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CONTENTS

Chairman: Mr. Constantine EUSTATHIADES (Greece).

AGENDA ITEM 75

Consideration of principles of international law concerning friendly relations and co-operation among States in accordance with the Charter of the United Nations (A/5192, A/C.6/L.505, A/C.6/L.507 and Add.1-3) (continued)

1. Mr. IQBAL (Pakistan) said that the Charter of the United Nations itself constituted the fundamental statement of the principles concerning friendly relations and co-operation among States; the obligations which the Charter imposed were essentially of a legal nature, although they might give the impression of being merely moral obligations. The international community, which had accepted the obligations imposed by the Charter, had pledged itself to observe the principles of the Charter. Article 13 of the Charter required the General Assembly to initiate studies and make recommendations for the purpose of promoting international co-operation in the political field and encouraging the progressive development of international law and its codification, and also of promoting international co-operation in many other fields, thus assisting in the realization of human rights. It was first of all necessary to promote international co-operation in political matters before tackling other sectors. The authors of the Charter had shown their wisdom in recognizing that as long as international co-operation was lacking in political affairs, the achievement of the other aims of the Charter would be hampered. For that reason the main political committees of the General Assembly strove to solve the difficulties that arose out of international political co-operation. In the world's present troubled situation, the whole of humanity sought to avoid the holocaust of a thermo-nuclear war, to find a way to put an end to war propaganda and achieve general and complete disarmament under strict international control. The Sixth Committee was striving to do useful work in its own subject, particularly with regard to the progressive development of international law and its codification.

2. The agenda item before the Committee imposed two tasks: first, to work out fundamental principles by which international law, as a legal system, could be technically improved, and second, to consider the question of an international order as a basis for international law. The first was unquestionably legal, but the second was a political matter and called primarily for a political solution. There was certainly no question of the Committee adopting too idealistic an attitude and enumerating a long list of principles of international law in the absence of an international order which could back them up. His delegation considered that the Committee should tackle the question in a realistic, practical and constructive manner, that is to say, that it should apply itself to working out and defining more accurately certain branches of international law that dealt with friendly relations and co-operation among States. It was essential for that purpose to draw up a code of conduct based on the rule of law and valid for all nations. It was essential also that the obligations enumerated in the Charter, particularly in the Preamble, should be respected so as to bring about the social and economic progress of all peoples.

3. In the opinion of the delegation of Pakistan, the obligation to respect the territorial integrity and political independence of States and the obligation to settle disputes by peaceful means were the two rules of international law which were of immediate and general interest and which demanded full attention. The first obligation implied the acceptance of the principle of non-intervention and the recognition of the right of the peoples to self-determination. With regard to the second obligation, it was regrettable that a large number of international disputes which could have been settled by the International Court of Justice or by other means referred to in the Charter had not in fact been settled by such means, and had led to international tension. Article 33 of the Charter provided a number of means for settling such disputes, and if the international community could be persuaded to have recourse to judicial settlement or arbitration in cases of disagreement, instead of using force, there was not the slightest doubt that a much more nearly perfect world order could be established. To do that, however, it was essential that the compulsory jurisdiction of the International Court of Justice should be accepted by all the Member States. If the international community felt the need to lay down principles of international law concerning friendly relations and co-operation among States, it should likewise be ready to put them honestly into practice when the moment came: if not, the discussions of the Committee on the agenda item would remain, in spite of their importance, purely academic.

4. Those considerations had led the delegation of Pakistan to give its support to the sponsors of draft resolution A/C.6/L.507 and Add.1-3, which was an attempt to provide a constructive solution for the problem under discussion, particularly since it stressed the need for a serious examination of certain specified branches of international law concern-

ing friendly relations and co-operation among States. Like the other sponsors who had spoken previously, the delegation of Pakistan was prepared to examine any specific suggestion which might widen the study proposed in the draft resolution.

