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1967 SPECIAL COMMITTEE ON PRINCIPLES OF
INTERNATIONAL LAW CONCERNING FRIENDLY
RELATIONS AND CO-OPERATION AMONG STATES

United Kingdom: Draft Declaration on Principles
of International Law concerning Friendly Relations
and Co-operation among States

The General Assembly

Recalling its Resolutions Nos. 1505 (XV) of 12 December 1960, 1686 (XVI) of 18 December 1961, 1815 (XVII) of 18 December 1962, 1966 (XVIII) of 30 December 1963, and 2103 (XX) of 11 January 1966,

Having decided by Resolution 1966 (XVIII) and Resolution 2103 (XX) to constitute Special Committees to study seven Principles of International Law concerning Friendly Relations and Co-operation among States,

Having considered the Reports of the Special Committees which met in Mexico City in 1964 and in New York in 1966, and reviewed its own deliberations upon these Principles from its fifteenth to its present session,

Paying tribute to the work of the Special Committees,

Being determined to establish conditions under which justice and respect for obligations arising from treaties and other sources of international law can be maintained,

Conscious of the need to develop friendly relations among nations and to bring about by peaceful means, and in conformity with the principles of justice and international law adjustment or settlement of international disputes or situations which might lead to a breach of peace.

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 these Principles so as to secure their more effective application, would promote the realization of the purposes of the United Nations;

Bearing in mind its duty under Article 13, sub-paragraph 1(a) to 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,

Considering the provisions of the United Nations Charter as a whole and without prejudice to the rights and obligations of Members under the Charter,

Solemnly declares as follows:

- I. The Principle that States shall refrain in their International Relations from the Threat or Use of Force against the Territorial Integrity or Political Independence of any State, or in any other Manner inconsistent with the Purposes of the United Nations
1. Every State has a duty to refrain in its international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations.
2. In accordance with the foregoing fundamental principle, and without limiting its generality:
 - (a) wars of aggression constitute international crimes against peace for which there is responsibility under international law. Consequently, States shall refrain from inciting or waging wars of aggression.

- (b) Every State has the duty to refrain from organizing or encouraging the organization of irregular or volunteer forces or armed bands within its territory or any other territory for incursion into the territory of another State, or across international lines of demarcation and to refrain from acts of armed reprisal or attack.
- (c) Every State has the duty to refrain from instigating, assisting or organizing civil strife or committing terrorist acts in another State or from conniving at or acquiescing in organized activities directed towards such ends, when such acts involve a threat or use of force.
- (d) Every State has the duty to refrain from the threat or use of force to violate the existing boundaries of another State or other international lines of demarcation or as a means of solving its international disputes, including territorial disputes and problems concerning frontiers between States.

- 3. Nothing in the foregoing paragraphs is intended to prejudice the lawful use of force when undertaken by or under the authority of a competent United Nations organ or by a regional agency acting in accordance with the Charter, or in exercise of the inherent right of individual or collective self-defence.

II. The Principle of the Peaceful Settlement of Disputes

- 1. Every State shall settle its international disputes with other States by peaceful means, in such a manner that international peace and security, and justice are not endangered.
- 2. States shall accordingly seek early and just settlement of their international disputes by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their choice. In seeking such a settlement the parties shall agree on such peaceful means as may be appropriate to the circumstances and the nature of the dispute.

3. The parties to a dispute have the duty, in the event of failure to reach a solution by any one of the above peaceful means, to continue to seek a settlement of the dispute by other peaceful means agreed upon by them.
4. States parties to an international dispute, as well as other States, shall refrain from any action which may aggravate the situation so as to endanger the maintenance of international peace and security, and shall act in accordance with the purposes and principles of the United Nations.
5. International disputes shall be settled on the basis of the sovereign equality of States and in accordance with the principle of free choice of means. Recourse to, or acceptance of, a settlement procedure freely agreed to by the parties with respect to existing or future disputes shall not be regarded as incompatible with sovereign equality.
6. Such procedures may include reference to the International Court of Justice or other tribunals by virtue of agreements already in existence or which may be concluded in the future.
7. In order to ensure the more effective application of the foregoing principle:
 - (a) Unless they are capable of settlement by some other means, legal disputes should, as a general rule, be referred by the parties to the International Court of Justice, and in particular States should endeavour to accept the jurisdiction of the International Court of Justice pursuant to Article 36, paragraph 2, of the Statute of the Court with as few reservations as possible.
 - (b) States should, as far as possible, include in the bilateral and multilateral agreements to which they become parties, provisions concerning the specific peaceful means by which they desire to settle their differences. In particular, general multilateral agreements concluded under the auspices of the United Nations

should provide that disputes relating to the interpretation or application of the agreement, and which the parties have not been able to settle by negotiation or any other means, may be referred on the application of any party to the International Court of Justice or to an arbitral tribunal, the members of which are appointed by the parties or, failing such appointment, by an appropriate organ of the United Nations.

