare of the American nations through effective cooperation for the better utilization of their natural resources, the development of their agriculture and industry and the raising of the standards of living of their peoples.

.....

C. The Inter-American Cultural Council

Article 73

The purpose of the Inter-American Council is to promote friendly relations and mutual understanding among the American peoples, in order to strengthen the peaceful sentiments that have characterized the evolution of America, through the promotion of educational, scientific and cultural exchange.

(UNTS, Vol.119, pp. 50,52,60,68,72,76)

4. Economic Agreement of Bogotá  
2 May 1948

....

Chapter I

Principles

Article 1. The American States, represented at the Ninth International Conference of American States and which hereinafter shall be called the States, declare that it is their duty to cooperate toward the solution of their economic problems, and to conduct their international economic relations in the American spirit of good neighborliness.

Article 2. The purposes of the cooperation to which this Agreement refers and the principles that inspire it are those set forth in the Charter of the United Nations, the Economic Charter of the Americas, and the Charter of the Organization of American States.

Article 3. The States declare their intention to cooperate individually and collectively and with other nations to carry out the principle of facilitating access, on equal terms, to the trade, products, and means of production, including scientific and technical advances, that are needed for their industrial and general economic development.

At the same time, they reaffirm their resolution that, as a general policy, there should be taken into account the need to compensate for the disparity that is frequently noted between the prices of raw materials and the prices of manufactured products, by establishing the necessary balance between them.

Article 4. The States agree that encouragement should be given to such bilateral or multilateral agreements as will contribute to their economic welfare and common security, as provided for in this Agreement.

Article 5. The States reiterate that the productive use of their human and material resources is of interest and benefit to all countries, and that

a) General economic development, including the exploitation of natural resources, the diversification of economies, and technological advancement, will improve employment possibilities, augment the productivity and income of labor, increase demand for goods and services, help balance economies, expand international trade, and raise the level of real income; and

b) Sound industrialization, particularly that of those States which have not succeeded in fully utilizing their natural resources, is indispensable for the achievement of the aims mentioned in the foregoing paragraph.

Article 6. The extent and character of economic cooperation shall, for each participating country, be determined by its resources, the provisions of its own laws and by its commitments made through international agreements.

Article 7. The States recognize their common interest in maintaining

economic conditions favorable to the development of a balanced and expanding world economy and to a high level of international trade, in such a way as to contribute to the economic strengthening and progress of each State.

Article 8. No State may apply or encourage coercive measures of an economic and political character in order to force the sovereign will of another State and to obtain from the latter advantages of any nature.

....

(Annals of the Organization of American States,  
Vol. 1, 1949, pp. 99-105)

5. Treaty Establishing the European Economic Community,  
Rome, 25 March 1957

COMMON DECLARATION RELATING TO CO-OPERATION WITH  
STATES MEMBERS OF INTERNATIONAL ORGANIZATIONS

THE GOVERNMENTS OF THE KINGDOM OF BELGIUM, THE FEDERAL REPUBLIC OF GERMANY, THE FRENCH REPUBLIC, THE ITALIAN REPUBLIC, THE GRAND DUCHY OF LUXEMBOURG AND THE KINGDOM OF THE NETHERLANDS,

AT THE TIME of signing the Treaties establishing between themselves the European Economic Community and the European Atomic Energy Community,

CONSCIOUS of the responsibilities which they assume for the future of Europe by uniting their markets, by approximating their economies and by defining in this sphere the principles and particulars of a common policy,

RECOGNISING that the establishment between themselves of a customs union and of a close collaboration in the peaceful development of nuclear energy, these being effective instruments of economic and social progress, shall contribute not only to their own prosperity but also to that of other countries,

ANXIOUS to associate such countries with the prospects of expansion offered by the establishment of these Communities,

HEREBY DECLARE THEIR willingness to conclude, upon the entry into force of these Treaties, with other countries, in particular within the framework of the international organisations in which they participate, agreements permitting the achievement of these objectives of common interest and ensuring the harmonious development of international exchanges in general.

.....

## TREATY

HIS MAJESTY THE KING OF THE BELGIANS, THE PRESIDENT OF THE FEDERAL REPUBLIC OF GERMANY, THE PRESIDENT OF THE FRENCH REPUBLIC, THE PRESIDENT OF THE ITALIAN REPUBLIC, HER ROYAL HIGHNESS THE GRAND DUCHESS OF LUXEMBOURG, HER MAJESTY THE QUEEN OF THE NETHERLANDS,

DETERMINED to establish the foundations of an ever closer union among the European peoples,

DECIDED to ensure the economic and social progress of their countries by common action in eliminating the barriers which divide Europe,

DIRECTING their efforts to the essential purpose of constantly improving the living and working conditions of their peoples,

RECOGNISING that the removal of existing obstacles calls for concerted action in order to guarantee a steady expansion, a balanced trade and fair competition,

ANXIOUS to strengthen the unity of their economies and to ensure their harmonious development by reducing the differences existing between the various regions and by mitigating the backwardness of the less favoured,

DESIROUS of contributing by means of a common commercial policy to the progressive abolition of restrictions on international trade,

INTENDING to confirm the solidarity which binds Europe and overseas countries, and desiring to ensure the development of their prosperity, in accordance with the principles of the Charter of the United Nations,

RESOLVED to strengthen the safeguards of peace and liberty by establishing this combination of resources, and calling upon the other peoples of Europe who share their ideal to join in their efforts,

HAVE DECIDED to create a European Economic Community and to this end have designated as their plenipotentiaries :

.....

### PART ONE

#### PRINCIPLES

##### *Article 1*

By the present Treaty, the HIGH CONTRACTING PARTIES establish among themselves a EUROPEAN ECONOMIC COMMUNITY.

##### *Article 2*

It shall be the aim of the Community, by establishing a Common Market and progressively approximating the economic policies of Member States, to promote throughout the Community a harmonious development of economic activities, a continuous and balanced expansion, an increased stability, an accelerated raising of the standard of living and closer relations between its Member States.

##### *Article 3*

For the purposes set out in the preceding Article, the activities of the Community shall include, under the conditions and with the timing provided for in this Treaty :

(a) the elimination, as between Member States, of customs duties and of quantitative restrictions in regard to the importation and exportation of goods, as well as of all other measures with equivalent effect ;

(b) the establishment of a common customs tariff and a common commercial policy towards third countries ;

(c) the abolition, as between Member States, of the obstacles to the free movement of persons, services and capital ;

(d) the inauguration of a common agricultural policy ;

(e) the inauguration of a common transport policy ;

(f) the establishment of a system ensuring that competition shall not be distorted in the Common Market ;

(g) the application of procedures which shall make it possible to co-ordinate the economic policies of Member States and to remedy disequilibria in their balances of payments ;

(h) the approximation of their respective municipal law to the extent necessary for the functioning of the Common Market ;

(i) the creation of a European Social Fund in order to improve the possibilities of employment for workers and to contribute to the raising of their standard of living ;

(j) the establishment of a European Investment Bank intended to facilitate the economic expansion of the Community through the creation of new resources ; and

(k) the association of overseas countries and territories with the Community with a view to increasing trade and to pursuing jointly their effort towards economic and social development.

.....

#### Article 6

1. Member States, acting in close collaboration with the institutions of the Community, shall co-ordinate their respective economic policies to the extent that is necessary to attain the objectives of this Treaty.

2. The institutions of the Community shall take care not to prejudice the internal and external financial stability of Member States.

6. Charter of the Council for Mutual Economic Assistance,  
Sofia, 14 December 1959

The Governments of the People's Republic of Albania, the People's Republic of Bulgaria, the Hungarian People's Republic, the German Democratic Republic, the Polish People's Republic, the Romanian People's Republic, the Union of Soviet Socialist Republics and the Czechoslovak Republic,

BEARING IN MIND that the economic co-operation which is successfully taking place between their countries helps to promote the most rational development of the national economy, to raise the level of living of the people and to strengthen the unity and solidarity of those countries;

DETERMINED to continue the development of comprehensive economic co-operation based on consistent implementation of the international socialist division of labour in the interests of the building of socialism and communism in their countries and the maintenance of lasting peace throughout the world;

CONVINCED that the development of economic co-operation between their countries contributes to the achievement of the purposes set forth in the Charter of the United Nations;

AFFIRMING their readiness to develop economic relations with all countries, irrespective of their social and political structure, on the basis of equality, mutual advantage and non-intervention in each other's domestic affairs;

RECOGNIZING the increasing importance of the part played by the Council for Mutual Economic Assistance in the organizing of economic co-operation between their countries,

HAVE AGREED, to these ends, to adopt the present Charter.

*Article I*

PURPOSES AND PRINCIPLES

1. The purpose of the Council for Mutual Economic Assistance is to promote, by uniting and co-ordinating the efforts of the member countries of the Council, the planned development of the national economies and the acceleration of the economic and technical progress of those countries, the raising of the level of industrialization of the countries with a less-developed industry, and a continual growth in the productivity, together with a steady increase in the well-being of the peoples, of the member countries of the Council.

2. The Council for Mutual Economic Assistance is based on the principle of the sovereign equality of all the member countries of the Council.

Economic and scientific-technical co-operation between the member countries of the Council shall take place in accordance with the principles of complete equality of rights, respect for sovereignty and national interest, mutual advantage and friendly mutual aid.

.....

*Article III*

FUNCTIONS AND POWERS

1. In conformity with the purposes and principles set forth in article I of the present Charter, the Council for Mutual Economic Assistance shall:

(a) Organize:

Comprehensive economic and scientific-technical co-operation among the member countries of the Council, with a view to the most rational use of their natural resources and the more rapid development of their productive forces;



The preparation of recommendations on the most important questions in the economic relations resulting from the plans for the development of the national economies of the member countries of the Council, for the purpose of co-ordinating those plans;

The study of economic problems which are of interest to the member countries of the Council;

(b) Assist the member countries of the Council in the preparation and execution of joint measures regarding :

The development of industry and agriculture in the member countries of the Council, based on consistent implementation of the international socialist division of labour and on specialization and co-operation in production;

The development of transport, for the primary purpose of ensuring the conveyance of the increasing volume of export-import and transit freight between member countries of the Council;

The most effective use of the capital invested by member countries of the Council in projects to be carried out on the basis of joint participation;

The development of the exchange of goods and services between member countries of the Council and with other countries;

The exchange of experience in the matter of scientific-technical achievements and advanced methods of production;

(c) Undertake other action required for achieving the purposes of the Council.

2. The Council for Mutual Economic Assistance, through its organs acting within their competence, is authorized to adopt recommendations and decisions in accordance with the present Charter.

.....

7. Charter of the Organization of African Unity, Addis Ababa, 26 May 1963

We, the Heads of African States and Governments assembled in the City of Addis Ababa, Ethiopia;

....

INSPIRED by a common determination to promote understanding among our peoples and co-operation among our States in response to the aspiration of our peoples for brotherhood and solidarity, in a larger unity transcending ethnic and national differences;

....

PERSUADED that the Charter of the United Nations and the Universal Declaration of Human Rights, to the principles of which we reaffirm our adherence, provide a solid foundation for peaceful and positive co-operation among states;

DESIROUS that all African States should henceforth unite so that the welfare and well-being of their peoples can be assured;

RESOLVED to reinforce the links between our states by establishing and strengthening common institutions;

HAVE agreed to the present Charter.

....

PURPOSES

Article II

....

(e) to promote international co-operation, having due regard to the Charter of the United Nations and the Universal Declaration of Human Rights

2. To these ends, the Member States shall coordinate and harmonise their general policies, especially in the following fields:

- (a) political and diplomatic co-operation;
- (b) economic co-operation, including transport and communications;
- (c) educational and cultural co-operation;
- (d) health, sanitation, and nutritional co-operation;
- (e) scientific and technical co-operation; and
- (f) co-operation for defence and security.

Note by the Secretariat

Numerous multilateral and bilateral treaties and international agreements on mutual co-operation and assistance concluded by States, relating to friendship, mutual assistance and alliance, cultural, intellectual and educational co-operation, health, judicial assistance, economic aid and co-operation, technical co-operation, agriculture, transport and communications, atomic energy, social affairs and other fields of co-operation are to be found in the United Nations Treaty Series and reference to them in the indexes thereto.

(b) Declarations and other international instruments adopted by States

1. Eighth International Conference of American States, Lima, 9-27 December 1938

Declaration of American Principles, 24 December 1938

.....

6. Peaceful collaboration between representatives of the various States and the development of intellectual interchange among their peoples is conducive to an understanding by each of the problems of the other as well as of problems common to all, and makes more readily possible the peaceful adjustment of international controversies.

7. Economic reconstruction contributes to national and international well-being, as well as to peace among nations.

8. International co-operation is a necessary condition to the maintenance of the afore-mentioned principles.

(The International Conferences of American States, First Supplement, 1933-1940, Washington 1940, p. 310)

2. First Meeting of Ministers of Foreign Affairs of the American Republics for Consultation under the Inter-American Agreements of Buenos Aires and Lima; Panama, 23 September-3 October 1939

Joint Declaration of Continental Solidarity, 3 October 1939

The Governments of the American Republics, represented at this first meeting of their Foreign Ministers,

Firmly united by the democratic spirit which is the basis of their institutions,

Desirous of strengthening on this occasion the solidarity which is the outgrowth of that spirit, and

Desirous of preserving peace in the American Continent and of promoting its reestablishment throughout the world,

DECLARE

1. - That they reaffirm the declaration of solidarity among the nations of this Hemisphere, proclaimed at the Eighth International Conference of American States at Lima in 1938;

2. - That they will endeavor with all the appropriate spiritual and material means at their disposal to maintain and strengthen peace and harmony among the Republics of America, as an indispensable requirement to the effective fulfillment of the duty that devolves upon them in the world-wide historical development of civilization and culture;

3. - That these principles are free from any selfish purpose of isolation, but are rather inspired by a deep sense of universal cooperation, which impels these nations to express the most fervent wishes for the cessation of the deplorable state of war which today exists in some countries of Europe, to the grave danger of the most cherished spiritual, moral and economic interests of humanity, and for the reestablishment of peace throughout the world - a peace not based on violence, but on justice and law.

(The International Conferences of  
American States, First Supplement,  
1933-1940, Washington 1940,  
pp. 313, 326)

3. Inter-American Conference on Problems of War and Peace, 1945

Declaration of Mexico

....

16. The American States consider as necessary the equitable co-ordination of all interests to create an economy of abundance in which natural resources and human labour will be utilized to raise the standard of living of all the peoples of the Continent.

17. The inter-American community is dedicated to the ideals of universal co-operation.

( Preparatory Study concerning a Draft  
Declaration on the Rights and Duties of  
States; United Nations publication,  
Sales No.: 1949.V.4, p. 146)

Resolution on Reorganization, Consolidation and Strengthening of the  
Inter-American System

Whereas:

The inter-American system and the principles, instruments, agencies, and procedures that give it substance, constitute the living manifestation of the determination of the sovereign American Republics to act together for the fulfillment of their common purposes in the maintenance of peace and security and in the promotion of the well-being of their peoples;

The inter-American system is and has traditionally been inspired by a deep sense of universal cooperation;

The inter-American system, as an expression of the common ideals, the needs, and the will of the community of American Republics should be further improved and strengthened for the purpose of adjusting and solving inter-American problems; .....

(A Decade of American Foreign Policy,  
Basic Documents, 1941-49, Washington  
1950, pp. 414, 417-418)



4. Pan American Union, Governing Board, 1946;

Draft Declaration of the Rights and Duties of American States

....

XVII. Economic co-operation is essential to the common prosperity of the American peoples. Want among any of them in the form of poverty, malnutrition or ill health affects each of them and consequently all of them jointly.

XVIII. The American States proclaim the principle of equality of access to the trade and raw materials of the world and to producers' goods which are needed for their industrial and commercial development. In order to realize these aims, the American States recognize the duty to co-operate for the prevention or elimination of unjust discriminations; to reduce barriers injurious to international trade; to avoid practices which obstruct international trade and to eliminate the excesses which may result from economic nationalism.

....

XX. The American States reiterate their adherence to the policy of the "Good Neighbour", which expresses an aspiration that is common to all the American nations; and consider that this policy is a standard which should govern their common relations.

( Preparatory Study concerning a Draft  
Declaration on the Rights and Duties of  
States; United Nations publication,  
Sales No.: 1949. V. 4, pp.147,148)

5. Charter of International Trade Organization (Havana Charter), 24 March 1948

Chapter I

Purpose and Objectives

Article 1

Recognizing the determination of the United Nations to create conditions of stability and well-being which are necessary for peaceful and friendly relations among nations,

The parties to this Charter undertake in the fields of trade and employment to co-operate with one another and with the United Nations.

For the Purpose of

Realizing the aims set forth in the Charter of the United Nations, particularly the attainment of the higher standards of living, full employment and conditions of economic and social progress and development, envisaged in Article 55 of that Charter.

To this end they pledge themselves, individually and collectively, to promote national and international action designed to attain the following objectives:

1. To assure a large and steadily growing volume of real income and effective demand, to increase the production, consumption and exchange of goods, and thus to contribute to a balanced and expanding world economy.

2. To foster and assist industrial and general economic development, particularly of those countries which are still in the early stages of industrial development, and to encourage the international flow of capital for productive investment.

3. To further the enjoyment by all countries, on equal terms, of access to the markets, products and productive facilities which are needed for their economic prosperity and development.

4. To promote on a reciprocal and mutually advantageous basis the reduction of tariffs and other barriers to trade and the elimination of discriminatory treatment in international commerce.

5. To enable countries, by increasing the opportunities for their trade and economic development, to abstain from measures which would disrupt world commerce, reduce productive employment or retard economic progress.

6. To facilitate through the promotion of mutual understanding, consultation and co-operation, the solution of problems relating to international trade in the fields of employment, economic development, commercial policy, business practices and commodity policy.

.....

(A Decade of American Foreign Policy,  
Basic documents, 1941-49, Washington  
1950, pp. 391-392)

6. Communiqué of the Conference of Afro-Asian Countries (Bandung Declaration),  
24 April 1955

.....

The Asian-African Conference considered problems of common interest and concern to countries of Asia and Africa and discussed ways and means by which their people could achieve fuller economic, cultural and political cooperation.

A. Economic Cooperation

1. The Asian-African Conference recognized the urgency of promoting economic development in the Asian-African region. There was general desire for economic cooperation among the participating countries on the basis of mutual interest and respect for national sovereignty. The proposals with regard to economic cooperation within the participating countries do not preclude either the desirability or the need for cooperation with countries outside the region, including the investment of foreign capital. It was further recognized that the assistance being received by certain participating countries from outside the region, through international or under bilateral arrangements, had made a valuable contribution to the implementation of their development programmes.

.....

B. Cultural Cooperation

1. The Asian-African Conference was convinced that among the most powerful means of promoting understanding among nations is the development of cultural cooperation. Asia and Africa have been the cradle of great religions and civilizations which have enriched other cultures and civilizations while themselves being enriched in the process. Thus the cultures of Asia and Africa are based on spiritual and universal foundations. Unfortunately contacts among Asian and African countries were interrupted during the past centuries. The peoples of Asia and Africa are now animated by a keen and sincere desire to renew their old cultural contacts and develop new ones in the context of the modern world. All participating Governments at the Conference reiterated their determination to work for closer cultural cooperation.

2. The Asian-African Conference took note of the fact that the existence of colonialism in many parts of Asia and Africa in whatever form it may be not only prevents cultural cooperation but also suppresses the national cultures of the people. Some colonial powers have denied to their dependent peoples basic rights in the sphere of education and culture which hampers the development of their personality and also prevents cultural intercourse with other Asian and African peoples. .... The Conference felt that these policies amount to a denial of the fundamental rights in the sphere of education and culture in some parts of Asia and Africa by this and other forms of cultural suppression.

In particular, the Conference condemned racialism as a means of cultural suppression.

3. It was not from any sense of exclusiveness or rivalry with other groups of nations and other civilizations and cultures that the Conference viewed the development of cultural cooperation among Asian and African countries. True to the age-old tradition of tolerance and universality, the Conference believed that Asian and African cultural cooperation should be developed in the larger context of world cooperation.

Side by side with the development of Asian-African cultural cooperation the countries of Asia and Africa desire to develop cultural contacts with others. This would enrich their own culture and would also help in the promotion of world peace and understanding.

.....

#### G. Declaration on the Promotion of World Peace and Cooperation

The Asian-African Conference gave anxious thought to the question of world peace and cooperation. It viewed with deep concern the present state of international tension with its danger of an atomic world war. The problem of peace is correlative with the problem of international security. In this connection, all States should cooperate, especially through the United Nations, in bringing about the reduction of armaments and the elimination of nuclear weapons under effective international control. In this way, international peace can be promoted and nuclear energy may be used exclusively for peaceful purposes. This would help answer the needs particularly of Asia and Africa, for what they urgently require are social progress and better standards of life in larger freedom. Freedom and peace are interdependent.

.....

Free from mistrust and fear, and with confidence and goodwill towards each other, nations should practise tolerance and live together in peace with one another as good neighbours and develop friendly cooperation on the basis of the following principles:

1. Respect for fundamental human rights and for the purposes and principles of the Charter of the United Nations.

.....

9. Promotion of mutual interests and cooperation.

.....

The Asian-African Conference declared its conviction that friendly cooperation in accordance with these principles would effectively contribute to the maintenance and promotion of international peace and security, while cooperation in the economic, social and cultural fields would help bring about the common prosperity and well-being of all.

.....

(American Foreign Policy, 1950-1955,  
Basic documents, Vol. II, Washington  
1957, pp.2344 - 2352)

7. The First Conference of Independent African States, Accra,  
15-22 April 1958

Resolutions

I. Exchange of Views on foreign policy

The Conference of Independent African States,

1. Affirms the following fundamental principles:

A. Unswerving loyalty to and support of the Charter of the United Nations and respect for decisions of the United Nations;

.....

(ix) Promotion of mutual interest and co-operation.

.....

5. Steps to be taken to safeguard the independence, sovereignty and the Territorial Integrity of the independent African States

The Conference of Independent African States,

Determined to safeguard the hard-won independence, sovereignty and territorial integrity of each of its members,

Believing that the getting together and consulting among Independent African States, as in the present Conference of Accra, is essential for the effectiveness of their contribution to world peace,

1. Declares the determination of all Participating Governments

(a) to respect the independence, sovereignty and territorial integrity of one another,

(b) to co-operate with one another to safeguard their independence, sovereignty and territorial integrity,

(c) to co-operate in their economic, technical and scientific developments and in raising the standard of living of their respective peoples,

(d) to resort to direct negotiations to settle differences among themselves and if necessary to conciliation or mediation by other African Independent States;

2. Condemns all forms of outside interference directed against the independence, sovereignty and territorial integrity of the Independent African States.

(Legum, Colin, Pan-Africanism: a short political guide, New York, 1962, pp. 139, 140, 141, 143)

8. The Second Conference of Independent African States,  
Addis Ababa, 15-24 June 1960

.....

7. Promotion of African Unity

The Conference of Independent African States meeting in Addis Ababa,

Having discussed the question of the Promotion of African Unity;

Considering that co-operation and unity among African States are essential for the maintenance of the independence and sovereignty of Africa;

Recalling Resolution V of the Accra Conference, which expressed that the getting together and consulting among Independent African States is essential for the effectiveness of their contribution to world peace;

Noting that Chapter VIII of the United Nations Charter encourages the creation of Regional Organisations;

1. Requests the President of the Conference of Independent African States to address a communication to the Heads of these States to initiate consultations through diplomatic channels with a view to promoting African unity;

2. Decides to inscribe this item on the agenda of the next regular session of the Conference of Independent African States.

(Legum, Colin, Pan-Africanism: a short political guide, New York, 1962, pp. 149, 152)

9. The Casablanca Conference, 3-7 January 1961

1. The African Charter of Casablanca

We, the Heads of the African States, meeting in Casablanca from January 3 to January 7, 1961, conscious of our responsibilities towards the African Continent, proclaim our determination to promote the triumph of liberty all over Africa and to achieve its unity,

.....

Affirm our will to intensify our efforts for the creation of an effective form of co-operation among the African States in the economic, social and cultural domains,

.....

We solemnly reaffirm our unshakeable adherence to the United Nations Charter and to the Declaration of the Afro-Asian Conference held in Bandung, with the aim of promoting co-operation among all the peoples of the world and of consolidating international peace.

(Legum, Colin, Pan-Africanism: a short political guide, New York, 1962, pp. 187, 188)



10. The Monrovia Conference, 8-12 May 1961

Resolution on the Means of Promoting Better Understanding and Co-operation  
Towards Achieving Unity in Africa and Malagasy

The Conference of Heads of States and Governments of Africa and Malagasy  
meeting at Monrovia on 8th to 12th May, 1961:

.....

A. Solemnly affirms and adopts the following principles which shall  
govern the relationship between the African and Malagasy States:

.....

5. Promotion of co-operation throughout Africa, based upon tolerance,  
solidarity and good-neighbour relations, periodical exchange of views, and  
non-acceptance of any leadership; .....

(Legum, Colin, Pan-Africanism: a short  
political guide, New York, 1962,  
p. 198)

11. The Charter of Punta del Este establishing the Alliance for Progress within the Framework of Operation Pan America, 17 August 1961

.....

TITLE I

OBJECTIVES OF THE ALLIANCE FOR PROGRESS

It is the purpose of the Alliance for Progress to enlist the full energies of the peoples and governments of the American republics in a great cooperative effort to accelerate the economic and social development of the participating countries of Latin America, so that they may achieve maximum levels of well-being, with equal opportunities for all, in democratic societies adapted to their own needs and desires.

The American republics agree to work toward the achievement of the following fundamental goals in the present decade:

1. To achieve in the participating Latin American countries a substantial and sustained growth of per capita incomes at a rate designed to attain, at the earliest possible date, levels of income capable of assuring self-sustaining development, and sufficient to make Latin American income levels constantly larger in relation to the levels of the more industrialized nations. In this way the gap between the living standards of Latin America and those of the more developed countries can be narrowed. Similarly, presently existing differences in income levels among the Latin American countries will be reduced by accelerating the development of the relatively less developed countries and granting them maximum priority in the distribution of resources and in international cooperation in general. In evaluating the degree of relative development, account will be taken not only of average levels of real income and gross product per capita, but also of indices of infant mortality, illiteracy, and per capita daily caloric intake.

It is recognized that, in order to reach these objectives within a reasonable time, the rate of economic growth in any country of Latin America should be not less than 2.5 per cent per capita per year, and that each participating country should determine its own growth target in the light of its stage of social and economic evolution, resource endowment, and ability to mobilize national efforts for development.

2. To make the benefits of economic progress available to all citizens of all economic and social groups through a more equitable distribution of national income, raising more rapidly the income and standard of living of the needier sectors of the population, at the same time that a higher proportion of the national product is devoted to investment.

3. To achieve balanced diversification in national economic structures, both regional and functional, making them increasingly free from dependence on the export of a limited number of primary products and the importation of capital goods while seeking to attain stability in the prices of exports or in income derived from exports.

4. To accelerate the process of rational industrialization so as to increase the productivity of the economy as a whole, taking full advantage of the talents and energies of both the private and public sectors, utilizing the natural resources of the country and providing productive and remunerative employment for unemployed or part-time workers. Within this process of industrialization, special attention should be given to the establishment and development of capital-goods industries.

5. To raise greatly the level of agricultural productivity and output and to improve related storage, transportation, and marketing services.

6. To encourage, in accordance with the characteristics of each country, programs of comprehensive agrarian reform leading to the effective transformation, where required, of unjust structures and systems of land tenure and use, with a view to replacing latifundia and dwarf-holdings by an equitable system of land tenure so that, with the help of timely and adequate credit, technical assistance and facilities for the marketing and distribution of products, the land will become for the man who works it the basis of his economic stability, the foundation of his increasing welfare, and the guarantee of his freedom and dignity.

7. To eliminate adult illiteracy and by 1970 to assure, as a minimum, access to six years of primary education for each school-age child in Latin America; to modernize and expand vocational, secondary and higher educational and training facilities, to strengthen the capacity for basic and applied research, and to provide the competent personnel required in rapidly-growing societies.

8. To increase life expectancy at birth by a minimum of five years, and to increase the ability to learn and produce, by improving individual and public ~~xxxxxxx~~ health. To attain this goal it will be necessary, among other measures, to provide adequate potable water supply and drainage to not less than 70 per cent of the urban and 50 per cent of the rural population; to reduce the mortality rate of children less than five years of age to at least one-half of the present rate; to control the more serious transmissible diseases, according to their importance as a cause of sickness and death; to eradicate those illnesses, especially malaria, for which effective cures are known; to improve nutrition; to train medical and health personnel to meet at least minimum standards of competence; to improve basic health services at national and local levels; to intensify scientific research and apply its results more fully and effectively to the prevention and cure of illness.

9. To increase the construction of low-cost houses for low-income families in order to replace inadequate and deficient housing and to reduce housing shortages; and to provide necessary public services to both urban and rural centers of population.

10. To maintain stable price levels, avoiding inflation or deflation and the consequent social hardships and mal-distribution of resources, bearing always in mind the necessity of maintaining an adequate rate of economic growth.

11. To strengthen existing agreements on economic integration, with a view to the ultimate fulfillment of aspirations for a Latin American common market that will expand and diversify trade among the Latin American countries and thus contribute to the economic growth of the region.

12. To develop cooperative programs designed to prevent the harmful effects of excessive fluctuations in the foreign exchange earnings derived from exports of primary products, which are of vital importance to economic and social development; and to adopt the measures necessary to facilitate the access of Latin American exports to international markets.

.....

(The Department of State Bulletin,  
Vol. XLV, No. 1159, pp. 463-464)

12. Declaration of the Heads of State or Government of Non-Aligned Countries  
(Belgrade Declaration), 6 September 1961

.....

The Heads of State or Government of Non-Aligned Countries noting that there are crises that lead towards a world conflict in the transition from an old order based on domination to a new order based on cooperation between nations, founded on freedom, equality and social justice for the promotion of prosperity; .....

And recognizing the fact

That acute emergencies threatening world peace now exist in this period of conflict in Africa, Asia, Europe and Latin America and big power rivalry likely to result in world conflagration cannot be excluded; that to eradicate basically the source of conflict is to eradicate colonialism in all its manifestations and to accept and practice a policy of peaceful co-existence in the world; that guided by these principles the period of transition and conflict can lay a firm foundation of cooperation and brotherhood between nations, state the following:

I

War has never threatened mankind with graver consequences than today. On the other hand, never before has mankind had at its disposal stronger forces for eliminating war as an instrument of policy in international relations.

Imperialism is weakening. Colonial empires and other forms of foreign oppression of peoples in Asia, Africa and Latin America are gradually disappearing from the stage of history. Great successes have been achieved in the struggle of many peoples for national independence and equality. In the same way; the peoples of Latin America are continuing to make an increasingly effective contribution to the improvement of international relations. Great social changes in the world are further promoting such a development. All this not only accelerates the end of the epoch of foreign oppression of peoples, but also makes peaceful cooperation among peoples, based on the principles of independence and equal rights, and essential condition for their freedom and progress.

.....

II

.....

Active international cooperation in the fields of material and cultural exchanges among peoples is an essential means for the strengthening of confidence in the possibility of peaceful coexistence among States with different social systems.

.....

III

.....

The non-aligned countries represented at this Conference do not wish to form a new bloc and cannot be a bloc. They sincerely desire to cooperate with any Government which seeks to contribute to the strengthening of confidence and peace in the world.

.....

13. The participants in the Conference reaffirm their conviction that:

.....

(b) All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law. In no case may a people be deprived of its own means of subsistence.

.....

22. The participating countries invite all the countries in the course of development to co-operate effectively in the economic and commercial fields so as to face the policies of pressure in the economic sphere, as well as the harmful results which may be created by the economic blocs of the industrial countries. They invite all the countries concerned to consider to convene, as soon as possible an international conference to discuss their common problems and to reach an agreement on the ways and means of repelling all damage which may hinder their development; and to discuss and agree upon the most effective measures to ensure the realization of their economic and social development.

(Journal of the Belgrade Conference,  
No. 5, 6 September 1961, pp. 19-23)

13. The Second Conference of Heads of State or Governments  
(Cairo Declaration), 10 October 1964

IV

PEACEFUL COEXISTENCE AND THE CODIFICATION OF ITS PRINCIPLES  
BY THE UNITED NATIONS

.....

Reaffirming their deep conviction that, in present circumstances, mankind must regard peaceful coexistence as the only way to strengthen world peace, which must be based on freedom, equality and justice between peoples within a new framework of peaceful and harmonious relations between the States and nations of the world;

.....

Deeply convinced that the absolute prohibition of the threat or use of force, direct or disguised, the renunciation of all forms of coercion in international relations, the abolition of relations of inequality and the promotion of international co-operation with a view to accelerating economic, social and cultural development, are necessary conditions for safeguarding peace and achieving the general advancement of mankind,

The Heads of State or Government solemnly proclaim the following fundamental principles of peaceful coexistence:

1. The right to complete independence, which is an inalienable right, must be recognized immediately and unconditionally as pertaining to all peoples, in conformity with the Charter and resolutions of the United Nations General Assembly; it is incumbent upon all States to respect this right and facilitate its exercise.

2. The right to self-determination, which is an inalienable right, must be recognized as pertaining to all peoples, accordingly, all nations and peoples have the right to determine their political status and freely pursue their economic, social and cultural development without intimidation or hindrance.

3. Peaceful coexistence between States with differing social and political systems is both possible and necessary; it favours the creation of good-neighbourly relations between States with a view to the establishment of lasting peace and general well-being, free from domination and exploitation.

.....

5. All States must co-operate with a view to accelerating economic development in the world, and particularly in the developing countries. This co-operation, which must be aimed at narrowing the gap, at present widening, between the levels of living in the developing and developed countries respectively, is essential to the maintenance of a lasting peace.

.....

VII

GENERAL AND COMPLETE DISARMAMENT; PEACEFUL USE OF ATOMIC ENERGY,  
PROHIBITION OF ALL NUCLEAR WEAPON TESTS, ESTABLISHMENT OF NUCLEAR-  
FREE ZONES, PREVENTION OF DISSEMINATION OF NUCLEAR WEAPONS AND  
ABOLITION OF ALL NUCLEAR WEAPONS

.....

The Conference welcomes the agreement of the great Powers not to orbit in outer space nuclear or other weapons of mass destruction and expresses its conviction that it is necessary to conclude an international treaty prohibiting the utilization of outer space for military purposes. The Conference urges full international co-operation in the peaceful uses of outer space.

.....

The Conference urges all nations to join in the co-operative development of the peaceful use of atomic energy for the benefit of all mankind; and in particular, to study the development of atomic power and other technical aspects in which international co-operation might be most effectively accomplished through the free flow of such scientific information.

.....



IX

THE UNITED NATIONS: ITS ROLE IN INTERNATIONAL AFFAIRS,  
IMPLEMENTATION OF ITS RESOLUTIONS AND AMENDMENT OF ITS  
CHARTER

The participating countries declare:

The United Nations Organization was established to promote international peace and security, to develop international understanding and co-operation, to safeguard human rights and fundamental freedom and to achieve all the purposes of the Charter. In order to be an effective instrument, the United Nations Organization must be open to all the States of the world. It is particularly necessary that countries still under colonial domination should attain independence without delay and take their rightful place in the community of nations.

It is essential for the effective functioning of the United Nations that all nations should observe its fundamental principles of peaceful coexistence, co-operation, renunciation of the threat or the use of force, freedom and equality without discrimination on grounds of race, sex, language or religion.

.....

The Conference recognizes the paramount importance of the United Nations and the necessity of enabling it to carry out the functions entrusted to it to preserve international co-operation among States.

.....

X

ECONOMIC DEVELOPMENT AND CO-OPERATION

The Heads of State or Government participating in this Conference,

Convinced that peace must rest on a sound and solid economic foundation,

that the persistence of poverty poses a threat to world peace and prosperity,

that economic emancipation is an essential element in the struggle for the elimination of political domination,

that respect for the right of peoples and nations to control and dispose freely of their national wealth and resources is vital for their economic development;

Conscious that participating States have a special responsibility to do their utmost to break through the barrier of underdevelopment;

Believing that economic development is an obligation of the whole international community,

that it is the duty of all countries to contribute to the rapid evolution of a new and just economic order under which all nations can live without fear or want or despair and rise to their full stature in the family of nations,

that the structure of world economy and the existing international institutions of international trade and development have failed either to reduce the disparity in the per capita income of the peoples in developing and developed countries or to promote international action to rectify serious and growing imbalances between developed and developing countries;

Emphasizing the imperative need to amplify and intensify international co-operation based on equality, and consistent with the needs of accelerated economic development;

.....

Support the Joint Declaration of the "Seventy-Seven" developing countries made at the conclusion of that Conference, and pledge the co-operation of the participating States to the strengthening of their solidarity;

Urge upon all States to implement on an urgent basis the recommendations contained in the Final Act of the United Nations Conference on Trade and Development and in particular to co-operate in bringing into existence as early as possible the new international institutions proposed therein, so that the problems of trade and economic development may be more effectively and speedily resolved;

Consider that democratic procedures, which afford no position of privilege, are as essential in the economic as in the political sphere;

that a new international division of labour is needed to hasten the industrialization of developing countries and the modernization of their agriculture, so as to enable them to strengthen their domestic economies and diversify their export trade,

that discriminatory measures of any kind taken against developing countries on the grounds of different socio-economic systems are contrary to the spirit of the United Nations Charter and constitute a threat to the free flow of trade and to peace and should be eliminated;

Affirm that the practice of the inhuman policy of apartheid or racial discrimination in any part of the world should be eliminated by every possible means, including economic sanctions;

Recommend that the target of economic growth set for the Development Decade by the United Nations should be revised upwards,

that the amount of capital transferred to developing countries and the terms and conditions governing the transfer should be extended and improved without political commitments, so as to reinforce the efforts of these countries to build self-reliant economies,

that a programme of action should be developed to increase the income in foreign exchange of developing countries and, in particular, to provide access for primary products from developing countries to the markets of industrialized countries, on an equitable basis and for manufactured goods from developing countries on a preferential basis,

that the establishment of a specialized agency for industrial development should be expedited,

that members of regional economic groupings should do their utmost to ensure that economic integration helps to promote the increase of imports from the developing countries either individually or collectively,

that the recommendation of the United Nations Conference on Trade and Development to convene a conference of plenipotentiaries to adopt an international convention to ensure the right of landlocked countries to free transit and access to the sea be implemented by the United Nations early next year, and that the principles of economic co-operation adopted by the United Nations Conference on Trade and Development in relation to the transit trade of landlocked countries be given consideration;

Call upon participating countries to concert measures to bring about closer economic relations among the developing countries on a basis of equality, mutual benefit and mutual assistance, bearing in mind the obligations of all developing countries to accord favourable consideration to the expansion of their reciprocal trade, to unite against all forms of economic exploitation and to strengthen mutual consultation;

.....

XI

CULTURAL, SCIENTIFIC AND EDUCATIONAL CO-OPERATION AND CONSOLIDATION  
OF THE INTERNATIONAL AND REGIONAL ORGANIZATIONS WORKING FOR THIS  
PURPOSE

The Heads of State or Government participating in the Conference:

CONSIDERING that the political, economic, social and cultural problems of mankind are so interrelated as to demand concerted action;

CONSIDERING that co-operation in the fields of culture, education and science is necessary for the deepening of human understanding, for the consolidation of freedom, justice and peace, and for progress and development;

.....

APPRECIATING the work of the international and regional organizations in the promotion of educational, scientific and cultural co-operation among nations;

BELIEVING that such co-operation among nations in the educational, scientific and cultural fields should be strengthened and expanded;

RECOMMEND that international co-operation in education should be promoted in order to secure a fair opportunity for education to every person in every part of the world, to extend educational assistance to develop mutual understanding and appreciation of the different cultures and ways of life through the proper teaching of civics, and to promote international understanding through the teaching of the principles of the United Nations at various levels of education;

PROPOSE that a free and more systematic exchange of scientific information be encouraged and intensified and, in particular, call on the advanced countries to share with developing countries their scientific knowledge and technical knowledge so that the advantages of scientific and technological advance can be applied to the promotion of economic development.

URGE all States to adopt in their legislation the principles embodied in the United Nations Declaration of Human Rights.

AGREE that participating countries should adopt measures to strengthen their ties with one another in the fields of education, science and culture.

EXPRESS their determination to help, consolidate and strengthen the international and regional organizations working in this direction.

SPECIAL RESOLUTION

I

.....

Considering their common will to work for understanding between peoples and for international co-operation;

Reaffirming their solidarity with the African States fighting for the consolidation of their independence and the total emancipation of their continent, through concerted action and close co-operation;

.....

Firmly resolved to unite their efforts and actions to fight colonialism, neo-colonialism and imperialism by all appropriate means;

.....

(2) DECIDE to co-ordinate and concert their efforts with those of the Organization of African Unity, with a view to safeguarding their joint interests in economic, social and cultural development and in international co-operation.

(Text reproduced from doc. MAC-II/Heads/5, of 10 October 1964, of the Conference of Heads of State or Government of non-aligned countries, entitled "Programme for Peace and International Co-operation". pp. 14-16, 21-24, 27-56)

(c) United Nations resolutions

109 (II). Threats to the political independence and  
territorial integrity of Greece

The General Assembly

.....

5. Calls upon Albania, Bulgaria and Yugoslavia on the one hand and Greece on the other to co-operate in the settlement of their disputes by peaceful means, and to that end recommends:

(1) That they establish normal diplomatic and good neighbourly relations among themselves as soon as possible;

(2) That they establish frontier conventions providing for effective machinery for the regulation and control of their common frontiers and for the pacific settlement of frontier incidents and disputes;

(3) That they co-operate in the settlement of the problems arising out of the presence of refugees in the four States concerned through voluntary repatriation wherever possible and that they take effective measures to prevent the participation of such refugees in political or military activity; .....

Hundredth plenary meeting, 21 October 1947.

(Official Records of the second  
session of the General Assembly,  
16 September - 29 November 1947,  
Resolutions, pp. 12, 13, 14)

- 190 (III). Appeal to the great Powers to renew their efforts to compose their differences and establish a lasting peace

The General Assembly,

.....

1. Recalls the declarations made at Yalta on 11 February 1945 by Churchill, Roosevelt and Stalin, in which the signatories

"Reaffirm our faith in the principles of the Atlantic Charter, our pledge in the Declaration by the United Nations, and our determination to build in co-operation with other peace-loving nations a world order under law, dedicated to peace, security, freedom and the general well-being of all mankind",

And proclaim that

"Only with continuing and growing co-operation and understanding among our three countries, and among all the peace-loving nations, can the highest aspiration of humanity be realized -- a secure and lasting peace which will, in the words of the Atlantic Charter 'Afford assurance that all the men in all the lands may live out their lives in freedom from fear and want'",

2. Endorses these declarations and expresses its conviction that the great Allied Powers will, in their policies, conform to the spirit of the said declarations;

.....