5. Miss GUTTERIDGE (United Kingdom) said that it was necessary for the Sixth Committee to keep firmly in mind that its task was to consider, in as constructive a manner as possible, the legal aspects of friendly relations and co-operation among States and for that reason the delegation of the United Kingdom considered that the eleven-Power draft resolution (A/C.6/L.507 and Add.1-3) was based on firm foundations. Miss Gutteridge wished to reply to the observation of the representative of Hungary, who had remarked that the present draft resolution did not correspond to the aims which the Sixth Committee had set itself when it adopted the draft resolution which subsequently became General Assembly resolution 1686 (XVI) (756th meeting, para. 28). Nothing in that resolution could give any grounds for thinking that the Committee had to consider all the principles of international law concerning friendly relations and co-operation among States, and that the Committee would not be fulfilling its duties if it restricted itself to the consideration of only two principles, however important they might be. On the contrary, resolution 1686 (XVI) gave the Committee full freedom to select, at the present session, after a discussion on the general aspects of the question, two major legal principles for more detailed study at its next session, particularly as by so doing it would not rule out the possibility of considering other related questions of a legal nature at a later date.

6. There was often a temptation to select essentially economic, social or political notions and call them "principles of international law", regardless of their legal content or even of their general acceptability, but it was not by making a list of generalities and characterizing them as legal norms that international law could be made or developed. If new rules were to be worked out, they should be rules whose application to particular circumstances was clear and understood by all—they should be carefully worked out at all stages and command the agreement of the international community as a whole.

7. The matter of friendly relations and co-operation among States did not involve only principles of a legal nature, but it was not the duty of the Sixth Committee to deal with economic, social or political problems, which were the concern of other Committees. Principles of an essentially legal nature concerning friendly relations and co-operation were, however, already embodied in the Charter and she wished to elaborate on two principles of a legal nature which she considered to be of primary importance, and to which prominence was given in draft resolution A/C.6/L.507 and Add.1-3.

8. The principle of the peaceful settlement of disputes, which had been the preoccupation of international lawyers since the beginning of the century, was not, unfortunately, as widely applied in practice as it should be. It would therefore be entirely fitting for the Sixth Committee to work out methods which would permit a wider and more effective application of that principle, particularly as it was very closely linked to disarmament. The discussions of the Committee should not be limited to procedural matters, nor to judicial methods of settling disputes. The Committee should also consider the other methods of settlement set out in Article 33 of the United Nations Charter. A number of interesting suggestions had been made on the subject, and among those, reference might be made to the setting up of an international body responsible for making impartial inquiries into the facts in dispute (758th meeting, para. 40); the consideration of various matters raised by international arbitration, for example, the reasons why the Permanent Court of Arbitration had recently played such a minor role in the settlement of disputes, discussion of the part played by the International Court of Justice in maintaining peaceful and friendly relations among States, and the reasons why the majority of States hesitated to accept the compulsory jurisdiction of the Court or even to agree, in specific cases, to submit to its jurisdiction disputes of a legal nature.

9. As far as the second principle referred to in the eleven-Power draft resolution was concerned, no one would deny that the Committee would be doing useful work by examining that principle, which was of particular interest to the new nations; the detailed working out of rules and procedures for its more effective application would greatly promote friendly relations among States in accordance with the Charter of the United Nations.

10. Far from believing that the rules of international law reflected too closely the political, economic and social conditions of a bygone age, or—as had been said—that they were used by older nations as a device for preserving the status quo, the United Kingdom delegation believed that international law should be recognized as a growing instrument for regulating conduct among States, an instrument which responded to changing conditions and which served the interests of all. All the sources referred to in Article 38, paragraph 1 of the Statute of the International Court of Justice had made their contributions to its development, the most conspicuous in recent years being international conventions: for example, the 1958 Conventions on the law of the sea,1/ two of which were examples of the progressive development of international law and had made an important contribution to improving relations and co-operation among States. The United Nations itself and the International Law Commission in particular had given greatly increased impetus to the progressive development of international law. The General Assembly might, however, play a more positive role in that field since there were questions which, because of their relatively large political content or for some other reasons, were not suitable for treatment by the International Law Commission. The United Kingdom Government was by no means opposed to the progressive development of international law, but considered two points to be of cardinal importance. First, all the rules of customary international law, worked out over many centuries, should not be lightly cast aside. Second, the process of development should be based on the free consent of the international community as a whole and take due account of the needs of all its members. So long as no world legislature existed—and the General Assembly was certainly not one—the development of law could only take place by the express or tacit consent