- (c) States should give renewed consideration to the desirability of adhering to existing multilateral Conventions, whether general or regional, providing means or facilities for the peaceful settlement of disputes, such as the Permanent Court of Arbitration, the American Treaty for the Pacific Settlement of Disputes of 30 April 1948, The European Convention for the Peaceful Settlement of Disputes of 29 April 1957, and the Protocol of the Commission of Mediation, Conciliation and Arbitration signed at Cairo on 21 July 1964.
8. Members of the United Nations and United Nations organs shall continue their efforts in the field of codification and progressive development of international law with a view to strengthening the legal basis of the judicial settlement of disputes.
9. The competent organs of the United Nations should avail themselves more fully of the powers and functions conferred upon them by the Charter in the field of peaceful settlement, with a view to ensuring that all disputes are settled by peaceful means in such a manner that not only international peace and security but also justice is preserved.

III. The Principle of Non-Intervention in Matters within the Domestic Jurisdiction of any State in accordance with the Charter

1. No State shall intervene for any reason in the domestic affairs of any other State. Every State has the right freely to choose the form and degree of its association with other States.
2. Accordingly,
 - a. All acts of intervention by the threat or use of force against the territorial integrity or political independence of a State, direct or indirect, overt or covert, are illegal. Such acts as invasion, armed attack, the organization, financing, supplying, or other encouragement of covert activities designed to achieve the violent overthrow of the government of another State, terrorism directed or stimulated from outside a State, or the encouragement of civil war are equally illegal and equally menace the peace.
 - b. Intervention in order to coerce another State, whether involving measures of an economic, political or other character, is a violation of international law and the Charter. The encouragement of such coercive measures by another State is likewise illegal.
3. Nothing in the foregoing paragraphs shall prejudice the responsibility of the United Nations for taking action to maintain international peace and security.

IV. The Principle of Sovereign Equality of States

1. All States enjoy sovereign equality. They have equal rights and duties and are equal members of the international community, notwithstanding differences of an economic, social, political or other nature.
2. In particular sovereign equality includes the following elements:
 - (a) States are juridically equal.
 - (b) Each State enjoys the rights inherent in full sovereignty.

- (c) Each State has the duty to respect the personality of other States.
- (d) The territorial integrity and political independence of the State are inviolable.
- (e) Each State has the right freely to choose and develop its political, social, economic and cultural systems.
- (f) Each State has the duty to comply fully and in good faith with its international obligations and to live in peace with other States.
- (g) Every State has the inalienable right freely to dispose of its national wealth and natural resources; in the exercise of this right, due regard shall be paid to the rules of international law and to the terms of Agreements validly entered into.

V. The Duty of States to Co-operate with one another in Accordance with the Charter

- 1. States have the duty to co-operate with one another, irrespective of their different political, economic and social systems, in the various spheres of international relations in order to maintain international peace and security and to promote international economic stability and progress and the general welfare of nations.
- 2. To this end:
 - (a) States shall co-operate with other States in the maintenance of international peace and security.
 - (b) States shall conduct their international relations in the economic, social, technical and trade fields in accordance with the principles of sovereign equality and non-intervention.
 - (c) States Members of the United Nations have the duty to take joint and separate action in co-operation with the United Nations in accordance with the relevant provisions of the Charter.

3. States should co-operate in the economic, social and cultural fields as well as in the field of science and technology and for the promotion of international, cultural and educational progress. States should co-operate in the promotion of economic growth throughout the world, especially that of the developing countries.

VI. The Principle of Equal Rights and Self-Determination of Peoples

1. Every state has the duty to respect the principle of equal rights and self-determination of peoples and to implement it with regard to the peoples within its jurisdiction, inasmuch as the subjection of peoples to alien subjugation, domination and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations and is an impediment to the promotion of world peace and co-operation. The principle is applicable in the case of a colony or other non-self-governing territory, a zone of military occupation, or a Trust Territory, or, subject to para. 4 below, a territory which is geographically distinct and ethnically or culturally diverse from the remainder of the territory of the State administering it.
2. In accordance with the above principle:
 - (a) Every State shall promote, individually and together with other States, universal respect for and observance of human rights and fundamental freedoms.
 - (b) Every State shall accord to peoples within its jurisdiction, in the spirit of the Universal Declaration of Human Rights, a right freely to determine their political status and to pursue their social, economic and cultural development without discrimination as to race, creed or colour.