Hundred and fifty-fourth plenary meeting, 3 November 1948.

(Official Records of the third session  
of the General Assembly, Part I, 21 September-  
12 December 1948, Resolutions, pp. 15-16)



268 (III). Study of methods for the promotion of international  
co-operation in the political field

A

Restoration to the General Act of 26 September 1928 of its Original  
Efficacy

.....

B

Appointment of a Rapporteur or Conciliator for a Situation or a  
Dispute Brought to the Attention of the Security Council

.....

C

Proposed Amendments to the Rules of Procedure of the General Assembly

.....

D

Creation of a Panel for Inquiry and Conciliation

.....

Hundred and ninety-ninth plenary meeting, 28 April 1949.

(Official Records of the third session  
of the General Assembly, Part II,  
5 April - 18 May 1949, Resolutions,  
pp. 10-13)

290 (IV). Essentials of peace

The General Assembly

1. Declares that the Charter of the United Nations, the most solemn pact of peace in history, lays down basic principles necessary for an enduring peace; that disregard of these principles is primarily responsible for the continuance of international tension; and that it is urgently necessary for all Members to act in accordance with these principles in the spirit of co-operation on which the United Nations was founded;

Calls upon every nation ...

5. To Afford all United Nations bodies full co-operation and free access in the performance of the tasks assigned to them under the Charter;

.....

7. To Promote nationally and through international co-operation, efforts to achieve and sustain higher standards of living for all peoples;

.....

Calls upon the five permanent members of the Security Council

10. To Broaden progressively their co-operation and to exercise restraint in the use of the veto in order to make the Security Council a more effective instrument for maintaining peace;

Calls upon every nation

11. To Settle international disputes by peaceful means and to co-operate in supporting United Nations efforts to resolve outstanding problems;

12. To Co-operate to attain the effective international regulation of conventional armaments;

.....

261st plenary meeting, 1 December 1949.

(Official Records of the fourth session of the General Assembly, 20 September - 10 December 1949, Resolutions, p. 13)

519 (VI). Expanded Programme of Technical Assistance for  
the economic development of under-developed  
countries

A

The General Assembly,

Believing that the continuation and extension of the technical assistance programmes of the United Nations and of the specialized agencies are of basic importance to economic development and to effective international co-operation to raise standards of living in under-developed countries,

.....

360th plenary meeting, 12 January 1952.

(General Assembly Official Records:  
Sixth Session, Supplement No. 20  
(A/2119), pp. 15, 16)

520 (VI). Financing of economic development of under-  
developed countries

A

The General Assembly,

.....

Recognizing that:

(a) An urgent and practical approach to the problem of international financing of economic and social development is essential to general progress, to the strengthening of international co-operation and confidence and that it is, therefore, vital for the strengthening and maintenance of peace, especially in the present state of world tension,

(b) It is necessary, for these reasons, to give special attention to the solution of this problem through international co-operation within the framework of the United Nations,

.....

360th plenary meeting, 12 January 1952.

(General Assembly Official Records:  
Sixth Session, Supplement No. 20  
(A/2119), p. 17)

616 (VII). The question of race conflict in South Africa  
resulting from the policies of apartheid of the  
Government of the Union of South Africa

A

The General Assembly,

.....

Considering that one of the purposes of the United Nations is to achieve international co-operation in promoting and encouraging respect for human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion,

.....

401st plenary meeting, 5 December 1952.

(General Assembly Official Records:  
Seventh Session, Supplement No. 20  
(A/2361), p. 8)

626 (VII). Right to exploit freely natural wealth and resources

The General Assembly,

.....

1. Recommends all Member States, in the exercise of their right freely to use and exploit their natural wealth and resources wherever deemed desirable by them for their own progress and economic development, to have due regard, consistently with their sovereignty, to the need for maintaining the flow of capital in conditions of security, mutual confidence and economic co-operation among nations;

2. Further recommends all Member States to refrain from acts, direct or indirect, designed to impede the exercise of the sovereignty of any State over its natural resources.

411th plenary meeting, 21 December 1952.

(General Assembly Official Records:  
Seventh Session, Supplement No. 20  
(A/2361), p. 18)

718 (VIII). Admission of new Members

The General Assembly,

.....

Considering that the aims of the Charter of the United Nations would be furthered through the co-operation of all peace-loving States,

.....

453rd plenary meeting, 23 October 1953.

(General Assembly Official Records:  
Eighth Session, Supplement No. 17  
(A/2630), p. 5)

810 (IX). International co-operation in developing the peaceful uses of atomic energy

The General Assembly,

.....

Recognizing the importance and the urgency of international co-operation in developing and expanding the peaceful uses of atomic energy to assist in lifting the burdens of hunger, poverty and disease,

Believing also that all nations should co-operate in promoting the dissemination of knowledge in the realm of nuclear technology for peaceful ends,

A

Concerning the International Atomic Agency

.....

Noting that negotiations are in progress, and the intention that they should continue, for the establishment as quickly as possible of an International Atomic Energy Agency to facilitate the use by the entire world of atomic energy for peaceful purposes, and to encourage international co-operation in the further development and practical application of atomic energy for the benefit of mankind,

B

.....

Concerning the International Conference on the Peaceful Uses of Atomic Energy

2. Decides that an international technical conference of Governments should be held, under the auspices of the United Nations, to explore means of developing the peaceful uses of atomic energy through international co-operation and, in particular, to study the development of atomic power and to consider other technical areas--such as biology, medicine, radiation protection, and fundamental science--in which international co-operation might most effectively be accomplished;

.....

503rd plenary meeting, 4 December 1954.

(General Assembly Official Records:  
Ninth Session, Supplement No. 21  
A/2890), pp. 4,5)

819 (IX). Strengthening of peace through the removal of  
barriers to free exchange of information and ideas

The General Assembly,

.....

Recognizing that the maintenance of such barriers constitutes a major obstacle to the strengthening of peace and genuine international co-operation and fosters the continuation of false and hostile propaganda against other States and peoples,

.....

510th plenary meeting, 11 December 1954.

(General Assembly Official Records:  
Ninth Session, Supplement No. 21  
A/2890), p. 9)

1012 (XI). Question of Algeria

The General Assembly,

.....

Expresses the hope that, in a spirit of co-operation, a peaceful, democratic and just solution will be found, through appropriate means, in conformity with the principles of the Charter of the United Nations.

654th plenary meeting, 15 February 1957.

(General Assembly Official Records:  
Eleventh Session, Supplement No. 17  
(A/3572), p. 4)



1015 (XI). Treatment of people of Indian origin in  
the Union of South Africa

The General Assembly,

.....

3. Urges the parties concerned to enter into negotiations to facilitate a settlement of the problem of the treatment of people of Indian origin in the Union of South Africa and, more particularly, appeals to the Government of the Union of South Africa to co-operate to this end;

648th plenary meeting, 30 January 1957.

(General Assembly Official Records:  
Eleventh Session, Supplement No. 17  
(A/3572), p.5)

1025 (XI). International co-operation in the establishment  
of national food reserves

(General Assembly Official Records:  
Eleventh Session, Supplement No. 17  
(A/3572), p. 11)

1043 (XI). International cultural and scientific  
co-operation

The General Assembly,

Bearing in mind the provisions of the Charter of the United Nations expressly stressing the importance of the development of international co-operation in the field of culture and education,

Considering that all nations contribute their valuable share in the common treasury of culture and science of the world,

Recalling the resolutions adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization at its ninth session on international scientific co-operation, the development of international cultural relations in general and mutual appreciation of Eastern and Western cultural values in particular,

Bearing in mind that the peoples of the world desire wide and intensified international cultural and scientific co-operation,

Noting the positive results achieved up to now by such international co-operation.

Recognizing that mutual knowledge and understanding of the culture and life of nations contribute to the strengthening of international confidence and to the maintenance of peace,

Bearing in mind the desirability of furthering the development of cultural and scientific relations among nations,

1. Invites all States to promote, by mutual agreements and other means, wider cultural and scientific international co-operation and to spare no effort in trying to achieve the implementation of these peaceful objectives;

2. Invites the United Nations Educational, Scientific and Cultural Organization and the other specialized agencies concerned to include in their annual reports to the Economic and Social Council a statement of their views and activities in the field of international cultural and scientific co-operation, and requests the Council to give special attention to such statements.

658th plenary meeting, 21 February 1957.

(General Assembly Official Records:  
Eleventh Session, Supplement No. 17  
(A/3572), p. 20)

1236 (XII). Peaceful and neighbourly relations among States

The General Assembly,

Considering the urgency and the importance of strengthening international peace and of developing peaceful and neighbourly relations among States irrespective of their divergences or the relative stages and nature of their political, economic and social development,

Recalling that among the fundamental objectives of the Charter of the United Nations are the maintenance of international peace and security and friendly co-operation among States,

Realizing the need to promote these objectives and to develop peaceful and tolerant relations among States, in conformity with the Charter, based on mutual respect and benefit, non-aggression, respect for each other's sovereignty, equality and territorial integrity and non-intervention in one another's internal affairs, and to fulfil the purposes and principles of the Charter,

Recognizing the need to broaden international co-operation, to reduce tensions and to settle differences and disputes among States by peaceful means,

Calls upon all States to make every effort to strengthen international peace, and to develop friendly and co-operative relations and settle disputes by peaceful means as enjoined in the Charter of the United Nations and as set forth in the present resolution.

731st plenary meeting, 14 December 1957.

(General Assembly Official Records:  
Twelfth Session, Supplement No. 18  
(A/3805), p. 5)

1157 (XII). Bases for international economic co-operation

The General Assembly,

Considering that the strengthening and development of international economic co-operation is, under the Charter, one of the most important means available to the United Nations for the promotion of peaceful relations among peoples,

Recalling that the General Assembly and the Economic and Social Council have on several occasions adopted resolutions embodying various principles relating to international economic co-operation,

....

723rd plenary meeting, 26 November 1957.

(General Assembly Official Records:  
Twelfth Session, Supplement No. 18  
(A/3805), p. 12)

1164 (XII). Development of international co-operation in the fields of science, culture and education

The General Assembly,

Recalling its resolution 1043 (XI) of 21 February 1957 on international cultural and scientific co-operation,

Having regard to Economic and Social Council resolution 663 I (XXIV) of 31 July 1957 urging the extension of international co-operation in the social field through the development of personal contacts and the exchange of experience among experts,

Attaching great importance to a further development and expansion of relations in the fields of science, including applied science, culture and education, which will assist the promotion of economic and social welfare as well as better mutual understanding among nations and the maintenance of peace,

Noting with satisfaction the results already achieved in the development of such international co-operation and considering it desirable that there should be opportunities for further development in this respect,

Recognizing the positive contribution in this matter by the United Nations Educational, Scientific and Cultural Organization and other specialized agencies and by other international bodies,

1. Reiterates the view expressed in its resolution 1043 (XI) of 21 February 1957 that wider international cultural and scientific co-operation should be promoted by mutual agreements or by other means, and that no effort should be spared in trying to achieve the implementation of these peaceful objectives;

2. Urges all States Members of the United Nations or members of the specialized agencies to develop further all measures for the encouragement of exchanges and co operation among peoples in the fields of

science, culture and education, which is one of the basic purposes of the United Nations:

.....

723rd plenary meeting. 26 November 1957

(General Assembly Official Records:  
Twelfth Session, Supplement No. 18  
(A/3805), p. 18)

1348 (XIII). Question of the peaceful use of outer space

The General Assembly,

.....

Noting the success of the scientific co-operative programme of the International Geophysical Year in the exploration of outer space and the decision to continue and expand this type of co-operation,

Recognizing the great importance of international co-operation in the study and utilization of outer space for peaceful purposes,

Considering that such co-operation will promote mutual understanding and the strengthening of friendly relations among peoples,

Believing that the development of programmes of international and scientific co-operation in the peaceful uses of outer space should be vigorously pursued,

.....

792nd plenary meeting, 13 December 1958.

(General Assembly Official Records:  
Thirteenth Session, Supplement No. 18  
(A/4090), pp. 5, 6)

1301 (XIII). Measures aimed at the implementation and promotion of peaceful and neighbourly relations among States

The General Assembly,

Recalling its resolution 1236 (XII) of 14 December 1957,

.....

Welcoming the trends towards greater interchange among Member States in various fields,

Recognizing that the United Nations plays an increasingly important part in international co-operation, negotiation and conciliation,

.....

5. Recommends that all Member States should take practical measures or make arrangements in conjunction with and not inconsistent with the programmes of the United Nations and its specialized agencies to foster open, free and friendly co-operation and understanding in the fields of

economy, culture, science, technology and communications;

.....

783rd plenary meeting, 10 December 1958.

(General Assembly Official Records:  
Thirteenth Session, Supplement No. 18  
(A/4090), p. 8)

1316 (XIII). International co-operation for economic  
development of under-developed countries

The General Assembly,

Recalling the pledge of all Member States, contained in Article 56 of the Charter of the United Nations, to take joint and separate action in co-operation with the United Nations for the achievement, inter alia, of higher standards of living and conditions of economic and social progress and development,

.....

1. Calls upon Member States to undertake a review of accomplishments to date and, in the light of this review, to chart their future courses of co-operative action relating to both the public and private sectors for the purpose of giving further impetus to the economic development of the less developed countries,

.....

798th plenary meeting, 12 December 1958.

(General Assembly Official Records:  
Thirteenth Session, Supplement No. 18  
(A/4090), pp. 18, 19)

1322 (XIII). Promotion of international co-operation in  
the field of trade

The General Assembly,

.....

2. Invites the Economic and Social Council to continue the consideration of all practical steps that can be initiated within the Council and its regional economic commissions and their trade committees toward the improvement of co-operation and toward co-ordination of efforts in the field of the development of trade, particularly with the less developed countries, including joint studies on trade among various regions on the lines of those already made, such as studies on possibilities

of the expansion of international trade with a view to assisting the economic development of the less developed countries;

788th plenary meeting, 12 December 1958.

(General Assembly Official Records:  
Thirteenth Session, Supplement No. 18  
(A/4090), pp. 20, 21)

1260 (XIII). Co-ordination of results of scientific research

The General Assembly,

.....

Believing that the United Nations and the specialized agencies should stimulate and encourage further the general direction of scientific research toward the peaceful ends of economic progress and human welfare, and in the interest of peace and international co-operation,

.....

780th plenary meeting, 14 November 1958.

(General Assembly Official Records:  
Thirteenth Session, Supplement No. 18  
(A/4090), p. 24)

1378 (XIV). General and complete disarmament

The General Assembly,

.....

Desiring to promote the creation of relations of trust and peaceful co-operation between States,

.....

Being convinced that any progress towards the goal of general and complete disarmament under effective international control will contribute to the achievement of these high aims,

.....

840th plenary meeting, 20 November 1959.

(General Assembly Official Records:  
Fourteenth Session, Supplement No. 16  
(A/4354). p. 3)

1472 (XIV). International co-operation in the peaceful  
uses of outer space

The General Assembly,

.....

Recognizing the great importance of international co-operation in the exploration and exploitation of outer space for peaceful purposes,

Noting the continuing programmes of scientific co-operation in the exploration of outer space being undertaken by the international scientific community,

Believing also that the United Nations should promote international co-operation in the peaceful uses of outer space,

.....

856th plenary meeting, 12 December 1959.

(General Assembly Official Records;  
Fourteenth Session, Supplement No. 16  
(A/4354). p. 5)

1429 (XIV). Development of scientific and technical co-operation and exchange of experience

The General Assembly,

Recalling its resolution 1301 (XIII) of 10 December 1958 on measures aimed at the implementation and promotion of peaceful and neighbourly relations among States and its resolution 1260 (XIII) of 14 November 1958 on the co-ordination of the results of scientific research, as well as Economic and Social Council resolutions 727 A (XXVIII) of 27 July 1959 and 740 C (XXVIII) of 31 July 1959 on United Nations measures for promoting the international exchange of scientific and technical experience and on the economic development of under-developed countries, respectively,

Being aware of the importance of international economic co-operation in the strengthening of peaceful relations among nations,

.....

Bearing in mind also the desirability of further intensified development of such co-operation, particularly in the field of applied science and industrial technology,

1. Emphasizes the value of an increase in the international exchange of scientific and technical experience, and calls especially upon the economically and technically most advanced countries to help and support the less developed countries in acquiring scientific and technical knowledge that would make possible an accelerated development and an increase in living standards;

2. Recommends that the Governments of Member States should encourage the further exchange of scientific and technical experience among countries and support, as far as possible, international action undertaken to this end;

.....



846th plenary meeting, 5 December 1959.

(General Assembly Official Records:  
Fourteenth Session, Supplement No. 16  
(A/4354), pp. 15, 16)

1414 (XIV). Study of opportunities for international co-operation on behalf of the former Trust Territories which have become independent

The General Assembly,

.....

1. Invites the Economic and Social Council to make a study, under Article 62, paragraph 1, of the Charter of the United Nations, of all opportunities for international co-operation which could be of interest to the former Trust Territories which have become independent, within the spheres and in the framework of programmes of international assistance;

2. Recommends that the Economic and Social Council, in its study of this problem, should seek the co-operation of such international, governmental and non-governmental organizations as the Council may deem it advisable to approach;

846th plenary meeting, 5 December 1959.

(General Assembly Official Records:  
Fourteenth Session, Supplement No. 16  
(A/4354), pp. 31, 32)

1515 (XV). Concerted action for economic development of economically less developed countries

The General Assembly,

Believing that the principles laid down in the Charter of the United Nations with regard to international economic and social co-operation should be reaffirmed now when so many States have recently become Members of the United Nations,

.....

1. Reiterates that a prime duty of the United Nations is to accelerate the economic and social advancement of the less developed countries of the world, thus contributing to safeguarding their independence and helping to close the gap in standards of living between the more developed and the less developed countries;

2. Recognizes that this social and economic advancement requires the development and diversification of economic activity, that is, the improvement of conditions for the marketing and production of foodstuffs and the industrialization of those economies which are largely dependent on subsistence agriculture or on the export of a small range of primary commodities;

3. Believes that in the present circumstances the achievement of these ends demands, inter alia:

(a) The maintenance of a high and expanding level of economic activity and of generally beneficial multilateral and bilateral trade free from artificial restrictions, in order to enable the less developed countries and those dependent on the export of a small range of primary commodities to sell more of their products at stable and remunerative prices in expanding markets, and so increasingly to finance their own economic development from their earnings of foreign exchange;

(b) The increasing provision of public and private capital on acceptable terms from the more developed to the less developed countries, notably through international organizations and through freely negotiated multilateral or bilateral arrangements;

(c) The expansion of technical co-operation between countries at all stages of development, with the objective of aiding the people of under-developed countries to increase their knowledge of, and capacity to apply, modern techniques;

(d) Scientific and cultural co-operation and the encouragement of research;

(e) Proper regard for the human and social aspects of economic development;

.....

948th plenary meeting, 15 December 1960.

(General Assembly Official Records:  
Fifteenth Session, Supplement No. 16  
(A/4684). p. 9)

1495 (XV). Co-operation of Member States

The General Assembly,

Deeply concerned by the increase in world tensions,

Considering that the deterioration in international relations constitutes a grave risk to world peace and co-operation,

Conscious that both in the General Assembly and in the world at large it is necessary to arrest this trend in international relations and to contribute towards greater harmony among nations irrespective of the differences in their political and economic systems,

1. Urges that all countries, in accordance with the Charter of the United Nations, refrain from actions likely to aggravate international tensions;

2. Reaffirms the conviction that the strength of the United Nations rests on the co-operation of its Member States which should be forthcoming in full measure so that the Organization becomes a more effective instrument for the safeguarding of peace and for the promotion of the economic and social advancement of all peoples;

3. Urges further that immediate and constructive steps should be adopted in regard to the urgent problems concerning the peace of the world and the advancement of its peoples;

4. Appeals to all Member States to use their utmost endeavours to these ends.

907th plenary meeting, 17 October 1960.

(General Assembly Official Records:  
Fifteenth Session. Supplement No. 16  
(A/4684), p. 66)

1721 (XVI). International co-operation in the peaceful uses of outer space

A

The General Assembly,

Recognizing the common interest of mankind in furthering the peaceful uses of outer space and the urgent need to strengthen international co-operation in this important field,

.....

B

The General Assembly,

Believing that the United Nations should provide a focal point for international co-operation in the peaceful exploration and use of outer space,

.....

C

The General Assembly,

Convinced of the world-wide benefits to be derived from international co-operation in weather research and analysis,

.....

1085th plenary meeting, 20 December 1961.

(General Assembly Official Records:  
Sixteenth Session, Supplement No. 17  
(A/5100), p. 6)

1629 (XVI). Report of the United Nations Scientific Committee on the Effects of Atomic Radiation

The General Assembly,

I

.....

4. Reaffirms the desirability of continuing full international co-operation through the Scientific Committee and interchanges of the results and experience of research conducted at the national level,

so that man's knowledge of the hazards of radiation will constantly improve and in particular so that the second comprehensive report to be presented in 1962 by the Committee will be as scientifically authoritative and informative as possible;

.....

1043rd plenary meeting, 27 October 1961.

(General Assembly Official Records:  
Sixteenth Session, Supplement No. 17  
(A/5100), p. 9)

1710 (XVI). United Nations Development Decade.  
A programme for international  
economic co-operation (I)\*

The General Assembly,

.....

Convinced of the need for concerted action to demonstrate the determination of Member States to give added impetus to international economic co-operation in the current decade, through the United Nations system and on a bilateral or multilateral basis,

.....

6. Invites the Economic and Social Council to accelerate its examination of, and decision on, principles of international economic co-operation directed towards the improvement of world economic relations and the stimulation of international co-operation;

.....

1044th plenary meeting, 19 December 1961.

(General Assembly Official Records:  
Sixteenth Session, Supplement No. 17  
(A/5100), pp. 17, 18)

1712 (XVI). Activities of the United Nations in the  
field of industrial development

The General Assembly,

.....

Considering that the less developed countries need the greatest possible assistance and international co-operation in the solution of technical, financial, economic, commercial and social problems connected with the process of industrial development,

\* See also resolution 1715 (XVI) of 19 December 1961.

Considering further that urgent measures to arrange for international co-operation and assistance to the less developed countries towards their industrialization, under the aegis of the United Nations as well as on a bilateral basis, will make a valuable contribution to the achievement of stable political, economic and social conditions in the world,

.....

1034th plenary meeting, 19 December 1961.

(General Assembly Official Records:  
Sixteenth Session, Supplement No. 17  
(A/5100), p. 19)

1677 (XVI). Co-operation for the eradication of  
illiteracy throughout the world

1081st plenary meeting, 18 December 1961.

(General Assembly Official Records:  
Sixteenth Session Supplement No. 17  
(A/5100), p. 30)

1802 (XVII). International co-operation in the peaceful  
uses of outer space

The General Assembly,

.....

I

.....

2. Calls upon all Member States to co-operate in the further development of law for outer space;

II

.....

4. Notes that the Committee on the Peaceful Uses of Outer Space considers that the creation and use of sounding rocket launching facilities under United Nations sponsorship would contribute to the achievement of the objectives of resolution 1721 (XVI) by furthering international collaboration in space research and the advancement of human knowledge, and by providing opportunity for valuable practical training for interested users;

III

.....

2. Calls upon Member States to strengthen weather forecasting services and to encourage their scientific communities to co-operate in the expansion of atmospheric science research;

IV

.....

3. Emphasizes the importance of international co-operation to achieve effective satellite communications which will be available on a world-wide basis;

.....

1192nd plenary meeting, 14 December 1962.

(General Assembly Official Records:  
Seventeenth Session, Supplement No. 17  
(A/5217). p. 56)

1820 (XVII). The Cairo Declaration of Developing Countries

The General Assembly,

.....

Welcoming the general approach of the Declaration, namely, that the problems of social and economic development should be solved in a spirit of international co-operation and within the framework of the United Nations.

.....

1197th plenary meeting, 18 December 1962.

(General Assembly Official Records:  
Seventeenth Session, Supplement No. 17  
(A/5217), p. 16)

1827 (XVII). United Nations training and research institute

The General Assembly,

Recognizing the close interrelationship between economic and social development and the achievement of peace and security and the dependence of both of these on international co-operation in various areas,

.....

1197th plenary meeting, 18 December 1962.

(General Assembly Official Records:  
Seventeenth Session, Supplement No. 17  
(A/5217), p. 19)

1778 (XVII). International co-operation to assist in the development of information media in less developed countries

1187th plenary meeting, 7 December 1962.

(General Assembly Official Records:  
Seventeenth Session, Supplement No. 17  
(A/5217), p. 31)

1844 (XVII). International Co-operation Year

The General Assembly,

Deeply convinced that wider and more intensive international co-operation would provide one of the most effective means of dispersing international tensions,

Noting that there exists a large measure of international co-operation in various fields among the peoples and nations of the world.



Believing that the world would be well served both by an increased awareness of the existing level of international co-operation and by a marked increase in the number of projects in diverse fields jointly undertaken on an international basis,

Realizing that increased international co-operation can most readily be brought about by expanding and building upon the activities of existing organizations and institutions, particularly the United Nations,

.....

1198th plenary meeting, 19 December 1962.

(General Assembly Official Records:  
Seventeenth Session Supplement No. 17  
(A/5217), p. 75)

1907 (XVIII). International Co-operation Year

The General Assembly,

.....

Conscious of the many grave international problems which remain unresolved and of the consequent need for international co-operation,

Considering it essential that Member States should endeavour to promote measures aimed at the elimination of international tension,

Convinced that increased public awareness of the extent and significance of existing everyday co-operation would lead to a better appreciation of the true nature of the world community and of the common interests of mankind,

Convinced that devoting a year to international co-operation would help to bring about increased world understanding and co-operation, and thereby facilitate the settlement of major international problems,

1. Designates 1965, the twentieth year of the United Nations, as International Co-operation Year;

.....

1260nd plenary meeting, 21 November 1965.

(General Assembly Official Records:  
Eighteenth Session, Supplement No. 15  
(A/5515), p. 5)

1962 (XVIII). Declaration of Legal Principles Governing the Activities of States in the Exploration and Use of Outer Space

The General Assembly,

.....

Desiring to contribute to broad international co-operation in the scientific as well as in the legal aspects of exploration and use of outer space for peaceful purposes,

Believing that such co-operation will contribute to the development of mutual understanding and to the strengthening of friendly relations between nations and peoples

.....

Solemnly declares that in the exploration and use of outer space States should be guided by the following principles:

.....

4. The activities of States in the exploration and use of outer space shall be carried on in accordance with international law, including the Charter of the United Nations, in the interest of maintaining international peace and security and promoting international co-operation and understanding.

.....

6. In the exploration and use of outer space, States shall be guided by the principles of co-operation and mutual assistance and shall conduct all their activities in outer space with due regard for the corresponding interests of other States.

.....

1280th plenary meeting, 13 December 1963.

(General Assembly Official Records:  
Eighteenth Session, Supplement No. 15  
(A/5515). p. 15)

1963 (XVIII). International co-operation in the peaceful  
uses of outer space

The General Assembly,

.....

## II

.....

6. Notes the considerable measure of co-operation in the peaceful exploration and use of outer space under way among Member States;

7. Notes that the Union of Soviet Socialist Republics and the United States of America have reached an agreement looking towards co-operation in the fields of satellite meteorology, communications and magnetic field mapping;

8. Encourages Member States to continue and to extend co-operative arrangements so that all Member States can benefit from the peaceful exploration and use of outer space;

9. Believes that international co-operation can be beneficial in furthering the exploration of the solar system;

1280th plenary meeting, 13 December 1965.

(General Assembly, Official Records:  
Eighteenth Session, Supplement No. 15  
(A/5515), p. 16)

1897 (XVIII). United Nations Conference on Trade and Development

The General Assembly,

.....

2. Welcomes the Joint Declaration of the Developing Countries with regard to the United Nations Conference on Trade and Development, which was made at the eighteenth session of the General Assembly and which is annexed to the present resolution;

.....

#### ANNEX

#### JOINT DECLARATION OF THE DEVELOPING COUNTRIES MADE AT THE EIGHTEENTH SESSION OF THE GENERAL ASSEMBLY

.....

#### I

1. The developing countries consider that the United Nations Conference on Trade and Development should represent an outstanding event in international co-operation conducive to the development of their economies and to the integrated growth of the world economy as a whole.

.....

#### IV

.....

7. The developing countries expect that the Conference will offer an opportunity for the manifestation, in the field of trade and development, of the same political will that was responsible for the Charter of the United Nations signed at San Francisco and the creation of the Organization. They are confident that, in this spirit, the decisions of the Conference will bring about fuller international co-operation and that greater progress can be made towards the attainment of collective economic security. Inter-

national trade will thus become a strong guarantee of world peace and the Conference will be a landmark in the fulfilment of the Charter.

(General Assembly Official Records:  
Eighteenth Session, Supplement No. 15  
(A/5515). pp. 24, 25)

1934 (XVIII). United Nations training and research institute

The General Assembly,

Bearing in mind the purposes and principles of the United Nations, as set forth in Articles 1 and 2 of the Charter,

Noting in particular the close interrelationship between economic and social development and the achievement of peace and security, and the dependence of both of these on international co-operation,

.....

1276th plenary meeting, 11 December 1965.

(General Assembly Official Records:  
Eighteenth Session, Supplement No. 15  
(A/5515), p. 27)

1942 (XVIII). Question of a declaration on international economic co-operation

The General Assembly,

Attaching particular importance to the need for a declaration on international economic co-operation as a means of promoting sound, stable and fair economic relations between all States and of stimulating the efforts aimed at the economic and social progress of all peoples of the world,

.....

2. Invites the Economic and Social Council and, through it, the ad hoc Working Group, to expedite the work on the question of a draft declaration referred to in Council resolution 959 (XXXV).

1276th plenary meeting, 11 December 1965.

(General Assembly Official Records:  
Eighteenth Session, Supplement No. 15  
(A/5515), pp. 31-32)

1944 (XVIII). International co-operation in the application of science and technology to economic and social development

The General Assembly,

.....

3. Requests the Advisory Committee on the Application of Science and Technology to Development to examine, in keeping with its terms of reference, the possibility of establishing a programme on international co-operation in science and technology for economic and social development, in which scientists and technicians of the highly developed countries would, as a matter of priority, help to study the problems of the developing countries and explore suitable solutions, having regard to limitations upon the material resources and trained personnel currently available to the developing countries;

.....

1276th plenary meeting, 11 December 1963.

(General Assembly Official Records:  
Eighteenth Session, Supplement No. 15  
(A/5515), pp. 32, 33)

1904 (XVIII). United Nations Declaration on the Elimination of All Forms of Racial Discrimination

The General Assembly,

Considering that the Charter of the United Nations is based on the principles of the dignity and equality of all human beings and seeks, among other basic objectives, to achieve international co-operation in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

.....

Convinced that all forms of racial discrimination and, still more so, governmental policies based on the prejudice of racial superiority or on racial hatred, besides constituting a violation of fundamental human rights, tend to jeopardize friendly relations among peoples, co-operation between nations and international peace and security,

.....

1261st plenary meeting, 20 November 1965.

(General Assembly Official Records:  
Eighteenth Session, Supplement No. 15  
(A/5515), pp. 35, 36)

1968 (XVIII). Technical assistance to promote the teaching, study, dissemination and wider appreciation of international law

A

The General Assembly,

.....

Believing that the promotion, dissemination and wider appreciation of international law and its teaching in universities and institutions of higher education contribute to the progressive development of international law and to friendly relations and co-operation among States,

.....

1281st plenary meeting, 16 December 1965.

(General Assembly Official Records:  
Eighteenth Session, Supplement No. 15  
(A/5515), pp. 71, 72)

Draft Covenant on Economic, Social and Cultural Rights

.....

PART II

Article 2 <sup>4/</sup>

1. Each State Party hereto undertakes to take steps, individually and through international assistance and co-operation especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in this Covenant by all appropriate means, including particularly the adoption of legislative measures.

.....

Combined articles 11 and 12 <sup>13/</sup>

The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international co-operation based on free consent.

.....

Article 16 <sup>17/</sup>

.....

4. The States Parties to the Covenant recognize the benefits to be derived from the encouragement and development of international contacts and co-operation in the scientific and cultural fields.

(A/C.3/L.1062, pp. 2-3, 6, 8)

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<sup>4/</sup> A/5365, Annex (Official Records of the General Assembly, Seventeenth Session, Annexes, Agenda item 43).

<sup>13/</sup> A/3525, para. 144.

<sup>17/</sup> A/3764 and Add.1, para. 84.

United Nations Conference on Trade and Development, Final Act,  
Geneva, 15 June 1964

General and Special Principles

The Conference has recommended the following General and Special Principles to govern international trade relations and trade policies conducive to development:

.....

General Principle Two

There shall be no discrimination on the basis of differences in socio-economic systems. Adaptation of trading methods shall be consistent with this principle.

.....

General Principle Four

Economic development and social progress should be the common concern of the whole international community and should by increasing economic prosperity and well-being help strengthen peaceful relations and co-operation among nations. Accordingly, all countries pledge themselves to pursue internal and external economic policies designed to accelerate economic growth throughout the world, and in particular to help promote in developing countries a rate of growth consistent with the need to bring about substantial and steady increase in average income in order to narrow the gap between the standard of living in developing countries and that in the developed countries.

General Principle Five

National and international economic policies should be directed towards the attainment of an international division of labour in harmony with the needs and interests of developing countries in particular and of the world as a whole. Developed countries should assist the developing countries in their efforts to speed up their economic and social progress, should co-operate in measures taken by developing countries for diversifying their economies and should encourage appropriate adjustments in their own economies to this end.

General Principle Six

International trade is one of the most important factors in economic development. It should be governed by such rules as are consistent with the attainment of economic and social progress and should not be hampered by measures incompatible therewith. All countries should co-operate in creating conditions of international trade conducive in particular to the achievement of a rapid increase in the export earnings of developing countries and in general to the promotion of an expansion and diversification of trade between all countries, whether at similar levels of development, at different levels of development, or having different economic and social systems.

General Principle Seven

The expansion and diversification of international trade depends upon increasing access to markets, and upon remunerative prices for the exports of primary products. Developed countries shall progressively reduce and



eliminate barriers and other restrictions that hinder trade and consumption of products from developing countries and take positive measures such as will create and increase markets for the exports of developing countries. All countries should co-operate through suitable international arrangements on an orderly basis in implementing measures designed to increase and stabilize primary commodity export earnings, particularly of developing countries, at equitable and remunerative prices and to maintain a mutually acceptable relationship between the prices of manufactured goods and those of primary products.

#### General Principle Eight

International trade should be conducted to mutual advantage on the basis of the most favoured nation treatment and should be free from measures detrimental to the trading interests of other countries. However, developed countries should grant concessions to all developing countries and extend to developing countries all concessions they grant to one another and should not in granting these or other concessions, require any concessions in return from developing countries. New preferential concessions, both tariff and non-tariff, should be made to developing countries. Developing countries need not extend to developed countries preferential treatment in operation amongst them. Special preferences at present enjoyed by certain developing countries in certain developed countries should be regarded as transitional and subject to progressive reduction. They should be eliminated as and when effective international measures guaranteeing at least equivalent advantages to the countries concerned come into operation.

#### General Principle Nine

Developed countries participating in regional economic groupings should do their utmost to ensure that their economic integration does not cause injury to, or otherwise adversely affect, the expansion of their imports from third countries and in particular from developing countries, either individually or collectively.

#### General Principle Ten

Regional economic groupings, integration or other forms of economic co-operation should be promoted among developing countries as a means of expanding their intra-regional and extra-regional trade and encouraging their economic growth and their industrial and agricultural diversification with due regard to the special features of development of the various countries concerned as well as their economic and social systems. It will be necessary to ensure that such co-operation makes an effective contribution to their economic development of these countries, and does not inhibit the economic development of other developing countries outside such groupings.

#### General Principle Eleven

International institutions and developed countries should provide an increasing net flow of international financial, technical and economic assistance to support and reinforce, by supplementing the export earnings of developing countries, the efforts made by them to accelerate their economic growth through diversification, industrialization and increase of productivity on the basis of

their national policies, plans and programmes of economic development. Such assistance, should not be subject to any political or military conditions. This assistance whatever its form and from whatever source, including foreign public and private loans and capital, should flow to developing countries on terms fully in keeping with their trade and development needs. International, financial and monetary policies should be designed to take full account of the trade and development needs of developing countries.

#### General Principle Twelve

All countries recognize that a significant portion of resources released in successive stages as a result of the conclusion of an agreement on general and complete disarmament under effective international control should be allocated to the promotion of economic development in developing countries.

.....

#### Special Principles

##### Special Principle One

Developed countries should co-operate with developing countries in setting targets for the expansion of trade of the latter and in periodically reviewing measures taken for their achievement.

##### Special Principle Two

Industrialization of developing countries and modernization of their agricultural production are essential for their economic and social development and for the expansion and diversification of their trade. Developing countries should accordingly adopt and implement national plans and programmes, fully mobilize domestic resources and carry out the necessary reforms.

Developed countries should supplement the efforts of developing countries through the supply of know-how, technical and financial assistance and the provision of training facilities; they should also take the necessary measures with a view to expanding imports of processed and manufactured goods from developing countries.

.....

##### Special Principle Five

Domestic support policies for primary commodities, practised in developed countries, should be so formulated and applied as not to stimulate uneconomic production in such a way as to deprive developing countries of the opportunity, on a dependable basis and at remunerative prices, of supplying a fair and reasonable proportion of the domestic consumption and the growth of such consumption of these commodities in developed countries.

##### Special Principle Six

Developed countries should take steps to counter-balance the effects of substitution of commodities produced in developing countries. They should

co-operate with the developing countries in the search for appropriate solutions and, in particular, provide financial and technical assistance for research aimed at discovering and promoting new uses for products, the markets for which have been reduced in consequence of technical innovations and the use of synthetics.

#### Special Principle Seven

Whenever international measures to stabilize prices of primary products in relation to the prices of manufactured goods are inadequate, arrangements should be made on an equitable and universal basis, and without prejudice to the general level of financial aid to developing countries, to correct and compensate the deterioration in terms of trade and short-term decline in the export earnings of countries exporting primary commodities with a view to facilitating the implementation of economic development plans and programmes.

#### Special Principle Eight

In the disposal of agricultural surpluses, developed countries should undertake to apply internationally agreed criteria of surplus disposal so as not to affect adversely the export prospects of developing countries and other countries heavily dependent on the export of a narrow range of primary products, the inter and intra-regional trade and agricultural development of developing countries, or of the development programmes of the countries receiving these surpluses as assistance. Internationally agreed criteria should also govern the disposal of all primary product surpluses and stockpiles. Such surpluses and stockpiles should be disposed of for the promotion of economic development of all developing countries whether producers or recipients.

#### Special Principle Nine

All countries shall refrain from all forms of dumping.

#### Special Principle Ten

Scientific achievements and technological developments should be made accessible under favourable conditions to all developing countries and their application to the trade and development needs of those countries should be encouraged by an expansion of bilateral and multilateral programmes of technical assistance.

#### Special Principle Eleven

All countries should support an expansion of multilateral economic assistance to developing countries especially within the framework of the United Nations, as well as bilateral assistance.

Economic assistance to developing countries on a multilateral basis should be offered as grants or as loans at the lowest possible rates of interest with long periods of repayment and generous grace periods taking into account their overall repayment capacity, and should be equitably distributed on the basis of the urgency of their development needs.

Economic assistance to developing countries on a bilateral basis should also be offered as grants or as loans at the lowest possible rates of interest with long periods of repayment and generous grace periods and should, as the case may either be in the form of untied loans or in kind, in particular in the form of capital equipment and technical assistance.

Whenever possible the repayment of such loans and credits should be made in local currency or with the products of the recipient country and, where appropriate, with industrial products resulting from the employment of the capital equipment supplied.

#### Special Principle Twelve

All countries should co-operate in deriving measures to help developing countries to build up maritime and other means of transport for their economic development, ensure the unhindered use of international transport facilities, the improvement terms of freight and insurance for the developing countries and to promote tourism in these countries in order to increase their earnings and reduce their expenditure on invisible trade.

#### Special Principle Thirteen

Mutually beneficial bilateral and multilateral trade and payments arrangements between developing countries constitute an essential element in the expansion and diversification of international trade.

.....

### ANNEX A.1.2

#### Principles relating to transit trade of land-locked countries

##### The Conference,

Having regard to the various aspects of the problem of transit trade of land-locked States,

Considering that, for the promotion of the economic development of the land-locked States, it is essential to provide facilities to enable them to overcome the effects of their land-locked position on their trade,

Adopts the following principles, together with the Interpretative Note:

##### Principle I

The recognition of the right of each land-locked State of free access to the sea is an essential principle for the expansion of international trade and economic development.

##### Principle II

In territorial and on internal waters, vessels flying the flag of

land-locked countries should have identical rights and enjoy treatment identical to that enjoyed by vessels flying the flag of coastal States other than the territorial State.

### Principle III

In order to enjoy the freedom of the seas on equal terms with coastal States, States having no sea coast should have free access to the sea. To this end States situated between the sea and a State having no sea coast shall by common agreement with the latter and in conformity with existing international conventions accord to ships flying the flag of that State treatment equal to that accorded to their own ships or to the ships of any other State as regards access to sea ports and the use of such ports.

### Principle IV

In order to promote fully the economic development of the land-locked countries the said countries should be afforded by all States, on the basis of reciprocity, free and unrestricted transit, in such a manner that they have free access to regional and international trade in all circumstances and for every type of goods.

Goods in transit should not be subject to any customs duty.

Means of transport in transit should not be subject to special taxes or charges higher than those levied for the use of means of transport or the transit country.

### Principle V

The State of transit, while maintaining full sovereignty over its territory, shall have the right to take all indispensable measures to ensure that the exercise of the right of free and unrestricted transit shall in no way infringe its legitimate interests of any kind.

### Principle VI

In order to accelerate the evolution of a universal approach to the solution of the special and particular problems of trade and development of land-locked countries in the different geographical areas, the conclusion of regional and other international agreements in this regard should be encouraged by all States.

### Principle VII

The facilities and special rights accorded to land-locked countries in view of their special geographical position are excluded from the operation of the most-favoured-nation clause.

### Principle VIII

The principles which govern the right of free access to the sea of land-locked State shall in no way abrogate existing agreements between two or more contracting parties concerning the problems, nor shall they raise an obstacle

as regards the conclusion of such agreements in the future, provided that the latter do not establish a régime which is less favourable than or opposed to the above-mentioned provisions.

Interpretative Note

These Principles are interrelated and each Principle should be construed in the context of the other Principles.

