

4. *Requests* the Member States to transmit their comments to the Secretary-General so that he may report on them to the General Assembly at its next regular session.

*266th plenary meeting,  
3 December 1949.*

### **370 (IV). Privileges and immunities of the United Nations**

*The General Assembly*

*Takes note* of the Secretary-General's report presented in documents A/940, A/940/Add.1 and A/940/Add.2.<sup>15b</sup>

*266th plenary meeting,  
3 December 1949.*

### **371 (IV). Permanent missions to the United Nations**

*The General Assembly,*

*Having examined* the Secretary-General's report<sup>16</sup> on permanent missions to the United Nations (A/939/Rev.1 and A/939/Rev./Add.1) submitted in compliance with General Assembly resolution 257 (III) A<sup>17</sup> of 3 December 1948,

1. *Notes* with satisfaction that fifty-one Member States have set up permanent missions at the seat of the United Nations;

2. *Invites* all Member States which have set up such missions and which have not yet transmitted to the Secretary-General the credentials of their permanent representatives to do so as soon as possible.

*266th plenary meeting,  
3 December 1949.*

### **372 (IV). Designation of non-member States to which a certified copy of the Revised General Act for the Pacific Settlement of International Disputes shall be communicated by the Secretary-General for the purpose of accession to this Act**

*The General Assembly,*

*Noting* that no State Member of the United Nations has as yet adhered to the Revised General Act for the Pacific Settlement of International Disputes (General Assembly resolution 268 (III) A<sup>18</sup> of 28 April 1949),

*Decides* to defer to a later date the consideration of the item "Designation of non-member States to which a certified copy of the Revised General Act for the Pacific Settlement of International Disputes shall be communicated by the Secretary-General for the purpose of accession to this Act".

*266th plenary meeting,  
3 December 1949.*

<sup>15b</sup> See *Official Records of the fourth session of the General Assembly, Annex to the Sixth Committee*.

<sup>16</sup> See *Official Records of the fourth session of the General Assembly, Annex to the Sixth Committee*, document A/939/Rev.1.

<sup>17</sup> See *Official Records of the third session of the General Assembly, Part I, Resolutions*, page 171.

<sup>18</sup> See *Official Records of the third session of the General Assembly, Part II, Resolutions*, page 10.

### **373 (IV). Approval of part I of the report of the International Law Commission covering its first session**

*The General Assembly,*

*Noting* from part I of the report<sup>19</sup> of the International Law Commission covering its first session that the Commission has dealt, within its competence, with the studies entrusted to it by the General Assembly in relation to the codification and progressive development of international law,

1. *Congratulates* the Commission on the work it has undertaken and on the work still in progress;

2. *Approves* part I of the report of the International Law Commission.

*270th plenary meeting,  
6 December 1949.*

### **374 (IV). Recommendation to the International Law Commission to include the régime of territorial waters in its list of topics to be given priority**

*The General Assembly,*

*Noting* that the International Law Commission has decided<sup>20</sup> to give priority to the following three topics:

1. Law of treaties

2. Arbitral procedure

3. Régime of the high seas,

*Considering* that the topics of the régime of the high seas and the régime of territorial waters are closely related,

*Recommends* to the International Law Commission that it include the topic of the régime of territorial waters in its list of priorities.

*270th plenary meeting,  
6 December 1949.*

### **375 (IV). Draft Declaration on Rights and Duties of States**

*The General Assembly,*

*Having received* the draft Declaration on Rights and Duties of States<sup>21</sup> prepared by the International Law Commission in pursuance of the instruction given to it by the General Assembly in resolution 178 (II)<sup>22</sup> of 21 November 1947,

*Considering* that it is a responsibility of the United Nations, and more especially of the General Assembly, under Article 13 of the Charter, to encourage the progressive development of international law and its codification,

*Considering* that at the present time it has encountered some difficulties in formulating basic rights and duties of States in the light of new developments of international law and in harmony with the Charter of the United Nations, and recognizing the need of continuing study with regard to this subject,

<sup>19</sup> See *Official Records of the fourth session of the General Assembly, Supplement No. 10*.

