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UNITED NATIONS DECADE OF INTERNATIONAL LAW

Report of the Secretary-General

Addendum

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AUSTRIA

[Original: English]

[12 September 1990]

1. International law constitutes the very foundation of our present-day international community and provides the basis for a peaceful resolution of conflicts among its members. Therefore, growing awareness by States regarding the fundamental importance of scrupulous respect for the rules and norms of international law as well as its progressive development and codification is essential for speeding up the long march of mankind towards the realization of a peaceful world. With this commitment in mind and being convinced that no other road to international peace and security is available to the community of nations, Austria whole-heartedly supported the declaration of a Decade of International Law and was pleased to be among the States that sponsored resolution 44/23.

2. The Decade of International Law provides for a unique opportunity to promote and enhance the cause of peace by strengthening the supremacy of the rule of law. In view of the fact that the promotion of the rule of law in international relations is one of the basic tasks of the United Nations, it seems only natural that the world Organization through the General Assembly should consider and adopt the various programmes and activities which would take place within the framework of the Decade from now on until the end of this millennium. Austria therefore welcomes the decision to consider this question in a working group of the Sixth Committee at the forty-fifth session of the General Assembly. We further believe that the Legal Committee of the General Assembly as the one organ most suited for this task should remain in control of and monitor closely all activities of the Decade for the entire period. It seems of utmost importance that all States should have the opportunity to participate in the decision-making related to the programme of the Decade. Austria further holds the view that all activities should be closely monitored as to their effectiveness and adjustments be made whenever the need arises. To this end Austria proposes that the working group of the Sixth Committee dealing with the Decade be made permanent for the entire duration of the Decade and that it should serve as a "Steering Committee" regarding all questions relating to the Decade with the task to develop generally acceptable recommendations for consideration and adoption by the General Assembly.

3. As to the programme of the Decade, Austria believes that particular attention should be devoted to the stock-taking of existing norms of international law and to the strengthening of the respect by all States for the rule of law. In this connection it seems important to place particular emphasis on the teaching, study, dissemination and wider appreciation of international law. Recent contributions by the United Nations towards solving regional conflicts have undoubtedly increased the interest of a more general public regarding questions of international law and the functioning of the Organization of the United Nations. Within the framework of the Decade further methods could be devised to build upon this growing awareness of the importance of international law, reaching out, in particular, to young people all over the world.

4. Closely concerned with the doctrine of the supremacy of the rule of law in international relations is the question of mechanisms for ensuring that States make use of peaceful methods for solving their disputes. The settlement of disputes between States in accordance with the Charter of the United Nations would seem to be the most suited subject for an in-depth study within the framework of the Decade of International Law. Austria is aware of the fact that this subject has been and is being treated in various other forums and contexts and that duplication of efforts undertaken elsewhere should be avoided. However, it would seem useful to undertake, within the Decade of International Law, a review of existing instruments in the light of the preparedness of States to actually make use of the mechanisms contained therein with a view to increasing the willingness of States to avail themselves of peaceful means to solve their differences. In this connection Austria believes that special attention should be devoted to the International Court of Justice and the strengthening of the readiness of States to accept the compulsory jurisdiction of the World Court. Austria further suggests that in the context of dealing with the subject of dispute settlement, special emphasis should be placed on those areas where differences between States are most likely to occur in the future. One of the areas that could be treated in this context would be the settlement of disputes relating to the environment, taking into consideration the work being undertaken in other forums, like for example by the United Nations Environment Programme in preparation of the 1992 Conference on Environment and Development.

5. As recent events have once again shown, there remain major problems in the search for acceptance of and respect for international law by all States. The Decade of International Law provides for a unique opportunity to further strengthen the rule of law in international relations and increase the willingness of States to abide by the norms of international law. In order to be successful, it is essential that the programme of the Decade is prepared and carried out with great care. Austria believes that this goal can only be attained if special attention is paid to reaching all decisions by consensus and if the programme ultimately adopted carries a realistic chance for success. For only those legal norms which have been elaborated with the consent of all segments of the international community are able to gain universal acceptance. Therefore, in the view of Austria subjects which do not command general support should not be introduced into the Decade.

#### CHILE

[Original: Spanish]

[13 September 1990]

1. Chile views respect for international law as one of the pillars of its foreign policy and recognizes the importance of any development and enhancement of this normative system and accordingly it welcomes this initiative.