(Trade and Development - Final Act and Report,  
United Nations publication, Sales No.: 64.II.B.11,  
doc. E/CONF.46/141, Vol. I, pp, 18-26)

(d) Decisions and proposals of other bodies

1. International Juridical Union, 1919

Draft of a Declaration of Rights and Duties of Nations

.....

Article IV. The rights of each State are limited by the rights of other States.

States have duties toward one another.

All States likewise have duties toward the international community.

Article V. States must, in particular:

.....

(g) Participate in the creation, functioning, and development of all international services.

Article VI. In the accomplishment of their duties, as in the exercise of their rights, States must be inspired by the thought that their mission is the joint pursuit of human welfare through the progress of civilization.

(The Union [Union Juridique Internationale] was established in 1919, being primarily composed of European jurists. Its draft declaration was adopted as an outcome of the discussion by its members of the declaration of the American Institute reproduced as No.19 of this appendix. French text in Séances et Travaux de l'Union Juridique Internationale, 1920, vol. 2. [Preparatory Study concerning a Draft Declaration on the Rights and Duties of States; United Nations publication, Sales No.: 1949, V. 4, pp. 157, 158])



2. Inter-Parliamentary Union, 1928

Declaration of the Rights and Duties of States

.....

11. It is the duty of States to collaborate in every branch of human activity and especially in those whose aim is to further the general welfare of mankind.

The community of States must guarantee for each of them the economic conditions which are absolutely necessary for its existence and for its development.

(Text from Union Interparlementaire. Compte Rendu de la XXVème Conférence tenue à Berlin du 23 au 28 août 1928. Publié par le Bureau Interparlementaire /Lausanne etc. 1928/, pp. 525-527)

3. Union of American Republics, 2 November 1942

Preliminary Recommendation on Post-War Problems of the  
Inter-American Juridical Committee

Report of the Executive Committee of the Governing Board of the  
Pan American Union on Post-War Planning

....

Conclusions

The Inter-American Juridical Committee, taking into account the facts above set forth, indicating what the Committee believes to be the main causes of the breakdown of international law and order, and believing it necessary to make its contribution to the determination of the general principles upon which law and order should be based in the future, to the end that a just and permanent peace may be established among the nations, proposes to the Governments of the American Republics the following conclusions:

....

VII. Character of the new association of nations.

The international community must be organized on the basis of the co-operation of all nations.

No nation is privileged to remain aloof from the organization thus established.

Whether the organization is to be based upon the League of Nations amended and strengthened, or is to be a new legal institution, it must be so constituted as to reconcile the principle of universality of membership with the existence of regional groups formed by natural bonds of solidarity and common interests.

These regional groups or associations may adopt special rules governing the relations of their members among themselves in matters in which the common interests of the whole international community are not involved.

The functions of the new international organization must be as comprehensive as the political, economic and social needs of the community require. Existing international institutions and treaty agreements must be adjusted to meet new conditions and new needs.

(AJIL, Vol. 38, 1944, pp. 11, 28, 29, 30)

4. "Hudson Committee", 1 January 1944; The International Law of the Future  
Postulates, Principles and Proposals

Postulates for the International Law of the Future

.....

Postulate 2

The law of the Community of States is international law. The development of an adequate system of international law depends upon continuous collaboration by States to promote the common welfare of all peoples and to maintain just and peaceful relations between all States.

Comment

Western and even European in origin, international law was long conceived to be a law for Christian States, the law of the family of Christian nations. During the course of the nineteenth century, however, the wider intercourse of peoples led to the abandonment of that limitation, and today it is universally admitted to apply, as the Permanent Court of International Justice has said, "between all nations belonging to the community of States." It is, indeed, the law of the Community of States.

International law embodies the rules and principles established by international legislation, by international judicial decisions, and by the practice of States.

International legislation, often referred to as conventional law, includes the rules and principles contained in multipartite treaties and conventions, the number of which has greatly increased during the past fifty years. Rules and principles of international law may even become established as a consequence of their embodiment in a great number of bipartite treaties; thus, recent American and British treaties with China refer to "the principles of international law and practice as reflected in the modern international procedure and in the modern treaties" concluded by the parties with other States. International legislation may also include some of the acts promulgated by organs of the Community of States, to the extent that such organs have been empowered to make dispositions which are binding on States; thus, in the Mavrommatis Case, Judge John Bassett Moore referred to the Palestine mandate as being "in a sense a legislative act of the Council" of the League of Nations.

The judicial decisions of international tribunals may also, in some cases establish rules and principles of international law. All international tribunals are not on the same plane in this regard, however, the decisions of mixed bipartite commissions being obviously of less weight than those of tribunals of a more general character. In the past, few tribunals have had the support of a large number of States, and few have been permitted to function sufficiently continuously to develop a system of case-law; a great advance came with the establishment of the Permanent Court of International Justice. The decisions of national courts too have had influence on the development of international law, but as such courts function subject to national authority their decisions play a secondary rôle and cannot be said to establish rules and principles of law binding upon all States.

The practice of States, evidenced by the pronouncements of executive, diplomatic, and at times judicial agencies, is the basis of the customary international law. Before it can be said to establish a rule of principle of international law, a practice must be concordant and general, and it must be to some extent continuous. The practice of one State or the practice of several States, even though continuous, may not result in establishing rules and principles of international law.

The sources to be drawn upon in finding international law have been stated in the Statute of the Permanent Court of International Justice in the direction to the Court to apply (1) international conventions, whether general or particular, establishing rules expressly recognized by the contesting States, (2) international custom, as evidence of a general practice accepted as law, (3) the general principles of law recognized by civilized nations, and (4) judicial decisions and the teachings of the most highly qualified publicists of the various nations, as subsidiary means for the determination of rules of law.

Law cannot exist in a vacuum. It must always be related to the society which it serves. Nor can public law be divorced from political and social movements. International law depends upon, is conditioned by, the general character of international relations. If it is to be an efficient instrument for protecting and advancing the common interests of peoples, if it is to serve adequately the needs of the Community of States, it cannot remain subject to being set aside by States' going to war. Nor is it possible to maintain a stable legal order if the attention of States is not being continuously given to meeting new conditions and to solving the problems to which they give rise. To be respected, to serve as an instrument of justice and peace, international law must be brought up to date and must be kept up to date in a twentieth century world. It therefore seems essential to the "revitalizing and strengthening of international law" that States collaborate continuously to promote the common welfare of all peoples and to maintain friendly relations between all States.

This has been recognized in the Atlantic Charter in its emphasis on "the fullest collaboration between all nations in the economic field". The collaboration must be even wider, however. It must be so organized that it may extend into all of the fields which may be related to the maintenance of justice and peace. The development of international law must proceed hand in hand with the development of international collaboration.

Principles for the International Law of the Future

PRINCIPLE 5

Each State has a legal duty to coöperate with other States in establishing and maintaining agencies of the Community of States for dealing with matters of concern to the Community, and to collaborate in the work of such agencies.

COMMENT

Matters which are of concern to the Community of States must be dealt with by agencies empowered to deliberate and act on behalf of the Community. As the creation and maintenance of such agencies must be effected by the States which form the Community of States, a failure of any State to coöperate in creating or maintaining them, or in collaborating in their work, would mean a crippling of the Community itself. Progress in building a world order on secure legal foundations is conditioned upon such co-operation and collaboration. For this reason, the Inter-American Juridical Committee has recently declared that "no nation is privileged to remain aloof from the organization of the international community"; and the Ministers of Foreign Affairs of the American Republics, meeting at Habana in 1940, pledged their Governments to "coördinate their own interests with the duties of universal coöperation."

The imposition of a legal duty on States to meet this necessity is more than a pious aspiration. While it is not possible to state in advance precisely the steps which any State ought to take, it can be affirmed as a principle of law that States may not ignore the agencies of the Community of States, and that they have a positive legal duty to take part in the common effort which will enable the agencies to function toward the ends for which they were created. Precedents are not lacking for a statement of a legal duty in these terms. For example, the abortive Geneva Protocol on Pacific Settlement of International Disputes of 1924 referred to the obligations of certain States as requiring them "to coöperate loyally and effectively in support of the Covenant of the League of Nations and in resistance to any act of aggression."

A useful analogy may be found—here as so often in dealing with inter-State relations—in national efforts to regulate relations between employers and workers. Certain States have not hesitated to impose on employers and workers a duty to negotiate and to engage in collective bargaining; a law of the United States of America, for example, imposes a legal duty on various public carriers and their employees "to exert every reasonable effort to make and maintain agreements" on certain matters. Such duties are rigorously enforced by national courts. Under such laws, the persons on whom reciprocal duties are imposed are not constrained to reach an agreement, and they are not compelled to accede to demands made; yet they cannot lawfully decline to negotiate and their own proposals must be in the spirit of an effort to arrive at an understanding.

Similarly, a State may have a duty to take part in the common effort, to coöperate in maintaining the necessary agencies and to collaborate in their work. It would not be obliged to support any specific proposal which may be advanced, nor to enter into any agreement which in its judgment fails to take account of its special interests. Yet it would not be living up to its duty if it sought to remain entirely aloof and to ignore the common effort.

It is an historical fact that in some fields international coöperation has been well-nigh universal. Of the seventy-three States existing in 1937, seventy-two States have collaborated in the work of the Universal Postal Union; sixty-eight States are parties to the 1932 Telecommunication Convention, and to one or other of the various conventions dealing with the traffic in opium and drugs. Moreover, most of the States of the world—Nepal and Yemen being the chief exceptions—took part in some of the activities of the League of Nations. In 1939, the Secretary of State of the United States of America stated to the Secretary-General of the League of Nations that "the United States Government looks forward to the development and expansion of the League's machinery for dealing with the problems" in the social, economic and financial fields, "and to the participation by all nations in active efforts to solve them."

The Principle does not deal with the method of conducting the coöperation, nor with the specific agencies which must be established. Future developments which cannot be forecast will be controlling, but some specific suggestions are advanced in the later Proposals.

Nor is it possible to enumerate the matters which may be dealt with as matters of concern to the Community of States. Some matters which fall very closely into that category are referred to in these Postulates, Principles and Proposals. No list of them can be exhaustive. From time to time matters previously left to the exclusive competence of States may, as a result of the development of inter-State relations, become matters of concern to the Community of States. In general, all matters which concern two or more States, which have to do with inter-State relations, must be regarded as potentially matters of concern to the Community of States.

The enunciation of the Principle is needed as a foundation for the better organization of the Community of States. If it involves an extension of international law, the extension is based upon historical development, and it is in line with the necessities of a legal order.

5. VIIth Congress of the International Association of  
Democratic Lawyers, Sofia, 10-14 October 1960

General Resolution

.....

I - The peaceful co-existence of different social systems raises problems which are all the more urgent of resolution because new types of armaments are a threat to the whole of humanity. In these circumstances lawyers should devote themselves:

.....

3. Creating favourable conditions for economic and cultural collaboration among the peoples of the world, based on the equal rights of states and mutual respect for their sovereignty.

.....

(International Association of Democratic  
Lawyers, Bulletin No. 36, pp. 9-10)

6. The 50th Inter-Parliamentary Conference.  
Brussels, 14-22 September, 1961

Resolution

The Way to Peace

Declaration on the Principles which should guide States in their Mutual Relations for Eliminating International Tension and Preserving Peace

The 50th Inter-Parliamentary Conference,

.....

Considering that the time has come when it is both possible and necessary to promote an easing of international tension and that an active co-ordination of all factors in international life is the main prerequisite for this,

Considers it necessary to formulate the principles of international behaviour which have, in the light of international experience, after the adoption of the United Nations Charter, proved to be particularly important and essential;

Calls on all representative bodies to redouble their efforts with the aim of eliminating international tension and preserving peace, and to strive for the application in international practice of the principles listed below:

....

4. Countries are bound to apply basic principles of international behaviour, regardless of the differences which exist in their internal socio-political organization. The differences in socio-political structure are not an insurmountable obstacle to international understanding and co-operation. ....

(Inter-Parliamentary Bulletin,  
41st Year, No. 4, pp. 161-163)



7. The First World Conference on World Peace through Law, Athens 6 July 1963

.....

III. Lawyers' Global Work Program to Advance a World Rule of Law

.....

IV. (A) With Respect to the DEVELOPMENT OF INTERNATIONAL TRADE AND  
INTERNATIONAL ECONOMIC ASSOCIATIONS the Work Program should include  
studies to:

(1) Stimulate and encourage greater cooperation on trade and economic  
matters among the newly-developing nations.

(2) Eliminate current legal obstacles to the expansion of international  
trade, with recommendations for their removal

.....

(AJIL, Vol. 58, 1964, pp. 142, 143, 145)

(e) Travaux préparatoires of the United Nations Charter

UNCII...documents

1. Report of Rapporteur of Subcommittee I/1/A to Committee I/1

....

Chapter I. Purposes

....

Paragraph 3 of Chapter I

The Subcommittee was unanimous in its vote on the text of paragraph 3 as submitted to you. The change in the wording was due mainly to the defective use of adjectives in the paragraph as it stood amended by the four sponsoring governments.

Two important questions were the subject of discussion. I should mention both for the sake of clarification.

- (1) It was suggested to eliminate the word "international" before "problems". The word was kept on the understanding that some problems, though national, owing to the close interdependence of nations in our civilization, could be considered international, and fall within the purview of this article. It was understood likewise that they can be considered by the Organization only when the nation or state concerned with such problems brings them to the collective attention.
- (2) It was proposed also to use terminology other than "to promote and encourage the respect for human rights", etc., which would be "to assure" or "to protect" such fundamental rights and freedoms.

The Subcommittee held that assuring or protecting such fundamental rights is primarily the concern of each state. If, however, such rights and freedoms were grievously outraged so as to create conditions which threaten peace or to obstruct the application of provisions of the Charter, then they cease to be the sole concern of each state.

A suggestion based on some amendments was made to draft or include an already drafted bill of rights for nations and individuals.

The Subcommittee received the idea with sympathy, but decided that the present Conference, be it only for time, cannot proceed to realize such a draft in an international contract. The Assembly, once formed, can better proceed to consider the suggestion.

(The United Nations Conference on International Organization, San Francisco, 1945, Selected documents, Washington 1946, pp. 476, 480, 482-83)

2. Report of Rapporteur of Committee I/1 to Commission I

....

Paragraph 3

The change in the wording was due mainly to the wish to see a better use of adjectives in the paragraph.

It was clear to the Committee that "cultural" in the paragraph includes "educational".

A suggestion was made that we should eliminate the word "international" coming before "problems". The word was kept on the understanding that some problems, though at first sight they look national, could be considered essentially international, owing to the interdependence of nations in our civilization, and fall within the purview of this paragraph. Moreover it was not desired to impose consideration of internal national problems on the Organization.

It was understood likewise that such problems can be considered by the Organization only when the nation or state concerned with such problems brings them to the collective attention.

In connexion with paragraphs 2 and 3 a suggestion was made to draft or to include an already drafted bill of rights of nations and of individuals.

The Committee received the idea with sympathy but decided that the present Conference, if only for lack of time, could not proceed to realize such a draft in an international contract. The Organization, once formed, could better proceed to consider the suggestion and to deal effectively with it through a special commission or by some other method. The Committee recommends that the General Assembly consider the proposal and give it effect.

The Egyptian Delegation submitted a motion to establish the fundamental principles and rules of international law but that motion was rejected because another committee was dealing with this question. The Charter had already provided for such a purpose.

(The United Nations Conference on International Organization, San Francisco, 1945, Selected Documents, Washington 1946, pp. 490, 496)

### 3. General Index

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11 June mtg 2 Text approved Doc 909;II/11  
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27 April mtg 2 vol.1; Australia  
170-1,176-7; Belgium 182-3;  
Bolivia 187  
28 April mtg 3 Egypt vol.1 p.235  
28 April mtg 4 vol.1; Greece 290;  
Philippines 293  
1 May mtg 6 vol.1; France 436;  
Guatemala 441; Union of South  
Africa 424  
1 May mtg 7 vol.1; New Zealand  
513; Venezuela 519-20  
2 May mtg 8 Norway vol.1 p.554-5  
26 June Final mtg vol.1; China 661;  
Union of South Africa 678; USA 683  
26 June Closing mtg vol.1; China  
693; Union of South Africa 710;  
USA 717

Committee II/3 documentation  
8 June Rapporteur's report vol.10  
p.271

Commission II documentation

11 June Rapporteur's report vol.8  
p.80-82,90-91

Commission II discussion

11 June mtg 2 vol.8; Australia 60-1;  
Brazil 57-8; China 59-60; France  
61-2; Peru 63; Union of South  
Africa 52-3; USSR 56-7; UK 53-6

Plenary discussion

25 June mtg 9 vol.1 p.622

ECONOMIC PROGRESS AND DEVELOPMENT

Amendments to DO Prop vol.3; Australia  
547; Sponsors 627; Uruguay 32-3

Committee II/3 discussion

11 May mtg 4 vol.10; Canada 21;  
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14 May mtg 5 vol.10 p.27 Canada,  
Ukrainian SSR



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- Committee II/3 discussion (continued)
- 22 May mtg 10 vol.10: India 59;  
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- 29 May mtg 14 vol.10: Belgium,  
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France 128,129,130; Netherlands  
129,137; New Zealand 130;  
Venezuela 129
- 30 May mtg 15 vol.10: Argentina 142;  
Mexico 141; Peru 141; Union of  
South Africa, USSR, UK, Uruguay,  
Yugoslavia 142
- 2 June mtg 18 UNRRA vol.10 p.174
- 4 June mtg 19 vol.10: France 194-5;  
Panama 191,197-8
- 8 June mtg 21 Czechoslovakia vol.10  
p.261
- Committee II/3 documentation
- 8 June Rapporteur's report vol.10  
p.270-1

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- Amendments to DO Prop vol.3: Bolivia  
586; Mexico 140; Uruguay 32-3
- Committee II/3 discussion
- 16 May mtg 7 New Zealand vol.10 p.39
- 22 May mtg 10 vol.10: Australia 58;  
USA 57-8
- 30 May mtg 15 Peru vol.10 p.141
- Commission II discussion
- 11 June mtg 2 vol.8: Australia 60-1;  
France 62; Peru 63; UK 55

LABOR CONDITIONS

- Amendments to DO Prop vol.3: Mexico 140;  
Uruguay 43-4

SCIENCE: DEVELOPMENT OF

- Amendments to DO Prop Brazil vol.3  
p.252

SOCIAL: MEANING OF

- Amendments to DO Prop Norway vol.3 p.369

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- Amendments to DO Prop vol.3: Bolivia  
586; Chile 305; Sponsors 627;  
Uruguay 32-3
- Committee II/3 discussion
- 11 May mtg 4 Canada vol.10 p.21
- 14 May mtg 5 vol.10 p.27 Canada,  
Ukrainian SSR
- 22 May mtg 10 USA vol.10 p.58-9
- Committee II/3 documentation
- 26 May Declarations by Brazil and  
China vol.10 p.117
- 1 June Memorandum by Venezuela  
vol.10 p.64-8
- Committee II/3 discussion
- 4 June mtg 19 Panama vol.10 p.191,  
197-8
- Commission II discussion
- 8 June mtg 2 UK vol.8 p.54

Article 55/a SUBJECT ANALYSIS (continued)

STANDARDS OF LIVING

- Amendments to DO Prop vol.3: Bolivia  
586; Canada 591; Uruguay 43
- Plenary discussion
- 26 April mtg 1 USA vol.1 p.126
- 1 May mtg 6 Guatemala vol.1 p.441
- 1 May mtg 7 Venezuela vol.1 p.520
- Committee II/3 documentation
- 25 May Working paper Australia  
vol.10 p.695
- Committee II/3 discussion
- 30 May mtg 15 Peru vol.10 p.141
- Commission II discussion
- 11 June mtg 2 vol.8: Peru 63; UK 55;  
USA 62
- 20 June mtg 3 Australia vol.8 p.136

TECHNICAL ASSISTANCE

- Committee II/3 documentation
- 25 May Memorandum of Greece vol.10  
p.76-8

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DUMBARTON OAKS PROPOSALS Chap IX Sec A par 1  
Doc 1;G/1 vol.3 p.19

Amendments, comments and proposals

Australia Doc 2;G/14(1) vol.3 p.546

Bolivia Doc 2;G/14(r) vol.3 p.581

Brazil Doc 2;G/7(e)(3) and (e)(4) vol.3  
p.249,252

Canada Doc 2;G/14(t) vol.3 p.591

Chile Doc 2;G/7(1)(1) vol.3 p.303-4

France Doc 2;G/7(o) and (o)(1) vol.3 p.387-8,  
390

Haiti Doc 2;G/7(b)(1) vol.3 p.53

Norway Doc 2;G/7(n)(1) vol.3 p.372

Philippines Doc 2;G/14(k) vol.3 p.539

Sponsoring Powers Doc 2;G/29 vol.3 p.626

Uruguay Doc 2;G/7(a)(1) vol.3 p.41-43

COMMITTEE II/3

Documentation

Memorandum of Brazil 14 May Doc 385;II/3/17  
vol.10 p.107-111

Discussion

11 May mtg 5 Doc 318;II/3/12 vol.10 p.27-28

Action

16 May mtg 7 Text adopted Doc 381;II/3/16  
vol.10 p.40

Discussion

24 May mtg 11 Doc 567;II/3/27 vol.10:  
Argentina 84; Belgium 84; France 84;  
Greece 84; Haiti 84; Luxembourg 84;  
Panama 84; USSR 84; UK 84

Documentation

Proposal by France 25 May Doc 579;II/3/28  
vol.10 p.94-95

COMMITTEE II/3 SUB-COMMITTEE A

Action

26 May Text approved Doc WD 40;II/3/A/5  
vol.10 p.390

COMMITTEE II/3

Documentation

Joint declaration by Brazil and China 26 May  
Doc 614;II/3/32 vol.10 p.117

Discussion

28 May mtg 13 Doc 658;II/3/36 vol.10 p.120-1

Brazil; China; France; FAO; ILO

29 May mtg 14 Doc 684;II/3/38 and 745;II/3/38(1)

vol.10 p.127-131,137 Belgium 129;

Brazil 129; Chile 129; Czechoslovakia 129;

France 128,129,130; Netherlands 129,137;

New Zealand 130; Venezuela 129

Action

29 May mtg 14 Text approved Doc 684;II/3/38  
vol.10 p.127

Discussion

30 May mtg 15 Doc 699;II/3/40 vol.10:

Argentina 142; Mexico 141; Peru 141,142;

South Africa 142; USSR 142; UK 142;

Uruguay 142; Yugoslavia 142

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COMMITTEE II/3

Discussion (continued)

31 May mtg 16 Doc 725;II/3/42 vol.10 p.150-51  
Belgium, 150; Canada 150; USSR 150; UK 150;  
USA 150

Action

31 May mtg 16 Text accepted Doc 725;II/3/42  
vol.10 p.151

Documentation

Venezuela memorandum 1 June Doc 746;II/3/45  
vol.10 p.64-68

Rapporteur's report (draft) 6 June Doc 823;  
II/3/55 vol.10 p.239; 8 June Doc 861;  
II/3/55(1) vol.10 p.280

COMMISSION II

Action

11 June mtg 2 Text approved Doc 909;II/11  
vol.8 p.64

Rapporteur's report (draft) 11 June Doc 924;  
II/12 vol.8 p.81,90; Revised 23 June  
Doc 1177;II/18 vol.8 p.252,256;  
24 June Doc 1180;II/18(1) vol.8  
p.268,272

COORDINATION COMMITTEE

Documentation

Text suggested by Secretariat 10 June  
Doc WD 240;CO/43(2) vol.18 p.284

Action

13 June mtg 17 Text approved provisionally  
Doc WD 300;CO/121 vol.17 p.107-108

Discussion

14 June mtg 19 Doc WD 343;CO/134 vol.17  
p.119-122 Australia 120,121;  
Canada 120,121; China 120; France 120,121;  
Iran 120,121; Mexico 121; Netherlands 121;  
USSR 120,121; USA 120,121

Documentation

Coord Cttee text 16 June Doc WD 357;CO/143  
vol.18 p.443

Discussion

16 June mtg 26 Doc WD 426;CO/190 vol.17 p.181  
India, USSR, UK, USA

Action

16 June mtg 26 Text agreed Doc WD 426;CO/190  
vol.17 p.181

ADVISORY COMMITTEE OF JURISTS

Action

17 June mtg 12 Text approved Doc WD 395;  
CO/161 vol.17 p.427

COORDINATION COMMITTEE

Discussion

18 June mtg 31 Doc WD 431;CO/195 vol.17  
p.228-232 Australia 228; Brazil 231;  
Canada 230; France 229; UK 228,230;  
USA 228,230,231

Documentation

Coord Cttee text 19 June Doc WD 394;CO/143(1)  
vol.18 p.446

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ADVISORY COMMITTEE OF JURISTS

Action  
19 June mtg 17 Text approved Doc WD 419;  
CO/177 vol.17 p.438

COORDINATION COMMITTEE

Action  
19 June mtg 33 Ctte adopted Art. 55 in form  
of separate lettered sub-paragraph  
Doc WD 433;CO/197 vol.17 p.252

PLENARY

Action  
25 June mtg 9 Text adopted Doc 1210;P/20  
vol.1 p.631, 622

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14 June mtg 19 France vol.10 p.194

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543; Brazil 252; Norway 365;  
Philippines 535; Sponsors 622;  
Uruguay 34; Venezuela 191

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14 May mtg 5 France vol.10 p.27  
22 May mtg 10 USA vol.10 p.58  
25 May mtg 12 vol.10: Brazil 99;  
France 94-5,99; Panama 99;  
Venezuela 99  
28 May mtg 13 vol.10 p.122 France,  
USA  
31 May mtg 16 vol.10 p.152 Canada,  
UK,  
Committee II/3 documentation  
1 June Memorandum of Venezuela  
vol.10 p.64-8  
Committee II/3 discussion  
8 June mtg 21 Czechoslovakia vol.10  
p.261

Art: Development of

Amendments to DO Prop Brazil vol.3 p.252

ECONOMIC AND SOCIAL CAUSES OF WAR

Amendments to DO Prop vol.3: Chile 305;  
France 388  
Plenary discussion  
26 April mtg 1 vol.1: UK 140; USA 123  
27 April mtg 2 Belgium vol.1 p.183  
29 April mtg 3 vol.1: Egypt 235;  
India 245  
28 April mtg 4 vol.1: Greece 290;  
Uruguay 302-3  
1 May mtg 6 Union of South Africa  
vol.1 p.424-5  
2 May mtg 8 Peru vol.1 p.566

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ECONOMIC AND SOCIAL CAUSES OF WAR (continued)

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11 June mtg 2 vol.6: France 62;  
Union of South Africa 52  
Plenary discussion  
26 June Final mtg USA vol.1 p.683

ECONOMIC PROBLEMS

Plenary discussion  
26 April mtg 1 UK vol.1 p.140  
27 April mtg 2 Australia vol.1 p.171  
1 May mtg 6 Union of South Africa  
vol.1 p.424

Agriculture

Amendments to DO Prop Mexico vol.3  
p.140

Capital goods

Amendments to DO Prop Uruguay vol.3  
p.43  
Committee II/3 discussion  
24 May mtg 11 vol.10 p.84 Argentina  
Committee II/3 Sub-Committee A documentation  
26 May Report vol.10 p.391  
Committee II/3 discussion  
29 May mtg 14 vol.10: Belgium, Chile,  
Czechoslovakia, 129; France 128,  
129,130; New Zealand, Venezuela 129  
30 May mtg 15 vol.10: Mexico  
Peru, Union of South Africa,  
UK, Uruguay, Yugoslavia 142  
4 June mtg 19 France vol.10 p.194  
8 June mtg 21 France vol.10 p.261

Capital investment

Amendments to DO Prop Uruguay vol.3  
p.43

Cartels

Amendments to DO Prop Panama vol.3  
p.263  
Committee II/3 discussion  
4 June mtg 19 France vol.10 p.195  
Communications and transport  
Amendments to DO Prop vol.3: Mexico  
140; Panama 263  
Committee II/3 documentation  
8 June Rapporteur's report vol.10  
p.271

Consumption

Amendments to DO Prop Uruguay vol.3  
p.43

Finance, international

Amendments to DO Prop Mexico vol.3  
p.140  
Committee II/3 documentation  
8 June Rapporteur's report vol.10  
p.271

Industrialization

Amendments to DO Prop Bolivia vol.3  
p.586

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SUBJECT ANALYSIS

ECONOMIC PROBLEMS (continued)

Raw materials: accessibility

- Amendments to DO Prop vol.3: France 388; Uruguay 43
- Committee II/3 discussion
- 24 May mtg 11 vol.10 p.84 Argentina, France
- Committee II/3 Sub-Committee A documentation
- 26 May Report vol.10 p.391
- Committee II/3 discussion
- 29 May mtg 14 vol.10: Belgium, Brazil, Chile, Czechoslovakia 129; France 128,129,130; Netherlands 129,137; New Zealand 130; Venezuela 129
- 30 May mtg 15 vol.10: Argentina 142; Mexico 141; Peru 141,142; Union of South Africa, USSR, UK, Uruguay, Yugoslavia 142
- 4 June mtg 19 France vol.10 p.194, 195
- 8 June mtg 21 France vol.10 p.261

Regional co-operation

- Committee II/3 discussion
- 25 May mtg 12 vol.10 p.101
- Committee II/3 Sub-Committee A documentation
- 4 June Report vol.10 p.404-5
- Committee II/3 discussion
- 4 June mtg 19 vol.10 p.196

Trade

- Amendments to DO Prop Uruguay vol.3 p.33,43
- Plenary discussion
- 28 April mtg 4 Uruguay vol.1 p.303
- Committee II/3 discussion
- 29 May mtg 14 vol.10: France 128, 129,130; New Zealand 130
- 30 May mtg 15 vol.10: Argentina 142; Mexico 141; Peru 141,142
- Commission II discussion
- 11 June mtg 2 vol.8: France 62; Peru 63

ECONOMIC, SOCIAL AND HUMANITARIAN CO-OPERATION

- Amendments to DO Prop vol.3: Australia 546-7; Bolivia 581; Canada 591, 594; Chile 303; Egypt 462; France 19,388; Norway 362; Panama 259-60; Venezuela 217
- Commission II documentation
- 11 June Rapporteur's report vol.8 p.81,90

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EDUCATIONAL CO-OPERATION

- Amendments to DO Prop vol.3: Australia 546; Brazil 252; Cuba 504-9; France 390-1; Haiti 53; Lebanon 433; Norway 372; Panama 264; Philippines 539; Sponsors 626; Uruguay 43
- Plenary discussion
- 28 April mtg 3 Lebanon vol.1 p.252
- 30 April mtg 5 vol.1: Ecuador 371; Peru 356
- 1 May mtg 6 Haiti vol.1 p.443-4
- Committee II/3 discussion
- 14 May mtg 5 France vol.10 p.27
- Committee I/1 discussion
- 15 May mtg 6 vol.6 p.297
- Committee II/3 discussion
- 22 May mtg 10 vol.10: USA 58; Venezuela 59
- 24 May mtg 11 vol.10 p.84 France, Haiti, Panama
- 25 May mtg 12 vol.10 p.101 Brazil 99; France 94-5,99; Panama 99; Venezuela 99
- Committee II/3 documentation
- 1 June Memorandum of Venezuela vol.10 p.64-8
- Committee I/1 discussion
- 2 June mtg 10 vol.6 p.324
- Committee II/3 Sub-Committee A documentation
- 4 June Report vol.10 p.404-5
- Committee II/3 discussion
- 6 June mtg 20 Philippines vol.10 p.214
- 8 June mtg 21 Dominican Republic vol.10 p.260-1
- Commission II discussion
- 11 June mtg 2 vol.8: Brazil 58; China 59; USA 63
- Committee I/1 documentation
- 13 June Rapporteur's report vol.6 p.455

HEALTH CO-OPERATION

- Amendments to DO Prop vol.3: Bolivia 586; Brazil 249; Panama 264
- Committee II/3 documentation
- 14 May Memorandum of Brazil vol.10 p.107-11
- Committee III/1 Sub-Committee A documentation
- 22 May Report vol.10 p.381

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SUBJECT ANALYSIS

HEALTH CO-OPERATION (continued)

- Committee III/1 documentation
- 26 May Declaration of Brazil and China vol.10 p.117
- 8 June Rapporteur's report vol.10 p.271,275,278-9
- Committee III/1 discussion
- 8 June mtg 21 Dominican Republic vol.10 p.260-1
- Commission II discussion
- 11 June mtg 2 Brazil vol.8 p.58
- League of Nations Health Section
- Committee II/3 documentation
- 14 May Memorandum of Brazil vol.10 p.108-9

INTELLECTUAL CO-OPERATION

- Amendments to DO Prop vol.3: Cuba 506-8; France 390-1; Haiti 53; Mexico 140; Uruguay 43
- Plenary discussion
- 28 April mtg 3 Lebanon vol.1 p.252
- 1 May mtg 6 Haiti vol.1 p.443-4
- 1 May mtg 7 Venezuela vol.1 p.520
- 2 May mtg 8 Norway vol.1 p.554-5
- Committee I/2 discussion
- 11 May mtg 5 vol.7 p.31 Cuba, Ecuador
- Commission II documentation
- 11 June Rapporteur's report vol.8 p.88

SOCIAL PROBLEMS

- Children: Protection of
- Amendments to DO Prop vol.3: Mexico 140; Uruguay 43
- Drugs: Traffic in
- Commission II discussion
- 11 June mtg 2 UK vol.8 p.55
- Commission II documentation
- 11 June Rapporteur's report vol.8 p.81, 88, 96-9
- Philanthropical
- Amendments to DO Prop Cuba vol.3 p.506
- Population
- Amendments to DO Prop Mexico vol.3 p.140
- Regional
- Committee II/3 discussion
- 25 May mtg 12 vol.10 p.101
- Committee II/3 Sub-Committee A documentation
- 4 June Report vol.10 p.404-5
- Committee II/3 discussion
- 4 June mtg 19 vol.10 p.196

## Article 55/c

DUMFARTON OAKS PROPOSALS Chap IX Sec A par 1  
Doc 1;C/1 vol.3 p.19

Amendments, comments and proposals

Australia Doc 2;G/14(1) vol.3 p.546  
Bolivia Doc 2;G/14(r) vol.3 p.531  
Brazil, Dominican Republic and Mexico  
Doc 2;G/25 vol.3 p.603  
Canada Doc 2;G/14(t) vol.3 p.591  
Costa Rica Doc 2;G/7(h) and (h)(1) vol.3  
p.276,280  
Panama Doc 2;G/7(g)(2) vol.3 p.271  
Sponsoring Powers Doc 2;C/29 vol.3 p.626  
Ukrainian SSR Doc 4;7;G/53 vol.3 p.633  
Uruguay Doc 2;G/7(a)(1) vol.3 p.44

### COMMITTEE I/2

Discussion

15 May mtg 7 Doc 357;I/2/19 vol.7 p.43  
Australia

### COMMITTEE II/3

Rapporteur's report (draft) 6 June Doc 823;  
II/3/55 vol.10 p.239; 8 June Doc 861;  
II/3/55(1) vol.10 p.280

### COMMITTEE I/1

Discussion

7 June mtg 14 Doc 856;I/1/32 vol.6 p.381

### COMMISSION II

Action

11 June mtg 2 Text approved Doc 909;II/11  
vol.8 p.64

Rapporteur's report (draft) 11 June Doc 924;

II/12 vol.8 p.80-1, 90; Revised 23 June  
Doc 1177;II/18 vol.8 p.252,256; 24 June  
Doc 1180;II/18(1) vol.8 p.268,272

### COORDINATION COMMITTEE

Documentation

Text suggested by Secretariat 10 June  
Doc WD 240;CO/43(2) vol. 18 p.284

Discussion

13 June mtg 17 Doc WD 300;CO/121 vol.17  
p.107-8 Australia 107; Canada 107;  
China 107; Czechoslovakia 107

Action

13 June mtg 17 Approved provisionally  
Doc WD 300;CO/121 vol.17 p.107-8  
16 June mtg 26 Text agreed to Doc WD 426;  
CO/190 vol.17 p.181

### ADVISORY COMMITTEE OF JURISTS

Action

17 June mtg 12 Text approved Doc WD 395;  
CO/161 vol.17 p.427

### COORDINATION COMMITTEE

Discussion

18 June mtg 31 Doc WD 431;CO/195 vol.17  
p.228-32 Brazil 231; USA 231

## ARTICLE 55/c

### COORDINATION COMMITTEE (continued)

Documentation

Coord Ctte text 19 June Doc WD 394;CO/143(1)  
vol.18 p.446

### ADVISORY COMMITTEE OF JURISTS

Action

19 June mtg 17 Text approved Doc WD 419;  
CO/177 vol.17 p.438

### COORDINATION COMMITTEE

Action

19 June mtg 33 Text adopted Doc WD 433;  
CO/197 vol.17 p.252

### PLENARY

Action

25 June mtg 9 Text adopted Doc 1210;P/20  
vol.1 p.631, 622

## SUBJECT ANALYSIS

### HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Amendments to DO Prop vol.3. Australia  
546; Sponsors 626; Ukrainian  
SSR 633

Commission II discussion

11 June mtg 2 vol.8: Brazil 58;  
France 61-2; USSR 56; UK 55; USA 62  
Coordination Committee discussion  
13 June mtg 17 Canada vol.17 p.107

### PRESS: FREEDOM OF

Amendments to DO Prop Uruguay vol.3  
p.35

Committee I/1 discussion

17 May mtg 8 Philippines vol.6 p.312

### RELIGION: FREEDOM OF

Amendments to DO Prop Sponsors vol.3  
p.626

Committee II/3 Sub-Committee A documentation  
16 May Report vol.10 p.374

Committee II/4 documentation

25 May Working paper of Australia  
vol.10 p.695

Committee II/4 Sub-Committee A documentation  
9 June Working paper of USA vol.10  
p.526

### RIGHT TO WORK

Executive Committee documentation

18 May Proposal of Ukrainian SSR  
vol.5 p.440

### SEX: DISTINCTIONS

Amendments to DO Prop vol.3 p.603  
Brazil, Dominican Republic

### SLAVE TRADE

Committee II/4 documentation

25 May Working paper of Australia  
vol.10 p.695

## Article 56

### DUMBARTON OAKS PROPOSALS

No comparable text

#### Amendments, comments and proposals

Australia Doc 2;G/14(1) vol.3 p.546-7  
Chile Doc 2;G/7(1)(1) vol.3 p.303-4

### PLENARY

#### Discussion

27 April mtg 2 Doc 20;P/6 vol.1 p.177  
Australia

### COMMITTEE II/3

#### Documentation

Grouping of proposed amendments 9 May  
Doc 157;II/3/5 vol.10 p.306

### COMMITTEE II/3 SUB-COMMITTEE A

#### Action

22 May Text approved Doc WD 18;II/3/A/3  
vol.10 p.382

### COMMITTEE II/3

#### Discussion

24 May mtg 11 Doc 567;II/3/27 vol.10 p.83  
USA prop  
25 May mtg 12 Doc 599;II/3/31 vol.10 p.100  
Australia, USA

#### Action

25 May mtg 12 Text approved "in principle"  
Doc 599;II/3/31 vol.10 p.100

### COMMITTEE II/3 SUB-COMMITTEE A

#### Action

28 May Text approved Doc WD 46;II/3/35  
vol.10 p.394

### COMMITTEE II/3

#### Discussion

29 May mtg 14 Doc 684;II/3/38 vol.10 p.130  
Australia, USA  
30 May mtg 15 Doc 699;II/3/40 vol.10 p.139-40  
Australia prop 139; Belgium 139; Cuba 140;  
New Zealand 140; USSR 140; UK 140;  
USA 139,140

### COMMITTEE II/3 SUB-COMMITTEE A

#### Action

31 May Revised text approved Doc WD 66;  
II/3/A/7 vol.10 p.401

### COMMITTEE II/3

#### Action

1 June mtg 17 Text adopted Doc 747;II/3/L6  
vol.10 p.161

#### Documentation

Draft of approved article 3 June Doc WD 142;  
II/3/L7 vol.10 p.182

### COMMITTEE II/3 SUB-COMMITTEE A

#### Action

5 June Text approved Doc WD 190;II/3/A/10  
vol.10 p.409

## ARTICLE 56 (continued)

### COMMITTEE II/3

#### Action

6 June mtg 20 Revised text approved  
Doc 833;II/3/57 vol.10 p.215  
Rapporteur's report (draft) 6 June Doc 823;  
II/3/55 vol.10 p.240; 8 June Doc 861;  
II/3/55(1) vol.10 p.281

### COMMITTEE I/1

#### Action

7 June mtg 14 Uruguay amendment defeated  
Doc 856;I/1/32 vol.6 p.381

### COMMISSION II

#### Action

11 June mtg 2 Text adopted Doc 909;II/11  
vol.8 p.64  
Rapporteur's report (draft) 11 June Doc 924;  
II/12 vol.8 p.82,91; Revised 23 June  
Doc 1177;II/18 vol.8 p.252,256; 24 June  
Doc 1180;II/18(1) vol.8 p.258,272

### COORDINATION COMMITTEE

#### Documentation

Text suggested by Secretariat 10 June  
Doc WD 241;CO/66(2) vol.18 p.287

#### Discussion

13 June mtg 17 Doc WD 300;CO/121 vol.17  
p.108 Australia, Canada, USSR

#### Action

13 June mtg 17 Text provisionally approved  
Doc WD 300;CO/121 vol.17 p.108

### ADVISORY COMMITTEE OF JURISTS

#### Action

17 June mtg 12 Text approved Doc WD 395;  
CO/161 vol.17 p.427

#### Documentation

Coord Cttee text 19 June Doc WD 394;CO/143(1)  
vol.18 p.447

#### Action

19 June mtg 17 Approved Doc WD 419;CO/177  
vol.17 p.438

### COORDINATION COMMITTEE

#### Action

19 June mtg 33 Text accepted Doc WD 433;  
CO/197 vol.17 p.252

### PLENARY

#### Action

25 June mtg 9 Text adopted Doc 1210;P/20  
vol.1 p.631, 622

(United Nations Conference on Inter-  
National Organization, Documents,  
San Francisco 1945, Vol.XXI, pp. 17,  
163-172)

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20 October 1968

ORIGINAL: HUNGARY

Twentieth session  
SIXTH COMMITTEE  
Agenda item 12

CONSIDERATION OF THE DRAFT OF CONVENTIONS ON  
CONVULSIONS RELATING TO THE  
UNITED STATES IN CONNECTION WITH THE  
UNITED STATES

Deleted, and the draft of the Convention on  
Armed Forces, and the draft of the

U.N. Doc.