- (c) Every State shall refrain from any action aimed at the partial or total disruption of the national unity and territorial integrity of any other State.
 - (d) Every State exercising authority over a colony or other non-self-governing territory, a zone of military occupation or a trust territory shall, in implementation of the principle, maintain a readiness to accord self-government through their free choice, to the peoples concerned, and to make in good faith such efforts as may be required to assist them in the progressive development of institutions of free self-government, according to the particular circumstances of each territory and its peoples and their varying stages of advancement; and, in the case of trust territories, shall conform to the requirements of Chapter XII of the Charter of the United Nations.
3. States exercising authority over colonies or other non-self-governing territories, zones of military occupation or trust territories shall be deemed to have implemented this principle fully with regard to the peoples of those territories upon the restoration of self-government or, in the case of territories which have not previously enjoyed self-government; upon its achievement, through the free choice of the peoples concerned. The achievement of self-government may take the form of emergence as a sovereign and independent State; free association with an independent State; or integration with an independent State.
4. States enjoying full sovereignty and independence, and possessed of a representative government, effectively functioning as such to all distinct peoples within their territory, shall be considered to be conducting themselves in conformity with this principle as regards those peoples.

VII. The Principle that States shall fulfil in good faith the obligations assumed by them in accordance with the Charter

1. Every State has a duty to fulfil in good faith the obligations assumed by it in accordance with the Charter of the United Nations.
2. Every State has the duty to fulfil in good faith its obligations under the generally recognized principles and rules of international law.
3. Every State has the duty to fulfil in good faith its obligations under international agreements valid under the generally recognized principles and rules of international law.
4. Obligations under international agreements and other obligations under international law may not be lawfully avoided by reason of either national law or national policy.
5. Where obligations arising under international agreements are in conflict with the obligations of members of the United Nations under the Charter of the United Nations, the obligations under the Charter shall prevail.

VIII. General

1. The above principles are interrelated and each principle should be construed in the context of the other principles.
2. Nothing in this Declaration shall be construed as prejudicing in any manner the provisions of the Charter or the rights and duties of Member States under the Charter.

Index of Sources

1. Preamble

Paragraphs 1 to 4	Original historical recital
Paragraph 5	Third preambular paragraph of the Charter
Paragraph 6	Charter, Article 1, Sub-paragraphs 2 (part) and 1 (part)
Paragraph 7	Preambular paragraph 3 of Resolution 2103 (XX)
Paragraph 8	Preambular paragraph 4 of Resolution 2103 (XX)
Paragraph 9	Modification of preambular paragraph 4 of Resolution 1505 (XV)
Paragraph 10	New Text

2. Order of principles in the Draft

The order employed is that deriving from operative paragraph 1 of Resolution 1815 (XVII) and operative paragraph 5 of Resolution 1966 (XVIII).

3. Force

- (a) Basically the text is that in A/AC.125/L.22 (Report, paragraph 27). Paragraph 2 (a) is an expansion on the lines of the Drafting Committee consensus (A/AC.125/7) of 20 April, 1966 (Paragraph I (2)), with the addition of further material from the texts partially agreed in the working groups.

4. Peaceful Settlement

Paragraphs 1 to 5 come from the consensus text (Report, paragraph 248).

Paragraph 6	A new text
Paragraph 7	(a) and (b) are mainly derived L.25 paragraphs 3(a) and (b) (Report paragraph 159). The first sentence of (b) comes from paragraph 3 of L.27 (Report paragraph 161). (c) is derived from a text circulated in Mexico City.
Paragraph 8	From L.25 -- paragraph 3 (c).
Paragraph 9	From L.25 -- paragraph 3 (d).

5. Non-Intervention

New text very closely derived from the relevant paragraphs of Res. 2131 (XX).

6. Sovereign Equality

This is mostly the consensus text (Report paragraph 403). Paragraph 2 (g) has been added and is based on texts discussed in the Drafting Committee, particularly the Kenya proposal (A/AC.125/L.7 of 11 March, 1966 - Report paragraph 363).

7. Co-operation

This is the text which narrowly failed to secure general agreement at New York. The phrase at the end of paragraph 2 (b) concerning discrimination which aroused controversy has been omitted.

8. Equal Rights and Self-determination

This text is derived from the United States text (Report, paragraph 459), parts of Resolution 1514 (XV), and - paragraph 2 (c) - from L.31 (Paragraph 2(c)). Paragraphs 2 (a) and (b), however, are new.

9. Good Faith

This is the text which narrowly failed to secure general agreement at New York, expanded to include a revision of paragraph 2 A (1) and paragraph 2 C of L.37 (Report paragraph 525) - see paragraphs 4 and 5.

10. General

Paragraph 1 is based on the Interpretative Note in the Resolution of UNCTAD adopting Principles relating to the Transit Trade of land-locked States (UNCTAD, 1964, Final Act Annex A.1.2.) Paragraph 2 replaces clauses on similar lines in the texts on several principles as evolved individually.