2. Moreover, as a full member of the international community Chile cannot remain aloof from or indifferent to the way in which the international community's legal system develops. It is apparent to all that the likelihood of international

relations being conducted henceforth within a framework of peace and order is, to a great extent, linked to the way in which international law meets the increasing challenges and demands of ever greater interdependence and the increasing complexity of contemporary international life.

3. While the international legal system cannot bear full responsibility for peace as a system that regulates the conduct of the individual members of the international community, it does have a major responsibility in this matter.

4. Within this framework, Chile considers it important under the objectives of the Decade to draft an international convention on the peaceful settlement of disputes. Its provisions, based on the principle of the non-use of force, would not only focus on conflict prevention but would also establish obligations for States to resolve their differences peacefully.

5. While no legal instrument in and of itself can guarantee an absence of conflict, contemporary realities necessitate the promotion of coexistence and co-operation in all spheres, to which end the world community must be provided with explicit provisions aimed at specific and binding objectives.

6. Chile considers it essential to promote international law at every level. A major effort must be made to inform the greatest possible number of people at various stages of education of this normative system, drawing attention to its achievements, its limitations and its real potential.

7. This attempt to disseminate international law should be accompanied by steps to encourage academic activities, both internationally as well as in every State, through the various national public international law associations, in close co-operation with universities and other centres of higher education involved with the subject, not excluding under any circumstances participation by the respective ministries of foreign affairs. Such an approach could lead to in-depth consideration of the current content and future demands of international law. In this connection it is important to promote exchanges of jurists between various countries in order to enable them to communicate their personal and intellectual experiences at conferences or through series of lectures at a high academic level. Further, it is very important to contribute to the broadest possible dissemination of the works of the principal authors in the field of international law.

8. An attempt must be made to relate international law with the day-to-day existence of the common man. International law cannot be perceived as being exclusively for and among States. Today international law directly affects a great number of individuals in the most varied areas of their lives - health, human rights, the environment, etc.

9. In this way powerful currents of public opinion can be created, both internationally and within countries, and these can become a major source of pressure compelling States to act in accordance with international law. This topic must have a place in the ongoing political debate of States. Today international law is having an ever greater impact in areas which have traditionally been viewed as forming part of the exclusive preserve or responsibility of States.

10. Such a procedure would advance one of the important objectives of the Decade, namely, furtherance of the development of international law. In the view of the Government of Chile, such development is prompted far more by the changing realities which such objectives reflect rather than by any new theories or doctrines or armchair formulations, however knowledgeable about international law their proponents may be.

11. Account must be taken in this connection of the continued prevalence of a view of international law which is strongly centred on the State, a view which not infrequently hinders the development of the international legal system.

12. One approach which the Government of Chile feels should definitely be explored involves regional efforts to develop international law. Such development might perhaps be achieved through successive efforts to increase harmonization starting at the regional level, for the greater homogeneity of members of a region could facilitate progress on certain topics; those topics could later be discussed at the international level. In this connection the major role played by the inter-American system in the development of many areas of international law should not be overlooked.

13. Obviously, this course of action is not being proposed as an alternative to others of a more general scope, but as a useful way to explore and follow up on certain areas or topics.

14. Against this background, the Office of Legal Affairs of the Chilean Ministry of Foreign Affairs called the professors of international law at the country's universities to a meeting at which ideas were exchanged regarding the United Nations Decade of International Law. Representatives of the Chilean Society for International Law attended also.

15. After touching on the general background referred to above, the discussions came up with three major conclusions, namely:

1. Areas of priority interest

In accordance with the spirit of the United Nations Decade of International Law, the areas which should be proposed as areas of priority interest are those in which the development of international law calls for a new approach to the territorial jurisdiction of States, to international co-operation and to the resultant responsibility.

Protection of the environment and the various aspects thereof, production of and illicit trafficking in drugs, terrorism, migratory movements, refugees and the right to asylum, and enhancement of the mechanisms for the protection of the human person are of great immediacy in this context. In all of these areas, there is a need for new ways of resolving disputes, and international law is assuming new functions in the sphere of diplomacy. Similarly, various multilateral conventions, subregional agreements and understandings between Governments entail judicial action or proceedings of international legal assistance. It is important that academic contributions should be made with

respect to this topic, which covers what has traditionally been called international private law, in order to bring the applicable concepts up to date.