B. THE PRINCIPLE OF EQUAL RIGHTS AND SELF-DETERMINATION  
OF PEOPLES

(a) Treaties and international agreements

1. Convention on Rights and Duties of States, Montevideo, 26 December 1933

....

Article 3: The political existence of the state is independent of recognition by other states. Even before recognition the state has the right to defend its integrity and independence, to provide for its conservation and prosperity, and consequently to organize itself as it sees fit, to legislate upon its interests, administer its services, and to define the jurisdiction and competence of its courts.

The exercise of these rights has no other limitation than the exercise of the rights of other states according to international law.

(M.O. Hudson: International  
Legislation, Vol. VI, 1932-1934,  
Washington 1937, pp. 620, 622-623)

2. Atlantic Charter, 14 August 1941

.....

Third, they respect the right of all peoples to choose the form of government under which they will live; and they wish to see sovereign rights and self-government restored to those who have been forcibly deprived of them;

(A Decade of American Foreign Policy,  
Basic Documents, 1941-49, Washington  
1950, p. 2)



3. Treaty between the Government of the United Kingdom of Great Britain and Northern Ireland and the Provisional Government of Burma regarding the recognition of Burmese independence and related matters, London, 17 October 1947.

The Government of the United Kingdom of Great Britain and Northern Ireland, and the Provisional Government of Burma;

Considering that it is the intention of the Government of the United Kingdom of Great Britain and Northern Ireland to invite Parliament to pass legislation at an early date providing that Burma shall become an independent State;

Desiring to define their future relations as the Governments of independent States on the terms of complete freedom, equality and independence and to consolidate and perpetuate the cordial friendship and good understanding which subsist between them; and

Desiring also to provide for certain matters arising from the forthcoming change in the relations between them,

Have decided to conclude a treaty for this purpose and have appointed as their plenipotentiaries:-

.....

Who have agreed as follows:-

Article 1

The Government of the United Kingdom recognise the Republic of the Union of Burma as a fully independent sovereign State.

The contracting Governments agree to the exchange of diplomatic representatives duly accredited.

Article 2

All obligations and responsibilities heretofore devolving on the Government of the United Kingdom which arise from any valid international instrument shall henceforth, in so far as such instrument may be held to have application to Burma, devolve upon the Provisional Government of Burma. The rights and benefits heretofore enjoyed by the Government of the United Kingdom in virtue of the application of any such international instrument to Burma shall henceforth be enjoyed by the Provisional Government of Burma.

.....

Article 13

Nothing in the present Treaty is intended to or shall in any way prejudice the rights and obligations which devolve or may devolve upon either of the contracting parties under the Charter of the United Nations or from any special agreements concluded in virtue of Article 43 of the Charter.

.....

Article 15

The present Treaty shall be ratified and shall come into force immediately upon the exchange of Instruments of Ratification, which shall take place on the day on which Burma becomes independent in accordance with the appropriate legislation to be introduced in the United Kingdom for that purpose.

.....

(UNTS, Vol. 70, pp. 184-186, 192-194)

4. Agreement between the Egyptian Government and the Government of the United Kingdom of Great Britain and Northern Ireland concerning Self-Government and Self-Determination for the Sudan, Cairo, 12 February 1953

The Egyptian Government and the Government of the United Kingdom of Great Britain and Northern Ireland (hereinafter called the "United Kingdom Government"), firmly believing in the right of the Sudanese people to Self-Determination and the effective exercise thereof at the proper time and with the necessary safeguards, have agreed as follows :—

*Article 1*

In order to enable the Sudanese people to exercise Self-Determination in a free and neutral atmosphere, a transitional period providing full Self-Government for the Sudanese shall begin on the day specified in Article 9 below.

*Article 2*

The transitional period, being a preparation for the effective termination of the dual Administration, shall be considered as a liquidation of that Administration. During the transitional period the sovereignty of the Sudan shall be kept in reserve for the Sudanese until Self-Determination is achieved.

...

*Article 9*

The transitional period shall begin on the day designated as "the appointed day" in Article 2 of the Self-Government Statute. Subject to the completion of Sudanisation as outlined in Annex III to this Agreement, the two Contracting Governments undertake to bring the transitional period to an end as soon as possible. In any case this period shall not exceed three years. It shall be brought to an end in the following manner. The Sudanese Parliament shall pass a resolution expressing their desire that arrangements for Self-Determination shall be put in motion and the Governor-General shall notify the two Contracting Governments of this resolution.

*Article 10*

When the two Contracting Governments have been formally notified of this resolution the Sudanese Government, then existing, shall draw up a draft law for the election of the Constituent Assembly which it shall submit to Parliament for approval. The Governor-General shall give his consent to the law with the agreement of his Commission. Detailed preparations for the process of Self-Determination, including safeguards assuring the impartiality of the elections and any other arrangements designed to secure a free and neutral atmosphere shall be subject to international supervision. The two Contracting Governments will accept the recommendations of any international body which may be set up to this end.

*Article 11*

Egyptian and British Military Forces shall withdraw from the Sudan immediately upon the Sudanese Parliament adopting a resolution expressing its

desire that arrangements for Self-Determination be put in motion. The two Contracting Governments undertake to complete the withdrawal of their forces from the Sudan within a period not exceeding three months.

*Article 12*

The Constituent Assembly shall have two duties to discharge. The first will be to decide the future of the Sudan as one integral whole. The second will be to draw up a constitution for the Sudan compatible with the decision which shall have been taken in this respect, as well as an electoral law for a permanent Sudanese Parliament. The future of the Sudan shall be decided either :

- (a) by the Constituent Assembly choosing to link the Sudan with Egypt in any form, or
- (b) by the Constituent Assembly choosing complete independence.

*Article 13*

The two Contracting Governments undertake to respect the decision of the Constituent Assembly concerning the future status of the Sudan and each Government will take all the measures which may be necessary to give effect to its decision.

(UNTS, Vol. 161, pp. 153, 162-164)

5. Pacific Charter, Manila, 8 September 1954

The Delegates of Australia, France, New Zealand, Pakistan, the Republic of the Philippines, the Kingdom of Thailand, the United Kingdom of Great Britain and Northern Ireland, and the United States of America,

DESIRING to establish a firm basis for common action to maintain peace and security in Southeast Asia and the Southwest Pacific,

CONVINCED that common action to this end, in order to be worthy and effective, must be inspired by the highest principles of justice and liberty,

DO HEREBY PROCLAIM:

First, in accordance with the provisions of the United Nations Charter, they uphold the principle of equal rights and self-determination of peoples and they will earnestly strive by every peaceful means to promote self-government and to secure the independence of all countries whose peoples desire it and are able to undertake its responsibilities;

Second, they are each prepared to continue taking effective practical measures to ensure conditions favourable to the orderly achievement of the foregoing purposes in accordance with their constitutional processes;

Third, they will continue to cooperate in the economic, social and cultural fields in order to promote higher living standards, economic progress and social well-being in this region;

Fourth, as declared in the Southeast Asia Collective Defense Treaty, they are determined to prevent or counter by appropriate means any attempt in the treaty area to subvert their freedom or to destroy their sovereignty or territorial integrity.

(UNTS, Vol. 209, p. 24)

6. Southeast Asia Collective Defense Treaty, Manila, 8 September 1954

The Parties to this Treaty,

Recognizing the sovereign equality of all the Parties,

Reiterating their faith in the purposes and principles set forth in the Charter of the United Nations and their desire to live in peace with all peoples and all governments,

Reaffirming that, in accordance with the Charter of the United Nations they uphold the principle of equal rights and self-determination of peoples, and declaring that they will earnestly strive by every peaceful means to promote self-government and to secure the independence of all countries whose peoples desire it and are able to undertake its responsibilities,

Desiring to strengthen the fabric of peace and freedom and to uphold the principles of democracy, individual liberty and the rule of law, and to promote the economic well-being and development of all peoples in the treaty area,

.....

(UNTS, Vol. 209, p. 28)

7. Exchange of letters constituting an Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Sierra Leone relating to the inheritance of international rights and obligations by the Government of Sierra Leone, Freetown, 5 May 1961

---

I

Letter from the High Commissioner for the United Kingdom in Sierra Leone to the Minister of External Affairs of Sierra Leone

Freetown 5th May, 1961

Sir,

I have the honour to refer to the Sierra Leone Independence Act, 1961, under which Sierra Leone has assumed independent status within the Commonwealth of which Her Majesty the Queen is Head, and to state that it is the understanding of the Government of the United Kingdom of Great Britain and Northern Ireland that the Government of Sierra Leone agree to the following provisions:

- (i) all obligations and responsibilities of the Government of the United Kingdom which arise from any valid international instrument shall be assumed by the Government of Sierra Leone as from 27th April, 1961, in so far as such instrument may be held to have application to Sierra Leone;
- (ii) the rights and benefits heretofore enjoyed by the Government of the United Kingdom in virtue of the application of any such international instrument to Sierra Leone shall, as from 27th April, 1961, be enjoyed by the Government of Sierra Leone.

I shall be grateful for your confirmation that the Government of Sierra Leone are in agreement with the provisions aforesaid and that this note and your reply shall constitute an agreement between the two Governments.

.....

II

Letter from the Minister of External Affairs of Sierra Leone to the High  
Commissioner for the United Kingdom in Sierra Leone

Freetown 5th May, 1961

Sir,

I have the honour to acknowledge the receipt of your note of today's date which reads as follows:

/See letter I/

I have pleasure in confirming that the Government of Sierra Leone are in agreement with the provisions set out in your note of today's date, and that Your Excellency's note and this reply shall constitute an agreement between the two Governments.

.....

(UNTS, Vol. 420, pp. 12,14)



8. Agreement between the Republic of Indonesia and the Kingdom of the Netherlands concerning West New Guinea (West Irian),  
Signed at the Headquarters of the United Nations, New York,  
on 15 August 1962

---

The Republic of Indonesia and the Kingdom of the Netherlands,  
Having in mind the interests and welfare of the people of the  
territory of West New Guinea (West Irian) hereinafter referred to as  
"the territory",

Desirous of settling their dispute regarding the territory,

Now, therefore, agree as follows:

Ratification of Agreement and Resolution of the General Assembly of  
the United Nations

Article I

After the present Agreement between Indonesia and the Netherlands has  
been signed and ratified by both Contracting Parties, Indonesia and the  
Netherlands will jointly sponsor a draft resolution in the United Nations  
under the terms of which the General Assembly of the United Nations takes  
note of the present Agreement, acknowledges the role conferred upon the  
Secretary-General of the United Nations therein, and authorizes him to  
carry out the tasks entrusted to him therein.

Transfer of Administration

Article II

After the adoption of the resolution referred to in article I, the  
Netherlands will transfer administration of the territory to a United  
Nations Temporary Executive Authority (UNTEA) established by and under  
the jurisdiction of the Secretary-General upon the arrival of the United  
Nations Administrator appointed in accordance with article IV. The  
UNTEA will in turn transfer the administration to Indonesia in accordance  
with article XII.

.....

United Nations Administration

.....

First phase of the UNTEA Administration

.....

Second Phase

Article XII

The United Nations Administrator will have discretion to transfer all or part of the administration to Indonesia at any time after the first phase of the UNTEA administration. The UNTEA's authority will cease at the moment of transfer of full administrative control to Indonesia.

Article XIII

United Nations security forces will be replaced by Indonesian security forces after the first phase of the UNTEA administration. All United Nations security forces will be withdrawn upon the transfer of administration to Indonesia.

Indonesian Administration and Self-Determination

Article XIV

After the transfer of full administrative responsibility to Indonesia, Indonesian national laws and regulations will in principle be applicable in the territory, it being understood that they be consistent with the rights and freedoms guaranteed to the inhabitants under the terms of the present Agreement. New laws and regulations or amendments to the existing ones can be enacted within the spirit of the present Agreement. The representative councils will be consulted as appropriate.

Article XV

After the transfer of full administrative responsibility to Indonesia, the primary task of Indonesia will be further intensification of the education of the people of the combating of illiteracy, and of the advancement of their social, cultural and economic development. Efforts also will be made in accordance with present Indonesian practice to accelerate the participation of the people in local government through periodic elections. Any aspects relating to the act of free choice will be governed by the terms of this Agreement.

Article XVI

At the time of the transfer of full administrative responsibility to Indonesia a number of United Nations experts, as deemed adequate by the Secretary-General after consultation with Indonesia, will be designated to remain wherever their duties require their presence. Their duties will, prior to the arrival of the United Nations Representative, who will participate at the appropriate time in the arrangements for self-determination, be limited to advising on and assisting in preparations for carrying out the provisions for self-determination except in so far as Indonesia and the Secretary-General may agree upon their performing other expert functions. They will be responsible to the Secretary-General for the carrying out of their duties.

Article XVII

Indonesia will invite the Secretary-General to appoint a Representative who, together with a staff made up, inter alia, of experts referred to in

article XVI, will carry out the Secretary-General's responsibilities to advise, assist and participate in arrangements which are the responsibility of Indonesia for the act of free choice. The Secretary-General will, at the proper time, appoint the United Nations Representative in order that he and his staff may assume their duties in the territory one year prior to the date of self-determination. Such additional staff as the United Nations Representative might feel necessary will be determined by the Secretary-General after consultations with Indonesia. The United Nations Representative and his staff will have the same freedom of movement as provided for the personnel referred to in article XVI.

#### Article XVIII

Indonesia will make arrangements, with the assistance and participation of the United Nations Representative and his staff, to give the people of the territory the opportunity to exercise freedom of choice. Such arrangements will include:

(a) Consultations (Musjawarah) with the representative councils on procedures and appropriate methods to be followed for ascertaining the freely expressed will of the population.

(b) The determination of the actual date of the exercise of free choice within the period established by the present Agreement.

(c) Formulation of the questions in such a way as to permit the inhabitants to decide (a) whether they wish to remain with Indonesia; or (b) whether they wish to sever their ties with Indonesia.

(d) The eligibility of all adults, male and female, not foreign nationals to participate in the act of self-determination to be carried out in accordance with international practice, who are resident at the time of the signing of the present Agreement and at the time of the act of self-determination, including those residents who departed after 1945 and who return to the territory to resume residence after the termination of Netherlands administration.

#### Article XIX

The United Nations Representative will report to the Secretary-General on the arrangements arrived at for freedom of choice.

#### Article XX

The act of self-determination will be completed before the end of 1969.

#### Article XXI

1. After the exercise of the right of self-determination, Indonesia

and the United Nations Representative will submit final reports to the Secretary-General who will report to the General Assembly on the conduct of the act of self-determination and the results thereof.

2. The Parties to the present Agreement will recognize and abide by the results of the act of self-determination.

#### Rights of the Inhabitants

##### Article XXII

1. The UNTEA and Indonesia will guarantee fully the rights, including the rights of free speech, freedom of movement and of assembly, of the inhabitants of the area. These rights will include the existing rights of the inhabitants of the territory at the time of the transfer of administration to the UNTEA.

2. The UNTEA will take over existing Netherlands commitments in respect of concessions and property rights.

3. After Indonesia has taken over the administration it will honour those commitments which are not inconsistent with the interests and economic development of the people of the territory. A joint Indonesian-Netherlands commission will be set up after the transfer of administration to Indonesia to study the nature of the above-mentioned concessions and property rights.

4. During the period of the UNTEA administration there will be freedom of movements for civilians of Indonesian and Netherlands nationalities to and from the territory.

.....

#### Previous Treaties and Agreement

##### Article XXV

The present Agreement will take precedence over any previous agreement on the territory. Previous treaties and agreements regarding the territory may therefore be terminated or adjusted as necessary to conform to the terms of the present Agreement.

.....

9. Charter of the Organization of African Unity, Addis Ababa, 26 May 1963

We, the Heads of African States and Governments assembled in the City of Addis Ababa, Ethiopia;

CONVINCED that it is the inalienable right of all people to control their own destiny;

CONSCIOUS of the fact that freedom, equality, justice and dignity are essential objectives for the achievement of the legitimate aspirations of the African peoples;

....

DETERMINED to safeguard and consolidate the hard-won independence as well as the sovereignty and territorial integrity of our States, and to fight against neo-colonialism in all its forms;

....

PURPOSE

Article II

1. The Organization shall have the following purposes:

....

(d) to eradicate all forms of colonialism from Africa;

....

PURPOSE

Article III

The Member States, in pursuit of the purposes stated in Article II, solemnly affirm and declare their adherence to the following principles:

....

3. respect for the sovereignty and territorial integrity of each State and for its inalienable right to independent existence;

....

6. absolute dedication to the total emancipation of the African territories which are still dependent;

....

(b) Declarations and other international instruments adopted by States

1. Ninth International Conference of American States

Final Act, Bogota, 2 May 1948

XXXIII

Colonies and Occupied Territories in America and Creation of the  
American Committee on Dependent Territories

WHEREAS: The historical process of the emancipation of America will not be complete so long as there remain on the continent peoples and regions subject to a colonial regime, or territories occupied by non-American countries;

The ideal that inspired the epic of the independence of America will always animate our peoples and governments, united in their moral pledge to strive by all peaceful means within their power to eliminate from the continent any status of dependency, whatever its form, political, economic or juridical;

Ever since they achieved their independence, the American States have had this common objective, which has lately been defined in precise terms at the Meetings of Consultation of Ministers of Foreign Affairs, held at Habana and at Rio de Janeiro, in resolutions condemning colonial regimes in America and reaffirming the right of the peoples of this continent freely to determine their own destinies;

The American States have fixed a zone of continental security to which extra-continental conflicts should not extend, as might happen in consequences of the existence on the continent of dependent territories or those occupied by non-American countries;

The principle of pacific settlement of international controversies is part of the juridical heritage of the Organization of American States, and since controversies exist between American Republics and European States over rights of sovereignty in respect to certain territories of the continent;

The de facto or de jure status of colonies, possessions and dependent or occupied territories on the American continent, or within its security zone, varies in each case, within the framework of their common status, making it necessary to carry out studies on each of them in order to find a suitable solution in each case;

It is in the spirit of the American nations to preserve and strengthen the close solidarity of all the democratic nations of both hemispheres,

The Ninth International Conference of American States

DEBATES:

That it is a just aspiration of the American Republics that colonialism and the occupation of American territories by extra-continental countries should be brought to an end; and

RESOLVES:

First: To create an "American Committee on Dependent Territories" to centralize the study of the problem of the existence of dependent and occupied territories, in order to find an adequate solution to that question.

Second: The Committee shall be composed of one representative of each member of the Organization of American States, whose appointment shall, in each case, be communicated to the Council of the Organization before September 1, 1948, if possible.

As soon as fourteen have been appointed the Council, by prior agreement with the Government of Cuba, shall convoke the Committee in order that it may be installed and perform its duties in the city of Habana.

Third: The functions of the Committee shall be the following:

a) To centralize all information on any of the above-mentioned problems referred to it by the governments and entities concerned;

b) To study the situation of the colonies, possessions and occupied territories existing in America, and the problems related to such situation, whatever their nature, with a view to seeking pacific means of eliminating both colonialism and the occupation of American territories by extra-continental countries;

c) The Committee shall submit a report on each of such colonies, possessions and territories to the Council of the Organization of American States which shall transmit copies to the governments of the States members of the Organization for their information and study; these reports shall be considered at the first Meeting of Consultation of Ministers of Foreign Affairs that is held after the presentation of the reports;

d) The Committee shall draw up its own regulations.

Fourth: The creation of this Committee and the performance of its functions shall not exclude or limit the right and action of the interested States directly concerned with the problems to which this Resolution refers, to seek a solution of such problems by themselves through pacific means.

(Annals of the Organization of American States, Vol. 1, 1947, pp. 134-135)



2. Final, Inter-American Conference, Caracas, 1954

XXV

## DECLARATION OF CARACAS

The Fourth Inter-American Conference

...

### PRINCIPLES:

Recognition of the inalienable right of each American state to choose freely its own institutions in the effective exercise of representative democracy, to determine its economic policy, achieving its economic independence, and living its own social and cultural life, without intervention in its internal affairs by any other state, either directly or indirectly, in its domestic or external affairs, and, particularly, without the intrusion of any form of totalitarianism. ...

XXVI

## DECLARATION ON OCCUPIED TERRITORIES IN AMERICA

### PRINCIPLES:

The common devotion to liberty of the peoples of America has its roots in the achievement of emancipation, and inter-American solidarity will not require its true breadth and depth so long as there remain on the Continent territories occupied by extrajurisdictional countries and peoples deprived of the right to govern themselves;

The present stage in evolution of these peoples, which has given them the consciousness of their right to self-determination, makes more urgent than ever the final elimination and dissolution of any of its forms; and

As a result of their devotion to the peaceful settlement of international disputes, the use of force to maintain colonialism and the occupation of territories in America offends the American peoples,

The Fourth Inter-American Conference

### RESOLUTION:

1. It is the will of the peoples of America that colonialism be maintained against the desire of peoples, and the occupation of territories, definitively ended.

2. To ensure the growing of the American republics with an eye to the acquisition of sovereignty over their own territories.

3. To ensure the solidarity of the American republics with the peoples of the peoples of America with respect to the territories occupied by extra-continental countries.

4. To reiterate the faith of the American republics in the method of pacific settlement set forth in treaties in effect, and to regulate the use of force to maintain colonial systems and the occupation of territories in America.

## XCVII

### COLONIES IN AMERICAN TERRITORY

#### WHEREAS:

Resolution XXXIII of the Ninth International Conference of American States expressed the common aspiration of the American States that the colonial system on the Continent should be brought to an end;

The American Committee on De-Annexed Territories, appointed by the Ninth International Conference of American States, submitted a report, which was then entrusted to it by the aforementioned Conference;

America will have fully realized its historical destiny and fulfilled its mission of liberty only when there are no more American territories under the colonial system of extra-continental nations;

It is necessary, through peaceful means and with the understanding and assistance of the interested extra-continental countries, to find the best way to enable the above-mentioned territories to organize their own national existence, so that they will become sovereign members of the community of nations;

It is a permanent obligation of the members of this Hemisphere to contribute to the end that the aforementioned territories may emerge from the present régime of annexation in order to participate, on a basis of equality, in independence, in the benefits of the American community and the responsibilities of its national life;

The Charter of the United Nations assigns to the administering powers the "sacred trust" of developing the ability of non-self-governing territories to govern themselves, and to assist them in the development of their free political institutions;

The Latin American States of the Organization of American States are likewise members of the United Nations, in which the Organization is a regional organ; under Article 50 (1) of the United Nations Charter and Article 1 of the Charter of the Organization of American States; and

Both the American States and the extracontinental powers are thus concerned, with respect to common problems, to study and concern themselves with promoting the application of the provisions of the United Nations Charter, with a view to the effective realization of the high aims that inspired them,

#### The Tenth Inter-American Conference

##### RESOLVES:

1. To declare the necessity that the extracontinental countries having colonies in the territory of America not delay in carrying to completion the measures contained in the provisions of the United Nations Charter in order to make it possible for the respective peoples to exercise fully their right of self-determination, so that colonialism in America shall be definitively eliminated.

2. To declare that the present resolution does not refer to territories that are the subject of litigation or claim between extracontinental countries and some American republics. ...

(Annals of the Organization of  
American States, Vol. VI, 1954,  
pp. 116-113)

3. Communiqué of the Conference of Afro-Asian Countries  
(Bandung Declaration) 24 April 1955

.....

C. Human Rights and Self-determination

.....

The Conference declared its full support of the principles of self-determination of peoples and nations as set forth in the Charter of the United Nations and took note of the United Nations resolutions on the rights of peoples and nations to self-determination, which is a prerequisite of the full enjoyment of all fundamental Human Rights.

2. The Asian-African Conference deplored the policies and practices of racial segregation and discrimination which form the basis of government and human relations in large regions of Africa and in other parts of the world. Such conduct is not only a gross violation of human rights, but also a denial of the fundamental values of civilization and the dignity of man.

The Conference extended its warm sympathy and support for the courageous stand taken by the victims of racial discrimination, especially by the peoples of African and Indian and Pakistani origin in South Africa; applauded all those who sustain their cause, re-affirmed the determination of Asian-African peoples to eradicate every trace of racialism that might exist in their own countries; and pledged to use its full moral influence to guard against the danger of falling victims to the same evil in their struggle to eradicate it.

D. Problems of Dependent Peoples

1. The Asian-African Conference discussed the problems of dependent peoples and colonialism and the evils arising from the subjection of peoples to alien subjugation, domination and exploitation.

The Conference is agreed:

(a) in declaring that colonialism in all its manifestations is an evil which should speedily be brought to an end;

(b) in affirming that the subjection of peoples to alien subjugation, domination and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations and is an impediment to the promotion of world peace and cooperation;

(c) in declaring its support of the cause of freedom and independence for all such people, and

(d) in calling upon the powers concerned to grant freedom and independence to such peoples.

.....

G. Declaration on the Promotion of World Peace and Cooperation

.....

The right of self-determination must be enjoyed by all peoples, and freedom and independence must be granted, with the least possible delay, to those who are still dependent peoples. Indeed, all nations should have the right freely to choose their own political and economic systems and their

own way of life, in conformity with the purposes and principles of the Charter of the United Nations.

Free from mistrust and fear, and with confidence and goodwill towards each other, nations should practise tolerance and live together in peace with one another as good neighbours and develop friendly cooperation on the basis of the following principles:

1. Respect for fundamental human rights and for the purposes and principles of the Charter of the United Nations.
2. Respect for the sovereignty and territorial integrity of all nations.
3. Recognition of the equality of all races and of the equality of all nations large and small.
4. Abstention from intervention or interference in the internal affairs of another country.
5. Respect for the right of each nation to defend itself singly or collectively, in conformity with the Charter of the United Nations.
6. (a) Abstention from the use of arrangements of collective defence to serve the particular interests of any of the big powers.  
(b) Abstention by any country from exerting pressures on other countries.
7. Refraining from acts or threats of aggression or the use of force against the territorial integrity or political independence of any country.

...

(American Foreign Policy, 1950-1955,  
Basic Documents, Vol. II, Washington  
1957, pp. 2344, 2348-2349, 2351-2352)

The First Conference of Independent African States, Accra, 15-22 April 1958

#### Declaration

We, the African States assembled here in Accra, in this our first Conference, conscious of our responsibilities to humanity and especially to the peoples of Africa, and desiring to assert our African personality on the side of peace, brotherhood and solidarity reaffirm our unswerving loyalty to the Charter of the United Nations, the Universal Declaration of Human Rights and the Declaration of the All-African Conference held at Bandung.

We further assert and proclaim our unity among ourselves and our solidarity with the continent of Africa as well as our friendship with all nations. We resolve to preserve the unity of purpose and action in international affairs which we have fostered since ourselves in this historic Conference; to safeguard our hard-won independence, sovereignty and territorial integrity; and to preserve always unchanged the fundamental unity of outlook on foreign policy so that a united African personality will play its part in co-operation with other peoples united to advance the cause of peace.

We pledge ourselves to keep all our endeavours to avoid being committed to any action which might compromise our countries to the detriment of our interests and freedom; to encourage the right of the African peoples to independence and self-determination and to take appropriate steps to hasten the realisation of this right; ....

#### Resolutions

##### 1. Exchange of views on foreign policy

The Conference of Independent African States,

....

Adopts the following fundamental principles:

A. Unswerving loyalty to and support of the Charter of the United Nations and respect for decisions of the United Nations;

B. Adherence to the principles enunciated at the Bandung Conference, namely:

(i) Respect for the fundamental human rights and for the purposes and principles of the Charter of the United Nations.

(ii) Respect for the sovereignty and territorial integrity of all nations.

(iii) Recognition of the equality of all races and of the equality of all nations, large and small.

.....

2. The future of the dependent territories in Africa

The Conference of Independent African States,

Recognising that the existence of colonialism in any shape or form is a threat to the security and independence of the African States and to world peace,

Considering that the problems and the future of dependent territories in Africa are not the exclusive concern of the Colonial Powers but the responsibility of all members of the United Nations and in particular of the Independent African States,

Condemning categorically all colonial systems still enforced in our Continent and which impose arbitrary rule and repression on the people of Africa,

Convinced that a definite date should be set for the attainment of independence by each of the Colonial Territories in accordance with the will of the people of the territories and the provisions of the Charter of the United Nations,

1. Calls upon the Administering Powers to respect the Charter of the United Nations in this regard, and to take rapid steps to implement the provisions of the Charter and the political aspirations of the people, namely self-determination and independence, according to the will of the people;

2. Calls upon the Administering Powers to refrain from repression and arbitrary rule in these territories and to respect all human rights as provided for in the Charter of the United Nations and the Universal Declaration of Human Rights;

3. Calls upon the Administering Powers to bring to an end immediately every form of discrimination in these territories;

4. Recommends that all Participating Governments should give all possible assistance to the dependent peoples in their struggle to achieve self-determination and independence;

5. Recommends that the Independent African States assembled here should offer facilities for training and educating peoples of the dependent territories;

6. Decides that the 15th April of every year be celebrated as Africa Freedom Day.

.....

(Legum, Colin, Pan-Africanism: a short political guide, New York, 1962, pp. 139 - 142)

5. The Monrovia Conference of Foreign Ministers of Independent African States  
4-8 August 1959.

.....

5. Resolution on non-independent territories

The Conference of Independent African States,

After hearing petitioners from Uganda, Angola, Southern Rhodesia,

Reaffirms Resolution II of the Independent African States held in Accra in April 1958 concerning the future of dependent territories in Africa,

Recognises the right of non-independent territories in Africa to self-determination and independence,

1. Calls upon the Administering Powers to respect the Charter of the United Nations in this regard, to take rapid steps to implement the provisions of the Charter and to take due account of the political aspirations of the people, and their right to self-determination and independence.

2. Appeals to the conscience of the world and the members of the United Nations to assist these territories in realising their legitimate aspirations and to attain their independence in conformity with the Charter of the United Nations.

(Legum, Colin, Pan-Africanism: a short political guide, New York, 1962, pp. 165, 167, 168)



6. The Second Conference of Independent African States,  
Addis Ababa, 15-24 June 1960

1. The Strengthening of International Peace and Security in Conformity with the Charter of the United Nations and the Bandung and Accra Resolutions

The Conference of Independent African States meeting at Addis Ababa,

Reaffirming unswerving loyalty to the Charter of the United Nations, the Universal Declaration of Human Rights and the Declarations of the Bandung and Accra Conferences,

Animated by a sincere desire that Africa, in solidarity with the rest of the world, should play its role in strengthening world peace and security,

Convinced that colonialism is one of the factors which provoke friction between peoples and endanger international peace and security,

.....

9. Eradication of colonial rule from Africa

The Conference of the Independent African States meeting in Addis Ababa,

Recalling the declaration of Bandung and the resolutions of Accra and Monrovia proclaiming that colonialism in all its manifestations constitutes an evil which should speedily be brought to an end;

Reaffirming that the subjugation of peoples to alien domination and exploitation constitutes a denial of fundamental rights which is contrary to the Charter of the United Nations and the Universal Declaration of Human Rights, and is an impediment to the promotion of World Peace and Co-operation;

Considering that Africa is the only Continent where a large proportion of the inhabitants still live under colonial domination with all its privations and indignities;

Considering further that the present awakening of the people of Africa and the independence movements can no longer be contained, without the risk of seriously compromising relations between the diverse nations;

Believing that the restoration of natural rights and human dignity to the Africans, in those parts of Africa, at present under foreign subjugation, as well as the peaceful enjoyment of the hard-won freedom by the peoples of the Independent African States, could only be achieved through the complete eradication of colonial rule from our continent;

Recalling the courageous stand taken by the freedom fighters in Africa, and saluting the memory of those who sacrificed their lives in defending the liberty of their respective countries;

Conscious of the responsibility of the Independent African States towards those peoples fighting for independence and also of the active solidarity which should be shown towards all African freedom fighters;

Taking into consideration the petitions presented by the representatives of the nationalist movements in the non-independent countries of Africa (Angola, Kenya, Uganda, Northern and Southern Rhodesia, Ruanda-Urundi, the Union of the South Africa and South-West Africa);

1. Urges the Colonial Powers to fix dates in conformity with the will of the people for the immediate attainment of independence by all non-independent countries and to communicate those dates to the people concerned;

2. Resolves that the Independent African States continue to exert concerted action to achieve through all possible peaceful means the complete eradication of colonial rule from Africa;

3. Condemns the practice of colonial Powers of enlisting Africans, against their own will, in foreign armed forces to suppress the liberation movements in Africa;

4. Appeals to the conscience of all Africans to resist enlistment in such foreign armed forces;

5. Appeals further to leaders, political parties and other organisations of non-independent countries, at this historical phase of their struggle, to unite in a national front to achieve speedy liberation of their territories;

6. Decides to establish a special fund to aid Freedom Fighters in Africa (Africa Freedom Fund);

7. Decides that such a fund be administered by an organ to be established by the Conference in accordance with rules and regulations to be adopted by the Conference;

8. Agrees that the Independent African States contribute to the Africa Freedom Fund on the basis of equitable shares to be agreed upon by the Conference;

9. Recommends to extend assistance and to accord facilities to incoming African political refugees;

10. Decides to offer, if so desired, its good offices to assist in settling differences among leaders and political parties of non-independent countries through its permanent machinery;

11. Appeals to the colonial Powers to refrain from suppressing national liberation movements, to release immediately all political prisoners, detainees and persons under restrictive orders.

10. Eradication of colonial rule from Africa means to prevent new forms of colonialism in Africa

The Conference of the Independent African States meeting in Addis Ababa,

Welcoming the recent attainment of independence by several countries of Africa;

Reaffirming its faith in the total liberation and emancipation of Africa in the shortest possible time;

Considering the difficulties with which the emerging nations of Africa may be confronted in the political, economic and social fields;

Noting that new forms of colonialism could be introduced into these territories, under the guise of economic, financial and technical assistance;

Considering that some of the non-independent countries may, out of necessity and under pressure, enter into agreements and pacts with foreign Powers which would restrict in advance their total independence and hinder their future freedom of action;

1. Calls upon all colonial Powers to refrain from any action which might compromise the sovereignty and independence of the emerging States;
2. Declares that assistance to the emerging States should be without political conditions;
3. Urges the leaders of the emerging States to consider seriously this question before committing themselves to action which might prejudice the future of their countries;
4. Recommends that independent African States should consider the possibility of introducing a system whereby economic and technical aid can be provided by them collectively;
5. Urges the leaders of non-independent countries to resist any attempt at Balkanisation which is detrimental to the ultimate goal of African unity;
6. Recommends that the Independent African States be wary of colonial penetration through economic means and that they institute effective control over the working machineries of foreign companies operating in their territories.

(Legum, Colin, Pan-Africanism: a short political guide, New York, 1962, pp. 149, 153-154, 155)

7. The Casablanca Conference, 3-7 January 1961

1. The African Charter of Casablanca

We, the Heads of the African States, meeting in Casablanca from January 3 to January 7, 1961, conscious of our responsibilities towards the African Continent, proclaim our determination to promote the triumph of liberty all over Africa and to achieve its unity,

Affirm our will to preserve and consolidate our identity of views and unity of action in international affairs, to safeguard our hard won independence, the sovereignty and territorial integrity of our States, to reinforce peace in the world by adopting a policy of non alignment,

Proclaim our determination to liberate the African territories still under foreign domination, by giving them aid and assistance, to liquidate colonialism and neo-colonialism in all their forms, to discourage the maintenance of foreign troops and the establishment of bases which endanger the liberation of Africa and to strive equally to rid the African Continent of political and economic interventions and pressures,

Proclaim the necessity for the Independent African States to direct their political, economic and social policies to the exploitation of the national wealth for the benefit of their peoples and to ensuring an equitable distribution of that wealth among all nationals, .....

(Legum, Colin, Pan-Africanism: a short political guide, New York, 1962, p. 187)

8. Declaration of the Heads of State or Government of Non-Aligned Countries  
(Belgrade Declaration), 6 September 1961

.....

The Heads of State or Government of Non-Aligned Countries ... considering that the dynamic processes and forms of social change often result in or represent a conflict between the old established and the new emerging nationalist forces; considering that a lasting peace can be achieved only if this confrontation leads to a world where the domination of colonialism-imperialism and neo-colonialism in all their manifestations is radically eliminated;

And recognizing the fact

That acute emergencies threatening world peace now exist in this period of conflict in Africa, Asia, Europe and Latin America and big power rivalry likely to result in world conflagration cannot be excluded; that to eradicate basically the source of conflict is to eradicate colonialism in all its manifestations and to accept and practice a policy of peaceful coexistence in the world; ...

.....

II

All peoples and nations have to solve the problems of their own political, economic, social and cultural systems in accordance with their own conditions, needs and potentialities.

Furthermore, any attempt at imposing upon peoples one social or political system or another by force and from outside is a direct threat to world peace. The participating countries consider that under such conditions the principles of peaceful coexistence are the only alternative to the "cold war" and to a possible general nuclear catastrophe. Therefore, these principles - which include the right of peoples to self-determination, to independence and to the free determination of the forms and methods of economic, social and cultural development - must be the only basis of all international relations.

.....

The participants in the Conference emphasize, in this connexion, that the policy of coexistence amounts to an active effort towards the elimination of historical injustices and the liquidation of national oppression, guaranteeing, at the same time, to every people their independent development.

.....

### III

.....

1. The participants in the Conference solemnly reaffirm their support to the "Declaration on the Granting of Independence to Colonial Countries and Peoples", adopted at the 15th Session of the General Assembly of the United Nations and recommend the immediate unconditional, total and final abolition of colonialism and resolve to make a concerted effort to put an end to all types of new colonialism and imperialist domination in all its forms and manifestations.

2. The participants in the Conference demand that an immediate stop be put to armed action and repressive measures of any kind directed against dependent peoples to enable them to exercise peacefully and freely their right to complete independence and that the integrity of their national territory should be respected. Any aid given by any country to a colonial power in such suppression is contrary to the Charter of the United Nations.

The participating countries respecting scrupulously the territorial integrity of all states oppose by all means any aims of annexation by other nations.

.....

5. The participants in the Conference demand the immediate termination of all colonial occupation and the restoration of the territorial integrity to the rightful people in countries in which it has been violated in Asia, Africa and Latin America as well as the withdrawal of foreign forces from their national soil.

.....

8. The participants in the Conference resolutely condemn the policy of apartheid practised by the Union of South Africa and demand the immediate abandonment of this policy. They further state that the policy of racial discrimination anywhere in the world constitutes a grave violation of the Charter of the United Nations and the Universal Declaration of Human Rights.

9. The participating countries declare solemnly the absolute respect of the rights of ethnic or religious minorities to be protected in particular against crimes of genocide or any other violation of their fundamental human rights.

.....

11. The participating countries consider the establishment and maintenance of foreign military bases in the territories of other countries, particularly against their express will, a gross violation of the sovereignty of such States. They declare their full support to countries who are endeavouring to secure the vacation of these bases. They call upon those countries maintaining foreign bases to consider seriously their abolition as a contribution to world peace.

.....

13. The participants in the Conference reaffirm their conviction that:

(a) All nations have the right of unity, self-determination, and independence by virtue of which right they can determine their political status and freely pursue their economic, social and cultural development without intimidation or hindrance.

(b) All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law. In no case may a people be deprived of its own means of subsistence.

.....

14. The participating countries express their determination that no intimidation, interference or intervention should be brought to bear in the exercise of the right of self-determination of peoples, including their right to pursue constructive and independent policies for the attainment and preservation of their sovereignty.

.....

15. The countries participating in the Conference declare that the recipient countries must be free to determine the use of the economic and technical assistance which they receive, and to draw up their own plans and assign priorities in accordance with their needs.

(Journal of the Belgrade Conference,  
No. 5, 6 September 1961, pp. 19-23)



9. The Second Conference of Heads of State or Government  
(Cairo Declaration) 10 October 1964

INTRODUCTION

.....

The Conference notes with satisfaction that the movements of national liberation are engaged in different regions of the world, in a heroic struggle against neo-colonialism, and the practices of apartheid and racial discrimination. This struggle forms part of the common striving towards freedom, justice and peace.

The Conference reaffirms that interference by economically developed foreign States in the internal affairs of newly independent, developing countries and the existence of territories which are still dependent constitute a standing threat to peace and security.

.....

I

CONCERTED ACTION FOR THE LIBERATION OF THE COUNTRIES  
STILL DEPENDENT, ELIMINATION OF COLONIALISM, NEO-  
COLONIALISM AND IMPERIALISM

The Heads of State or Government of the Non-Aligned Countries declare that lasting world peace cannot be realized so long as unjust conditions prevail and peoples under foreign domination continue to be deprived of their fundamental right to freedom, independence and self-determination.

Imperialism, colonialism and neo-colonialism constitute a basic source of international tension and conflict because they endanger world peace and security. The participants in the Conference deplore that the Declaration of the United Nations on the granting of independence to colonial countries and peoples has not been implemented everywhere and call for the unconditional, complete and final abolition of colonialism now.

At present a particular cause of concern is the military or other assistance extended to certain countries to enable them to perpetuate by force colonialist and neo-colonialist situations which are contrary to the spirit of the Charter of the United Nations.

The exploitation by colonialist forces of the difficulties and problems of recently liberated or developing countries, interference in the internal affairs of these States, and colonialist attempts to maintain unequal relationships, particularly in the economic field, constitute serious dangers to these young countries. Colonialism and neo-colonialism have many forms and manifestations.

Imperialism uses many devices to impose its will on independent nations. Economic pressure and domination, interference, racial discrimination, subversion, intervention and the threat of force are neo-colonialist devices against which the newly independent nations have to defend themselves. The Conference condemns all colonialist, neo-colonialist and imperialist policies applied in various parts of the world.

.....

The newly independent countries have, like all other countries, the right of sovereign disposal in regard to their natural resources, and the right to utilize these resources as they deem appropriate in the interest of their peoples, without outside interference.

The process of liberation is irresistible and irreversible. Colonized peoples may legitimately resort to arms to secure the full exercise of their right to self-determination and independence if the colonial powers persist in opposing their natural aspirations.

The participants in the Conference undertake to work unrelentingly to eradicate all vestiges of colonialism, and to combine all their efforts to render all necessary aid and support, whether moral, political or material, to the peoples struggling against colonialism and neo-colonialism. The participating countries recognize the nationalist movements of the peoples which are struggling to free themselves from colonial domination as being authentic representatives of the colonial peoples, and urgently call upon the colonial powers to negotiate with their leaders.

.....

The Conference recommends that all necessary political, moral and material assistance be rendered to the liberation movements of these territories in their struggle against colonial rule.

.....

## II

### RESPECT FOR THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND CONDEMNATION OF THE USE OF FORCE AGAINST THE EXERCISE OF THIS RIGHT

The Conference solemnly reaffirms the right of peoples to self-determination and to make their own destiny.

It stresses that this right constitutes one of the essential principles of the United Nations Charter, that it was laid down also in the Charter of the Organisation of African Unity, and that the Conferences of Bandung and Belgrade demanded that it should be respected, and in particular insisted that it should be effectively exercised.