1/ United Nations Conference on the Law of the Sea, Official Records, Volume II: Plenary Meetings (United Nations publication, Sales No.: 58.V.4, Vol. II), annexes, pp. 132-143.

of all. The process was perhaps slow but, in the circumstances, slowness was no doubt preferable to precipitate action which would serve only to produce rules which did not command general respect, which would discredit the authority of the law as a whole.

11. It had been said that international law served the interests of the older States rather than those of the newer. The United Kingdom delegation had in its possession an analysis of some sixty disputes between States and reserved the right, if it should seem desirable, to return to the results of that analysis; it wanted, however, to remark that the analysis had clearly shown that small States and new States relied extensively on the rules of international law, including those which had existed before they came into being. But the most important question was not which States derived the greatest advantage from particular rules but whether the rules of international law, taken together, benefited the international community as a whole. It seemed to her delegation that there could be no doubt as to the answer to that question.

12. The rule of international law as a whole, and in particular, the concept of the primacy of international law was of vital importance to all States. The world could only become an active community of free and independent States, which was the ultimate goal of the United Nations, if the rule of law became a reality. For that reason the United Kingdom delegation approved without reservation the first operative paragraph of the eleven-Power draft resolution. It wished to explain what it meant by the rule of law. All States had not only rights, but also duties. International law had come into being because of the necessity for replacing the rule of force—which could only favour powerful States—by the rule of law. This carried a number of consequences, one of which was the doctrine of the sovereign equality of States in the eyes of international law, whatever their geographical extent and by whatever system they were governed. It was clear, however, that the doctrine of the sovereign equality of States must rest on the basis of the primacy of international law. If that were not so, a powerful State could disregard its obligations as soon as its immediate interests were at stake; that would be the antithesis of friendly relations. The notion of the rule of law implied that law was not an instrument of policy, and that policy-making organs, like other State organs, should be subject to the rule of law. In the United Kingdom, the rule of law had for centuries meant the predominance of regular law as opposed to arbitrary power and the equality of all before the law. That country had thus been able to adapt itself in an orderly way to changing needs and conditions. The United Kingdom, however, had never made the mistake of substituting doctrinaire propositions, which had no basis in practice or experience, for legal rules; that was certainly not what was meant by "progressive development" in international law.

13. The United Kingdom delegation believed that the rule of law was an essential condition for the achievement of the purposes and principles of the United Nations. Experience had shown that it was only when States were willing to submit their differences to legal settlement and to respect the rights of other States that friendly relations and co-operation could be effectively established amongst them. It was in that spirit that the first international organization, the League of Nations, had been set up, as was shown in the preamble to the Covenant of the League; later, the United Nations, whose Charter was the most important of all multilateral treaties, had laid down the fundamental principles of international law governing relations among States. The best way of strengthening the rule of international law, therefore, was to respect the United Nations Charter. Further, the progressive development of international law had to be in accordance with the purposes and principles of the Charter, and it was against the principles of the Charter that the validity of any notion which claimed to be a new principle of international law—whether it had its genesis in the practice of States or in resolutions of the General Assembly—had to be judged. Therefore, any doctrine tending to justify the use of force in a manner which was inconsistent with the Charter, for example under the pretext of "provocation", or "liberation", or any practice which made economic aid a means of political subservience, should be rejected as contrary to the Charter. The United Nations Charter was, indeed, the cornerstone of modern developments in international law: and it was questionable whether any useful purpose was served by a re-statement, in the form of a "declaration", of the principles already contained in the Charter. The United Kingdom delegation thought that it would be more useful for all States, large or small, to pay closer attention to certain principles of international law of immediate and universal concern and to see how the rules and procedures of international law which ensured respect for those principles could be made more effective.

