

2. *Invites* participating States to submit to the Secretary-General not later than 15 February 1968, for circulation to Governments, any additional comments and draft amendments to the draft articles prepared by the International Law Commission that they may wish to propose in advance of the Conference;

3. *Requests* the Secretary-General to transmit to the Conference the summary records relating to the consideration of this item at the twenty-second session of the General Assembly, together with all other relevant documentation.

*1621st plenary meeting,
6 December 1967.*

2312 (XXII). Declaration on Territorial Asylum

The General Assembly,

Recalling its resolutions 1839 (XVII) of 19 December 1962, 2100 (XX) of 20 December 1965 and 2203 (XXI) of 16 December 1966 concerning a declaration on the right of asylum,

Considering the work of codification to be undertaken by the International Law Commission in accordance with General Assembly resolution 1400 (XIV) of 21 November 1959,

Adopts the following Declaration:

DECLARATION ON TERRITORIAL ASYLUM

The General Assembly,

Noting that the purposes proclaimed in the Charter of the United Nations are to maintain international peace and security, to develop friendly relations among all nations and to achieve international co-operation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion,

Mindful of the Universal Declaration of Human Rights, which declares in article 14 that:

"1. Everyone has the right to seek and to enjoy in other countries asylum from persecution.

"2. This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations";

Recalling also article 13, paragraph 2, of the Universal Declaration of Human Rights, which states:

"Everyone has the right to leave any country, including his own, and to return to his country";

Recognizing that the grant of asylum by a State to persons entitled to invoke article 14 of the Universal Declaration of Human Rights is a peaceful and humanitarian act and that, as such, it cannot be regarded as unfriendly by any other State,

Recommends that, without prejudice to existing instruments dealing with asylum and the status of refugees and stateless persons, States should base themselves in their practices relating to territorial asylum on the following principles:

Article 1

1. Asylum granted by a State, in the exercise of its sovereignty, to persons entitled to invoke article 14 of the Universal Declaration of Human Rights, including persons struggling against colonialism, shall be respected by all other States.

2. The right to seek and to enjoy asylum may not be invoked by any person with respect to whom there are serious reasons for considering that he has committed a crime against peace, a war crime or a crime against humanity, as defined in the international instruments drawn up to make provision in respect of such crimes.

3. It shall rest with the State granting asylum to evaluate the grounds for the grant of asylum.

Article 2

1. The situation of persons referred to in article 1, paragraph 1, is, without prejudice to the sovereignty of States and the purposes and principles of the United Nations, of concern to the international community.

2. Where a State finds difficulty in granting or continuing to grant asylum, States individually or jointly or through the United Nations shall consider, in a spirit of international solidarity, appropriate measures to lighten the burden on that State.

Article 3

1. No person referred to in article 1, paragraph 1, shall be subjected to measures such as rejection at the frontier or, if he has already entered the territory in which he seeks asylum, expulsion or compulsory return to any State where he may be subjected to persecution.

2. Exception may be made to the foregoing principle only for overriding reasons of national security or in order to safeguard the population, as in the case of a mass influx of persons.

3. Should a State decide in any case that exception to the principle stated in paragraph 1 of this article would be justified, it shall consider the possibility of granting to the person concerned, under such conditions as it may deem appropriate, an opportunity, whether by way of provisional asylum or otherwise, of going to another State.

Article 4

States granting asylum shall not permit persons who have received asylum to engage in activities contrary to the purposes and principles of the United Nations.

*1631st plenary meeting,
14 December 1967.*

2313 (XXII). United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law

The General Assembly,

Recalling its resolutions 2099 (XX) of 20 December 1965 and 2204 (XXI) of 16 December 1966 regarding the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law.