The Conference notes that this right is still violated or its exercise denied in many regions of the world and results in a continued increase of tension and the extension of the areas of war.

The Conference denounces the attitude of those Powers which oppose the exercise of the right of peoples to self-determination.

It condemns the use of force, and all forms of intimidation, interference and intervention which are aimed at preventing the exercise of this right.

### III

#### RACIAL DISCRIMINATION AND THE POLICY OF APARTHEID

The Heads of State or Government declare that racial discrimination - and particularly its most odious manifestation, apartheid - constitutes a violation of the Universal Declaration of Human Rights and of the principle of the equality of peoples. Accordingly, all Governments still persisting in the practice of racial discrimination should be completely ostracized until they have abandoned their unjust and inhuman policies.

.....

### IV

#### PEACEFUL COEXISTENCE AND THE CODIFICATION OF THE PRINCIPLES BY THE UNITED NATIONS

.....

Reaffirming their deep conviction that, in present circumstances, mankind must regard peaceful coexistence as the only way to strengthen world peace, which must be based on freedom, equality and justice between peoples within a new framework of peaceful and harmonious relations between the States and nations of the world;

Considering the fact that the principle of peaceful coexistence is based on the right of all peoples to be free and to choose their own political, economic and social systems according to their own national identity and their ideals, and is opposed to any form of foreign domination;

Convinced also that peaceful coexistence cannot be fully achieved throughout the world without the abolition of imperialism, colonialism and neo-colonialism;

.....

The Heads of State or Government solemnly proclaim the following fundamental principles of peaceful coexistence:

1. The right to complete independence, which is an inalienable right, must be recognized immediately and unconditionally as pertaining to all peoples, in conformity with the Charter and resolutions of the United Nations General Assembly; it is incumbent upon all States to respect this right and facilitate its exercise.
2. The right to self-determination, which is an inalienable right, must be recognized as pertaining to all peoples; accordingly, all nations and peoples have the right to determine their political status and freely pursue their economic, social and cultural development without intimidation or hindrance.
3. Peaceful coexistence between States with different social and political systems is both possible and necessary; it favours the creation of good-neighbourly relations between States with a view to the establishment of lasting peace and general well being, free from domination and exploitation.
4. The sovereign equality of States must be recognized and respected. It includes the right of all peoples to the free exploitation of their natural resources.

.....

6. All States shall respect the fundamental rights and freedoms of the human person and the equality of all nations and races.

7

RESPECT FOR THE SOVEREIGNTY OF STATES AND THEIR TERRITORIAL  
INTEGRITY: PROBLEMS OF DIVIDED NATIONS

(1) The Conference of Heads of State or Government proclaims its full adherence to the fundamental principle of international relations, in accordance with which the sovereignty and territorial integrity of all States, great and small, are inviolable and must be respected.

(2) The countries participating in the Conference, having for the most part achieved their national independence after years of struggle, reaffirm their determination to oppose by every means in their power any attempt to compromise their sovereignty or violate their territorial integrity. They pledge themselves to respect frontiers as they existed when the States gained independence; nevertheless, parts of territories taken away by occupying powers or converted into autonomous bases for their own benefit at the time of independence must be given back to the country concerned.

(3) The Conference solemnly reaffirms the right of all peoples to adopt the form of government they consider best suited to their development.

(4) The Conference considers that one of the causes of international tension lies in the problem of divided nations. It expresses its entire sympathy with the peoples of such countries and upholds their desire to achieve unity. It exhorts the countries concerned to seek a just and lasting solution in order to achieve the unification of their territories by peaceful methods without outside interference or pressure. It considers that the resort to threat or force can lead to no satisfactory settlement, cannot do otherwise than jeopardize international security.

.....

### VIII

#### MILITARY PACTS, FOREIGN TROOPS AND BASES

.....

The Conference considers the maintenance or future establishment of foreign military bases and the stationing of foreign troops on the territories of other countries, against the expressed will of those countries, as a gross violation of the sovereignty of States, and as a threat to freedom and international peace. It furthermore considers as particularly indefensible the existence or future establishment of bases in dependent territories which could be used for the maintenance of colonialism or for other purposes.

Noting with concern that foreign military bases are in practice a means of bringing pressure on nations and retarding their emancipation and development, based on their own ideological, political, economic and cultural ideas, the Conference declares its full support to the countries which are seeking to secure the evacuation of foreign bases on their territory and calls upon all States maintaining troops and bases in other countries to remove them forthwith.

.....

IX.

THE UNITED NATIONS: ITS ROLE  
IN INTERNATIONAL AFFAIRS, IMPLEMENTATION  
OF ITS RESOLUTIONS AND AMENDMENT  
OF ITS CHARTER

The participating countries declare:

The United Nations Organisation was established to promote international peace and security, to develop international understanding and co-operation, to safeguard human rights and fundamental freedom and to achieve all the purposes of the Charter. In order to be an effective instrument, the United Nations Organization must be open to all the States of the world. It is particularly necessary that countries still under colonial domination should attain independence without delay and take their rightful place in the community of nations.

.....

(Text reproduced from doc. NAC-II/Heads/5  
of 10 October 1964, of the Conference of  
Heads of State or governments of non-  
aligned countries, entitled "Programme for  
Peace and International Co-operation",  
pp. 3, 5-7, 10-12, 14-17, 25, 27)

(c) United Nations resolutions

XI. Resolutions adopted on the Report of the  
Fourth Committee

1. Non-Self-Governing Peoples

.....

Therefore  
with respect to Chapter XI of the Charter, the  
General Assembly:

1. Draws attention to the fact that the obligations accepted under Chapter XI of the Charter by all Members of the United Nations are in no way contingent upon the conclusion of trusteeship agreements or upon the bringing into being of the Trusteeship Council and are, therefore, already in full force.

2. Requests the Secretary-General to include in his annual report on the work of the Organization, as provided for in Article 98 of the Charter, a statement summarizing such information as may have been transmitted to him by Members of the United Nations under Article 73 (e) of the Charter relating to economic, social and educational conditions in the territories for which they are responsible other than those to which Chapters XII and XIII apply.

with respect to Chapters XII and XIII of the Charter, the  
General Assembly:

3. Welcomes the declarations, made by certain States administering territories now held under mandate, of an intention to negotiate trusteeship agreements in respect of some of those territories and, in respect of Transjordan, to establish its independence.

4. Invites the States administering territories now held under mandate to undertake practical steps, in concert with the other States directly concerned, for the implementation of Article 79 of the Charter (which provides for the conclusion of agreements on the terms of trusteeship for each territory to be placed under the trusteeship system), in order to submit these agreements for approval, preferably not later than during the second part of the first session of the General Assembly.

In conclusion, the General Assembly:

5. Expects that the realization of the objectives of Chapters XI, XII and XIII will make possible the attainment of the political, economic, social and educational aspirations of non-self-governing peoples.

Twenty-seventh plenary meeting, 9 February 1946.

(Resolutions adopted by the General Assembly during the First Part of its First Session from 10 January to 14 February 1946, p. 13)



66 (I). Transmission of Information under Article 73e  
of the Charter

.....

The General Assembly,

1. Invites the Members transmitting information to send to the Secretary-General by 30 June of each year the most recent information which is at their disposal;
2. Recommends that the information transmitted in the course of 1947 by Members of the United Nations under Article 73e of the Charter should be summarized, analysed and classified by the Secretary-General and included in his report to the second session of the General Assembly, in order that, in the light of the experience gained, the General Assembly may be able to decide whether any other procedure may be desirable for dealing with such information in future years;
3. Recommends that the Secretary-General communicate to the specialized agencies the information transmitted, with a view to making all relevant data available to their expert and deliberative bodies;
4. Invites the Secretary-General to convene, some weeks before the opening of the second session of the General Assembly, an ad hoc Committee composed in equal numbers of representatives of the Members transmitting information under Article 73e of the Charter and of representatives of Members elected, by the General Assembly at this session, on the basis of an equitable geographical distribution;
5. Invites the Secretary-General to request the Food and Agriculture Organization, the International Labour Organization, the United Nations Educational, Scientific and Cultural Organization, and the World Health Organization and the International Trade Organization, when constituted, to send representatives in an advisory capacity to the meeting of the ad hoc committee;
6. Invites the ad hoc Committee to examine the Secretary-General's summary and analysis of the information transmitted under Article 73e of the Charter with a view to aiding the General Assembly in its consideration of this information, and with a view to making recommendations to the General Assembly regarding the procedures to be followed in the future and the means of ensuring that the advice, expert knowledge and experience of the specialized agencies are used to the best advantage.

Sixty-fourth plenary meeting, 14 December 1946.

(Resolutions adopted by the General Assembly during the second part of its first session from 23 October to 15 December 1946, pp. 124, 125, 126)

217 (III). International Bill of Human Rights

A

UNIVERSAL DECLARATION  
OF HUMAN RIGHTS

Preamble

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

.....

Whereas it is essential to promote the development of friendly relations between nations,

Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom,

Whereas Member States have pledged themselves to achieve, in co-operation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,

Now, therefore,

The General Assembly

Proclaims this Universal Declaration of Human Rights as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

.....

Article 21

1. Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.

2. Everyone has the right of equal access to public service in his country.

3. The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

.....

183rd plenary meeting, 10 December 1948.

(Official Records of the Third Session  
of the General Assembly, Part I,  
21 September-12 December 1948,  
Resolutions, pp. 71-77)

291 (IV). Promotion of the stability of international  
relations in the Far East

.....

Whereas it is a purpose of the United Nations to develop friendly relations among nations based on respect for the principles of equal rights and self-determination of peoples,

.....

The General Assembly,

.....

Calls upon all States:

.....

2. To respect the right of the people of China, now and in the future, to choose freely their political institutions and to maintain a government independent of foreign control;

3. To respect existing treaties relating to China;

273rd plenary meeting, 8 December 1949.

(Official Records of the fourth  
session of the General Assembly,  
20 September-10 December 1949,  
Resolutions, p. 13)

NY 100-1077/100-1077-1  
encl.  
100-1077

44-1077. First International Convention on Human Rights and  
Measures of Implementation: Future work of the  
Commission on Human Rights

The General Assembly,

.....

2

. Call upon the Economic and Social Council to request the Commission  
on Human Rights to study ways and means which would ensure the right of peoples  
and nations to self-determination, and to prepare recommendations for  
consideration by the General Assembly at its sixth session.

217th plenary meeting, 4 December 1946.

(General Assembly Document No. 10  
Sixth Session, Supplement No. 10  
E/1.1.10, pp. 41, 42)

545 (VI). Inclusion in the International Covenant or Covenants on Human Rights of an article relating to the right of peoples to self-determination

Whereas the General Assembly at its fifth session recognized the right of peoples and nations to self-determination as a fundamental human right (resolution 421 D (V) of 4 December 1950),

Whereas the Economic and Social Council and the Commission on Human Rights, owing to lack of time, were unable to carry out the request of the General Assembly to study ways and means which would ensure the above-mentioned right to peoples and nations,

Whereas the violation of this right has resulted in bloodshed and war in the past and is considered a continuous threat to peace,

The General Assembly,

(i) To save the present and succeeding generations from the scourge of war,

(ii) To reaffirm faith in fundamental human rights, and

(iii) To take due account of the political aspirations of all peoples and thus to further international peace and security, and to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples,

1. Decides to include in the International Covenant or Covenants on Human Rights an article on the right of all peoples and nations to self-determination in reaffirmation of the principle enunciated in the Charter of the United Nations. This article shall be drafted in the following terms: "All peoples shall have the right of self-determination", and shall stipulate that all States, including those having responsibility for the administration of Non-Self-Governing Territories, should promote the realization of that right, in conformity with the Purposes and Principles of the United Nations, and that States having responsibility for the administration of Non-Self-Governing Territories should promote the realization of that right in relation to the peoples of such Territories;

2. Requests the Commission on Human Rights to prepare recommendations concerning international respect for the self-determination of peoples and to submit these recommendations to the General Assembly at its seventh session.

375th plenary meeting, 5 February 1952.

(General Assembly Official Records:  
Sixth Session, Supplement No. 20  
(A/2119), pp. 36, 37)

Draft Covenant on Economic, Social and Cultural Rights

.....

PART I

Article 1

1. All peoples have the right of self-determination. By virtue of the right they freely determine their political status and freely pursue their economic, social and cultural development.

2. The peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law. In no case may a people be deprived of its own means of subsistence.

3. All the States Parties to the Covenant, including those having responsibility for the administration of Non-Self-Governing and Trust Territories, shall promote the realization of the right of self-determination, and shall respect that right, in conformity with the provisions of the United Nations Charter.

.....

Draft Covenant on Civil and Political Rights

PART I

Article 1 <sup>19/</sup>

1. All peoples have the right of self-determination. By virtue of the right they freely determine their political status and freely pursue their economic, social and cultural development.

2. The peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law. In no case may a people be deprived of its own means of subsistence.

3. All the States Parties to the Covenant, including those having responsibility for the administration of Non-Self-Governing and Trust Territories, shall promote the realization of the right of self-determination, and shall respect that right, in conformity with the provisions of the United Nations Charter.

(A/C.3/L.1062, pp. 2-3, 9-10)

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19/ Identical in both draft Covenants: A/3077, para. 77.

611 (VII). The Tunisian question

The General Assembly,

Having debated the question proposed by thirteen Member States in document A/2152,

Mindful of the necessity of developing friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples,

Considering that the United Nations, as a centre for harmonizing the actions of nations in the attainment of their common ends under the Charter, should strive towards removing any causes and factors of misunderstanding among Member States, thus reasserting the general principles of co-operation in the maintenance of international peace and security,

1. Expresses its confidence that, in pursuance of its proclaimed policies, the Government of France will endeavour to further the effective development of the free institutions of the Tunisian people, in conformity with the Purposes and Principles of the Charter;

2. Expresses the hope that the parties will continue negotiations on an urgent basis with a view to bringing about self-government for Tunisians in the light of the relevant provisions of the Charter of the United Nations;

3. Appeals to the parties concerned to conduct their relations and settle their disputes in accordance with the spirit of the Charter and to refrain from any acts or measures likely to aggravate the present tension.

404th plenary meeting, 17 December 1952.

(General Assembly Official Records:  
Seventh Session, Supplement No. 20  
(A/2361), p. 5)

(Resolution 612 (VII) on the question  
of Morocco contains identical  
provisions, p. 5)



57 (VII) The right of peoples and nations to self-determination

A

Whereas the right of peoples and nations to self-determination is a prerequisite to the full enjoyment of all fundamental human rights,

Whereas the Charter of the United Nations, under Articles 1 and 55, aims to develop friendly relations among nations based on respect for the equal rights and self-determination of peoples in order to strengthen universal peace

Whereas the Charter of the United Nations recognizes that certain Members of the United Nations are responsible for the administration of Territories whose peoples have not yet attained a full measure of self-government, and affirms the principles which should guide them,

Whereas every Member of the United Nations, in conformity with the Charter, should respect the maintenance of the right of self-determination in other States,

The General Assembly recommends that:

1. The States Members of the United Nations shall uphold the principle of self-determination of all peoples and nations;
2. The States Members of the United Nations shall recognize and promote the realization of the right of self-determination of the peoples of Non-Self-Governing and Trust Territories who are under their administration and shall facilitate the exercise of this right by the peoples of such Territories according to the principles and spirit of the Charter of the United Nations in regard to such Territory and to the freely expressed wishes of the peoples concerned, the wishes of the people being ascertained through plebiscite, or other recognized democratic means, preferably under the auspices of the United Nations;
3. The States Members of the United Nations responsible for the administration of Non-Self-Governing and Trust Territories shall take practical steps, pending the realization of the right of self-determination and in preparation thereof, to ensure the direct participation of the indigenous populations in the legislative and executive organs of government of these Territories, and to prepare them for complete self-government or independence.

403rd plenary meeting, 16 December 1982.

B

The General Assembly

Considering that one of the conditions necessary to facilitate United Nations action to promote respect for the right of self-determination of peoples and nations, in particular with regard to the peoples of Non-Self-Governing Territories, is that the competent organs of the United Nations should be in possession of official information on the government of these Territories,

.....

1. Recommends States Members of the United Nations responsible for the administration of Non-Self-Governing Territories voluntarily to include in the information transmitted by them under Article 75 e of the Charter details regarding the extent to which the right of peoples and nations to self-determination is exercised by the peoples of those Territories, and in particular regarding their political progress and the measures taken to develop their capacity for self-administration, to satisfy their political aspirations and to promote the progressive development of their free political institutions;

.....

403rd plenary meeting, 16 December 1952.

C

The General Assembly,

Considering that it is necessary to continue the study of ways and means of ensuring international respect for the right of peoples to self-determination,

Considering that the recommendations it has adopted at its seventh session do not represent the only steps that can be taken to promote respect for such right,

1. Requests the Economic and Social Council to ask the Commission on Human Rights to continue preparing recommendations concerning international respect for the right of peoples to self-determination, and particularly recommendations relating to the steps which might be taken, within the limits of their resources and competence, by the various organs of the United Nations and the specialized agencies to develop international respect for the right of peoples to self-determination;

2. Requests the Commission on Human Rights to submit through the Economic and Social Council its recommendations to the General Assembly.

403rd plenary meeting, 16 December 1952.

1188 (XII). Recommendations concerning international respect for the right of peoples and nations to self-determination

The General Assembly,

Recalling that one of the purposes and principles of the United Nations is to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples,

Recalling further its resolution 545 (VI) of 5 February 1952 in which it decided to include in the International Covenants on Human Rights an article which should provide: "All peoples shall have the right of self-determination",

Reaffirming the principles embodied in the above-mentioned resolution that all States, including those having responsibility for the administration of Non-Self-Governing Territories, should promote the realization of that right, in conformity with the purposes and principles of the United Nations,

Considering that disregard for the right to self-determination not only undermines the basis of friendly relations among nations as defined in the Charter of the United Nations but also creates conditions which may prevent further realization of the right itself,

Believing that such a situation is contrary to the purposes and principles of the United Nations,

1. Reaffirms that it is of international importance that, in accordance with the purposes and principles of the Charter of the United Nations:

(a) Member States shall, in their relations with one another, give due respect to the right of self-determination;

(b) Member States having responsibility for the administration of Non-Self-Governing Territories shall promote the realization and facilitate the exercise of this right by the peoples of such Territories;

2. Decides to consider further at its thirteenth session the item "Recommendations concerning international respect for the right of peoples and nations to self-determination", including the proposals contained in Economic and Social Council resolution 586 D (XX) of 29 July 1955.

727th plenary meeting, 11 December 1957.

(General Assembly Official Records:  
Twelfth Session, Supplement No. 18  
(A/3805), p. 20)

194 (XIII). Recommendations concerning international respect  
for the right of peoples and nations to self-  
determination

The General Assembly.

Noting that the right of peoples and nations to self-determination as affirmed in the two Draft Covenants completed by the Commission on Human Rights includes "permanent sovereignty over their natural wealth and resources".

Believing it necessary to have full information as to its present reality, the actual extent and character of this sovereignty.

1. Decides to establish a Commission composed of Argentina, Chile, Colombia, the Philippines, Qatar, the Union of Soviet Socialist Republics, the United Arab Republic and the United States of America to conduct a full survey of the status of this basic constituent of the right to self-determination, with recommendations, where necessary, for its strengthening, and further decides that, in the conduct of the full survey of the status of the permanent sovereignty of peoples and nations over their natural wealth and resources, due regard shall be paid to the rights and duties of States under international law and to the importance of ensuring full international co-operation in the economic development of under-developed countries;

2. Invites the regional economic commissions and the specialized agencies to co-operate with the Commission in its work;

3. Requests the Commission to report to the Economic and Social Council or its competent bodies;

.....

Both priority needed, 12 December 1961.

(General Assembly, 37th Session:  
Thirteenth Session, Document No. 1  
(A/370), p. 27)

1603 (XV). The situation in Angola

The General Assembly,

.....

Recalling its resolution 1514 (XV) of 14 December 1960, by which the General Assembly declared without dissent that "the subjection of peoples to alien subjugation, domination and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations and is an impediment to the promotion of world peace and co-operation" and asked for immediate steps to be taken "to transfer all powers to the peoples of these territories, without any conditions or reservations, in accordance with their freely expressed will and desire, without any distinction as to race, creed or colour, in order to enable them to enjoy complete independence and freedom",

Recalling further its resolutions 1541 (XV) and 1542 (XV) of 15 December 1960,

1. Calls upon the Government of Portugal to consider urgently the introduction of measures and reforms in Angola for the purpose of the implementation of General Assembly resolution 1514 (XV), with due respect for human rights and fundamental freedoms and in accordance with the Charter of the United Nations;

992nd plenary meeting, 23 April 1961.

(General Assembly Official Records:  
Fifteenth Session, Supplement No. 16A  
(A/4684/Add.1), pp. 18-19)

738 (VIII). The right of peoples and nations to  
self-determination

The General Assembly,

.....

Considering the importance of the observance of and respect for  
the right of self-determination in the promotion of world peace and of  
friendly relations between peoples and nations,

.....

460th plenary meeting, 28 November 1953

(General Assembly Official Records:  
Eighth Session, Supplement No. 17  
(A/2630), p. 18)

742 (VIII). Factors which should be taken into account in deciding whether a Territory is or is not a Territory whose people have not yet attained a full measure of self-government

The General Assembly,

Bearing in mind the principles embodied in the Declaration regarding Non-Self-Governing Territories and the objectives set forth in Chapter XI of the Charter,

.....

1. Takes note of the conclusions of the report of the Ad Hoc Committee on Factors (Non-Self-Governing Territories);

2. Approves the list of factors as adopted by the Fourth Committee;

3. Recommends that the annexed list of factors should be used by the General Assembly and the Administering Members as a guide in determining whether any Territory, due to changes in its constitutional status, is or is no longer within the scope of Chapter XI of the Charter, in order that, in view of the documentation provided under resolution 222 (III) of 3 November 1948, a decision may be taken by the General Assembly on the continuation or cessation of the transmission of information required by Chapter XI of the Charter;

4. Reasserts that each concrete case should be considered and decided upon in the light of the particular circumstances of that case and taking into account the right of self-determination of peoples;

5. Considers that the validity of any form of association between a Non-Self-Governing Territory and a metropolitan or any other country essentially depends on the freely expressed will of the people at the time of the taking of the decision;

6. Considers that the manner in which Territories referred to in Chapter XI of the Charter can become fully self-governing is primarily through the attainment of independence, although it is recognized that self-government can also be achieved by association with another State or group of States if this is done freely and on the basis of absolute equality;

7. Reaffirms that the factors, while serving as a guide in determining whether the obligations as set forth in Chapter XI of the Charter shall exist, should in no way be interpreted as a hindrance to the attainment of a full measure of self-government by a Non-Self-Governing Territory;

8. Further reaffirms that, for a Territory to be deemed self-governing in economic, social or educational affairs, it is essential that its people shall have attained a full measure of self-government;

9. Instructs the Committee on Information from Non-Self-Governing Territories to study any documentation transmitted hereafter under resolution 222 (III) in the light of the list of factors approved by the present resolution, and other relevant considerations which may arise from each concrete case of cessation of information;

10. Recommends that the Committee on Information from Non-Self-Governing Territories take the initiative of proposing modifications at any time to improve the list of factors, as may seem necessary in the light of circumstances.

459th plenary meeting, 27 November 1953.

#### ANNEX

##### List of Factors

##### FACTORS INDICATIVE OF THE ATTAINMENT OF INDEPENDENCE OR OF OTHER SEPARATE SYSTEMS OF SELF-GOVERNMENT

##### First part

##### Factors indicative of the attainment of independence

##### A. International status

International responsibility. Full international responsibility of the Territory for the acts inherent in the exercise of its external sovereignty and for the corresponding acts in the administration of its internal affairs.

##### 2. Eligibility for membership in the United Nations.

3. General international relations. Power to enter into direct relations of every kind with other governments and with international institutions and to negotiate, sign and ratify international instruments.

##### 4. National defence. Sovereign right to provide for its national defence.

##### B. Internal self-government

1. Form of government. Complete freedom of the people of the Territory to choose the form of government which they desire.

2. Territorial government. Freedom from control or interference by the government of another State in respect of the internal government (legislature, executive, judiciary, and administration of the Territory).

3. Economic, social and cultural jurisdiction. Complete autonomy in respect of economic, social and cultural affairs.



Second part

Factors indicative of the attainment of other separate systems  
of self-government

A. General

1. Opinion of the population. The opinion of the population of the Territory, freely expressed by informed and democratic processes, as to the status or change in status which they desire.

2. Freedom of choice. Freedom of choosing on the basis of the right of self-determination of peoples between several possibilities, including independence.

3. Voluntary limitation of sovereignty. Degree of evidence that the attribute or attributes of sovereignty which are not individually exercised will be collectively exercised by the larger entity thus associated and the freedom of the population of a Territory which has associated itself with the metropolitan country to modify at any time this status through the expression of their will by democratic means.

4. Geographical considerations. Extent to which the relations of the Non-Self-Governing Territory with the capital of the metropolitan government may be affected by circumstances arising out of their respective geographical positions, such as separation by land, sea or other natural obstacles; and extent to which the interests of boundary States may be affected, bearing in mind the general principle of good-neighbourliness referred to in Article 74 of the Charter.

5. Ethnic and cultural considerations. Extent to which the populations are of different race, language or religion or have a distinct cultural heritage, interests or aspirations, distinguishing them from the peoples of the country with which they freely associate themselves.

6. Political advancement. Political advancement of the population sufficient to enable them to decide upon the future destiny of the Territory with due knowledge.

B. International status

1. General international relations. Degree or extent to which the Territory exercises the power to enter freely into direct relations of every kind with other governments and with international institutions and to negotiate, sign and ratify international instruments freely. Degree or extent to which the metropolitan country is bound, through constitutional provisions or legislative means, by the freely expressed wishes of the Territory in negotiating, signing and ratifying international conventions which may influence conditions in the Territory.

2. Change of political status. The right of the metropolitan country or the Territory to change the political status of that Territory in the light of the consideration whether that Territory is or is not subject to any claim or litigation on the part of another State.

3. Eligibility for membership in the United Nations.

C. Internal self-government

1. Territorial government. Nature and measure of control or interference, if any, by the government of another State in respect of the internal government, for example, in respect of the following:

Legislature: The enactment of laws for the Territory by an indigenous body whether fully elected by free and democratic processes or lawfully constituted in a manner receiving the free consent of the population;

Executive: The selection of members of the executive branch of the government by the competent authority in the Territory receiving consent of the indigenous population, whether that authority is hereditary or elected, having regard also to the nature and measure of control, if any, by an outside agency on that authority, whether directly or indirectly exercised in the constitution and conduct of the executive branch of the government;

Judiciary: The establishment of courts of law and the selection of judges.

2. Participation of the population. Effective participation of the population in the government of the Territory: (a) Is there an adequate and appropriate electoral and representative system? (b) Is this electoral system conducted without direct or indirect interference from a foreign government? a/

a/ For example, the following questions would be relevant:

- (i) Has each adult inhabitant equal power (subject to special safeguards for minorities) to determine the character of the government of the Territory?
- (ii) Is this power exercised freely, i.e. Is there an absence of undue influence over and coercion of the voter and of the imposition of disabilities on particular political parties?

Some tests which can be used in the application of this factor are as follows:

- (a) The existence of effective measures to ensure the democratic expression of the will of the people;
- (b) The existence of more than one political party in the Territory;
- (c) The existence of a secret ballot;
- (d) The existence of legal prohibitions on the exercise of undemocratic practices in the course of elections;
- (e) The existence for the individual elector of a choice between candidates of differing political parties;
- (f) The absence of "martial law" and similar measures at election times;
- (iii) Is each individual free to express his political opinions, to support or oppose any political party or cause, and to criticize the government of the day?

3. Economic, social and cultural jurisdiction. Degree of autonomy in respect of economic, social and cultural affairs, as illustrated by the degree of freedom from economic pressure as exercised, for example, by a foreign minority group which, by virtue of the help of a foreign Power, has acquired a privileged economic status prejudicial to the general economic interest of the people of the Territory; and by the degree of freedom and lack of discrimination against the indigenous population of the Territory in social legislation and social developments.

Third part

Factors indicative of the free association of a Territory on equal basis with the metropolitan or other country as an internal part of that country or in any other form

A. General

1. Opinion of the population. The opinion of the population of the Territory, freely expressed by informed and democratic processes, as to the status or change in status which they desire.

2. Freedom of choice. The freedom of the population of a Non-Self-Governing Territory which has associated itself with the metropolitan country as an integral part of that country or in any other form to modify this status through the expression of their will by democratic means.

3. Geographical considerations. Extent to which the relations of the Territory with the capital of the central government may be affected by circumstances arising out of their respective geographical positions, such as separation by land, sea or other natural obstacles. The right of the metropolitan country or the Territory to change the political status of that Territory in the light of the consideration whether that Territory is or is not subject to any claim or litigation on the part of another State.

4. Ethnic and cultural considerations. Extent to which the population are of different race, language or religion or have a distinct cultural heritage, interests or aspirations, distinguishing them from the peoples of the country with which they freely associate themselves.

5. Political advancement. Political advancement of the population sufficient to enable them to decide upon the future destiny of the Territory with due knowledge.

6. Constitutional considerations. Association by virtue of a treaty or bilateral agreement affecting the status of the Territory, taking into account (i) whether the constitutional guarantees extend equally to the associated Territory, (ii) whether there are powers in certain matters constitutionally reserved to the Territory or to the central authority, and (iii) whether there is provision for the participation of the Territory on a basis of equality in any changes in the constitutional system of the State.

## B. Slates

1. Legislative Representation. Representation without discrimination in the central legislative organs on the same basis as other inhabitants and regions.

2. Participation of the population. Effective participation of the population in the government of the Territory: (a) Is there an adequate and appropriate electoral and representative system? (b) Is this electoral system conducted without direct or indirect interference from a foreign government? a/

3. Citizenship. Citizenship without discrimination on the same basis as other inhabitants.

4. Government officials. Eligibility of officials from the Territory to all public offices of the central authority, by appointment or election, on the same basis as those from other parts of the country.

## C. Internal constitutional conditions

1. Suffrage. Universal and equal suffrage, and free periodic elections, characterized by an absence of undue influence over and coercion of the voter or of the imposition of disabilities on particular political parties. b/

2. Local rights and status. In a unitary system equal rights and status for the inhabitants and local bodies of the Territory as enjoyed by inhabitants and local bodies of other parts of the country; in a federal system an identical degree of self-government for the inhabitants and local bodies of all parts of the federation.

3. Local officials. Appointment or election of officials in the Territory on the same basis as those in other parts of the country.

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b/ For example, the following tests would be relevant:

- (c) The existence of effective measures to ensure the democratic expression of the will of the people;
- (d) The existence of more than one political party in the Territory;
- (e) The existence of a secret ballot;
- (f) The existence of legal prohibitions on the exercise of undemocratic practices in the course of elections;
- (g) The existence for the individual elector of a choice between candidates of differing political parties;
- (h) The absence of "fraudulent law" and similar measures at election times;
- (i) Freedom of each individual to express his political opinions, to support or oppose a political party or cause, and to criticize the Government.

4. Internal legislation. Local self-government of the same scope and under the same conditions as enjoyed by other parts of the country.

5. Economic, social and cultural jurisdiction. Degree of autonomy in respect of economic, social and cultural affairs, as illustrated by the degree of freedom from economic pressure as exercised, for example, by a foreign minority group which, by virtue of the help of a foreign Power, has acquired a privileged economic status prejudicial to the general economic interest of the people of the Territory; and by the degree of freedom and lack of discrimination against the indigenous population of the Territory in social legislation and social developments.

(General Assembly Official Records:  
Eighth Session, Supplement No. 17  
(A/1650) pp. 21-23)

650 (IX). Consideration of communications relating to the cessation of the transmission of information under Article 75 e of the Charter

The General Assembly.

Considering that, by resolutions 222 (III), 442 (V) and 742 (VIII), it has approved principles which should be followed in evaluating situations indicative of the attainment of a full measure of self-government by the peoples of Non-Self-Governing Territories and the consequent cessation of the transmission of information under Article 75 e of the Charter.

.....

1. Expresses the opinion that communications received from the Members concerned relating to the cessation of the transmission of information under Article 75 e of the Charter in respect of any Non-Self-Governing Territory should be examined, as indicated in resolution 742 (VIII), with particular emphasis on the manner in which the right of self-determination has been obtained and freely exercised;

2. Considers that, in order to evaluate as fully as possible the opinion of the population as to the status or change in status which they desire, a mission, if the General Assembly deems it desirable, should, in agreement with the Administering Power, visit the Non-Self-Governing Territory before or during the time when the population is called upon to decide on its future status or change in status;

3. Considers that the Committee on Information from Non-Self-Governing Territories might study means by which it could, at the appropriate time, draw the attention of the General Assembly to the forthcoming changes in the status of the Territory concerned;

4. Invites the Committee on Information from Non-Self-Governing Territories to include in its report to the General Assembly at its tenth session any proposals that it considers desirable concerning the implementation of the present resolution.

499th plenary meeting, 22 November 1954.

(General Assembly Official Records:  
Tenth Session, Supplement No. 21  
(A/2890), p. 28)

1514 (XV). Declaration on the granting of independence to  
colonial countries and peoples

The General Assembly,

Mindful of the determination proclaimed by the peoples of the world in the Charter of the United Nations to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small and to promote social progress and better standards of life in larger freedom,

Conscious of the need for the creation of conditions of stability and well-being and peaceful and friendly relations based on respect for the principles of equal rights and self-determination of all peoples, and of universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Recognizing the passionate yearning for freedom in all dependent peoples and the decisive role of such peoples in the attainment of their independence,

Aware of the increasing conflicts resulting from the denial of or impediments in the way of the freedom of such peoples, which constitute a serious threat to world peace,

Considering the important role of the United Nations in assisting the movement for independence in Trust and Non-Self-Governing Territories,

Recognizing that the peoples of the world ardently desire the end of colonialism in all its manifestations,

Convinced that the continued existence of colonialism prevents the development of international economic co-operation, impedes the social, cultural and economic development of dependent peoples and militates against the United Nations ideal of universal peace,

Affirming that peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law,

Believing that the process of liberation is irresistible and irreversible and that, in order to avoid serious crises, an end must be put to colonialism and all practices of segregation and discrimination associated therewith,

Welcoming the emergence in recent years of a large number of dependent territories into freedom and independence, and recognizing the increasingly powerful trends towards freedom in such territories which have not yet attained independence,

Convinced that all peoples have an inalienable right to complete freedom, the exercise of their sovereignty and the integrity of their national territory,

Solemnly proclaims the necessity of bringing to a speedy and unconditional end colonialism in all its forms and manifestations;

And to this end

Declares that:

1. The subjection of peoples to alien subjugation, domination and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations and is an impediment to the promotion of world peace and co-operation.

2. All peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

3. Inadequacy of political, economic, social or educational preparedness should never serve as a pretext for delaying independence.

4. All armed action or repressive measures of all kinds directed against dependent peoples shall cease in order to enable them to exercise peacefully and freely their right to complete independence, and the integrity of their national territory shall be respected.

5. Immediate steps shall be taken, in Trust and Non-Self-Governing Territories or all other territories which have not yet attained independence, to transfer all powers to the peoples of those territories, without any conditions or reservations, in accordance with their freely expressed will and desire, without any distinction as to race, creed or colour, in order to enable them to enjoy complete independence and freedom.

6. Any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations.

7. All States shall observe faithfully and strictly the provisions of the Charter of the United Nations, the Universal Declaration of Human Rights and the present Declaration on the basis of equality, non-interference in the internal affairs of all States, and respect for the sovereign rights of all peoples and their territorial integrity.

947th plenary meeting, 14 December 1960.

1541 (XV). Principles which should guide Members in determining whether or not an obligation exists to transmit the information called for under Article 73 e of the Charter

The General Assembly,

Considering the objectives set forth in Chapter XI of the Charter of the United Nations,

Fearing in mind the list of factors annexed to General Assembly resolution 742 (VIII) of 27 November 1953,

Having examined the report of the Special Committee of Six on the Transmission of Information under Article 73 e of the Charter, appointed under General Assembly resolution 1467 (XIV) of 12 December 1959 to study the principles which should guide Members in determining whether or not an obligation exists to transmit the information called for in Article 73 e of the Charter and to report on the results of its study to the Assembly at its fifteenth session,

1. Expresses its appreciation of the work of the Special Committee of Six on the Transmission of Information under Article 73 e of the Charter;

2. Approves the principles set out in section V, part B, of the report of the Committee, as amended and as they appear in the annex to the present resolution;

3. Decides that these principles should be applied in the light of the facts and the circumstances of each case to determine whether or not an obligation exists to transmit information under Article 73 e of the Charter.

948th plenary meeting, 15 December 1960.



## ANNEX

### Principles which should guide Members in determining whether or not an obligation exists to transmit the information called for in Article 73 e of the Charter of the United Nations

#### Principle I

The authors of the Charter of the United Nations had in mind that Chapter XI should be applicable to territories which were then known to be of the colonial type. An obligation exists to transmit information under Article 73 e of the Charter in respect of such territories whose peoples have not yet attained a full measure of self-government.

#### Principle II

Chapter XI of the Charter embodies the concept of Non-Self-Governing Territories in a dynamic state of evolution and progress towards a "full measure of self-government". As soon as a territory and its peoples attain a full measure of self-government, the obligation ceases. Until this comes about, the obligation to transmit information under Article 73 e continues.

#### Principle III

The obligation to transmit information under Article 73 e of the Charter constitutes an international obligation and should be carried out with due regard to the fulfilment of international law.

#### Principle IV

Prima facie there is an obligation to transmit information in respect of a territory which is geographically separate and is distinct ethnically and/or culturally from the country administering it.

#### Principle V

Once it has been established that such a prima facie case of geographical and ethnical or cultural distinctness of a territory exists, other elements may then be brought into consideration. These additional elements may be, inter alia, of an administrative, political, juridical, economic or historical nature. If they affect the relationship between the metropolitan State and the Territory concerned in a manner which arbitrarily places the latter in a position or status of subordination, they support the presumption that there is an obligation to transmit information under Article 73 e of the Charter.

#### Principle VI

A Non-Self-Governing Territory can be said to have reached a full measure of self-government by:

- (a) Emergence as a sovereign independent State;
- (b) Free association with an independent State; or
- (c) Integration with an independent State.

#### Principle VII

(a) Free association should be the result of a free and voluntary choice by the peoples of the territory concerned expressed through informed and democratic processes. It should be one which respects the individuality and the cultural characteristics of the territory and its peoples, and retains for the peoples of the territory which is associated with an independent State the freedom to modify the status of that territory through the expression of their will by democratic means and through constitutional processes.

(b) The associated territory should have the right to determine its internal constitution without outside interference, in accordance with due constitutional processes and the freely expressed wishes of the people. This does not preclude consultations as appropriate or necessary under the terms of the free association agreed upon.

#### Principle VIII

Integration with an independent State should be on the basis of complete equality between the peoples of the erstwhile Non-Self-Governing Territory and those of the independent country with which it is integrated. The peoples of both territories should have equal status and rights of citizenship and equal guarantees of fundamental rights and freedoms without any distinction or discrimination; both should have equal rights and opportunities for representation and effective participation at all levels in the executive, legislative and judicial organs of government.

#### Principle IX

Integration should have come about in the following circumstances:

(a) The integrating territory should have attained an advanced stage of self-government with free political institutions, so that its peoples would have the capacity to make a responsible choice through informed and democratic processes:

(b) The integration should be the result of the freely expressed wishes of the territory's peoples acting with full knowledge of the change in their status, their wishes having been expressed through informed and democratic processes, impartially conducted and based on universal adult suffrage. The United Nations could, when it deems it necessary, supervise these processes.

#### Principle X

The transmission of information in respect of Non-Self-Governing Territories under Article 73 e of the Charter is subject to such limitation as security and constitutional considerations may require. This means that the extent of the information may be limited in certain circumstances, but the limitation in Article 73 e cannot relieve a Member State of the obligations of Chapter XI. The "limitation" can relate only to the quantum of information of economic, social and educational nature to be transmitted.

#### Principle XI

The only constitutional considerations to which Article 73 e of the Charter refers are those arising from constitutional relations of the territory with the Administering Member. They refer to a situation in which the constitution of the territory gives it self-government in economic, social and educational matters through freely elected institutions. Nevertheless, the responsibility for transmitting information under Article 73 e continues, unless these constitutional relations preclude the Government or parliament of the Administering Member from receiving statistical and other information of a technical nature relating to economic, social and educational conditions in the territory.

#### Principle XII

Security considerations have not been invoked in the past. Only in very exceptional circumstances can information on economic, social and educational conditions have any security aspect. In other circumstances, therefore, there should be no necessity to limit the transmission of information on security grounds.

(General Assembly Official Records:  
Fifteenth Session, Supplement No. 16  
(A/4684), pp. 29, 30)

1573 (XV). Question of Algeria

The General Assembly,

.....

Taking note of the fact that the two parties concerned have accepted the right of self-determination as the basis for the solution of the Algerian problem,

Recognizing the passionate yearning for freedom of all dependent peoples and the decisive role of such peoples in the attainment of their independence,

Convinced that all peoples have an inalienable right to complete freedom, the exercise of their sovereignty and the integrity of their national territory,

1. Recognizes the right of the Algerian people to self-determination and independence;

2. Recognizes the imperative need for adequate and effective guarantees to ensure the successful and just implementation of the right of self-determination on the basis of respect for the unity and territorial integrity of Algeria;

3. Recognizes further that the United Nations has a responsibility to contribute towards the successful and just implementation of this right.

956th plenary meeting, 19 December 1960.