<sup>20</sup> *Ibid.*, page 3.

1. *Notes* the draft Declaration on Rights and Duties of States prepared by the International Law Commission and expresses to the Commission its appreciation for its work on the draft Declaration;

2. *Deems* the draft Declaration a notable and substantial contribution towards the progressive development of international law and its codification and as such commends it to the continuing attention of Member States and of jurists of all nations;

3. *Resolves* to transmit to Member States, for consideration, the draft Declaration together with all the documentation relating thereto produced during the present session of the General Assembly, and to request them to furnish their comments and suggestions at the latest by 1 July 1950;

4. *Requests* Member States to furnish at the same time comments on the following questions:

(a) Whether any further action should be taken by the General Assembly on the draft Declaration;

(b) If so, the exact nature of the document to be aimed at and the future procedure to be adopted in relation to it;

5. *Requests* the Secretary-General to prepare and publish the suggestions and comments furnished by Member States, for such use as the General Assembly may find desirable;

6. *Directs* that the text of the draft Declaration be annexed to the present resolution.

*270th plenary meeting,  
6 December 1949.*

### **Annex**

## **Draft Declaration on Rights and Duties of States**

*Whereas* the States of the world form a community governed by international law,

*Whereas* the progressive development of international law requires effective organization of the community of States,

*Whereas* a great majority of the States of the world have accordingly established a new international order under the Charter of the United Nations, and most of the other States of the world have declared their desire to live within this order,

*Whereas* a primary purpose of the United Nations is to maintain international peace and security, and the reign of law and justice is essential to the realization of this purpose, and

*Whereas* it is therefore desirable to formulate certain basic rights and duties of States in the light of new developments of international law and in harmony with the Charter of the United Nations,

*The General Assembly* of the United Nations adopts and proclaims this Declaration on Rights and Duties of States:

### **ARTICLE 1**

Every State has the right to independence and hence to exercise freely, without dictation by any other State, all its legal powers, including the choice of its own form of government.

<sup>21</sup> See *Official Records of the fourth session of the General Assembly*, Supplement No. 10, page 8.

### **ARTICLE 2**

Every State has the right to exercise jurisdiction over its territory and over all persons and things therein, subject to the immunities recognized by international law.

### **ARTICLE 3**

Every State has the duty to refrain from intervention in the internal or external affairs of any other State.

### **ARTICLE 4**

Every State has the duty to refrain from fomenting civil strife in the territory of another State, and to prevent the organization within its territory of activities calculated to foment such civil strife.

### **ARTICLE 5**

Every State has the right to equality in law with every other State.

### **ARTICLE 6**

Every State has the duty to treat all persons under its jurisdiction with respect for human rights and fundamental freedoms, without distinction as to race, sex, language, or religion.

### **ARTICLE 7**

Every State has the duty to ensure that conditions prevailing in its territory do not menace international peace and order.

### **ARTICLE 8**

Every State has the duty to settle its disputes with other States by peaceful means in such a manner that international peace and security, and justice, are not endangered.

### **ARTICLE 9**

Every State has the duty to refrain from resorting to war as an instrument of national policy, and to refrain from the threat or use of force against the territorial integrity or political independence of another State, or in any other manner inconsistent with international law and order.

### **ARTICLE 10**

Every State has the duty to refrain from giving assistance to any State which is acting in violation of article 9, or against which the United Nations is taking preventive or enforcement action.

### **ARTICLE 11**

Every State has the duty to refrain from recognizing any territorial acquisition by another State acting in violation of article 9.

### **ARTICLE 12**

Every State has the right of individual or collective self-defence against armed attack.

### **ARTICLE 13**

Every State has the duty to carry out in good faith its obligations arising from treaties and other sources of international law, and it may not invoke provisions in its constitution or its laws as an excuse for failure to perform this duty.

### **ARTICLE 14**

Every State has the duty to conduct its relations with other States in accordance with international law and with the principle that the sovereignty of each State is subject to the supremacy of international law.

<sup>22</sup> See *Official Records of the second session of the General Assembly*, Resolutions, page 112.