

2327 (XXII). 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,

Recalling its resolutions 1815 (XVII) of 18 December 1962, 1966 (XVIII) of 16 December 1963, 2103 (XX) of 20 December 1965 and 2181 (XXI) of 12 December 1966, which affirm the importance of the progressive development and codification of the principles of international law concerning friendly relations and co-operation among States,

Recalling further that among the fundamental purposes of the United Nations are the maintenance of international peace and security and the development of friendly relations and co-operation among States,

Considering that the faithful observance of the principles of international law concerning friendly relations and co-operation among States in accordance with the Charter of the United Nations is of paramount importance for the maintenance of international peace and security and the improvement of the international situation,

Considering further that the progressive development and codification of those principles, so as to secure their more effective application, would promote the realization of the purposes of the United Nations,

Bearing in mind that the Second Conference of Heads of State or Government of Non-Aligned Countries, which met at Cairo in 1964, recommended to the General Assembly the adoption of a declaration on these principles as an important step towards the enhancement of the role of international law in present-day conditions,

Convinced of the significance of continuing the effort to achieve general agreement in the process of the elaboration of the seven principles of international law set forth in General Assembly resolution 1815 (XVII), but without prejudice to the applicability of the rules of procedure of the Assembly, with a view to the adoption of a declaration which would constitute a landmark in the progressive development and codification of those principles,

Having considered the report of the Special Committee on Principles of International Law concerning Friendly Relations and Co-operation among States,⁸ which met at Geneva from 17 July to 19 August 1967,

1. Takes note of the report of the Special Committee on Principles of International Law concerning Friendly Relations and Co-operation among States;

2. Expresses its appreciation to that Committee for the valuable work it has performed;

3. Decides to ask the Special Committee, as constituted by the General Assembly in resolution 2103 (XX), to meet in 1968 in New York, Geneva or any other suitable place for which the Secretary-General receives an invitation, in order to continue its work;

4. Requests the Special Committee, in the light of the debate which took place in the Sixth Committee during the seventeenth, eighteenth, twentieth, twenty-first and twenty-second session of the General Assembly and in the 1964, 1966 and 1967 sessions of the Special Committee, to complete the formulation of:

(a) The principle that States shall refrain in their international relations from the threat or use of force against the territorial integrity and political independence of any State, or in any other manner inconsistent with the purposes of the United Nations;

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

5. Requests the Special Committee to consider proposals compatible with General Assembly resolution 2131 (XX) of 21 December 1965 on the principle concerning the duty not to intervene in matters within the domestic jurisdiction of any State, in accordance with the Charter of the United Nations, with the aim of widening the area of agreement already expressed in that resolution;

6. Calls upon the members of the Special Committee to devote their utmost efforts to ensuring the success of the Special Committee's session, in particular by undertaking, in the period preceding the session, such consultations and other preparatory measures as they may deem necessary;

7. Requests the Special Committee to submit to the General Assembly at its twenty-third session a comprehensive report on the principles entrusted to it;

8. Requests the Secretary-General to co-operate with the Special Committee in its task and to provide all the services, documentation and other facilities necessary for its work;

9. Decides to include in the provisional agenda of its twenty-third session an item entitled "Consideration of principles of international law concerning friendly relations and co-operation among States in accordance with the Charter of the United Nations".

*1637th plenary meeting,
18 December 1967.*

2328 (XXII). Question of diplomatic privileges and immunities

The General Assembly,

Having considered the item entitled:

"Question of diplomatic privileges and immunities:

"(a) Measures tending to implement the privileges and immunities of representatives of Member States to the principal and subsidiary organs of the United Nations and to conferences convened by the United Nations and the privileges and immunities of the staff and of the Organization itself, as well as the obligations of States concerning the protection of diplomatic personnel and property;

"(b) Reaffirmation of an important immunity of representatives of Member States to the principal and subsidiary organs of the United Nations and to conferences convened by the United Nations",

Recognizing the importance of the work of the organs of the United Nations and of conferences convened by it and also of the contribution of the Organization itself and its officials to the maintenance of peaceful relations and co-operation among States,

Conscious that the unimpeded functioning of the diplomatic channels for communication and consultation between Governments is vital to avoid dangerous misunderstanding and friction,

Recognizing that, for the independent exercise of their functions, it is essential that representatives of

⁸ *Ibid.*, agenda item 87, document A/6799.