It also appears important to promote awareness of the contribution made by America to international law, by means of seminars and special events, and in other ways. This is all the more relevant in light of the fact that 1992 will mark the five hundredth anniversary of Iberian presence in America.

Finally, attention should be drawn to the problems relative to the adoption of minors, and to scientific and technological development in the field of genetics.

## 2. Special activities

At the national level, there are the annual symposiums organized by the Chilean Society for International Law. These might serve to encourage Chilean professors of international law to undertake studies on the topics referred to above.

Similarly, a seminar - perhaps along the lines of the Latin American symposiums organized by the Organization of American States in 1979 and 1980 - could be organized with the objective of preparing a publication on the application of the new areas of international law in Latin America (or in the Americas).

In addition, in 1992 the Hispano Luso-American Institute of International Law (IHLADI) will meet in Salamanca, Spain. Chile is considering offering to host the following IHLADI Congress, and to this end it will propose topics related to the United Nations Decade for International Law for consideration at the meeting.

## 3. Projects

(a) The proposal to set up international law documentation centres in the Latin American countries was considered highly useful. Before going ahead with this initiative it will be necessary to give further thoughts to: the type of institution in which the proposed programme - whether computerized or manual - should be based; the degree of specialization required by the staff and the users for which it is intended. Chile does have some infrastructure in specialized documentation centres, but the universities do not benefit fully from them owing to insufficient training and inadequate operating conditions.

There could be a link between such a project and the modernization of the techniques of legal research in Chile and Latin America, which is indispensable to academic work as such, as well as to legislative and judicial work.

(b) Efforts should be made to further the publication, at Latin American level, of a Manual on International Law, which would cover, in addition to the topics specific to this branch of law, this continent's doctrine and practice in the area.

**IRAN (ISLAMIC REPUBLIC OF)**

[Original: English]

[6 September 1990]

1. The Islamic Republic of Iran is of the opinion that consideration of the legal values of all nations and reliable legal schools of thought, in codifying of international law and its progressive development, could promote acceptance of and respect for the principles of international law. Adoption of an impartial attitude towards legal values of all major legal systems will enrich the contemporary international law; it would also persuade all States and nations to abide by their obligations under these norms.
2. In light of the fact that States in general and big Powers in particular accord priority to their national interests, exploration of ideas and appropriate measures for keeping political expediencies away from the process of implementation of the provisions of the international law is absolutely necessary. For instance, the principle of refraining from threat or use of force in international relations against territorial integrity and political independence of other States is the most important principle for maintenance of international peace and security, non-observance of which has been the source of many international crises and conflicts in the twentieth century. Being aware of this fact and in order to ensure prompt and effective action, the founders of the United Nations have granted the primary responsibility for preserving international peace and security to the Security Council in Chapters VI and VII of the Charter. A glimpse at history of international crises and conflicts following the establishment of the United Nations suggests that the Security Council has been more responsive to consideration than to implementation of pre-emptory norms of international law. It has failed to act decisively and promptly in dealing with various cases of breaches of peace and acts of aggression; thus legal norms governing relations among nations are undermined and enforcement power further diminished. Under such circumstances, the violators continue their lawless acts with impunity. Therefore, the Islamic Republic of Iran is of the view that taking timely action against aggression is an integral part of responsibilities of the Security Council.
3. Concerning peaceful settlement of international disputes, the Islamic Republic of Iran is of the opinion that the States parties to a dispute should negotiate in good faith till achieving conclusive results. It is equally important that bilateral, regional and other international arrangements, including ways and means enshrined in the Charter of the United Nations be considered by the parties. Parties concerned should respond positively towards good faith efforts being made to resolve the dispute.

4. Furthermore, in order to prevent the eruption of crises in international relations, the United Nations Security Council should investigate all situations that may endanger international peace and security, encourage parties concerned to negotiate in good faith, remind them of their obligations under international law and the Charter of the United Nations, and recommend necessary solutions for defusing tension and abatement of the crisis.

5. It is also essential for the Secretary-General to respond expeditiously in cases referred to him by any of the parties to a dispute, to employ all his capabilities for its pacific settlement, to actively utilize his powers under Article 99 of the Charter, and to draw the attention of the Security Council to situations that may threaten international peace and security.