14. When, at the 753rd meeting of the Committee, the Czechoslovak representative had presented his draft resolution (A/C.6/L.505), he had laid stress on the importance attached by his delegation to the strict and undeviating observance of the principles of the United Nations Charter and the other principles of contemporary international law with a view to maintaining peace. The United Kingdom delegation shared those views, but questioned the premise of a world divided into two systems on which the Czechoslovak representative had based what he described as "the principle of peaceful coexistence of States". At the 754th meeting, the Tunisian representative had demonstrated the inadequacy of that premise by pointing to the diversity of systems which in fact existed in the world. The Czechoslovak representative had added that socialism had put before mankind a just and reasonable solution of the problem of relations among States belonging to two different systems: namely, peaceful coexistence. That statement seemed to suggest, first, that the Charter did not supply just and reasonable principles for solving the question of relations among States and, second, that the principle of peaceful coexistence, as understood by the Czechoslovak delegation, was a new principle, different from the principles of the Charter. If that was so, the United Kingdom delegation would like to know what the weaknesses of the Charter were and how the principle of peaceful coexistence corrected them.

15. The Czechoslovak representative had further stated that to reject peaceful coexistence amounted to denying the purposes and principles of the United Nations and the obligatory character of international law, which seemed to amount to identifying the principle of peaceful coexistence with the Charter and even with general international law. He had added that what the essential need in regard to that concept was "positive action to serve and invigorate peace, mutual confidence and collaboration" (753rd meeting,

para. 9). If the communist States understood peaceful coexistence in that manner and not as defined by Mr. Khrushchev in Moscow in January 1961, and quoted by the United Kingdom representative at a meeting of the Sixth Committee during the previous session,[2] there was hope that in the near future all States would be living together in peace as good neighbours, as the Charter desired, and that real coexistence could be achieved. But the difficulty of understanding exactly what the communist States meant by peaceful coexistence amply showed the wisdom of the Sixth Committee in adopting at the sixteenth session the readily understandable expression "friendly relations and co-operation among States". Moreover, merely to coexist was not enough; it should be accompanied by peaceful, positive co-operation, in the mobilization of all resources to promote the development of mankind. That was how the United Kingdom delegation understood real co-existence.

16. She doubted whether the draft declaration proposed by the Czechoslovak delegation could contribute to the achievement of such coexistence or, in the language of the item before the Committee, to the promotion of friendly relations and co-operation among States. She agreed with the criticisms of the draft resolution made by the Australian representative at the 758th meeting. The United Kingdom delegation's main objection was that the declaration contained in the draft resolution mingled genuine principles of international law, which were already embodied in the Charter, with mere propositions which would require much further consideration from a political or economic standpoint before they could be formulated as principles of law. In their present form most of those propositions were unacceptable, particularly that contained in paragraph 15. The representative of the Ukraine had thrown light on the purpose of the draft by stating that law was one of the means of carrying out policy (757th meeting). Some of the policies reflected in the Czechoslovak draft declaration—in paragraphs 4 and 6, for example—had been repeatedly put forward in other places and invariably rejected by United Kingdom delegations. Still less could she accept them when they were presented under the guise of legal principles. Moreover, the Czechoslovak draft declaration ranged over almost the whole field of United Nations activities. A statement of principles of such general scope was not what the Organization needed to promote friendly relations and co-operation among States; what was required was a genuine willingness to work together for the good of all mankind on the basis of the principles embodied in the Charter and in the general rules of international law. The Sixth Committee should do all it could, by means of detailed and carefully considered work, to make the application of those principles more effective. That was precisely the aim of the eleven-Power draft resolution (A/C.6/L.507 and Add.1-3). A firmer foundation for international law could be found by studying the topics referred to in operative paragraphs 2 and 4 of that text. The United Kingdom delegation would therefore vote for it. The Czechoslovak draft resolution (A/C.6/L.505), on the other hand, which sought to build international law on ground that was still shifting and with materials that had not yet been sufficiently tested, would not receive the United Kingdom delegation's support.

