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

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\* Item 81 of the provisional agenda.

## PHILIPPINES

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The Philippines has already submitted its comments on the three principles of international law as enumerated in operative paragraph 5 of General Assembly resolution 1966 (XVIII). Hereunder are its comments on the other four principles enumerated in operative paragraph 3 of General Assembly resolution 1815 (XVII).

1. With reference to the principle that States shall refrain in their international relations from threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purpose of the United Nations, the Philippines believes that the importance of this principle cannot be overemphasized if ever the ideal of international peace is to be attained.

While it is extremely difficult, however, to define the acts or statements which constitute threat or use of force, it is essential that there be an enumeration of such acts or statements as fall within the meaning of the phrase "threat or use of force". The enumeration should not be deemed exclusive, but merely provide examples or illustrations of the types or kinds of acts and statements which ought to be proscribed.

2. As regards the principle that States shall settle their international disputes by peaceful means in such manner that international peace and security and justice are not endangered, the Philippines submits that under the Charter of the United Nations all Member States are already under legal obligation to settle international disputes by pacific means.

The Philippine Government also believes that grave international disputes which remained unsettled or unresolved for prolonged periods create an atmosphere dangerous to international peace and security. Parties, therefore, to such disputes are bound to seek resolution of the controversies immediately and in the utmost good faith.

3. Anent the duty not to intervene in matters within the domestic jurisdiction of any State in accordance with the Charter, the Philippine Government holds that there is a compelling and urgent necessity to attempt an authoritative definition of what constitute matters of domestic jurisdiction and acts of intervention, and to supplement these definitions with illustrations of acts and transactions comprehended within the terms.

Indeed, unless there is a definitive and accepted description of the terms specified, the principle established by the Charter may be negated by claims that certain acts of intervention are not such in fact but mere transactions performed in the legitimate conduct of international relations, or vice versa, that a particular situation or occurrence lies within a

State's purely domestic jurisdiction to resolve, when in truth it does not, considering that international peace or security is in jeopardy.

4. With regard to the principle of sovereign equality of States, the Philippine Government suggests that the definition of this principle should include concepts of the inherent right of every independent State to terminate, at its option, the exercise of extra-territorial rights and privileges within the territory enjoyed by another State, where such rights and privileges are not customary under international law, or where the grant of such rights and privileges was secured by force, duress or undue pressure, or where the principle of rebus sic stantibus applies.

5. As to the question of methods of fact-finding, the Philippine views the creation of a permanent fact-finding body within the United Nations as impractical for it would inject rigidity in the problem of inquiry as to the facts of each particular case. Rather, the Philippines feels that it would be more feasible to authorize the Secretary-General to form ad hoc fact-finding committees whenever situations arise necessitating the determination of the nature of a dispute or the causes thereof.

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