(General Assembly Official Records:  
Fifteenth Session, Supplement No. 16  
(A/4684), p. 3)

1654 (XVI). The situation with regard to the implementation of the Declaration on the granting of independence to colonial countries and peoples

The General Assembly,

Recalling the Declaration on the granting of independence to colonial countries and peoples contained in its resolution 1514 (XV) of 14 December 1960,

Bearing in mind the purposes and principles of that Declaration,

Recalling in particular paragraph 5 of the Declaration providing that:

"Immediate steps shall be taken, in Trust and Non-Self-Governing Territories or all other territories which have not yet attained independence, to transfer all powers to the peoples of those territories, without any conditions or reservations, in accordance with their freely expressed will and desire, without any distinction as to race, creed or colour, in order to enable them to enjoy complete independence and freedom",

Noting with regret that, with a few exceptions, the provisions contained in the aforementioned paragraph of the Declaration have not been carried out,

Noting that, contrary to the provisions of paragraph 4 of the Declaration, armed action and repressive measures continue to be taken in certain areas with increasing ruthlessness against dependent peoples, depriving them of their prerogative to exercise peacefully and freely their right to complete independence,

Deeply concerned that, contrary to the provisions of paragraph 6 of the Declaration, acts aimed at the partial or total disruption of national unity and territorial integrity are still being carried out in certain countries in the process of decolonization,

Convinced that further delay in the application of the Declaration is a continuing source of international conflict and disharmony, seriously impedes international co-operation, and is creating an increasingly dangerous situation in many parts of the world which may threaten international peace and security,

Emphasizing that inadequacy of political, economic, social or educational preparedness should never serve as a pretext for delaying independence,

1. Solemnly reiterates and reaffirms the objectives and principles enshrined in the Declaration on the granting of independence to colonial countries and peoples contained in its resolution 1514 (XV) of 14 December 1960:

2. Calls upon States concerned to take action without further delay with a view to the faithful application and implementation of the Declaration;

3. Decides to establish a Special Committee of seventeen members to be nominated by the President of the General Assembly at the present session;

4. Requests the Special Committee to examine the application of the Declaration, to make suggestions and recommendations on the progress and extent of the implementation of the Declaration, and to report to the General Assembly at its seventeenth session;

5. Directs the Special Committee to carry out its task by employment of all means which it will have at its disposal within the framework of the procedures and modalities which it shall adopt for the proper discharge of its functions;

6. Authorizes the Special Committee to meet elsewhere than at United Nations Headquarters, whenever and wherever such meetings may be required for the effective discharge of its functions, in consultation with the appropriate authorities;

7. Invites the authorities concerned to afford the Special Committee their fullest co-operation in carrying out its tasks;

8. Requests the Trusteeship Council, the Committee on Information from Non-Self-Governing Territories and the specialized agencies concerned to assist the the Special Committee in its work within their respective fields;

9. Requests the Secretary-General to provide the Special Committee with all the facilities and the personnel necessary for the implementation of the present resolution.

1066th plenary meeting, 27 November 1961.

(General Assembly Official Records:  
Sixteenth Session, Supplement No. 17  
(A/5100), p. 65)

1742 (XVI). The situation in Angola

The General Assembly,

.....

Convinced that the continued refusal of Portugal to recognize the legitimate aspirations of the Angolan people to self-determination and independence constitutes a permanent source of international friction and threatens international peace and security,

.....

2. Solemnly reaffirms the inalienable right of the Angolan people to self-determination and independence;

3. Deeply deprecates the repressive measures and armed action against the people of Angola and the denial to them of human rights and fundamental freedoms, and calls upon the Portuguese authorities to desist forthwith from repressive measures against the people of Angola;

.....

1102nd plenary meeting, 30 January 1962.

(General Assembly Official Records:  
Sixteenth Session, Supplement No. 17  
(A/5100), pp. 65-67)

The General Assembly,

.....

Recalling the Declaration on the granting of independence to colonial countries and peoples embodied in resolution 1514 (XV) of 14 December 1960,

Taking note of the desire of the Governments of Rwanda and Burundi to attain independence as separate States on 1 July 1962, the date envisaged in paragraph 7 of resolution 1743 (XVI),

Taking into account the declaration by the Government of Burundi that from the date of the proclamation of independence it will not agree to the presence of foreign troops on its soil, and the declaration by the Government of Rwanda that the termination of the Trustship Agreement will make illegal the presence of Belgian troops in the territory of the Republic,

Noting the Declaration of the Administering Authority that it will withdraw its forces from Rwanda and Burundi in accordance with the wishes of the General Assembly and the Governments concerned,

Recalling that after independence Rwanda and Burundi will enjoy sovereign rights,

Seeing in mind the needs which will confront Rwanda and Burundi in all fields when they accede to independence,

Recalling its resolution 1415 (XIV) of 5 December 1959 on assistance to territories emerging from a trust status and to newly independent States,

.....

2. Decides, in agreement with the Administering Authority, to terminate the Trusteeship Agreement of 12 December 1946 in respect of Ruanda-Urundi on 1 July 1962, on which date Rwanda and Burundi shall emerge as two independent and sovereign States;

3. Calls upon the Government of Belgium to withdraw and evacuate its forces still remaining in Rwanda and Burundi, and that, as of 1 July 1962, the Belgian troops in process of evacuation will no longer have any role to play and that the evacuation must be completed by 1 August 1962, without prejudice to the sovereign rights of Rwanda and Burundi;

.....

1118th plenary meeting, 27 June 1962.



1747 (XVI). The question of Southern Rhodesia

The General Assembly,

Recalling its resolution 1514 (XV) of 14 December 1960 containing the Declaration on the granting of independence to colonial countries and peoples,

.....

Noting with regret that the Government of the United Kingdom of Great Britain and Northern Ireland has not yet taken steps to transfer all powers to the people of Southern Rhodesia, as required under paragraph 5 of resolution 1514 (XV),

.....

1. Approves the conclusions of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to colonial Countries and Peoples on Southern Rhodesia, and affirms that the Territory of Southern Rhodesia is a Non-Self-Governing Territory within the meaning of Chapter XI of the Charter of the United Nations;

2. Requests the Administering Authority:

(a) To undertake urgently the convening of a constitutional conference, in which there shall be full participation of representatives of all political parties, for the purpose of formulating a constitution for Southern Rhodesia, in place of the Constitution of 6 December 1961, which would ensure the rights of the majority of the people, on the basis of "one man, one vote", in conformity with the principles of the Charter of the United Nations and the Declaration on the granting of independence to colonial countries and peoples, embodied in General Assembly resolution 1514 (XV);

.....

1121st plenary meeting, 28 June 1962.

(General Assembly Official Records:  
Sixteenth Session, Supplement No. 17A  
(A/5100/Add.1), p. 3)

1724 (XVI). Question of Algeria

The General Assembly,

Having discussed the question of Algeria,

Recalling its resolution 1514 (XV) of 14 December 1960 in which it proclaimed the necessity of bringing to a speedy and unconditional end colonialism in all its forms and manifestations,

Recalling further its resolution 1573 (XV) of 19 December 1960 by which it recognized the right of the Algerian people to self-determination and independence, the imperative need for adequate and effective guarantees to ensure the successful and just implementation of the right to self-determination on the basis of respect for the unity and territorial integrity of Algeria, and the fact that the United Nations has a responsibility to contribute towards the successful and just implementation of that right,

Deeply concerned about the continuance of the war in Algeria,

Taking note of the fact that the two parties concerned have affirmed their willingness to seek a negotiated and peaceful solution on the basis of the right of the Algerian people to self-determination and independence,

Regretting the suspension of the negotiations entered into by the Government of France and the Provisional Government of the Algerian Republic,

Calls upon the two parties to resume negotiations with a view to implementing the right of the Algerian people to self-determination and independence respecting the unity and territorial integrity of Algeria.

1085th plenary meeting, 20 December 1961.

(General Assembly Official Records:  
Sixteenth Session, Supplement No. 17  
(A/5100), p. 8)

1702 (XVI). Question of South West Africa

The General Assembly,

.....

Convinced that the implementation of resolution 1514 (XV) and the discharge of the responsibility of the United Nations under the Charter towards the international community and the people of South West Africa require the taking of immediate steps by the United Nations,

1. Solemnly proclaims the inalienable right of the people of South West Africa to independence and national sovereignty;

.....

1083rd plenary meeting, 19 December 1961.

(General Assembly Official Records:  
Sixteenth Session, Supplement No. 17  
(A/5100), pp. 39, 40)

1723 (XVI). Question of Tibet

The General Assembly,

.....

Considering that these events violate fundamental human rights and freedoms set out in the Charter of the United Nations and the Universal Declaration of Human Rights, including the principle of self-determination of peoples and nations, and have the deplorable effect of increasing international tension and embittering relations between peoples,

1. Reaffirms its conviction that respect for the principles of the Charter of the United Nations and of the Universal Declaration of Human Rights is essential for the evolution of a peaceful world order based on the rule of law;

2. Solemnly renews its call for the cessation of practices which deprive the Tibetan people of their fundamental human rights and freedoms, including their right to self-determination;

3. Expresses the hope that Member States will make all possible effort, as appropriate, towards achieving the purposes of the present resolution.

1085th plenary meeting, 20 December 1961.

(General Assembly Official Records:  
Sixteenth Session, Supplement No. 17  
(A/5100), p. 66)

1803 (XVII). Permanent sovereignty over natural resources

The General Assembly,

.....

Bearing in mind its resolution 1515 (XV) of 15 December 1960, in which it recommended that the sovereign right of every State to dispose of its wealth and its natural resources should be respected,

Considering that any measures in this respect must be based on the recognition of the inalienable right of all States freely to dispose of their natural wealth and resources in accordance with their national interests, and on respect for the economic independence of States,

Considering that it is desirable to promote international co-operation for the economic development of developing countries, and that economic and financial agreements between the developed and the developing countries must be based on the principles of equality and of the right of peoples and nations to self-determination,

I

Declares that:

1. The right of peoples and nations to permanent sovereignty over their natural wealth and resources must be exercised in the interest of their national development and of the well-being of the people of the State concerned.

.....

5. The free and beneficial exercise of the sovereignty of peoples and nations over their natural resources must be furthered by the mutual respect of States based on their sovereign equality.

6. International co-operation for the economic development of developing countries, whether in the form of public or private capital investments, exchange of goods and services, technical assistance, or exchange of scientific information, shall be such as to further their independent national development and shall be based upon respect for their sovereignty over their natural wealth and resources.

7. Violation of the rights of peoples and nations to sovereignty over their natural wealth and resources is contrary to the spirit and principles of the Charter of the United Nations and hinders the development of international co-operation and the maintenance of peace.

1194th plenary meeting, 14 December 1962.

(General Assembly, Official Records:  
Seventeenth Session, Supplement No. 17  
(A/5217), pp. 15, 16)

1805 (XVII). Question of South West Africa

The General Assembly,

.....

1. Reaffirms its solemn proclamation of the inalienable right of the people of South West Africa to independence and national sovereignty;

.....

1194th plenary meeting, 14 December 1962.

(General Assembly, Official Records:  
Seventeenth Session, Supplement No. 17  
(A/5217), pp. 38, 39)

1807 (XVII). Territories under Portuguese administration

The General Assembly,

Recalling the Declaration on the granting of independence to colonial countries and peoples, set out in its resolution 1514 (XV) of 14 December 1960,

.....

Greatly deploring the continued disregard by the Portuguese Government of the legitimate aspirations for immediate self-determination and independence expressed by the peoples of the Territories under its administration,

.....

2. Condemns the attitude of Portugal, which is inconsistent with the Charter of the United Nations;

3. Reaffirms the inalienable right of the peoples of the Territories under Portuguese administration to self-determination and independence and upholds without any reservations the claims of those peoples for their immediate accession to independence;

.....

1194th plenary meeting, 14 December 1962.

(General Assembly Official Records:  
Seventeenth Session, Supplement No. 17  
(A/5217), pp. 39, 40)

1810 (XVII). The situation with regard to the implementation of the Declaration on the granting of independence to colonial countries and peoples

The General Assembly,

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the granting of independence to colonial countries and peoples, and its resolution 1654 (XVI) of 27 November 1961 by which it established a Special Committee of seventeen members on the implementation of the Declaration,

Conscious of the fact that the Declaration on the granting of independence to colonial countries and peoples and the subsequent establishment of the Special Committee have raised great hopes everywhere, in particular among peoples which have not yet attained independence, for the elimination of all forms of colonialism and foreign domination without delay,

Having considered the report of the Special Committee,<sup>41/</sup>

Noting with profound regret that, in spite of the efforts of the United Nations, the provisions of the Declaration have not been fully implemented in a large number of territories and that, in certain cases, even preliminary measures have not yet been taken to realize its objectives,

Deeply concerned by the negative attitude and the deliberate refusal of certain administering Powers to co-operate with the Special Committee,

Reaffirming its conviction that any delay in the implementation of the Declaration constitutes a continuing source of international conflict, seriously impeding international co-operation and creating in many regions of the world increasingly dangerous situations likely to threaten international peace and security,

1. Expresses its appreciation to the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for the work it has accomplished;
2. Takes note with approval of the methods and procedures which the Special Committee has adopted for the discharge of its functions;
3. Solemnly reiterates and reaffirms the objectives and principles enshrined both in the Declaration contained in resolution 1514 (XV) and in resolution 1654 (XVI);
4. Deplores the refusal of certain administering Powers to co-operate in the implementation of the Declaration in territories under their administration;

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<sup>41/</sup> Ibid., Seventeenth Session, Annexes, agenda item 25, document A/5238.

5. Calls upon the administering Powers concerned to cease forthwith all armed action and repressive measures directed against peoples who have not yet attained independence, particularly against the political activities of their rightful leaders;

6. Urges all administering Powers to take immediate steps in order that all colonial territories and peoples may accede to independence without delay in accordance with the provisions of paragraph 5 of the Declaration;

7. Decides to enlarge the membership of the Special Committee established by resolution 1554 (XVI) by the addition of seven new members to be nominated by the President of the General Assembly;

8. Invites the enlarged Special Committee:

(a) To continue to seek the most suitable ways and means for the speedy and total application of the Declaration to all territories which have not yet attained independence;

(b) To propose specific measures for the complete application of the Declaration;

(c) To submit to the General Assembly in due course, and not later than its eighteenth session, a full report containing its suggestions and recommendations on all the territories mentioned in paragraph 5 of the Declaration;

(d) To apprise the Security Council of any developments in these territories which may threaten international peace and security;

9. Requests all Member States, especially the administering Powers, to afford the Special Committee their fullest co-operation;

10. Requests the Secretary-General to continue to provide the Special Committee with all the facilities and personnel necessary for the implementation of the present resolution.

1195th plenary meeting, 17 December 1962.

(General Assembly Official Records:  
Seventeenth Session, Supplement No. 17  
(A/5217), pp. 72, 73)

141. (LVII). Question of Basutoland, Bechuanaland and Swaziland

The General Assembly,

.....

1. Reaffirms the inalienable right of the peoples of Basutoland, Bechuanaland and Swaziland to self-determination and independence;

2. Invites the administering Power immediately to suspend the present constitutional provisions and to proceed without further delay to hold elections in the three Territories on the basis of direct universal adult suffrage;

3. Invites further the Government of the United Kingdom of Great Britain and Northern Ireland to abrogate the present constitutional provisions and to convene immediately a constitutional conference with the participation of the democratically elected political leaders of the three Territories, with a view to settling, in accordance with their wishes, the date on which each of the Territories will attain its independence;

.....

4. Declares solemnly that any attempt to annex Basutoland, Bechuanaland or Swaziland, or to encroach upon their territorial integrity in any way, shall be regarded by the United Nations as an act of aggression violating the Charter of the United Nations.

115th plenary meeting, 14 December 1961.

(General Assembly Official Records:  
Seventeenth Session, Supplement No. 1  
(A/601), p. 49)

142. (LVIII). The situation in Angola

The General Assembly,

.....

1. Solemnly reaffirms the inalienable right of the people of Angola to self-determination and independence, and supports their demand for immediate independence;

.....

116th plenary meeting, 14 December 1961.

(General Assembly Official Records:  
Seventeenth Session, Supplement No. 1  
(A/601), p. 49)



14. (XVIII). Question of Aden

The General Assembly,

.....

Bearing in mind the unanimous desire, expressed to the Sub-Committee on Aden, for an early end of colonial domination,

Considering the strong desire of the population for the unity of the Territory,

Deeply concerned at the deteriorating situation in the Territory, the continuation of which is likely to lead to serious unrest and to threaten international peace and security,

Convinced of the necessity of consulting the people of the Territory at the earliest possible time,

.....

4. Reaffirms the right of the people of the Territory to self-determination and freedom from colonial rule in accordance with the Declaration on the Granting of Independence to colonial countries and peoples;

.....

5. Recommends that the people of Aden and the Aden Protectorate should be allowed to exercise their right to self-determination with regard to their future, the exercise of that right to take the form of a consultation of the whole population, to be held as soon as possible on the basis of universal adult suffrage.

.....

18th Plenary Meeting, 11 December 1961.

(General Assembly Official Records:  
Eighteenth Session, Supplement No. 13  
(A/5515), p. 6)

1951 (XVIII). Question of Fiji

The General Assembly,

.....

1. Affirms the inalienable right of the people of Fiji to self-determination and national independence in conformity with the provisions of General Assembly resolution 1514 (XV);

.....

1277th plenary meeting, 11 December 1965.

(General Assembly Official Records:  
Eighteenth Session, Supplement No. 15  
(A/5515), p. 7)

1952 (XVIII). Question of Northern Rhodesia

The General Assembly,

.....

1. Reaffirms the inalienable right of the people of Northern Rhodesia to self-determination and independence,

.....

1277th plenary meeting, 11 December 1965.

(General Assembly Official Records:  
Eighteenth Session, Supplement No. 15  
(A/5515), p. 7)

1954 (XVIII). Question of Basutoland, Bechuanaland and Swaziland

The General Assembly,

.....

1. Reaffirms the inalienable right of the peoples of Basutoland, Bechuanaland and Swaziland to self-determination and independence;

.....

4. Solemnly warns the Government of the Republic of South Africa that any attempt to annex or encroach upon the territorial integrity of these three Territories shall be considered an act of aggression;

.....

1277th plenary meeting, 11 December 1963.

(General Assembly Official Records:  
Eighteenth Session, Supplement No. 15  
(A/5515), p. 8)

1955 (XVIII). Question of British Guiana

The General Assembly,

.....

1. Reaffirms the inalienable right of the people of British Guiana to independence;

2. Calls upon the Government of the United Kingdom of Great Britain and Northern Ireland to fix without delay the date for the independence of British Guiana in accordance with the wishes of the people of the Territory.

1277th plenary meeting, 11 December 1963.

(General Assembly Official Records:  
Eighteenth Session, Supplement No. 15  
(A/5515), p. 8)

1.1 (XVIII). The situation with regard to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

The General Assembly,

Recalling the Declaration on the granting of independence to colonial countries and peoples, contained in its resolution 1514 (XV) of 14 December 1960, and resolutions 1504 (XVI) of 14 November 1961 and 1810 (XVII) of 14 December 1962 by which the General Assembly established the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,

.....

Noting with deep regret that, three years after the adoption of the Declaration, many territories are still under foreign domination and that, in some cases, not even preliminary measures have been taken towards the application of the Declaration,

Declaring the negative attitude of certain administering Powers and their partial or complete refusal to co-operate with the Special Committee in the implementation of the Declaration,

Declaring further the disapproval of some administering Powers by certain States, which enables them to persist in their refusal to apply the Declaration,

Having adopted resolutions on Southern Rhodesia, 1, South West Africa, 2, Territories under Portuguese administration, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 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1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279, 1280, 1281, 1282, 12

1. Reaffirms its resolutions 1514 (XV), 1541 (XVI) and 1541 (XVII);
2. Notes with appreciation the work accomplished by the Special Committee on the situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples and endorses its methods and procedures;
3. Approves the report of the Special Committee and calls upon the administering Powers to implement the conclusions and recommendations contained therein;
4. Requests the Special Committee to continue to seek the best ways and means for the immediate and total application of the Declaration to all territories which have not yet attained independence, and to report to the General Assembly not later than at its nineteenth session;
5. Deeply regrets the refusal of certain administering Powers to co-operate with the Special Committee and their continued disregard of the resolutions of the General Assembly;
6. Invites the Special Committee to apprise the Security Council of any developments in any territory examined by it which may threaten international peace and security;
7. Requests all States to refrain from any action which may jeopardize the implementation of the resolutions adopted by the General Assembly and the Special Committee for the application of the Declaration;
8. Further requests the administering Powers to give their full co-operation to the Special Committee and to facilitate the task of the sub-committees and visiting groups instructed by the Special Committee to go to the territories under its mandate;
9. Requests the Secretary-General to continue to provide the Special Committee with all the facilities and personnel necessary for the implementation of the present resolution.

In plenary meeting, 11 December 1968.

(General Assembly Official Records:  
Eighteenth Session, Supplement No. 15  
(A/6815), pp. 7, 8)

1904 (XVIII). United Nations Declaration on the Elimination of  
All Forms of Racial Discrimination

The General Assembly,

.....

Considering that the United Nations has condemned colonialism and all practices of segregation and discrimination associated therewith, and that the Declaration on the granting of independence to colonial countries and peoples proclaims in particular the necessity of bringing colonialism to a speedy and unconditional end,

.....

1261st plenary meeting, 20 November 1963.

(General Assembly Official Records:  
Eighteenth Session, Supplement No. 15  
(A/5515), pp. 35, 36)

1889 (XVIII). Question of Southern Rhodesia

The General Assembly,

.....

Deeply concerned at the explosive situation existing in Southern Rhodesia owing to the denial of political rights to the vast majority of the African population and the entrenchment of the minority régime in power,

Mindful of the aggravation of the situation in Southern Rhodesia, which constitutes a threat to international peace and security,

.....

2. Reaffirms the inalienable right of the people of Southern Rhodesia to self-determination and independence;

.....

6. Once more invites the Government of the United Kingdom to hold without delay a constitutional conference in which representatives of all political parties of the Territory will take part with a view to making constitutional arrangements for independence, on the basis of universal adult suffrage, including the fixing of the earliest possible date for independence;

.....

1255th plenary meeting, 7 November 1963.

(General Assembly Official Records:  
Eighteenth Session, Supplement No. 15  
(A/5515), p. 46)

1899 (XVIII). Question of South West Africa

The General Assembly,

.....

2. Solemnly reaffirms the inalienable right of the people of South West Africa to self-determination and independence;

3. Condemns the Government of the Republic of South Africa for its persistent refusal to co-operate with the United Nations in applying the principles of the Charter of the United Nations and implementing the resolutions of the General Assembly;

4. Considers that any attempt to annex a part or the whole of the Territory of South West Africa constitutes an act of aggression;

.....

1257th plenary meeting, 13 November 1965.

(General Assembly Official Records:  
Eighteenth Session, Supplement No. 15  
(A/5515), pp. 46, 47)

1915 (XVIII). Territories under Portuguese administration

The General Assembly,

.....

Recalling in particular that the Security Council, by its resolution of 31 July 1963, urgently called upon Portugal to implement the following:

(a) The immediate recognition of the right of the peoples of the Territories under its administration to self-determination and independence,

.....

(b) Negotiations, on the basis of the recognition of the right to self-determination, with the authorized representatives of the political parties within and outside the Territories with a view to the transfer of power to political institutions freely elected and representative of the peoples, in accordance with resolution 1514 (IV),

(c) The granting of independence immediately thereafter to all the Territories under its administration in accordance with the aspirations of the peoples,

.....

1258th plenary meeting, 3 December 1965.

(General Assembly Official Records:  
Eighteenth Session, Supplement No. 15  
(A/5515), p. 48)

United Nations Conference on Trade and Development, Final  
Act, Geneva 15 June 1974

General and Special Principles

The Conference has recommended the following General and Special Principles to govern international trade relations and trade policies conducive to development:

General Principles

General Principle One

Economic relations between countries, including trade relations, shall be based on respect for the principle of sovereign equality of states, self-determination of peoples, and non-interference in the internal affairs of other countries.

General Principle Two

There shall be no discrimination on the basis of differences in socio-economic systems. Adaptation of trading methods shall be consistent with this principle.

General Principle Three

Every country has the sovereign right freely to trade with other countries, and freely to dispose of its natural resources in the interest of the economic development and well-being of its own people.

General Principle Four

Economic development and social progress should be the common concern of the whole international community and should by increasing economic prosperity and well-being help strengthen peaceful relations and co-operation among nations. Accordingly, all countries pledge themselves to pursue internal and external economic policies designed to accelerate economic growth throughout the world, and in particular to help promote in developing countries a rate of growth consistent with the need to bring about substantial and steady increase in average income in order to narrow the gap between the standard of living in developing countries and that in the developed countries.

.....

General Principle Eight

International trade should be conducted to mutual advantage on the basis of the most favoured nation treatment and should be free from measures detrimental to the trading interests of other countries. However, developed countries should grant concessions to all developing countries and extend to developing countries all concessions they grant to one another and should not in granting these or other concessions, require any concessions in return from developing countries. New preferential concessions, both tariff and non-tariff, should be made to developing countries as a whole and such preferences should not be extended to developed countries. Developing countries need not extend



to developed countries preferential treatment in operation amongst them. Special preferences at present enjoyed by certain developing countries in certain developed countries should be regarded as transitional and subject to progressive reduction. They should be eliminated as and when effective international measures guaranteeing at least equivalent advantages to the countries concerned come into operation.

#### General Principle Nine

Developed countries participating in regional economic groupings should do their utmost to ensure that their economic integration does not cause injury to or otherwise adversely affect, the expansion of their exports from third countries and in particular from developing countries, either individually or collectively.

.....

#### General Principle Fourteen

Complete decolonization in compliance with the United Nations Declaration on the Granting of Independence to Colonial Countries and Peoples and the liquidation of the remnants of colonialism in all its forms is a necessary condition for economic development and the exercise of sovereign rights over natural resources.

#### General Principle Fifteen

The adoption of international policies and measures for the economic development of the developing countries shall take into account the individual characteristics and different stages of development of the developing countries special attention being paid to the less developed among them, as an effective means of ensuring sustained growth and equitable opportunity for each developing country.

(Trade and Development - Final Act and Report, United Nations publication, Sales No.: 64.II.B.11, doc. E/CONF.26/141, Vol. I, pp. 18-22)

( d) Decisions and proposals of other bodies

1. Inter-Parliamentary Union, 1928;

Declaration of the Rights and Duties of States

....

9. The peoples have the inalienable and imprescriptible right of free auto-disposition.

....

10. States must not exploit for their own profit populations of different civilization which are placed under their guardianship. It is their duty to co-operate in the improvement of their material, moral and intellectual conditions in order to allow of their admission as early as possible into the community of States.

....

(Text from Union Interparlementaire. Compte Rendu de la XXVème Conférence tenue à Berlin du 23 au 28 août 1928. Publié par le Bureau Interparlementaire /Lausanne etc. 1928/, pp. 525-527

2. Union of American Republics, 2 November 1942

Preliminary Recommendation on Post-War Problems of the Inter-American Juridical Committee

Report of the Executive Committee of the Governing Board of the Pan-American Union on Post-War Planning

.....

XIII. Elimination of economic imperialism

The community of nations, acting through its appropriate agencies, must supervise the exploitation of undeveloped territories.

These territories must be administered in accordance with the principle of equality of treatment, so that all States may have equal access to the raw materials which they produce and may be able to sell their manufactured goods in the markets of these territories upon equal terms.

A system of free competition should be established in these territories, which will prevent particular States from having exclusive opportunities for the investment of capital and for other forms of economic enterprise, and which will promote the gradual progress of these territories and the well-being of their native populations, while at the same time protecting the interests of the international community.

XIII. Elimination of economic nationalism

Nations must recognize their economic interdependence, and that in consequence their right to regulate their own economic activities should not be without limitations.

The future international organization must give special attention to the co-ordination of world economy, and must endeavour to obtain concrete solutions for the problems which it presents, seeking a means of reconciling national self-determination with the predominant interest of the whole community of nations.

Nations must make every effort to lower tariff barriers and remove other restrictions upon commerce, and to increase as far as possible the free and full exchange of articles and services among the members of the international community, so as to lessen as far as possible the inequalities of natural resources and to promote the mutual well-being of their respective peoples.

In order to bring about economic disarmament the system of ruthless competition and trade rivalries must be eliminated, and in its place must be substituted measures of co-operation looking to the general welfare of the international community.

3. The Pan-African Congress, Manchester, 1945

....

V. Declaration to the Colonial Peoples

We affirm the right of all colonial peoples to control their own destiny. All colonies must be free from foreign imperialist control, whether political or economic.

The peoples of the colonies must have the right to elect their own Governments, without restrictions from foreign Powers. We say to the peoples of the colonies that they must fight for these ends by all means at their disposal.

The object of imperialist Powers is to exploit. By granting the right to colonial peoples to govern themselves that object is defeated. Therefore, the struggle for political power by colonial and subject peoples is the first step towards, and the necessary prerequisite to, complete social, economic and political emancipation.

....

(Legum, Colin, Pan-Africanism: a short political guide, New York, 1962, pp. 136, 137)

4. The All-African Peoples Conference, Accra, 5-13 December 1958

Resolutions

1. Imperialism and colonialism

.....

Be it resolved and it is hereby resolved by the All-African Peoples Conference meeting in Accra 5th to 13th December, 1958, and comprising of over 300 delegates representing over 200 million Africans from all parts of Africa as follows:

1. That the All-African Peoples Conference vehemently condemns colonialism and imperialism in whatever shape or form these evils are perpetuated.

2. That the political and economic exploitation of Africans by Imperialist Europeans should cease forthwith.

3. That the use of African manpower in the nefarious game of power politics by Imperialists should be a thing of the past.

4. That Independent African States should pursue in their international policy principles which will expedite and accelerate the independence and sovereignty of all dependent and colonial African Territories.

5. That fundamental human rights be extended to all men and women in Africa and that the rights of indigenous Africans to the fullest use of their lands be respected and preserved.

6. The universal adult franchise be extended to all persons in Africa regardless of race or sex.

7. That Independent African States ensure that fundamental human rights and universal adult franchise are fully extended to everyone within their States as an example to Imperial Nations who abuse and ignore the extension of those rights to Africans.

.....

10. That the All-African Peoples Conference in Accra declares its full support to all fighters for freedom in Africa, to all those who resort to peaceful means of non-violence and civil disobedience as well as to all those who are compelled to retaliate against violence to attain national independence and freedom for the people. Where such retaliation becomes necessary, the Conference condemns all legislations which consider those who fight for their independence and freedom as ordinary criminals.

.....

(Legum, Colin, Pan-Africanism: a short political guide, New York, 1962, pp. 228, 229)

5. The All-African Peoples Conference, Tunis, 25-30 January 1960

Resolutions

General Resolution

.....

The Conference

Demands the immediate and unconditional accession to independence of all the African peoples, and the total evacuation of the foreign forces of aggression and oppression stationed in Africa;

Proclaims the absolute necessity, in order to resist the imperialist coalition more effectively and rapidly free all the dependent peoples from foreign oppression, of co-ordinating and uniting the forces of all the Africans, and recommends the African States not to neglect any form of co-operation in the interest of all the African peoples;

Denounces vigorously the policy of racial discrimination applied by colonialist and race-conscious minorities in South and East and Central Africa, and demands the abolition of racial domination in South Africa, the suppression of the Federation of Nyasaland and Rhodesia, and the immediate independence of these countries;

Proclaims equality of rights for all the citizens of the free countries of Africa and the close association of the masses for the building up and administration of a free and prosperous Africa;

Calls on the peoples of Africa to intensify the struggle for independence, and insists on the urgent obligation on the independent nations of Africa to assure them of the necessary aid and support;

.....

(Legum, Colin, Pan-Africanism: a short political guide, New York, 1962, pp. 236, 237)

6. The 49th Inter-Parliamentary Conference, Tokyo, 29 September - 7 October 1960

Resolutions:

The Problems of Colonialism and Racial Discrimination

The 49th Inter-Parliamentary Conference,

Considering the fundamental principles laid down in the United Nations Charter, namely, respect for equal rights of peoples and for their right to self-determination; respect for human rights and fundamental freedoms, without distinction of race, sex, language or religion; respect for the principles of justice and international law; as well as maintenance of international peace and security,

Considering that colonialism continues to exist in different parts of the world - in Africa, Asia and elsewhere; that this system, by its very nature, deprives peoples of the right to self-determination and prevents them from exercising their right of sovereignty over their territories, which is one of the natural rights of peoples; that it is also an obstacle to the maintenance of stability in the world and increases the gravity of international conflicts, thereby constituting a permanent threat to international peace and security,

Deeply concerned by the disregard for some of the main principles of the Universal Declaration of Human Rights,

1. Condemns all forms of racial discrimination and colonialism, all forms of political and religious intolerance, all inhuman methods used in prisons and internment camps or against prisoners of war in whatever country they may be;

2. Trusts that the Governments and all other parties concerned will do everything in their power to observe the principles of the Universal Declaration of Human Rights and of international law;

3. Calls on all National Groups of the Inter-Parliamentary Union

(a) To use their influence to ensure the respect and observance of the Universal Declaration of Human Rights all over the world;

(b) To urge Governments which persist in their desire to perpetuate any form of colonialist régime that they cease to maintain a system which is inhuman and incompatible with the degree of evolution reached by mankind at present, so as to abolish colonialism by granting all peoples without delay the right to free self-determination without any pressure, restraint or manoeuvring, which falsify the real will of the peoples;

(c) To take joint action with a view to stopping colonialist wars, through recourse to referenda controlled by the United Nations, ensuring that the decision of the people is being taken freely, especially when there is reason to fear that the prolongation of an armed struggle may lead to a general war;



- (d) To take all steps required for putting an end to racial discrimination of all kinds - political, economic and social - and for establishing absolute equality between all men in accordance with the principles of the Universal Declaration of Human Rights;

4. Requests Governments to limit intervention in internal disputes of those peoples who have newly acquired freedom from colonial rule to joint action through the United Nations or other recognized neutral international bodies in order to bring about a régime of political order and security, and to promote economic, social and political development;

5. Expresses the utmost concern with regard to the denial of freedom and sovereignty to many peoples;

6. Asks the representatives of all countries to promote laws or constitutional amendments with the object of reinforcing the severe repression of every form of racial, political or religious discrimination, so that in the educational institutions of every country, the principles of spiritual peace, human fraternity and respect for all racial groups in the world may be advocated in special lectures;

7. Affirms the right of every country to full emancipation and control of its own destiny with the object of putting an end to every form of domination of countries through the use of force and of eliminating all kinds of imperialistic penetration.

(Inter-Parliamentary Bulletin, 40th Year,  
No. 4, pp. 144-145)

7. VIIth Congress of the International Association of  
Democratic Lawyers, Sofia, 10-14 October 1960

General Resolution

.....

The distinctive features of the twentieth century are first of all the appearance and development of the socialist states, and then the emancipation of colonial peoples.

.....

II - Colonialism presents itself under a double aspect: on the one hand in its survival in traditional forms, and the wars conducted by certain states to preserve them, on the other in the appearance of new forms of economic exploitation.

1. In the context of Article 73 of the U.N. Charter, which links the maintenance of international peace and security to the emancipation of colonial peoples, lawyers must make every effort to bring about the abolition of all types of discrimination still in existence, and full self-determination for each nation.

2. It is their duty to seek out and denounce all forms of economic domination exercised by one state over another, such as may result from certain pacts of mutual aid, bilateral or multilateral agreements, and agreements of every kind concluded with public or private organisations.

( International Association of Democratic  
Lawyers, Bulletin No. 36, pp. 9-10)

8. World Federation of United Nations Associations, Sixteenth plenary meeting, 1961

Decisions

.....

11. Independence to Colonial Countries and Peoples

I. THE SIXTEENTH PLENARY ASSEMBLY OF WFUNA,

RECALLING that Chapters XI, XII and XIII of the Charter assigned to the United Nations an important role in promoting the political, economic, social and educational advancement of Non-Self-Governing Territories,

NOTING the historic decision of the XVth General Assembly of the United Nations adopting the Declaration on the Granting of Independence to Colonial Countries and Peoples,

WELCOMES the rapid progress of many of these territories to full independence,

BELIEVES that the United Nations Trusteeship System and the machinery established under Article 73 have played their part in this political advancement and notes that the specialized agencies of the United Nations are now available to give valuable assistance in achieving their economic and social advancement;

RECOGNIZING FURTHER as set forth in the Declaration that the right freely to determine their political status and to pursue their economic, social and cultural development is a right of all peoples,

REQUESTS the XVth General Assembly of the United Nations to create a mechanism whereby the United Nations, in conjunction with the administering country of any remaining colonial territories, will take immediate steps to work out a practical programme for achieving the self-determination of these colonies in an orderly and peaceful manner, with due respect to human rights and as rapidly as possible,

INVITES Member nations of the United Nations to extend and provide effective help to all former colonies, so far as possible through the United Nations, so that they may achieve, preserve and consolidate their political and economic independence and to help these States in their development through economic, technical, cultural and scientific aid,

APPEALS to all Member nations of the United Nations administering colonial territories to grant the peoples of colonial countries full independence and sovereignty,

.....

9. The 50th Inter-Parliamentary Conference.  
Brussels, 14-17 September, 1968.

Resolutions

The Way to Peace

(a) Declaration on the Principles which should guide States in their Mutual Relations for Eliminating International Tension and Preserving Peace

The 50th Inter-Parliamentary Conference,

.....

Calls upon all representative bodies to redouble their efforts with the aim of eliminating international tension and preserving peace, and to strive for the application in international practice of the principles listed below:

1. For the preservation of peace between nations, it is essential that States respect the basic principles of international relations proclaimed by the United Nations Charter and emanating directly from the text of the Charter.

The disrespect for or the breach of these basic principles of international behaviour is the main cause of present international tension and the danger of war.

Peace and freedom are inseparable. In eliminate international tension, States should, on the one hand, renounce all military threats and all interference, of what ever nature, exercised and destined to infringe national sovereignty and territorial integrity of other States, and should, on the other hand, promote the desire of the peoples, and particularly of the peoples of the East, to end as quickly as possible the conditions to be met favourable for self-determination, their freedom and their independence, and for their social, economic and political development.

For this reason, it is urgent to end violence which, in all continents of the world, to re-establish faith in creative peace and in the effective reality of moral precepts and international order.

.....

9. Colonial and all other forms of unequal relations among nations, whether overt or covert, are the main and the most persistent source of international dispute, and consequently of the danger of war. It is therefore necessary to accelerate the procedure for attaining the independence of all still dependent countries and peoples in the context of the United Nations Charter and the Declaration of the General Assembly of December 14, 1960, on the granting of independence to colonies and dependent territories. Efforts should be made simultaneously for the eradication of racialism and all forms of discrimination, so as to lead them to a real and complete equality. In this same spirit, the occurrence of neo-colonialism, namely, the economic and political dependency of underdeveloped countries by economic means, should be condemned.

The use of armed force against those nations seeking to realize their right of self-determination and of free choice of their social, economic and political systems, as guaranteed by the United Nations Charter, should be severely condemned.

Peoples aspire to solidarity, sovereignty, self-determination and individual equality, free from any kind of imperialism, colonialism and submission to other peoples.

10. The economic inequality of countries, i.e. the parallel existence of richly developed and underdeveloped countries, fosters relations of inequality among nations (neo-colonialism) and the use of such relations for cold-war ends. For this reason, the existence of misery, poverty, hunger and high mortality in a number of countries, in this century of far-reaching scientific development, is not only a shame for mankind, but also a source of international tension. An imperative obligation of all developed countries is therefore to help generously those underdeveloped nations, primarily through the United Nations and in any case without political conditions. Bearing in mind the same aim efforts should be made to eliminate all elements of inequality, inherent in the economic policy of developed countries in the field of prices, tariffs, taxes, import and export duties, from international economic relations, with a view to ensuring fair economic co-operation, with no discrimination. Aid to countries which have recently liberated themselves from the colonial yoke is an urgent task in this field: a pre-requisite for their unhampered economic development.

The highly industrialized countries should eliminate obstacles which prevent peoples in process of development from making economic, political and cultural progress in the fields of science and modern technology.

.....  
(c) principles governing the Political Status of Non-Self-Governing Territories so as to lead them towards Independence and Freedom through the Elimination of Colonialism

The Joint Inter-Parliamentary Conference,

Recalling the Declaration on the granting of independence to colonial countries and peoples passed at the XVth session of the United Nations General Assembly on December 14, 1960,

Noting with profound anxiety the military action and measures of repression being taken against peoples who are fighting to obtain the right to self-determination,

Convinced that all peoples have an inalienable right to freedom, sovereignty and the integrity of their national territories,

Recognizing that the goal of self-determination and independence also involves an obligation to provide for the constitutional protection of minorities and the recognition of partnership of national communities of different races and religions.

Urging on those Powers with responsibility for non-self-governing territories to take, without delay, the necessary measures to confer very speedily full power and sovereignty on the peoples of colonies, protectorates and non-self-governing territories;

Declares that any attempts of the administering Powers to use repression and military force against the peoples of the colonies demanding freedom and independence, as well as support of such actions, are at variance with the United Nations Declaration on the granting of independence to colonial countries and peoples, and are a violation of the Universal Declaration of Human Rights and of the United Nations Charter, and are incompatible with the principles of humanity and justice and should be resolutely condemned;

Requests the United Nations to place at the disposal of these peoples, on the achievement of independence, all technical assistance and the means necessary, appropriate and most effective to aid them in the firm establishment of their independence.

( Inter-Parliamentary Bulletin, 41st Year,  
No. 4, pp. 161-162, 164-165, 167)

10. The First World Conference on World Peace Through Law, Athens, 6 July 1963

II. Declaration on General Principles for a World Rule of Law

IN ORDER TO ESTABLISH an effective international legal system under the rule of law which precludes resort to force, we declare that:

.....

(2) The rule of law in international affairs is based upon the principles of equality before the law.

(3) International law and legal institutions must be based on fundamental concepts of fairness, justice, and human dignity.

(4) International law and legal institutions must be capable of expansion, development or change to meet the needs of a changing world composed of nations whose interdependence is ever on the increase and to permit progress in political, social, and economic justice for all peoples.

.....

(6) A fundamental principle of the international rule of law is that of the right of self-determination of the peoples of the world, as proclaimed in the Charter of the United Nations.

.....

(AJIL, Vol. 58, 1964, pp. 142,143)

11. World Federation of United Nations Associations,  
Eighteenth Plenary Assembly, 9-14 September 1963

.....

3) Decolonization

THE EIGHTEENTH PLENARY ASSEMBLY OF WFUNA,

RECALLING the resolutions of the UN General Assembly and of the Security Council, adopted in recent years on the problems of colonialism,

RECALLING FURTHER Resolution No. 16 of the Seventeenth Plenary Assembly of WFUNA, adopted in Monrovia, requesting "Member Associations in States which are still administering colonies in Africa to urge their respective Governments to grant independence to all colonies in Africa by the end of 1963, except for certain territories bordering on the Republic of South Africa, where special circumstances prevail,"

WELCOMING WHOLEHEARTEDLY the decisions adopted by the Conference of the Heads of Governments which took place in Addis Ababa in 1963, especially those on decolonization, on the condemnation of racial discrimination, on non-alignment, on general disarmament and on economic co-operation,

REGRETTING DEEPLY that in spite of the great efforts of the United Nations, its Special Committee on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, and in disregard of the efforts of the majority of UN Member States, many of the colonial territories and peoples in Africa and other parts of the world have still not attained their independence, and that certain administering powers have not taken adequate steps towards the implementation of the Declaration,

STRESSING AGAIN its firm belief that all attempts to defer the implementation of the Declaration represent an obstacle to international co-operation, lead to international conflicts and create tensions which could be a serious threat to international peace and security,

DEEPLY DISTURBED by the negative attitude taken by some administering powers towards the Declaration, and by their lack of co-operation with the Special Committee on the implementation of the Declaration, especially by the continued repressive actions by Portugal in its colonies and by the Republic of South Africa in South Africa and South West Africa,

1. DEPRECATES the negative attitude of certain of the administering powers towards the Declaration, urges the immediate cessation of all armed actions and repressive measures against non-self-governing territories and asks that immediate steps be taken towards the granting of independence to all colonial countries and peoples in Africa and other parts of the world, through co-operation of the administering powers with the Special Committee on the implementation of the Declaration;



2. APPEALS to those Member Associations whose Governments still administer colonial territories to request an immediate implementation of the Declaration with regard to dependent territories and peoples, and invites all other Member Associations of WFUNA to ask their Governments to take effective measures leading towards the implementation of the Declaration; and

3. REQUESTS the Secretary-General of WFUNA to bring the text of this resolution to the attention of all Member States of the United Nations.