Noting with appreciation the report of the Secretary-General on the implementation of the Programme⁷ and the recommendations made to the Secretary-General by the Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study, Dis-

⁷ *Ibid.*, Twenty-second Session, Annexes, agenda item 90, document A/6816.

semination and Wider Appreciation of International Law, which are contained in that report,

Emphasizing that, in ensuring the execution of the Programme, the United Nations should bear in mind the need to continue its efforts to encourage and co-ordinate the activities of the States and international organizations concerned in assisting the promotion of the teaching, study, dissemination and wider appreciation of international law,

Considering that in the conduct of the Programme it is desirable to use as far as possible the resources and facilities which may be made available by the international organizations concerned, Member States and others, in accordance with the procedures and rules of United Nations technical assistance programmes or other relevant rules and consistent with the purposes and direction of the Programme,

Considering that in the organization and conduct of regional seminars and training and refresher courses due regard should be paid to reflecting United Nations efforts towards the codification and progressive development of international law and, in so far as appropriate, the legal thinking of the principal legal systems of the world,

1. *Authorizes* the Secretary-General to carry out in 1968 the activities specified in his report, and in particular the provision of:

(a) Fifteen fellowships at the request of Governments of developing countries;

(b) The advisory services of experts, if requested by developing countries, within the framework of existing technical assistance programmes or from such voluntary contributions as may be received for that purpose;

(c) A set of United Nations legal publications to up to twenty institutions in developing countries;

2. *Notes with thanks* the offer of Ecuador to provide facilities for the regional seminar to be held in Latin America in 1968;

3. *Expresses its appreciation* to the United Nations Educational, Scientific and Cultural Organization for its participation in the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law, in particular for its co-operation in the conduct of the regional training and refresher course held in Africa in 1967;

4. *Expresses its appreciation* to the United Nations Institute for Training and Research for its activities in the field of international law, in particular for its decision to conduct regional seminars in international law, beginning with a regional seminar to be held in Latin America in 1968, and for undertaking to conduct studies relating to the codification and progressive development of international law within the framework of the United Nations;

5. *Reiterates* its invitation to Member States, interested bodies and individuals to make voluntary contributions towards the financing of the Programme and expresses its appreciation to those Member States which have made voluntary contributions for this purpose;

6. *Approves* in principle, subject to further consideration by the Advisory Committee on the United

Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law before the twenty-third session of the General Assembly, the Secretary-General's recommendations regarding the execution of the Programme after 1968;

7. *Requests* the Secretary-General to report to the General Assembly at its twenty-third session on the implementation of the Programme during 1968 and, following consultations with the Advisory Committee, to submit recommendations regarding the execution of the Programme in 1969;

8. *Decides* to include in the provisional agenda of its twenty-third session an item entitled "United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law".

1631st plenary meeting,
14 December 1967.

2323 (XXII). Installation of mechanical means of voting: amendments to rules 89 and 128 of the rules of procedure of the General Assembly

The General Assembly,

Noting that the introduction of voting by mechanical means makes desirable certain amendments to its rules of procedure,

Decides, with effect from 1 January 1968, but without prejudging the question of the installation of mechanical means of voting in the committee rooms, to amend rules 89 and 128 of its rules of procedure as follows:

(a) In rule 89:

- (i) Designate the existing text as paragraph (a);
- (ii) Add a new paragraph (b) as follows:

"(b) When the General Assembly votes by mechanical means, a non-recorded vote shall replace a vote by show of hands or by standing and a recorded vote shall replace a roll-call vote. Any representative may request a recorded vote. In the case of a recorded vote, the General Assembly shall, unless a representative requests otherwise, dispense with the procedure of calling out the names of the Members; nevertheless, the result of the voting shall be inserted in the record in the same manner as that of a roll-call vote."

(b) In rule 128:

- (i) Designate the existing text as paragraph (a);
- (ii) Add a new paragraph (b) as follows:

"(b) When the committee votes by mechanical means, a non-recorded vote shall replace a vote by show of hands or by standing and a recorded vote shall replace a roll-call vote. Any representative may request a recorded vote. In the case of a recorded vote, the committee shall, unless a representative requests otherwise, dispense with the procedure of calling out the names of the members; nevertheless, the result of the voting shall be inserted in the record in the same manner as that of a roll-call vote."

1635th plenary meeting,
16 December 1967.