6. To enhance respect for the International Court of Justice, States should be encouraged to refer their legal disputes that are not resolved through negotiation or other means of pacific settlement to the International Court of Justice. Resorting to the International Court of Justice must be facilitated and appealing to States. In order to achieve this goal, the following suggestions are to be studied: rules of procedure ought to be simplified for expeditious adjudication, ways and means of reducing expenditure should be studied, and assistance should be provided for those that are facing financial difficulties in referring their disputes to the Court.

7. As far as the codification and progressive development of international law is concerned, the Islamic Republic of Iran holds the view that various aspects of international law require further study, analysis and evolution. For instance norms of the Law of the Armed Conflict need special attention. Various norms of the law of armed conflict codified in 1899 and 1907 Hague conferences were appropriate measures in responding to the requirements of that age. Tremendous technological progress, emergence of chemical, nuclear and other types of weapons of mass destruction, experiences of the two world wars as well as other regional conflicts demand a fresh attempt on the part of the international community for developing new rules of the armed conflict consistent with existing circumstances. The examples given below are among the subjects that require further analysis and study: law of naval warfare, war exclusion zones, aerial and missile attack to cities and residential areas, redefining the concept of neutrality, use of various types of weapons of mass destruction, including chemical weapons, ways and means of dealing with user of such weapons, rights of civilian residents of territories under foreign occupation and duties of the occupier.

8. Apart from the law of armed conflict, issues relating to international economic relations require further attention and scrutiny. During the decade of international law, greater importance should be attached to the principle of permanent sovereignty over natural wealth resources, and all economic activities. It is also equally important that in developing its various aspects, practices of States and international organizations, orders of international tribunals, teachings of the most highly qualified publicists, and particularly interests of the developing countries should be taken into account.



9. Regarding the study, teaching, dissemination, and wider appreciation of international law, while stressing on the advancement and continuation of the existing programmes, the Islamic Republic of Iran holds the view that special attention should be paid to the training courses of international law in the universities and institutions of third world countries; their respective authorities should be assisted in holding educational courses in the field of international law. It is further desired that United Nations University expand its activities in third world countries. It would also be useful if the concerned organs of the United Nations when employing the services of professors and researchers for preparation of legal reports and implementation of research projects could strictly observe the principle of equitable geographical distribution so as to allow for services and contribution of advisors and researchers of all countries especially representatives from major legal systems.

#### MEXICO

[Original: Spanish]

[13 September 1990]

1. The Government of Mexico expressed its firm support for the Decade from the outset and, having worked actively for the adoption at the forty-fourth session of the General Assembly of resolution 44/23 establishing the Decade, is also committed to making an enthusiastic and constructive contribution throughout the Decade.

2. Accordingly, the Government of Mexico is able to endorse the many positive comments and ideas put forward by various countries for incorporation in the programme of action for the Decade, especially those referring to:

(a) The negotiation and adoption, at a diplomatic conference, of a general convention on means for the peaceful settlement of disputes which would include specific procedures for preventing such disputes from arising;

(b) The promotion of wider accession by States to the multilateral treaties concluded under United Nations auspices, with a view to making them universal as soon as possible;

(c) The mounting of a campaign to ensure that the largest possible number of States Members of the United Nations make the optional declaration recognizing the compulsory jurisdiction of the International Court of Justice;

(d) The encouragement of a greater number of requests for advisory opinions from the International Court of Justice;

(e) The promotion of contributions to the Trust Fund to Assist States in the Settlement of Disputes through the International Court of Justice, the establishment of which has been proposed by the Secretary-General;

(f) The translation of the judgments and advisory opinions of the International Court of Justice into all the official languages of the United Nations, which Mexico has been suggesting for the past six years;

(g) The encouragement of the study, teaching, dissemination and wider appreciation of international law, especially through a fellowship programme for teachers of international law in developing countries;

(h) The holding of regional seminars to:

(i) Analyse why international law was not effective and forceful enough to prevent the major armed conflicts which have occurred in this century;

(ii) Draw up recommendations as to the changes which must be made in contemporary international law so that in the century to come it will be an effective instrument for the prevention of war and the maintenance of international peace and security;

(i) The drafting by the United Nations in its six official languages of a handbook of international law;

(j) The review, in 1995, of the programme of action for the Decade;

(k) The holding of a third international peace conference in 1999, the agenda for which would be drawn up after the 1995 meeting to review the programme of action.