Member States, the United Nations itself and its officials, as well as diplomatic agents, shall enjoy the necessary privileges and immunities,

Recalling that Article 105 of the Charter of the United Nations provides that the Organization shall enjoy in the territory of its Members such privileges and immunities as are necessary for the fulfilment of its purposes and that representatives of the Members of the United Nations and officials of the Organization shall similarly enjoy such privileges and immunities as are necessary for the independent exercise of their functions in connexion with the Organization,

Recalling further that the 1946 Convention on the Privileges and Immunities of the United Nations⁹ confirms and specifies the provisions of Article 105 of the Charter and lays down rules, *inter alia*, regarding the immunity of the property and the inviolability of the premises of the Organization, regarding facilities for its official communications and regarding the privileges and immunities of representatives of Members to organs of the United Nations and conferences convened by it while exercising their functions and during their journey to and from the place of meeting,

Recalling that the rules of international law governing diplomatic relations embodied in the Vienna Convention of 1961¹⁰ aim at protecting diplomatic missions and diplomatic representatives and otherwise facilitating their functions,

Conscious of its duty to strengthen by every means peaceful relations and co-operation among States,

1. *Deplores* all departures from the rules of international law governing diplomatic privileges and immunities and the privileges and immunities of the Organization;

2. *Urges* States Members of the United Nations which have not yet done so to accede to the Convention on the Privileges and Immunities of the United Nations, adopted by the General Assembly of the United Nations on 13 February 1946;

3. *Urges* States Members of the United Nations, whether or not they have acceded to the Convention on the Privileges and Immunities of the United Nations, to take every measure necessary to secure the implementation of the privileges and immunities accorded under Article 105 of the Charter to the Organization, to the representatives of Members and to the officials of the Organization;

4. *Urges* States which have not yet done so to ratify or accede to the Vienna Convention on Diplomatic Relations of 18 April 1961;

5. *Urges* States, whether or not they are parties to the Vienna Convention on Diplomatic Relations, to take every measure necessary to secure the implementation of the rules of international law governing diplomatic relations, and in particular to protect diplomatic missions and to enable diplomatic agents to fulfil their tasks in conformity with international law.

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18 December 1967.*

⁹ United Nations, *Treaty Series*, vol. 1 (1946), No. 4, p. 15.

¹⁰ United Nations Conference on Diplomatic Intercourse and Immunities, *Official Records*, vol. II (United Nations publication, Sales No.: 62.X.1), p. 82.

2329 (XXII). Question of methods of fact-finding

The General Assembly,

Recalling its resolutions 1967 (XVIII) of 16 December 1963, 2104 (XX) of 20 December 1965 and 2182 (XXI) of 12 December 1966 on the question of methods of fact-finding,

Noting the comments submitted by Member States pursuant to the above-mentioned resolutions, and the views expressed in the United Nations,

Noting with appreciation the two reports submitted by the Secretary-General¹¹ in pursuance of the above-mentioned resolutions,

Recognizing the usefulness of impartial fact-finding as a means towards the settlement of disputes,

Believing that an important contribution to the peaceful settlement of disputes and to the prevention of disputes could be made by providing for impartial fact-finding within the framework of international organizations and in bilateral and multilateral conventions or through other appropriate arrangements,

Affirming that the possibility of recourse to impartial methods of fact-finding is without prejudice to the right of States to seek other peaceful means of settlement of their own choice,

Reaffirming the importance of impartial fact-finding, in appropriate cases, for the settlement and the prevention of disputes,

Recalling the possibility of the continued use of existing facilities for fact-finding,

1. *Urges* Member States to make more effective use of the existing methods of fact-finding;

2. *Invites* Member States to take into consideration, in choosing means for the peaceful settlement of disputes, the possibility of entrusting the ascertainment of facts, whenever it appears appropriate, to competent international organizations and bodies established by agreement between the parties concerned, in conformity with the principles of international law and the Charter of the United Nations or other relevant agreements;

3. *Draws special attention* to the possibility of recourse by States in particular cases, where appropriate, to procedures for the ascertainment of facts, in accordance with Article 33 of the Charter;

4. *Requests* the Secretary-General to prepare a register of experts in legal and other fields, whose services the States parties to a dispute may use by agreement for fact-finding in relation to the dispute, and requests Member States to nominate up to five of their nationals to be included in such a register.

*1637th plenary meeting,
18 December 1967.*

2330 (XXII). Need to expedite the drafting of a definition of aggression in the light of the present international situation

The General Assembly,

Considering that in conformity with the Charter of the United Nations all Members of the United Nations must refrain in their international relations from the threat or use of force against the territorial integrity

¹¹ *Official Records of the General Assembly, Twentieth Session, Annexes*, agenda items 90 and 94, document A/5694; *ibid.*, *Twenty-first Session, Annexes*, agenda item 87, document A/6228.