Mr. Pechota (Czechoslovakia), Vice-Chairman, took the Chair.

17. Mr. KHELLADI (Algeria) thought that the Sixth Committee, in discussing the principles of international law concerning friendly relations and co-operation among States in accordance with the Charter of the United Nations, had an opportunity to promote the improvement of international relations. The discussion ought to make for the application of existing international law, on the one hand, and for the progressive development of that law, on the other. As international law developed and came to offer a genuine means of preventing and settling disputes, respect for law and justice in international relations would grow. To that end the Sixth Committee must take the Charter of the United Nations as its main basis. It must refer to the principles making for the maintenance of international peace and security (prohibition of the use of force, and the obligation to settle disputes by peaceful means), and also to the principles making for the rule of justice among nations—equal rights of States, self-determination, and international co-operation in the economic and social fields. Further, the Sixth Committee must take account of contemporary international realities—the arms race, the existence of highly industrialized countries side by side with developing countries, the maintenance of colonialist domination in certain regions, and the threats and pressures actually brought to bear against the self-determination of the new States. Only by adapting the principles of the Charter, as principles of international law, to those realities would it be possible, on the one hand to create the necessary conditions for the maintenance of international peace and security, for the abolition of colonialism and for the protection of the lawful rights of each State, and on the other hand to bring about viable co-operation between the developed and the developing nations. In that way, international law would come to play a more important part in international relations and States would be able to discharge their obligations in good faith.

18. Inspired by those considerations, the Algerian and other delegations intended to submit a draft resolution embodying the principles which could contribute to improving relations among States and create the necessary conditions for the establishment of a climate of good faith, understanding and co-operation among peoples. Those principles were: prohibition of the threat or use of force in international relations, the obligation to settle disputes by peaceful means, the right of peoples to self-determination, equal rights of States, international co-operation, and good faith in the discharge of obligations deriving from treaties, conventions, and other sources of international law compatible with the purposes and principles of the Charter. At the Committee's 753rd meeting the Yugoslav representative had adduced, in support of those principles, arguments which the Algerian delegation endorsed, since it believed that international relations must be based on equality and co-operation between nations, whatever their political, economic and social system.

19. In explanation of his position on certain specific problems, he stated his view that a people fighting for its liberation was fighting a just war. A war of liberation was a case of self-defence, and the mainte-

2/ See Official Records of the General Assembly, Sixteenth Session, Sixth Committee, 717th meeting, para. 9.

nance of colonialism was a case of clear-cut aggression. Application of the Declaration on the granting of independence to colonial countries and peoples (General Assembly resolution 1514 (XV)) would cleanse international relations. As the Acting Secretary-General had pointed out in his annual report on the work of the Organization (A/5201), the main problem of the day was not ideological rivalry so much as the gulf separating the developed from the developing nations. That situation could raise new problems of coexistence in the future. The principle of equality between States could not really come into play until equality became a fact; otherwise it might be abused and made into a cover for every kind of exploitation, and so a source of crises. The only possible foundations for friendly relations among States were respect for the principle of equality and genuine co-operation.