(PA 15/Decisions (A), pp. 20-21)

(e) Travaux préparatoires of the United Nations Charter

UNCIO Documents

1. Report of Rapporteur of Subcommittee I/1/A to Committee I/1

....

Chapter I. Purposes

....

Paragraph 2 of Chapter I

The Subcommittee, after considering paragraph 2, as amended by the sponsoring governments, found it satisfactory and decided to recommend it to you.

Some discussion arose as to its connotation, and some suggestions to change its tenor were made, before the final decision.

It was understood that the principle of equal rights of people and that of self-determination are two component elements or one norm; that the respect of that norm is a basis for the development of friendly relations, and is, in effect, one of the appropriate measures to strengthen universal peace.

It was understood likewise that the principle in question, as a provision of the Charter, should be considered in function of other provisions; that an essential element of the principle in question is a free and genuine expression of the will of the peoples, and thus to avoid cases like those alleged by Germany and Italy; that the principle as one whole extends as a general basic conception to a possible amalgamation of nationalities if they so freely choose.

It was moved that paragraph 2 should be made to include the phrase "to strengthen international order on the basis of respect of the essential rights and the equality of states and of the right of self-determination of peoples."

That complicated motion was rejected by a majority exceeding two thirds, mainly for the following reasons:

- (1) It was held that the idea of international order, in this connection, is altogether new, not being submitted by any amendment of any delegation. International order was suggested in other respects.
- (2) That paragraph 2 has for a purpose to strengthen universal peace and friendly relations on the basis of equality or right as stated.
- (3) The equality of states was dealt with and accepted under Chapter II, Principles, so it was irrelevant here to the point at issue.
- (4) That what is intended by paragraph 2 is to proclaim the equal rights of peoples as such, consequently their right to self-determination. Equality of rights, therefore, extends in the Charter to states, nations, and peoples.

(The United Nations Conference on International Organization, San Francisco, 1945, Selected documents, Washington 1946, pp. 476, 480, 482)

2. Report of Rapporteur of Committee I/1 to Commission I

.....

Preamble

.....

(3) "Determined to reaffirm the faith ..."

That faith has never faded away. It is an essential element of the faith for which men and women in all lands accepted the sacrifices by which victory is achieved. But that faith needed reaffirmation in our Charter, especially after it has been trampled upon in Europe by Nazism and Fascism. Oppression after war is the scourge of humanity, and oppression is inconsistent with the faith we reaffirm.

.....

Paragraph 2

The Committee, after considering paragraph 2 as amended by the sponsoring governments, found it satisfactory and decided to recommend it to you.

The Committee understands that the principle of equal rights of peoples and that of self-determination are two complementary parts of one standard of conduct:

that the respect of that principle is a basis for the development of friendly relations and is one of the measures to strengthen universal peace;

that an essential element of the principle in question is a free and genuine expression of the will of the people, which avoids cases of the alleged expression of the popular will, such as those used for their own good by Germany and Italy in later years.

(The United Nations Conference on International Organization, San Francisco, 1945, Selected Documents, Washington 1946, pp. 490-495)

### 3. General Index\*

PREAMBLE: "to reaffirm ..."

A/C.6/L.537/Rev.1/Add.1  
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DUMBARTON OAKS PROPOSALS No comparable text  
Amendments, comments and proposals  
Colombia Doc 2;G/14(s) vol.3 p.587  
Union of South Africa Doc 2;G/14(d)  
vol.3 p.474; Doc 2;G/14(d)(1) vol.3 p.476

COMMITTEE I/1  
Documentation  
DO Prop regarding Doc 215;I/1/10 vol.6 p.530  
Discussion  
14 May mtg 5 Doc 308;I/1/14 vol.6 p.291  
Uruguay

COMMITTEE I/1 SUB-COMMITTEE A  
Documentation  
DO Prop regarding Doc 337;I/1/A Ann.2  
vol.6 p.648  
Action  
16 May Ideas recommended Doc 337;I/1/A/2  
Ann.1 vol.6 p.647  
31 May Approved draft Doc.WD 62;I/1/A/18  
vol.6 p.694  
Rapporteur's Report 5 June Doc 785;I/1/23  
vol.6 p.359

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5 June mtg 13 Doc 817;I/1/31 vol.6 365-6  
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5 June mtg 13 Text adopted Doc 817;I/1/31  
vol.6 p.366

Preamble: "to reaffirm ..."

Committee I/1 (continued)

Rapporteur's Report 9 June Doc 885;I/1/34  
vol.6 p.391-2 & appendix Doc 908;I/1/34(a)  
vol.6 p.402; 13 June revised report  
Doc 944;I/1/34(1) vol.6 p.450-1 &  
appendix Doc 945;I/1/34(1)(a) vol.6 p.461

COMMISSION I

Action  
14 June mtg 1 Text adopted Doc 1006;I/6  
vol.6 p.20

COORDINATION COMMITTEE

Action  
23 June mtg 41 Text amended Doc WD 441;  
CO/205 vol.17 p.380

STEERING COMMITTEE

Discussion  
23 June mtg 11 Doc 1213;ST/23 vol.5;  
Belgium prop 306; Canada 309; France 307;  
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Action  
25 June mtg 9 Text adopted Doc 1210;P/20  
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Committee I/1 discussion  
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Steering Committee discussion  
23 June mtg 11 vol.5; Canada 309;  
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\* See also part A/e of the present document, general index to UNCIO Documents, Article 55 of the Charter.

## Article 1/2

DUMBARTON OAKS PROPOSALS Chap I par 2 Doc 1;G/1  
vol.3 p.2

Amendments, comments and proposals

Australia Doc 2;G/14(1) vol.3 p.543  
Bolivia Doc 2;G/14(r) vol.3 p.582  
Brazil Doc 2;G/7(e)(1) vol.3 p.243  
Cuba Doc 2;G/14(g) vol.3 p.494  
India Doc 2;G/14(h) vol.3 p.527  
Philippines Doc 2;G/14(k) vol.3 p.535  
Sponsors Doc 2;G/29 vol.3 p.622  
Uruguay Doc 2;G/7(a)(1) vol.3 p.34

### PLENARY

Discussion

28 April mtg 4 Doc 24;P/8 vol.1 p.288  
Greece

### COMMITTEE I/1

Documentation

Amendments to DO Prop 11 May Doc 215;I/1/10  
vol.6 p.535-7,542,551-2,555

Discussion

14 May mtg 5 Doc 308;I/1/14 vol.6 p.292

Cuba prop withdrawn

15 May mtg 6 Doc 343;I/1/43 vol.6 p.296-7

Documentation

Ideas recommended to sub-ctte 16 May Doc 337;  
I/1/A/2 Annex 1 vol.6 p.647

Sub-ctte draft 16 May Doc 337;I/1/A/2 Annex 3  
vol.6 p.649

Belgium amendment 17 May Doc 374;I/1/17 vol.6  
p.300

Drafting ctte text 17 May Doc 384;I/1/A/5  
vol.6 p.657

Drafting ctte text 18 May Doc 384;I/1/A/5(1)  
vol.6 p.660 & Doc 384;I/1/A/5(2)  
vol.6 p.663

Drafting ctte text 28 May Doc 655;I/1/A/15  
vol.6 p.684

Report by rapporteur of I/1/A 1 June

Doc 723;I/1/A/19 vol.6 p.703-4

Action

2 June mtg 10 Sub-ctte draft adopted  
Doc 756;I/1/25 vol.6 p.324

### COMMITTEE II/3

Rapporteur's report (draft) 6 June Doc 823;

II/3/55 vol.10 p.229 & (report) 11 June  
Doc 924;II/12 vol.8 p.80

### COMMITTEE I/1

Rapporteur's report 9 June Doc 885;I/1/34

vol.6 p.396 with app Doc 908;I/1/34(a)

vol.6 p.403 and 13 June Doc 944;I/1/34(1)

vol.6 p.455 with app Doc 945;I/1/34(1)(a)

vol.6 p.462

## ARTICLE 1/2 (continued)

## COORDINATION COMMITTEE

Documentation

Secretariat's suggested rev 14 June Doc WD 302;  
CO/81(2) vol.18 p.110

## COMMISSION I

Action

15 June Text adopted Doc 1123;I/8 vol.6 p.65

## COORDINATION COMMITTEE

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Chile 142; China 143; France 142;  
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Action

15 June mtg 22 Text provisionally approved  
Doc WD 410;CO/170 vol.17 p.144

Documentation

Text 16 June Doc.WD 354;CO/141 vol.18 p.380

Discussion

16 June mtg 24 Doc WD 424;CO/188 vol.17 p.163  
France, Iran, Ukrainian SSR,USA

## ADVISORY COMMITTEE OF JURISTS

Action

16 June mtg 9 Text approved Doc WD 386;CO/158  
vol.17 p.420

## COMMISSION I

Rapporteur's report 21 June Doc 1142;I/9  
vol.6 p.230

## COORDINATION COMMITTEE

Discussion

23 June mtg 41 Doc WD 441;CO/205 vol.17 p.381  
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## COMMISSION I

Rapporteur's report 24 June Doc 1179;I/9(1)  
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25 June mtg 9 Doc 1210;P/20 vol.1 p.631

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## EQUAL RIGHTS OF PEOPLES

Amendments on DO Prop Uruguay vol.3 p.35

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28 April mtg 3 India vol.1 p.245

## Committee I/1 discussion

11 May Belgium statement vol.6 p.300

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15 June mtg 2 vol.6 p.65

## FRIENDLY RELATIONS AMONG PEOPLES

Amendments on DO Prop Sponsors vol.3 p.622

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11 June mtg 2 vol.8 p.64; Brazil 58;

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1 May mtg 6 Liberia vol.1 p.450

1 May mtg 7 New Zealand vol.1 p.509

## Committee I/1 discussion

16 May mtg 7 Peru vol.6 p.304

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15 June mtg 11 Egypt vol.10 p.547-8

## SELF-DETERMINATION OF PEOPLES

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10 May mtg 2 Philippines vol.10 p.429

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31 May mtg 11 vol.10; Iraq 497-8;

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18 June mtg 15 vol.10 p.562

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## Committee I/1 discussion

16 May mtg 6 vol.6 p.246

17 May Belgian statement in letter

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2 June mtg 10 vol.6 p.324

## Commission II discussion

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15 June mtg 2 vol.6 p.65

## CHAPTER XI (general)

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Mexico Doc 2;C/7(c) and (c)(1) vol.3 p.145,162,  
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### COORDINATION COMMITTEE

Documentation  
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Action  
20 June mtg 37 Action on title for Chap XI  
Doc WD 437;CO/201 vol.17 p.307

Documentation  
Coord Ctte draft of Chap XII 21 June Doc 1134;  
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Discussion  
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22 June mtg 40 Approved Doc WD 440;CO/204  
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## Article 73 (general)

DUMBARTON OAKS PROPOSALS - no comparable text  
Amendments, comments and proposals  
Australia Doc 2;C/14(1) vol.3 p.548  
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Analysis of papers by individual governments  
11 May Doc 230;II/4/5 vol.10 p.642

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## ARTICLE 73 (continued)

### COMMITTEE II/4

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vol.10 p.677

Australian draft 25 May Doc 575;II/4/12(a)  
vol.10 p.695-696

### Discussion

31 May mtg 11 Doc 712;II/4/30 vol.10:  
Iraq prop 497-498; Mexico prop 497-498;  
Netherlands prop 498; Philippines prop  
497-498; USA 496

### Action

31 May mtg 11 Text provisionally adopted  
Doc 712;II/4/30 vol.10 p.498

### COMMITTEE II/4 SUB-COMMITTEE A

### Documentation

Text 1 June Doc 727;II/4/A/2 vol.10 p.707  
working papers 9 June Doc 892;II/4/36  
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Proposed text 11 June Doc 912;II/4/37 vol.10  
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### COMMITTEE II/4

### Action

15 June mtg 14 Final text approved Doc 1018;  
II/4/38 vol.10 p.545

### Discussion

18 June mtg 15 Doc 1090;II/4/43 vol.10  
p.563 Australia, Netherlands, USA

### Action

18 June mtg 15 Final text approved  
Doc 1090;II/4/43 vol.10 p.564

### Documentation

Redraft of working papers 19 June Doc WD 390;  
II/4/42 vol.10 p.570-571

Rapporteur's report (draft) 19 June Doc 1091;  
II/4/44 vol.10 p.575,581,586

### COMMISSION II

### Action

20 June mtg 3 Adopted Doc 1112;II/14  
vol.8 p.154

### COMMITTEE II/4

### Action

20 June mtg 16 Improved text approved  
Doc 1143;II/4/46 vol.10 p.601

Rapporteur's report 20 June Doc 1115;  
II/4/44(1)(a) vol.10 p.608,614,619

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### Documentation

Text 20 June Doc WD 411;CO/171 vol.18  
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### Discussion

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p.307-8 Australia 308; Canada 308;  
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### Action

20 June mtg 37 Agreed on text Doc WD 437;  
CO/201 vol.17 p.308



## ARTICLE 73 (General) (continued)

## COMMISSION II

Rapporteur's report 23 June Doc 1177;II/18  
vol.8 p.254,256; Revised 24 June Doc 1180;  
II/18(1) vol.8 p.269-70,272

## PLENARY

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25 June mtg 9 Text adopted Doc 1210;P/20  
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## ADMINISTRATION OF NON-SELF-GOVERNING TERRITORIES

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Committee II/4 documentation  
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11 May Australia vol.10 p.644-6  
25 May Australia vol.10 p.696

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25 May Proposal of Australia vol.10  
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Committee II/4 documentation  
11 May Proposal of Australia vol.10  
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Action  
18 June mtg 15 Redraft approved Doc 1090;  
II/4/43 vol.10 p.561

Rapporteur's report (draft) 19 June Doc 1091;  
II/4/44 vol.10 p.581

## COMMISSION II

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20 June mtg 3 Adopted Doc 1112;II/14  
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## COMMITTEE II/4

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20 June mtg 16 Approved improved text  
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Documentation  
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Action  
20 June mtg 37 Agreed on text Doc WD 437;  
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Documentation  
Policy regarding non-self-governing territories  
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## COMMISSION II

Rapporteur's report 23 June Doc 1177;II/18  
vol.8 p.254,256; Revised 24 June  
Doc 1180;II/18(1) vol.8 p.270,272

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Forced labor and land problems

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- Draft text 15 May Doc 323;II/4/12 vol.10 p.677

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- 18 June mtg 15 Doc 1090;II/4/43 vol.10 p.562 Iraq, Philippines, UK, USA

Action

- 18 June mtg 15 Redraft approved Doc 1090; II/4/43 vol.10 p.562
- Rapporteur's report (draft) 19 June Doc 1091; II/4/44 vol.10 p.581

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- 20 June mtg 3 Adopted Doc 1112;II/44 vol.8 p.154

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- 20 June mtg 16 Approved improved text Doc 1143;II/4/46 vol.10 p.601
- Rapporteur's report 20 June Doc 1115; II/4/44(1)(a) vol.10 p.614

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- 22 June mtg 40 Doc WD 440;CO/204 vol.17 p.367 Australia

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- Rapporteur's report 23 June Doc 1177;II/18 vol.8 p.254,256; Revised 24 June Doc 1180;II/18(1) vol.8 p.270,272

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## Article 73/e

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### COMMITTEE II/4

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C. THE PRINCIPLE THAT STATES SHALL FULFIL IN GOOD FAITH  
THE OBLIGATIONS ASSUMED BY THEM IN ACCORDANCE WITH  
THE CHARTER

(a) Treaties and international agreements

1. Covenant of the League of Nations, 1919

Preamble

The High Contracting Parties, in order to promote international co-operation and to achieve international peace and security ... by the maintenance of justice and a scrupulous respect for all treaty obligations in the dealings of organized peoples with one another, agree to this Covenant of the League of Nations.

(The Preparatory Study concerning a  
Draft Declaration on the Rights and  
Duties of States; United Nations  
publication, Sales No.: 1949.V.4,  
pp. 82-83)

2. Sixth International Conference of American States, Habana,  
January 16 - 20 February 1928

Convention

Treaties

....

Article 5

Treaties are obligatory only after ratification by the contracting States, even though this condition is not stipulated in the full powers of the negotiators or does not appear in the treaty itself.

Article 6

Ratification must be unconditioned and must embrace the entire treaty. It must be made in writing pursuant to the legislation of the State.

In case the ratifying State makes reservations to the treaty it shall become effective when the other contracting party informed of the reservations expressly accepts them, or having failed to reject them formally, should perform action implying its acceptance.

In international treaties celebrated between different States, a reservation by one of them in the act of ratification affects only the application of the clause in question in the relation of the other contracting States with the State making the reservation.

....

Article 10

No state can relieve itself of the obligations of a treaty or modify its stipulations except by the agreement, secured through peaceful means, of the other contracting parties.

Article 11

Treaties shall continue in effect even though the internal constitution of the contracting States has been modified. If the organization of the State should be changed in such a manner as to render impossible the execution of treaties, because of division of territory or other like reasons, treaties shall be adapted to the new conditions.

Article 12

Whenever a treaty becomes impossible of execution through the fault of the party entering into the obligation, or through circumstances which at the moment of concluding it were under control of this party and unknown to the other party the former shall be responsible for damages resulting from its non-execution.

....

Article 14

Treaties cease to be effective:

- (A) When the stipulated obligation has been fulfilled.
- (B) When the length of time for which it was made has expired.
- (C) When the resolutive condition has been fulfilled.
- (D) By agreement between the parties.
- (E) By renunciation of the party exclusively entitled to a benefit thereunder.
- (F) By total or partial denunciation, if agreed upon.
- (G) When it becomes incapable of execution.

Article 15

The caducity of a treaty may also be declared when it is permanent and of non-continuous application, on condition that the causes which originated it have disappeared and when it may logically be deduced that they will not reappear in the future.

The contracting party invoking this caducity may, upon not obtaining the consent of the other party or parties, appeal to arbitration, the contracted obligation to remain in force if a favourable award is not obtained and while the decision is being made.

Article 16

Obligations contracted in treaties shall be sanctioned in cases of non-compliance and when all diplomatic negotiations have been exhausted without success, by decision of a court of justice or an arbitral tribunal, within the limits and according to the procedure in use at the time in which the infraction is alleged.

Article 17

Treaties whose denunciation may have been agreed upon and those establishing rules of international law, can be denounced only in the manner provided thereby.

In the absence of such a stipulation, a treaty may be denounced by any contracting State, which State shall notify the others of this decision, provided it has complied with all obligations covenanted therein.

In this event the treaty shall become ineffective, as far as the denouncing State is concerned, one year after the last notification, and will continue in force for any other signatory States, if any.

Article 18

Two or more States may agree that their relations are to be governed by rules other than those established in general conventions celebrated by them with other States.

This precept applies not only to future treaties but also to those in effect at the time of concluding this Convention.

....

Article 20

The present convention does not affect obligations previously undertaken by contracting parties through international agreements.

(International Conferences of American  
States, 1889-1928, New York 1931, pp. 293,  
417, 418, 419)



3. Charter of the Organization of American States, Bogota, 30 April 1948

Part One

Chapter II: Principles

Article 5

The American States reaffirm the following principles:

(a) International law is the standard of conduct of States in their reciprocal relations;

(b) International order consists essentially of respect for the personality, sovereignty and independence of States, and the faithful fulfilment of obligations derived from treaties and other sources of international law;

(c) Good faith shall govern the relations between States; ...

.....

Article 7

Every American State has the duty to respect the rights enjoyed by every other State in accordance with international law.

Article 8

The fundamental rights of States may not be impaired in any manner whatsoever.

Article 9

The political existence of the State is independent of recognition by other States. Even before being recognized, the State has the right to defend its integrity and independence, to provide for its preservation and prosperity, and consequently to organize itself as it sees fit, to legislate concerning its interests, to administer its services, and to determine the jurisdiction and competence of its courts. The exercise of these rights is limited only by the exercise of the rights of other States in accordance with international law.

.....

Article 14

Respect for and the faithful observance of treaties constitute standards for the development of peaceful relations among States. International treaties and agreements should be public.

4. Treaty Establishing the European Economic Community,  
Rome, 25 March 1957

.....

Article 5

Member States shall take all general or particular measures which are appropriate for ensuring the carrying out of the obligations arising out of this Treaty or resulting from the acts of the institutions of the Community. They shall facilitate the achievement of the Community's aims.

They shall abstain from any measures likely to jeopardise the attainment of the objectives of this Treaty.

.....

(UNTS, Vol. 298, pp. 11, 17)

(b) Declarations and other international instruments adopted by States

1. Eighth International Conference of American States, Lima, 24 December 1938

Declaration of American Principles

.....

4. Relations between States should be governed by the precepts of international law.

5. Respect for and the faithful observance of treaties constitute the indispensable rule for the development of peaceful relations between States, and treaties can only be revised by agreement of the contracting parties.

(The International Conferences of American States, First Supplement, 1933-1940, Washington 1940, pp. 309-310)

2. Rio de Janeiro Meeting of the Ministers of Foreign Affairs of the American Republics, 15-28 January 1942

.....

XXI

(a) Declaration on Continental Solidarity in Observance of Treaties

Whereas:

1. The concept of solidarity, in addition to embodying altruistic sentiments held in common, includes that of co-operation so necessary to forestall obstacles which may prejudice the maintenance of that principle, or the reestablishment of harmony when weakened or disrupted by the adoption of measures contrary to the dictates of international law and morality;

2. This solidarity must be translated into facts in order to become a living reality; since from a philosophical concept it has developed into an historic affirmation through repeated and frequent reaffirmations in international agreements freely agreed upon;

3. Respect for the pledged word in international treaties rests upon incontestable juridical principles as well as on precepts of morality in accordance with the maxim of canon law: Pacta sunt servanda;

4. Such agreements, whether bilateral or multilateral, must not be modified or nullified unilaterally, except as otherwise provided, as in the case of "denunciation" clearly authorized by the parties;

5. Only thus can peace, inspired by the common welfare of the peoples, be founded on an enduring basis, as proclaimed at the Meeting in Habana; and

6. All peaceful relations among peoples would be practically impossible in the absence of strict observance of all pacts solemnly celebrated which have met all the formalities provided for in the laws of the High Contracting Parties in order to render them juridically effective,

The Third Meeting of the Ministers of Foreign Affairs of the American Republics

Declares:

1. That should the Government of an American nation violate an agreement or a treaty duly perfected by two or more American Republics or should there be reason to believe that a violation which might disturb the peace or solidarity of the Americas is being contemplated, any American State may initiate the consultation contemplated in Resolution XVII of Habana with the object of agreeing upon the measures to be taken.

2. That the Government desiring to initiate the consultation and propose a Meeting of the Ministers of Foreign Affairs of the American Republics or their representatives, shall communicate with the Governing Board of the Pan American Union specifying in detail the subjects to be considered as well as the approximate date on which the meeting should take place.

3. Mexico City Conference on Problems of Peace and War,  
21 February - 8 March 1945

Act of Chapultepec

.....

The American states have been incorporating in their international law, since 1890, by means of conventions, resolutions and declarations, the following principles:

.....

h) The affirmation that respect for and the faithful observance of treaties constitute the indispensable rule for the development of peaceful relations between States, and that treaties can only be revised by agreement of the contracting parties (Declaration of American Principles, Eighth International Conference of American States, 1938);

.....

Reorganization, Consolidation and Strengthening of the  
Inter-American System

.....

9. The Governing Board of the Pan American Union, availing itself of all Pan American agencies that it deems appropriate, is charged with preparing, beginning May 1, 1945, a draft charter for the improvement and strengthening of the Pan American system. The Governing Board shall submit the draft to the Governments of the Continent prior to December 31, 1945.

The draft charter shall first of all proclaim:

The recognition by all the American Republics, of international law as the effective rule of their conduct and the pledge of those Governments to observe the standards enunciated in a "Declaration of the Rights and Duties of States" and a "Declaration of the International Rights and Duties of Man"; these shall serve as the definition of the fundamental principles of international law and shall appear as an annex to the charter, so that, without amending it, the Declarations may be revised from time to time to adapt them to the requirements and aspirations of international life.

.....

(A Decade of American Foreign Policy,  
Basic documents, 1941-49, Washington  
1950, pp. 414,415, 417,420)

4. Pan American Union, Governing Board, 1946

Draft Declaration of the Rights and Duties of American States

.....

II. The rights which each State enjoys in accordance with international law must be respected and protected by all other States, since right and duty are correlative and each State has the duty to respect the rights of all the other States.

.....

V. Good faith, as an elementary requirement of law and equity, should guide the relations of States among themselves and govern the interpretation of their duties and the fulfilment of their obligations. Mutual confidence in the pledged word is indispensable for peaceful co-operation among States.

VI. Treaties must be in the nature of open covenants and must be faithfully observed.

.....

XXI. The American States, fully cognizant of the geographic and historical factors to which the Pan American movement owes its origin, reaffirm their faith in the principle of continental solidarity and proclaim their unswerving loyalty to the Inter-American System; and, in consequence, they will fulfil in good faith all their obligations as members of that System.

XXII. The American States, in renewing their intention to strengthen continental solidarity, also proclaim their determination to conduct themselves as members of the world community; and, in consequence, they will fulfil in good faith all their obligations as members of the world organization.

(Text from Pan American Union, Governing Board, Committee on the Organization of the Inter-American System, Draft Declaration of the Rights and Duties of American States. Formulated in accordance with Resolution IX of the Inter-American Conference on Problems of War and Peace, and submitted to the Governments of the American Republics by the Governing Board of the Pan American Union, Washington, 1946)

5. Austria: Declaration of Acceptance of the Obligations contained in the Charter of the United Nations, Vienna, 6 August 1952.

Declaration

On behalf of the Government of the Republic of Austria, I have the honour to declare that Austria hereby unreservedly accepts the obligations of the Charter of the United Nations and solemnly undertakes to comply faithfully with all the provisions of the Charter from the day on which it becomes a Member of the Organization.

(UNTS, Vol. 223, p. 29. Similar declarations were made by other States when they were admitted to membership in the United Nations. See, for example, the declaration made by Albania, Bulgaria, Cambodia, Ceylon, Jordan, Laos, Libya, Nepal, Romania, Spain, Hungary and Finland, contained in UNTS, Vol. 223)



6. Communiqué of the Conference of Afro-Asian Countries  
(Bandung Declaration), 24 April 1955

.....

G. Declaration on the Promotion of World Peace and Cooperation

.....

Free from mistrust and fear, and with confidence and goodwill towards each other, nations should practise tolerance and live together in peace, with one another as good neighbours and develop friendly cooperation on the basis of the following principles:

.....

10. Respect for justice and international obligations.

(American Foreign Policy, 1950-1955,  
Basic Documents, Vol. II, Washington  
1957, pp. 2344, 2351, 2352)

7. The First Conference of Independent African States, Accra,  
15-22 April 1958

.....

#### Resolutions

1. Exchange of views on foreign policy

The Conference of Independent African States,

1. Affirms the following fundamental principles:

A. Unswerving loyalty to and support of the Charter of the United Nations and respect for decisions of the United Nations;

.....

- (x) Respect for justice and international obligations.

(Legum, Colin, Pan-Africanism: a short political guide, New York, 1962, pp. 140, 141)

8. Declaration of the Heads of State or Government of Non-Aligned Countries (Belgrade Declaration), 6 September 1961

.....

13. The participants in the Conference reaffirm their conviction that:

.....

(b) All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law. In no case may a people be deprived of its own means of subsistence.

(Journal of the Belgrade Conference  
No. 5, 6 September 1961, pp. 19,22)

9. The Second Conference of Heads of State or Governments  
(Cairo Declaration), 10 October 1964

IV.

PEACEFUL CO-EXISTENCE AND THE CODIFICATION OF  
ITS PRINCIPLES BY THE UNITED NATIONS

.....

9. States shall meet their international obligations in good faith in conformity with the principles and purposes of the United Nations.

.....

IX.

THE UNITED NATIONS: ITS ROLE IN INTERNATIONAL  
AFFAIRS, IMPLEMENTATION OF ITS RESOLUTIONS AND  
AMENDMENT OF ITS CHARTER

The participating countries declare:

.....

It is essential for the effective functioning of the United Nations that all nations should observe its fundamental principles of peaceful coexistence, co-operation, renunciation of the threat or the use of force, freedom and equality without discrimination on grounds of race, sex, language or religion.

.....

The Conference recommends to the States Members of the United Nations to respect the resolutions of the United Nations and to render all assistance necessary for the Organization to fulfil its role in maintaining international peace and security.

(Text reproduced from doc. MAC-II/Heads/5,  
of 10 October 1964, of the Conference  
of Heads of State or Government of  
non-aligned countries, entitled "Programme  
for Peace and International Co-operation",  
pp. 14, 16, 27-28)

(c) United Nations resolutions

The Palestine Question (S/1045)

The Security Council,

.....

Reminds the Governments and authorities concerned that all the obligations and responsibilities of the parties set forth in its resolutions of 15 July and 19 August 1948 are to be discharged fully and in good faith;

.....

(Repertoire of the Practice of the  
Security Council, 1946, p. 555)

The Palestine Question (S/1907)

The Security Council,

.....

Reminds Egypt and Israel as Member States of the United Nations of their obligations under the Charter to settle their outstanding differences, and further reminds Egypt, Israel, and the Hashemite Kingdom of Jordan that the armistice agreements to which they are parties contemplate "the return of permanent peace in Palestine", and, therefore, urges them and the other States in the area to take all such steps as will lead to the settlement of the issues between them.

(Repertoire of the Practice of the  
Security Council, 1946, p. 340)

The Security Council,

.....

Recalls to the Governments of Syria and Israel their obligations under Article 2, paragraph 4, of the Charter of the United Nations and their commitments under the Armistice Agreement not to resort to military force and finds that:

(a) Aerial action taken by the forces of the Government of Israel on 5 April 1951, and

(b) Any aggressive military action by either of the parties in or around the demilitarized zone, which further investigation by the Chief of Staff of the Truce Supervision Organization into the reports and complaints recently submitted to the Council may establish,

constitute a violation of the cease-fire provision provided in the Security Council resolution of 15 July 1948 and are inconsistent with the terms of the Armistice Agreement and the obligations assumed under the Charter;

.....

Reminds the parties of their obligations under the Charter of the United Nations to settle their international disputes by peaceful means in such manner that international peace and security are not endangered, and expresses its concern at the failure of the Governments of Israel and Syria to achieve progress pursuant to their commitments under the Armistice Agreement to promote the return to permanent peace in Palestine;

.....

(Repertoire of the Practice of the  
Security Council, 1946, 341-343)

The India-Pakistan Question (S/2017/ rev.1)

The Security Council,

.....

8. Requests the Governments of India and Pakistan to ensure that their agreement regarding the cease fire shall continue to be faithfully observed and calls upon them to take all possible measures to ensure the creation and maintenance of an atmosphere favourable to the promotion of further negotiations and to refrain from any action likely to prejudice a just and peaceful settlement;

.....

(Repertoire of the Practice of the  
Security Council, 1946-1951, pp. 350-351)

The Palestine Question (S/3139/Rev.2)

The Security Council,

.....

A

Finds that the retaliatory action at Qibya taken by armed forces of Israel on 14-15 October 1953 and all such actions constitute a violation of the cease-fire provisions of the Security Council resolution of 15 July 1948 and are inconsistent with the parties' obligations under the General Armistice Agreement and the Charter;

.....

B

.....

Recalls to the Governments of Israel and Jordan their obligations under Security Council resolutions and the General Armistice Agreement to prevent all acts of violence on either side of the demarcation line;

.....

C

Reaffirms that it is essential, in order to achieve progress by peaceful means towards a lasting settlement of the issues outstanding between them, that the parties abide by their obligations under the General Armistice Agreement and the resolutions of the Security Council;

Emphasizes the obligation of the Governments of Israel and Jordan to co-operate fully with the Chief of Staff of the Truce Supervision Organization;

.....

(Repertoire of the Practice of the  
Security Council, 1952-1955, p.112)

The Palestine Question (S/3378)

The Security Council,

.....

Noting that the Egyptian-Israeli Mixed Armistice Commission on 6 March 1955 determined that a "prearranged and planned attack ordered by Israel authorities" was "committed by Israel regular army forces against the Egyptian regular army force" in the Gaza strip on 23 February 1955,

1. Condemns this attack as a violation of the cease-fire provisions of the Security Council resolution of 15 July 1948 and as inconsistent with the obligations of the parties under the General Armistice Agreement between Egypt and Israel and under the United Nations Charter;

.....

(Repertoire of the Practice of the  
Security Council, 1952-1955, p.117)



The Palestine Question (S/5530/Rev.1)

The Security Council,

.....

3. Condemns the attack of 11 December 1955 as a flagrant violation of the cease-fire provisions of its resolution of 15 July 1948, of the terms of the General Armistice Agreement between Israel and Syria, and of Israel's obligations under the Charter;

4. Expresses its grave concern at the failure of the Government of Israel to comply with its obligations;

5. Calls upon the Government of Israel to do so in the future, in default of which the Council will have to consider what further measures under the Charter are required to maintain or restore the peace;

6. Calls upon the parties to comply with their obligations under article V of the General Armistice Agreement to respect the armistice demarcation line and the demilitarized zone;

.....

7. Calls upon both parties to co-operate with the Chief of Staff in this and all other respects, to carry out the provisions of the General Armistice Agreement in good faith, and in particular to make full use of the Mixed Armistice Commission's machinery in the interpretation and application of its provisions.

.....

(Repertoire of the Practice of the  
Security Council, 1956-1964, p. 35)

44 (I). Treatment of Indians in the Union of South Africa

The General Assembly, .....

2. Is of the opinion that the treatment of Indians in the Union should be in conformity with the international obligations under the agreements concluded between the two Governments and the relevant provisions of the Charter; .....

Fifty-second plenary meeting, 8 December 1946.

(Resolutions adopted by the General Assembly during the second part of its first session from 23 October to 15 December 1946, p.69)

230 (IV). Essentials of peace

The General Assembly

1. Declares that the Charter of the United Nations, the most solemn pact of peace in history, lays down basic principles necessary for an enduring peace; that disregard of these principles is primarily responsible for the continuance of international tension; and that it is urgently necessary for all Members to act in accordance with these principles in the spirit of co-operation in which the United Nations was founded;

Calls upon every nation ...

4. To carry out in good faith its international agreements;

.....

161st plenary meeting, 1 December 1949.

(Official Records of the Fourth session  
of the General Assembly  
10 September-10 December 1949,  
Resolutions, p. 13)

300 (V) Peace through deeds

The General Assembly,

Recognizing the profound desire of all mankind to live in enduring peace and security, and in freedom from fear and want,

Confident that, if all governments faithfully reflect this desire and observe their obligations under the Charter, lasting peace and security can be established,

.....

300th plenary meeting, 17 November 1950.

(General Assembly Official Records:  
Fifth Session, Supplement No. 20  
(A/1775), p. 13)

505 (VI). Threats to the political independence and territorial integrity of China and to the peace of the Far East, resulting from Soviet violations of the Sino-Soviet Treaty of Friendship and Alliance of 14 August 1945 and from Soviet violations of the Charter of the United Nations

The General Assembly,

Considering that it is a prime objective of the United Nations "to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained",

.....

Determines that the Union of Soviet Socialist Republics, in its relations with China since the surrender of Japan, has failed to carry out the Treaty of Friendship and Alliance between China and the Union of Soviet Socialist Republics of 14 August 1945.

369th plenary meeting, 1 February 1952.

(General Assembly Official Records:  
Sixth Session, Supplement No. 20  
(A/2119), p. 4)

1016 (III). Question of race conflict in South Africa resulting from the policies of apartheid of the Government of the Union of South Africa

The General Assembly,

.....

2. Reaffirms that the Government of the Union of South Africa has not yet observed its obligations under the Charter and has pressed forward with discriminatory measures which would make the future observance of those obligations more difficult;

3. Affirms its conviction that nonobservance in such discriminatory policies is inconsistent not only with the Charter but with the forces of progress and international co-operation in implementing the ideals of equality, freedom and justice;

4. Calls upon the Government of the Union of South Africa to reconsider its position and revise its policies in the light of its obligations and responsibilities under the Charter and in the light of the principles subscribed to and the progress achieved in other contemporary multi-racial societies;

.....

Ad hoc advisory meeting, 31 January 1967.

(General Assembly Official Records:  
Eleventh Session, Supplement No. 17  
A/6042, 11. C, 6)

114: (III). Reminds the Government of the Union of South Africa to ensure the fulfilment of the obligations assumed by the Union of South Africa in respect of the Territory of South West Africa

The General Assembly,

Recalling its resolution 44. A (V) of 15 December 1949, by which the General Assembly accepted the opinion of 11 July 1950 of the International Court of Justice 1/ to the effect that:

[South West Africa is a Territory under the international Mandate assumed by the Union of South Africa on 17 December 1919,

---

1/ International status of South-West Africa, Advisory Opinion: I.C.J. Reports 1950, p. 136.

(b) The Union of South Africa continues to have the international obligations stated in Article 22 of the Covenant of the League of Nations and in the Mandate for South West Africa, the supervisory functions to be exercised by the United Nations,

(c) The reference to the Permanent Court of International Justice is to be replaced by a reference to the International Court of Justice in accordance with article 7 of the Mandate and Article 37 of the Statute of the International Court of Justice,

Recalling also its resolution 1060 (XI) of 26 February 1957, by which it requested the Committee on South West Africa to study what legal action was open to ensure that the Union of South Africa fulfilled the obligations assumed by it under the Mandate for South West Africa,

Having received the Committee's special report<sup>12/</sup> on the study referred to in the previous paragraph,

1. Commends the Committee on South West Africa for its useful report;

2. Notes with deep concern that:

(a) The Union of South Africa contends that, the Mandate having "lapsed", it has no obligations of which the United Nations has cognizance;

(b) The Union of South Africa has not rendered annual reports to the United Nations in accordance with Article 22 of the Covenant of the League of Nations, article 6 of the Mandate, and General Assembly resolution 449 A (V) of 13 December 1950;

3. Draws the attention of Member States to the failure of the Union of South Africa to render annual reports to the United Nations, and to the legal action provided for in article 7 of the Mandate read with Article 37 of the Statute of the International Court of Justice;

4. Decides to resume, at its thirteenth session, consideration of the special report of the Committee on South West Africa.

709th plenary meeting, 25 October 1957.

(General Assembly Official Records:  
Twelfth Session, Supplement No. 18  
(A/3805), p. 25)

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<sup>12/</sup> Official Records of the General Assembly, Twelfth Session, Supplement No. 12A (A/3625).

1248 (XIII). question of race conflict in South Africa  
resulting from the policies of apartheid of  
the Government of the Union of South Africa

The General Assembly,

.....

3. Solemnly calls upon all Member States to bring their policies into conformity with their obligation under the Charter to promote the observance of human rights and fundamental freedoms;

.....

77th plenary meeting, 30 October 1951.

(General Assembly Official Records:  
Thirteenth Session, Supplement No. 13  
(A/3050), p. 7)

1301 (XIII). Measure aimed at the implementation and promotion  
of peaceful and neighbourly relations among States

The General Assembly,

.....

Recognizing furthermore that in the observance of the purposes and principles of the United Nations lies the best basis of ensuring the conditions essential for the nations and peoples of the world to live and to assist each other in mutual tolerance and understanding for the benefit of all,

1. Reaffirms the purposes and principles of the United Nations;

2. Calls upon Member States to live together within the letter and spirit of the Charter of the United Nations;

.....

4. Calls upon Member States to take effective steps towards the implementation of principles of peaceful and neighbourly relations;

.....

783rd plenary meeting, 10 December 1951.

(General Assembly Official Records:  
Thirteenth Session, Supplement No. 13  
(A/3050), p. 8)



1262 (XIII). Question of arbitral procedure

The General Assembly,

Recalling its resolutions 714 (VIII) of 7 December 1953 and 109 (X) of 14 December 1955,

Considering that arbitration is one of the means for the pacific settlement of disputes referred to in the Charter of the United Nations,

Having considered chapter II, on arbitral procedure, of the report of the International Law Commission covering the work of its tenth session, 1/

Taking note of the comments in that report to the effect, in particular, that the draft articles on arbitral procedure contained therein would have no binding effect on States unless accepted by them and save to the extent that each one is accepted by them in treaties of arbitration or in a compromis,

.....

3. Brings the draft articles on arbitral procedure contained in the report of the International Law Commission to the attention of Member States for their consideration and use, in such cases and to such extent as they consider appropriate, in drawing up treaties of arbitration or compromis.

4. Invites Governments to send to the Secretary-General any comments they may wish to make on the draft, and in particular on their experience in the drawing up of arbitral agreements and the conduct of arbitral procedure, with a view to facilitating a review of the matter by the United Nations at an appropriate time.

106th plenary meeting, 14 November 1956.

(General Assembly Official Records:  
Thirteenth Session, Supplement No. 10  
(A/3000), p. 55)

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1/ Official Records of the General Assembly, Thirteenth Session, Supplement No. 10 (A/3000) and Corr.1.

1375 (XIV). Question of race conflict in South Africa resulting  
from the policies of apartheid of the Government of  
the Union of South Africa

The General Assembly,

.....

2. Solemnly calls upon all Member States to bring their policies into  
conformity with their obligation under the Charter of the United Nations to  
promote the observance of human rights and fundamental freedoms;

.....

830th plenary meeting, 17 November 1959.

(General Assembly Official Records:  
Fourteenth Session, Supplement No. 10  
(A/4354), p. 7)

1598 (XV). Question of race conflict in South Africa resulting from the policies of apartheid of the Government of the Union of South Africa

The General Assembly

.....

4. Affirms that the racial policies being pursued by the Government of the Union of South Africa are a flagrant violation of the Charter of the United Nations and the Universal Declaration of Human Rights and are inconsistent with the obligations of a Member State;

.....