3. In addition, the Government of Mexico believes that, as part of the programme of action for the Decade and subject to the overall criteria of realistic goals, broad acceptance, non-duplication of existing efforts and the search for consistency in the Organization's work in the legal field, the following new items should be included with a view to a more progressive development of international law:

(a) A new general and comprehensive convention on means for both the prevention and the peaceful settlement of disputes should also include specific, well-designed procedures for freezing a dispute at its earliest stages to avoid its gradual escalation. Moreover, after such freeze or moratorium, the parties to the dispute should remain under the strictest obligation to keep in operation at all times at least one of the means of peaceful settlement provided for in the convention, and should inform the depositary of that convention, ideally the Secretary-General, accordingly in a timely manner. In the mean time, a third party, who would be chosen from a pre-established list and would, where possible, act as a kind of joint trustee for the parties, could be entrusted with overseeing the interests involved in the dispute until it was settled and even with recommending the requisite interim or preventive measures;

(b) One factor that is becoming commonplace in so far as its potential for undermining the rule of law in international relations concerned, is the adoption of unilateral coercive measures by certain States in order to make another State or

group of States change their position or to gain an advantage over them. In general, such measures have an economic and punitive component and are designed to make the other State or States change their domestic or even their international policies.

In so doing, the State adopting such measures claims, also unilaterally, a right to punish others which no norm of international law has given it. This gives rise to disputes, generally between countries which carry very different weight on the international scene.

Such measures, which are in fact prohibited by regional multilateral instruments, for instance, by article 19 of the Charter of the Organization of American States, run counter to such fundamental international legal principles as respect for the sovereignty of States, legal equality of States, non-intervention and, especially, the right of peoples to self-determination.

This in turn disrupts harmonious relations among members of the international community and may, on occasion, even threaten international peace and security. Nothing is more contrary to the spirit of multilateralism, collective action and co-operation embodied in the Charter of the United Nations than measures of this nature. Recourse to them is increasing alarmingly, especially when no effective action is taken to stop them. During the Decade, this phenomenon will have to be addressed in order to control and prevent it, perhaps by the adoption, through the Sixth Committee of the General Assembly, of an appropriate multilateral instrument;

(c) Any legal order must seek to shape, through its norms, the mechanisms which the reality and needs of the society to which it applies require. Thus, if an inventory were made of the real demands of contemporary international society, we would surely come up with a list of issues on which international law has not evolved, while costly and prolonged efforts have been made to codify or progressively develop norms dealing with topics which clearly warrant less urgent priority.

In their comments on the programme for the Decade, a number of delegations referred to important issues which require appropriate regulation under international law. Mexico supports action on these issues, which include the need to codify and progressively develop principles of and primary rights and obligations under international environmental law, which given its tremendous priority is perhaps one of the most pressing issues on our agenda.

However, there are also a number of topics which, although urgent and extremely important because of their effect or impact on the international community, have not yet been suggested in the context of the Decade. Nor are they on the agenda of other ongoing international legislative efforts.

Among these topics, and clearly far more important than the adoption of more detailed legal rules governing the diplomatic bag, we might suggest the following, which would transform international law into a vehicle for achieving a better world:

- (i) Efforts to combat international illicit arms trafficking, which almost invariably puts into the wrong hands the lethal tools needed to threaten

both the internal peace of States and international peace and security, thereby sustaining the various forms of terrorism, interventionism and hegemonism;

- (ii) Affirmation of the right to food as a human right, since this is still missing from the lists of basic instruments for the international protection of human rights. Although the right to food is one of humankind's most elementary rights and contrasts with a world of intolerable waste, the absence of given minimum guarantees for it is resulting in increasingly widespread malnutrition in various parts of the world and in the deaths of millions of people each year - as many as would be killed in a major war;
- (iii) Efforts to combat the disturbing and widespread practice of justifying violence, a practice which takes every possible form and is becoming increasingly prevalent, particularly in the mass media, thereby corrupting the minds of children and young people. All this is the outcome of a dangerous abuse of freedom of expression which sows the seeds of intolerance and aggressiveness in human relations, creating a social environment which is soon reflected on the international scene. In this issue the international community faces a tremendous challenge which it must curb through an appropriate legal instrument;
- (iv) Action to combat illicit traffic in and the international exploitation of minors, a phenomenon which is increasingly affecting the international community in a variety of ways. Such action is now obligatory as a logical consequence of the follow-up to the entry into force of the United Nations Convention on the Rights of the Child.