20. Mr. SITNIKOV (Byelorussian Soviet Socialist Republic) said that his delegation attached the greatest importance to the consideration of the principles of international law concerning friendly relations and co-operation among States in accordance with the Charter of the United Nations, since those principles reflected modern law and their wider recognition would be a source of co-operation among all States, whatever their social system. It was in the interest of all peace-loving States that those principles should be clarified, for precise rules could not but contribute to the consolidation of world peace and security. In several countries, reactionary and aggressive forces preferred vague formulae; but the sad experience of the League of Nations, which had been unable to prevent aggression by the fascist States, must not be forgotten. After the Second World War, the profound changes which had taken place in the world had led to the preparation of the United Nations Charter, which was the basis of modern international law. He stressed the part played by the Soviet Union in defining the principles whereby peace could be ensured. For seventeen years the socialist States had been striving, in the United Nations, to ensure strict respect for the Charter and for international law. The African, Asian and Latin American countries which had just achieved freedom must henceforward contribute to the formulation of international law. He agreed with the representatives of Czechoslovakia, the USSR, the Ukraine, Poland, Hungary and Yugoslavia, who had stressed the fundamental principles of peaceful coexistence, including the principles of non-intervention, non-agression, self-determination, co-operation and the settlement of disputes by negotiation and arbitration. He recalled that Mr. Khrushchev had said that peaceful coexistence was a reality of the modern era, an objective necessity deriving from the development of human society. Anyone who did not recognize that reality was inviting war.

21. The Byelorussian delegation would support draft resolution A/C.6/L.505, which clearly and precisely formulated the principles of contemporary law that would ensure the peace and security of peoples; whereas the joint draft (A/C.6/L.507 and Add.1-3) contained only an incomplete enumeration of those principles. The Byelorussian delegation had nothing to say against the provisions of the latter draft, but did not approve of restricting the discussion to certain principles alone. It believed that discussion conducted under those conditions would be sterile and would misrepresent the other principles by suggesting that they were no longer of topical importance. The draft in question, for example, did not mention complete decolonization; yet the disappearance of the colonial system was the major event of the present epoch. On the other hand, the Czechoslovak draft embodied, in particular, such principles as those of non-aggression, general and complete disarmament, prohibition of the threat or use of force, the prohibition of weapons of mass destruction, the prohibition of war propaganda, respect for human rights, co-operation in the economic, social and cultural fields, and respect for State sovereignty. It was essential that the Sxith Committee should work out a general and complete declaration in that spirit, and draft resolution A/C.6/L.505 offered a satisfactory basis on which it might do so. Nobody would deny that a declaration of that nature could not but enhance the prestige and authority of the Sixth Committee and of the United Nations as a whole.

Mr. Eustathiades (Greece) resumed the Chair.

22. Mr. VAZQUEZ (Colombia) said that, for Colombia, international law had always been almost an object of veneration; his country had always considered that the rules of international justice should prevail over rules dictated by force. It was therefore taking part in the current debate in a spirit of full international collaboration, although it was aware of the difficulty of the task, which consisted in converting the principles of contemporary international law into rules which the 110 States Members of the Organization could accept.

23. Despite the ever more urgent needs of peoples, closer intercommunication between continents, the progress of the physical and natural sciences, the universal destructive power of atomic weapons and the abandonment of the old idea of sovereignty as denoting national isolation and autonomy, international law had not since 1939 made progress at the world level. Almost all the problems of war and peace remained to be solved. The post-war world had become a battle-ground for the two contending blocs and their struggle was the cause of the present disputes at Berlin, in the Far East, in Europe and in America. That division of mankind into two camps, two philosophies and two systems of work had rendered many of the Charter's provisions inoperative and had lessened the Security Council's ability to settle disputes in which peace and security were involved. At the regional level, on the other hand, international law had developed satisfactorily—as was proved by the Organization of American States, the European Economic Community, the Bandung Conference,[3] the Belgrade Conference[4] and the Preliminary Meeting which had preceded it,[5] the North Atlantic Treaty Organization and the Warsaw Pact, which were the logical consequence of the division of the world. All that made the Colombian delegation somewhat sceptical about the immediate possibility of overcoming what was the prime cause of the paralysis of international law at the world level—the rivalry between two hemispheres. Law could not be worked out in the abstract, for, as Mr. Brierly had said, it was neither a panacea nor a myth; law was society's rule of conduct which, dictated by the competent authority, differed from

3/ Conference of African and Asian States, held 18-24 April 1955.