6. Reminds the Government of the Union of South Africa of the requirement in Article 2, paragraph 2, of the Charter that all Members shall fulfil in good faith the obligations assumed by them under the Charter;

7. Calls upon the Government of the Union of South Africa once again to bring its policies and conduct into conformity with its obligations under the Charter.

981st plenary meeting, 15 April 1961.

(General Assembly Official Records:  
Fifteenth Session, Supplement No. 16A  
(A/4664/L.5.1), pp. 5, 6)

1599 (XV). The situation in the Republic of the Congo

The General Assembly

.....

1. Calls upon the Government of Belgium to accept its responsibilities as a Member of the United Nations and to comply fully and promptly with the will of the Security Council and of the General Assembly;

.....

985th plenary meeting, 15 April 1961.

(General Assembly Official Records:  
Fifteenth Session, Supplement No. 16A  
(A/4664/L.5.1), p. 17)

1655 (XVI). Declaration on the prohibition of the use  
of nuclear and thermo-nuclear weapons

The General Assembly,

.....

Recalling that the use of weapons of mass destruction, causing unnecessary human suffering, was in the past prohibited, as being contrary to the law of humanity and to the principles of international law, by international declarations and binding agreements, such as the Declaration of St. Petersburg of 1868, the Declaration of the Brussels Conference of 1874, the Conventions of The Hague Peace Conferences of 1899 and 1907, and the Geneva Protocol of 1925, to which the majority of nations are still parties,

Considering that the use of nuclear and thermo-nuclear weapons would bring about indiscriminate suffering and destruction to mankind and civilization to an even greater extent than the use of those weapons declared by the aforementioned international declarations and agreements to be contrary to the laws of humanity and a crime under international law,

.....

1. Declares that:

(a) The use of nuclear and thermo-nuclear weapons is contrary to the spirit, letter and aims of the United Nations and, as such, a direct violation of the Charter of the United Nations;

(b) The use of nuclear and thermo-nuclear weapons would exceed even the scope of war and cause indiscriminate suffering and destruction to mankind and civilization and, as such, is contrary to the rules of international law and to the laws of humanity;

.....

(d) Any State using nuclear and thermo-nuclear weapons is to be considered as violating the Charter of the United Nations, as acting contrary to the laws of humanity and as committing a crime against mankind and civilization;

.....

1063rd plenary meeting, 24 November 1961.

(General Assembly Official Records:  
Sixteenth Session, Supplement No. 17  
(A/5100), pp. 4, 5)

1561 (XVI). The question of race conflict in South Africa  
resulting from the policies of apartheid of the  
Government of the Republic of South Africa

The General Assembly,

.....

Recalling in particular that the Government of South Africa has completely disregarded General Assembly resolution 1590 (XV) of 15 April 1961 and has refused to bring its policies and conduct into conformity with its obligations under the Charter, has continued to reinforce its racial policies in disregard of those obligations,

1. Reaffirms that the Government of the Republic of South Africa has failed to comply with the repeated requests and demands of the General Assembly and with the aforesaid resolution of the Security Council and has flouted world public opinion by refusing to reconsider or revise its racial policies or to observe its obligations under the Charter of the United Nations;

2. Strongly deprecates the continued and total disregard by the Government of South Africa of its obligations under the Charter and furthermore its determined aggravation of racial issues by ever-increasing discriminatory laws and measures and their ruthless enforcement accompanied by violence and bloodshed;

.....

3. Reaffirms that the racial policies being pursued by the Government of South Africa are a flagrant violation of the Charter of the United Nations and the Universal Declaration of Human Rights and are totally inconsistent with South Africa's obligations as a Member State;

.....

4. Reminds the Government of South Africa of the requirement of Article 1, paragraph 2, of the Charter that all Members shall fulfill in good faith the obligations assumed by them under the Charter.

1567th plenary meeting, 28 December 1961.

(General Assembly Official Records:  
Sixteenth Session, Supplement No. 17  
(A/6100), pp. 10, 11)

1699 (XVI). Non-compliance of the Government of Portugal with Chapter XI of the Charter of the United Nations and with General Assembly resolution 1542 (XV)

The General Assembly,

.....

1. Condemns the continuing non-compliance of the Government of Portugal with its obligations under Chapter XI of the Charter of the United Nations and with the terms of General Assembly resolution 1542 (XV), and its refusal to co-operate in the work of the Committee on Information from Non-Self-Governing Territories;

.....

1083rd plenary meeting, 19 December 1961.

(General Assembly Official Records:  
Sixteenth Session, Supplement No. 17  
(A/5100), p. 38)

1761 (XVII). The policies of apartheid of the Government of the Republic of South Africa

The General Assembly,

.....

2. Strongly deprecates the continued and total disregard by the Government of South Africa of its obligations under the Charter of the United Nations and, furthermore, its determined aggravation of racial issues by enforcing measures of increasing ruthlessness involving violence and bloodshed;

3. Reaffirms that the continuance of those policies seriously endangers international peace and security;

.....

1165th plenary meeting, 6 November 1962.

(General Assembly Official Records:  
Seventeenth Session, Supplement No. 17  
(A/5217), p. 9)

1801 (XVII) Permanent sovereignty over natural resources

The General Assembly,

.....

I

Declares that:

.....

8. Foreign investment agreements freely entered into by or between sovereign States shall be observed in good faith; States and international organizations shall strictly and conscientiously respect the sovereignty of peoples and nations over their natural wealth and resources in accordance with the Charter and the principles set forth in the present resolution.

.....

1194th plenary meeting, 14 December 1962.

(General Assembly Official Records:  
Seventeenth Session, Supplement No. 17  
(A/5217), pp. 15, 16)

1815 (XVII). Consideration of principles of international law concerning friendly relations and co-operation among States in accordance with the Charter of the United Nations

The General Assembly,

.....

Considering that the conditions prevailing in the world today give increased importance to the fulfilment by States of their duty to co-operate actively with one another and to the role of international law and its faithful observance in relations among nations,

.....

Mindful of the close relationship between the progressive development of international law and the establishment of conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained through the promotion of international co-operation in economic, social and related fields and through the realization of human rights and fundamental freedoms,

.....

1195th plenary meeting, 15 December 1962.

(General Assembly Official Records:  
Seventeenth Session, Supplement No. 17  
(A/5217), pp. 66, 67)

1904 (XVIII). United Nations Declaration on the Elimination of  
All Forms of Racial Discrimination

The General Assembly,

.....

5. Proclaims this Declaration:

.....

Article 11

Every State shall promote respect for and observance of human rights and fundamental freedoms in accordance with the Charter of the United Nations and shall fully and faithfully observe the provisions of the present Declaration, the Universal Declaration of Human Rights and the Declaration on the granting of independence to colonial countries and peoples.

1261st plenary meeting, 20 November 1965.

(General Assembly Official Records:  
Eighteenth Session, Supplement No. 15  
(A/5515), pp. 35-37)

1899 (XVIII). Question of South West Africa

The General Assembly,

.. . .

Observing with profound regret that the Government of South Africa has persistently and deliberately failed to fulfil its international obligations in the administration of the Mandated Territory of South West Africa,

Considering that any attempt by the Government of South Africa to annex a part or the whole of the Territory of South West Africa would be contrary to the advisory opinion of the International Court of Justice of 11 July 1950 7/ and would constitute a violation of that Government's obligations under the Mandate and of its other international obligations,

.....

1257th plenary meeting, 15 November 1965.

(General Assembly Official Records:  
Eighteenth Session, Supplement No. 15  
(A/5515), pp. 46, 47)

---

7/ International status of South West Africa, Advisory Opinion: I.C.J. Reports 1950, p. 130.



Text of the articles of the draft International Covenants on Human  
Rights adopted by the Third Committee at the eighteenth session of  
the General Assembly

Articles 2 and 4 of the Draft Covenant on Civil and Political Rights

.....

Article 4

1. In time of public emergency which threatens the life of the nation and the existence of which is officially proclaimed, the States Parties hereto may take measures derogating from their obligations under this Covenant to the extent strictly required by the exigencies of the situation, provided that such measures are not inconsistent with their other obligations under international law and do not involve discrimination solely on the ground of race, colour, sex, language, religion or social origin.

.....

(General Assembly Official Records;  
Annexes, Eighteenth Session, Agenda  
item 48, n. 25)

Draft Covenant on Economic, Social and Cultural Rights

.....

PART I

Article 1

.....

1. The peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law. In no case may a people be deprived of its own means of subsistence.

.....

Draft Covenant on Civil and Political Rights

PART I

Article 1<sup>1/2</sup>

.....

1. The peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law. In no case may a people be deprived of its own means of subsistence.

(Doc. E.12.3 Invol., pp. 1, and 2)

(d) Decisions and proposals of other bodies

1. International Juridical Union, 1919

Draft of a Declaration of Rights and Duties of Nations

.....

Article IV. The rights of each State are limited by the rights of other States.

States have duties toward one another.

All States likewise have duties toward the international community.

Article V. States must, in particular:

- (a) Openly maintain international relations founded upon justice and equity;
- (b) Rigorously observe the rules of international law;
- (c) Scrupulously respect treaties;
- (d) Execute in good faith the judgements rendered by Tribunals of Arbitration;

.....

(Preparatory Study concerning a Draft  
Declaration on the Rights and Duties of  
States; United Nations publication,  
Sales No. 1949.V.4, p. 17)

2. American Institute of International Law, 1925

Project No. 11. Treaties

Article 5. Treaties must be executed in good faith and cannot be modified except by an amicable agreement of the parties which have signed them.

(The Governing Board of the Pan American Union requested on 2 January 1924 the American Institute of International Law to prepare a series of projects of international law for the next meeting of the International Commission of American Jurists. Project No. 11 was one of these projects. Text from the American Journal of International Law, 1924, Special Supplement, p. 305)

3. American Institute of International Law, 1925

Project No. 4. Fundamental bases of international law

Article 4. National laws should not contain provisions contrary to international law.

(The American Institute concerning a Draft Declaration on the Rights and Duties of Man, 1948, at its publication, Series L. 1949.II, p. 7)

4. American Institute of International Law, 1925

Project No. 8, Fundamental Rights of American Nations

.....

The American Republics have concluded the following project of Fundamental Rights of the Republics of the American Continent:

Article 1. The following principles are declared to constitute American public law and shall be applied and respected in America by all nations:

1. The American Republics, equal before international law, have the rights inherent in complete independence, liberty, and sovereignty. Such rights can in no way be restricted to the profit of another nation, even with the consent of the interested American Republics.

.....

(Preparatory Study concerning a Draft Declaration on the Rights and Duties of States; United Nations publication, Sales No.: 1949.V.4, p. 159)

5. International Commission of American Jurists, 1927

Project I. Fundamental Bases of International Law

Article 3. National law shall not contain dispositions contrary to international conventional law.

(Preparatory Study concerning a Draft Declaration on the Rights and Duties of States; United Nations publication, Sales No.: 1949.V.4, p. 87)

6. International Commission of American Jurists, 1927

Project IV. Treaties

Article 10. No State can relieve itself of the obligations of a treaty nor modify its stipulations except by the agreement, secured by peaceful means, of the other contracting parties.

(Preparatory Study concerning a Draft Declaration on the Rights and Duties of States; United Nations publication, Sales No.: 1949.V.4, p. 83)

7. Inter-Parliamentary Union, 1906

Declaration of the Rights and Duties of States

.....

4. Treaties have the force of law between States. It is their strict duty to respect them.

A treaty may only be annulled or modified with the consent of the States concerned or in accordance with international law.

(Text from Union Interparlementaire.  
Compte Rendu de la XXVème Conférence tenue  
à Berlin du 23 août au 1<sup>er</sup> août 1906. Publié  
par le Bureau Interparlementaire  
[Geneva etc. 1907] p. 50-57)

8. Harvard Research in International Law, 1928

Draft Convention on the Rights and Duties of States

Article 20. Facta sunt servanda - A State is bound to carry out in good faith the obligations which it has assumed under a treaty (facta sunt servanda).

(Text from the Harvard Research in International Law  
Draft Convention on the Rights and Duties of States  
Article 20. "Facta sunt servanda",  
p. 10, 1928, 1929, 1930)

9. Inter-American Juridical Committee, 1942

Reaffirmation of Fundamental Principles of International Law

Project of Resolution submitted to the Governments, Members of the Pan American Union

.....

The American Republics resolve to reaffirm in the most solemn manner the following principles which they believe to be fundamental in the relations of States and essential to the maintenance of peace and justice in international relations, and declare:

.....

IV. Good faith, which is a sacred principle of international law, should govern the relations of States. Mutual trust in the pledged word is an essential condition of the peaceful co-operation of States. Treaty obligations, freely and voluntarily entered into, must be faithfully observed.

It is proper to examine treaties which, by reason of new circumstances, may admit revision with the object of improving or of bringing into complete accord the relations between the contracting parties.

Treaties must be in the nature of open covenants openly arrived at, and there must be no secret agreements or understandings between States.

.....

(Preparatory Study concerning a Draft Declaration on the Rights and Duties of States; United Nations publication, Sales No.:1949.V.4, pp. 144, 145)



10. "Hudson Committee", 1 January 1944: The International Law of the Future  
Postulates, Principles and Proposals

.....

Postulates for the International Law of the Future

Postulate 4

Any failure by a State to carry out its obligations under international law is a matter of concern to the Community of States.

Comment

Since international law is the law of the Community of States, the Community has an interest in its observance and in its integrity. The rights conferred by international law, and the duties which it imposes, are not merely the concern of the two or more States directly involved in a given situation. In many situations a State may dispose of its rights, and thereby relieve another State of correlative duties, without infringing upon Community interests. Yet the Community of States must always be in a position to deal with any situation which jeopardizes good understanding between States, and any failure by a State to perform the duties imposed upon it by international law may call for such action.

The existence of a community interest in the observance of international obligations has frequently been recognized in the past. Certain treaties have been said, for example, to have created European or general law, and they were therefore regarded as having an interest for European States not parties. In 1872, in appealing on behalf of the Jews in Moldavia and Wallachia, the United States of America relied upon a treaty between European States to which it was not a party, because of the "cosmopolitan character" of the treaty. In 1920, the Committee of Jurists, which dealt with the Åland Islands dispute declared that provisions in the Convention of 1856 between France, Great Britain and Russia had been "laid down in European interests," and that the Convention had a "European character" and was intended to create "European law".

The International (Inter-American) Commission of Jurists, which met at Rio de Janeiro in 1927, proposed as one of the fundamental bases of international law that "States, even though not directly injured, have the right to protest against violations of international law": and the Inter-American Juridical Committee has recently recommended a declaration that "nations have a common and joint obligation to watch over the observance of the fundamental principles of international law".

The Postulate is limited to an assertion of the Community interest and of the possibility of interposition by the Community to protect that interest. It merely lays the foundation for a protection of the Community interest in a proper case. It does not mean that agencies of the Community of States would interpose

in every case in which the conduct of a State is found to be contrary to legal imperatives. Some cases might be trivial, and others might not be thought to call for any action. Each situation would have to be appreciated on its facts, and no attempt can be made to forecast what the wisdom of the time may dictate. Procedures would need to be established for determining that a State has failed to carry out its obligations under international law, and that interposition by the Community of States is desirable. The Postulate does not specify the nature of the action to be taken in the course of such interposition.

Principles for the International Law of the Future

Principle 1

Each State has a legal duty to carry out in full good faith its obligations under international law, and it may not invoke limitations contained in its own constitution or laws as an excuse for a failure to perform this duty.

Comment

Underlying the modern international law is the principle that States must carry out their legal obligations in full good faith. Without it, States could not live together in a Community of States. Good faith is "the great moral ligament which binds together" the States of the world in a system of law.

Each State is free to determine the nature of its own government, and it is free to develop its own institutions in conformity with the genius of its people. The International law of the future must safeguard this freedom which every State should enjoy. The Atlantic Charter therefore proclaims "the right of all peoples to choose the form of government under which they will live". Yet it is a right to be exercised with due regard for the interests of the Community of States, and each State has a duty to organize its institutions in such a way that it will be in a position to perform its obligations under international law.

Failure by a State to perform its obligations can never be justified by invoking limitations which it has imposed upon itself by its own constitution or laws. Some fifty years ago, in correspondence with Mexico relating to the Cutting Case, the Government of the United States declared that "if a Government could set up its own municipal laws as the final test of its international rights and obligations, then the rules of international law would be but the shadow of a name and would afford no protection either to States or to individuals. It has been constantly maintained and also admitted by the Government of the United States that a government cannot appeal to its municipal regulations as an answer to demands for the fulfilment of international duties". On several occasions, the Permanent Court of International Justice has declared that "a State cannot adduce as against another State its own constitution with a view to evading obligations incumbent upon it under international law or treaties in force"; indeed it has gone further and stated the principle to be "self-evident" that "a State which has contracted valid international obligations is bound to make in its legislation such modifications as may be necessary to ensure the fulfilment of the obligations undertaken". At the Conference on Codification of International Law held at The Hague in 1930, the principle was generally accepted that "a State cannot avoid international responsibility (for an injury to an alien) by invoking its municipal law".

No particular distribution of power within a State's governmental system is required. In a federal State, no particular division of power between the federal and local governments is prescribed, and in neither a federal nor a unitary State

is interference involved with the separation of legislative, executive and judicial powers. Yet it is essential that by some arrangement of its governmental system each State, whatever the structure of its government, should maintain itself in a position to carry out its international obligations, and a failure to place itself in that position will not excuse its non-performance of those obligations.

The enunciation of the Principle would seem to be particularly important at the present time. Recent challenges to accepted philosophies of government as well as dislocations caused by war may lead to the revision of the constitutions of many States, and extensive shifts of governmental power, both internal and external, are to be anticipated.

(AJIL vol. 38, 1944, pp. 63, 68-69, 73-74)

11. International Law Commission, 1949

Draft Declaration on Rights and Duties of States

.....

Article 13. Every State has the duty to carry out in good faith its obligations arising from treaties and other sources of international law, and it may not invoke provisions in its constitution or its laws as an excuse for failing to perform this duty.

This text was derived from articles 11 and 12 of the original draft. The phrase "treaties and other sources of international law" was borrowed from the Preamble of the Charter of the United Nations. The first phrase is a restatement of the fundamental principle agere est servare. The second phrase reproduces the substance of a well-known principle of the Permanent Court of International Justice.<sup>1/</sup>

Article 14. Every State has the duty to conduct its relations with other States in accordance with international law and with the principle that the sovereignty of each State is subject to the requirements of international law.

This text was derived from article 13 of the original draft.

(Yearbook of the International Law  
Commission, 1949, pp. 10, 11)

<sup>1/</sup> Permanent Court of International Justice, Series A/B, Judgments, Advisory Opinions, Fascicule No. 44, p. 16.

12. International Law Commission: Draft articles on the  
law of treaties, 1965

Part I

Conclusion, Entry into Force and Registration of  
Treaties

Section I: General Provisions

.....

Section II: Conclusion of Treaties by States

.....

Article 11

Consent to be bound expressed by signature

1. The consent of a State to be bound by a treaty is expressed by the signature of its representative when:

- (a) the treaty provides that signature shall have that effect;
- (b) it appears from the circumstances of the conclusion of the treaty that the States concerned were agreed that signature should have that effect;
- (c) the intention of the State in question to give that effect to the signature appears from the full powers of its representative or was expressed during the negotiations.

2. For the purposes of paragraph 1:

- (a) the initialling of a text constitutes a signature of the treaty when it appears from the circumstances that the contracting States so agreed;
- (b) the signature ad referendum of a treaty by a representative, if confirmed by his State, constitutes a full signature of the treaty.

Article 12

Consent to be bound expressed by ratification, acceptance  
or approval

1. The consent of a State to be bound by a treaty is expressed by ratification when:

- (a) the treaty or an established rule of an international organization provides for such consent to be expressed by means of ratification;
- (b) it appears from the circumstances of the conclusion of the treaty that the States concerned were agreed that ratification should be required;

(c) the representative of the State in question has signed the treaty subject to ratification; or

(d) the intention of the State in question to sign the treaty subject to ratification appears from the full powers of its representative or was expressed during the negotiations.

2. The consent of a State to be bound by a treaty is expressed by acceptance or approval under conditions similar to those which apply to ratification.

.....

#### Article 16

##### Consent relating to a part of a treaty and choice of differing provisions

1. Without prejudice to the provisions of articles 18 to 22, the consent of a State to be bound by part of a treaty is effective only if the treaty so permits or the other contracting States so agree.

2. The consent of a State to be bound by a treaty which permits a choice between differing provisions is effective only if it is made plain to which of the provisions the consent relates.

#### Article 17

##### Obligation of a State not to frustrate the object of a treaty prior to its entry into force

A State is obliged to refrain from acts calculated to frustrate the object of a proposed treaty when:

(a) it has agreed to enter into negotiations for the conclusion of the treaty, while the negotiations are in progress;

(b) it has signed the treaty subject to ratification, acceptance or approval, until it shall have made its intention clear not to become a party to the treaty;

(c) it has expressed its consent to be bound by the treaty, pending the entry into force of the treaty and provided that such entry into force is not unduly delayed.

#### Section III: Reservations to Multilateral Treaties

.....

#### Article 21

##### Legal effects of reservations

1. A reservation established with regard to another party in accordance with articles 18, 19 and 20.

(a) modifies for the reserving State the provisions of the treaty to which the reservation relates to the extent of the reservation; and

(b) modifies those provisions to the same extent for such other party in its relations with the reserving State.

2. The reservation does not modify the provisions of the treaty for the other parties to the treaty inter se.

3. When a State objecting to a reservation agrees to consider the treaty in force between itself and the reserving State, the provisions to which the reservation relates do not apply as between the two States to the extent of the reservation.

.....

#### Section IV: Entry into Force and Registration

##### Article 23

###### Entry into force of treaties

1. A treaty enters into force in such manner and upon such date as it may provide or as the States which adopted its text may agree.

2. Failing any such provision or agreement, a treaty enters into force as soon as all the States which adopted its text have consented to be bound by the treaty.

3. Where a State consents to be bound after a treaty has come into force, the treaty enters into force for that State on the date when its consent becomes operative, unless the treaty otherwise provides.

##### Article 24

###### Entry into force of a treaty provisionally

1. A treaty may enter into force provisionally if:

(a) the treaty itself prescribes that it shall enter into force provisionally pending ratification, accession, acceptance or approval by the contracting States; or

(b) the contracting States have in some other manner so agreed.

2. The same rule applies to the entry into force provisionally of part of a treaty.

.....

(Report of the International Law Commission, covering the work of its seventeenth session; document A/CN.4/L.81, pp. 13-14, 16-18, 20-21)



International Law Commission: Draft Articles on the law of treaties,  
1963

Part II

Invalidity and Termination of Treaties

Section I: General Provision

Article 30

Presumption as to the validity, continuance in force and operation of  
a treaty

Every treaty concluded and brought into force in accordance with the provisions of part I shall be considered as being in force and in operation with regard to any State that has become a party to the treaty, unless the nullity, termination or suspension of the operation of the treaty or the withdrawal of the particular party from the treaty results from the application of the present articles.

.....

Section II: Invalidity of Treaties

Article 31

Provisions of internal law regarding competence to enter into treaties

.....

Article 32

Lack of authority to bind the State

.....

Article 33

Fraud

.....

Article 34

Error

.....

Article 35

Personal coercion of representatives of States

.....

Article 36

Coercion of a State by the threat or use of force

Any treaty the conclusion of which was procured by the threat or use of force in violation of the principles of the Charter of the United Nations shall be void.

.....

Article 37

Treaties conflicting with a peremptory norm of general international law (Jus cogens)

A treaty is void if it conflicts with a peremptory norm of general international law from which no derogation is permitted and which can be modified only by a subsequent norm of general international law having the same character.

.....

Article 38

Termination of treaties through the operation of their own provisions

1. A treaty terminates through the operation of one of its provisions:

(a) On such date or on the expiry of such period as may be fixed in the treaty;

(b) On the taking effect of a resolatory condition laid down in the treaty;

(c) On the occurrence of any other event specified in the treaty as bringing it to an end.

2. When a party has denounced a bilateral treaty in conformity with the terms of the treaty, the treaty terminates on the date when the denunciation takes effect.

3. (a) When a party has denounced or withdrawn from a multilateral treaty in conformity with the terms of the treaty, the treaty ceases to apply to that party as from the date upon which the denunciation or withdrawal takes effect.

(b) A multilateral treaty terminates if the number of the parties is reduced below a minimum number laid down in the treaty as necessary for its continuance in force. It does not, however, terminate by reason only of the fact that the number of the parties falls below the number specified in the treaty as necessary for its entry into force.

.....

Article 39

Treaties containing no provisions regarding their termination

A treaty which contains no provision regarding its termination and which

does not provide for denunciation or withdrawal is not subject to denunciation or withdrawal unless it appears from the character of the treaty and from the circumstances of its conclusions or the statements of the parties that the parties intended to admit the possibility of a denunciation or withdrawal. In the latter case, a party may denounce or withdraw from the treaty upon giving to the other parties or to the depositary not less than twelve months notice to that effect.

.....

#### Article 40

##### Termination or suspension of the operation of treaties by agreement

1. A treaty may be terminated at any time by agreement of all the parties, Such agreement may be embodied:

- (a) In an instrument drawn up in whatever form the parties shall decide;
- (b) In communications made by the parties to the depositary or to each other.

2. The termination of a multilateral treaty, unless the treaty itself otherwise prescribes, shall require, in addition to the agreement of all the parties, the consent of not less than two thirds of all the States which drew up the treaty; however, after the expiry of ... years the agreement only of the States parties to the treaty shall be necessary.

3. The foregoing paragraphs also apply to the suspension of the operation of treaties.

.....

#### Article 41

##### Termination implied from entering into a subsequent treaty

.....

#### Article 42

##### Termination or suspension of the operation of a treaty as a consequence of its breach

1. A material breach of a bilateral treaty by one party entitles the other to invoke the breach as a ground for terminating the treaty or suspending its operation in whole or in part.

2. A material breach of a multilateral treaty by one of the parties entitles:

(a) Any other party to invoke the breach as a ground for suspending the operation of the treaty in whole or in part in the relations between itself and the defaulting State;

(b) The other parties by common agreement either:

(i) To apply to the defaulting State the suspension provided for in subparagraph (a) above; or

(ii) To terminate the treaty or to suspend its operation in whole or in part.

3. For the purposes of the present article, a material breach of a treaty by one of the parties consists in:

(a) The unfounded repudiation of the treaty; or

(b) The violation of a provision which is essential to the effective execution of any of the objects or purposes of the treaty.

4. The right to invoke a material breach as a ground for terminating or suspending the operation of part only of a treaty, which is provided for in paragraphs 1 and 2 above, is subject to the conditions specified in article 46.

5. The foregoing paragraphs are subject to any provisions in the treaty or in any related instrument which may regulate the rights of the parties in the event of a breach.

.....

#### Article 43

##### Supervening impossibility of performance

.....

#### Article 44

##### Fundamental change of circumstances

1. A change in the circumstances existing at the time when the treaty was entered into may only be invoked as ground for terminating or withdrawing from a treaty under the conditions set out in the present article.

2. Where a fundamental change has occurred with regard to a fact or situation existing at the time when the treaty was entered into, it may be invoked as a ground for terminating or withdrawing from the treaty if:

(a) The existence of that fact or situation constituted an essential basis of the consent of the parties to the treaty; and

(b) The effect of the change is to transform in an essential respect the character of the obligations undertaken in the treaty.

3. Paragraph 2 above does not apply:

(a) To a treaty fixing a boundary; or

(b) To changes of circumstances which the parties have foreseen and for the consequences of which they have made provision in the treaty itself.

4. Under the conditions specified in article 46, if the change of circumstances referred to in paragraph 2 above relates to particular clauses of the treaty, it may be invoked as a ground for terminating those clauses only.

.....

#### Article 45

##### Emergence of a new peremptory norm of general international law

1. A treaty becomes void and terminates when a new peremptory norm of general international law of the kind referred to in article 37 is established and the treaty conflicts with that norm.

2. Under the conditions specified in article 46, if only certain clauses of the treaty are in conflict with the new norm, those clauses alone shall become void.

.....

#### Section IV: Particular Rules Relating to the Application of Sections II and III

#### Article 46

##### Separability of treaty provisions for the purposes of the operation of the present articles

.....

#### Article 47

##### Loss of a right to allege the nullity of a treaty or a ground for terminating or withdrawing from a treaty

A right to allege the nullity of a treaty or a ground for terminating or withdrawing from it in cases falling under articles 32 to 35 and 42 and 43 shall no longer be exercisable if, after becoming aware of the facts giving rise to such right, the State concerned shall have:

(a) Waived the right, or

(b) So conducted itself as to be deemed to have denied that it has elected in the case of articles 32 to 35 to consider itself bound by the treaty, or in the case of articles 42 and 43 to consider the treaty as unaffected by the material breach, or by the fundamental change of circumstances, which has occurred.

.....

Summary of the International Law Commission,  
covering the work of its fourteenth and  
fifteenth sessions, General Assembly,  
Official Records, Sixteenth Session,  
Supplement No. 9 (1969) pp. 2, 4, 7, 8, 11,  
12, 13, 14, 15, 16, 17, 18, 19, 20, 21.

International Law Commission: Draft Articles on  
the Law of Treaties, 1964

Part III

APPLICATION, EFFECTS MODIFICATION AND INTERPRETATION OF TREATIES

SECTION I. THE APPLICATION AND EFFECTS OF TREATIES

Article 55

Pacta sunt servanda

A treaty in force is binding upon the parties to it and must be performed by them in good faith.\*

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\*Commentary

(1) Pacta sunt servanda 6/ - the rule that treaties are binding on the parties and must be performed in good faith - is the fundamental principle of the law of treaties. Its importance is emphasized by the fact that it is enshrined in the preamble to the Charter of the United Nations. So far as the obligations of the Charter itself are concerned, paragraph 2 of Article 2 expressly provides that Members are to "fulfil in good faith the obligations assumed by them in accordance with the present Charter".

(2) There is much authority in the jurisprudence of international tribunals for the proposition that in the present context the principle of good faith is a legal principle which forms an integral part of the rule pacta sunt servanda. 7/ In its opinion on the admission of a State to the United Nations (Article 4 of the Charter) 8/ the International Court of Justice, without referring to paragraph 2 of Article 2, said that the conditions for admission laid down in Article 4 did not prevent a Member from taking into account in voting "any factor which it is possible reasonably and in good faith to connect with the conditions laid down in that Article". Again, speaking of certain valuations to be made under articles 95 and 96 of the Act of Algeciras, the Court said in the Case

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6/ See the full discussion of the principle pacta sunt servanda in the commentary to article 20 of Harvard Law School, Research in International Law, part III, Law of Treaties, American Journal of International Law (1955), Supplement No. 4, p. 977; J.L. Kunz, The Meaning and the Range of the Norm Pacta Sunt Servanda American Journal of International Law, vol. 39 (1945), pp. 180-197; C. Rousseau, Principes généraux du droit international public (1944), pp. 355-364.

7/ See especially Bin Cheng, General Principles of Law (1953), chapter III.

8/ I.C.J. Reports 1948, p. 63.

\*Commentary (continued)

concerning rights of nationals of the United States of America in Morocco (Judgement of 27 August 1952): 9/ "The power of making the valuation rests with the Customs authorities, but it is a power which must be exercised reasonably and in good faith". Similarly, the Permanent Court of International Justice, in applying treaty clauses prohibiting discrimination against minorities, insisted in a number of cases 10/ that the clauses must be so applied as to ensure the absence of discrimination in fact as well as in law; in other words, the obligation must not be evaded by a merely literal application of the clauses. Numerous precedents could also be found in the jurisprudence of arbitral tribunals. To give only one example, in the North Atlantic Coast Fisheries Arbitration the Tribunal, dealing with Great Britain's right to regulate fisheries in Canadian waters in which she had granted certain fishing rights to United States nationals by the Treaty of Ghent, said:

"... from the Treaty results an obligatory relation whereby the right of Great Britain to exercise its right of sovereignty by making regulations is limited to such regulations as are made in good faith, and are not in violation of the Treaty." 11/

(3) Accordingly, the article provides that "a treaty in force is binding upon the parties to it and must be performed by them in good faith". Some members hesitated to include the words "in force" as possibly lending themselves to interpretations which might weaken the clear statement of the rule. Other members, however, considered that the words give expression to an element which forms part of the rule and that, having regard to other provisions of the draft articles, it was necessary on logical grounds to include them. The Commission had adopted a number of articles which dealt with the entry into force of treaties, with cases of provisional entry into force, with certain obligations resting upon the contracting States prior to entry into force, with the nullity of treaties and with their termination. Consequently, from a drafting point of view, it seemed necessary to specify that it is treaties in force in accordance with the provisions of the present articles to which the pacta sunt servanda rule applies.

(4) Some members felt that there might be advantage in also stating that a party must abstain from acts calculated to frustrate the objects and purposes of the treaty. The Commission, however, considered that this was implicit in the obligation to perform the treaty in good faith and that the rule should be stated in as positive and simple a form as possible.

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9/ I.C.J. Reports 1952, p. 215.

10/ For example, Treatment of Polish Nationals and other persons of Polish origin or speech in the Danzig territory, P.C.I.J. (1938), Series A/B, No. 44, p. 28; Minority Schools in Albania, P.C.I.J. (1935), Series A/B, No. 64, pp. 19-20.

11/ Reports of International Arbitral Awards, vol. XI, p. 188. The Tribunal also referred expressly to "the principle of international law that treaty obligations are to be executed in perfect good faith".

Article 56

Application of a treaty in point of time

.....

Article 57

The territorial scope of a treaty

The scope of application of a treaty extends to the entire territory of each party, unless the contrary appears from the treaty.

.....

Article 58

General rule limiting the effects of treaties  
to the parties

A treaty applies only between the parties and neither imposes any obligations nor confers any rights upon a State not party to it without its consent.

.....

Article 59

Treaties providing for obligations for third States

An obligation may arise for a State even in the absence of a treaty to which it is not a party if the parties intend the provision to be the means of establishing that obligation and the State in question has expressly agreed to be bound.

.....

Article 60

Treaties providing for obligations for third States

.....

Article 61

Exception in the case of a provision of general  
obligations for third States

When an obligation or a right has arisen under article 59 or 60 for a State from a provision of a treaty to which it is not a party, the provision may be revoked or amended only with the consent of that State, unless it appears from the treaty that the provision was intended to be irrevocable.



Article 61

Rules in a treaty becoming generally binding  
through international custom

Nothing in articles 50 to 60 precludes rules set forth in a treaty from being binding upon States not parties to that treaty if they have become customary rules of international law.

.....

Article 62

Application of treaties having incompatible provisions

1. Subject to Article 103 of the Charter of the United Nations, the obligations of States parties to treaties, the provisions of which are incompatible, shall be determined in accordance with the following paragraphs.

2. When a treaty provides that it is subject to, or is not inconsistent with, an earlier or a later treaty, the provisions of that other treaty shall prevail.

3. When all the parties to a treaty enter into a later treaty relating to the same subject matter, but the earlier treaty is not terminated under article 41 of these articles, the earlier treaty applies only to the extent that its provisions are not incompatible with those of the later treaty.

4. When the provisions of two treaties are incompatible and the parties to the later treaty do not include all the parties to the earlier one:

(a) As between States parties to both treaties, the same rule applies as in paragraph 3;

(b) As between a State party to both treaties and a State party only to the earlier treaty, the earlier treaty applies;

(c) As between a State party to both treaties and a State party only to the later treaty, the later treaty applies.

5. Paragraph 4 is without prejudice to any responsibility which a State may incur by concluding or signing a treaty the provisions of which are incompatible with its obligations towards another State under another treaty.

Article 63

The effect of a change of diplomatic relation  
on the application of treaties

.....

CHAPTER II. APPLICATION OF TREATIES

.....

(Report of the International Law Commission on the work of its Sixteenth Session: General Assembly Official Records: Nineteenth Session, Supplement I, 1995 (A/50/9), pp. 4-5, 7-9, 11-12, 14-15)

13. The First World Conference on World Peace through Law, Athens, 6 July 1963

I. Proclamation of Athens

THIS CONFERENCE OF MEMBERS of the legal profession from more than 100 nations throughout the world, being well aware of and deeply concerned with the fact that violation of the rule of law in international affairs by nations can only lead to disturbance of the peace and destruction of mankind through nuclear holocaust, has concluded and hereby proclaims that law must replace force internationally as the controlling factor in the fate of humanity.

.....

II. Declaration of General Principles for a World Rule of Law

IN ORDER TO ESTABLISH an effective international legal system under the rule of law which precludes resort to force, we declare that:

(1) All States and persons must accept the rule of law in the world community. In international matters, individuals, juridical persons, states and international organizations must all be subject to international law, deriving rights and incurring obligations thereunder.

.....

(5) All obligations under international law must be fulfilled and all rights thereunder must be exercised in good faith.

.....

(9) International obligations, including decisions of international tribunals, must be enforced by appropriate international community action.

(A.JIL, Vol. 58, 1964, pp. 141, 143)

(e) Travaux préparatoires of the United Nations Charter

A/C.4 L.457/Rev.1 Ann.1  
English  
Page 610

#### WORLD DECLARATION

#### 1. Report of Recreation of Committee V/1 to Commission I

.....

#### Preamble

.....

(1) "determined to establish conditions under which ..."

This phrase calls for a word. The respect for treaty obligations and the pledged word under any other form is not only a moral concept of high value but is undoubtedly, together with other rules of international law, an essential factor of international stability. Law and stability, however, cannot be rendered distinct from justice, and stability should not be conceived as a negation of healthy international evolution.

.....

#### Chapter II. Principles

#### Paragraph 1

To some members of the Committee, paragraph 1 seemed superfluous at first but after consideration, that opinion was forsaken even by those who first held it.

Why did we keep it, and why have five as the sentence in which it is presented to you?

Paragraph 1 was kept to emphasize that all are authorized in this Charter with duties and obligations. That article was deemed necessary in view of past experience, where States, especially in the period between the two wars, had come to place more emphasis on their rights than on their duties, and the practice had developed of conceiving of treaties as certain obligations and then forgetting them as a moment of international crisis or under the urge of a State's own interests. Furthermore, the Dumbarton Oaks proposals became familiar to people, and it was very much significant to have, some eight years later, in the future to affirm that the change of a world order was a common objective.

But there is still a need to repeat the words of the Charter such as text as paragraph 1.

The paragraph does not imply that the member which fulfills its duties and obligations is otherwise denied a right and obligation, but it means also that if all Members of the organization fulfill their obligations, all Members receive the benefit. Thus, the responsibility for the duties and obligations by one State is given to all, but also for all the others to share of the benefits.

So much for the reason for including this paragraph.

The form in which it comes calls for the following observation:

The original text seemed to lay an extra stress on obligations. The new text is more appropriate to show that membership involves rights, duties, benefits, and obligations inseparably, and does not place any emphasis upon obligations in contradistinction to rights. The words "in order" in the present text were inserted partly for convenience of drafting and partly with the purpose of showing solidarity or the interdependence of concept between the rights and duties of members. In that same order of ideas, the words "shall fulfil" took the place of the words "undertake to fulfil".

(The United Nations Conference on  
International Organization, San Francisco,  
1945, Selected Documents, Washington 1946,  
pp. 490-497)

## 2. General Index

PREAMBLE: "to establish..."

Preamble: "to establish..." (continued)

### DUMBARTON OAKS PROPOSALS No comparable text

#### Amendments, comments and proposals

Brazil Doc 2;G/7(e) vol.3 p.237  
Chile Doc 2;G/7(i) vol.3 p.283;  
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Czechoslovakia Doc 2;G/14(b) vol.3 p.467  
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Ecuador Doc 2;G/7(p) vol.3 p.399,422  
Egypt Doc 2;G/7(q)(1) vol.3 p.454  
France Doc 2;G/7(o) vol.3 p.385  
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Union of South Africa Doc 2;G/14(d)  
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Venezuela Doc 2;G/7(d)(1) vol.3 p.222-3

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#### Documentation

DO Prop regarding 11 May Doc 215;I/1/10  
vol.6 p.565,568

#### Discussion

11 May mtg 4 Doc 272;I/1/11 vol.6 p.286  
Chile; France  
14 May mtg 5 Doc 308;I/1/14 vol.6 p.291  
Chile; France; Uruguay

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#### Documentation

South African Text 16 May Doc 337;I/1/A  
Ann.2 vol.6 p.648

#### Action

16 May Ideas recommended Doc 337;I/1/A/2  
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31 May Approved draft text Doc WD 62;I/1/A/18  
vol.6 p.694  
Rapporteur's report 5 June Doc 785;I/1/28  
vol.6 p.359

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5 June mtg 13 Doc 817;I/1/31 vol.6 p.366-7;  
and Doc 839;I/1/31(a) vol.6 p.375  
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#### Action

5 June mtg 13 Text adopted Doc 817;I/1/31  
vol.6 p.366-7

#### Documentation

Statement by Uruguay 15 June Doc 945;I/1/41  
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#### Rapporteur's report 9 June Doc 885;I/1/34

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### COMMISSION I

#### Action

14 June mtg 1 Text adopted Doc 1006;I/6  
vol.6 p.20

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#### Action

23 June mtg 11 Text adopted Doc WD 441;  
CO/205 vol.17 p.380

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23 June mtg 11 Doc 1213;ST/23 vol.5;  
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### PLENARY

#### Action

25 June mtg 9 Text adopted Doc 1210;P/20  
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## Article 2/2

DUMBARTON OAKS PROPOSALS Chap II par 2 Doc 1:G/1  
vol.3 p.3

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Brazil Doc 2;G/7(e)(1) vol.3 p.243  
Mexico Doc 2;G/7(e)(1) vol.3 p.179  
Panama Doc 2;G/7(g)(2) vol.3 p.269-70  
Uruguay Doc 2;G/7(a)(1) vol.3 p.35

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Report by rapporteur of I/1/A 1 June Doc 739;  
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11 June mtg 15 Doc 926;I/1/36 vol.6 p.422  
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Secretariat's suggested rev A 14 June  
Doc WD 303;CO/94(2) vol.18 p.115-6  
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Uruguay statement 15 June Doc 995;I/1/41  
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15 June mtg 2 Colombia prop adopted Text  
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15 June mtg 22 Doc WD 410;CO/170  
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15 June mtg 22 Text rev accepted Text  
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16 June mtg 9 Text approved Doc WD 386;  
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Rapporteur's report 21 June Doc 1142;I/9  
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23 June mtg 5 Doc 1187;I/13 vol.6 p.204  
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(United Nations Conference on  
International Organization,  
Documents, San Francisco 1945,  
Vol. XXI, pp. 5-6, 23-24)

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