4. Mexico also believes that the mechanisms available to the United Nations for it to accomplish fully and appropriately its task, set forth in the Charter, of promoting the codification and progressive development of international law need to be immediately reoriented and adapted more fully to that task. Accordingly, Mexico has proposed that:

(a) The Sixth Committee should return to its role of legal adviser to the other Committees of the General Assembly, especially in view of resolution 684 (VII) of 6 November 1952 which forms part of its rules of procedure, instead of concentrating unduly, as it has done until now, on the work of the International Law Commission which represents only a small fraction of the work being done world wide in this area;

(b) The Sixth Committee should evaluate and monitor the international legislative work being done in the United Nations and in other forums of the United Nations system where international instruments are being negotiated, with a view to taking under its responsibility:

- (i) The planning of such work; and
- (ii) The identification of priority topics which require progressive development or codification;

(c) With a view to accomplishing the above, the General Assembly should request the Secretary-General to draw up and maintain a list of international legal topics under consideration in the organs and organizations of the United Nations system;

(d) On the basis of that list, the Secretary-General should draw up an annual report on the international legal work of the Organization;

(e) The Sixth Committee would consider such a report annually, with a view to taking whatever action it deemed appropriate in exercise of both its role as legal adviser and its evaluation and monitoring functions referred to above;

(f) The work of the Sixth Committee and the International Law Commission should be the result of the implementation of the approach proposed here;

(g) The Sixth Committee should also, throughout the Decade, remain a source of initiatives for activities to be included in the programme of action, in addition to monitoring the programme's implementation.

5. Lastly, the Permanent Mission of Mexico, recalling Economic and Social Council resolution 1988/63 of 27 July 1988 entitled "Guidelines for international decades", suggests that the General Assembly should call upon Member States to encourage the establishment of national committees for the United Nations Decade of International Law which would participate and co-operate fully in the activities envisaged in the programme of action.

#### ROMANIA

[Original: French]

[14 September 1990]

1. Following the revolution of December 1989 in Romania, the country's leaders have asserted, in numerous declarations and other official documents, Romania's total commitment to the principles and norms of international law. Romania's foreign policy has undergone a radical change. The artificial barriers which the former régime had put in the way of international co-operation have been removed, traditional contacts have been renewed and reassessed, and decisive action has been taken to open Romania up to the major trends in the world. Against this background, Romania has once again affirmed its right and its resolve to participate as an equal partner in the building of Europe. As a European country speaking a Romance language, Romania reaffirms its total commitment to the values of European civilization and to the general efforts to build a viable system of security and co-operation in Europe.

2. Romania takes the view that international law, the principles and norms of which have been fully reflected in the documents of the Conference on Security and Co-operation in Europe (CSCE) has a major role to play in co-ordinating joint actions aimed at building a peaceful future for Europe and the other continents.

3. It is thus natural for Romania to support the United Nations Decade of International Law and to state its firm commitment to its first objective, namely, to promote acceptance of and respect for international law. Romania is convinced that the achievement of this objective will contribute to the creation and maintenance of a universal peace based on justice and liberty, and to the development of relationships of co-operation, friendship and good-neighbourliness between States, in conformity with the Charter of the United Nations. Accordingly, Romania feels that the programme for the Decade should include legal and practical procedures to reinforce the part played by the principles and norms of international law in laying down rules for the conduct of all members of the world community.

4. As Romania sees it, guaranteeing the rule of international law is an essential pre-condition to the promotion of peace, security, social and economic justice, fundamental human rights and freedoms, and the ecological equilibrium of this planet.

5. With regard to the second main objective of the Decade, namely, to promote means and methods for the peaceful settlement of disputes between States, Romania welcomes the initiative to draft a universal legal instrument on the peaceful settlement of disputes, as described in the Hague Declaration of the Meeting of the Ministers of Foreign Affairs of the Movement of Non-Aligned Countries, adopted on 29 June 1989. Romania feels that the success of this initiative, through the United Nations, will make a useful contribution to consolidating the principle and practice of peaceful settlement, laying down guidelines for the behaviour of all States.