4/ Conference of Non-aligned Countries, held 1-6 September 1961.

5/ Preliminary Meeting to the Conference of Non-aligned Countries, held at Cairo 5-12 June 1961.

ethics to the extent that it was confined to legal and political relations. A code of international relations could hardly go beyond what was prescribed in the United Nations Charter. The United Nations was not a world State, but an organization composed of sovereign States. Any formulation of principles outside the framework of the United Nations Charter or in contradiction to it, was therefore undesirable, and any international codification must be a gradual process. The San Francisco Conference had deliberately sidestepped the problem raised by declarations of principles, whether in the case of the rights and duties of States or in that of the definition of aggression. Nor had it been possible, at the General Assembly's earlier regular sessions, to reach agreement on the draft declaration on the rights and duties of States, submitted by the Panamanian delegation,6/ which had been transmitted to the International Law Commission and had formed the basis of a draft Declaration on Rights and Duties of States (General Assembly resolution 375 (IV), Annex) prepared by the Commission and still not approved. Admittedly the United Nations Charter was not a model of perfection; it was none the less the best and most hopeful basis on which international relations might be guided. It set forth the Organization's fundamental principles, which were: to maintain international peace and security through collective measures, to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to achieve international co-operation in the economic, social, cultural and humanitarian fields. Surely those principles were the same as the principles of what was called "peaceful coexistence".

24. The best document on "peaceful coexistence" was still Article 2 of the Charter, which established the positive law of the community of nations. It would not be difficult to draft another, similar document; but the great problem, which could be solved only gradually, was to work out a legal instrument having binding force for that ever-growing association of sovereign States, the United Nations. A convention, having binding force, which contained new, specific rules for the application of the Charter would be more valuable than a possible declaration repeating what had already been enunciated. Moreover, it would be impossible to translate into legal terms some of the principles set forth in the declaration contained in draft resolution A/C.6/L.505—that, for instance, dealing with war propaganda, which was a political principle. The Colombian delegation must forthwith express reservations with regard to that draft resolution, certain passages of which—like that relating to the right of nations to self-determination—raised problems with regard to definition of certain concepts owing to their vague and general nature. It might safely be stated that American law very clearly established the principles contained in the Czechoslovak draft resolution, such as the obligation to take measures for the maintenance of peace and international security, the peaceful settlement of disputes, collective security, territorial inviolability and political independence, respect for human rights, non-intervention, sovereign equality and State responsibility. Regional American problems were solved by the definition of the rights and duties of States, contained in the Convention on that subject which had been adopted by the Seventh International Conference of American States at Montevideo in 1933.7/ No similar declaration, containing so balanced a conception of the rights and duties of States, had been worked out in any other continent. When it was a question of drafting an instrument having binding force for all States—not only for the American States—all sorts of difficulties arose. If the reasons for the uneasiness caused by the cold war were political and social rather than legal in nature, the nature of the remedies must necessarily be the same. However, the present-day world was witnessing an accelerated development of politics, strategy, economics and science, and it was time to renovate international law so as to adapt it to the new fields opened up by, for instance, the study of atomic energy, the use of outer space, and the economic and social insecurity of the under-developed countries. The Colombian delegation considered that, in order to work out the new international law, it was necessary to eschew anachronisms and visions of the future and to avoid cumbrous repetition and forecasting, as well as undue slowness and undue haste.

25. The CHAIRMAN announced that the list of speakers in the general debate on the item would be closed on Monday, 19 November, at 6 p.m.

The meeting rose at 5.15 p.m.

6/ A/285.

7/ Carnegie Endowment for International Peace, The International Conferences of American States—First Supplement 1933-1940, p. 121.

Litho in U.N. 77601—May 1963—2,075