6. As the country which originally requested the inclusion of the item "Peaceful settlement of disputes between States", in the agenda of the Assembly, an item which is also on the agenda of the forty-fifth session, Romania wishes to stress the relevance of the provisions of resolution 44/31 of 4 December 1989 on this topic. This resolution stresses the need to continue efforts to strengthen the process of the peaceful settlement of disputes through progressive development and codification of international law and through enhancing the effectiveness of the United Nations in this field.

7. Romania considers that a favourable context for the development of these efforts could be the United Nations Decade of International Law, the programme for which will include as a basic element the peaceful settlement of disputes between States. Accordingly, it would be possible to promote the item "Peaceful settlement of disputes between States" most effectively within the context of the Decade, thus obviating the need to keep it as a separate item on the agenda of the General Assembly. In consequence, Romania suggests that starting in 1991 the item "Peaceful settlement of disputes between States" should be examined under the item on the United Nations Decade of International Law.

8. With regard to the third purpose of the Decade, namely, to encourage the progressive development of international law and its codification, Romania hopes that the programme for the Decade will help to expedite the preparation of new international legal instruments, and, in particular, the finalization of the drafts

now before the International Law Commission and the United Nations Commission on International Trade Law.

9. Inasmuch as the United Nations Decade of International Law covers the same period as the International Decade for Natural Disasters Reduction (proclaimed in General Assembly resolution 44/236, which was adopted by consensus on 22 December 1989), there is a need for further efforts, both within the United Nations Secretariat and within all the other competent organs of the United Nations, to ensure an optimum level of co-ordination and harmonization in areas where the objectives of the two Decades coincide or are similar. It would therefore be useful, in the context of the two Decades, to pool efforts to develop international humanitarian law, as an ever more important branch of general international law.

10. On the basis of paragraph 4 of General Assembly resolution 44/236, in which the Secretary-General of the United Nations was requested to submit to the Assembly at its forty-fifth session a report on the status of existing protocols and conventions for mutual assistance in cases of disaster, the working group that will be preparing the programme for the United Nations Decade of International Law should formulate recommendations on ways and means of stimulating the development of international humanitarian law applicable in this area, including the development of relevant new legal instruments of a universal character.

11. In broader terms, the programme for the United Nations Decade of International Law should contain recommendations on how to expedite the ratification process for multilateral legal instruments adopted under the auspices of the United Nations in the area of public and private international law, with special emphasis on legal instruments relating to social and humanitarian issues, and fundamental human rights and freedoms. In this connection, Romania considers that the United Nations Decade of International Law should also be used to bring to fruition the process of universal acceptance of the International Covenants on Human Rights and other United Nations conventions dealing with fundamental human rights and freedoms, and to begin drafting new legal instruments like the text relating to the elimination of all forms of religious intolerance, in accordance with General Assembly resolution 44/131 of 15 December 1989.

12. The fourth purpose of the Decade, namely to encourage the teaching, study, dissemination and wider appreciation of international law, is of particular contemporary relevance among the measures to foster universal respect for the principles and norms of international law, and to consolidate the role of international law in promoting and maintaining world peace and security. Accordingly, the programme for the Decade should contain specific recommendations in this regard, and such recommendations should also draw on the experience of certain governmental and non-governmental organizations such as UNESCO, the Asian-African Legal Consultative Committee, the Institute of International Law, the International Law Association and the Hague Academy of International Law.

13. Romania also takes the view that, during the Decade, efforts should be made to enhance the effectiveness of the work of the Advisory Committee on the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider

Appreciation of International Law. In this connection, measures to ensure full implementation of General Assembly resolution 44/28 of 4 December 1989 are called for.

14. Romania supports the proposal to convene an international peace conference at the end of the United Nations Decade of International Law, with a view to adopting legal instruments of a universal character to govern inter-State relations throughout the coming century.

15. Romania believes that the Decade of International Law, proclaimed and prepared under the auspices of the United Nations, will lead to a strengthening and diversification of the activities of the world Organization in the legal sphere, and will help it to fulfil its supreme mission: to save present and succeeding generations from the scourge of war.

16. Romania looks forward to taking an active part in the preparation and implementation of the programme for the Decade, and remains firmly convinced that the success of this universal endeavour will have a profoundly positive effect on the promotion of the rule of law in international affairs.

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